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REVIEW OF *UNIONIZATION IN THE ACADEMY: VISIONS
AND REALITIES*

by Judith Wagner DeCew
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As a graduate student I once heard a story about Jerry Fodor, the renowned philosopher at Rutgers. According to a student who attended one of his graduate seminars, Fodor had a knack for spinning out any number of arguments for any particular position. He could, for example, give eight arguments for why mental states don't reduce to brain states. The joke was that almost all of Fodor's arguments were bad. Instead of giving one good argument for a position, he gave eight bad arguments. Did Fodor think the sheer number of arguments could be any guide to whether the conclusion were true?

2. In a similar light, when Judith Wagner DeCew claims that the arguments for and against unions in higher education balance out, she seems to be basing her conclusion on the roughly approximate number of arguments on either side. In *Unionization in the Academy: Visions and Realities*, she finds the arguments for and against faculty unions to be "parallel and balanced" (42) since the claim that unions embrace collegiality on campus is offset by the countervailing claim that unions create and perpetuate adversity. The arguments citing the practical efficacy of faculty unions are counterbalanced with those which find unions ineffective and harmful. The argument that unions are needed in response to the corporatization of the academy is balanced against the argument which concludes that unions only cause the academy to be more businesslike. Three for and three against—a stand-off. Unfortunately for Fodor and DeCew, you can't decide an issue by counting up the number of arguments. One ultimately needs to know whether any of the arguments are sound.

3. In all fairness, it must be pointed out that *Unionization in the Academy* is not *that* kind of book. That is, it does not present new and original research. Rather, the work reviews existing literature serving to introduce and survey the complicated issue of unions in the academy, complete with accompanying readings like a selection from Everett C. Ladd Jr. and Seymour Martin Lipset's important *Professors, Unions, and American Higher Education* and James F. Carlin's "Restoring Sanity to an Academic World Gone Mad." It is indeed proper, then, for DeCew to review the history of unionization in the academy and to rehearse the familiar arguments for and against unionization. (I was, however, puzzled that DeCew culled many of her anti-union arguments from a work that is *thirty* years old.) Also, DeCew does make a proposal for how to assess the conflicting and reasonably balanced sets of arguments surrounding unionization. She proposes that we look at the issue through what she refers to as the "lens of legitimacy." DeCew identifies two key forms of legitimacy. The most "elementary" form is *pragmatic*

legitimacy. As she explains, "[A] union gains pragmatic legitimacy for its members and for others when it clarifies what items of value it can provide to its members and is able to demonstrate to members and to those in other constituencies that it is actually providing the benefits it has promised" (40). But DeCew points out that merely meeting the practical goals of union members is not enough. Additionally, *moral legitimacy* is required. That is, academic unions need to "convince members and other constituencies on campus and externally that they are not merely achieving narrow and self-interested gains but are also defending shared moral values that are important and that enhance both their academic institution, higher education, and society as a whole" (122). Since faculty unions have such diverse constituencies and multiple layers of authority—possibly without shared values—establishing moral legitimacy can be particularly difficult. Nevertheless, DeCew claims that if it can be shown that academic unions "have both pragmatic and moral legitimacy, then we would have a strong argument in their favor" (40).

4. Unfortunately, I didn't find that this lens of legitimacy brought the competing arguments into focus the way DeCew had hoped. Rather, the concept of legitimacy seems less a tool for sifting through opposing considerations than a list of necessary ingredients for a successful union. What seems important for whether a union succeeds is (i) that it is able to secure what its members want (pragmatic legitimacy) and (ii) that it *convinces* others that gaining its members' goals also benefits everyone affected (moral legitimacy). Notice that actually "bringing about larger social improvement" (40) is not required for moral legitimacy—just that you *convince* others that such improvements are being brought about. That is, it seems less important that academic unions benefit society at large than that society at large *feels* as though it is benefited. In fact, more than the appearance of moral legitimacy is not necessary for this condition the way DeCew defines it since it is surely possible to convince society that academic unions bring about larger social improvement without this being true. Having real moral legitimacy is not sufficient for moral legitimacy either, since even if academic unions could bring about larger social improvement unionists may fail to persuade society that this is true. Finally, I'm unconvinced that unionization in academia is unjustified without *realmoral* legitimacy. As long as academic unions did not *harm* society, wouldn't pragmatic legitimacy be enough?

5. It appears, then, that moral legitimacy in DeCew's sense simply reduces to one aspect of pragmatic legitimacy. Still, I think this is reasonable—if not particularly insightful—advice to those who want their union to succeed; and it may help us understand why some unions have failed—i.e. they failed to secure (ii) even though they may have gained (i). What I don't see is how the concept of legitimacy sheds light on whether unionization will be beneficial. To resolve that matter, one must perform a sort of cost/benefit analysis. There are undoubtedly both drawbacks and benefits to forming a union at any particular institution of higher education. The goal is to get an accurate picture of those costs and benefits and then to weigh the costs against the benefits. I don't mean this to be a revolutionary way to think about this issue. In fact, I suspect that this is just the kind of analysis needed to settle any of a wide range of policy issues. I'm just not sure how DeCew's concept of legitimacy departs from or improves upon this rather obvious approach. In my opinion, the reason it is so difficult to establish the worth of academic unions is that it is hard to see their specific and direct effects clearly. Therefore, it is difficult to get indisputable evidence as to the costs and benefits of such unions.

6. DeCew doesn't draw many firm or startling conclusions in *Unionization in the Academy*, even with legitimacy as a guide. With respect to part-time faculty, she decides that "the increasing use of [these employees] will clearly continue to provide challenges at all institutions of higher education" (87). Regarding the appropriateness of graduate employee unions, DeCew observes that "there is no one-size-fits-all answer" (108). Although there is evidence that economic and academic issues can be separated and that unions can achieve some of their ends, DeCew is left wondering "about the impact of unions on faculty governance and how to minimize the adversity caused by unionization" (120). Additionally, she wonders "if the move toward equity destroys the ability to reward merit and exceptional achievement" (120). Perhaps DeCew's most general conclusion is that the benefits of a union will vary from campus to campus. These conclusions seem obvious. In the end, this book's greatest virtue

comprises the way it illuminates the complexity of the issues involved with unionization in the academy. It does not, however, give much guidance on how to unravel this complexity. While I can imagine an audience for this book—e.g. union activists interested in the issues parochial to the academy—those of us already having a passing familiarity with the academy will not find much to sink our teeth into here.