

SCIENCE

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THE APPOINTMENT AND TENURE OF UNIVERSITY PROFESSORS¹

THE subject, appointment and tenure of university professors, divides itself naturally into two parts. With the question of appointment will be considered also that of promotion. The statements of fact given below are confined to the twenty-two universities which belong to this association, viz.: California, Catholic, Chicago, Clark, Columbia, Cornell, Harvard, Hopkins, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Pennsylvania, Princeton, Stanford, Virginia, Wisconsin and Yale.

FACTS AS TO APPOINTMENTS AND PROMOTIONS

The appointment and promotion of members to professorial rank, with the exception of associate professors at Catholic University, rest with the governing board. Instructors and men of lower ranks are at some institutions appointed by the senate, faculty or president. Thus at Columbia they are appointed by the faculty subject to confirmation by the board, and such confirmation is purely formal. The governing boards have different names in different institutions. In the endowed institutions the boards are usually called trustees; in the state universities, regents; but neither of these rules is invariable. At Harvard and Yale the governing boards are called corporations; at Missouri the governing board is one of curators; at Iowa a board

¹ Address delivered at the meeting of the Association of American Universities at the University of Virginia, Charlottesville, November 10-11, 1910.

of education; at Virginia the rector and visitors.

The important point with reference to appointments and promotions is not as to the nature of the organization which makes the appointment, but as to the representatives that make the recommendations to the board; for in most cases as long as these representatives have the confidence of their board, an appointment or promotion when recommended is made. The functions of the board in this matter are primarily financial. The creation of a chair rests to a large extent with the board; since whether or not it can be supported depends upon financial considerations. If the recommendations made can be financed, they are likely to be accepted; but if not they may be rejected on this ground. Also on other grounds a board may exercise its veto power. But almost without exception the boards do not regard it as their function to take the initiative in appointments and promotions. Such initiative they place with the educational officers.

Occasionally the members of a board of trustees have dealt directly in the appointment of members of the instructional force. This is true at the present time to some extent in one of the institutions of the twenty-two, but this situation is exceptional and even in this institution probably temporary. Almost without exception, when an appointment has been authorized by the board, the recommendation of the president or some other representative or representatives of the faculty is decisive.

In seventeen of the twenty-two institutions of this association the recommendations as to appointments, promotions, and removals rest with the president, chancellor or provost of the institution. In this paper the term president will be used to comprise all three. Of these seventeen in-

stitutions, in three the recommendations can be made only after the concurrence of or consultation with other academic officers. These are as follows:

At Kansas the recommendations go to the governing board through the chancellor, but such recommendations must come jointly from him, the dean, and head of the department concerned, the chancellor having the veto power if he wishes.

At Cornell the "statutes require that the president shall consult with the heads of departments before making nominations in these departments."

At Stanford appointments and promotions, with reference to which the president has the initiative, must be submitted to an advisory board consisting of nine members of the rank of professor, and when the president submits his recommendations he must state whether or not they have the approval of the advisory board.

A part of the advisory board is elected from specified groups of departments and others are elected at large, all elections being without nominations by secret ballot of the academic council. The term of office is three years, and one third go out of office each year. Every nomination, promotion or removal of the instructional force, large or small, goes before this board. In connection with this matter it is to be said that Stanford has no deans, the president dealing with reference to each department through its executive head, who is annually appointed by the president with the approval of the advisory board.

The five institutions in which the recommendations to the board are not made by the president are as follows:

At the Catholic University of America appointments of professors are made by the board of trustees "after consultation with the academic senate and with the faculty of the school comprising the depart-

ment to which the appointment is to be made." Associate professors "may be appointed by the academic senate, after consultation with the faculty of the school to which the appointment is to be made." The academic senate consists of the rector as president, the vice rector, the general secretary, the presidents of the university colleges, the deans of the faculties and two professors from each faculty.

At Johns Hopkins appointments are made by the board upon the recommendation of the academic council. This council consists of the president and ten professors.

