

THE SOCIAL CREATION OF TEMPORARY ACADEMIC POSITIONS IN CHILE, COLOMBIA, GERMANY AND THE USA

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ABSTRACT

I historically compare changes in institutional frameworks creating academic positions linked to temporary employment by analyzing university employment statistics in Chile, Colombia, Germany, and the USA. I find that temporary academic positions were institutionalized through the creation of previously inexistent academic categories called a contrata in Chile, de cátedra in Colombia, “junior professor” without tenure in Germany and “postdoc” in the USA; used in higher education and employment laws since 1989, 1992, 2002, and 1974, respectively. Under institutional frameworks demanding the maximization of students and research, universities have increasingly contracted academics through temporary contracts under rationales that differ between regions. In Colombia and Chile, public university leaders and owners of private universities contract such teaching positions to expand student numbers through lowering costs. In Germany and the USA, employment insecurity is mostly driven by temporary scientific positions under a main rationale of scientific expansion. The share of temporary positions has increased exponentially in Colombia and Germany in recent decades, whereas in the USA there has only been an increase since 2012. Moreover, in Chile, the share of permanent positions has decreased since 2012. The common trend is one of isomorphism of vertical academic structures sharing a pyramidal form, with a wide base of academics working under conditions of contractual insecurity. Such trends follow a rationale for maximization of student numbers as

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well as administration, and scientific production that is in tension with prioritizing wellbeing and improvement of academics' working conditions. Yet, in these environments, the institution of tenure in the USA and recent Chilean regulations on accreditation represent mechanisms counteracting precarious employment.

Keywords: Job security; temporary employment; part-time faculty; tenure; employment patterns; accreditation

INTRODUCTION

The foundational work of Burton Clark (1986) comparatively described the position of academics in different countries in relation to the state and the market. However, he did not reflect on the positions of different subgroups of academics. More recent works have considered the conditions of academics at the lowest seniority levels and concluded that working conditions in universities in Chile (Cantillana-Baranados & Portilla-Vasquez, 2019), Colombia, Germany (Graf et al., 2020; Keil, 2019), and the USA (Gaughan & Bozeman, 2019; Jacoby & Boyette, 2020; Stromquist, 2016) have deteriorated. However, these approaches concentrate on national cases and do not consider possible common trends across countries framed by theory. A few comparative analyses have also reported that academic short-term employment is increasing, but these studies are based on non-representative samples (Castellacci & Viñas-Bardolet, 2021; Stromquist et al., 2007). To date, no international study comparing a representative number of universities has compared temporary and insecure academic employment.

Neo-institutionalist theories offer interesting insights into understanding hypothetical cross-national patterns in academic employment. Inspired by the socio-constructivist approach of Berger and Luckman (1966/1991), neo-institutionalists understand the creation of social roles, such as those of academic positions in relation to historical conditions framed by cultural ideologies enabling their social legitimacy. This explanation differs from a functionalist and Marxist understanding of the creation of academic positions due to demands from the economy (Hout, 2012; Salmi, 2009) or the exploitation of the elites in a capitalist system (Means, 2015; Standing, 2011). Frank and Meyer (2020) identify cultural materials spreading throughout the world, which may relate to common practices in higher education governance. I propose that these also have an effect on temporary academic employment.

This attention in higher education expansion may occur to the detriment of prioritizing the job security of their academics. The benefits of expanding enrollments and scientific production through contracting academics in the lowest positions may be easier to monitor in the short term than the loss of job security in academia (Musselin, 2012). Thus, academic employment may not be on the agenda of those in government, university leadership, and private university owners more interested in fostering university funds through higher student numbers and numbers of publications. The growth of a university may also be linked to the expansion of its administration in charge of offering student services and writing

administrative reports (Avenali et al., 2023; Lee & Ramirez, 2023, Vol. 86), such as those needed for program accreditation (Schneijderberg & Steinhardt, 2019) under the assumption that these activities further invigorate growth. In turn, these monitoring activities may consume vast resources (Meyer & Bromley, 2014) that could otherwise be used to strengthen the academic profession and improve job security of academics. So, at least some degree of similar trends over time can be expected in contracting practices across countries.

