

SOME INVESTIGATIONS ON THE PROBLEM OF TENURE IN U.S.A.

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I. Introduction: General Description

A. It cannot be denied that a rational system of tenure for the university-faculty is both necessary and important, for it is a method by which the university recognizes the contribution of its faculty-member. And once awarded, academic tenure by a particular university, cannot be dismissed except for some "adequate causes". In other words, tenure can be understood as a continuous appointment for a faculty at the university (or the college) until retirement or voluntary resignation.

The conclusion of a course for a student can be evaluated by a grade, but the faculty-member cannot be rated in such a grading system. Nonetheless, tenure has to be decided through a person's judgment about the faculty and his (or her) achievements. In the act of tenuring (promoting) the faculty-member, the criteria for tenure are not only given, but also the very process by which the decision is made can reveal the true nature of the university in the governance of the university.

B. Tenure for the faculty has had its critics as well as its defenders. In the negative sense, tenure has been criticized on the ground that it protects poor teachers against evaluation; and some faculty-members believe that it is an unnecessary protection for the able teacher. For graduate students, tenure can be modified as a way to open up what has be-

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come a tight job-market. For administrators, tenure seems principally used to protect professors who resist the institution's need to engage in educational experimentation.

As described in the above, the problem of tenure in itself is not easy to solve for the faculty-member or for administrators and students. For this reason, the following problems will be dealt with in this paper: the definition of tenure; privileges contained in tenure; some weakness in the tenure-system; the proper way to systematically examine tenure for alternative suggestions.

II. Significance and Criticism of Tenure

A. Academic tenure defined

What is academic tenure? Two sources can be used for the definition of tenure (*Policy, Document and Reports*, 1973, p. 1-4; *Faculty Tenure*, 1973, p. 256). One source is the official formulation which has been set forth in the "1940 Statement of Principles on Academic Freedom and Tenure," a joint effort of the American Association of University Professors and the Association of American Colleges. According to its definition,

Tenure is a means to certain ends; specifically: (1) freedom of teaching and research and of extramural activities and (2) a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom and economic security, tenure, are indispensable to the success of an institution in fulfilling its obligations to its students and to society. (*Policy, Documents and Reports*, 1973, p. 2)

The other definition of tenure has been given to us by the Commission on Faculty Tenure, sponsored by the AAUP and AAC. According to the Commission Report which has delivered its reports after a couple of years labor (R. Nisbet, 1973, p. 28), tenure is

An arrangement under which faculty appointments in an institution of higher education are continued until retirement for age or physical disability, subject to dismissal for adequate cause or unavoidable termination on account of financial exigency or change of institutional program. (*Faculty Tenure: Commission on Academic Tenure in Higher Education*, 1973, p. 256)

Even though the Commission Reports seem to put its emphasis on economic security for the faculty member, the aims of tenure can be characterized through two sources as the following: "to protect academic freedom" and "to guarantee job security". Academic freedom means the right of the scholar to pursue knowledge, where ever it may lead, to make known the results of such research without any fear, to speak out on any issues. The other privilege is a measure of job security. The teacher can be assured of continuing

employment so long as he (or she) stays with the defined limits in his (or her) activities.

The above stated objectives of tenure have been used as the ground for justification of tenure or as the benefits of tenure. Principally, tenure, as indicated by William Van Alstyn (1973, p. 328), can be expressed as a statement of formal assurance: the individual's professional security and academic freedom will not be placed in question without adequate cause. In a practical sense, after the university officially grants tenure if it wishes to keep a teacher on its faculty, the teacher as a faculty-member cannot be dismissed, except for "adequate cause," until the teacher reaches the institution's fixed retirement age. Cause for dismissal is vague in the "1940 Statement," but the Commission Report (1973, p. 256) has referred to it

To demonstrated incompetency or dishonesty in teaching or research, to substantial and manifest neglect of duty and to personal conduct which substantially impairs the individual's fulfillment of his institutional responsibilities.