At Minnesota appointments are made upon the recommendation of the dean of the college concerned after consultation with the president. In this case the usual positions of the dean and president are reversed.

At Pennsylvania the faculties of the several schools make recommendations for appointment and promotion to the trustees and provost. In case the provost does not concur in a recommendation, he retains the right of veto; but as a matter of fact has in no case exercised it.

At Yale "nominations for positions in the faculty of any existing department except the graduate school shall come originally from the permanent officers or governing board of that department." The term department, as here used, is equivalent to school or college. The faculty of the school or college acts upon the recommendation of a committee of five professors appointed by the dean, two at least of which are from departments of study outside of the vacant professorship. This committee after conference with the president and dean presents its recommendations to the faculty of the school or college. The recommendation of the school or college is transmitted to the corpora-

tion. In the graduate school the nominating committee is appointed by the president rather than the dean.

Also at Harvard in the medical school the recommendations are made to the governing board by the full professors instead of by the president.

The procedure at Columbia is somewhat exceptional in the matter of appointments, in that recommendations to the trustees for men of professorial rank are by their own board of education. Since, however, the president presents the names and records of the persons proposed with his expression of opinion concerning them, the result is the same as if he made formal recommendation to the board; and therefore Columbia is included in this class of institutions.

In the case of the academic senate of the Catholic University, the academic council of Hopkins, the faculty of Yale, the president is a member; and at Yale he must be consulted by the faculty nominating committee; not only so, but "no decision of the faculty shall be valid which does not receive the concurrence of the president unless it shall be discussed and approved by the corporation."

Therefore it is clear that even in these five cases the president has much influence in the matter of appointments, etc. Since the president makes the recommendations to the governing board as to appointments, promotions and removals in the case of seventeen institutions and his recommendations are usually accepted, the point of paramount importance in connection with appointments and promotions is as to the manner in which the president exercises his authority. As we have already seen, in three institutions, the president is required to advise with a definite body of officers before acting. In one case the president has a definitely announced plan of taking

advice before making a nomination. Thus, in California, the president has "at his own option and by his own suggestion, called together a committee consisting of professors of five nearest related departments for conference as to the nomination of any one professor. The nomination of assistant professors and instructors is made by the president after conference with the departments concerned."

In the great majority of cases, fourteen in number, so far as I have been able to ascertain, the president makes his recommendations without any definitely announced plan of conference but with a very definite method of securing advice.

1. Usually where the university is organized into schools and colleges with deans or directors, the nominations of all officers in a school or college are made after close consultation with and the concurrence of the dean or director. Indeed, in many institutions the dean or director is expected to take the initiative in going over the ground and getting the material ready to present to the president. This is especially likely to be true of the professional schools, but in some institutions is true of all schools and colleges.

2. The president frequently, and in the case of some institutions usually, consults directly with the professor serving as the executive head of the department, and he may also consult with other professors of the department. This is especially likely to be true of the college of liberal arts or a college of arts and sciences, as, for instance, at Harvard and Michigan. In this case the duties of the deans mainly concern the students. This situation is historical, in former years the president of the modern university having had as his main or sole function the presidency of the college of liberal arts.

In consequence of this situation, in many

institutions, the relation of the president to the departments of the college or colleges of arts and sciences is more intimate than with reference to the departments of other colleges.

3. The president may consult with both the deans and the professors of the department concerned; and not infrequently he may consult with the professors of allied departments.

I think it may be said that in general the president in the exercise of his authority of nomination takes advantage of all available sources of information. Any president who acted independently would probably have a brief tenure of office. In short, it is the general rule for the president before making a recommendation to have the concurrence of the professors of the department concerned, the dean or director of the school or college interested, and frequently the professors of allied departments.

