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Introduction

Your Problem Is My Problem

We have taken the great leap forward and said, “Let’s pretend we’re a corporation.”

—John Lombardi, president, University of Florida, 1997

Over the past forty years, the administration of higher education has changed considerably. Campus administrations have steadily diverged from the ideals of faculty governance, collegiality, and professional self-determination. Instead they have embraced the values and practices of corporate management. Consequently, the new realities of managed education strongly correspond to the better-understood realities of managed health care. For example, both education and health have been increasingly marketized—transformed into sites of unprecedented capital accumulation by way of the commodification of activities and relationships. Public assets and activities intended for the public good have been transferred into private hands. Workers in both health and education have seen the compulsory acceleration of market behaviors (such as competition for resources and profit-seeking) in their professional cultures. In both fields, the management of professional activities has resulted in the return of the sort of dizzying inequalities formerly associated with the Gilded Age. Under the principle of revenue maximization, managers direct professionals to provide ever more elaborate boutique services to the wealthy. At the same time, under the principle of cost containment, they constrain professionals to offer degraded service or even deny service to the vast majority of the working class.

Most people intuitively understand the consequences for health of managed care. Because the calculus of profit demands continuous reduction in the costs of care, especially the expensive labor time of highly

trained professionals, the “management” of care implies the substitution of lesser-skilled and lesser-paid workers, such as nurse’s aides, for highly skilled and higher-paid physicians. Fewer people get to see doctors. Doctors have fewer options for treatment and diagnosis. Many critical health care decisions are made by nonmedical management or by doctors with strong incentives to accommodate their managers. More of the expense and burden of care is shifted to patients and families. Under a profit regime, the standards of care are established not by the measure of lives saved but by the measure of financial risk: At what point do the fiscal liabilities for malpractice exceed the dollar savings of using fewer, cheaper, less experienced, and less elaborately trained personnel? Up to the limit of malpractice exposure, health-care providers have real incentives to use older equipment, take smaller precautions against infection and complication, shorten hospital stays, and deny access to the best procedures in favor of cheap procedures.

Less well understood is how the logic of the HMO increasingly rules higher education. For example, management closely rations professor time. Thirty-five years ago, nearly 75 percent of all college teachers were tenurable; only a quarter worked on an adjunct, part-time, or non-tenurable basis. Today, those proportions are reversed. If you’re enrolled in four college classes right now, you have a pretty good chance that one of the four will be taught by someone who has earned a doctorate and whose teaching, scholarship, and service to the profession has undergone the intensive peer scrutiny associated with the tenure system. In your other three classes, however, you are likely to be taught by someone who has started a degree but not finished it; was hired by a manager, not professional peers; may never publish in the field she is teaching; got into the pool of persons being considered for the job because she was willing to work for wages around the official poverty line (often under the delusion that she could “work her way into” a tenurable position); and does not plan to be working at your institution three years from now. In almost all courses in most disciplines using nontenurable or adjunct faculty, a person with a recently earned Ph.D. was available, and would gladly have taught your other three courses, but could not afford to pay their loans and house themselves on the wage being offered.

Most undergraduate education is conducted by a superexploited corps of disposable workers that Cary Nelson describes as a “lumpen professoriate” (Nelson and Watt, *Academic Keywords*, 208), often col-

lecting wages and benefits inferior to those of fast-food clerks and bellhops. According to the Coalition on the Academic Workforce survey of 2000, for instance, fewer than one-third of the responding programs paid first-year writing instructors more than \$2,500 a class; nearly half (47.6 percent) paid these instructors less than \$2,000 per class (American Historical Association). At that rate, teaching a full-time load of eight classes nets less than \$16,000 annually and includes no benefits. By comparison, research faculty with half their workload in “publish or perish” activities usually teach four or fewer classes in a year. Persons who have acquired \$30,000 to \$100,000 in debt en route to a Ph.D. cannot afford to work for those wages. More often than not, working for those wages is the reason they acquired debt in the first place. In fact, without some kind of assistance, few can afford to work for two or three times that amount.

Higher education employers can only pay those wages in the knowledge that their employees are subsidized in a variety of ways. In the case of student employees, the massive debt load subsidizes the wage. For poorly paid adjunct, or contingent, faculty, who are women by a substantial majority, the strategies vary but include consumer debt and reliance on another job or the income from a domestic partner. Like Walmart employees, the majority female contingent academic workforce relies on a patchwork of other sources of income, including such forms of public assistance as food stamps and unemployment compensation. It is perfectly common for contingent university faculty to work as grocery clerks and restaurant servers, earning higher salaries at those positions, or to have been retired from such former occupations as bus driving, steelwork, and auto assembly, enjoying from those better-compensated professions a sufficient pension to enable them to serve a second career as college faculty. The system of cheap teaching doesn't sort for the best teachers; it sorts for persons who are in a financial position to accept compensation below the living wage.

As a result of management's irresponsible staffing practices, more students drop out, take longer to graduate, and fail to acquire essential literacies, often spending tens of thousands of dollars on a credential that has little merit in the eyes of employers. The real “prof scam” isn't the imaginary one depicted in Charles Sykes's fanciful 1988 book by that title, which concocted the image of a lazy tenured faculty voluntarily absenting themselves from teaching. Instead, the prof scam turns out to be a shell game conducted by management, who keep a tenurable

stratum around for marketing purposes and to generate funded research. The tenured are spread so thin with respect to undergraduate teaching, however, that even the most privileged undergraduates spend most of their education with parafaculty working in increasingly unprofessional circumstances. As the union activists of the nontenurable will tell you, the problem is not with the intellectual quality, talent, or commitment of the individual persons working on a nonprofessorial basis; it's the degraded circumstances in which higher education management compels them to work: teaching too many students in too many classes too quickly, without security, status, or an office; working from standardized syllabi; using outsourced tutorial, remedial, and even grading services; providing no time for research and professional development. Working in McDonald's "kitchen," even the talent of Wolfgang Puck is pressed into service of the Quarter Pounder.

Despite the tens of billions saved on faculty wages by substituting a throwaway workforce for professionals scrutinized by the tenure system, managed higher education grows ever more expensive. Tuition soared 38 percent between 2000 and 2005, outpacing nearly every other economic indicator. Where does the money from stratospheric tuition and slashed faculty salaries go?

At for-profit institutions, the answer is obvious: it goes into shareholder pockets. Currently enrolling about 8 percent of the 20 million students in financial-aid-eligible institutions, publicly traded education corporations have shown eye-popping return on investment. Between 2001 and 2003, for instance, the average annual return on publicly traded education corporations ranged from 63 to 75 percent (Cho). Since a sizable fraction of these large profits come from tax dollars in the form of financial aid, there has been growing scrutiny of nearly every major player in the for-profit sector. Recently, ITT, Corinthian, and Apollo have all endured substantial federal or state investigation; Career Education underwent investigation by both the Department of Justice and the Securities Exchange Commission, while simultaneously defending a rush of lawsuits from investors and employees (Morgenson; Blumenstyk, "For-Profit Colleges"). In early 2006, the New York State Board of Regents placed a moratorium on new programs by for-profit vendors, after "perceived abuses" at institutions enrolling 60,000 students and receiving more than \$100 million in aid from the state (Lederman). I'm persuaded by Jeff Williams's elegant formulation describing the defunding, privatization, and commoditization of higher education

as the creation of a “post welfare-state” university. But I wonder if we might not press even harder at the matter by describing this restructuring of higher education as the “corporate welfare” university?

The explosive growth in the profits of education corporations comes at a time of intensifying corporate profits globally. In the five years after 2001, the Standard and Poor’s 500 showed a record-setting twelve straight quarters of profit gains averaging 10 percent or more. In 2005, the United States, United Kingdom, and Japan each showed all-time highs in profit share as a percentage of gross domestic product. This could mean that education corporations were lifted by a generally rising tide of profitability. Alternatively, insofar as education profits were well ahead of most other industries, there might be features unique to higher education, enabling it to take special advantage of the conditions particular to this historical profit opportunity. The latter seems more likely. Goldman Sachs, which reported most of these figures, attributes at least 40 percent of the record expansion of corporate profit margin directly to corresponding financial losses by workers, especially the erosion of wages and benefits due to casualization, outsourcing, deregulation, and globalization (Greenhouse and Leonhardt).

It seems probable that the larger-than-average success of education profiteers has quite a bit to do with a larger-than-average ability to extract concessions from its workforce. Lacking even the veneer of a tenurable stratum, the dollars squeezed from a 100 percent casual faculty joined tax money and tuition from the country’s poorest families in enriching the shareholders of education vendors.

But in nonprofit education, which only “pretends” to “act like” a corporation, where have the billions gone? At first glance, there are no shareholders and no dividends. However, the uses to which the university has been put do benefit corporate shareholders. These include shouldering the cost of job training, generation of patentable intellectual property, provision of sports spectacle, vending goods and services to captive student markets, and conversion of student aid into a cheap or even free labor pool. So one sizable trail to follow is the relationship between the financial transactions of nonprofits and the ballooning dividends enjoyed by the shareholder class.

The shareholders of private corporations aren’t the only beneficiaries of faculty proletarianization and the tuition gold rush. Because public nonprofits have been receiving steadily lower direct subsidies from federal and state sources, there has been a general belief that higher tuition

and staff exploitation have somehow been accomplished by sharp-eyed, tight-fisted managers with at least one version of public well-being in mind, if only within the narrow framework of “reduced spending.” But that belief is open to question, since managers have been spending fairly freely in a number of areas.

One area in which nonprofit education management has been freely spending is on themselves. Over three decades, the number of administrators has skyrocketed, in close correspondence to the ever-growing population of the undercompensated. Especially at the upper levels, administrative pay has soared as well, also in close relation to the shrinking compensation of other campus workers. In a couple of decades, administrative work has morphed from an occasional service component in a professorial life to a “desirable career path” in its own right (Lazer-son et al.). Nonprofits support arts and sciences deans, chairs, associate deans, and program heads comfortably in six figures. Salaries rise into the mid six figures for many medical, engineering, business, and legal administrators. University presidents have begun to earn seven figures, close on the heels of their basketball coaches, who can earn \$3 million annually and are often the highest-paid public employees in their states. There are also notably those who directly administer capital. In 2003, the administration of Harvard University compensated the individual who managed just *one sector* of their endowment to the tune of \$17 million. This rate of pay was 1,000 times higher than the compensation doled out by that same administration to Harvard’s lowest-paid workers. In thirty years of managed higher education, the typical faculty member has become a female nontenurable part-timer earning a few thousand dollars a year without health benefits. The typical administrator is male, enjoys tenure, a six-figure income, little or no teaching, generous vacations, and great health care. Nontenurable faculty are moderately more likely, and nonteaching staff substantially more likely, to identify themselves as belonging to an ethnic or racial minority than the tenure-stream faculty. Administrators are less likely to identify themselves with minority status the farther they are up the food chain.

There are lots of other areas in which nonprofit administrators have spent even more. With the support of activist legislatures, they’ve especially enjoyed playing venture capitalist with campus resources and tax dollars by engaging in “corporate partnerships” that generally yield financial benefit to the corporation involved but not the actual campus

(Washburn, *University, Inc.*). More prosaically, they've engaged in what most observers call an "arms race" of spending on the expansion of facilities. And as Murray Sperber and others have documented, they've spent recklessly on sports activities that—despite in some cases millions in broadcast revenue—generally lose huge sums of money. The commercialization of college sport has raised the bar for participation so high that students who'd like to play can't afford the time required for practice, and students who'd like to watch can't afford the ticket prices. Traditionally, the phenomenon known as "cross-subsidy," the support of one program by revenue generated by another program, primarily meant a modest surplus provided by the higher tuition and lower salaries associated with undergraduate education; this income was used to support research activity that was unlikely to find an outside funding agent. Under managed higher education, cross-subsidy has eroded undergraduate learning throughout the curriculum and become a gold mine supporting the entrepreneurial urges, vanity, and hobbyhorses of administrators: Digitize the curriculum! Build the best pool/golf course/stadium in the state! Bring more souls to God! Win the all-conference championship!

Why have those who control nonprofit colleges and universities so readily fallen into the idea that the institution should act like a profit-seeking corporation? At least part of our answer must be that it offers individuals in that position some compelling gratifications, both material and emotional. This is an age of executive license. In addition to a decent salary and splendid benefits, George W. Bush enjoys the privilege of declaring war on Afghanistan and Iraq. College administrators commonly enjoy larger salaries and comparable benefits. They, too, have the privilege of declaring war—on their sports rivals or on illiteracy, teen pregnancy, and industrial pollution. It feels good to be president. As a "decision maker," one can often arrange to strike a blow on behalf of at least some of one's values. What must be swept under the rug is that the ability to do these things is founded on their willingness to continuously squeeze the compensation of nearly all other campus workers. The university under managerial domination is an accumulation machine. If in nonprofits it accumulates in some form other than dividends, there's all the more surplus for administrators, trustees, local politicians, and a handful of influential faculty to spend on a discretionary basis. It's often assumed that some vaguely defined yet all-powerful force called

“economics” or “market pressure,” perhaps from the above-mentioned for-profit education corporations, has made all of this pain, the degradation of teaching and learning, “necessary.”

