January’s headline announcing Portland State University (PSU) philosophy professor Peter Boghassian’s conviction of research misconduct by that university’s Institutional Review Board (IRB) has drawn needed attention to the problem of IRB overreach (Varney, 2019). For those readers unfamiliar with this case, professor Boghassian and several unaffiliated researchers submitted a series of 20 fake manuscripts to various humanities journals in an effort, they claimed, to expose lax peer review practices associated with publication in those journals. Several manuscripts were published (Schuessler, 2018). Boghassian, et al. then used that hoax to argue the need for greater editorial rigor and oversight in humanities subdisciplines.

As you may suppose, Boghassian’s prank did not go down so well in certain quarters. The offending (and offended) journals promptly retracted the bogus publications. While some academics saluted the endeavor as a much-needed exposure of scholarly laxity, others saw the duplicity as something shy of ethical. Boghassian’s characterization of the hoax as a valid research project drew the scrutiny of PSU’s IRB. It determined that, at least in one instance, that he failed to submit the project for IRB review and certainly lacked the necessary informed consent of the editors he shamed (Flaherty, 2019).

Boghassian’s defense, of course, is that his odds of gaining informed consent were next to zero. Boghassian charges Portland State (and other American universities by implication) with ideological conformity and failure to affirm the faculty’s academic freedom. His detractors, including PSU’s IRB, see it differently.

Quite apart from the lurid aspects of this so-called “Sokal Squared” project (honoring the legacy of physicist Alan Sokal’s 1990s hoax of similar sort) the claims and counter-claims between PSU’s IRB and Boghassian have triggered new scrutiny of IRB procedure as it intrudes on academic freedom. John Wilson, a prominent AAUP blogger and leading authority on academic freedom argues that, yes, certain types of important research require a measure of deception to succeed and, yes, IRB overreach is a serious threat to academic freedom. As Wilson puts it, “When journalism is deemed human experimentation, we have gone too far.” He goes on to argue that the submission of articles to a journal is not an experiment on human beings, and the fact that some editors might feel bad about the results in no way turns this into an experiment” (Wilson, 2019).
The AAUP’s national office agrees. In its most recent and lengthy report on the subject, issued in 2013, AAUP’s Committee A expressed serious concerns with the potential for IRB overreach and adverse impacts on the academic freedom protections on campus (AAUP, 2013). Among its key recommendations, summarized here in brief, are the following:

1) Research on autonomous adults should be exempt from IRB approval.
2) Social harms should be excluded from IRB review.
3) Appeals of IRB decisions should be heard by a faculty grievance committee, not the IRB itself.
4) That non-federally funded research be reviewed by other bodies established for this purpose as provided for in federal regulations.

CSU’s campus chapter shares these concerns. CSU’s IRB, unfortunately, continues to operate as a thing apart, with little faculty oversight—and it needs to be said that faculty participation on IRB panels is not the same as faculty oversight of the Board. Appeals of IRB decisions go straight back to IRB, with no real transparency illuminating the decision process. IRB officials may easily resort to the cloak of privacy to defend decisions, a practice that can be interpreted as a means of dodging external review and accountability. Our IRB procedure raises that longstanding quandary in democratic governance: Who guards the guardians? And are they guarding too much?

Where IRBs are concerned, the answer to the first question at any American university should the faculty. The answer to the second should err on the side of academic freedom. Whatever one thinks of Bogassian’s deceit it has sparked renewed attention to the proper role of IRB’s in faculty speech and research. And that conversation is overdue!

References


In a January 2, 2019 article for *The Chronicle of Higher Education*, Joseph Ramsey writes about non-tenure track faculty as the “invisible faculty” and that “by not standing up for adjuncts, tenure-track professors have undermined their own power.” Ramsey is a non-tenure track member of the University of Massachusetts-Boston (UMB) faculty and describes a recent celebratory event. “Walking to my bike recently after four hours of teaching, I had to pass through one of those fancy catered events in our new, spangled Integrated Sciences Complex. It was an administration event held to celebrate newly tenured faculty… Here was a room full of my colleagues, an event celebrating academic achievement: teaching and research and service — all things that I hold in high esteem. No doubt I would be among the first to celebrate the work these folks had done. And yet, my gut was seized with ambivalence. Despite my six years of full-time service to UMB, I felt radically excluded. Like I was walking through a country club of which I was not a member.” I wonder how the NTTF at CSU think about the “country club” hierarchy on this campus.