Nevertheless, it does not follow that the president always follows the recommendations received. While he would not nominate a man contrary to the wishes of interested officers, he may decline to make a nomination or promotion of a man recommended by a department. In other words, he exercises the veto power. In some cases the president instead of exercising the veto power transmits the recommendations of the department with the information that he does not concur in them. The result is the same. The presidents of this association report that under such circumstances the governing boards hold the president responsible and invariably refuse to make an appointment which has not his concurrence. While the president must necessarily depend upon the sources of information mentioned with reference to professional attainment, another important factor in the success of a professor

and his fitness for work in an institution is the personality of the man in reference to energy, adaptability and other general qualities. Concerning these points the president has a right to a judgment. If a man does not in his opinion come up to the standards which he holds he may decline to make a nomination or recommendation for promotion urged by a department.

Finally, after a department is once established, very exceptionally the president might take the initiative in the nomination of a man of professorial rank. Such an action could only be justifiable in case the president does not have confidence in the department as it exists. This situation is more likely to occur in institutions that are trying to raise their faculties to a higher standard, for instance from that of a college to a university basis, than in those institutions the departments of which are well established and on a somewhat permanent basis.

The extent to which the president personally participates in the councils leading to the nomination of a man depends largely upon the proposed rank of the man. His participation is usually more intimate with reference to the nomination of men whose appointments are indeterminate—professors and associate professors; he is perhaps more likely to accept the judgment of others without close personal investigation in the case of the assistant professor who is appointed for a definite term, and a mistake in reference to which is not so serious a matter. He usually accepts without question the recommendation of the department or a dean for instructors and lower ranks.

THE POWER OF THE PRESIDENT.

It is clear from the above statement of facts that the president of the university for the great majority of the institutions of this association occupies a very impor-

tant place in the building up of the staff. The question therefore arises as to whether his authority should be curtailed. During the past half dozen years a number of papers² have appeared which have strongly urged this, not only with reference to appointment and removal, but in other directions. The writers of some of these have gone so far as to state that the office of president should be abolished.

With reference to the particular point under discussion—the appointment and promotion of the instructional staff—the only substitute for the exercise of the nominating power by the president which has come to my notice is that the faculty shall elect and dismiss the professors, this being subject merely to the veto of the trustees. This proposal goes farther than is the practise of the Prussian universities. There, the faculty nominates three members for a vacant professorship, from among whom the minister of education selects one; but in one case out of three during the last seventy years, according to President Pritchett,³ the minister has gone altogether outside of this list. The reason assigned for so doing was that the faculties are likely to be influenced by “personal considerations in their choice, not by considerations of the highest usefulness of the man to be chosen.” The implication that if in America the office of president were abolished and his duties assigned to the faculty, the situation would be similar to

² This class of papers is illustrated by: “Closer Relations between Faculties and Trustees,” James P. Munro, *Science*, Vol. 22, 1905, pp. 848–855; “Externalism in American Universities,” George M. Stratton, *Atlantic Monthly*, Vol. 100, 1907, pp. 512–519; “Academic Control,” J. McKeen Cattell, *SCIENCE*, March 25, 1906; “Academic Aspects of Administration,” Joseph Jastrow, *Popular Science Monthly*, Vol. LXXIII., October, 1908, pp. 326–339.

³ Henry S. Pritchett, *Atlantic Monthly*, Vol. 96., p. 296.

that of Germany, is erroneous; since in Germany the minister of education to a large extent performs the functions that the president does in America. Indeed, with reference to the appointment of professors it is clear that the power of the minister in Germany is quite as great as that of the president in America.

The proposal to have the faculties make nominations of professors has a certain plausibility, and, as we have seen, is practised in four institutions, but the plan has not generally appealed to the governing boards, nor do I think it probable that it will in the future.

The fatal defect in the administration of a university by the faculty rather than by the educational executive officers is its extravagance. When an educational institution was small the faculty could do its administrative work. But in large universities, in the consideration of educational policies, which are agreed should belong to the faculty, progress can only be made by sending a matter first to a faculty committee. The committee spends much time in whipping the matter into shape. It then goes to the appropriate faculty. After consideration more or less prolonged, if favorably acted upon, it goes to a university faculty, academic senate, or academic council. This body in turn goes over the subject and finally acts. It must be admitted that this procedure is extremely expensive.