For instance, in what is otherwise one of the better essays on the rise of for-profit education, Ana Cox suggests that for-profit institutions have a profound influence on the management of nonprofit higher education. As she puts it, a “creeping for-profit ethos” has spread from the University of Phoenix outward, to the nonprofits.

This is a very commonsensical assumption, and it is correct in the general sense that nonprofits have adopted revenue-maximizing principles borrowed from the larger world of profit seeking. But it’s wrong about the heart of the matter. Who is influencing whom? While for-profits enroll about 8 percent of students in institutions receiving financial aid, they capture only 2.4 percent of those enrolled in institutions granting degrees. For-profits collect just 5 percent of the \$395 billion spent on higher education in the United States (Blumenstyk, “For-Profit Education”). They remain strongest in distance and nondegree education, in the tradition of correspondence schools such as Donald Trump’s 10,000-student “Trump University” (Osterman). There are certainly some ways that the low, single-digit market share of degree-seeking students enjoyed by the for-profits places pressure on certain segments of nonprofit education, especially community colleges. But it is hardly the case that for-profit schools taught nonprofit higher education how to cheaply deliver a standardized, vocationally oriented curriculum designed by tenured administrators and implemented by a massively casual instructional force. That practice was perfected decades earlier by the nonprofits themselves, while billionaire University of Phoenix founder John Sperling was still a labor activist and president of a chapter of the American Federation of Teachers, struggling to better the situation of faculty exploited by his nonprofit higher education employer. The dishonest staffing of the nonprofits taught Sperling, a one-time idealist and faculty unionist, how to harvest surplus value more ruthlessly than Nike and DeBeers, not the other way around.

As a matter of policy, accreditation, and sometimes law, the nonprofit institutions themselves intentionally crafted the low standard of a majority nonprofessorial faculty between 1972 and the 1990s. It was this low standard, set by the nonprofits for themselves, that, in turn, permitted the explosive profits of commercial education providers circa 2000. As a result, the accreditation system, dominated and ultimately

corrupted by the administrator class that had engineered these low standards in the first place, was fundamentally helpless to protest that the for-profits had too few highly qualified faculty members. While the Big Ten and the Ivy League were aggressively expanding the meaning of “faculty” to include untrained graduate students, retirees, moonlighters, and anyone else able to work for Wal-Mart wages, who could argue that the for-profit competitors to community colleges should be held to higher standards?

The Culture of the “Corporate University”

There are many ways of understanding what we mean when we speak of the “corporatization” of the university. One valuable approach focuses on the ways campuses actually relate to business and industry in quest of revenue enhancement and cost containment: apparel sales; sports marketing; corporate-financed research, curriculum, endowment, and building; job training; direct financial investment via portfolios, pensions, and cooperative venture; the production and enclosure of intellectual property; the selection of vendors for books, information technology, soda pop, and construction; the purchase and provision of non-standard labor; and so forth (e.g., Barrow; Bok; Kirp; Newfield, *Ivy and Industry*; Noble, *Digital Diploma Mills*; Sperber; Washburn, *University Inc.*; White). Through these activities, most individual campuses and all of the various independent and self-governing institutions of the profession are commercialized: they are inextricably implicated in profoundly capitalist objectives, however “nonprofit” their missions.

Included in this line of analysis are diverse bedfellows. The unabashed right wing of this approach celebrates commercialization, especially the annual \$17 billion for-profit education industry itself; such adherents include, in addition to Trump and Sperling, celebrity junk-bond felon Michael Milken. The left wing of this approach is led by such contributions as *Campus, Inc.* and *University, Inc.*, respectively, Geoffrey White’s scathing collection of exposes of “corporate power in the ivory tower” and Jennifer Washburn’s monograph on the “corporate corruption of higher education.” There is also a “center” to this discourse. The center comprises widely read recent efforts by prominent university administrators such as Harvard president Derek Bok (*Universities and the Marketplace*) and the acting dean of Berkeley’s Goldman School of

Public Policy, David Kirp (*Shakespeare, Einstein and the Bottom Line*). The common theme of centrist efforts is the claim that there is no alternative to “partnership” with business and “making peace with the marketplace.” Distressingly, more than a few unions of the tenure-stream faculty have adopted a position similar to those of Bok and Kirp, accepting the partnership with corporate enterprise as a “necessity” and adopting the protection of tenure-stream faculty rights to intellectual property as a higher priority than, for instance, addressing casualization and the installation of a radically multi-tiered workforce.

An important alternative understanding of the transformation of the university focuses not on commercialization but on organizational culture. Among the best-known examples of this approach include Bill Readings’s study of the ideology of excellence, in connection with the active effort by university administrations to transform institutional culture, and Sheila Slaughter and Larry Leslie’s and Gary Rhoades and Sheila Slaughter’s examinations of “academic capitalism,” the phenomenon through which university management both encourage and command faculty to engage in market behaviors (competition, entrepreneurship, profit-motivated curiosity, etc.). In both cases, the particular merit of the projects is the sense of human agency. Changes in the academic workplace come about as a consequence of clearly understood and clearly intended managerial, corporate, and political initiatives with the explicit intention of inducing the faculty to relinquish certain values and practices. Individually and collectively, faculty members make choices when they adopt new organizational cultures.

The organizational culture approach avoids the “victim of history” narrative popularized by Bok and Kirp, in which there is no alternative to commercialization. It also sees the university as a complex and contradictory place, in contrast to the vestal-virgin or ivory-tower tropes dominating such accounts (Newfield, “Jurassic U.”). At least since the early 1970s, when labor economist Clark Kerr theorized the “multiversity” and David Reisman chronicled the rise of “student power” over “faculty dominance,” it has been extremely useful to view the academy as a complex organization hosting multiple, generally competing, institutional groups, each with its own evolving culture, and, further, to see cultural change as related to the struggle between the groups—to see the vigor of 1960s student culture, for instance, as closely connected to the rise of student power relative to the powers of administration.

Most studies follow the lead of 1970s scholarship in considering the

rise, through the 1960s, of at least three increasingly distinct cultures: faculty, student, and administration. During that period, the lion's share of the attention was on student and faculty cultures. However, the circumstances supporting the flourishing of those cultures have eroded. With the increasing economic segmentation of higher education, and the long period of political reaction beginning circa 1980, the sense of a vital "student culture" is generally absent from U.S. mass culture and scholarly literature alike (with the exception of the graduate-employee labor movement, of which more below). Because the traditional figure of the tenure-track professor is now a small minority of the instructional force in U.S. higher education, the sense of a "faculty culture" has also been undermined. As a result, investigating faculty culture means investigating the multiple subcultures of the persons doing the work formerly done by the tenurable faculty: part-time pieceworkers, graduate-student employees, undergraduate tutors, and full-time non-tenurable instructors.

Even as the 1970s sense of strong faculty and student cultures has dissipated, management culture has moved in the other direction entirely—becoming ever more internally consistent and cohesive. The culture of university management has the power and, crucially, the intention to remake competing campus cultures in its own image. In fact, the extent to which we increasingly see campus administrations as dominant over other campus groups has much to do with what we see as the success of administrative culture: that is, its capacity to transmit its values and norms to other groups. As I relate in chapter 3, since the 1960s the faculty have certainly organized—with greater and lesser success, depending on immense variables—but, in the same period, campus administrations have enjoyed a massively increasing sense of solidarity. The managerial caste has grown by leaps and bounds and is tightly knit. Through a complex and vigorous culture of administrative solidarity, university management sees itself as a culture apart from faculty. More than just "apart," management is often aligned *against* the faculty (say, when the faculty seek to bargain collectively or to make "shared" governance meaningful). Even when it is not aimed at defeating a particular faculty initiative, management culture is pitched toward continuous struggle with faculty culture. Informed by the rhetoric of "change," an administrative solidarity continuously shores itself up in opposition to the attitudes, behaviors, and norms felt to describe traditional faculty culture. Faculty values and practices targeted for change generally

include those associated with relative autonomy over the direction of research and conduct of teaching.

In large part, the self-recognition by management of an emerging culture of its own flowed from the extent to which university administration through the 1970s increasingly took traditional faculty beliefs and practices as an object of study. Informed by trends in corporate management, the “educational leadership” discourse increasingly zeroed in on what Ellen Chaffee and William Tierney dub “the cultural drama of organizational life” (1988). Management theory turned away from the human-resources model of developing individual potential. Turning to a more social-psychological frame, managerial discourse began to describe “the underlying cultural norms that frame daily life at the college” (37) as the root of most managerial problems (i.e., as an obstacle to organizational change). This phase of management theory—the leadership discourse—also saw organizational culture as the wellspring of all possibilities. As the new crop of “institutional leaders,” “change agents,” and “decision makers” saw it, transforming institutional culture could accelerate change, reduce opposition, and sweepingly create in individuals the desire to change themselves to greater conformity with the institutional mission.

If this sounds Orwellian, or a bit like Foucault goes to business school, it should. In adopting a management theory founded on the dissemination of a carefully designed organizational culture, campus administrations were like most U.S. corporate management in putting to practical use the lessons in cultural materialism they’d learned in humanities classes. It’s no exaggeration to say that, through management theory, the ranks of corporate executives and campus upper administrators are wholeheartedly cultural materialists to a greater extent than the faculty of most humanities departments.

Rather than as dedicated cultivators of human resources, they now envision themselves as an intellectual vanguard—as the institution’s meta-culture: change agents whose change agency is expressed through cultural invention, whose leadership strategies are aimed primarily at “the social construction of collegiate reality” (Neumann, 389). Plainly put, higher education administration pervasively and self-consciously seeks control of the institution by seeking to retool the values, practices, and sense of institutional reality that comprise faculty and student culture. And they have succeeded wildly. A significant fraction of tenure-stream faculty readily engage directly in the commercialization of re-

search, the enclosure of intellectual property, market behavior such as competition for scraps of “merit pay” rather than a collective demand to keep up with the cost of living, an increasingly managerial role over other campus workers in connection with the continual downsizing and deskilling of traditional faculty work, and so forth. And as they do, we are seeing them embrace exactly the “culture of quality” and “pursuit of excellence” that the administration has intentionally designed for them.

One tantalizing question begged by management’s wildly successful social engineering of faculty culture is this: Under current conditions, to what extent do the tenure-stream faculty represent the possibility of an opposition, a counterculture? With the spread of acceptance among the tenure-stream faculty of academic-capitalist values and behaviors, and acquiescence to an increasingly managerial role with respect to the contingent, there is little evidence of anything that resembles an oppositional culture. Indeed, it has become increasingly difficult to speak of anything resembling faculty culture apart from the competitive, market-based, high-performance habitus designed for them by management. One study of this question regarding community college faculties in the United States and Canada concluded that, despite evidence of antagonism between the faculty and administrations on individual issues, and a degree of concrete opposition located in faculty unions, tenure-stream faculty were generally subject to a profound “corporatization of the self” that produced a pervasive “environment of employee compliance with institutional purposes” founded in management’s success at fostering a primary identification with the employing institution “over and above” an alternative affiliation with, for instance, one’s discipline, any sense of a separate faculty culture, or even the union (Levin, 80–81). Of course, there are exceptions, and self-consciously militant faculties have made their mark in California, New York, Vermont, and elsewhere, including the South. But even most collective-bargaining faculties have not fully addressed such core issues of administrative control of the workplace as the massive creation, over the past twenty years, of a majority contingent workforce.

There is nonetheless an emergent and vigorous culture of faculty opposition—just not in the tenurable minority. Instead, the rising faculty culture belongs to the unionization movements of contingent faculty and graduate employees, who together comprise what the American Association of University Professors accurately terms the “new majority faculty.” On the face of it, it would seem even more difficult to speak of

a “culture” of the contingent workforce. This is a group whose precarious position is overwhelmingly designed to disable solidarity, face-to-face encounters, and the emergence of a sense of common culture and communal interest. Moreover, graduate employees and adjunct faculty face not only the employer as a challenge when organizing but also other workers, including tenure-stream faculty and their unions who, Keith Hoeller points out, have in many cases bargained the multi-tier system of academic labor into existence (Hoeller, “Treat Fairly”). It is a group whose hold on the term “faculty” itself is precarious, as Joe Berry has underlined: “Every time a [tenure-track faculty member] or administrator uses the word ‘faculty’ to refer only to the full time tenure track faculty, one more piece of grit is ground into the eye of any contingent within earshot” (87). Still, they have succeeded in forging an emergent culture of opposition—a culture that sustains and promotes a movement to transform policy, standards, knowledge, appropriations, and the law itself.

This book is a product of that culture. As a graduate student employee and contingent faculty member on several New York campuses in the early and mid 1990s, I participated in campaigns for representation in my union and in my disciplinary association, founded a journal devoted to the struggle (*Workplace: A Journal for Academic Labor*), and circulated an analysis of the particular role that graduate education plays in academe’s uniquely successful system of superexploitation (this eventually appeared as “The Waste Product of Graduate Education: Toward a Dictatorship of the Flexible,” partly included below). That participation was itself a major part of my graduate education. In the process, I discovered that those of us in the movement understood the system of academic labor far better than the vast majority of senior scholars writing about it in a discourse that I came to label “job-market theory.” This discourse was peculiarly detached from our working reality, yet many of us (and all of our faculty mentors) accepted it as a description of our lives and prospects. The leading text of “job-market theory” throughout this period was the contribution of labor economist and Princeton President William G. Bowen who, in a book coauthored with an undergraduate, erroneously projected a major increase in the “demand” for teachers with the Ph.D. (Bowen and Sosa).

