

Braun: At Rutgers, tenure protects free speech as well as jobs

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The legislative debate over tenure raged at the same time as the struggle over the ill-conceived proposal to dismember Rutgers University. The two issues seem unrelated. They were not.

Opponents of teacher tenure — such as Gov. Chris Christie — contended it was a guarantee of lifetime employment, a safe haven for the incompetent. Eliminating tenure, he said, would “give schools more power to remove underperforming teachers.” When the issue is framed that way, who could oppose it? Who is in favor of keeping “underperforming” teachers?

But the fight over the institutional integrity of Rutgers University provided a different view of tenure. The most consistent, most courageous advocates of maintaining the political independence of the state’s most prestigious public institution of higher education were school employees. Men and women who could be fired if they didn’t have tenure.

Looking at tenure through the lens of the Rutgers debate depicts it as protection for the freedom to speak out against wrong-headed policies fostered by the powerful, especially at a time when those institutionally responsible for the university’s independence — its administration and governing boards — were cowed by the undeniable political power of the governor and his ally on this issue, South Jersey political boss George Norcross.

Consider Kate Epstein, a first-year faculty member at Rutgers-Camden, a summa cum laude graduate of Yale with a master’s degree from Cambridge (in England) and a doctorate from Ohio State. At a time when most in positions of power at the university were ducking, she appeared at a joint meeting of the governing boards.

“To me, this fight is about much more than preserving our campus: It is about preserving certain ideals that I hold dear,” she told the boards. “One of those ideals is academic freedom, which has been trampled on throughout this process. When politicians and unelected power brokers try to play with this university in order to benefit themselves, they are assaulting your right and responsibility to protect it.”

University president Richard McCormick — Epstein’s ultimate boss — was willing to allow a Rowan University takeover of Rutgers-Camden in exchange for university control of medical school assets. Epstein warned: “No medical school is worth sacrificing Rutgers’ integrity or betraying the values you are duty-bound to defend — and betray them you would if you do anything less than assert your commitment to us, who are proxies in a much wider battle for the soul of higher education.”

In those few words, Epstein — an historian of the intersection of military, political, and economic power — challenged her employers. McCormick and the boards, some of whose members had business interests with a state government headed by Christie.

And she did not have tenure.

Epstein, 30, plays down her courage. She admits to some “trepidation” about criticizing the university administration but, in the end, trusted the tenure process. She believes she will be judged by her research, her teaching, her service to the university. If she is judged by what is relevant to her position — and not by her political statements — then tenure will have proven its value.

Another Rutgers employee who spoke out against the merger was Vibiana Cvetkovic, the head of access and collection services at the Paul Robeson Library at Camden.

“If this bill becomes law, we will be an eviscerated institution, a RINO — Rutgers in Name Only,” she told the boards.

After she spoke, Cvetkovic discussed tenure. She said she believed it would protect her. “It gives people the freedom to speak out on issues that are important to them,” she says. She concedes it is “under attack,” not just in the schools of New Jersey, but also among institutions of higher education that hire increasing numbers of instructors under renewable contracts that do not provide tenure protections.

For people like Epstein and Cvetkovic — and many other faculty members who spoke out against the merger with Rowan University — tenure is not about protecting “underperforming” teachers. It is about freedom to speak, about integrity, about the willingness of men and women to stand up to political power that might be otherwise unchecked.

But is that an issue in public schools? Isn’t the problem there just dead wood? No. Consider the work of my colleague Ted Sherman exposing the politics of the Elizabeth public schools. Or think about how almost half of the Perth Amboy school board members couldn’t vote on an issue involving their superintendent because they had relatives on the payroll. How safe can a job be when politicians want their relatives on the payroll?

Consider creationism and intelligent design. About how polarized politics have become and how true believers demonize those who disagree. It now takes courage to teach — with integrity — both political and biological science in high school.

Epstein believes the ability of smart people to argue openly and intelligently against the Rowan-Rutgers merger saved the university’s independence.

“The bad guys got outmaneuvered by a bunch of nerds,” she says.