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## PROFESSIONAL ASSOCIATION OR TRADE UNION?<sup>1</sup>

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The question on which I shall speak has from the beginning considerably exercised the minds of some of our members and of the general public—namely, whether an organization of college and university teachers such as ours should be conceived after the analogy of one or of the other of two previously existing types of organization trade unions, or professional bodies like the American Medical Association or the American Bar Association. Analogies not preceded by analysis are usually misleading; and very little analysis is required to show that this society has, and in the nature of the case must have, something in common with both of these types and is, therefore, precisely analogous to neither. What is important is to be clear as to how much and in what respects it has affinities with the one and how much and in what respects with the other; for clarity on these matters is prerequisite to any sound judgment concerning policies and methods. A consideration of them at the present time is the more pertinent because it appears that some of our members hold that the Association should regard itself as generically akin to trade unions and should affiliate with organized labor (that is, either the A. F. of L. or the C. I. O.—it could hardly at present affiliate with both); or that, if it does not do so, individual teachers ought to give their allegiance exclusively to an organization that is so affiliated. How widely this opinion is held I have no adequate means of judging; but in any case, like all sincere opinions held by thoughtful men, it deserves unprejudiced examination (so far as that is humanly and professorially possible) and frank discussion.

<sup>1</sup> Delivered at the New York meeting of chapters of the Association, held at Columbia University, March 18, 1938, and, in part, at the annual meeting of the Association in Indianapolis, December 31, 1937. For the opinions expressed the speaker alone is responsible.

The Association, in the first place, then, *is* analogous to a trade union because the economic status of teachers is legally the same as that of most industrial workers. We are employees of corporations, private or public, not, like most doctors and lawyers, independent *entrepreneurs*. This was not always the case. The earliest professors, in Greece of the fifth and fourth centuries, were either "on their own"—unsalaried educational and scientific *entrepreneurs*—or were organized in self-administered guilds of teachers and pupils. But it has historically come about that the scholars' and teachers' trade, unlike some other learned professions, is supported by salaries, paid out of funds administered by persons, for the most part not of that profession, who have in law the power to hire and fire; and we are the persons who are hired—and sometimes fired. Since modern science and modern higher education have come to require large and costly material equipment and large annual sums for their maintenance, the livelihood of individual practitioners of these callings is, in the main, nominally dependent upon the decisions of those who control these funds. Between them and us, the employed, controversies—as is not unknown to you—sometimes arise, and the specific occasion of these controversies is often, on the surface, similar to certain of the occasions of controversy between labor organizations and their employers; the immediate question may be whether some member or members of our profession shall or shall not lose their jobs, or the more general question what, in a given institution, the permanent conditions of employment and the limitations of the power of dismissal shall be.

In these respects—the legal-economic status of its members, and the immediate issues in many of the disputes in which it may be, and sometimes has been, involved—the Association does resemble a trade union; and it is not, perhaps, surprising that those who note only these resemblances should look upon it as the analogue, for educational and scientific workers, of the organizations formed by manual workers for the improvement of their condition. These points of similarity ought to be candidly recognized at the outset.

Yet a little further analysis suffices to make it evident, not only that the differences are so great as to make the similarities relatively unimportant, but that the similarities themselves are rather

apparent than real. Let us remind ourselves what the situation is with which trade unions are organized to deal, and what the primary and essential, as distinguished from any minor and accessory, social function of those organizations is. That function, Mr. Henry Ford to the contrary notwithstanding, is a useful and indispensable one in a competitive capitalist economy. Unions are primarily instruments of one group in the economic struggle by which the distribution of the total product of industry is determined; their theoretical basis is the assumption that by means, chiefly, of collective bargaining and of the limitation of the labor supply in an industry, members of that group can materially improve their bargaining power in the determination of the price at which they shall sell their labor, or of the hours for which they shall be required to labor, or of the physical and other conditions under which their work shall be carried on. How far this assumption is valid in economic theory it is not within my province to discuss; most economists, I suppose, are skeptical concerning the potency of trade-union methods alone to increase in large measure the real income of the group of industrial workers as a whole. However that may be, the recognized prime purpose of such unions is to equalize bargaining power in a competitive situation, and thereby to gain for the workers in a given organized industry a larger share of the national income, with the immediate, though perhaps not necessarily the ultimate, effect of decreasing profits, or increasing the cost of the product to the consumer, or, in some cases, of diminishing the potential wage of other classes of labor—*e. g.*, of the unskilled to the advantage of the skilled. It is not, at all events, the primary and controlling aim, and in practice it does not usually appear to be any part of the aim of, for example, a union of automobile workers, that more or better or cheaper motor cars shall be produced, or in general that the distinctive function of that industry as a whole—employers and employed together—in relation to the rest of society shall be better and more adequately performed. There is in this fact no ground for criticism of labor unions. In the competitive position in which labor finds itself, its endeavor to sell its services at a higher rate, by collective negotiation, by restriction of supply, and by the threat and the occasional practice of withholding those services, is as legitimate as it is natural; and

the change in the distribution of the total income of the community which unions collectively seek to bring about is, up to a point which for many sections of labor has not yet been reached, a socially desirable change. Nothing that I have said is a disparagement of trade-unionism; it is merely a summary description of its essence.

