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The Corporate University and the Public Intellectual

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The defining feature of our age is the turning of the public good into private goods.¹ Just as public streets have become private shopping malls and public welfare programs have been gutted in a binge of free market fundamentalism, education has also become increasingly privatized and corporatized.² This trend is visible in a number of ways throughout the educational institutions of the United States, from the introduction of market-based voucher programs in elementary and secondary schools to the staggering boom in for-profit universities. The sacking of the educational commons has been especially devastating at the nation's major research universities, which over the last quarter-century have become essential sites for the production of corporate profit. As earnings replace education and basic research at the heart of universities' core missions, flexibility becomes the primary organizing principle of intellectual work. The corporatization of the U.S. academy has been accompanied by the casualization of academic work, as workers with poor pay, few benefits and little job security -- adjuncts, part-timers and graduate students -- do more and more of the work at these institutions.

These trends – the corporatization of universities and the casualization of intellectual work – demand a reconsideration of the question of the public intellectual, a figure around which a great deal of discussion about the place of universities and intellectuals in contemporary culture and society centers. Observers from a variety of quarters have remarked in recent years that contemporary civic life in the United States lacks the great public minds that helped to shape the cultural and political landscapes of earlier generations.³

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¹ “[The] state nobility ... has made the public good a private good, has made the ‘public thing’, *res publica*, the Republic, its own thing.” Pierre Bourdieu, *Acts of Resistance: Against the Tyranny of the Market* (New York: New Press, 1998), p. 25.

² I borrow the phrase “free market fundamentalism” from Thomas Frank, *One Market Under God: Extreme Capitalism, Market Populism, and the End of Economic Democracy* (New York: Anchor Books, 2001).

³ See, for example, Russell Jacoby, *The Last Intellectuals: American Culture in the Age of Academe* (New York: Basic Books, 1987, rev. 2000). Other key works include Thomas Bender, *Intellect and Public Life: Essays on the Social History of American Intellectuals in the United States* (Baltimore

The most pressing crisis facing intellectual life in the United States in the age of the corporate university, however, is not a lack of great *public thinkers*, but rather a quickly eroding *public sphere*, of which university teachers and researchers are essential guardians.

Central to discussions of the public intellectual is a sense of the academy and the rest of society as two separate spheres of activity. With the suggestion that institutions of post-secondary education are somehow cordoned off from the public sphere, critics often fail to recognize the place that universities and university intellectuals occupy in contemporary society. By examining universities' central structural positions, and the conditions of contemporary academic work, this essay attempts to recast the public intellectual debate, and argues that the academic labor movement represents not only a powerful model of engaged intellectual work, but one on which the very possibility of critical inquiry and a democratic public sphere increasingly depends.

The Corporate University and the Private Intellectual

Research universities in the United States have always shared a close relationship with business. The proliferation of universities in the late nineteenth century was closely related to the nation's industrialization in that period, and the birth of the modern research university in the years following World War II signaled a further set of connections between capitalist expansion and the landscape of higher education. However, the ties between U.S. universities and big business grew substantially stronger in the 1980s as corporations faced new competition from other parts of the world. As Sheila Slaughter and Larry L. Leslie outline in their study *Academic Capitalism*, U.S. corporations turned increasingly to research universities in this period for "science-based products and processes to market in a global economy."⁴ At the same time, public budget shortfalls eroded traditional sources of educational funding, forcing a number of professors, departments and universities toward more lucrative, market-driven research agendas. This shift marked a

and London: The Johns Hopkins University Press, 1993); Richard Posner, *Public Intellectuals: A Study of Decline* (Cambridge, Mass.: Harvard University Press, 2001). See also "The Future of the Public Intellectual: A Forum," *The Nation*, 1/25/2001.

⁴ Sheila Slaughter and Larry L. Leslie, *Academic Capitalism: Politics, Policies, and the Entrepreneurial University* (Baltimore and London: The Johns Hopkins University Press, 1997), p. 6.

dramatic change in the place of educational institutions in the larger structure of society, as universities themselves became central sites of capitalist production.