While expensive, I am not arguing for a change. University unity is more important than administrative efficiency; and in order to secure harmony in a university it is necessary that the faculty exercise authority with reference to educational policies. While costly, it will be necessary to leave educational policies in the hands of the faculty.

If all the questions of administration, in-

cluding that of appointment, were to be handled by the faculty acting either as a committee of the whole or through its committees which in turn report to the faculty, the faculty would have much less time to devote to their main duties—instruction and investigation. This would be the result of “increasing the legislative and administrative responsibility of the faculty” as proposed by Munro.⁴

At this point there is a curious inconsistency in the position of many members of the faculty. At the very same time that they are complaining of the extent of authority of the executive officers they are also complaining of the amount of committee work which is required of them. They state that even with the situation as it is so much committee work is required that they are unable to do satisfactorily their own work.

These and other considerations have resulted in a tendency not in the direction of curtailing the power of the president in reference to appointment, but, on the contrary, for the governing boards to place that power in his hands and hold him responsible. This is illustrated by Virginia, an institution which, after having lived nearly one hundred years without a president, has created that office; and the University of Toronto which was even more recently reorganized along American lines with a president having practically the same powers as in the United States.

The only constructive suggestion which I have seen in reference to the president is to have the professors, rather than the governing boards, elect him and determine his powers.⁵ While it is not probable that the

⁴“Closer Relations between Faculties and Trustees,” James P. Munro, *SCIENCE*, Vol. 22, 1905, pp. 848–855.

⁵George M. Stratton, “Externalism in American Universities,” *Atlantic Monthly*, Vol. 100, 1907, pp. 512–519.

governing boards will consider this proposal, if it were adopted, I suspect it would turn out that in order to secure efficiency of administration the president would exercise substantially the same powers that he now does; and this would be the case whether or not it was originally so planned. If an educational executive officer is essential, then he must have the powers which are necessary to give efficiency, and as a result of evolution these powers would probably not very greatly differ whether the officer were elected by the faculty or by the trustees. Whether the faculties would choose presidents more wisely than the trustees may well be doubted; and the exercise of the function would be very likely to introduce factional strife which might endanger the usefulness of the man selected.

In reference to the particular point under discussion—the appointment, promotion and removal of professors—it can not, I think, be charged that the president does not fully realize the seriousness of his responsibility; indeed, of all of his functions that of nomination to the faculty is the one through which he is able to make the largest impression upon the development of an institution. If he is sufficiently wise in using the information and recommendations of the deans and other officers as to be successful in this and a faculty of high grade is built up, the reputation and influence of the university will be a rising one.

It appears probable that if there is any formal development in the near future in reference to appointment, it will not be in the direction of taking away the nominating power from the president, but toward having the president exercise the power reposed in him, after consultation or concurrence with some other academic body, as in the case of the council at Hopkins

and the advisory board at Stanford. In this connection the question arises as to whether or not it would be better for the more numerous institutions in which the president exercises this power without any regulation, but under well defined principles, to formulate them into rules. Upon this point there doubtless will be great difference of opinion.

If future development goes in the direction of formulating rules for the advice of the president in the exercise of his power of nomination, it seems to me that it would be advantageous for them to be along the lines of providing a changing body for each case. The great strength of this plan would be that the president would continue to consult all the interested parties; whereas, an academic council may be largely composed of men who do not know the facts at first hand. This point is illustrated by the self-imposed rule of the president of the University of California, who, when considering the appointment of a man of professorial rank, calls together a committee of the professors of the five nearest related departments for conference. But this very case illustrates the difficulty of the formulation of the principles of advice into rules. In some instances it might not be advisable to consult with so many departments as five, and in other cases more than that number.