As I relate below, the interesting question is not whether Bowen was wrong and the contingent workers were right in a particular instance. The better question is: Why were we right? None of us were econo-

mists, and no authorities disputed Bowen. (Other than, fascinatingly, novelist, then-director of the National Endowment for the Humanities, and English Ph.D. Lynne Cheney, who did so from her experience as a contingent worker, not from her pulpit in the administration.)

Ultimately, I came to believe that we were right because the academy's contingent workforce has a superior standpoint for understanding the system of our work. This isn't a theoretical claim. Over the past twenty years, the analysis of the academic labor system provided by contingent faculty and graduate employees—including those who have reported that oppositional knowledge and contributed to it, especially Cary Nelson, Gordon Lafer, Eileen Schell, Randy Martin, Joe Berry, Barbara Wolfe, and Michael Bérubé—consistently provides a superior description of academic workplace reality than such official sources of information as the disciplinary associations, the Council of Graduate Schools, and the managerial discourse.

In addition to more accurate description, I also believe the standpoint of the contingent faculty and graduate employee generates a more just claim on our attention and action than the standpoints occupied by administration or even the faculty in the tenure stream. The commitment of administration to continuously eject the graduate employees and contingent faculty from the system is one dimension of their overriding ambition: to render all employees other than themselves “permanently temporary.”

Job-Market Theory

Like many scholars of my cohort, I entered graduate school in 1991 informed by a common sense about academic work that was significantly influenced by the 1989 Bowen report, which projected what it emphasized would be “a substantial excess demand for faculty in the arts and sciences” by the mid 1990s, with the consequence that early in the new millenium we could expect “roughly four candidates for every five positions.” The department administrators who recruited me into the profession were of the thoughtful and concerned variety: they were up on the literature and very glad to inform me that something called the “job market” would radically improve just six years in the future. There had been a cycle of bad times for holders of the Ph.D., they admitted, but prosperity was just around the corner. During the early 1990s, buoyed

in part by the election of a Democrat to the White House, liberal newspapers and major disciplinary associations recirculated the Bowen projections with a sense of relief and general optimism: With the certain onset of universal health coverage, could full employment for English faculty be far behind?

David Lawrence, MLA's staffer for its association of chairs of English departments (ADE) wrote with typical emotion when he enthused, "Friends, the future we've all been waiting for is about to arrive" (1). For a decade afterward, disciplinary associations and scholars on the state of the profession, such as David Damrosch, gave serious credence to the Bowen projections of "increased demand" for the academic employment of holders of the doctoral degree. As late as 2001, the report of the American Philosophical Association on employment issues, republished on many department websites, continued to give credence to the Bowen projections, even though the first years of the projected boom had instead conclusively showed only a massively intensifying bust. It wasn't until five years after the report—shortly before it was quite clear that the projections would fail to materialize—that the *Chronicle of Higher Education* finally ran a short item questioning the validity of the report (Magner, "Job-Market Blues"). Slowly through the second half of the decade, most disciplinary associations somewhat reluctantly gave up favorably citing the Bowen projections of a rosy future.

As many readers will know, instead of a jobs bonanza, the 1990s and the first decade of the new millennium have seen an intensification of the pattern established in the 1970s and 1980s. In many academic fields, especially the humanities, as few as one in every three holders of the Ph.D. can expect to eventually find tenure-track employment. Those who do succeed will spend more time toward the degree (bulking the curriculum vita, teaching more, racking up debt), and more time in non-tenurable positions after receiving the doctorate. It is easy enough to measure the gulf between the 1.25 jobs per candidate projected by Bowen and the reality of 0.33 job per candidate. The reporters of the *Chronicle of Higher Education* and one or two angry reviewers of Bowen's subsequent work have made a point of revisiting the rather startling gap between projection and reality (Magner, "Job Market Blues," "Study Says"; Rice).

But the more important and interesting question is analytical: What was wrong with Bowen's assumptions that he strayed so outrageously into fantasy? And what was it about these projections that generated

such a warm and uncritical welcome? In chapter 6 of this volume, I provide a detailed critique of Bowen's breathtakingly flawed methodology and examine the way his flawed results were taken up by the most visible disciplinary association in the arts and sciences, the Modern Language Association, from whose Manhattan digs, then in Astor Place, job-market theory was dispensed to the mainstream press.

In brief, Bowen's method was to impose neoliberal market ideology on data that, instead of demonstrating a stable "market" in tenure-track jobs, attests to the unfolding process of casualization. Most egregiously, for instance, when confronted with data that increasing numbers of doctoral degree holders had been accepting nonacademic work since the 1970s, Bowen ignores the abundant testimony by graduate students that this dislocation from the academy was involuntary. Instead, he imposes the ideology of "free choice" on the phenomenon, generating the fallacious claim that this ever-upward "trend" showed that even more people will "choose" similarly. The result of this tautology was that he projected a spiraling need to increase graduate school admissions—in order to compensate for the imaginary, ever-increasing cohort of people that he wrongly portrayed as choosing nonacademic work. Although all of the available testimony from graduate students themselves suggested an involuntary dislocation from their plans of tenure-stream employment, Bowen opted to present the traditional, deeply ideological figure so central to his disciplinary knowledge—the "freely choosing" figure of "homo economicus," which was widespread in neo-classical economic modeling and a mainstay of neoliberal policy thought after 1980.

This error was only one element in an overall set of ideological assumptions. In modeling the academic labor system as a market, Bowen introduced an unwarranted analogy to other markets in the business cycle and assumed a "natural" boom-bust pattern. He also excluded the majority of academic workers. In order to manufacture an empirically existing "job market" out of data that indicated a labor system running on the continuous substitution of student and casual labor for tenure-stream faculty, Bowen had to virtually exclude the labor of students, full-time lecturers, and part-time faculty from his model of the labor system. Somehow he manages to populate his "universe of faculty" with only 12,000 part-timers. By contrast, the 1993 National Study of Post-Secondary Faculty (NSOPF) saw more than 250,000 and felt this number was deeply undercounted (National Center for Education Statistics).

Furthermore, Bowen's projections rest on the counterfactual assumption that "institutions always *want* to have more faculty and will add faculty positions *when they can afford to do so*" (Bowen and Sosa, 153; emphasis theirs). In reality, every nook and cranny of the public discourse on the question held reams of evidence attesting that what institutions really wanted was to accumulate capital and conserve labor costs by casualizing faculty positions by any means available: early retirement, expanded graduate programs, outsourcing, distance education, deskilling, and the like. Bowen's response to the "bear market" in academic hiring during 1970–1989 was, in a sense, predetermined: he started out looking for the complementary swing of the pendulum, what he viewed as the inevitable bull market in academic hiring, and he found it. Sometime between 1994 and 2012, Bowen was sure, things would turn around. After all, "markets" always do.

Bowen is hardly alone in erroneously imposing market ideology on data about the structure and relations of academic labor. The interpretive engine driving Bowen's projections—the notion that there is a "job market" in academic labor (a notion which in its folk-academic usage has to be held distinct from the better applications of labor market analysis) remains nearly universal throughout the academy. Job-market theory is a significant vector through which managerial thought spread to faculty and graduate students as part of what I call a second wave of dominant thought about the situation of academic labor after 1945. (There is an earlier, prewar period of struggle over academic labor that was emblemized by John Dewey's cofounding of both the American Federation of Teachers and the American Association of University Professors. Surveyed by Clyde Barrow and Christopher Newfield, as well as by education historian John Thelin, this is the period of white-collar industrialization from which we derive such managerial innovations as the credit hour and such labor victories as "academic freedom.") Originating in the surging self-confidence of higher education management, managerial thought after 1970 became a "wave" insofar as it entered the culture, thought, and scholarship of other education constituencies. During the past quarter century, the worldview of faculty and students has repeatedly threatened to collapse entirely into the management viewpoint.

Nonetheless, there are many lines of alternative thought. Often, quite strong formations survive in connection with an earlier first wave of dominant thought about the situation of academic labor after 1945;

these include the analysis and commitments associated with the movement for unionization of the tenure-stream faculty in the 1960s and 1970s. The once-vigorous movement for unionization of the tenurable, now in a phase of “survivor institutions,” was itself largely a component of a much larger surge of organizing activity that gathered momentum in the 1950s, the radicalization of and movement to unionize public employees, including schoolteachers. It cannot be said that the professoriate provided leadership to this movement. Rather clearly, schoolteachers, municipal clerks, firefighters, police officers, and their unions showed professors the way. During its heyday, however, the ideas of faculty unionists pervasively infiltrated the thinking of management, students, and the public. As I note in chapter 3, Clark Kerr and the Carnegie Foundation gazed at the movement for unionization of the tenurable faculty with intense trepidation, projecting that the decades of student power would be followed by decades of faculty power.

Originating as management’s oppositional knowledge in response to the emergence of faculty and student power, second-wave knowledge about higher education working conditions gained currency steadily through the 1970s, achieved dominance through the 1980s, and remains dominant at this writing. The intellectual roots of the managerial second wave are in neoclassical economics, the neoliberal political regime, and the pervasive discourse of management theory. For the vast majority of working managers, as well as most nonmanagerial persons indoctrinated by management thought, this second-wave ideology is more of a “vulgar liberalism” than a committed neoliberalism—a kind of accidental neoliberalism produced by the wildly inaccurate application to higher education working conditions of dimly remembered chestnuts from Econ 101.

One of the earliest, most adopted, and least contested discourses of the managerial second wave, job-market theory captured the imagination of most faculty and many graduate employees with the clarity and elegance of its central tenet: tenure-track job advertisements can be considered the “demand,” and recent degree holders the “supply,” for an annual job “market,” overseen by professional associations such as the MLA. While this language originally served as analogy, for most producers and consumers of job-market theory the terms hardened under neoliberalism into a positive heuristic, serving as a kind of half-baked approximation of labor-market analysis. (Responsible labor-market analysis, for starters, would have accounted for casualization.) This

language appealed to the tenure-stream faculty, including the organized faculty. The notion of a “market in jobs” allowed tenure-stream faculty to approach the problems of graduate employment in ways entirely separate from the ways they approached their own workplace issues. Even faculty who saw the need to bargain collectively on their own behalf took up job-market theory with relief. Through it, the issues of graduate employment appeared susceptible to a simple solution—the balancing of supply and demand by concerned academic citizens (perhaps administrators or graduate faculty). As a result, it was possible to believe that these were not issues that had to be confronted by the unions themselves.

Job-market theory separates the workplace issues of the graduate employee from the workplace issues of the faculty and sweepingly defines the workplace relation of faculty to students in paternal, administrative, and managerial terms. Whatever actions faculty might take to secure their own working conditions, job-market theory defines their responsibility toward graduate students and former graduate students not as a relationship of solidarity with coworkers but, instead, as a managerial responsibility. In multiple roles—as graduate faculty, in professional associations, as management—the tenured saw their responsibility to graduate employees through the lens of participating in the administration of the “market.”

From a labor perspective, job-market theory disables the practice of solidarity and helps to legitimate the tiering of the workforce. Even to the most idealistic and committed observer, the job-market model offered the seductions of a quick, technocratic fix. For more than three decades, the model has sustained the general conviction that the system of graduate education produces more degree holders than necessary, and that this “overproduction” can be controlled “from the demand side” by encouraging early retirements and “from the supply side” by shrinking graduate programs.

Reality is very different from the model. In the reality of structural casualization, the jobs of professors taking early retirement are often eliminated, not filled with new degree holders. Nor does reducing graduate school admissions magically create tenure-track jobs. Most graduate schools admit students to fill specific labor needs. One of the core functions of graduate programs is to enhance flexibility, always presenting just enough labor, just in time. As a result, management cannot reduce graduate-employee admissions without making other arrange-

ments for the work that graduate employees would otherwise have performed. Universities that have cut their graduate employee rolls have consistently preferred to make other flexible arrangements, hiring part-timers or nontenable lecturers and not new tenurable faculty. Insofar as these new flex workers are themselves inevitably former graduate employees, there can hardly be said to be any net improvement.

In this context, the idea of a job market operates rhetorically and not descriptively, serving largely to legitimate faculty passivity in the face of this wholesale restructuring of the academic workplace by activist legislatures and administrations. By offering faculty the fantasy of supply-side control from the desktop, the job-market fiction provides an imaginary solution—the invisible hand—to a real problem.

Under casualization, it makes very little sense to view the graduate student as potentially a “product” for a “market” in tenure-track jobs. For many graduate employees, the receipt of the Ph.D. signifies the end, and not the beginning, of a long teaching career. Most graduate students are already laboring at the only academic job they’ll ever have—hence, the importance for organized graduate student labor of inscribing the designation “graduate employee” in law and discourse.

