

Graduate Student Unions: Organizing in a Changed Academic Economy

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In 2001, graduate students at New York University made history when they won recognition for the first graduate student union at a private university. To accomplish this feat, students had to overcome the political and legal opposition of virtually every elite school in the country. In a series of hearings before the National Labor Relations Board, arguments opposing the union were voiced not only by NYU's own administration but by those of Yale, Princeton, Columbia, MIT, Stanford, Johns Hopkins, Boston University, the American Association of Universities, the American Council on Education, and the Council on Graduate Schools (332 NLRB No. 111). In a series of landmark rulings, the Labor Board rejected the arguments of these scions of higher education, and opened the door to a new wave of organizing on the nation's campuses.

The fact that the entire organizational leadership of elite higher education mobilized against the NYU union indicates the scale of what was at stake in this fight. In fact, however, the NYU decision was only one of several recent decisions that have marked a sea-change in academic labor relations. In the past three years, officials in California, Illinois, and Pennsylvania have all issued rulings similar to that of the NYU case. These rulings have helped spur an unprecedented boom in graduate student organizing. Within three months of the NYU union winning recognition, unions were voted in by lopsided margins at both Temple University and Michigan State University; and new organizing drives were announced at Penn State and the University of Pennsylvania. In the year and a half since the NYU decision, unions have been voted in at Columbia and Brown, and an NLRB election has been held at Tufts. In July 2002, recognizing the trend of Board rulings, Cornell University waived its right to contest its graduate students' employee status and agreed to begin negotiations immediately following a Board election. These activities come on the heels of what was

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already a fast-growing movement. Since 1995, the number of graduate unions in the country has grown from 10 to 27, and an estimated 20% of all graduate employees are now covered by union contracts—a level comparable to the most highly organized states in the country and 50% above the national norm (Coalition of Graduate Employee Unions, 2000; Amon).

The Economic Function of Graduate Students in the Corporate University

The boom in campus organizing activity is primarily a reaction to changing labor conditions within the university itself. Over the past thirty years, administrators across the country have increasingly shifted teaching duties away from regular faculty and onto the shoulders of graduate students and adjunct instructors. The economic logic of this strategy is simple to grasp: in 1999, an average full professor earned \$71,000 per year, while graduate student teachers earned between \$5,000 and \$20,000 (U.S. Department of Education). On this basis, the number of tenure-track faculty was cut by 10% between 1975-1995—a period during which overall enrollment was expanding significantly—while the number of graduate teaching assistants increased by nearly 40%. It is now estimated that between 50-70% of all teaching hours are performed by graduate students and other contingent teachers; and graduate students are responsible for 90% of the grading (Coalition of Graduate Employee Unions, 2000; “Who is Teaching”). As administrators have been increasingly driven by bottom-line considerations, graduate students have become an indispensable ingredient in the financial calculations of every major university.

The growing importance of graduate student labor is part of a broader set of transformations that have reshaped higher education over the past two decades. Cuts in higher education funding and student financial aid have forced universities to adopt entrepreneurial revenue strategies (Slaughter and Leslie). The Bayh-Dole legislation of the early 1980s—enacted at the behest of a consortium of business and education lobbyists including some of the same organizations that are now leading the charge to deny unionization rights to graduate researchers—reversed longtime public policy mandating that the products of publicly-funded research were public property, and instead granted both universities and private corporations the right to patent the results of government-funded research (Minsky, 100). As a result, university research has increasingly been geared toward generating commercial applications. Readings further argues that, as globalization has rendered nation-states less important as sites of capital accumulation, universities have lost their traditional role as guardians of national culture, thus eroding public support for anything other than a utilitarian purpose for higher education. This combination of trends marks the corporatized university, in which graduate education is increasingly defined by economic function.

Graduate students appear likely to play an even more central role in what are emerging as the critical growth markets for American

universities: corporate research in the natural sciences and distance learning in the humanities. The potential earnings from pharmaceutical, technology and biotech patents represents a major new profit center for university managers, and has led many schools to aggressively market their science departments to potential private sector partners and develop in-house venture capital offices to support for-profit startups based on the results of laboratory research. For pharmaceutical giants, these joint ventures represent a much cheaper alternative to in-house research. Outside the confines of the nation's campuses, it is impossible to get highly educated scientists to do rigorous work for 60 hours a week at \$20,000 per year. This is the unbeatable deal that universities offer their corporate partners. This win-win solution, however, relies critically on the availability of thousands of graduate students and postdocs who are simultaneously among the nation's most highly trained and most poorly paid technology workers.