The situation in which our own profession finds itself is, in spite of the superficial similarities which I have recognized, radically different from that with which labor unions are organized to deal. For the funds out of which we are supported do not initially accrue to the persons who legally administer the corporations by which we are employed. Trustees do not pocket whatever they can save by keeping professors' salaries down; the moneys they administer are in no case *their* property, but are public funds dedicated to certain specific uses, the gifts of public-spirited persons of past generations or of the present, or grants by governmental bodies out of the taxes imposed upon the community in general. Instances are, perhaps, not wholly unknown in which the investments of academic corporations have been directed into channels more advantageous to members of governing boards than to the institutions which they govern; but such instances are, I believe, exceedingly rare, though it may be that more adequate safeguards against the possibility of their occurrence could and should be set up. But, almost universally, members of the bodies administering the funds of educational institutions are in fact, as they are in theory, economically disinterested, and usually genuinely devoted, if not always ideally wise, collaborators in the business of the advancement of learning and the improvement of teaching. In short, the competitive situation which defines the essential function of a trade union simply does not exist in our calling. The profit motive does not operate in the business of education; and there is no such conflict of personal economic interest between those who are the legal controllers of the capital and income of educational corporations and those employed by them as there often is between the owners or managers of private capital and their employees. At the crucial point, therefore, the analogy obviously breaks down completely. Trustees and faculties are the joint custodians of one of the major interests of society; more precisely, we of this profession are the primary

custodians of that interest, and trustees are custodians of the material resources provided for its support.

Consequently, the first and distinctive purpose which inspired the creation of this society and has since shaped its policies is different in essence from the entirely legitimate aim of trade unions. That purpose—let us not be deterred from expressing it by that false diffidence, common in our time, which is a sort of inverted hypocrisy—that purpose was to clarify, for ourselves and for the non-professional public, the nature of the function of the academic teacher and investigator, in relation to the rest of society, and to formulate the conditions necessary for its effective performance; and then to employ actively all available legitimate means for realizing those conditions and promoting the better fulfillment of that function. The Guild Socialists once hoped that it might be possible to base the organization of the economic order as a whole upon the conception of a functional society; it was essentially that conception, applied to our own profession, which was, and, I suggest, ought to be, the basic one in our organization, the criterion by their conformity with which all policies are to be judged and all methods appraised. The Association exists in order that a profession of a peculiar and, economically considered, of a quite paradoxical sort, may be enabled to do better the distinctive job which society has committed to it; and even in those cases in which it appears, rather, to be defending the private interests of its members in their own jobs, it does this because it recognizes that the major issue in certain of these individual controversies is the maintenance of professional standards and of the conditions without which the special function of the profession can not, in the long run, be truly performed.

Since, then, trade unions exist because their members are in a specific competitive position; since their characteristic aim is, by economic pressure, to compel their employers to pay higher wages or to shorten hours, primarily at the expense of profits; since our profession is not in that economic position; and since its aim in organizing neither ought to be, nor can be, the same as that of trade unions—it follows, first of all, that affiliation with any federation of such unions would amount to a misrepresentation of the facts. If we are *not* in competitive economic relations with the

legal corporations which employ us, and if our primary and essential aim is *not* that of compelling these corporations by economic pressure to increase our pay or shorten our hours—why should we proclaim that the contrary is the case? But that is precisely what we should inevitably and legitimately be understood to be doing, by converting our professional association into a member of a larger labor organization.

On the other hand, it is important that we keep steadily before ourselves and others the nature of the economic paradox characteristic of our vocation—one which it shares in some degree with the press and the pulpit. It is, in brief, this: that the distinctive social function of the scholar's trade can not be fulfilled if those who pay the piper are permitted to call the tune. A university—that is, an institution in which adequately trained specialists are employed by the community to *advance* knowledge, to investigate for themselves, to think for themselves, and to impart the results of their own thought and investigation and those of their fellow-specialists—is a necessary organ of a civilized society; and these results are certain at times to be unwelcome to some or many of those from whom are derived the funds which support this function or to those by whom such funds are administered. A university is an instrumentality maintained by the public for the purpose, *inter alia*, of sometimes giving the public what it doesn't want—or what the portion of the public that maintains it doesn't want; and a body of scholars none of whom ever produced any results of research and reflection which were distasteful to any considerable section of the community would thereby give convincing evidence that it had ceased to perform the public function which is the most essential and characteristic of its *raison d'être*—the free and critical examination of all opinions—and all “deals”—old and new, the discovery of new facts sometimes disturbing to vested interests, the keeping in mind of old facts sometimes disturbing to proponents of easy panaceas, the attainment, now and then, of fresh and sometimes revolutionary insights. This, then, is the primary feature of the situation confronting *our* profession; and it is in the defense of the freedom of the salaried scholar to express without restriction his considered conclusions in his own field, and also to exercise, without economic or other pressure, the civil and political liberties which, under the

Constitution, are the prerogatives of all citizens, that the more controversial and militant activities of the Association arise. There is, unhappily, as everyone can see, every reason to expect that in the immediate future the need for perpetual vigilance at this point will be greater, not less. Freedom of thought, of inquiry, and of speech, within and without educational institutions, is menaced from the right and from the left, and many of those who most vociferously demand it for themselves would be the first to deny it to others—and, in particular, to convert universities into instruments of propaganda, collections of regimented and servile pedagogues, submissive to the opinions of governing boards not trained for nor dedicated to disinterested investigation, or obsequiously conforming to “the party line” or to the momentarily dominant variety of mass-prejudice. This condition has, notoriously, already been reached in several great nations; and where it has, “universities,” as the term has been understood by enlightened men for more than a century, have ceased to exist. A “university” that is not intellectually free is not a university because a “science” that is not based upon free inquiry is not science. In Germany, in Russia, in Italy, the name and outward form of universities persist, the distinctive function and therewith the vital essence have been eliminated; and we today witness the last phase of their extinction in Austria.

Now to keep “universities” universities, to maintain the intellectual independence of our profession, not as a luxury for ourselves but in the long-run interest of civilization—this, though only one, is plainly the first of our professional obligations; and it is one which we can have no hope of fulfilling without organization. Upon this we are nearly all of us agreed. And I ask: are we more likely to be effective in this primary interest and obligation of all of us by dividing our forces? There is a tendency observable in some earnest and well-meaning persons to refuse to combine with others to promote ends about which they and the others are in agreement, unless the others will combine with them to promote ends about which there is not agreement; and this tendency is now manifest among some members of our profession. It is not, I think, a manifestation of practical wisdom. If I and other teachers are of one mind about, say, academic freedom, but not of one mind about the

Presbyterian Church or the League of Nations or the Republican Party or affiliation with the C. I. O., they and I together will, I can't but think, be able to do more for academic freedom—and for the general maintenance of professional principles—by organized cooperation in that cause than by starting four separate organizations—say, a League-of-Nations-*cum*-Academic-Freedom Society, a Brotherhood of Believers in Academic Freedom and the Westminster Catechism, a Phalanx of Frank Republicans, and a University Union of the C. I. O. I am saying nothing against the League of Nations or the C. I. O. or the Presbyterian Church or even the Republican Party; I am only suggesting that the proposal that college teachers, as an organized professional group, should be affiliated with one of these bodies is precisely as reasonable as a proposal that they should, as an organized professional group, be affiliated with any of the others. It is not good sense nor good strategy to mix and intertangle issues in this manner, and thereby to lose, for each of the ends at which one aims, the advantages of a united front of all who seek that particular end. There are many important objects for which men may and should associate themselves together; and for diverse objects a sensible and tolerant man will unite with different groups of other men. The objects of a professional association should be professional objects, and membership in it should not be conditioned upon a confession of faith in other objects. Those who propose that it should be so conditioned are seeking to divide, upon extra-professional issues, a body which ought to be kept united if it is to perform effectively its own specific tasks and to defend with authority and power interests vital to itself and to society.

There are, I am aware, many of our colleagues—and among them some of the highest devotion to the principles and purposes of our Association—who aim at no such division of forces, but merely think it desirable to maintain, side by side, two distinct types of professional organization, a more comprehensive one not affiliated with labor unions, another necessarily more restricted one which is so affiliated. Between the two, they conceive, there need be no competition or rivalry, but rather a useful cooperation for ends which are, in great part, common to both. In respect to the spirit and intentions of its proponents this—if I may so call it—dualistic

program is obviously not open to certain of the objections which I have brought forward against the view that any organization of our profession in its nature is, and in affiliation and practice ought to be, a trade union. The practical question nevertheless remains whether even the more moderate proposal will not in fact tend to bring about a division of forces and a confusion of objectives. It does not appear likely that in the long run many college and university teachers will adhere to two organizations carrying on largely the same types of activities. It may be argued that they should; what is fairly predictable is that they won't. The probable outcome will be that there will be two relatively weak professional bodies, instead of a single strong, adequately supported organization, representing, as nearly as may be, the entire American professorate. Any plan for "unionizing" academic teachers is essentially inimical to the union of academic teachers in the discharge of what is at once their common and their special and peculiar responsibility—the defense of the standards and the integrity of their calling against dangers which threaten them from without, the energizing and improvement from within, through investigation and wide and free discussion, of the institutions and the processes devoted to the higher education of youth and the increase of man's knowledge and understanding.

Finally, I must repeat—since they are pertinent also to the dualistic program—the considerations which I earlier presented concerning the difference between the economic situation of the employee of a profit-seeking corporation and that of the teacher and investigator in an educational institution. Any group of academic teachers, organized in their professional capacity, who label their organization a trade union, affiliated with a larger federation of such unions, thereby imply—or will certainly be understood to imply—that their relation to the institutions in which they serve is the same as that of industrial workers to the corporations which employ them; and that, I have suggested, is false. They also imply that the motive and aim of their organization is essentially the same as the specific—and for those who are in the competitive situation of labor, the legitimate—economic motive and aim of a trade union. And that, I suggest, either is false, or ought to be.