From the standpoint of the organized graduate employee, the situation is clear. Increasingly, the holders of the doctoral degree are not so much the *products* of the graduate-employee labor system as its *by-products*, insofar as that labor system exists primarily to recruit, train, supervise, and legitimate the employment of nondegreed students and contingent faculty.

This is not to say that the system doesn’t produce and employ holders of the Ph.D. in tenurable positions, only that this operation has become secondary to its extraction of teaching labor from persons who are nondegreed or not yet degreed, or whose degrees are now represented as an “overqualification” for their contingent circumstances.

The Waste Product of Graduate Education

Grad students existed not to learn things but to relieve the tenured faculty members of tiresome burdens such as educating people and doing research. Within a month of his arrival, Randy solved some trivial computer problems for one of the other grad students. A week later, the chairman of the astronomy department called him over and said, “So,

you're the UNIX guru." At the time, Randy was still stupid enough to be flattered by the attention, when he should have recognized them as bone-chilling words.

Three years later, he left the Astronomy Department without a degree, and with nothing to show for his labors except six hundred dollars in his bank account and a staggeringly comprehensive knowledge of UNIX. Later, he was to calculate that, at the going rates for programmers, the department had extracted about a quarter of a million dollars' worth of work from him, in return for an outlay of less than twenty thousand. (Stephenson, *Cryptonomicon*, 97)

Discussing the enthusiasm he and the Sloan Foundation had for funding William Massy's *Virtual U* management training game, Jesse Ausubel wrote that "everyone else" in the university has "a very partial view of a complex system," but one person—the president—"finally sees the institution synoptically [through] financial flows." Through the game, newly appointed presidents and upper administrators "can see totality in a few minutes or hours that in real life would take decades." The medium through which this synoptic view is possible, Ausubel confesses, "is basic: money." Every decision in the game "translates directly or indirectly into a revenue or expense." Under the general neoliberal onslaught, this managerial conversion of all values into financial flows and the corresponding understanding of all human systems via market logic serves as the only available heuristic for thinking at the level of totality.

In this airless environment, even the slightest displacement of management's logic yields insight into a very different underlying reality. For instance, it is perfectly common for scholars of professional work more generally to employ the heuristic of a labor monopoly rather than a labor market. (The best application of a labor-market mode of analysis to academic work might include the concept of segmentation—asking, for example, how is it that women comprise a vast majority in the casual sector and a distinct minority in the tenured sector?) Monopoly control of professional labor generally reflects a social bargain made by professional associations that exchange a service mission with the public for substantial control over the conditions of their work, generally including deciding who gets to practice. In a professional police culture, for instance, only the graduates of police academies may practice, and the police unions, like professional associations, supervise this instruction and apprenticeship, thereby safeguarding the employment conditions of

these recruits against the deprivations of would-be amateur and volunteer police practitioners (and the city managers who would employ them). From this perspective, the ideology of the job-market analogy may be seen as having obscured the very useful description of the academic labor system in perfectly scholarly and conventional terms as a failed monopoly of professional labor.

That is, postsecondary educators generally fulfill the service mission that constitutes their half of the bargain; in return, society continues to grant them monopoly control over degrees. But the labor monopoly fails because degree holding no longer represents control over who may practice.¹ Indeed, the inescapable observation must be this: under casualization, degree holding increasingly represents a *disqualification* from practice. The ultimate refutation to job-market theory is that, in observing that the holder of the doctoral degree is the “waste product of graduate education,” we are only moving toward an acknowledgment of simple fact.

Degree holders frequently serve as university teachers for eight or ten years before earning their doctorate. In English departments, a degree holder will have taught many writing classes, perhaps also a literature survey or theme class, even an upper-division seminar related to her field of study. Many degree holders have served as adjunct lecturers at other campuses, sometimes teaching master’s degree students and advising their theses en route to their own degrees. Some will have taught thirty to forty sections, or the equivalent of five to seven years’ full-time teaching work. During this time, they received frequent mentoring and regular evaluation; most will have a large portfolio of enthusiastic observations and warm student commendations. A large fraction will have published essays and book reviews and authored their departmental web pages. Yet at precisely the juncture that this “preparation” should end and regular employment begin—the acquisition of the Ph.D.—the system embarrasses itself and discloses a systematic truth that every recent degree holder knows and few administrators wish to acknowledge: *in many disciplines, for the majority of graduates, the Ph.D. indicates the logical conclusion of an academic career.*

As presently constructed, the system of academic work requires instructors to have the terminal M.A. or M.Phil. or to have the doctorate “ABD” (all but the dissertation). Ideally, these teachers will have a well-paid partner or other means of support enabling them to teach for wages below the poverty line for an extended period of time without

undue suffering.² Without a degree and presupposing another source of income, people of this description can and do teach virtually forever. The system cannot run without people who are doing or who have done graduate study, quite frequently persons who can be represented as on some long trajectory toward the terminal doctorate. As presently constructed, the academic labor system requires few if any new degree holders—but it gasps and sputters when there is a tiny interruption in the steady stream of new graduate students (hence, the appearance of employment contracts in admittance packets).³ The system “really needs” a continuous flow of replaceable nondegreed labor. It can also use degreed labor willing and financially equipped to serve in the sub-professional conditions established for the nondegreed, but the majority of people with degrees cannot afford to do so.

What needs to be quite clear is that this is not a “system out of control,” a machine with a thrown rod or a blown gasket. Quite the contrary: it’s a smoothly functioning new system with its own easily apprehensible logic, premised entirely on the continuous replacement of degree holders with nondegreed labor (or persons with degrees willing to work on unfavorable terms). The plight of recent degree holders encapsulates this logic. Let us say that Jane Doe has taught sections English 101-97 and 101-98 for the past seven years and, for the past four, women’s studies 205, a special topics course fulfilling a university-wide diversity requirement. Upon earning the degree (or in many circumstances much earlier), Doe becomes ineligible to teach those sections, unless given a special waiver or postdoctoral invitation. The reason most universities limit the number of years a graduate student is “eligible to teach” is to ensure that a smooth flow of new persons is brought into the system. The many “exceptions” to these eligibility rules are the expression of this labor pool’s flexibility, enabling the administration to be confident that it can deliver low-cost teaching labor “just in time” to any point on the factory floor.

Because of the related erosion of secure employment opportunity for young workers throughout the global economy, this system has no trouble bringing in new persons. Applications to graduate programs primarily designed to prepare future faculty have steadily climbed, despite the poor chances of finding tenurable employment.

The system’s only problem is disposing of these self-subsidizing student teachers after it has extracted six to ten years of their labor, to make room for a new crop of the same. This logic of replacement cre-

ates many local ironies. Because people who are declared “ineligible to teach” by a graduate program frequently serve as flexible labor at other campuses, it is often at the junior colleges and other less-prestigious locations where the most experienced and dedicated flexible faculty can be found. The flexible labor at research universities with graduate programs are primarily new graduate employees and therefore will generally have between zero and five years’ part-time experience. By contrast, the flexible labor at most other campuses, including junior colleges, will often consist of persons who have exhausted their fellowship years (and may or may not have received a degree as a result). They will therefore commonly have between five and twenty years of experience. These local ironies are important because they make clear that the system’s logic is not designed to provide better teaching even at the richest schools: it is designed to accommodate capital accumulation, which transpires with greater efficiency at the richest schools. At wealthier private research schools, where grad employees may teach one or two courses in only two or three years of their fellowship, parents, students, and scholarship donors will pay tuition and expenses that approach \$50,000 a year in order to be taught by trainees, nearly all with less than the equivalent of one year’s full-time pedagogical experience.

The academic labor system creates holders of the Ph.D., but it doesn’t have much use for them. This buildup of degree holders in the system represents a potentially toxic blockage. The system produces degree holders largely in the sense that a car’s engine produces heat—a tiny fraction of which is recycled into the car’s interior by the cabin heater, but the vast majority of which figures as waste energy that the system urgently requires to be radiated away. The system of academic labor only creates degree holders out of a tiny fraction of the employees it takes in by way of graduate education. Leaving aside the use of M.A. students as instructional staff, doctoral programs in the humanities commonly award the Ph.D. to between 20 and 40 percent of their entrants. In many disciplines, the system only employs perhaps a third of the degree holders it makes. Like a car’s engine idling in the takeout food line, the system’s greatest urgency is to dispel most of the degree-holding waste product.

From the perspective of casualization, the possibility of a toxic buildup of degree holders is not, as commonly maintained by job-market theorists, the result of “too many” graduate students. On the contrary, it is precisely the nature of permatemping to arrange that there are always

“just enough” graduate students and other nondegreed flex workers to be delivered “just in time” to serve the university’s labor needs. It is in the interest and logic of the system to have as many graduate students as it can employ while producing the fewest number of degrees—or, better yet, to produce persons with degrees who don’t make a claim for permanent academic employment. This is one reason that graduate-school administrations have recently promoted the Marie Antoinette or “let them eat cake” theory of graduate education: “Why, if they cannot find teaching work, let them be screenwriters!” This is a kind of excrement theory for managers, through which the degree holder figures as a horrible stain or blot, an embarrassment that the system is hysterically trying to scrape from its shoes. By institutionalizing the practice of preparing degree holders for “alternate careers,” the system’s managers are creating a radiator or waste pipe to flush away persons whose teaching services are no longer required precisely because they now hold the degree.

Persons who actually hold the terminal degree are the traumatic Real puncturing the collective fantasy that powers this system. Degree in hand, loans coming due, the working partner expecting a more fair financial contribution, perhaps the question of children growing relevant, the degree holder asks a question to which the system has no answer: If I have been a splendid teacher and scholar while nondegreed for the past ten years, why am I suddenly unsuitable?

Nearly all of the administrative responses to the degree holder can already be understood as responses to waste: flush it, ship it to the provinces, recycle it through another industry, keep it away from the fresh meat. Unorganized graduate employees and contingent faculty have a tendency to grasp their circumstance incompletely—that is, they feel “treated like shit”—without grasping the systemic reality that they *are* waste. Insofar as graduate employees feel treated like waste, they can maintain the fantasy that they really exist elsewhere, in some place other than the overwhelmingly excremental testimony of their experience. This fantasy becomes an alibi for inaction, because in this construction agency lies elsewhere, with the administrative touch on the flush-chain. The effect of people who feel treated like waste is an appeal to some other agent: please stop treating us this way—which is to say to that outside agent, “please recognize that we are not waste,” even when that benevolent recognition is contrary to the testimony of our understanding. (And, of course, it is only good management to tell the

exploited and superexploited, “Yes, I recognize your dignity. You are special.”)

By contrast, the organized graduate employee and contingent faculty share the grasp of the totality of the system that proceeds from the understanding that they are indeed the waste of that system. They know they are not merely treated like waste but, in fact, are the actual shit of the system—being churned inexorably toward the outside: not merely “disposable” labor (Walzer) but labor that must be disposed of for the system to work. These are persons who can perform acts of blockage. Without expelling the degree holder, the system could not be what it is. Imagine what would happen to “graduate programs preparing future faculty” if they were held responsible for degree-granting by a requirement to continue the employment of every person to whom they granted a Ph.D. but who was unable to find academic employment elsewhere. In many locations, the pipeline would jam in the first year!

The difference in consciousness between feeling treated like waste and knowing one’s excremental condition is the difference between experiencing casualization as “local disorder” (that authority will soon rectify) and having the grasp of one’s potential for transforming the systemic realities of an actually existing new order. Where the degree-holding waste product understands its capacity for blockage and refuses to be expelled, the system organizing the inside must rapidly succumb.

Theorizing Blockage

There are many ways of writing about the casualization of academic work. As I elaborate in chapter 2, the most inclusive frame is one that addresses the malignant casualization of the work process globally. In this frame, the designation “student,” including undergraduate and even child labor, emerges as a bonanza in global capital’s voracious quest for low-cost, underregulated labor. In chapter 4, I explore how in the United States and globally the designation “student” has evolved into a legal fiction designating a form of “worker which is not one”: someone who can be put to work but does not enjoy the rights of labor. Students are just one category of workers without rights—persons who work but who, in a growing web of law in service of exploitation, are construed as “not workers” for purposes of the statutes that provide worker protections, such as the National Labor Relations Act (NLRA).

This global “informalization” of the work process can only be met by the most inclusive forms of unionization. Mobilization of the academic community will inevitably require tearing down the barriers between academic work and other kinds of work. We will have to set aside the often-crippling exceptionalism associated with “mental” labor generally.⁴ Ultimately, the most helpful standpoint from which to initiate action will be one that sees contingency as a global condition engineered by capital for labor, and which understands the university as a dynamic node of post-Fordist employment from the sweatshop to the classroom.

In this enlarged context, it is fair to ask, Why bother to talk about the doctoral degree holder at all, when the experience of contingency is general, or at least generational? Isn't it frivolous to speak of an “excrement theory” of graduate education when the democratic promise of higher education is eroding everywhere around us? Don't we just need more clear positive knowledge regarding flex work? In the big picture of global exploitation, just how important are the problems of underemployed holders of doctoral degrees anyway?