In the humanities and social science departments, the key emerging market is distance learning. Administrators across the country are competing to establish on-line courses that will be sold to a variety of market niches: working adults who can afford tuition but are unable to attend on-campus classes; individuals in rural communities who are willing to pay for a more marketable degree than that provided by the local community college; and wealthy foreigners who may be eager to pay a premium for an American degree. In 1998, NYU itself made history when it became the first university in the country to establish a for-profit subsidiary devoted to capturing the distance-learning market. Since that time, Columbia, Cornell and Temple—all schools that have vigorously opposed graduate unionization—have established similar enterprises (Arenson, Carr). If graduate assistants are instrumental to the delivery of large lecture classes *on campus*, their importance will be multiplied when popular courses are marketed to tens of thousands of students around the globe. While distance learning may suggest the allure of a fully automated education, it is unlikely that tuition-paying students will settle for this outcome. As the market gets more competitive, wealthy consumers in Beijing or Bangalore will look for on-line chat-classrooms, email "office hours," and detailed feedback on term papers. Ultimately, universities will look to standardize their educational products by patenting the lectures and course materials of name faculty who will serve as "content providers"; but the big names will have little or no contact with students, as their time is too expensive. The profit strategy of these new ventures, then, relies explicitly on an army of graduate students and adjuncts to monitor online discussions, critique papers, answer questions, and get to know individual students' work well enough to write the ubiquitous letters of recommendation.

It is because graduate students perform such a critical value-added role in the internal economy of the university that the entire leadership of private higher education lined up against the fledgling NYU union. However, the same dynamics that have made graduate students such a good buy while they are in school have

made them increasingly unemployable after they complete their degrees, leading a coalition of national faculty associations to bemoan “the vanishing traditional faculty member” (“Who is Teaching”). The wholesale substitution of casual teachers for tenure-track positions has marked the decimation of the academic job market. Nationally, there are now 200,000 graduate teachers in the nation’s universities but only 114,000 junior faculty members. Thus, even if every single assistant professor quit or got promoted, 40% of current graduate students would remain jobless (Coalition of Graduate Employee Unions, 2000). For scientists, the time one is expected to apprentice in the purgatory between graduate school and a junior faculty slot has lengthened dramatically. In the biological sciences—arguably the most employable field—PhDs now spend an average of four years in low-wage postdoctoral “fellowships.” “Science has become addicted to cheap labor,” concedes a high-ranking NIH official. “It’s a great system for the senior scientists to have all these slaves working for them.” Indeed, even at the nation’s top schools, the share of Life Sciences PhDs who go on to permanent research jobs in *either* academia or industry fell from 87% in 1973 to 56% in 1995 (“Post-Doc Parking Lot”; Weed; Graduate Employees and Students Organization).

Finally, even those ultimately lucky enough to land tenure-track positions find that they are still not inhabiting the lives of their mentors. While other professional salaries have soared over the past three decades, downsizing has enabled university administrators to actually cut faculty pay, despite significant growth in the higher education market. At the end of the century, average salaries for tenured faculty were approximately 5% *lower* than they had been in 1970 (U.S. Department of Education). This, then, is the contradiction that lies at the heart of the corporatization process, and that has fueled the unionization movement. The very dynamics that make graduate students so useful to the business mission of the university are also destroying the academic careers that are supposed to justify the long haul of earning a PhD.

This contradiction is evident, in part, in the reluctance of administrators to simply cut graduate school admissions to match the job market. If graduate schools were, in fact, primarily concerned with training future faculty, they would dramatically reduce their enrollments. However, while universities may not need so many graduate students for the purpose of producing future faculty, they *do* need them to teach classes, lead discussions, grade papers, and conduct laboratory research. Therefore, instead of cutting admissions, administrators have taken to promoting the virtues of non-academic careers for graduate students. At the University of Texas, for example, the Graduate Professional Development Program—an innovation watched closely by other administrators—hosted a math PhD who landed the Chips Ahoy contract for a media consulting group, brought in to encourage humanities graduate students that they too could make the jump to the private sector (Erard). However, with the exception of private sector science research, there is no reason to endure the travails of earning a doc-

torate unless one intends to become a professor. That administrators have taken to hawking such transparently foolish career counseling testifies to their desperation to maintain what has become the low-wage backbone of the university's teaching and research efforts.