In this paper, I merge databases from four different countries and analyze them in relation to changes in laws and regulations on academic employment at universities. I aim to address the following questions: Are there common trends in the creation of temporary employment positions? Has the creation of new employment categories in the context of expansion of higher education and science led to increasing or decreasing precarious employment in academia? Comparing such trends in four national contexts allows for theorizing about practices and rationales that may be at the base of similar contracting schemes. This aim is reached by the combination of cross-country data on contract types. I analyze, descriptively, the trends in academic employment in Chilean, Colombian, USA, and German universities between 1980 and 2018. I trace historical trends in light of changes in regulations of academic employment, placing emphasis on the social creation of new temporary positions in academia in the last decades.

After explaining my theoretical framework and my comparative approach, I discuss different rationales and practices related to temporary academic employment. On the one hand, the rationale to maximize student enrollments through lowering costs for teaching may explain why Chile and Colombia have a great majority of academics working in the new temporary positions (*profesor a contrata* and *profesor de cátedra*). On the other hand, in Germany and USA, increasing scientific outputs and access to competitive and temporary research grants explain a large proportion of the growth of short-term hiring practices through the new temporary positions (junior professorships without tenure and “post-docs”). The rationales of maximization of student numbers and scientific outputs are in tension with concerns for the employment prospects of academics at universities. To conclude this paper, there is a discussion on the social creation of new temporary academic positions and vertical academic structures in terms of isomorphic trends, which are driven by a rationale for maximization of student numbers, administration, and scientific production – to the detriment of academics’ working conditions.

THEORETICAL FRAMEWORK

Theoretical reflections about academic employment tend to anchor characteristics of universities in national trends. They explain academic employment trends in national histories (Clark, 1986), in the functions of academic structures for the labor market (Hout, 2012; Salmi, 2009) or in the utilization of distributed capital across different social groups (Means, 2015; Standing, 2011).

Neo-institutionalists, for their part, tend to argue that there is less cross-national variation (isomorphism) in higher education, because of the import of common ideas and practices framed by wider ideas (Zapp & Ramirez, 2019). As a result, the convergence of organizational structures due to the adoption of similar practices of organizations searching for legitimacy (Boxenbaum & Jonsson, 2017; DiMaggio & Powell, 1983) may also occur in university employment practices. In this work, I understand isomorphism in terms of: (a) the creation of similar academic positions across countries; and (b) similar forms of academic structures across universities using these academic positions. I am interested in temporary academic positions and vertical academic structures, that is, academic structures having a larger base of academics working under temporary positions in the lowest part of the social pyramid.

I presuppose that data on academic employment shows academic structures with increasingly more academics working under temporary positions. Legal frameworks may enable these different forms of employment contracting. Common theoretical explanations to such a trend are: (a) higher education expansion (Schofer & Meyer, 2005), private higher education (Buckner, 2017), and science expansion; and (b) the increase of administrative staff consuming resources (Avenali et al., 2023; Lee & Ramirez, 2023, Vol. 86; Musselin, 2012), which could be used for academic contracts.

First, the expansion of higher education (Schofer & Meyer, 2005) and science (Drori et al., 2003) since the World War II is related to a belief that higher education has an intrinsic relationship to the progress of societies. During the last two decades the expansion of higher education has been driven by a foundation or growth of private universities that has exceeded the foundation of public ones in all regions of the world (Buckner, 2017). These may find it more difficult to acquire incomes by increasing their tuition costs and acquiring additional incomes from the state. Without state support or other sources, private universities may offer different employment contracts, with the aim of reducing labor costs coupled with spending more on student services and marketing activities (Kezar et al., 2019).

Second, the recent expansion of universities has also been related to the expansion of administration in higher education. Universities may reallocate resources to administrative activities to respond to increasing needs of information and reporting.

