

Some Remarks about the American Academic System

I should like to begin both by thanking Professor Magerl for this kind invitation, and also by pointing out some limitations on what I am going to say. Though I hope to offer useful information about the structure of American universities, I am not a lawyer and therefore cannot speak with authority about the precise legal terms under which academics in America are employed. In addition, my experiences in the States have been primarily at MIT, which is far from a typical American university. Nonetheless, I would like to tell you what I do know about some of the common features inherent in a variety of different American academic institutions.

The modes of academic employment in American universities are rather uniform, and are based on the idea of an often difficult and lengthy competition for permanent employment, or *tenure*.

The process of achieving tenure proceeds roughly as follows: After earning the doctorate, the candidate normally finds a temporary postdoctoral position. Though it is not legally forbidden, it is very unusual in most fields to gain employment at a university without having earned a doctorate, or to become a postdoc at the university where the doctorate is earned. After one or two temporary positions, the successful candidate relocates to another university as Assistant Professor, a position with the potential for leading to tenure. Assistant Professors are employed on successive two or three year contracts until they are either promoted to Associate Professor without tenure (leading to a later tenure decision), Associate Professor with tenure, or told to leave. Universities differ in their laws governing this process, but normally a candidate must be given at least 1 year's notice before losing their appointment, and cannot be employed for more than 6 or 7 years without having tenure.

Once achieving tenure, the candidate normally becomes Full Professor automatically, within several years. The official principle (which is in fact not true) is that those who achieve tenure are to be employed as academic equals.

Tenure is surely the biggest issue in an American academic's career, and is a much discussed issue. Despite an increasing number of lawsuits concerning the denial of tenure, universities have not taken steps to attempt to legally

define the criteria for granting it. And these criteria vary widely: At leading research universities, tenure is given sparingly and is based heavily on a file of recommendation letters by outside experts in the candidate's field, evaluating the candidate in terms of his or her research. At small colleges, the decision is much more an internal one, and often more influenced by the personal relationship of the candidate to his or her colleagues.

However some legal clarifications concerning tenure have appeared in recent years. As a result of the increasing number of lawsuits over the denial of tenure, candidates now have the legal right to access the letters of recommendation that make up their tenure case. Those who are asked to evaluate the candidate are informed of this fact in advance of writing their letters. But this has made little difference, as the law permits universities to conceal the names of the letter-writers from the candidate, thereby making them immune from personal lawsuit by the candidate. At MIT it was clarified in recent years that tenure is a contract between the professor and the university, and not between the professor and his department. This question arose when the MIT department of Applied Biology was terminated, and the decision was made that the tenured professors in that department still had permanent jobs at MIT (they were absorbed into other departments). A third clarification came with regard to the recent ruling that American universities cannot enforce retirement at any age, and that professors who choose to continue to work past "normal" retirement age retain tenure. Of course universities were very unhappy about this, as they experienced a sudden and drastic reduction in the number of available academic jobs.

Universities are almost entirely free to determine their own forms of academic employment and to set their own criteria for promotion and tenure. The same applies to curriculum. One obvious reason for this is that the vast majority of American universities are private institutions, not subject to any direct governmental control. But, perhaps as a consequence, even the public universities, associated with each of the 50 States, are independent in this regard.

I should next like to mention some features special to the American system which, though not directly related to employment law, are important for determining the nature of American academic life.

One must emphasize the great importance of competition at all levels

within the American academic system. Nearly all American colleges and universities accept students on a competitive basis. The universities of higher prestige receive more applicants, of a higher standard. The prestige of the university is normally determined by the quality of its faculty, in terms of their research accomplishments. And the most important way that universities control the quality of their research faculty is through the tenure process, another highly competitive system. The leading universities generally take the approach of hiring a large number of promising young people as Assistant Professors and then offering tenure only to the select few. Of course this creates an atmosphere of constant competition, but also has created what may be the highest academic standard in the world.

The principle of competition also applies to the hiring of Full Professors from the outside. Whereas most hiring is at the Assistant Professor level, leading to promotion and tenure decisions, the better departments very actively hire Full Professors from other universities. At Harvard University this is almost the unique way in which Professors are appointed. What is very characteristic of the American system is the open, competitive approach of this "outside hiring". Candidates are sought from all over the world, with no preference for Americans. And private universities, and to a large extent public ones as well, have great flexibility in determining the kind of offer they can make, in terms of salary, teaching duties, office space, housing allowances and other incentives.

Another special American feature is the heavy emphasis among leading universities on its doctoral programs. At MIT, for example, the size of the doctoral student population, even excluding the professional programs in business and medicine, is approximately one half of the total student body. Thus a very large amount of the teaching performed by faculty is devoted to doctoral students, which is naturally stimulating to research. In many fields at the leading universities this has resulted in a doctoral student group large enough to create a very dynamic and competitive atmosphere. It must be emphasized that such doctoral programs would not be possible without considerable support from the federal government.

There are other features of the American university which in my view are rather negative, and must be carefully taken into account. The uniform trend in American universities is to group faculty into large departments,

rather than into small institutes. At MIT there are only 5 departments within the entire Faculty of Science. In mathematics alone, there are over 55 positions as Assistant, Associate or Full Professor. This means that the competition for space, students, postdocs and money continues to operate heavily even at the tenured level, to an extent far greater than it would were faculty placed into smaller institutes. As a consequence, the principle that all tenured faculty are to be treated equally, does not hold. An inequitable division of resources often results from the political influence of particular department faculty. Further inequities result from the competitive nature of outside hiring, whereby some Full Professors are highly paid and have great influence, whereas others are paid less and are not included in important departmental decisions.

Lastly, one must mention the enormous cost of attending the better American private universities. The principle is that the high cost of the better universities is compensated for by the enhanced career opportunities that result. This has been tolerated until now, but there are increasing signs that these high costs are beginning to show severe negative effects on the American doctoral programs, which have been receiving less support from the federal government than in the past. In addition, parents are beginning to expect more from universities, which in reaction have put great effort into non-academic programs, directed at improving the quality of student life. This has been time-consuming for the faculty, and costly to the university, as for this and other reasons, increasing numbers of non-academic personnel are being hired. The solution to this problem is not evident, and may very well lead to a major reassessment of the structure of the American university system.

Let me express my hope that consideration of these aspects of American academia are useful to you, in your discussions of what changes we need to make in Austria to improve our system here.

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