While virtually everyone in the academy acknowledges the deterioration of the job market, there is disagreement as to its cause. Louis Menand, for instance, has argued that the problem is simply that graduate students are concentrating on the wrong disciplines. Over the past three decades, undergraduates have increasingly majored in applied fields such as business administration or parks recreation, while PhD candidates have continued to concentrate in traditional liberal arts disciplines such as English and pure mathematics. The problem, Menand argues, is simply that there is a mismatch between the training of graduate students and the demand for undergraduate teaching. Upon examination, however, this argument doesn't hold water. The problem is not a lack of demand for humanities teaching staff—but rather that the teaching staff is increasingly contingent. Furthermore, even in disciplines with expanding numbers of undergraduate majors, there is a critical shortage of tenure-track positions. For instance, the number of postdocs in science and engineering doubled between 1981-1998, reaching a total of 39,000 scholars waiting for junior faculty positions to open up (Lee). Most of the growth in this career-ladder bottleneck is in the life sciences—exactly those departments experiencing the greatest growth in undergraduate enrollment and outside funding. The fact that postdocs are piling up precisely in those departments with greatest demands suggests that casualization has been most intense precisely in the disciplines that are expanding.

A more realistic theory appears to be Marc Bousquet's assertion that the PhD degree has become the "waste product of graduate education." As Bousquet notes, focusing on the health or demise of the job market for tenure-track faculty positions misses the essential point of the academic labor market. The real job market is for graduate student labor, not for PhDs. Universities have organized production along lines that rely on a continuing supply of cheap, just-in-time labor, continually refreshed with new recruits. While graduate students may serve as teachers for up to ten years while earning their degrees, Bousquet insists that we must face the simple fact that "for most graduate employees the receipt of the PhD signifies the end—and not the beginning—of a long teaching career." It is important to note that this does not produce the best teachers, since experienced teachers are continuously replaced with raw recruits. Even at the best schools, "the system's logic is not designed to provide better teaching ... it is designed to accommodate capital accumulation" by securing the lowest-cost teaching cadre. Continuing to think of graduate employment as part of a "training" process aimed at a future career is anachronistic and self-deluding, Bousquet insists. It is also demobilizing for union organizers. Once graduate teachers and researchers realize that this is the only academic career they're likely to have, he

argues, the impetus for organizing is strengthened, and the causes for timidity in the face of faculty advisors are diminished.

Academic Exceptionalism? The Legal Argument Against Graduate Unionization

Since graduate teachers' salaries are so meager, relatively significant percentage increases are affordable for most universities. However, even where union contracts seem to be easily affordable, university administrators have vigorously resisted unionization, for fear of its capacity to unravel the logic of the university labor market. In proceedings before both state boards and the NLRB, administrators have argued that the academy is unlike any other industry, and that the categories of labor law just don't fit in the context of academic work. Administrators have advanced two main arguments. First, that because of the unique status of graduate students as faculty-in-training, all their teaching and research work is really part of their education, and therefore should not be considered "employment" within the meaning of the NLRA. Second, even if graduate students are granted employee status, administrators have insisted that unionization would violate cherished principles of academic freedom and therefore should be denied as an issue of public policy.

Employee status

There are two primary legal theories on which graduate students employee status may be affirmed. First, courts might rule that most of the work graduate students do is not, in fact, related to their degree studies, and therefore constitutes employment. Alternatively, a more radical finding might hold that as long as graduate students are performing an economic function for the university, they are statutory employees, even if the work is indeed part of their own education. The NYU case straddled these two theories. With evidence of extensive teaching loads of graduate students, the prevalence of teaching outside one's specialization, and the fact that teaching is not a credited degree requirement, it was clear that much of the teaching work was unrelated to PhD training. Administrators' response to this finding, however, has been to engage in increasingly creative redefinition of degree requirements in the hope of denying employee status.

