



Marsh, J. (2001). One rhetoric fits all: What graduate student unions have taught us about higher education and the public sphere. *Workplace*, 7, 126-132.

ONE RHETORIC FITS ALL:

What Graduate Student Unions Have Taught Us About Higher Education and the Public Sphere

John Marsh

This essay was delivered as a paper at the biennial Conference of the Center for Working-Class Studies at Youngstown State University on May 18, 2001.

In "The Labor Behind the Cult of Work," Andrew Ross observes that "It is still a novelty to speak of academic labor."¹ He might have added that it is still a novelty to speak of *labor* in the academy at all—a novelty in as much as higher education has consistently repressed and sometimes suppressed its own participation in economic relations both on and off campus.

"On campus," since, as Robin D.G. Kelley notes, the proletariat has gone to college—not to enroll, always, but to work: "If you're looking for the American working class," he argues, "you'll do just as well to look in hospitals and universities as in the sooty industrial suburbs and smokestack districts."² "Universities...make up one of the largest sectors of the service economy. [They] employ a vast army of clerical workers, food-service workers, janitors, and other employees whose job it is to maintain the physical plant."³ At last count, universities employed over two and one-half million employees—not counting the increasing number of "outsourced" workers, who, while technically not working for the university, but instead for companies like Manpower and McDonalds, nevertheless work at (and, let's be realistic, for) the university.⁴ And universities' behavior towards this group of workers, while often no worse than other businesses and industries, has not often been much better.

"Its own participation in economic relations off campus," since, as Barbara Foley points out, "the class function of higher education...has always been to reproduce the existing class structure and to insure the continuance of exploitation":

Institutions of higher education have always served primarily as ideological factories, secondarily—in the modern era—as furnishers of technicians and managers to capitalist enterprises. To the extent that they have provided students with the ability to perform "critical thinking," this function has been in the main reserved for students in more elite institutions, who—whether as bankers, English professors, biotechnicians, or engineers—could generally be counted on to use those abilities on behalf of capital. And while public education has, it is true, always enabled individual members of the working class to rise in the ranks, it has at the same time guaranteed that society as a whole remains stratified, with the credentialed directing the uncredentialed and the accumulation of capital either being rationalized or obfuscated.⁵

Somewhere between these two poles of labor in the academy—between outsourced cafeteria workers and in-house Marxist critiques—rests the university's relation with its graduate and part time instructors, and its relation to graduate and part-time employees' efforts to influence and improve their working conditions. The successful (and failed—and in either case agonizing) efforts to organize graduate student unions is an all-too familiar narrative, which I will revisit only briefly here. In place of this narrative, though, I would like to ask what the responses to the prospect of graduate student unions by the state and the university reveal about the perception of academic labor, the job system, and the contested purpose of higher education. Part of that contested purpose involves debates about higher education's relative autonomy; that is, the tension between the university as an institution controlled by the exclusionary demands of capital and dominant ideologies over against the university as a public sphere for critical and political work and thought. I do not imagine this talk deciding this undecided (and perhaps undecidable) debate; rather, as a series of reminders about how the debate itself is deployed in other contexts—specifically, administrative responses to graduate employee unionization and the special place "higher education" has reserved in the imagination of most Americans. This series of reminders should prompt us to think more deeply about the relation between labor and the academy, the academy and class, and pedagogy and praxis—and what each pair of terms might suggest for a more democratic and egalitarian understanding and system of higher education. And, if nothing else, as a report from the academic labor front on what sort of rhetoric to expect come organizing drives.

I won't recite the specific history of the Graduate Employee Organization and our on-going efforts to win collective bargaining rights for teaching, research, and graduate assistants at the University of Illinois. Nor the more general history of graduate employee unions at other campuses across the country, since this narrative is available elsewhere and, hopefully, I would merely be preaching to the converted. Nevertheless, a brief history is necessary to provide a context for the University of Illinois' administration's published response to the prospect of a graduate employee union—a document that has more interest and implications for higher education and academic labor than as a relatively unremarkable, poorly written, and fatuous argument against a merely local labor dispute.