Alternatively, without a theory of the waste product—the system's constitutive exterior—we have so far utterly failed to see that the effects of academic casualization are immanent throughout the system (not merely “local” to the casualized). For thirty years, the bad knowledge of “markets” for degree holders has enabled faculty unions and disciplinary associations alike to accommodate the creation of a multi-tier labor system, the most dramatically tiered labor system in North America. Faculty bargaining agents have accepted the collective fantasy regarding the waste of the labor system: that graduate employees are being “trained” for future jobs, not toiling in the only academic job they will ever have. Subtract the largely imaginary relationship of most graduate-employee laborers to a future job, and the systemic effects of that labor are visible as the effects of casualized second-tier labor in any workplace: management domination of the work rules, speedup, moonlighting, and grossly depressed wages for everyone.

The system of disposable labor has been consistently mistaken as a problem only for the relatively small constituency of the graduate student and other contingent faculty.

For instance, the total compatibility of the cheap teaching system with capital accumulation has enabled most schools (or the public funding them) to either (a) pay off shareholders handsomely or (b) spend money on other things besides teaching labor—engage in vast building

programs, create enormous endowments, launch new programs and services, and so on. From this perspective, one might sentimentally deplore the way that graduate students are exploited by being cycled out of the system after a period of service and debt accumulation, but then go on to feel that “other constituencies” are surely benefiting from new stadiums, business centers, and prisons. This view suggests that the money saved by cheap teaching surely benefits some people, and if the only people harmed are a few graduate students, or persons whose other sources of income allow them to teach as a kind of philanthropy, what’s the big deal?

One of the most useful aspects of the knowledge of graduate-employee and contingent faculty unionists is the way it addresses the system as a totality, enabling us to see that few people situated in the education ecology really benefit from the system of cheap teaching.

From “I Feel Your Pain” to “Oh Shit! Your Problem Is My Problem!”

It is declared to be the policy of the United States to eliminate the causes of certain substantial obstructions to the free flow of commerce and to mitigate and eliminate those obstructions when they have occurred by *encouraging the practice and procedure of collective bargaining* and by protecting the exercise by workers of full freedom of association, self-organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment. (Daniel Silverman, Director, NLRB Region 2, applying the language of the NLRA to the NYU case; emphasis in the original)

The “third wave” of knowledge regarding the academic labor system emerged in the early part of the 1990s. It is grounded in what has grown into a fifty-campus movement of graduate-employee unions (GEUs) and the flourishing campaign to organize contingent faculty, which has racked up a string of successful drives at both public and private campuses in the past several years. Many aspects of both movements have been documented in the legal literature surrounding the struggle for recognition, in an important series of films by Barbara Wolf and in well-known books since 1994 by Cary Nelson, Steve Watt, Michael Bérubé, David Downing, and Eileen Schell, together with two special issues of

Social Text edited by Randy Martin (one of which appeared, expanded and republished as *Chalk Lines: The Politics of Work in the Managed University*). The movement has given rise to collections of its own, notably Deborah Herman and Julie Schmid's *Cogs in the Classroom*, Michael Dubson's *Ghosts in the Classroom*, Eileen Schell and Patricia Lambert Stock's *Moving a Mountain*, and my own effort with Tony Scott and Leo Parascondola, *Tenured Bosses and Disposable Teachers*.

The medium most associated with the movement is the Internet, which hosts, in real time, the unfolding knowledge and burgeoning solidarity of the movement. Especially significant are the websites of various contingent faculty bargaining units and campaigns cooperating in the Coalition of Contingent Academic Labor (COCAL), and the graduate-employee websites indexed by Jon Curtiss's Coalition of Graduate Employee Unions (CGEU). The Internet also hosts noteworthy weblog commentary by the "Invisible Adjunct," among others, and *Workplace: A Journal for Academic Labor* (at www.workplace-gsc.com), at this writing entering its tenth year of continuous publication.

During union activity, such as organizing campaigns or the landmark strike of New York University graduate employees beginning in November 2005, Internet commentary effloresces. These typically involve independent, organizer, and institutional sites and weblogs. In the most visible events, debate will also spike in the weblog-powered "commentary" functions attached to reporting in online media, such as the institution's student newspaper, alumni publications, the web portals of local mainstream media, and the trade press. The onset of the NYU graduate employees' strike gave rise to a blizzard of online debate, largely mediated by the undergraduate newspaper and such venues as the discussion forums attached to *Inside Higher Education*. These debates involved undergraduates, tenured and contingent faculty, anti-union graduate employees, organizers, activists, New Yorkers living nearby, and alumnae from across the country.

Despite its vigor, third-wave academic labor knowledge is continuously under active erasure by the positive and commonsensical knowledge of the foundations, disciplines, institutes, and media. To some extent, this erasure takes the simple, ideological form of the power of second-wave market knowledge to interpellate concerned faculty, undergraduates, taxpayers, and public analysts, not to mention graduate employees themselves. As I try to make clear in chapter 5, the relationship of a discipline's intellectual content to its structural role in the la-

bor system shapes even the most sympathetic adherents' sense of what can be said and thought, not just what can be done.

For graduate employees, the overwhelming consciousness of one's disposability all too frequently lends the aura of concreteness to the ideology of "market." But the erasure of graduate-employee labor knowledge also takes the more active forms of direct suppression. In organizing campaigns, the suppression of labor knowledge by administrations can take the form of nonrenewal of the fellowships and assistantships of organizers, as well as punitive recommendations by advisers—even, occasionally, expulsion. It can take the form of illegal harassment, as Joel Westheimer charged in the NLRB complaint he successfully settled with NYU after being denied tenure at NYU subsequent to testifying in support of graduate-employee unionists (Fogg). Most often, though, direct suppression of labor knowledge by administrations and disciplinary institutions takes the form of the kind of pervasive information warfare conducted, for example, by MLA's staff and executive council in response to resolutions by the organization's assembly in support of Yale University's GEU. In this instance, typical of the control that the staff and officers of MLA sought to impose on the organization's processes of self-governance throughout the 1990s, organization staffers mailed out a twelve-page propaganda leaflet attempting to shore up the administrative position on the labor dispute (hoping, unsuccessfully, that the membership would decline to ratify the measure). As Bérubé notes, this completely one-sided document was circulated, without any sense of irony, under the claim that it attempted to preserve "diversity of opinion" on the question, and it became part of a continuing pattern by MLA officers and staff of containing graduate-employee dissent (56–58).⁵

The fundamental unit of third-wave or graduate-employee consciousness regarding the structure of academic labor can be contained in two words: *We Work*. But coming to this fundamental consciousness is not only a question of overcoming the ideology of apprenticeship and the disciplinary powers of academic institutions, it is a question of struggling with the apparatus of the state itself. That is, until very recently, university employers consistently enjoyed the support of federal and state courts in maintaining that graduate students working as teachers were "apprentices" and "primarily students" and denied them the rights of labor, especially the right to bargain collectively. As Randy Martin puts it: academic labor generally and graduate-employee organizers in particular "meet the State head on" in contesting "the claim of the

university to be the lawgiver” in defining the conditions of their labor (*Chalk Lines*, 4–5). A consistent problem for the graduate-employee union movement has been the degree to which the interlocking ideologies of “youth,” “study,” and “apprenticeship” are underwritten by federal and state law, so that a typical doctoral degree holder in the humanities, completing her degree at age thirty-seven, and having taught near full-time for as much as ten or twelve years—having paid tax on her earnings and acquired debt of \$20,000 to \$70,000 or perhaps far more (a special kind of debt at an interest rate higher than home mortgages, and unlike the debt of credit-card holders and businesspeople, unforgivable in bankruptcy)—must now begin to seek a new career.⁶

In recognizing that their work is, in fact, labor, graduate employees have been able to get beyond the fetish of “the economy,” “the market,” and “the law” that bedevils second-wave knowledge. Graduate employees understand that all of these forces do not transpire in a distant field of titans but, instead, occur in the arena of everyday struggle with the employer for control of the workplace. For the graduate employee, it has not been a question of forecasting the economy or learning the limits established by the law but, rather, of making the law responsive to their understanding. Despite setbacks in state courts and before the National Labor Relations Board in the 1970s, and the extraordinary, sustained, and frequently illegal opposition by university employers, graduate-employee unionists throughout the 1990s continuously won victories writing their knowledge (“we work”) into law. Just as importantly, they introduced that principle into the consciousness of individuals comprising the political apparatus in many of the largest “education states” in the country. Because the National Labor Relations Act specifically excludes government employees from its protections, the circumstances of workers at publicly funded universities—including tenure-stream faculty, nonacademic workers, and student employees—are addressed primarily by state laws.

The organization of graduate-employee unions at public universities has therefore depended on an arduous legal and political campaign conducted on a state-by-state basis. Despite great variety in state labor law and political climate, there are significant commonalities in successful campaigns to force public universities to the bargaining table. In order to win recognition, organizers have commonly had to initiate decades-long campaigns of litigation in public employee relations boards (PERBs) and appellate courts, or even appeal to state legislators to draft

new laws. Inspired and often supported by the movement to unionize tenure-stream faculty, graduate employees in public universities began to unionize in the 1960s, beginning with a successful campaign at the University of Wisconsin.⁷

More typical efforts took longer, often over decades and dozens of graduate-employee “generations,” as at the University of California, where graduate employees formed locals affiliated with the AFT in the early and mid 1970s, but failed to win recognition or negotiate a first contract for the next quarter century. In a 1980s resurgence, many of the California locals switched to the United Auto Workers and won a “temporary” recognition in 1989, until a hostile PERB ruled in favor of the university’s appeal. The road to a first University of California contract in May 2000 required a series of legal victories in the 1990s. These included favorable PERB interpretation of state laws providing bargaining rights to other higher education employees and multiple successful appellate lawsuits.

One core lesson is that these repeated legal victories were not sufficient in themselves. Even after a series of decisive opinions in administrative and appellate courts, the UC campus administration refused to bargain until the union acted politically, engaging in awareness-raising job actions and appealing to state legislators and the public for assistance. Spurred by the mobilization and will to direct action by the graduate employee locals, and the concern of the electorate for stability and labor peace on campus, the California legislature threatened to shut down university appropriations until the administration complied with state law. This threat finally forced six UC campuses to the bargaining table, resulting in a first contract in May 2000.

Entering its fifth decade, the movement to unionize graduate employees in publicly funded universities has learned that “the law” is a field of political struggle, deeply dependent on the vagaries of the political party that controls appointments to the PERB in each state at any given time. In consequence, they have learned the importance of educating lawmakers and the public served by those lawmakers. Even with the electorate and the legislature on their side, graduate employees have come to understand the astonishing persistence, arrogance, ingenuity, and determination of their employers. The will of public-university employers to defy lawmakers and flout the intentions of labor law rivals the most ruthless union busting of any commercial enterprise (generally hiring, at public expense, the same corporate law firms to guide them).

For example, home to some of the most vigorously oppositional labor and management cultures in the United States, Illinois has a labor-relations board that is dedicated exclusively to education labor, the Illinois Education Labor Relations Board (IELRB). As in California and elsewhere, initial organizing in Illinois began in the 1970s but did not gain significant momentum until the University of Illinois at Urbana-Champaign (UIUC) graduate employees affiliated with the AFT. Losing its first round before the IELRB, in 1996, the graduate-employee organization chose to hold a union election anyway. As yet without substantial legal status, the solid 2–1 vote in favor of unionization supported the determination of the organizers to contest both the IELRB ruling and the statute on which it was based. The UI-Chicago graduate employees joined the struggle, and activists on both campuses worked together to generate the interest of pro-union state legislators and the support of other Illinois educator unions, especially the Illinois Federation of Teachers, the AFT affiliate representing K–12 educators statewide.

The university fought the union hard. Guided by a well-known anti-union law firm, the administration intimidated graduate employees by subpoenaing the records of those graduate employees who had filed affidavits regarding working conditions, then notifying their advisors (and potential recommenders) of the legal proceedings. Independent election monitors reported the circulation of rumors among international graduate employees, specifically targeting Asian students, that a union victory would mean cutbacks in their ranks. When graduate employees won the IELRB ruling on administrative appeal, and again before the State Supreme Court, the University of Illinois still refused to bargain. The graduate employees wrote a bill, passed by the state legislature in March 2000, guaranteeing them bargaining rights. The university continued to stonewall, bringing an action before the original labor board (which remained hostile to graduate employees) that resulted in the fanciful delineation of a bargaining unit that would have excluded 90 percent of graduate employees.

The UIUC and UIC unions continued to work with friendly state legislators and the Illinois Federation of Teachers (IFT). In 2003, new card-check legislation conferred automatic recognition of unions upon state-board certification. And in July 2004, the state senate passed the graduate employee bargaining-rights bill. By the time their bill became law, however, UIUC grad employees had already ratified their first contract. Part of their success was political: as in California, the unions' success-

ful appeal to the public and legislature swiftly eroded the administration's capacity to burn public money on corporate lawyers in increasingly desperate and underhanded efforts to postpone bargaining.