On the final day of NYU's 42-day hearing before the Labor Board, the school's attorneys rushed into evidence a plan to make over the funding mechanism for graduate education as a whole (NYU Reply Brief). Under the new scheme, teaching would be an educational degree requirement, and graduate students would receive the same "stipend" in semesters they teach as when they do not. The University argued that this plan would legally convert graduate teachers back into "students," and their work back into "training." A majority of the NLRB panel declared that, even if fully instituted, the new plan would make no difference. One of the

three-member panel, however, seemed to indicate that, if teaching were made a degree requirement, if credit were given for teaching experience, and if funding was decoupled from teaching so that it appeared to be a stipend rather than a salary, it might undermine teachers' employee status. This is the slender reed on which administrators' legal strategy now hangs.

The reality of graduate student teaching loads makes it hard to conceal their work through the magic of newly invented degree requirements. For instance, in order to disguise the work of graduate teachers as part of their own educational training, administrators must concoct elaborate rationales for disparate teaching loads. Just such an effort is underway at Yale, where the Graduate School instituted a plan in which each department is to determine, supposedly according to strictly pedagogical criteria, the number of semesters that their graduate students needed to teach in order to gain the proper professional training. Unsurprisingly, the Spanish department, which relies heavily on graduate teachers to staff introductory language courses, declared that the particular pedagogy of its profession requires PhD candidates to teach introductory language classes for a minimum of four semesters; while Classics, a small department with few undergraduate majors, determined that its discipline does not require any minimum teaching quota whatsoever. Is it really so much more difficult to learn how to teach Spanish than to learn how to teach Greek? It is hard to imagine exactly how the university will justify this system under cross-examination before the Labor Board. Nevertheless, clumsy or not, this is the new project of private sector administrators in the wake of the NYU decision: an effort to defeat unionization through creative redefinition, giving everything new names without changing anything in the actual functions of the university, so that in the end everyone will be doing exactly what they were doing at the start, but it will all be called pedagogy rather than employment.

It is possible that this massive effort on the part of administrators will end up being for naught. In the Brown case, the Board appears to have embraced the more radical foundation for employment status. The New England Regional Director rejected as irrelevant the whole debate over whether or not graduate teachers' work is "primarily educational." "Even if the work performed by graduate students is 'primarily educational,'" the Regional Director ruled, "students who perform services for a university in exchange for compensation are entitled to collective-bargaining rights" (Brown University). It is unclear, however, whether the Board will uphold this view. If it does not, the legal rights of graduate employees will hinge on the ability of administrators to convince the NLRB that the new nomenclature of "stipends" and "training" has undone the issue of employment status. For anyone familiar with the actual workings of a university, administrators arguments are transparently fanciful. However, they are no more fanciful than the argument that faculty are the management of universities – which was a transparent fiction even in the early 1980s, when Yeshiva University convinced the Supreme Court to ban faculty unions on

this basis. Both Columbia and Brown have appeals pending before the NLRB, and it is certainly conceivable that the current Board will reverse the NYU ruling, no matter how implausible the evidence. *Academic freedom in the eyes of academics and administrators*

The single most counter-intuitive argument launched against academic unionization is the proposition that unions threaten academic freedom. Nevertheless, administrators on every campus have advanced multiple versions of this argument. NYU asserted that a union would threaten academic freedom because “the University’s educational policy-making will be subject to collective bargaining” (NYU Reply Brief). One might think that administrators were concerned over the prospect that a union would try to usurp faculty judgment over grades, course requirements, or other traditional academic issues. However, no academic union has ever sought to bargain over these issues, and the NYU union ultimately signed a statement pledging that it too would not seek to bargain over “exclusively academic” issues (Bunn). Indeed, all of these arguments about academic freedom ring hollow for a simple reason: this problem has already been solved. Both graduate student and faculty unions have been conducting negotiations for decades; in all this time, there has never been a suggestion that academic freedom was compromised. “After nearly 30 years of experience with bargaining units of faculty members,” the Labor Board concluded, “we are confident that” issues of academic versus employment considerations can be easily resolved (332 NLRB No. 111: 4, 15).