The expansion of proto-legal and accounting systems into the environment generates further elaboration: Modern classification and accreditation doctrines require extensive formal organization and can lead to costly reform initiatives. (Meyer & Bromley, 2014, p. 380)

Resources aiming to improve the image of universities through accumulating accreditation certificates or diversifying student services may be redirected at the expense of investment in job security (Schmidt, 2012). If the new administrative activities are not necessarily intrinsically embedded in the universities' academic activities, then it is possible that the resources needed to pay for consultancies, to prepare for evaluation reports or to write applications for external funds, are being allocated to the detriment of investments in the academy, including the

creation of permanent working conditions for university academics, which is more costly than temporary employment. Alternatively, accreditation could be theoretically more coupled with stable working conditions, if the conditions for accreditation conceptualize and enforce good working conditions for academics (Schmidt, 2012) as a condition to guarantee continuity in the curriculum.

Third, new managerial doctrines may seek the expansion of science through competitive and temporary funding schemes that could have a positive impact on scientific production to the detriment of secure academic employment. A fundamental problem imagined by those implementing such doctrines is that a presumed lack of resources associated with massification and increasing costs exists and requires new forms of delivering scarce funds (Paradeise et al., 2009).

This managerial approach may establish short-term research projects and programs suitable for evaluation, rather than direct funding under the bureaucratic approach to higher education funding. So, a strategy to strengthen the research production of a university or a research institute is through exponentially hiring postdocs and doctoral students working on short-term projects (Krücken & Kosmützky, 2023, Vol. 86). Governments and university administrators aiming to expand science through short-term funds may support such strategy. Senior academics can also make use of such competitive funds and offer temporary positions while pursuing their research programs, also benefiting their own professional careers. By so doing, the expansion of higher education and science influenced by a managerial logic may also expand temporary positions in academia. The academic labor market will become increasingly segmented by different types of positions (Bauder, 2005; Gaughan & Bozeman, 2019). If norms and regulations do not counter this trend, the new managerial doctrines will be related to academic structures with a low number of higher ranks and a majority of academics in lower ranks, with short-term employment relationships.

METHOD

The method of this study involved the comparison of four cases using descriptive statistics and putting emphasis on the analysis of their regulatory frameworks.

Cases

I undertook a systematic comparison, specifically using the difference method (see Ebbinghaus, 2009), and selected countries with different trajectories in higher education, but with similar employment patterns in terms of the proportion of academics in temporary positions (see Table 1). Investigating Chile, Colombia, Germany, and the USA allowed for viewing temporary employment in countries within education traditions historically dissimilar, including Latin American, Humboldtian, and the USA. These differ in their educational traditions and the participation of private higher education, which may play a role in the development of employment schemes.

In Latin America, Chile, and Colombia have been influenced by the Spanish and French traditions as well as by the reforms based on the Manifesto of the

Table 1. Similarities and Differences of the Case Studies.

		Chile	Colombia	USA	Germany
Similarities	<i>Temporary positions</i>	67.6% (SIES, 2020)	82.1% (SNIES, 2020)	55.6% (IPEDS, 2023)	81.4% (ICEland, 2021)
Differences	<i>Tradition</i>	Latin American (Spanish, French, Humboldtian, Entrepreneurial)		USA, entrepreneurial university	Humboldtian
	<i>Enrolment in private universities</i>	66.7% (SIES, 2020)	50.7% (SNIES, 2020)	25.1% and 3.9% (IPEDS, 2023)	1.8% (ICEland, 2021)

University of Córdoba (Pineda, 2015). In Latin American countries, these reforms have had an enduring impact on higher education through the form of governance called *cogobierno* (co-governance). Before this, historically, the Latin American tradition did not include a high proportion of academics in tenured positions. A further similarity of Chile and Colombia is the implementation of neo-liberal policies in the 1970s and 1990s, respectively. Universities in Germany are influenced by the Humboldtian tradition that provides power and autonomy to their professors, who are legally classified as public servants (*Beamte*). This tradition gives regional governments and the university leadership limited room to negotiate different types of contracts for professors (de Boer et al., 2007). German universities also have more flexibility in deciding upon shorter contracting terms of research assistants that reflect new forms of funding. Despite these pressures for more rationalization, there is currently less of a managerial trend in Germany compared to other countries in the Anglo-American world (Bleiklie et al., 2017; Krücken et al., 2013).