Another significant factor was the graduate employees' decision to engage in direct action. In 2001, they held a series of walkouts; in March 2002, they occupied the UIUC campus administration building. As reported to Nelson and Watt by participants, the occupation was an expression of militant determination to compel recognition: "It's our building now. You get your office back after the union is recognized" (*Office Hours*, 142). Carefully planned and executed, the occupation was timed to coincide with a Board of Trustees meeting and the presence of news media, and the administration gave in before the day was out. Surveying other graduate-employee and contingent-faculty direct actions in California and New York, Nelson and Watt conclude that the will to creatively disrupt university business as usual holds important lessons for the entire campus community, including "rethinking" the professional culture of the tenured professoriate: "We need as faculty members to rethink our relation to ambition, achievement, competition and careerism" (*Office Hours*, 163).

The necessity for continuous organizing and mobilization for action is a lesson that the longest-running graduate-employee unions have fully absorbed over the years. The institutional history of the union at the University of Michigan, for instance, features a thirty-year string of near-continuous job actions, featuring at least one in every successful contract cycle. These began with a series of strike votes during 1970–1974 that forced the university into recognizing the union, despite difficulties with the state public-employee relations board over the shape of the bargaining unit. With recognition, the union had to strike in February and March 1975 to force the university to bargain seriously toward a first contract and then, even after contract ratification, was forced to continue the strike to gain assurance that there would be no reprisals. In 1976, in the midst of negotiating a second contract, the university attempted to backtrack and make the case that graduate employees were not real workers and therefore "could not commit unfair labor practice" in relation to them. Losing at every stage in Michigan administrative hearings and appellate courts, the administration nonetheless protracted its appeal process for five years and was not compelled to sign the 1976 contract until 1981. Winning continuous courtroom victories over five years but without significant contract gains and with its

organization in decay, the experience of this litigated contract cycle caused Michigan graduate employees to shift to a “grassroots” stewardship model of collecting the dues in face-to-face encounters every semester in 1983. Building solidarity through continuous organizing became a central commitment. Yearly rallies on economic issues commenced, and contract negotiations involved strike authorizations, walkouts, or work stoppages in 1987, 1991, 1993, 1996, 1999, and 2002. The result is one of the strongest graduate-employee contracts in the nation.

By 2007, employing militancy, inventive direct action, canny alliance, the principle of continuous organizing, and the will to make both law and lawmakers respect their workplace realities, U.S. graduate employees had forced public university employers to the bargaining table in all of the largest education states: California, New York, Florida, Michigan, Oregon, New Jersey, Pennsylvania, Illinois, Massachusetts, Iowa, Kansas, Wisconsin, Washington, and even the smaller Rhode Island. During this period, graduate employees formed unions at publicly funded universities in Indiana, Ohio, Maryland, and Virginia, though these have yet to succeed in compelling recognition from the employer.

Occupying the national news in the 1990s and well into the subsequent decade was the efforts of graduate students in private universities, especially Yale and, subsequently, NYU. These experiences have also demonstrated the need for the “continuous organizing” model, direct action, strong alliances with other unions and constituencies, and close relationships with communities. Perhaps most importantly, the NYU experiences have underlined another key feature that private university organizers share with their publicly funded colleagues: the overtly political nature of the struggle.

Spurred by the victories of their publicly employed counterparts, unionization efforts among graduate employees at private universities sharply accelerated throughout the 1990s. In this decade, efforts began or renewed themselves on as many as two dozen privately funded campuses and resulted in nationally affiliated unions at Brandeis, Columbia, Rensselaer Polytechnic Institute, Brown, Yale, and elsewhere. Notably, two groups succeeded in forcing recognition and compelling the employer to negotiate: NYU and Temple (one of the largest “state-related” universities resulting from activist restructuring: it receives public funding but is under independent control).

The culmination of these efforts appeared in the form of an eloquently composed decision by NLRB Regional Director Daniel Silver-

man on April 3, 2000, finding that NYU teaching assistants were in fact employees “within the meaning of the [National Labor Relations] Act.” Silverman dispensed quickly with such outright prevarications on the part of the administration as the claim that the services performed by graduate employees are “simply part of their education” and that NYU “runs the graduate teaching program for the benefit of the graduate students and not to facilitate its teaching of undergraduates.” He brushed off the NYU attorneys’ efforts to claim as irrelevant the massive evidence pertaining to collective bargaining in public higher education while attempting to claim relevant precedent in cases involving the Arkansas Lighthouse for the Blind and Goodwill Industries of Denver (i.e., suggesting that the workplace experience of private-university graduate employees had more in common with this “rehabilitation setting” than public universities). He concluded that NYU’s expressions of concern about the potential impact of collective bargaining on academic freedom was “essentially a rejection of the appropriateness of graduate students speaking with a common voice.”

Most significant from a legal and rhetorical point of view, Silverman’s decision set aside NYU’s claims that students couldn’t simultaneously be considered employees. This point may seem obvious to an average reader. Of course, persons occupying the category students can also occupy the category employees, just as “senior citizens,” “women,” “wine lovers,” and “Red Sox fans” can be all of those things without giving up their rights as employees. However, in the early and mid 1970s, a tenuous thread in NLRB case law had emerged in connection with exactly this claim—just as it had, during the same period, in a number of state boards, where it has consistently been eventually overturned in court rulings sought by graduate employees. Even though the claim that graduate employees are “primarily students” or that the purpose of their work was “primarily educational” had been set aside in the majority of state-court rulings by this time, the NLRB hearing fulfilled Caesar’s fantasy for all private-university employers: because the board covered all private universities nationally, all present and potentially future organizing on private campuses presented itself at the hearing with just one neck (instead of the many-headed hydra offered by the state-law-governed public university campaigns). The administrations of private universities across the country swarmed in support of the effort to breathe life into this particular legal fiction.

Pursuing recent NLRB precedent in postgraduate medical education,

Silverman rejected all of the arguments attempting to exclude graduate employee “from the statutory definition of employee on the sole basis that they are also students.” Instead, he applied the common-law (and commonsense) meaning of the term “employee,” observing that since 1995 the NLRB had held that “a broad and literal interpretation of the word ‘employee’ is consistent with the legislative history and with the Act’s stated purpose of ‘encouraging and protecting the collective bargaining process.’” In this context, after an exhaustive and painstaking survey of NYU’s own documents and practices in the employment of graduate students, Silverman found that by every reasonable test these students were also workers:

The graduate assistants perform services under the control and direction of the Employer, in exchange for compensation. The Employer has specific expectations of graduate assistants that are often spelled out in departmental or program handbooks, by job descriptions, or by NYU representatives. NYU representatives supervise the work of graduate assistants. The Employer provides the supplies and the place of work for the graduate assistants. In the case of TAs, NYU provides extensive training as to the nature of the services to be provided, including training on the application of NYU policies to the undergraduates. As for their compensation, graduate assistants’ stipends are treated like any other personnel salary in that they are processed through the payroll department and distributed in biweekly checks. The IRS treats the stipends as taxable income or “salary for services rendered.” Graduate assistants must complete certain forms, such as the INS I-9 form, which are required of employees, but which are not required of other graduate students. Finally, graduate assistants are subject to removal or transfer. Based on the foregoing, it is clear that the graduate assistants sought by the Petitioner meet the statutory definition of employee under Section 2 (2) of the Act.

On Halloween of the same year, the NLRB unanimously upheld Silverman’s ruling and ordered the administration to hold elections. Even a board member who had dissented in the precedent-setting case (involving residents and interns at Boston Medical Center) joined this ruling. This member felt in the previous case, for policy reasons, that collective bargaining would harm certain “educational relationships” such as the necessary period of postgraduate medical training. But he felt the

NYU case “clearly demonstrates” a contrasting situation, in which “the graduate students involved herein do not perform their services as a necessary and fundamental part of their studies. Thus, I regard [them] as employees who should have the right to bargain collectively.”

In the days after Halloween 2000, two things happened. First, the NLRB ruling resulted in the prompt election of UAW as the bargaining agent for a large group of NYU graduate employees. They negotiated an extremely favorable first contract at that institution, one of the best graduate-employee contracts ever negotiated. Grad employees at Temple organized a first contract and subsequently a second and third. Organizing on private campuses across the country shot into high gear.

Second, George Bush was awarded the presidency of the United States by decision of the U.S. Supreme Court. In consequence, three Republicans were appointed to the NLRB, constituting a majority over the two Democrats, one of whom (Wilma Liebman) had served during Bill Clinton’s presidency and had served in the original review of the NYU case. Over 90 percent of NLRB cases are decided unanimously, but the remaining 10 percent are “high impact” debates that are generally decided along political party lines, so that shifting partisan majorities can result in radical reversals in NLRB interpretations of labor law (Runkel). In the first six years of domination by Bush appointees, the NLRB overturned a series of key advances made by labor during the Clinton administration, including restrictions on threatening speech by employers, the rights of workers employed by temp agencies to organize, and the rights of all workers to representation in disciplinary hearings.

As professional unionists and commentators digested this political reality, the drive to organize private universities began to sputter, anticipating the likelihood that university employers would take the political recomposition of the board as an opportunity to revisit NYU. The board quickly indicated its intention to do so in the case of Brown University. Once more, graduate-employee labor relations at all private universities presented itself with one neck. This was perhaps a final opportunity. If the administrations could not win in a Bush-appointed venue, they were unlikely to win anywhere. Accordingly, Harvard, Massachusetts Institute of Technology, Stanford, George Washington University, Tufts, the University of Pennsylvania, the University of Southern California, Washington University of St. Louis, and Yale filed a joint brief, joining forces with such company as the National Right to Work Legal Defense Foundation and the trustees of Boston University.

In a decision that the dissenting members characterized, scathingly, as “woefully out of touch with today’s contemporary academic reality, based on an image of the university that was already outdated [in] the 1970s,” the new Republican majority had little to say about the circumstances of graduate employees at Brown. Instead, they openly employed the case as an opportunity to reconsider NYU, baldly concluding that “NYU was wrongly decided and should be overruled.” In an unusually impassioned dissent (republished here as appendix B), the minority excoriated the “choice” of the Republican nominees both as bad law and a fundamental error, “in seeing the academic world as somehow removed from the economic realm that labor law addresses.” As law, the Republican majority relies on a handful of cases from the 1970s, none of which concerned graduate employees as teachers, and which it construes, somewhat fancifully, as supporting the view, rebutted in a dozen other legal venues, that persons who are “primarily students” can’t also be “employees”⁸

As the dissent notes and the majority openly confesses, the majority opinion is founded not in law but in ideology. The ideological arrogance of the majority can be most charitably described as an unusually broad application of the board’s discretion, intruding on policy-making powers. Essentially, they imposed their partisan, theoretical, and a priori judgment that collective bargaining is somehow “incompatible” with “the nature and mission of the university.” Ignoring substantial evidence that collective bargaining in public higher education has not harmed academic freedom or education, including two empirical studies, the Republican appointees speculate, entirely without foundation and against all of the available evidence, including at NYU itself, that collective bargaining might have different consequences on privately funded campuses. They conclude with a frank, paternalistic, and ideological acknowledgment of the wide latitude in which they’ve indulged: “Although under a variety of state laws, some states permit collective bargaining at public universities, we choose to interpret and apply a single federal law differently to the large numbers of private universities under our jurisdiction” (Battista, 11).

Implicit in the understanding “we work” and the corollary understanding that the consciousness of work has to be materialized in law, social policy, and workplace practice, are a set of important realizations:

1. *We are not “overproducing Ph.D.s”; we are underproducing jobs.* There is plenty of work in higher education for everyone who wants to

do it. The problem is that this enormous quantity of work no longer comes in the bundle of tenure, dignity, scholarship, and a living wage that we call “a job.” The concrete aura of the claim that degree holders are “overproduced” conceals the necessary understanding that, in fact, there is a huge shortage of degree holders. If degree holders were doing the teaching, there would be far too few of them. Graduate employees understand that labor markets are socially structured: with a single stroke (by, say, restoring the 1972 proportion of tenurable to nontenurable faculty in a major state, such as New York or California), all of the “surplus” degree holders in many disciplines could be immediately employed. Even a modest “reconversion” plan designed to re-create tenurable jobs out of part-time piecework would swiftly generate a real shortage of degreed persons. The intervening official knowledge, informed by liberal economic determinism, works to conceal the operation of a policy universe (social, legal, institutional) that shapes academic working conditions—a policy universe that organized graduate employees and contingent faculty understand they can and must transform.

2. *Cheap teaching is not a victimless crime.* Graduate employees understand that the system of cheap teaching hurts everyone, not just the persons who teach cheaply. The cheapness of their labor holds down salaries in the ladder ranks: professorial salaries have stagnated against per capita gains since 1970 and have stagnated most in the disciplines that rely primarily on graduate employee labor. The cheapness and disorganization of flexible labor supports speedup throughout the system: assistant and associate professors teach more, serve more, and publish more in return for lower compensation than any previous generation of faculty. You have to look pretty hard to find avenues of employment where sixty-year-old persons who have distinguished themselves at their work get paid less than college faculty. In the most casualized disciplines, such as English, this means that a sixty-year-old distinguished scholar with a national reputation and three books (and three children in college) earns a salary similar to that of junior faculty in many other disciplines. She earns about as much as either a good accountant with two or three years of experience or a twenty-five-year-old district attorney. At the end of a career covered with distinction, she earns about half of what moderately accomplished professionals in law and medicine earn at the beginning of their careers. She frequently earns less than a secondary-school teacher, civil servant, factory employee, or bartender with the same term of service. In many ways, she also has less control

over her work and fewer rights to due process, despite the fantasies of unfirable tenured faculty. And cheap teaching hasn't only reduced salaries: it has diminished the dignity, research support, and academic freedom of the tenured, as well as their morale and their capacity to govern the academy.