Beyond the arguments against negotiating academic policy, administrators have put forth a second and more chilling argument about academic freedom: that unionization would prevent administrators and senior faculty from freely threatening union activists. Both NYU and Columbia administrators have pointed to charges that the Labor Board filed against Yale faculty in the wake of that school’s 1996 graduate teachers’ strike as evidence of the propensity of unions to chill academic freedom. In the case in question, Yale faculty and administrators threatened strike participants with being banned from future teaching assignments; suggested that participants could be kicked out of graduate school; and adopted a policy allowing faculty advisors to write negative letters of recommendation, or withhold letters entirely, on the basis of strike participation. These reprisals led the NLRB to file charges against both administrators and faculty at Yale, and led to resolutions of censure against the school from the Modern Languages Association, American History Association, National Association of Graduate and Professional Students, and American Association of University Professors. Ultimately, the government dropped most of its charges after finding that the grade strike constituted a “partial strike.” The Labor Board agreed to a settlement on the remaining charges that required Yale to post notices promising that in the future no employee would be subject to threats for participation in union activities (“Yale Must Post Notice”). Given that there is no question the threats voiced during the grade strike would be *prima facie* ille-

gal in a normal strike action, it is curious that administrators have chosen to uphold these reprisals as the hallmark of academic freedom. For most of the academic community, academic freedom consists precisely in the protection against such threats.

Nevertheless, Columbia administrators now cite the Yale case as a disturbing instance of unions threatening a hallowed right of academic freedom. President George Rupp, in an open letter, claimed that “faculty ... have felt inhibited from expressing their views, in particular because of the charge of unfair labor practices filed against some Yale faculty in the organizing effort there” (Rupp). Similarly, an open letter from Yale provost Alison Richard points to the federal charges arising from the grade strike as evidence that applying the Labor Board’s standard of behavior to faculty—i.e. banning the use of “threats” or “promises” to turn graduate students against the union—would undermine the fundamental nature of higher education. “These restrictions on what could be legally discussed with ‘an employee,’” Richard insists, “would strike at the freedom of expression central to the whole conception of the university as an intellectual community” (Richard).

In the minds of campus administrators, then, the principle of “academic freedom” has been reformulated along frighteningly Orwellian lines. This revised principle seems to boil down to the right of administrators and senior faculty to threaten those lower down the academic food chain. While this analysis may have the ring of tongue-in-cheek sarcasm, it is, in fact, difficult to make administrative statements add up to any other conclusion. This debate over contrasting visions of academic freedom points to the deepest levels of what is at stake in campus organizing campaigns. Beyond the immediate economic issues of wages and benefits, this is a fight over the extent to which universities will be democratized. The romantic vision of the collegial medieval university, if it ever existed, is long gone. But the difference between a democratized and corporatized university remains critical, and more than ever as universities face the future.

The Empire Strikes Back: Anti-Union Campaigns on Campus

The legal victories of graduate employee unions have, of course, merely won the right to organize. In many cases, this right has merely been the prelude to an intensive anti-union campaign by campus administrators. One of the most basic principles of anti-unionism adopted by industrial employers is to use the immediate supervisors, who have the most direct personal influence over workers, as spokespeople for the anti-union message. In the university setting, this means enrolling faculty as agents of the anti-union campaign.

Graduate unions have repeatedly insisted that their conflict is solely with the central administration, which determines wages, benefits, and working conditions. For many graduate students, in fact, one of the benefits of unionization is the promise of *removing* employment concerns from the faculty-student relationship.

Administrators, however, have adopted a conscious strategy of placing faculty at the fulcrum of union conflicts. In the late 1990s, the University of Iowa's Graduate School dean toured a number of campuses where organizing drives were underway, offering suggestions based on Iowa's experience with unionization. Among the Iowa Dean's key recommendations was to stock the university's negotiating committee with a majority of *faculty* members, even though they would have no final say over university positions (Walz). In keeping with this strategy, NYU repeatedly insisted that the employment relationship was between graduate teachers and individual faculty members, going so far as to suggest that in the event of unionization, "faculty might find it necessary to reevaluate their reliance on graduate assistants" (Shaffer). Faculty, of course, have little or no say over their reliance on graduate assistants. Nevertheless, administrators have worked hard to suggest that faculty, rather than the central administration, are the real employers. By forcing graduate students to negotiate against those who hold the most immediate power over their coursework, grades, and ultimate career prospects—not to mention the moral authority teachers hold in the eyes of students—administrators seek to gain an edge in intimidating graduate employees into a substandard settlement. Thus, while unions are regularly accused of disturbing the sacred relationship of faculty-student mentoring, it is actually administrators themselves who have mounted the most concerted efforts to convert this relationship into a cynical instrument of control.