The Bayh-Dole Act of 1980, which enables universities to patent and profit from the results of federally-funded research, stands as a watershed in the corporatization of the U.S. academy. Universities greeted Bayh-Dole as the cash cow it was. On the same day that the Act went into effect, Columbia University enacted a new patent policy which “stated that [the University] could assert rights to faculty inventions created within University laboratories or research facilities, mandated the disclosure of such inventions to the University, and provided for royalty-sharing with the inventor and his or her department.”⁵ In the wake of Bayh-Dole, universities across the country devoted more and more resources to for-profit research. The number of universities with technology licensing and transfer offices to oversee this process grew from 25 to 200 during the 1980s.⁶ The number of patents issued annually to universities grew from 264 in 1979 to 1228 in 1989.⁷ The Association of University Technology Managers, which has conducted annual surveys of U.S. universities’ patenting and licensing activities, notes that for the 84 U.S. institutions responding to the 1991 and 2000 surveys, licensing royalties increased by more than 520% during that nine-year period.⁸ This trend has continued in recent years, with universities earning record profits from the licensing of research. For example, in 2002, Columbia University received over \$155 million in licensing revenue, thanks to some highly lucrative biotechnology patents.⁹ By 2003, U.S. universities received 3,450 U.S. patents, and collectively earned nearly \$1 billion in licensing revenue. In addition, universities reported that their research produced 348 spin-off companies.¹⁰ These figures only begin to suggest the staggering

⁵ David C. Mowery, et. al., “The Growth of Patenting and Licensing by U.S. Universities: An Assessment of the Effects of the Bayh-Dole Act of 1980,” *Research Policy* 30 (2001), p. 105.

⁶ *ibid.*, p. 104

⁷ *ibid.*, p. 104. The authors cite as their source for this data the United States Patent and Trademark Office, 1998.

⁸ Jerry G. Thursby and Marie C. Thursby, “University Licensing and the Bayh-Dole Act,” *Science*, August 22, 2003, p. 1052.

⁹ Goldie Blumenstyk, “Inventions Produced Almost \$1-Billion for Universities in 2002,” *Chronicle of Higher Education*, 12/19/2003.

¹⁰ Goldie Blumenstyk, “Colleges Seek a Record Number of Patents,” *Chronicle of Higher Education*, 12/3/2004

extent to which profit has become central to the mission of U.S. research universities in the twenty-five years since Bayh-Dole.

Corporate influence in the academy extends beyond licensing revenue to the curriculum, research agenda, and make-up of the faculty. Consider the names of the following endowed professorships at U.S. universities: Dow Chemical Co. Research Professor of Chemistry, Northwestern University; BellSouth Professor of Engineering, University of Florida. Stanford has 22 corporate-funded chairs, and M.I.T. has a staggering sixty-nine.¹¹ A recent report by the American Association of University Professors documents several cases in which fundamental academic standards have been compromised in service of corporate profit. An especially troubling case involves the department of Microbial Biology at the University of California a Berkeley, which in 1998 entered into a close business relationship with the Swiss pharmaceuticals company Novartis. As the report suggests, such arrangements create “the potential, no matter how elaborate the safeguards for respecting academic freedom and the independence of researchers, for weakening peer review both in research and in promotion and tenure decisions, for distorting the priorities of undergraduate and graduate education, and for compromising scientific openness.”¹²

As they profit from the results of the results of university research, champions of the new corporate university strive to remake the very standards of job security in the academy contingent on product innovation. In a recent *New York Times* op-ed, Stevens Institute of Technology Professor Erich E. Kunhardt embraces the value of “academic entrepreneurship,” arguing that the academy must make drastic changes in order to “help America keep its place in the global economic order.” Disturbingly, Kunhardt suggests that “invention” should be considered alongside teaching and research in tenure decisions.¹³ Kunhardt and others who would increase the presence of market forces in the organization of the academy constitute an increasingly powerful chorus of voices in favor of a particular brand of academic engagement with society that represents a grave threat to the future of the critical public

¹¹ Cary Nelson, “The Corporate University,” from Nelson and Watt, eds., *Academic Keywords: A Devil’s Dictionary for Higher Education* (Routledge, 1999), p. 95.

¹² American Association of University Professors, “Statement on Corporate Funding of Academic Research,” 11/04. Available online at <http://www.aaup.org/statements/Redbook/reporcf.htm>.

¹³ Erich E. Kunhardt, “Necessity as the Mother of Tenure?” *New York Times*, 12/14/04, p. A33.

intellectual, and the very survival of the public sphere itself. Indeed, as the university has become increasingly corporatized over the last quarter-century, the *private* intellectual has emerged in such force as to call into serious question the possibility of any kind of public intellectual. The increasingly common model of scholarship which privileges private business over the public good must be soundly rejected if there is to be any hope for the future of critical intellectual work.