Briefly, then, the Graduate Employee Organization began seriously in 1995 with the hope of winning collective bargaining rights for graduate employees. Our goals, beyond recognition of our work and a more democratic voice in our working conditions, include a more just grievance procedure supervised by outside arbiters and not in-house authorities, an improved and more widely accessible health care plan, and more reasonable workloads. Such improvements, besides treating graduate student workers justly, would benefit not just graduate teaching assistants but the university as a whole, since, as the GEO tirelessly points out, our teaching conditions are students' learning conditions. The university, however, refused to hold an election, citing a 1983 Illinois Education Labor Relations Board ruling stating that students could not form unions. For purposes of collective bargaining, graduate assistants were not employees—we were students—even though it took a leap of willed ignorance not to see that we were both (a leap Cary Nelson has called "a cynical lie")6.

Around the time of a series of much-publicized work-ins and a twenty-hour occupation of the administration building last year, though, an Illinois Appellate court reversed the original ruling that classified graduate employees as students as "overly simplistic," and the Supreme Court refused to hear the University's appeal. "Those individuals whose assistantships are not significantly connected to their status as students," the appellate court ruling read, have "the same statutory right to organize as other educational employees."7 The ruling was worded in such a way, though, as to allow for what came to be called "the significant connection test": only those graduate assistants who taught outside their fields of study would be eligible for inclusion in the bargaining unit. The Illinois Education Labor Relations Board, in its hearings and after much lobbying by the University of Illinois, essentially decided that everyone who teaches has by definition a significant connection to their field. Otherwise, parents of undergraduate students might rightly wonder, why were assistants teaching courses not significantly connected to what they were studying? Anybody could do that. The decision reduced the potential bargaining unit from five thousand graduate employees to a robust two or three hundred graduate assistants who earn a tuition

waver and stipend primarily through office/clerical work—a decision that no doubt left the administration searching for ways to demonstrate a "significant connection" between running a photocopier and doctoral work in speech communications in an effort to reduce the bargaining unit still further.

Given the job system, of course, photocopying may indeed have a significant connection with our ultimate field of employment—but the administration cannot admit that it prepares Ph.D.s for careers at Kinko's since to do so would undermine the logic upon which the significant connection test rests. "Significant connection" excludes teaching assistants from collective bargaining on the assumption that our teaching prepares us for our post-graduate teaching careers—in other words, that graduate teaching is apprentice work. Another cynical lie easily enough exposed for what it is; the shorthand version of the argument would run something like apprenticeships lead to full-time jobs at their conclusion, while only approximately one in three graduate students find full-time, tenure-track work upon completion of their Ph.D.⁸

For a brief moment, however, between the GEO's occupation of the administrative offices and the final rigged reduction of the bargaining unit through the significant connection test, it appeared that a vote for collective bargaining would come sooner rather than later. Anticipating as much, in December of last year, the university issued a press release which, even though in service of anti-union propaganda, nevertheless reveals much about the imagined class relations of higher education and its perception of academic labor, now and in the future. (You can still access this press release on the University of Illinois web site. It used to have pride of place, the first thing a visitor to the site saw, but it has recently been displaced by other press releases.) The press release, entitled "Excellence in Graduate Education and the Issue of an Assistants' Union," issued to every graduate student, faculty member, and administrator on campus, sums itself up in the introduction:

In brief, the campus administration believes that graduate assistant unionization would undermine the shared-governance practices basic to the high levels of academic excellence that distinguish the University of Illinois, replacing cooperative arrangements with adversarial relationships and supplanting context-sensitive decision-making practices with centralized, remote, automatic rule-bound policies. We believe the contract negotiation process, in which one bargaining team, chosen according to national union protocol, would negotiate for all assistants in all graduate programs, would damage crucial flexibility and would compromise academic prerogatives that reside in the faculty.⁹

Someone with a greater gift for irony than I have could appreciate that some poor teaching assistant tried to teach this person writing in some freshman composition course somewhere. "Context-sensitive decision-making practices" essentially translates into, as the document later, more clearly argues, "Voices from outside the university would be vested with the authority to make decisions having academic consequences."¹⁰ "Voices from outside the university" means unions, which might seem odd at first given that the union is comprised of graduate employees, who reside very much on campus. The administration, however, imagines the GEO as the creation and instrument of the American Federation of Teachers. To make its point, "Excellence in Graduate Education" repeatedly refers to the GEO not as the GEO but as the AFT-GEO and, at least once in the release, the AFL-CIO. "With funding from its national parent union," the press release charges, "AFT-GEO has hired staff, printed and distributed promotional materials, put together an extensive web site, mounted public demonstrations, and systematically recruited graduate students."¹¹ If the Cold War hadn't ended a decade ago, I would imagine this is what red-baiting sounded like: hired staffs, promotional materials, pamphlets, demonstrations, recruiting! Nevertheless, the document leaves out that the GEO is a democratic organization whose own "context-sensitive decision-making practices," to borrow from "Excellence in Graduate Education," rest in its members—the AFT assists in whatever decisions graduate employee members arrive at collectively and independently. Still, one would think from the press release that the American Federation of Teachers was some left-wing cadre taking its orders from Moscow. Marxist-Leninist fourth grade teachers bent on overthrowing the university from within!