B. Two sides of the coin: for and against tenure

Tenure seen through the eyes of faculty-members is different from tenure as seen through the eyes of educational administrators.

(a) There are some arguments favoring tenure. There is no question that tenure is essential to academic freedom. Tenure is used to protect the individual rights of a scholar whose creative work might alter the traditional orthodox truth. Tenure is said to attract to academic life, young people of outstanding ability and to promise into academic life because it gives them the right to "pursue the search for truth," and make them free from the risk of interference by those who disapprove of their findings (Faculty Tenure, 1973, p. 15). Tenured professors may be able to keep non-tenured faculty from developing their intellectual interest according to their own professional judgment (Silber, 1974, p. 42). Tenure is to provide untrammled time to do scholarly work. In order to do work consistently and successfully, the university has to provide an economically stable situation for the faculty-member (Hackerman, 1975, p. 253).

(b) There is, likewise, the other side of the coin to be seriously considered. No one can deny the positive side of tenure. Nevertheless, the negative side constitutes a most serious challenge to tenure. Because of this, tenure has become problematic as a current critical issue in university society.

In the administration of tenure, some abuses have been discovered (Hackerman, 1975, p. 252; Faculty Tenure, 1973, p. 14): personal references and political action have been

involved rather than the tenure-criteria. Tenured professors are free to leave for a better job elsewhere, regardless of how damaging their departure may be to the institution (Faculty Tenure, 1973, p. 14). This is the difference between tenure as job security in a pre-industrial and the post-industrial society (Brewster, 1972, p. 382). And the tenure faculty-member seems to be allowed to enter upon a precocious semiretirement (Silber, 1974, p. 42). Tenure could keep non-productive scholars and poor instructors after it grants tenure to the faculty (Hackerman, 1975, p. 252; Faculty Tenure, 1973, p. 14; Lockard, 1973, pp. 123-24). In the case of faculty, is it possible for untenured faculty-members to stand on their own knees before the administration? The answer is "no" (Silber, 1974, p. 42). It means that the tenured could have academic freedom, but the non-tenured would not have it (Faculty Tenure, 1973, p. 13). The tenure system may exclude new approaches and subjects in higher education (Silber, 1974, p. 42; Faculty Tenure, 1973, p. 14). The final serious challenge to tenure is economic insecurity of higher education itself (Henry, 1972, p. 288). Higher education is no longer regarded as a high national priority. According to Walter Adam's opinion, the academic market-place is not an autonomous or divine mechanism; it is determined by man-made decisions of federal, state, and local government. In the present financial crisis, higher education faces the no-growth, steady state situation and the paralyzing limitation it prefigures on higher education. In the economic insecurity of higher education, the tenure system is told simply too expensive; and also the system diminishes the opportunity to recruit and retain young faculty (Faculty Tenure, 1973, p. 14).

C. Two benefits of tenure reexamined

Two benefits of tenure have been regarded as the essential ground for tenure: "to protect academic freedom" and "to guarantee job security". Some weaknesses, however, are discovered in the procedure of tenure.

(a) According to Kingman Brewster (1972, p. 382), the rationale for job security in tenure has been changed. Job security for the faculty-members was guaranteed when they were paid well in comparison with other professional business. But the job situation is somewhat different in the industrial society, especially in the university which wants to forward the frontiers of learning. For this reason, a big problem in the post-industrial society, as already indicated in the above (Faculty Tenure, 1973, p. 14), is that the tenured faculty is free to leave his (or her) position for a better job, no matter what harm could be done to students as well as to administration (K. Brewster, 1972; N. Hackerman, 1975).

Because of the situation of a changing society, job security has to be pointed in the different way: the university has to guarantee job security only for a person who literally makes a lifetime investment in his special way. In other words, the benefit of job security has to be given to the faculty who decides to contribute himself to the understanding of some corner of the universe.