Considering the whole situation, I think it would be well to announce as a fixed practise, where this is not already understood, that the president in the exercise of his authority of recommendation to the governing board as to appointments, promotions and removals, should do so only after consulting the executive officers of the school or college concerned, and in cases where he regarded it as advisable, the members of the department concerned, with the recognized right of consultation

upon the part of the members of such departments. If this were done, the faculty, the governing board and the public would know that the president in the exercise of his powers of recommendation has had the advice of some responsible academic body, and the cry of "czardom," "tyranny," "the powers of academic life and death," in reference to the president, which in most cases is wholly without foundation, would be lessened.

THE FACTS AS TO TENURE OF APPOINTMENT

In general, the appointments of professors are "during good behavior," or "at the pleasure of the board." In some institutions the appointments are of indefinite tenure, or permanent. In all cases the meaning is the same, that the appointment is one for life to the age of retirement, provided the appointee is efficient.

The only variations from the above are as follows: At the Catholic University, professors may be appointed for an indefinite period, for a specified time, on probation, or to serve a temporary purpose. At Clark professors are appointed first for a term of five years and if reappointed "at the pleasure of the board." At Columbia appointments to professorial rank are for three years, or at the pleasure of the board. Other institutions make occasional appointments for a definite term.

In general, the terms of appointment of associate professors are the same as for professors. (Here are included the junior professors of Michigan.) The exceptions are as follows: At Hopkins the associate professor for the first five years has an annual appointment, and thereafter on the professorial basis. At Stanford associate professors are appointed for five years. Some institutions do not have the rank of associate professor.

Assistant professors are usually ap-

pointed for a definite period, often for three years, but sometimes a shorter or longer period. The institutions varying from the three-year term are as follows: California, one year; Catholic, period either indefinite or determinate; Chicago, four years; Columbia, one year (called junior professors); Cornell, five years; Harvard, five years; Hopkins (associates), one year; Kansas, annual for two years, thereafter permanent; Illinois, permanent; Iowa, permanent; Indiana, permanent; Minnesota, indefinite; Missouri, indefinite; Nebraska, permanent; Princeton, permanent; preceptors with the rank of assistant professor, for a specified term; Catholic and Hopkins do not have assistant professors.

It is notable that with the exception of Princeton the institutions which at once or almost immediately make the appointments of assistant professors for a permanent or indefinite tenure are a group of state universities in adjacent states—Indiana, Iowa, Illinois, Missouri, Kansas, Nebraska and Minnesota. For this geographic association I have no explanation to offer, but doubtless a sufficiently deep investigation would find one.

While not properly included in the scope of this paper, for the purposes of comparison the tenure of instructors is also given. For the most part instructors are appointed for a period of one year. The exceptions are as follows: Chicago, three years; Cornell, after one or more year's experience, two years; Harvard, annually, or for a term of three years; Indiana, permanent; Minnesota, indefinite; Nebraska, permanent; Virginia, usually indefinite, but subject to termination at the instance of either party; Yale, one or two years.

From the above statement of facts it appears that the practise of the institutions belonging to the Association of American

Universities with reference to tenure of appointment is well crystallized. Appointments of professors and associate professors are practically permanent. While in several institutions assistant professors are appointed for an undetermined or permanent term, commonly they are appointed for a definite term, and there is a strong tendency to make it three years. For instance, in some institutions where the appointment in the past has been for a longer period, five years, it has been changed to three years, as recently at Yale. In other cases where the appointment has been for a briefer term than three years, it has been extended to three years.

I am not aware of any criticism as to the above principles concerning tenure of appointment. They seem satisfactory alike to the trustees and to the faculty. In making the appointment of assistant professor for a period of years greater than one it is recognized that the man is far enough along so that the question need not be raised each year as to his fitness to continue; but also in the majority of institutions it is recognized that after having had a reasonable time in which to "make good" the question should come up without embarrassment to the authorities as to whether or not he shall be reappointed. Also at this time the question of his promotion naturally arises.