In fact, faculty may find that the biggest threat to their own academic freedom comes not from unionized teachers, but rather from the anti-union repression enforced by central administrations. Administrators' visceral anti-unionism has too often led them to impose the equivalent of an academic state of emergency. Increasingly, these anti-union campaigns have threatened the liberties of faculty as well as graduate students. In the year 2000, for instance, the Dean at the State University of New York at Buffalo removed Professor Barbara Bono from her position as Chair of the English Department after she refused to sign a letter threatening striking graduate teachers with being banned from future employment. Professor Bono explained, "I was not going to turn to threatening my students." One might view this as a noble defense of the mentoring relationship. In the eyes of the administration, however, a department chair is delinquent in his/her duties if he/she refuses to be part of the anti-union machinery. Thus, Dean Charles Stiger explained that he removed Professor Bono because "she expressed considerable sympathy for the students' situation and didn't see that forceful action was required" (Cox). Similarly, when University of Washington graduate teachers staged a two-week strike at the end of the spring 2001 semester, the president of the university AAUP chapter accused administrators of "[making] faculty feel intimidated into doing the work of their teasing assistants" ("Impact Huge"). Prior to the strike, the faculty of Spanish and Portuguese issued the single strongest statement in support of its

graduate students, pledging that in the event of a strike faculty would not do the work of striking TAs. In response, Vice President Steven Olswang sent a letter to each faculty member who had signed the statement, asking each to state “whether you intend to fulfill your University teaching obligations, including giving examinations and grading students and submitting those grades on time,” and insisting that faculty who were not prepared to carry out these duties must apply for a leave of absence without pay. Administrators suggested that, beyond giving up pay, faculty who refused to scab on their graduate students might find their health insurance cancelled for the entire summer, and untenured faculty among them might find their reappointments delayed or cancelled. Under these conditions, the department collapsed, writing the Vice-Provost with a pledge to carry out the grading work of striking TAs (Gregory, 2001). The Buffalo and Washington cases testify to the visceral anti-unionism that has come to animate many administrations. However, these cases and others like them have also, over time, helped isolate the administration from potential allies both on campus and in the broader community.

Union-Community Coalitions: The Administration Isolated

In both the public and private sectors, administrators’ arguments have failed to convince those with the most first-hand knowledge of university operations. While administrators have often contrasted the “real” unions of campus classified staff with the “ersatz” or “wannabe” graduate unions, it appears that “real” clerical and maintenance staff have no troubling recognizing teaching as “work.” In fact, classified employees on a growing number of campuses have established formal alliances with graduate student unions. So too, a survey of faculty at universities with established graduate student unions found little backing for any of the primary arguments of campus administrators. Fully 95% of faculty at unionized schools stated that graduate student collective bargaining did not inhibit the free exchange of ideas between faculty and graduate students; an overwhelming majority likewise reported that graduate unions had not created an adversarial relationship between faculty and graduate students; and that the union had not inhibited their ability to advise or mentor their own students (Hewitt).

Increasingly, both faculty and undergraduates have supported the right of graduate students to choose whether or not they want to unionize. Even those who do not favor unionization *per se* have called on administrators to recognize the labor rights of graduate teachers and to honor the outcome of union elections. At the University of Washington, the Faculty Senate passed resolutions urging the administration to recognize its graduate student union and insisting on the right of faculty members to respect picket lines and avoid doing the work of striking graduate teachers. At Columbia too, the Executive Committee of the Faculty of Arts and Sciences sent a letter to President Rupp urging the administration

to adopt a neutral stance toward the prospect of a union election. Similarly, when University of Washington graduate students went on strike at the end of the spring 2001 semester, both the faculty senate and undergraduate student councils supported their right to strike without academic reprisal.

In addition, the growing power of graduate unions has won important support from elected officials. When Michigan State University set up an anti-union web site and instituted departmental meetings to discourage graduate students from voting for a union, state legislators wrote the school's president insisting that "the Administration should not be creating an uneven playing field by using its power to influence votes. These teaching assistants can study the issues and make a decision without the Administration's undue influence" ("Lawmakers Concerned"). In California, it was state legislators who ultimately pressured the University of California Regents to recognize their graduate union after nearly a decade of organizing and strikes. In New Haven, a community petition calling on Yale administrators to pledge neutrality on the question of graduate unionization has been endorsed by the local Mayor, Congressperson, state Attorney General, and 300 area clergy (Matera, Beach). Most recently, both of Rhode Island's congressmen held a press conference to announce support for the graduate union at Brown. The growing support for graduate unions, both on campus and off, threatens to strand administrators advocating ever more shrilly for propositions that no one else deems plausible. This collapse of public support—along with the turn of legal affairs and the strength of graduate students' own organizing—has lent a sense of inevitability to the national graduate union movement.