(b) The other benefit of tenure is academic freedom. This concern has focused on the right of faculty members to pursue knowledge and to present the conclusion of their scholarly inquires (Clark, 1974; Brewster 1972; Hackerman, 1975). Academic freedom has been understood as the protection from "outside" interference. As long as a faculty-member is tenured, he has the right to speak, or to do research, whether those conclusions are popularly accepted or not.

What does academic freedom mean to the professor who possesses it? Generally, the professor is understood to claim *the right to pursue the truth unhindered* (Pincoffs, 1975, p. viii). According to Pincoffs' interpretation, "right" is a partisan term, not a universal one. The notion of "right" has to be applied to exhibit class-awareness as a faculty-member. "To pursue" means "to do research, to engage in scholarship," "to teach or to learn." The following question can be derived from the above premises: Is the academic entitled to freedom by virtue of his membership in the academic community? or by virtue of his rights as a citizen? According to consequentialists, academic freedom has to be a practice within an institution of the university. Academic freedom for the faculty should be justified and protected with the aims of the university (Lockard, 1973; Nisbet, 1973). Academic freedom can justify itself not by what it grants the individuals, but by what it does for the university. But in the non-consequential sense, the academic has a moral right to academic freedom, which is not based on the instrumental value, but based on the intrinsic value of the academy. Scholars should be truly "inner-directed", guided by their own intellectual curiosity, insight and conscience (Brewster, 1972, p. 382).

Academic freedom can also be conceived as a special right, which belongs exclusively to members of an academic community. The special rights to teach, do research, or publish without any interference are not general human rights like the right to free speech. These special rights, therefore, can be derived from particular institutional structures (Faculty Tenure, 1973, p. 256). The Commission on Academic Tenure defined it as the following:

Academic freedom is the rights, identified with the purposes of academic institutions, whereby members of the academic community are protected in the privilege to receive, discover, convey to others, and as generally described in the 1940 Statement of Principles, to act upon knowledge and ideas.

From the above argument, it can be concluded that academic freedom should be distinguished from the personal freedoms guaranteed by the constitution of the nation.

Therefore, when a professor says, "I am a tenured faculty," he is expressing a special kind of relationship with the university: the professor is a person who decides to *contribute* himself to the academic community; a person who recognizes his special rights and responsibilities as a faculty-member *within* the university.

III. The Non-traditional Nature of Tenure

The tenure system provides a rigorous mechanism through which a non-tenured faculty member must demonstrate his (or her) performance during a probationary period. Tenure basically means that an institution, after utilizing a probationary period, renders a favorable judgment toward a candidate in presumption of the individual's continued professional excellence.

A. The new themes in the concept of tenure.

What are the characteristics of tenure?

(a) Tenure is to provide untrammelled time to do scholarly work (Hackerman, 1975, p. 253) It is hoped that all faculty members are scholars, creative workers, who are able to get their thoughts organized. In order to provide for that successful conclusion, the university can give two benefits to the faculty.

(b) Tenure is referred to express a lifetime commitment of university resources (Brewster, 1972, p. 382 ff). How can an academic community be defined? The community is analogous to a religious community to which member commit themselves for a lifetime of scholarship and research. Thus, a community of tenured faculties is considered as the community of persons who are dedicated to the pursuit and publication of the truth. Tenure means to discover a personal commitment to the calling (the teaching job).

(c) Tenure must be seen by the university as the principal device available to achieve its goals and by the professor as the central guarantee of academic freedom (Soules and Buhl, 1972, p. 74).

How to grant tenure depends for its criteria upon how much a faculty understands (agrees with) the purpose of an institution and how the faculty tries to achieve its purpose (Williams, 1969, p. 28). The university (especially, junior colleges) can use its tenure as machinery to reward faculty-members who contribute to the organization's goals. When

a professor says, "I am a tenure faculty," it means that he works to disclose the objectives of the institution in which he operates through professional activities.