PROFESSORS SHOULD BE EFFICIENT

The question now arises as to what should be done in the case of a man of professorial rank, whether full, associate or assistant, who is not efficient. Not infrequently papers with reference to this subject appear to assume that universities exist for the instructional force; that the main thing is to give that force a comfortable and happy time, an opportunity for a somewhat easy existence as a teacher,

leisure for browsing through literature, and long vacations. I shall not consider the merits of this hypothesis, but shall say merely that I adhere to the ancient view that universities do not exist for the instructional force nor even for the administrative officers, which include the president, but that they do exist for the students and for the public. This view I suspect governing boards as representatives of the public will continue to insist upon.

If this view be accepted, it follows that the instructional force of a university, both young and old, must be efficient. Whether or not a man is retained in a faculty should depend upon his capacity to meet his duty to the institution. There is no possible excuse for retaining in the staff of a university an inefficient man. In rapidly growing institutions, among the older men, it often happens that there are those who have worn out their lives in their service, and who have fallen behind the standard. In justice these men can not be requested to resign or be summarily dismissed. If in any institution there are such men, they should be pensioned. But the right of efficient instruction by the students should be respected. And certainly the young men on the staff of a university can claim no exemption from the principle that they are to be judged by the efficiency of their service to the students and to the public. This means that they must be good teachers or good scholars, or both.

Strongly contrasting with the above view is that presented by Lawton,⁶ who says in reference to the professor: "His position should be as secure as one on the Supreme Bench, unless senile decay, permanent mental or physical disease, or fatal moral

⁶ William C. Lawton, "The Decay of Academic Courage," *Edu. Rev.*, Vol. 32, p. 402.

lapse makes clearly obligatory his enforced (if not voluntary) retirement by a court composed largely of his associates.

And Stratton⁷ says: "The faculty alone should normally have the power to dismiss its own members."

If the above views were accepted what chance would there be for a change in a chair occupied by an inefficient man? Can it be assumed even with any degree of plausibility that there would be one change per annum in the entire twenty-two institutions of this association?

Throughout history it has been the desire of the privileged classes to allow none but the members of the class itself to remove, reduce or punish its own members, and oftentimes these desires have been recognized. But in modern times for the majority of civilized nations, such privileges have been taken from the nobility; they are not likely to be instituted for the class of professors in America.

The responsibility of the governing board and the executive educational officers to the students and to the people is vastly greater than any obligation to the professor. The funds for the disbursement of which they are responsible are trust funds which to the best of their ability should be expended to accomplish the purpose for which the funds are available, and this is true whether the money comes from the public treasury or from private sources. If a professor does not efficiently perform his work he should not be continued. For a given institution, if care has been exercised in the building up of the faculty the cases requiring so drastic action as request for resignation or removal will be only occasional.

⁷ George M. Stratton, "Externalism in American Universities," *Atlantic Monthly*, Vol. 100, 1907, pp. 512-519.

In the great majority of cases when the right of change is exercised because of the inefficiency of a professor, it has made no difficulty or comment; indeed, has rather strengthened the confidence of the faculty and the public in the governing body. For my own part, it appears clear that the ultimate authority to ask the resignation of or to remove a professor must rest with the governing body under the advice of the officer or officers who make recommendations as to appointments and promotions. The exercise of this authority should be clearly exceptional; but certainly it should be performed whenever a professor is clearly inefficient.

The only cases which have occasioned any serious discussion in reference to the tenure of professors have been those in which for some purpose, apparently not directly connected with the duties of a man or his good behavior, he has been dismissed. For such extremely exceptional cases I would propose no rule. Full responsibility must rest with the appointing authorities.

If they exercise the power of removal arbitrarily, the public will hold them sternly accountable, and their institution will suffer, because good men will not be so likely to go to a university in which the power of removal has been exercised in an indefensible manner, or exercised in a manner in reference to which there is any doubt. The public will always give the professor the benefit of the doubt.

In some cases where an institution has had a fairly good defense for the removal of a man, it has suffered for years in consequence of so doing. The punishment of the offending university by public condemnation is the most effective protection for the professor against arbitrary or unjustifiable removal.

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