Universities in the USA are a mixture of European traditions, significantly influenced by the British university tradition and, later, by the Humboldtian ideal (Meyer, 2016). Universities have also become more entrepreneurial. They largely operate in a much more competitive environment, where they do not rely on stable funds, but rather, competitive ones, external donors, and student fees (Clark, 1998). In the USA, the differentiation between public universities and private universities is decreasing in terms of funding sources (Ramirez, 2002).

Statistics on Academic Employment

I analyzed the descriptive statistics on academic employment and other indicators of the current trends in higher education. The data included total numbers of academic and permanent contracts, student enrollment, administrative staff, accreditation, and publications from four countries with data being merged from nine databases. In the context of this research, temporary positions are indicative of job security, a construct that also involves subjective perceptions of insecurity (De Cuyper & De Witte, 2007) relevant for my study, but that I cannot measure directly with the available data I have on permanent or temporary types of contracts. Permanent employment is differentiated from temporary employment and defined by contract of indefinite duration, derived (or not) from the status of public servant.

Permanent employment was compared through calculating the percentage of permanent academic employment (simplified to tenured academics). I standardized permanent employment as equivalent to regular (*planta*) academics in Chile (SIES, 2020), regular contracts of indefinite duration (*a término indefinido*) in Colombia (SNIES, 2020), contracts of indefinite duration (*unbefristet*) in Germany (ICEland, 2021), and “all ranks with faculty status tenured” in the USA (IPEDS, 2023). I focused on job permanency, because other variables that indicate changes in academic employment, such as part-time employment, were not available for all countries, and other variables of welfare, such as workload and well-being, are usually not found in higher education databases. I have not included tenure-track professors as secure positions in the USA, because the continuation of their contracts is neither secured nor classified as such (IPEDS, 2023). Examples of non-permanent employment are the so-called *a contratada* in Chile, the *de cátedra* in Colombia, the German *junior professor* without the possibility of tenure, or the *adjunct professor*, lecturers and research assistants in the USA (postdoctoral researchers are not identified in the IPEDS). I have also included the total number of enrolled students as a proxy measure of the expansion of higher education (see Schofer & Meyer, 2005). In addition, I have traced the number of administrative staff: *personal administrativo* in Colombia, full-time non-instructional staff in the USA and *Verwaltungspersonal* in Germany, but these data are not available for Chile. This is, as a general indicator of the administrative apparatus theoretically related to insecure employment of academics (see Musselin, 2012). I have also differentiated between the public and the private sectors and the private for-profit sector in the USA, which is believed to offer more insecure conditions (Kezar et al., 2019). This sector is said to exist in Latin American countries (Levy, 2012), but only informally and cannot be found in the databases of Chile and Colombia.

The dataset comprised data from 56 Chilean, 78 Colombian, 103 German and 418 USA universities from official sources in each country (ICEland, 2021; IPEDS, 2023; SIES, 2020; SNIES, 2020). I selected all the higher education institutions officially categorized as universities, using the legal capacity to grant doctorates as a common criterion to maintain comparable cases. For the USA, I selected the doctoral schools according to [The Carnegie Classification of Institutions of Higher Education \(2020\)](#). This selection made it possible to rule out universities, such as a number of business schools and law schools, with no emphasis on research, the activities of which might be compatible in nature with part-time faculty. In the case of Germany, I did not include any of the eight clinical faculties, so I was able to compare similar types of organizations on a national level. Colombia only has data available on the types of contracts since 2008 (SNIES, 2020) while for Chile, data were only found from 2010 onward (SIES, 2020). It was necessary to request the information from the Ministry of Education, because the SIES database has information on employment dates, but not on types of contracts. Germany only has aggregate information from 1992 to 2004 and information by university since 2018 (ICEland, 2021). The data available for the USA date back to 1980, a date that frames the time limits of my analysis. Data on accredited programs were retrieved from the respective accreditation offices from Chile ([Comisión Nacional de Acreditación, 2020a](#)), Colombia ([Consejo Nacional de Acreditación, 2020](#)),

Germany (Akkreditierungsrat, 2020), and the USA (U.S. Department of Education, 2020). Historical data were not available for Germany. I also collected data on the citable documents in Scopus for each country (Scimago, 2023).