(d) Tenure does not exist because of a peculiar solicitude for human beings who constitute academic institutions. Tenure, instead, exists because society needs the benefit of honest judgment and independent criticism (Machlup, 1964, p. 120). Thus, tenure implies a faculty-member who can be qualified as a more humane, intellectually disciplined, and responsible person (Smith, 1974, p. 458 ff).

B. The problem of evaluation

In order to receive tenure, a faculty-member must satisfy minimum eligibility requirements; demonstrate a certain performance level; and reveal adequate potential for growth and development. What are these requirements? How should they be handled?

a. Criteria for tenure.

1. Institutions of higher education state the categories on which the candidate will be judged: teaching, scholarship and service (Clark, 1974, pp. 29–33; Chait and Ford, 1974, p. 124; Lunine, 1974, p. 143–145; McDonald, 1974, p. 363). Although specific criteria for determining eligibility for tenure vary widely, several are commonly applied: evaluating teaching, judging the scholar, and assessing service. The ideal teacher has to regard teaching as his purpose in life. At the university level, it is more than regurgitating the textbooks. A good teacher should satisfy student expectations through creativity in the classroom. High level research for the public and research in methods of education is also important criteria for advancement. Research has to be measured in relation to its significance and importance to the profession. Consequently, research is not judged on quantity, but on quality. Contribution to the community of interests are a necessary part of criteria for tenure. Some faculty members are of administrative use. They may develop new and better ways of programming within the department. Some members concentrate on committee tasks. Activities outside the university are also included in the service category. Participation in professional societies on the university, local or national level are recognized as contributions. Top candidates for tenure have to excel in all three divisions.

2. But it can be recognized that these categories provide some assignments for the wide spectrum of differences. It means that all judgments are necessarily relative and in a large part subjective.

There is no single standard by which a professor's work can be judged; different kinds of teaching prove effective in different ways. When and how should good teaching be

measured? There is some difference between teaching effectiveness in the engineering fields and the humanistic studies courses. How one evaluates teaching, as a teacher, is greatly determined by teaching experience (Chait and Ford, 1974, p. 124) and age (Eckert, 1972, pp. 40-43; Williams, 1969, p. 28). Which one has more priority as a criteria—teaching, research, or service? These different aspects can be discovered between the university-level and the junior college-level. Teaching and service in junior colleges have been more emphasized as criteria for tenure (Williams, 1969, pp. 28-29). But it is true that the young faculty at the university requires time to become established. A certain period is necessary for a young faculty to serve on committees or to achieve a reputation to allow publication for his research.

In spite of the fact that tenure considerations involve making an estimate of whether a person will be an important teacher-scholar-contributor in his field, the university administrator can find “mistakes”, that is, “a cadre of non-productive scholars and poor instructors that has built up” (Hackerman, 1975, p. 254). It means that a faculty-member with minimum academic credentials would exist within the university campus.

Therefore, no scientific way can be given to measure quality or independence in research and teaching and to provide a statistical basis for deciding which argument has the better of it in practice (Shaw, 1971, p. 50, Table 10). Nonetheless, faculty quality has to be sooner or later measured to receive tenure.

IV. A Systematic Approach to Governing Procedures

As already indicated in the above, no faculty member can be judged by a universal standard. But an attempt must be made to provide and to present data in order to support procedures whereby a faculty member can be successful and capable. In other words, there must be reasonable procedures of measurements as well as criteria.

A. More effectiveness of deciding tenure-criteria.

The Commission on Faculty Tenure recommends four categories as elements of an effective tenure system (Faculty Tenure, 1973, pp. 36-45): (1) Role of students in assessment of teaching; (2) Evaluation of scholarship and research; (3) Academic citizenship; (4) Faculty responsibility and code of conduct. The last recommendation of the Commission is something different from what people previously thought. It emphasizes that the faculty of each institution assumes responsibility for developing a code of faculty conduct

and for faculty self-discipline (Peairs, 1974, p. 6–10). Shaw (1971, p. 63) indicated in his study that the first criteria for termination of tenure is “immorality or misconduct”.