Where Do We Go From Here?

As we look to the future, there is every reason for the boom in graduate student unionization to continue apace. Most importantly, the objective conditions that gave rise to graduate unionization continue to intensify. As with all unions, the most important element of graduate students' success has been a strong grassroots organization, rather than reliance on legal strategies. Nevertheless, the recent legal victories have been critical both in forcing administrators' hand and in providing a moral repudiation of management arguments that has, in turn, lent important momentum to organizing on the ground. In the private sector, university managers are hoping for a Bush NLRB to reverse the NYU decision. Even if this happens, it is not clear that this will be enough to stop the movement. There is an on-the-ground reality to the new unions that will not be changed even if the law is reinterpreted. As California legislators commented on the UC's anti-union strategy, "huge sums of state money have been spent ... to circumvent recognition ... [but] the movement has grown stronger and deeper" ("Open Letter"). But a negative ruling will certainly have a significant impact. For faculty, the impact of the Yeshiva decision has

been decisive. While faculty unions have continued to grow in the public sector, they have been entirely stymied on private campuses, and, as of 1996, less than 5% of unionized faculty were at private schools (Steck and Zweig, 302). The November 2001 NLRB ruling against the Sage College Faculty Association—upholding the logic of the Yeshiva—has, for now, effectively stopped faculty organizing in the private sector.

As the graduate union movement goes forward—particularly if the NYU ruling is upheld—it offers the hope of spreading both to more campuses and to other parts of the university ranks. One of the reasons for administrators to resist graduate student unions, even when settling is affordable, is the fear of sparking organizing drives among faculty, at least in the public sector. On average, faculty with collective bargaining agreements earn \$6,000 per year more than their non-union colleagues (Martin, 14). While theories abound regarding the impossibility of faculty organizing, the past decades of corporatization—including speedups, frozen salaries, transfer of intellectual property, donor restrictions on curricula and research agendas, and the erosion of tenure—all of this has made conditions ripe for faculty organizing. Unions are the only force capable of counterbalancing these trends. In 1996, for instance, the University of Minnesota regents won instant infamy when they announced a plan to do away with the institution of tenure. In response, the AAUP quickly organized support for faculty unionization; in the face of likely unionization, the administration withdrew its proposal, and the AAUP was narrowly voted down. It is only a matter of time, however, before more universities move in the same direction, and those that won't abolish tenure outright will chip away with "post-tenure review" policies that gradually hollow out the protections of tenure. With more research funded by corporate partners, and with teaching increasingly conceived along the lines of mass-production, the rationale for tenure as a protection of intellectual freedom becomes harder to defend. And certainly, in the eyes of businesslike administrators, tenure is entirely irrational. Even for those faculty who have already "made it," then, it may be that unionization offers the only possibility of protecting even their own current status. As administrators feared, the success of graduate student unions has already spurred increased organizing among other academic employees. Last year, part-time faculty at Massachusetts' Emerson College voted by a 75% margin to establish the first new faculty union at a private university in twenty years (the Yeshiva doctrine only applies to full-time faculty). At NYU itself, the same union that now represents graduate employees recently won an election to represent the school's 4,000 adjunct instructors.

What remains unclear is the extent to which graduate unions can challenge or reverse the trends of the past two decades. When the first graduate student union was formed in the late 1960s, campus activists saw themselves as introducing the radicalism of the student movement into a moribund labor movement. In the ensuing thirty years, the labor movement has become more progressive,

and academia more conservative; at this point, it is the labor movement that brings the hope of progressive change to the academy—and that offers the only realistic hope of defending a more humane version of what a university might be. This is an ambitious agenda—not merely improving wages and benefits, but resisting and reversing the corporatization project. As Aronowitz notes, “unions are now faced with the awesome task of becoming institutions of alternatives as well as of resistance.” To accomplish this broader goal will require a new level of solidarity between faculty, adjuncts, graduate students and classified staff; and will require leverage far beyond that of Labor Board rulings. The corporatization of campus life has fueled a steady growth in both the number and militance of university unions. The question for the future is whether the union movement can grow fast enough and strong enough to stop this train while there’s still a university system left to save.

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