Casualization and the Public Intellectual

Today's universities, with their private intellectuals, have privileged profitable research at the expense of less lucrative endeavors, such as classroom teaching.¹⁴ This profound shift in universities' economic and curricular priorities, even without the total success of academic entrepreneurship as an organizing principle, has led to a steady casualization of the teaching at these institutions. Between 1972 and 2000, part-time and adjunct faculty grew from 22% to almost 45% of the total number of U.S. university teachers. This change occurred as the number of university teaching jobs expanded, meaning that the growth of part-time and adjunct positions has substantially outpaced the growth of full-time, tenure-track jobs. Even amid steady increases in the numbers of students enrolling in U.S. colleges and universities, 40% of these institutions reduced the size of their full-time faculties in just five years, from 1993 to 1998. These staggering trends have made university teaching one of the most casualized of all occupations in the United States.¹⁵ Even more disturbingly, women and people of color are disproportionately impacted by the casualization of university

¹⁴ As David Noble notes, "between 1976 and 1994 expenditures on research increased 21.7% at public research universities while expenditure on instruction decreased 9.5%." David F. Noble, "Digital Diploma Mills: The Automation of Higher Education," *First Monday: An Electronic Journal*, January 1998.

¹⁵ Benjamin Johnson, "The Drain-O of Higher Education: Casual Labor and University Teaching," from Johnson, Kavanagh, and Mattson, eds., *Steal This University: The Rise of the Corporate University and the Academic Labor Movement* (New York: Routledge, 2003), p. 62.

teaching, representing a majority of part-time and adjunct faculty, and a minority of tenured professors.¹⁶

The landscape of intellectual work in the age of the corporate, casualized university is defined by a dangerously rigid new hierarchy of possibilities, where tenure and job security are reserved for a select few, and non-tenured, casual workers conduct an increasingly disproportionate amount of the instruction at these institutions. New York University, which has distinguished itself over the last twenty years as one of the most prominent research institutions in the country, has become one of the most striking examples of this new trend. As Jonathan VanAntwerpren and David L. Kirp detail in their recent study of NYU's development under President John Sexton, the university's much-publicized acquisition of prominent "star" faculty in a number of fields has been accompanied by the growth of a much larger number of part-time teachers, enlisted to do the vast majority of the institution's classroom teaching.¹⁷

While turning heads by hiring famous faculty away from other institutions, NYU's approach to the division of academic labor has created one of the key sites of academic unionism in recent memory. In 2000, graduate teachers at NYU won a union contract, forming the first organization of its kind at a private university in the United States, and two years later the university's adjuncts won their own union. These victories at NYU have been hugely significant for the academic labor movement at both public and private institutions, demonstrating the power of academic workers to determine the future of university teaching and research.¹⁸ Moreover, while the shrinking first tier at NYU and across the country may look the most like the public figures whose disappearance critics mark, the second tier is busy crafting a new definition of the public intellectual.

¹⁶ Coalition of Graduate and Employee Unions, "Casual Nation." This report is available online at www.cgeu.org/Casual_Nation.pdf. Also see two reports compiled by the American Federation of Teachers, online at www.aft.org: "Fairness and Equity: Standards of Good Practice in the Employment of Part-Time/Adjunct Faculty" (2002), and "The Growth of Full-Time Non Tenure-Track Faculty: Challenges for the Union" (2003).

¹⁷ Jonathan VanAntwerpren and David L. Kirp, "Star Wars: New York University," in Kirp, ed., *Shakespeare, Einstein and the Bottom Line: The Marketing of Higher Education* (Cambridge, Mass.: Harvard University Press, 2003).

¹⁸ In July 2004 the National Labor Relations Board reversed a 2000 decision in which it had granted NYU's graduate teachers and researchers – and, by extension, all such workers at private universities in the U.S. – protections as workers under the National Labor Relations Act. "Card check" organizing drives continue at several private universities, despite the lack of NLRA protections.

As casual workers build a movement to reclaim and extend the possibility of good jobs in the university sector, they stake a claim for the social necessity of workers' rights, quality education and intellectual inquiry founded on the principles of academic freedom, not the logics of the market. In some hopeful places throughout the U.S. academy this claim takes the form of contractual guarantees regarding the conditions and terms of academic work, including limits on the percentage of part-time faculty.¹⁹ If academic workers can establish measures like this as the standard practice across the entire academy, they will achieve a great victory in the battle to "reclaim the commons."

Moreover, ongoing struggles demonstrate the possibility of powerful solidarities between academic workers and other workers also threatened by the flexible imperatives of the age of globalization. Indeed, it is becoming increasingly clear that a hopeful future of the academy rests on the principle of industrial unionism, uniting workers from all sectors of the expanding global university. This model, visible in cities like New Haven, Connecticut, where casual teachers and researchers have joined with other workers and community members in a powerful movement for social and economic justice, is evidence of the promise of a new public intellectualism rooted in the material conditions and lived experience of the so-called information age. While this struggle has yet to result in a contract for Yale's casual academic workers, clear manifestations of solidarity have emerged from the streets of New Haven in recent years. Two strikes at Yale in 2003 saw literary critics, ministers, clerical, technical and maintenance workers, and the president of the AFL-CIO walking picket lines and getting arrested together in acts of civil disobedience. In the wake of the substantial victories won by the already-unionized workers in these strikes, and the continued mobilizations around questions of social and economic justice in and around Yale, the possibilities of a new public intellectualism in New Haven and far beyond are becoming increasingly clear.