Something similar to the Commission Recommendation is expressed in yet another different way (Smith, 1974, pp. 459–470). According to Smith, tenure in itself is neither the cause of, nor the solution to, the principal problems facing higher education. The problem lies in what a faculty member thinks of the nature of academic accountability. What does it mean by academic accountability? Accountability means “to listen to what I have to say and be influenced by it” (Smith, 1974; Henry, 1972). Accountability has been divided into two parts: internal and external accountability (Smith, 1974). Internal accountability is described as “intellectual honesty,” “relationship with colleagues and with students”; external accountability means “what contributions an academic profession brings to a world with the means? What ends does it serve? (Henry, 1972). Therefore, accountability is not only related to measurement of performance, but also to functions or the means of carrying out the purpose of an institution.

B. Kinds of tenure

The analysis of tenure statues is important in order to have the most effective one for the educational society. Four kinds of tenure (Machlup, 1964) and two kinds (Lockard, 1973; Shaw, 1971) have been described in their articles. The four kinds described in Machlup are tenure by law, tenure by contract, tenure by moral committment under a widely accepted academic code, and tenure by courtesy, kindness, timidity. The two kinds considered in Lockard and Shaw are legal and moral tenure. Tenure by law and by contract can be enforced legally by the courts. Tenure by moral committment rests on what the profession has come to regard as “accepted academic practices” in the 1940 Statement of Principles. Which one is more real and practical? Tenure by moral committment is emphasized by Machlup (1964), and tenure by contract is emphasized by Soules and Buhl (1972). The solution of this problem has to be related to what a faculty-member or the administrator thinks of the philosophy of education.

C. Systematic approaches to governance of tenure

In order to overcome error of the tenure-decision, it is important to consider what tenure is expected to achieve; and in order to meet the objectives, it is also necessary to follow the model tenure system. For this model tenure system, two system will be introduced.

- (a) Four-part system for tenure (Soules and Buhl, 1972, pp.75–79)

1. *Dossier of evidence.* The basic step for tenure is to require the professor himself to declare his candidacy. After the faculty-member judges of himself (or herself), regarding the criteria of tenure, he (or she) can request the consideration of his (or her) dossier. It is the candidate's responsibility to build the dossier of evidence in his (or her) own behalf. Of course, the non-tenured can get advice from the counsel and tenured faculties.

2. *Professional activities—role activities.* A case for excellence may be made for any one of a member of equally weighted professional activities. An institution has to be served by persons who demonstrate superiority in one activity rather than by those who perform adequately in several areas. Within the university, areas can be defined to concentrate faculty members' energies with distinctions: (1) undergraduate program; (2) graduate program; (3) research and scholarship; (4) service.

3. *Criteria for excellence.* The measurement of performance must be handled in relatively objective and comparative standards: teaching, research and service.

4. *The procedure for making decision.* Every faculty member has a right to know who makes decisions about their future as well as why they are made. The step by which a candidate's dossier advances through the review process must be spelled out. The final decision-making authority should lie with one academic officer, or a small group.

(b) Robert Clark's system for indefinite tenure(1974)

1. The first step in good procedure is the department head's annual rating of a new faculty member. The rating should be in writing; it should be made available to and be discussed with the faculty-member who is rated.

2. Independent judgment: the evaluation process itself should involve, as independent agents, colleagues both within the department and beyond it.

3. Review Committee: each school should have a formal review committee as an interschool committee.

4. Department Heads and Deans: they perform a special function as administrators and ought to exercise it in the tenure review, in order to make the tenure-recommendation.