Governmental Regulations

I also studied the regulations affecting academic employment. These included Higher Education and Science Laws, Labour Laws, and court decisions (see Table 1). The documents I analyzed were issued by governments, judges, and accreditation agencies compiled in 27 documents. The criterion for selecting documents was their regulation of academic contracts. I looked for the moments of creation of key temporary positions in the regulatory frameworks of each country.

Analysis

I applied descriptive statistical analysis considering changes in academic employment regulations at universities in the four countries, which was my second source of information. I interpreted all the manuscripts as documentary evidence (Scott, 1990) of the creation of new types of academic positions and the job security they offer.

RESULTS

I will now interpret the descriptive statistics of each country in relation to changes in the national institutional frameworks creating new insecure academic positions. The statistics for each country are presented independently before discussing the commonalities and differences found in academic employment trends.

Chile

The hiring of academics in Chile has occurred largely through permanent positions in similar proportions at public and private universities (24.1% and 23.1%) (Fig. 1). The lower part of the graph shows that this form of hiring occurs in an environment of expanding enrollment, particularly at private universities. In Chile, the proportion of students in private universities grew from 57.0% to 66.7% (2005–2018) (SIES, 2020; see Fig. 2). Scientific production has also grown substantially from 1,776 to 14,355 (1996–2018) (Scimago, 2023).

Within a poorly regulated system established by the military government, regulations for contracting academics mostly depend on the hierarchies established by each university within the labor regulations of its public or private sector (República de Chile, 1980). In both the public and private sectors, there is the modality of contracting by hours or part-time contracts. In the public sector, in general, there are the categories of *planta*, *a contratada* and *por honorarios* (regular, contracted, zero-hours-based) (Ministerio de Hacienda, 1989/2005) that also apply to universities. The difference between public official working as regular and contract (*planta* and *a contratada*) had a long-standing tradition (Ministerio de Hacienda, 1953; Ministerio del Interior, 1925) that later translated to higher education. Labor relations in this sector are regulated by the Administrative Statute that divides academics into personnel with permanent contracts and short-term jobs that are temporary, up to two years (Ministerio del Trabajo y Previsión

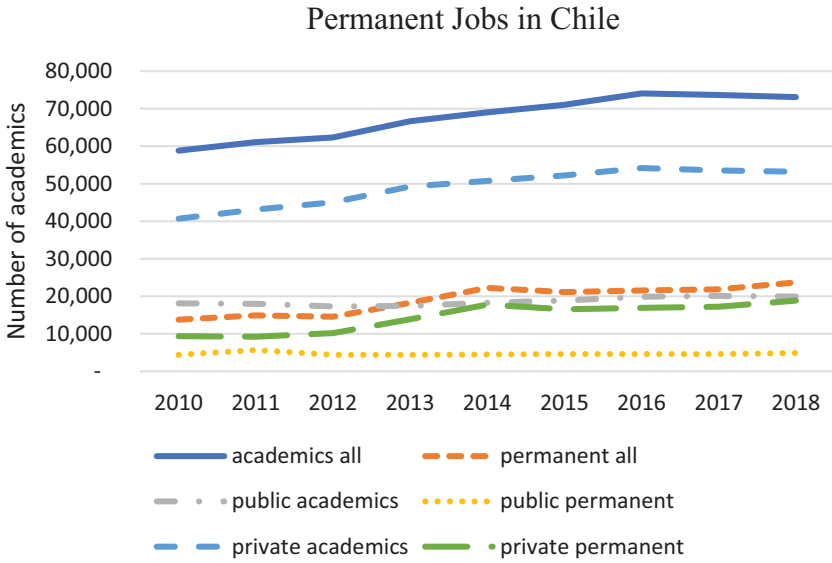


Fig. 1. Permanent Jobs in Chile.

