

Stephen Eisenmann letter, October 6, 2021

Dear Colleagues,

I have learned from some faculty members that there are plans to strip the Northwestern University Faculty Assembly of its powers as designated in the Faculty Assembly Bylaws and University Statutes. This would represent a significant step backward in faculty governance. To understand why, I need to provide a brief history of faculty governance at NU. I happen to know a lot about the subject because I was the main author of the bylaws and statutes that govern the Faculty Assembly and Faculty Senate. I was also the last Chair of the General Faculty Committee (the governance body that preceded the Senate and Assembly) and the first Faculty Senate President, serving two terms from 2011-14.

Until 2010, faculty governance was vested in a General Faculty Committee. Its members were chosen by an arcane set of rules drafted in 1939. Council members therefore created a committee to establish a new, more accountable, and effective faculty governance system. The committee examined governance models at dozens of comparable universities, reviewed AAUP guidelines about faculty governance, and even considered models from European intellectual history and Indigenous American practices. We did this with the knowledge and approval of the President and Provost, but generally without their input. This was a faculty matter, and while the Trustees had to sign off on any change to the University Statutes, the most important thing to us was that whatever body we created represent the interests of the faculty. The process was deliberate and took about two years to fully implement. The governance documents were approved by the new Faculty Senate by a vote of 70-5 on Jan. 28, 2010.

The idea was to have a bi-cameral legislature, comprised of a Senate and an Assembly. The first was elected, representative, run by means of committees, and convened monthly. The second was democratic (all faculty could participate), direct, and intended to act independently on matters that affected everyone. Because the Assembly met only twice a year, and lacked a committee structure, it was not expected to make frequent resolutions or exercise regular oversight of the university. But it was important as a safeguard in case the Senate proved unresponsive in a time of crisis, or if the faculty needed to speak in a single voice. Examples of the latter might include: a national or local emergency, an economic crisis, gross malfeasance on the part of a university president or provost, and a public safety or a health crisis, like a pandemic.

Here is the specific language from the Faculty Assembly Bylaws and University Statutes: "While the Faculty Senate is the elected, representative body of the faculty, when the Faculty Assembly is convened with a quorum (10% of membership), it becomes the ultimate legislative body of the faculty at Northwestern University." The meaning here is clear: The Assembly, precisely because it is the committee of the whole, has authority to act independent of the Senate – it doesn't represent the faculty; it is the faculty. But since it has no committee structure, meets only twice a year, and requires quorum to pass resolutions, the Assembly is powerless without significant, university-wide participation and support. And that is exactly the point!

Absent any broad, university-wide engagement with an issue, the Assembly becomes a place where matters of general concern can be presented, discussed, and debated. It is a place where the University President and the Faculty Senate President face the faculty directly and describe their challenges and achievements, and where faculty can publicly hold them to accounts. Without the constituted authority of the Assembly however – its power in the Bylaws and Statutes to draft and pass resolution expressing its will – that holding to accounts would be extremely vitiated; the Assembly would be nothing more than executive publicity or window dressing.

For all these reasons, I strongly encourage the Assembly and Senate to reject the proposed changes to Assembly Bylaws and Statutes. I also encourage all parties ensure that Assembly meetings are well advertised and promoted and that programs be of sufficient weight and relevance that they attract the greatest possible participation.

Sincerely,

Stephen F. Eisenman

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