Critics of the movement to organize the academy suggest that such solidarities threaten the very principles of modern intellectual life, that academic unions introduce the foreign logics of labor-management relationships to the academy, and therefore represent a

¹⁹ American Federation of Teachers, "The Vanishing Professor." http://www.aft.org/pubs-reports/higher_ed/vanishing-professor.htm

threat to the principle of academic freedom. Writing in the *Chronicle of Higher Education* in the wake of a strike by Yale's teaching assistants, the then Dean of the Graduate School, Thomas Appelquist, offered a version of this standard argument:

The process that prepares graduate students to be scholars and educators is, by its nature, collegial. It depends upon intellectual rapport and scholarly interaction between students and faculty members. A relationship that begins as one between mentor and promising novice is transformed over the course of years into one of collaborative scholarship, often lasting a lifetime. Clearly, this description does not apply to the adversarial economic relationship of employer and employees upon which collective bargaining and the rules governing it are premised. Rather, it describes an evolving relationship that would be compromised and distorted by the dynamic of bargaining.²⁰

In fact, academic unionism represents a response to the ongoing industrialization of intellectual work, and it is casualization, not unionism, that erodes academic freedom, making job security – let alone tenure – a distant dream to a growing proportion of the academic workforce. The architects of the corporatization of the university, who are busy erasing the protections of academic freedom that once stood between the academy and the market, consistently claim that academic workers have no relationship to the logics of industrial capitalism, and therefore no right to a union. University administrators and others who make such claims employ the same faulty logic that leads critics of the state of the public intellectual to draw a false rhetorical line between the university and the rest of society.

It falls to intellectuals, then, to stake a claim for themselves. Identifying as knowledge workers, and insisting on the rights of collective bargaining that all workers deserve can be a difficult task for individuals who enter the academy specifically because of their fields' apparent position outside the logics of capitalism and the market. Andrew Ross has identified what he terms the “cultural discount” as a key challenge in this process, as intellectuals and other

²⁰ Thomas Appelquist, “Teaching is Integral to Graduate Education,” *Chronicle of Higher Education*, April 18, 1997.

cultural workers accept the very nature of their work as a kind of non-monetary compensation.²¹ The true consequences of the cultural discount become increasingly apparent, however, as the academy is home to increasing numbers of casualized jobs, standing as a model for the ongoing establishment of flexible labor practices in all sectors of the economy, in all parts of the world. Piecing together a living by teaching several classes and grading several hundred papers a semester, part-timers find themselves unable to conduct research, write, publish, attend academic conferences or otherwise participate in the production of new knowledge in their fields. It is this very separation, between the ideals of academic freedom and the realities of the contemporary academy that is galvanizing a new class of public intellectuals.

Conclusion

In his 1993 Reith Lectures, broadcast worldwide over the BBC, Edward Said -- one of the great public intellectuals in the classic sense of the last generation -- addressed the ideal role of the intellectual in society. "The intellectual," to Said,

is an individual endowed with a faculty for representing, embodying a message, a view, an attitude, philosophy or opinion to, as well as for, a public. And this role has an edge to it, and cannot be played without a sense of being someone whose place it is publicly to raise embarrassing questions, to confront orthodoxy and dogma (rather than produce them), to be someone who cannot easily be co-opted by governments or corporations, and whose *raison d'être* is to represent all those people and issues that are routinely forgotten or swept under the rug.²²

There is no question that university intellectuals have key roles to play in researching and writing about the present crisis, and in constructing an alternative language and vision to the free market fundamentalisms that increasingly define the dominant discourses of

²¹ Andrew Ross, *Low Pay, High Profile: The Global Push for Fair Labor* (New York: The New Press, 2004), pp. 191-232.

²² Edward W. Said, *Representations of the Intellectual: The 1993 Reith Lectures* (New York: Vintage, 1994), pp. 11-12.

our age. But our task is greater than one of words and ideas. Struggles, both past and present, have taught us that there is no such thing as a guaranteed public sphere, that there is no such thing as an abstract public divorced from the nitty-gritty work of democracy. As academic workers we must organize, before we ourselves, along with our ideas and our academy, are swept under the rug.