5. Supporting Evidence: (1) teaching, scholarship, service.
(2) provide a curriculum vitae, student evaluation.

D. Supporting policy to strengthen tenure plan

In order to manage more effectively the system of tenure decision it is necessary to observe what could support it in governing tenure. Some suggestions are recommended by the Commission on Faculty Tenure (1973, pp. 55-65)

(a) Formal policy statement: every institution has to develop a formal statement of

its faculty personnel policy as related to the objectives of an institution.

(b) **Monitoring Departmental Recommendations:** every institution has to develop reliable procedures for review of departmental personnel recommendations above the department level.

(c) **Length of probationary period:** the seven years as the maximum for probationary service is recommended; but this period has to be not less than five years.

V. Some Alternatives for the Organization of Tenure

Which one is the most effective organization of tenure? No definite answer can be given to this question. This is because the organization of tenure itself is related to judging a person as a faculty-member. Thus, several alternative choices have to be considered in order to determine the best one.

A. The promotion (tenure) from assistant to associate professor may allow the candidate to contribute from two criteria among teaching, research, and service, but the step to full professor requires that abilities in all criteria be exhibited.

B. The automatic tenure rule (Machlup, 1964)

(a) Permanent tenure can be acquired automatically, without any particular act by the institution, simply by length of service of the teacher.

(b) Permanent tenure is not confined to holders of any particular academic rank or title; nor is it confined to those who have served for a stated period in any particular rank.

(c) The probationary period should in general not exceed seven years, beginning with the first appointment to rank of fulltime instructor, including within this period full-time in all institutions of higher education.

C. Hampshire College Reappointment Process (Lunine, 1974)

Hampshire College uses a renewable contract plan.

(a) The reasons are: (1) life-tenure systems do not encourage continuing professional self-examination or evaluation by others; (2) life-tenure systems do not encourage experiment, development; (3) life-tenure systems are not the only way to insure academic freedom and professional dignity.

(b) Because of some inherent weaknesses in the life-tenure system, the college uses "renewable three-seven-year contracts" on the base of annual reviews for faculty-members.

(c) The review mechanism is a college committee: the president, the college dean, five elected faculty, and two elected students (Robert p. Clark opposes “two elected students,” 1974)

(d) The first appointment and all reappointments are based on professional competence and promise as a teacher, as a scholar, as a contributor.

D. An age standard (Hackerman, 1975, p. 255)

One suggestion is to set an age standard. Tenure would not be provided to anyone below age 37, on the basis that a scholar-teacher does not mature until then.

E. Five years' maximum for tenure.

It would be to provide tenure at five years' maximum time and to reevaluate the individual at five years after the tenure decision and then again five years later. After 10 years the individual should be considered not only able but also self-motivated for life-tenure.

F. “Incremental Tenure”

Appointments for instructors and assistant professor would be made approximately as they are today. But the only change is in certain contractual protections.

(a) According to Jackson and Wilson (1971), instructorship carries terms of either one or two years, renewable for a total four years; assistant professorships of either two or three years, renewable for a total of six years. Appointment at the associate professor level would be for three or four-year periods, renewable only once. At that point, the university has to decide whether to promote the individual to a full professorship. In all cases, one year's notice should be given for termination.

(b) Any contract should include formal statements guaranteeing professional, academic, and personal freedom: setting forth the nature and scope of professional duties; delineating the methods for evaluating performance; and establishing institutional standards for competency. The contract has to be the statement that contracts would be renewed unless the institution could show “acceptable cause” (Faculty Tenure, p. 256) for not doing so.

VI. What is the Real Problem?

What is a real serious problem as far as tenure is concerned? Smith (1974) points out that tenure system is neither the cause of nor the solution to the principal problems facing high-

er accountability of faculty members. Brewster (1973) emphasizes a faculty-member's personal commitment to the calling. According to J. Lockard (1973), problems of tenure usually emerge from the questions of what protection and guarantees a teacher should have, and how these goals should be secured. Does tenure really protect two benefits: academic freedom and job security? Basically, the answer is "no," (Silber, 1974). But tenure is necessary for a faculty-member to continue working at the university. Unfortunately, tenure still is controversial. Why?