After attending an annual Fall semester welcome for new faculty—tenure track faculty, that is—Ramsey notes the lack of attention paid to NTTF. “There was not one mention of us non-tenure-track faculty the entire time.
Not one acknowledgment of the people — newbies or veterans — who compose more than half of the UMB faculty, we who do the majority of the actual teaching of students at our institution. (Here at UMB, a typical full-time non-tenure-track person teaches four courses per semester to the tenure-track person’s two, and we don’t get sabbaticals. Contrary to the misnomer, most of us are not ‘part-time;’ more often we are ‘double-time.’)

Drawing parallels with the decline of unions nationally, Ramsey notes that “remembering this, I thought about an article I had just completed for Labor Notes on the struggle of 1,500 local gas workers who are standing up to the utility giant National Grid, specifically by refusing to allow their employer to deny future workers the benefits that they themselves enjoy. Before they were locked out, these United Steelworkers expressed a willingness to strike rather than give in to the company’s demands that new hires won’t get the same health benefits and pension package that current workers get. The gas workers did so not only because it was the right thing to do, but because they saw clearly that allowing the company to degrade the conditions of future employees would ultimately undermine their own power as well, and their profession as a whole.”

Ramsey then points to higher education. Having “failed to fight together for the next generation (with too few exceptions), tenured professors now find their numbers, and thus their power, dwindling, and their service loads rising, in the face of aggressive administrations bent on running colleges like corporations. Assistant professors, and those seeking that special status, hustle full-time, desperate not to fall back into the invisible ranks of the adjunct. Meanwhile, most of the actually existing full-time faculty in the United States scramble to make ends meet, working at two or even three institutions at a time, often not knowing where we will be teaching a year from now. Why is it that so many our most esteemed professors can’t see what the unionized steelworkers see so clearly: that an attack on the future generation is an attack on the profession as a whole — and on the public we serve?”

Ramsey then wonders: “Imagine if tenured folks a generation ago, or those protected by tenure today, recognized that by allowing university administrations to create more and more teaching positions without benefits, livable salaries, job security, or support for research, they were ultimately undermining their own power on campus, as well as the future of their profession. Imagine if these protected and relatively privileged academic workers had the foresight, the solidarity, and the courage to stand and refuse to disown their present and future colleagues — not to mention their students — coming up behind.”

Because his own department is different, Ramsey sees all this more clearly. “I am thankful to be at a university where we have a union, one that tries to represent all faculty on campus. I am thankful also to be in a department where I am treated with respect, like an actual colleague — even if my teaching schedule often makes it impossible to attend department meetings. But even here, at UMB, non-tenure track faculty still have no representation on our Faculty Council, are not eligible for various pockets of travel money (regardless of the research we are doing), and are often denied equal pay for equal work. We have a long way to go.”

Joseph G. Ramsey is a lecturer in English and American studies at the University of Massachusetts at Boston and editor of a quadruple issue of Work and Days, "Scholactivism: Reflections on Transforming Praxis Inside and Outside the Classroom." See: https://www.chronicle.com/article/The-Invisible-Faculty/245399?cid=at&utm_source=at&utm_medium=en&elqTrackId=2792826cd0304b629b431f52347f402a&elq=de166a58ff6f43c4942327fd3e0b8b96&elqaid=21870&elqat=1&elqCampaignId=10658
The Center for the Study of Academic Labor

The CSU Center for the Study of Academic Labor invites all TTF and NTTF to get involved. CSAL is an interdisciplinary research center that supports scholarship, commentary, artistry and activism on contingent academic labor and the future of higher education. If you are interested in creating a submission for the CSAL blog, or helping with the Center’s work as a whole our next meeting is February 6th, 3:30pm in the Eddy building’s Whitaker Conference room. For more information please visit our website at: https://csal.colostate.edu/

CSAL also has a current Call for Manuscripts for the next issue of Academic Labor: Research and Artistry. You can view this peer reviewed online journal at: https://digitalcommons.humboldt.edu/alra/.
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HOW TO JOIN THE AAUP

To join the AAUP and our CSU chapter, sign up at the national AAUP site: