Ceci et al. have found that faculty believe full professors would be more likely than assistant or associate professors to exercise academic freedom in potentially risky ways, whereas tenure is a relatively unimportant factor in deciding whether or how to act. To help explain why the boundary between associate and full professors may be more important in these cases than the boundary between tenured and untenured individuals, we emphasize that faculty members pursue multiple goals (e.g., achieving job security, increasing pay, attaining promotions and higher status, improving working conditions) and that tenure, although important, addresses only job security. Moreover, this security exists only at one's current institution. Even discounting the choice or need to relocate, professors who exercise the academic freedom provided by tenure may jeopardize other important career goals. By questioning whether tenure continues to serve its intended purpose, Ceci et al. have essentially argued that tenure is not sufficient to ensure academic freedom. We do not disagree with this assertion, but we propose modifying it: Tenure is a necessary but not sufficient condition for academic freedom.

Assuming that professors' behavior – in the aggregate, not in each instance – is strategic and rational, it can be used to understand faculty members' goals and motivations. It would be naive to assume that maintaining current employment status is the sole concern. Professors would exercise without fail the academic freedom provided by tenure only if they were indifferent to the consequences of their actions in every area but job security. Some instructive parallels exist between professors and another group of professionals granted life tenure: federal judges.

Political scientists have noted that federal judges, while enjoying life tenure, are not immune from external pressures and consider factors beyond law and conscience when rendering judgments. Their rulings hold consequences for the ability to advance to higher-status judicial posts, to run successfully for political office, to earn pay increases, and so forth; less tangible factors, such as prestige and recognition by peers, may also motivate judicial decision making (Baum 1994; Cohen 1991). Thus, life appointment to the bench does not prevent rational judges from considering how other individuals may respond to their decisions.

Likewise, rational faculty members – tenured or not – should consider how colleagues, administrators, students, and others might view their behavior. Like judges, professors are motivated by career ambitions. In academia, attaining the rank of full professor is not the only way to increase one's status. Some faculty members aspire to work at a more prestigious institution, whereas others seek positions of academic leadership or administration, including department chair, dean, provost, or president. Like the federal judiciary, academia is a small world. Even across disciplines or institutions, individual reputations are often well known or easily discovered. For example, a faculty member on a search committee might contact an old friend from graduate school who has worked closely with an applicant. For an academic determined to move up his or her self-defined career ladder, rational behavior is that which does not alienate one's colleagues. As technological advances facilitate the flow of information, managing one's professional reputation becomes more important. Accordingly, faculty might be expected to take fewer professional risks.

Professors also pursue other tangible goals, such as increased pay, sabbatical leaves, research grants, and larger office or lab space. Some of these can be attained through promotion or moving to a new institution. However, even within academic ranks at the same institution, subjective assessments of faculty performance influence salaries and professional perks. Professors desire the respect of their colleagues and a collegial working environment, and they may wish to be elected or appointed to leadership positions that include important committees. Attaining these goals requires being concerned with more than job security as well as carefully managing the impressions formed by others.

Colleagues may or may not react favorably to a professor who acts assertively to exercise and defend academic freedom. The disciplinary and institutional cultures shaping one's work environment, especially the value assigned to dissenting voices, no doubt vary considerably. Whenever a professional risk is taken by exercising academic freedom, tenure protects against the most severe sanction: dismissal. Nonetheless, other factors mitigate against the full exercise of academic freedom. Accordingly, tenure may be a necessary but not sufficient requirement for academic freedom.

Even if one accepts this conclusion, an important question remains: Why did Ceci et al.'s respondents believe that full professors would be more likely to exercise academic freedom than assistant or associate professors? We offer two speculations. First, exercising academic freedom may place both untenured assistant and tenured associate professors at greater risk than full professors of being deprived of limited resources or being given unpleasant work assignments. Within and between departmental units, full professors tend to wield more power than assistant or associate professors. Second, when making decisions regarding potentially aversive confrontations with colleagues, full professors may give less weight to career mobility than assistant or associate professors. Whereas tenure supports academic freedom at the institution that grants it, developing a reputation for being confrontational – whether reasonably or unreasonably – may constrain one's job prospects at other institutions. Even with a solid record of achievements and a good reputation, career mobility generally is poorest for full professors. Except when special knowledge, skills, or experience are required, most academic institutions are reluctant to hire at the full professor level when there is an abundant supply of professors who can be hired less expensively at the assistant or associate level. Thus, we are not surprised to observe negligible differences in the anticipated exercise of academic freedom between untenured assistant professors and tenured associate professors, as these individuals often have better career mobility than full professors. Ceci et al. may have focused too narrowly on professors' desires to achieve tenure and promotion at their current institutions as the primary factor in their deciding whether or how to respond to threats to academic freedom.

Testing tenure: Let the market decide

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Abstract: Tenure debates and disputes are often irresolvable because of the complex and multivariate nature of contractual relationships between faculty and administration, and the nuanced and varying beliefs about tenure held by the professoriate. The Ceci et al. study leads this commentator to suggest a simple solution – allow individual institutions to define the parameters of tenure according to their unique core values.

Pepperdine University is a private religious school affiliated with the Church of Christ. When I matriculated in 1974, Pepperdine was extremely conservative – politically, religiously, and socially. Politically, the administration had ties to the Republican Party – President Gerald Ford spoke there, as did the physicist Edward Teller on the validity of Mutual Assured Destruction as a Cold War strategy. Religiously, my professors were Christians, and twice-weekly chapel attendance was required, as was a set of religion courses. Socially, student activities were closely monitored, with dancing prohibited and opposite-sex dorm-room visits forbidden. However, as I was a born-again Christian riding the wave of an inchoate evangelical movement, this was exactly

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what I wanted in a college. As a paying customer, my needs were well met by Pepperdine.

Today, however, although I remain fiscally conservative, I am a nontheist, a social liberal, and a public intellectual critical of religious extremism and excessive intrusion of religion in American public life (see Shermer 1999; 2004; 2006; as well as *Skeptic* magazine, of which I am the founding editor). Pepperdine would never hire me today, but what if they had before I bifurcated down this rather divergent intellectual path, and then used my position as a platform for converting conservative Christian students into liberal nontheists? If students and their parents complained that they were not getting what they paid for (in 2006, tuition was in excess of $40,000), should the Pepperdine administration have the option of terminating my employment? In my opinion, yes; in the opinion of all of my professor friends and colleagues whom I queried (both those with and those without tenure, and even one of my old Pepperdine professors), no. Their reasoning is that academic freedom trumps institutional needs, and the opportunity for faculty growth is more important than student preferences or collegiate predilections.

The results of my informal survey – conducted in preparation for an American Civil Liberties Union (ACLU) conference on tenure and academic freedom in which I defended the right of the University of Colorado to fire Professor Ward Churchill for stepping beyond the bounds of his duties as a college professor when he penned an essay that equated the victims of 9/11 to "little Eichmans" – fall squarely in the range of responses offered by the professoriate surveyed by Ceci et al. Tenure, although flawed and in need of minor modifications, is rarely abused and is necessary to protect intellectual freedom in the academy.

There are two levels of analysis considered here in testing tenure: descriptive and proscriptive. The Ceci et al. article is primarily descriptive and metadescriptive – what professors believe about tenure, and what they believe other professors believe about tenure. Although there are limitations to such self-report data (well outlined by the authors), the methodology offers important insights into beliefs that Frank Sulloway and I employed in our study of religious beliefs; for example, why people believe in God and why they think other people believe in God. As we noted in our own caveat, "we are not so naive as to think that people have complete access to their internal states that translate as fully accurate reasons for belief. However, in the spirit of recognizing that the observable level of behavior is a meaningful one for humans, we feel that one way to shift from the observable to the unobservable is to simply ask people why they believe" (Shermer & Sulloway, in preparation). What professors believe about tenure and why, and what they think other (higher or lower ranked) professors believe about tenure and why, across a wide range of hypothetical scenarios, is crucial information in shifting the discussion from the descriptive to the proscriptive; in this case, the study by Ceci et al. reveals that extreme attitudes (positive or negative) toward tenure are not common in the academy, and that recommendations of change must be made within certain modest boundaries in order to be adopted.

Having taught as an adjunct professor at three different colleges in the course of twenty years (Glendale College, California State University Los Angeles, and Occidental College) before embarking on a career as an independent researcher, writer, and editor, one solution occurred to me after reading the Ceci et al. article: Let the market decide; that is, allow individual institutions to define the parameters of tenure according to their unique core values. For example, if Pepperdine University is offering their customers (parents and students) a conservative Christian learning atmosphere, and as one of their professors I was purposefully undermining that mission through social activism inside and outside the classroom, then by all means the administration should do what it needs to do to preserve the integrity of the university's core values, even if that means firing me. By contrast, Occidental College, which is well-known as a far left-leaning institution (I kept my fiscal conservatism to myself when I taught there), can market to its potential customers that it fosters a liberal secular learning atmosphere. An extreme religious fundamentalist professor thumping a Bible on campus might reasonably be considered polluting this campus atmosphere.

On the other hand, if an institution is willing to tolerate some deviance from its foundational norms as part of an intellectual diversity program, then contracts with faculty should specify such deviance parameters; where a contract cannot anticipate specific instances of parameter violations, conflicts can be resolved through institutional arbitration. In neither example is an all-encompassing rule about tenure – enforced through state or national teacher unions or courts – necessary or even possible. The problem in the case of Ward Churchill and the University of Colorado, as with so many tenure disputes, is the difficulty involved in attempting to apply a single overarching principle to a system as complex and multivariate as the academy. A simple solution, then, is to retain the spirit of tenure across the academic board, while allowing each institution to define tenure within the parameters of its own core values. This market solution elegantly addresses the problem of grafting a general principle onto an extraordinarily varying human institution, a problem well captured by that sage dispenser of pop philosophy, Yogi Berra: "In theory there is no difference between theory and practice. In practice there is."

Put tenure in today's social context

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Abstract: Tenure should not be judged on its ability to promote whistle-blowing. Because the process of getting tenure may weed out those who might later need it, reform is called for. Reform of tenure must take into account not only the Salieri-effect, but also Thomas Kuhn's popular philosophical attack on independent thought and the tendency towards the use of minimal standards, resulting from the professionalization of research, to block work which is more than minimal. Reform of various institutions to encourage autonomy is needed so that those who receive tenure use it for its intended purpose.

The target article's interesting survey of opinions about the effectiveness of tenure displays the limitations of the hoped-for impact of tenure on the willingness of professors to be independent. By putting significant pressure on junior professors to conform, tenure can even hinder rather than promote autonomy. In fact, it tends to quickly weed out those who might later use it well. It has also failed to promote whistle-blowing by protecting whistle-blowers. But this failure should not be held against tenure, as it was not designed to serve this purpose.

The challenge to improve the conditions of autonomous scholars and to encourage others to become so has to be seen against a background of various forces working against independence. The authors ignore this shifting background by portraying the problem of furthering independence as being clear-cut because virtually all thinkers support independence. Not so. Thomas Kuhn and his followers have mounted a powerful attack on autonomous research (Kuhn 1962; cf. Bailey 2006).

The authors seem to expect that, as autonomy increases, so does whistle-blowing. But this need not be the case: Independent thinkers do not need to see policing their colleagues as their responsibility. The authors mention the thesis that a significant number of tenured professors do not bother with research or serious teaching and are lax in their standards of behaviour, because they cannot be held accountable. However, the authors do not test this hypothesis. Rather, they ask whether

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