Even if the GEO weren't simply an arm of the Communist American Federation of Teachers, "shared governance," the release argues, obviates the need for graduate student unions anyway. In a section entitled "Academic versus Industrial Models of Decision-Making," the university argues that

An ideal of shared academic governance underwrites academic excellence at the University of Illinois. This collaborative and consultative approach to decision-making and problem-solving, developed over a long period of time, is unique to academic institutions. All who are involved in this process [including graduate students and faculty] share values distinctive to academies of higher learning.¹²

Postponing for a moment the objection that graduate students—and decreasingly even faculty—share little to no governance in decision-making and problem-solving, the University of Illinois characterizes itself, if not for the wretched bureaucratism and red-baiting, as nothing less than a New Left commune, decisions arrived at through participatory democracy. A decentralized, democratic utopia which "industrial" unions would only disrupt:

Within the framework of shared values and goals, academic decision-making is highly decentralized at Illinois. The decentralized mode invests decision-making authority as closely as possible to the students and faculty affected by the decisions. Within parameters and policies set by the campus administration and the faculty-student senate, decentralization allows artists, chemists, and engineers to make decisions about art, chemistry, and engineering.¹³

With so many altruistic parties looking out for each others' interests and so many people doing their own things, unions would at best be bad manners and at worst nasty, conformist, demagoguery.

Here, then, is where I imagine "Excellence in Graduate Education and the Issue of an Assistants' Union" to move beyond the merely local and fatuous and towards the much more disturbing implications for efforts at organizing academic labor, whether teaching assistants or faculty. The University of Illinois is a major, state-funded research university, and therefore its attitude towards unionization indicates much about other and future academic labor disputes. "The model of labor union versus management," the administration argues,

imposes *a priori* a centralized structure for decision-making alien to the collaborative academic life of teaching, learning, and research. This structure defines workers and supervisors/managers as adversaries who by definition have conflicting interests. AFT-GEO wishes to represent the very large and diverse group of all teaching, research, and graduate assistants—a one size fits all approach incompatible with our ability and desire to accommodate varied needs and interests across multiple disciplines. Management would include all faculty members who supervise assistants' teaching or research, departmental executive officers and executive or advisory committees, deans and higher administrators. The structure imposes a model designed to regulate what are presumed to be the conflicting interests of parties pitted against each other (my emphasis).¹⁴

Try as I might, I cannot understand how improving graduate assistant health care or paying them a living wage would impose an "a priori centralized structure...alien to the collaborative academic life of teaching, learning, and research." And isn't a living wage and health care a one-size-fits-all garment everyone would be happy to wear? But the administration is not concerned about health care and wages. Rather, as Ellen Messer-Davidow argues, "The [real] reason university trustees fear unionization is not that it changes this or that decision...but that it changes the decision-making structure. It formally adds new parties to the decision making and changes the process to conflict that can escalate from negotiation through protests to strikes."¹⁵ And conflict is not what the shared academic governance model thing is all about—conflict

involves a conflict of interest, by definition impossible under the academic model, since we're all in this together and we so clearly share culture and values. Further, because academe has a particularly leafy, tweedy claim on the imagination of most Americans, administrations can, with more or less straight faces, argue that the university is a priori a unique site void of conflict. In other words, what George Bush the First said about America—"Class is for European democracies or something else—it isn't for the United States of America. We are not going to be divided by class"—so too would "Excellence in Graduate Education" and administrators everywhere have said about higher education. Academic models for the academy and industrial models for industry—and never the two shall (have) to meet.