A. Some questions involved in tenured faculty-members

These questions have been seriously discussed (Hackerman, 1975; Clark, 1974; Lunstrum, 1975; Hechinger, 1975).

(a) The basic intention of tenure (Alstynne, 1971) is that after utilizing a probationary period, an institution can determine the individual's professional excellence and competence in order to keep the individual permanently. But after having decided tenured faculty, some tenured members unfortunately can be seen as semi-retired, not growing, incompetent. Because of these cases, tenured has been said to protect the incompetent. Here is a reason to observe post tenured faculty.

(b) How can the solution to the above problem be possible? Two solutions could be considered: (1) positive way and (2) negative way. The positive way is "Retraining Faculty Members" as means of improvement; the negative way is "loss of tenure" or "dismissal process".

(1) According to Robert Clark (1974, p. 35-37), the purpose of post-tenure review should not be for the termination of professional appointment. Its purpose should be to support a once able professor to regain his strength and competence. As means of improvement, the university should lend every possible support to the professor (Ex. Faculty Retraining in Florida State Universities by Lunstrum, 1975; Pragmatics of faculty Self-Development by Brown and Hanger, 1975).

(2) For the administrator faced with a teacher he wants to fire, but "cannot", a revision of tenure can be proposed which might be termed limited tenure (Lockard, 1973). Rather than indefinite tenure, tenure would have to be renewable at the end of each term.

The other way is the case of dismissal of tenured faculty. Dismissal here means to get fired through loss of tenure. There are two ways of dismissal: "arbitrary" and "academic due process". Arbitrary means "the power to fire a person without a fair hearing" (Alstynne, 1971, p. 330). Academic due process can be considered as the essential managerial

requirement to dismiss a tenured teacher (Lang, 1975).

i) What are causes for dismissal? Causes for dismissal have been defined as “adequate cause” (Faculty Tenure, 1973, p. 256). According to its interpretation, adequate causes are: demonstrated incompetency or dishonesty in teaching or research, substantial and manifest neglect of duty; personal conduct to impair his institutional responsibilities. W. R. Hazard (1975) describes adequate causes in more detail by using eight points. Especially, B. N. Shaw demonstrates in his study criteria for the termination of tenure as used in the eighty State Universities and Land-grant Colleges in the U. S. A. (1971, p. 63).

ii) How should the process of dismissal be managed? There should be serious and reasonable processes to avoid misunderstanding between the university and tenured faculty. The process for termination would be related to the governance of university: democratic, dictatorship. But this problem also can be sent to the courts (Alstyne does not like this case), and can encourage the faculty-member to establish the collective bargaining or Unionism (Faculty Tenure, 1973, pp. 68-77; Lang, 1975; Hazard, 1975).

According to the Commission on Faculty Tenure Recommendation, managerial requirements to dismiss a tenure teacher are: (1) give permissible reasons for non-appointment; (2) need more supplemental information; (3) develop clear procedure; (4) adequate cause; (5) sanctions short of dismissal; (6) standards of notice of non-appointment.

B. What is the real problem?

From the above arguments on tenure, it is not difficult to derive what the real problem is. B. L. Smith's statement is correct: the tenure system itself is not the cause of or the solution to the current personnel problems of higher education.

Some abuses of tenure are practiced both among the administrators and faculty-members. In a sense, it cannot be denied that we have incompetent faculty because of the tenure system. What is the real problem people as educators have to think of? As already pointed out (Brewster, 1972, personally, I agree with him), the problem is what kinds of attitudes the faculty-member at the university have toward their (teaching) calling. Not only the professor's attitude, but also the administrator's attitude is also of importance. As pointed out in the above, the academic community should be different from the business of manufacture.

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