The system of graduate education has also radically altered the experience of general education for nearly all undergraduate students. Ask any thirty-seven-year-old graduate employee, with her ten or more years of service and just beginning to peak in her pedagogical and scholarly powers, yet soon to be replaced by a twenty-two-year-old master's degree candidate: Is this a system that teaches well? And she will answer: Heck, no, it is just a system that teaches cheaply. Accomplishing its marvelous cheapness by allocating an ever-larger section of the curriculum to flexible instructors who typically have between zero and four years of teaching experience, or who have brought their graduate studies to early termination, the system of disposable faculty continuously replaces its *most* experienced and accomplished teachers with persons who are *less* accomplished and *less* experienced.

In English departments, it is now typical for students to take nearly all first-year, many lower-division, and some advanced topics courses from nondegreed persons who are imperfectly attuned to disciplinary knowledge and who may or may not have an active research agenda or a future in the profession. The whole zone of general education—that is, the education that most people who go to college have in common with each other—has been radically evacuated. The proletarianized teachers who will be the only experience that most students have of a language department are commonly deprived of such necessities as offices, telephones, and photocopying privileges—much less the protections of due process that guarantee academic freedom. It is usual practice for administrations to simply dispense with the services of flexible teachers who exercise academic freedom: those who teach controversial material, of course, but also those who generate student complaints by teaching difficult material. Flexible teachers cannot afford to provide an obstacle to the advancing administrative ideal of an ultimately education-free transfer of cash for course credits. Most citizens wouldn't dream of employing an accountant without an office or a telephone—or go to a lawyer who practiced avocationally—but they regularly send their children for writing and liberal arts instruction to a person working out of the trunk of her car.

To paraphrase Emma Goldman: Cheap teaching is a social crime and failure. This is true even if the injuries to all persons who teach are excluded from the equation. Even the persons who seemingly benefit from the labor savings—students and the public they serve and also become—are substantially injured. Nor is it just a matter of teaching. The whole complex of research production is diminished by the elimination of tenurable faculty positions. Casualization systematically replaces the scholarly activity of the professoriate with new management tasks, and it profoundly degrades the undergraduate educational experience, producing such “efficiencies” as a reduced variety of course offerings, reduced access to faculty doing active scholarship in their field, and the regular replacement of experienced professionals with students and avocational labor.

3. *Casualization is an issue of racial, gendered, and class justice.* Frequently, the cheap teachers are people who can afford to teach with little or no compensation, as idealized in such manifestations of mass corporate culture as the financial-services commercial illustrating the corporate employee taking a plush early retirement so he can “afford” to realize his “dream” of being a teacher.

What does it mean that increasingly only people “who can afford to teach” are entering higher education as a profession? Surely one reason the neoliberal second-wave knowledge took such hold of the academy during the 1980s and 1990s is the degree to which academic casualization has increasingly closed the profession to people who rely on waged work to live—and replaced them with individuals for whom teaching figures as a secondary income.

If it typically requires family support to become a teacher, how do factors such as class and the racialized wealth gap affect the composition of the professoriate? Today’s graduate-employee unionists are at least half women, and they understand that casualization is a feminist issue. The CGEU *Casual Nation* report headlines the fact that women take about 40 percent of the doctorates, but they represent about 58 percent of the full-time temporary instructors and only 25 percent of senior professors. There is a sharp generational break: women who joined the faculty during 1985–1992 were much less likely to join the faculty as members of the ladder ranks than were women who joined the faculty in earlier cohorts. Despite a plentiful “surplus” of women holding the doctorate, junior faculty women are substantially more likely to work in poorer-paying and less-satisfying higher education sectors than

junior-faculty men. The NSOPF *New Entrants* analysis shows that fewer than half of the women who began full-time work during 1985–1992 held the Ph.D.: women were about as likely to hold the M.A. (44.2 percent) as the Ph.D. (48.4 percent), whereas male “new entrants” overwhelmingly hold the Ph.D. (71.0 percent) (Finkelstein et al.). The only fields in which women have achieved near parity in numbers with male faculty in the upper ranks are the most ill-paid fields, primarily language, literature, and writing instruction.

The sectors in which women outnumber men in the academy are uniformly the worst paid, frequently involving lessened autonomy—as in writing instruction, where the largely female staff is generally not rewarded for research, usually excluded from governance and even union representation, and frequently barred even from such basic expressions of academic discretion as choosing course texts, syllabus, requirements, and pedagogy (see chapter 5).

4. *Late capitalism doesn't just happen to the university; the university makes late capitalism happen.* The flexible faculty are just one dimension of an informationalized higher ed—the transformation of the university into an efficient and thoroughly accountable environment through which streaming education can be made available in the way that information is delivered: just in time, on demand, in spasms synchronized to the work rhythm of student labor on the shop floor. The university has not only casualized its own labor force; it continuously operates as a kind of fusion reactor for casualization more generally, directly serving the casual economy by supplying it with flexible student labor (that is, by providing flex workers with the identity of “student”), normalizing and generalizing the experience of casual work. The casualization of the higher education teacher has been accompanied by the wholesale reinventing of what it means to be an undergraduate: the identity of “student” has been disarticulated from the concept and possibility of leisure and vigorously rearticulated to contingent labor. In the twenty-first century, “being a student” names a way of work. The graduate employee understands that the gen-x and millennial structure of feeling proceeds from the generational register of the economic order, insofar as casualization colonizes the experience and possibilities of “youth,” cheerfully extending the term of youth and youthful “enjoyment” into the fourth decade of life—because youth now delimits a term of availability for superexploitation.

This knowledge of the graduate employee conditions the political

subjectivity of antagonism to the actually existing system of academic labor. Everyone with an interest in transforming that system will inevitably attempt to share into, or even ventriloquize, that knowledge. The one or two attempts to ventriloquize that knowledge have resulted in classic cases of incorporation, reinstalling the neoliberal fetish of “the market” and “the economy”—as when the *Final Report of the MLA Committee on Professional Employment* (December 1997) struggled visibly to deploy the graduate-employee critique of the “job-market” heuristic, developing the compromise language of “job system” (GSC “labor system” + MLA “job market” = “job system”), only to fail to deliver any analysis at the level of system.⁹

Refraining from attributing the critique to the graduate caucus in its own midst and failing even to mention either the graduate-employee union movement or faculty unionism more generally—and conspicuously leaving Cary Nelson, Michael Bérubé, and others from its bibliography—the CPE report attempts to “sound like” the GEU/GSO critique while obscuring the political reality and general experience of faculty unionism: about 44 percent of all faculty (two of three faculty members on publicly funded campuses) are unionized (Rhoades 9–10). In this ventriloquism and disappearing act, the CPE ultimately reinstalls the “imperative” of the “realities of the job market” (6) and offers the same set of “solutions” that David Orr offered in 1970: supply-side balancing of “the market,” alternate careers, more teacher training, “buyer beware” labels on admission letters, and so on. Any analysis at the level of system suggests that all of these “solutions” actually contribute to the well-being of casualization—especially the fantasy of “alternate” careers, which enables administrations to flush away the degree-holding waste product. These official disciplinary “solutions” all proceed out of the primary ventriloquism of the Clinton era, “I feel your pain” (see, for instance, Sandra Gilbert’s performance in “Bob’s Jobs”), but which vigorously reinstalls the market logic that produced that pain in the first place.

Toward a Dictatorship of the Flexible

Basically, I just want to say to your President, the Board, that the stories I’ve heard tonight baffle me. [voice breaking] I have a personal story, but I’m not going to share it with you because you’ve heard enough

personal stories. I had no idea this problem was an issue. I talked about it with my (student council) president. She had no idea. We students rely on teachers. We rely on them being there. We rely on their service—and they provide it! I've had part-time teachers, many part-time teachers. I'm in a professional/technical program, and they give you service. They put in more hours than they ever get paid for. Twelve—thousand—dollars makes me sick! Oh—my—gosh.

I—I didn't even know how to react to that. Teachers going from one campus to the other? Four and five different colleges? What is this country coming to? Where is this school—I know it's not just at PCC, I know it's across the nation—but it starts at one school. We can, we can start a trend for other schools. We can make a difference. I mean—[applause] Just think about, think about everything you've heard tonight, because—it made a difference to me. (Serrou)

ADMINISTRATOR: Please allow me to introduce myself, I'm a man of wealth and taste. I go by many names. Doctor, Boss, Sir, Chairman, Gentleman, Scholar, Dean, Pillar of the Community, Cheap Bastard, but you can call me the Administrator. (Camhi)

Moving from the discourse of “I feel your pain” to the collective recognition that our problems are mutual ultimately means acknowledging the intellectual and political leadership of the union movements of the casualized, of graduate employees and former graduate employees working part-time and nontenurably in subprofessorial conditions.

Acting at the level of system means acting as graduate employees have acted—writing their knowledge into law and policy at every level of social organization, from the campus and community to state and federal statute, and developing linkages to labor on a global scale. This means that everyone else implicated in the system of academic work will benefit from “acting with” the casual employee (rather than “sounding like” them while “acting with” administration). Against the dominative totality of higher ed marketization—the flexible dictatorship of university administration—the possibility of antagonism at the same level of systemic totality is emergent in the GEU and contingent-faculty movements. Acting with the movement of the contingent, we are privileging the perspective of the graduate employee (as incipient degree holder) and former graduate employee working contingently, and doing so in the belief that accomplishing the particular agenda of the contingent

will address the problems that are general to the system (but feel “specific” to other locations). That is, in re-creating jobs out of the piecework done by the contingent workforce, we address with one stroke the problems experienced by everyone else: tenure-stream faculty benefit because eliminating cheap teaching raises the price of experienced teaching and reinstalls the value of research in pedagogy; undergraduates benefit by receiving experienced, secure faculty (who “do knowledge” rather than “provide information”) in the first two years, when they are most vulnerable; other movement activists benefit from a more diverse and demarketized professoriate; the public, taxpayers, and employers receive a more literate, accomplished, thoughtful, and civically oriented citizenry—the embodied and political subjects of education, not the reactive “meatware” of information capitalism.

We of the academic system would in a way, then, be submitting to a “dictatorship of the flexible,” saying instead of “I feel your pain” something more like this: “Oh, heck, now I realize that your problems are intimately related to my own difficulties. *Solving your problem is solving my problem.*” To the extent that the system of academic labor is a system interlocking in a plane with other systems, it seems plausible that a dictatorship of the knowledge proletariat could be articulated to the proletarian struggles elaborating themselves elsewhere. (The GEU movement, for instance, might be the basis for an important evolution in the undergraduate movement against sweatshops, which in my view would acquire even greater vitality by becoming conscious of the North American student’s own status as flexible labor.) The articulation of the GEU movement to other proletarian movements could take place on a more horizontal plane, the shared consciousness of contingency. But the articulation of the GEU movement within “the knowledge class” itself *would* take place in a hierarchical relation—a revived apprenticeship, if you will—except that this apprenticeship would reverse the traditional relationship. In my view, we can only have a workers’ movement in the academy when the professoriate (and their unions and institutions) are willing to politically and intellectually indenture themselves to the graduate employee.

The surge in graduate-employee organizing in the 1990s was accompanied by a growing interest in the major academic unions in organizing contingent faculty, who have become the majority workforce. Part of a growing interest in organizing contingent workforces globally, the effort involves challenges that are unique to contingency (difficulties in

communication, lower salaries that mean lower dues, etc.), but also special opportunities: there are far fewer legal barriers to unionization. As a result, a string of contingent faculty union successes emerged in the past decade.