Differences very well may exist between academic and industrial models. Faculty do not always "exercise supervisory and managerial functions"—even though that is precisely how the Supreme Court defined faculty in *NLRB v. Yeshiva University* (1980), which denies faculty the right to collective bargaining since they are not employees.¹⁶—a contradiction that prompts me to ask that if according to the University of Illinois teaching assistants aren't employees, and if according to Yeshiva faculty aren't employees, who the hell is doing all this work? If this keeps up, the men and women who clean the bathrooms and empty the trash won't be considered employees either. Maybe they're apprentices. Or managers. Anyway, Justice William Brennan, in his dissent to Yeshiva, is closer to the truth when he argues that "the task of administering the university enterprise has been transferred from the faculty to an autonomous administration"¹⁷ The same autonomous administration who produce documents like "Excellence in Graduate Education and the Issue of an Assistants' Union," and precisely the party with whom graduate employees have a conflict of interest.

As Justice Brennan points out, "the conclusion that the faculty's professional interests are indistinguishable from those of the administration is bottomed on an idealized model of collegial space that is the vestige of the great medieval university."¹⁸ So too the conclusion that graduate employees' professional interests are indistinguishable from those of the administration. *My concern, though, is that university administrators employ precisely such rhetoric of collegial space to disarm issues of labor and class in the academy.* More than concern—I think "Excellence in Graduate Education," with its talk of shared-governance and academic decision-making, confirms the point. For them, the medieval is the modern, and "collegial space" is alive and well. Indeed, it makes graduate unions unnecessarily antagonistic.

Hence I harbor a deeper, more troubling suspicion whenever I hear, even from well-meaning critics of higher education's handling of academic labor, the university referred to as "the public sphere." In an interview with F.L. Carr, Jeffrey Williams, whose work I deeply respect, comments that

I...came to think of the university more in terms of its being one of the few class ladders and extant public spheres. If one espouses a progressive politics, what possibilities are there for class leveling? The university, especially the Great Society legacy of our vast system of public universities, provides one of the few zones for any sort of upward class mobility and one hopes for some sort of class remedy. And, despite what seems an impoverished, sound-bitten, present day public sphere, the university provides one of the few existing for a public conversation. This is probably more a classically liberal view than a radical one, though it seems radical in the era of daily stock market headlines, but public institutions such as the university are, after all, liberal constructions.¹⁹

At some point we have all encountered this underlying contradiction between the university as class mobility and the university as hegemonic liberal construction—and my own response probably remains as inchoate and ambivalent as everyone else's. My suspicion is to argue that the rhetoric of class mobility does more harm than good. If you waitress for a minimum wage, can't afford decent housing or health care for yourself or your children, sanctimonious politicians explain away your conditions (an explanation you most likely eventually believe yourself) as a failure to go to college and "improve" yourself. I have little patience for such nonsense—and mine is probably one of the mildest critiques of the rhetoric of class mobility through college education. That such a liberal construction insures continuing class stratification

however much rising and falling goes on would be a more disturbing critique still.²⁰

The issue of the public sphere is equally troubling, though. The term "the public sphere" comes from Jurgen Habermas's *The Structural Transformation of the Public Sphere* (1962), which, as Nancy Fraser summarizes it,

designates a theater in modern societies in which political participation is enacted through the medium of talk. It is the space in which citizens deliberate about their common affairs, and hence an institutionalized arena of discursive interaction. This arena is conceptually distinct from the state; it is a site for the production and circulation of discourses that can in principle be critical of the state. The public sphere . . . is also conceptually distinct from the official economy; it is not an arena of market relations but rather one of discursive relations, a theater for debating and deliberating rather than buying and selling."²¹

Critics have attacked Habermas's notion of the public sphere for many reasons, too numerous to mention here, but not least because of the irony that "a discourse of publicity touting accessibility, rationality, and the suspension of status hierarchies is itself deployed as a strategy of distinction."²² In other words, a discursive space premised on democratic inclusion dealt in an unusual number of exclusions of gender, race, and class—only men, and only propertied men, could participate in the public sphere as constituted in the eighteenth century. And while today the public sphere has nominally rejected such exclusions, it remains difficult to imagine, after reading Marx, that any space exists outside of the economic. Or, after having read Noam Chomsky or Robert McChesney, that the instruments of the public sphere—the media—exist outside of either the state or the economic.²³

Having given up on the media, then, some claim that the university "provides one of the few existing spaces for a public conversation." Indeed, as Michael Apple has commented, "Education is about critical literacy, it is about a struggle to name the world; that goes on even when there is no connection between schooling and paid work. That is what cultural struggle is about."²⁴ Cary Nelson implies as much in the conclusion to "Between Meltdown and Community," when he argues that "research faculty in the humanities do the critical cultural work.... Imagine where we would be now if the research of the last thirty years had remained undone—in the narrow world of the restricted racist and sexist canon, still ignoring the work of women and minority writers"²⁵ Either in the classroom or the archives, such critical cultural work and cultural struggle is precisely the aim of our teaching and our research. And like Cary Nelson, I worry about the encroachments the corporatization of the university makes upon such critical cultural work and cultural struggle. (Never mind for now that arguments about the corporatization of the university tend to mythologize a past for higher education when it did not serve the needs of capital or corporations.)

But in thinking about the "public conversation" that takes place in the space provided by universities—occasionally better and more critical, to be sure, than that which takes place in the media—I nevertheless share with many, including Jeffrey Williams, doubts about the usefulness of this concept. Just as the public sphere excluded on the basis of race, gender, and class, I worry about whom the university-as-public sphere excludes from participation in its sphere—in other words, who is the "public" in "the public conversation"? Carol A. Stabile provides a tentative and perhaps not surprising answer:

Given the financial situation of public schools, it seems unlikely that children from economically devastated areas and backgrounds will acquire the skills necessary to complete a baccalaureate curriculum, particularly since they are competing with students from more privileged backgrounds while funding for remedial programs at the university level has been drastically slashed. Consequently, at the university level, we are dealing with the effects of such regressions rather than their causes. Truth be told, in most institutions of higher education, the students we confront are the end result of systematic screening, tracking, interpellation, and processing of class and race....²⁶

However much discourse critical of the state and the economy higher education produces, or however charged the classroom debates that follow from those discourses—and this is to assume the best of what actually gets talked about in classrooms and research—the conversation quickly threatens to become a monologue. Many voices threaten to sound, far enough away from that public sphere, more or less alike. At best, ventriloquizing voices absent from the discussion. "[D]etermining people's access to education by their family income," Cary Nelson comments, "is wholly inimical to any notion of democratic culture."²⁷

My question, then, is rather simple: Is Habermas's "public sphere" and Jeffrey Williams's "public conversation" simply the Supreme Court's "collegial space" and the University of Illinois' "academic model" in more progressive, less immediately pernicious clothing? The academic model of collegial space excludes class conflict from the university in the form of academic labor by separating itself from the economic, the "industrial." The "public sphere" model of "public conversation" excludes class conflict from the university by frequently failing to acknowledge the classed participants in that sphere and conversation. *Both arguments—academic model and the university as public sphere—abstract the university from its participation in the reproduction of social relations, including class—even if the latter, the public sphere, sometimes understands and acknowledges this process better than the former.* Both justify their pursuits—one conservative, the other progressive—on their distance from the economic and the state.

In the end, I suppose I find it deeply disturbing that the university can ground its anti-union critique in the language of academic models and the public sphere—a space outside social relations, outside "industrial" models of the economy. We no longer have American exceptionalism, but now an even more excepted realm of American higher education. "Excellence in Graduate Education," nor any of the other anti-union arguments that emphasize shared culture and values, to be sure, does not make any claims to critique either the state or the economy—as the public sphere does. But that "Excellence in Graduate Education," and the administrations which it represents, can so glibly speak the language of the public sphere leads me to suspect the language itself. Especially when such language distances the university from the realm of the economic and industrial in the name of engaging in traditionally industrial practices—speed ups, downsizing, exploitation, contingent labor—familiar to us from the many critiques of the growing corporatization of the university. (The same industrial practices that make necessary "industrial" models of unionization in the first place.) When, after all, was busting unions any but an industrial act?

Finally, then, failing the conditions that would make for an actual public sphere—the university as a democratic and egalitarian institution rather than as a class stratified and class stratifying one—progressives and those sympathetic to the efforts of graduate employees would do well to make such language of the public sphere our second tongue. Not, however, to abandon it as so much false consciousness, since the model of the public sphere does provide an implicit critique of higher education's exclusionary function and does, however tentatively and indirectly, make the case for a more democratic and egalitarian university. Given that such language already obscures so much about the class function of the university, though, we should at the absolute least use it more self-consciously. Especially since rhetoric of the university as public sphere at best mystifies more than it elucidates. At its worst, it is complicit in the de-politicization and de-classing of that very real political and classed institution, the university, and guilty (by association) with the shabbiest kinds of union busting.

John Marsh, University of Illinois at Urbana-Champaign