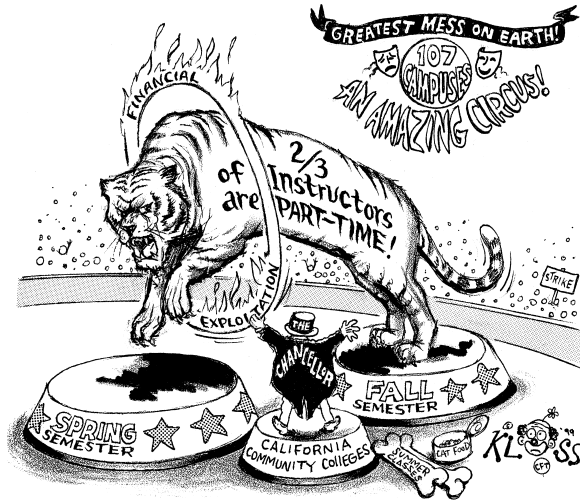
The plays, films, testimony, and propaganda of contingent faculty are components of a faculty culture in transition. They are active contributions to a culture war with management, each event an element in the struggle over the meaning of the language that structures our working lives—terms like “faculty,” “fairness,” “part-time,” and “quality.” On a Washington State campus, activists sold full-time and part-time cookies, with the part-time cookies identical to full-time cookies—except that they cost at least 50 percent less. In California, COCAL activists dressed as “freeway fliers” disrupted public spaces and distributed “scholar dollars,” valued illustratively at the 37 cents paid contingent faculty for the same work performed by the tenured (Nelson, “Contingent Faculty”). One of the street theater pieces performed at Oregon’s Portland Community College with the intention of “organizing the community” as well as the workforce is the simple device of asking real adjunct faculty to schedule their office hours at an outdoor trash can (labeled “AD-JUNKED FACULTY OFFICE”), sometimes involving the instructor wearing a sign “AD-JUNKED FACULTY” and the wearing of sandwich boards by willing “STUDENTS” as well. (Guerrilla theater appears to be an established feature of the union culture in Portland, where union janitors protested their intended replacement by convict labor by performing their jobs in black-and-white striped uniforms on the steps of county buildings, and where 100 protestors dressed as bananas occupied a Safeway grocery store to dramatize the efforts by Del Monte to break one of its unions in Guatemala [McIntosh, “Skit Protests”].)

Also scripted for the Portland Community College events, Joe Camhi’s *Screw U* introduces an archetypal administrator, costumed in business suit and horns, employing quotations from the Rolling Stones’ “Sympathy for the Devil.” Camhi’s managerial fiend engages in a classic *Modern Times*-style illustration of managerial speedup of the work process. The administrator permits negligible time to prepare for class and respond to student work, barking “hurry!” and “shift gears!” at a hapless contingent faculty member who has a more thoughtful (and moderately slower-paced) idea of “quality” in the educational process. The curricular demands that “total-quality” management place on an overstressed contingent faculty quickly push the meaning of “academic

specialty” into the realm of the absurd. Camhi’s administrator continuously interrupts the adjunct’s lecture with a sequence of syllabi for a dozen classes with eight different specializations. “How many damned classes am I teaching?” the “part-time” adjunct finally explodes in protest. “How many classes do full-time faculty teach?” The truth of the administrator’s answer—that “full-time” faculty often teach just two or three classes—is an extraordinary moment in the skit, one that defamiliarizes the part-time/full-time distinction even for those who “know” why part-time teaching can mean much more than a full-time load. It’s an absurd moment in the narrow, technical sense of literary absurdity—the dizzying contingency of the adjunct’s existence, structured by language and policy that are continuously available to radical evacuation by administration, becomes, for a moment, a window into the common condition, fast capitalism’s permanently temporary structure of feeling.

The confrontational dimension of Camhi’s skit—naming the administration as the horned devil—is a common thread in the organizing culture of contingent faculty. Julie Ivey’s song parody, “We Are Teachers!” rewrites Helen Reddy’s “I Am Woman” by way of The Who with an emphasis on collective defiance: “Hear us roar. . . . No one’s ever gonna make us beg or crawl again!” And the image of faculty “begging” and “crawling” before administration has its effect, not just on the faculty but on students for whom the notion of faculty as authority is a core belief. Among the most compelling of the contingent-faculty productions are the images penned by John Kloss, adjunct instructor at several California campuses, and editorial cartoonist for the *Sacramento News and Review*. A member of the California Federation of Teachers (CFT), Kloss has gone on record noting the union’s failure to fully address the concerns of its contingent membership. His images for COCAL/Campus Equity Week display a command of diverse graphic styles, sometimes recalling elements of the Industrial Workers of the World (IWW) graphic tradition. This is particularly the case with his “107 Campuses—An Amazing Circus!” which features a huge and menacing tiger encompassing 85 percent of the horizontal visual field. Labeled “ $\frac{2}{3}$ of Instructors are PART-TIME!” the snarling cat leaps through a flaming hoop labeled “FINANCIAL EXPLOITATION,” but arches its head and shoulders in the direction of the ringmaster, who bears on hat and cape the legend “THE CHANCELLOR.”

Recalling the Wobblies’ use of the black cat symbol for direct action against the employer in the workplace (especially sabotage), Kloss’s



tiger unmistakably voices the militant strain of contingent faculty culture. The cat is an agent—trained to perform management’s tricks, but whose training has eroded to the margins of compliance—a powerful agent on the cusp of realizing that bones labeled “summer classes” and tins of cat food (suggesting the contingent faculty domestic food budget) are hardly sufficient inducements to continued obedience.

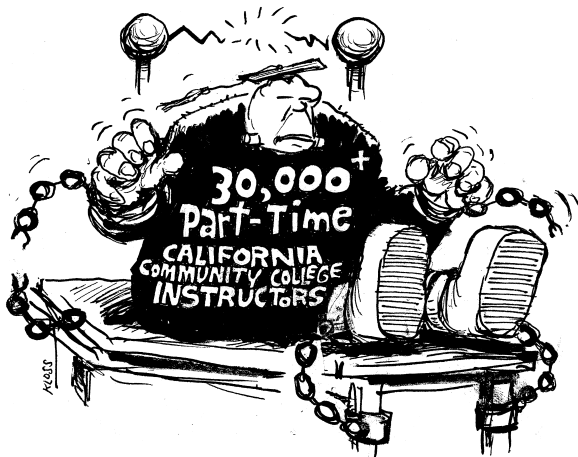
Kloss’s other militant images are equally striking. His “It’s Alive!” features a version of Frankenstein’s monster in academic robes, square-headed under a mortarboard, labeled “30,000 Part-Time Faculty” (i.e., of the California community college system), coming to life and snapping its chains while electricity courses through the air. It is a quintessentially romantic trope: the monstrous agency of the contingent awaits only the coming-to-life of militant self-consciousness and also recalls numerous IWW images of the sleeping giant awakening to agency.

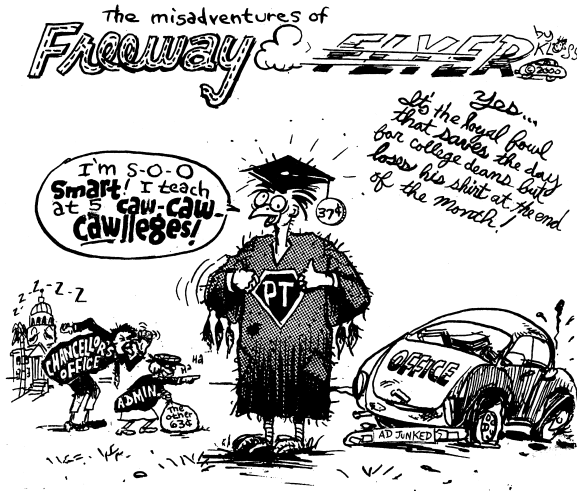
Drawn in a deceptively innocuous style different from much of his other work, it takes a minute to realize that Kloss’s “Part-Time Instructor/Full-Time Activist!” bears perhaps the most overtly militant message of all, as it features a clean-cut student in robes and mortarboard this time, with his clenched fist emerging from the frame, bearing a “class ring” with the legend “CLASH OF 2000.” Less busy than Kloss’s other work, this sketch draws together the “CLASH” with just two other typographic elements, a diploma case labeled “PAY EQUITY” and the ubiquitous “37 cents” logo (from the “scholar dollar”). Here, as else-

where, the target of contingent faculty culture is the culture of academia itself, and the oppressive, silencing, norms of “collegiality,” ubiquitous faith in meritocracy, and so on: the “CLASH OF 2000” is as much a clash with the beliefs and institutions of the tenure stream faculty as it is with the administration.

The project of creating a contingent faculty culture involves transforming the contingent faculty culture that is already there. Kloss’s “Misadventures of a Freeway Flier” targets the self-conception of the contingent faculty by showing the “freeway flier” as a chicken who is the victim of his own beliefs: “I’m s-o-o Smart! I teach at 5 caw-caw-cawleges!” crows one of Kloss’s fliers, pulling open academic robes to show a joke superhero’s logo (“PT,” for part-time). Above a landscape littered with the “flier’s” broken-down car (labeled “OFFICE”) and the state capitol, from which snores ensue, Kloss’s editorial comment is written in the sky: “Yes . . . It’s the loyal fowl that saves the day for college deans but loses his shirt at the end of the Month!”

Graduating from guerrilla performer to guerrilla filmmaker, Santa Monica College contingent faculty activist Linda Janakos created *Teachers on Wheels* to illustrate the fourteen-hour workdays of the full-time part-timers and to build militance in the community. One of her film’s more memorable shots shows the 45,000 petitions that had been painstakingly collected and presented to then-governor Gray Davis, now dumped in a state capitol trash can (American Federation of Teachers). One of the core techniques of contributors to an activist culture for





SPECIES:
Dodo teachicus

Known to frantically flee up and down California freeways for little or no **bird seed**. pecks away at a meager existence, scrounging for classes. Bigger vultures eventually shoe him away after each semester is over. He's too chicken to stick up for himself and this "flyer" often migrates back to the same dire straits! He's plucked bare by buzzards higher up the food chain and is considered a delicacy at the annual **feast**. This species also makes for a fine pet as the Chancellor has snared 39000 of them for his own pleasure.

contingent faculty is rewriting the given tropes of identity, most of which are pejorative: the “invisible” faculty (Gappa and Leslie), “free-way fliers,” a “lost generation” (Heller), who figure in the *Chronicle of Higher Education* and the *Washington Post* as victims of history. That is, if the contingent faculty are indeed invisible, despite their status as the overwhelming majority of the faculty workforce, increasingly the contingent faculty are seizing—and recolonizing the meaning of—the tropes of invisibility, victimhood, and loss to become visible, to become agents in history, and to make gains, as in Michael Dubson’s collection of contingent faculty experiences, *Ghosts in the Classroom*, and in such widely read weblogs as “Invisible Adjunct.” As Dubson writes of his experience of collecting “adjunct horror stories,” even in the context of his own project—which is an attempt to tap into “the power of adjuncts sharing their stories with each other, bonding by offering support and solidarity, creating a text that we can use to cry over or fight with”—the project of coming to consciousness is a continuously renewed

challenge. As he was editing the stories comprising his book, he says, “I kept thinking, ‘These poor people. These poor people.’ But these people were me” (Dubson, “Address”). In connection with the release of Dubson’s book at COCAL IV in San Jose, faculty dressed as ghosts haunted the campus.

Do these skits, cartoons, films, weblogs, moments of witness, and guerrilla theater pieces “work”? What do we mean by that question? Their effectiveness has to be seen in the context of building a culture of opposition—of “naming the enemy,” raising the consciousness of those who work, and reaching the sensibilities of those potentially in alliance, such as students, parents, legislators, and tenure-stream faculty. At Oregon’s Portland Community College, where Camhi’s administrator-as-devil skit was performed, student and community consciousness was abruptly and permanently raised, as the unmistakably shocked tones of the recorded testimony from Melanie Serrou and other students indicates. Serrou: “Twelve—thousand—dollars makes me sick! Oh—my—gosh. I—I didn’t even know how to react to that. Teachers going from one campus to the other? Four and five different colleges? What is this country coming to?” In the aftermath of this realization, Serrou went to work as a legislative assistant for the union.

The militant strain of contingent faculty culture is having an effect on the culture of the tenured and their unions. Historically, the relationship between contingent faculty and the unions of tenure-stream faculty serving directly as their bargaining agents is checkered; often enough, the unions of the tenured have collaborated with management in the creation of multiple tiers of employment (Tirelli; Hoeller, “Treat Fairly”). For many of the same reasons, some graduate employees have historically elected to work with representatives outside of the three unions that together represent nearly all organized tenure-stream faculty (AFT, NEA, and AAUP), instead working with representation as diverse as the Communication Workers of America (CWA), the American Federation of State, County and Municipal Employees (AFSCME), the Service Employees International Union (SEIU), and, notably, UAW. But that is changing.

Now the major bargaining agents in higher education are increasingly eager to organize the contingent—because they are the majority of faculty and because there are far fewer legal barriers than is the case with graduate employees or tenure-stream faculty on private campuses. Nonetheless, a major part of the shifting priority is due to the agency of

the contingent themselves, in authoring an activist culture that has pervaded the higher education establishment; the disciplinary associations, faculty unions, and senates; and the myriad forms of organization dominated by the tenurable. The sense of the angry and increasingly organized contingent faculty as the specters haunting the academic status quo has been seized as a trope by the major institutions of faculty labor: by 2005, AAUP organizing kits included instructions for campus contingent-faculty “ghost rallies.” Steadily over the past several years, the culture and commitments of contingent faculty have pervaded the literature of the major higher ed unions—the articles, analysis, autobiographical accounts, organizing tips, and bargaining strategies of the organized and organizing. Of at least equal import is that the culture of the contingent is reaching the communities served by their campuses with a compelling vision of an other-than-corporate culture informing the university. If any group on the campus is asking the pressing questions of the moment, it is the contingent faculty: as Linda Janakos’s skit has it, the university president can make television commercials, but the contingent faculty captures the community by asking the right question: “Oh Equity, Oh Equity, wherefore art thou Equity?”¹⁰