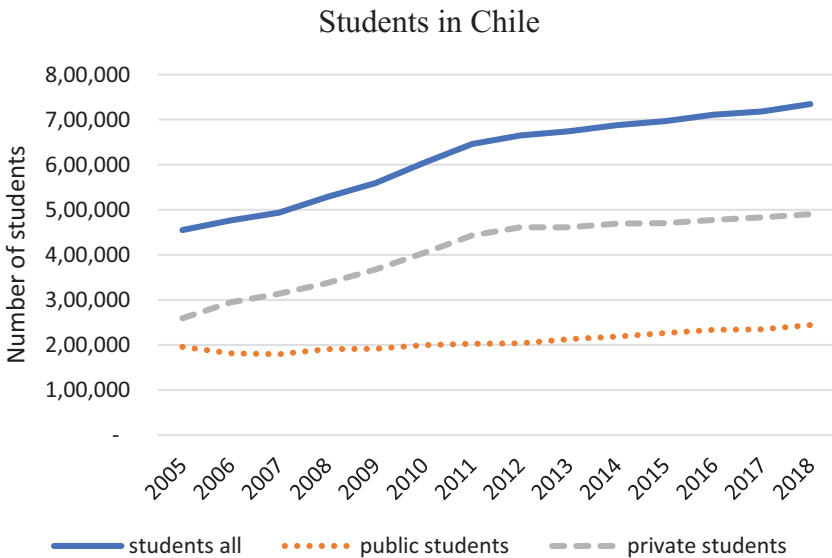


Fig. 2. Students in Chile.

Social, 1990/1993). On the other hand, in private universities academics are subject to the Labor Law (Ministerio del Trabajo y Previsión Social, 1990/1993), which allows for temporary contracts but these become permanent after a second extension.

Fig. 1 also shows a slight increase in the percentage of permanent employment in the period for which data is available, from 23.4% in 2010 to 32.0% in 2018. The only new regulation issued in this period was in the area of accreditation. The National Accreditation Commission (CAN), created in 2006 to replace the National Undergraduate Accreditation Commission (CNAP), established among its evaluation criteria whether these institutions have mechanisms that ensure a “quality academic offer” for the development of teaching, research, and transfer (Comisión Nacional de Acreditación, 2013). Accredited programs increased from 1,344 to 2,889 between 2011 and 2018 (Comisión Nacional de Acreditación, 2020a), representing 11.5% to 20.7% of the total numbers of programs, respectively. The accreditation program is mandatory in the areas of medicine, education, and doctoral programs in general. The Comisión Nacional de Acreditación (CNA) makes explicit mention of academics’ contractual conditions: “The course or program has a faculty – a nucleus of dedicated and tenured professors – that together direct and provide sustainability to the educational project over time” (Comisión Nacional de Acreditación, 2014, p. 22, author’s translation). Likewise, reports on the results of the institutional accreditation processes reveal that the number of full-time professors in relation to the number of students is having an increasing influence as a norm for determining the quality level of academic programs.

Institutional accreditation, in turn, is maintained based on four mandatory areas or dimensions: teaching and results of the educational process; strategic management and institutional resources; internal quality assurance and links to the environment; and a voluntary one (research, creation, and innovation). In recent years, institutional accreditation has been established as a requirement for access to public funding. For example, in one of the recent institutional accreditation reports, the CNA highlights that in the university under evaluation “full-time academics increased by 31% and academics with contracts between 33 and 43 hours, grew by 34% during the evaluation period” (Comisión Nacional de Acreditación, 2020b).

Accreditation enables universities to apply for demand-side subsidies, such as state-guaranteed loans. The law regulating such loans (Ministerio de Educación, 2005/2012) established in 2012 that only students from accredited programs could access them. More recently, the normative pressures to obtain accreditation were reinforced after the new Higher Education Law (Ministerio de Educación, 2018) established a mandatory and comprehensive program accreditation, to a random group of undergraduate and graduate programs determined by the National Accreditation Commission (CNA). Within these institutional frameworks, universities, especially private ones, may have increased the proportion of academics with full-time contracts in order to respond to the growing demands for accreditation.

Colombia

Temporary employment in Colombia was not allowed before the 1990s. The previous regulations established that the “professor” in charge of “chairs or elective courses” could teach less than 10 hours per week (Presidente de la República

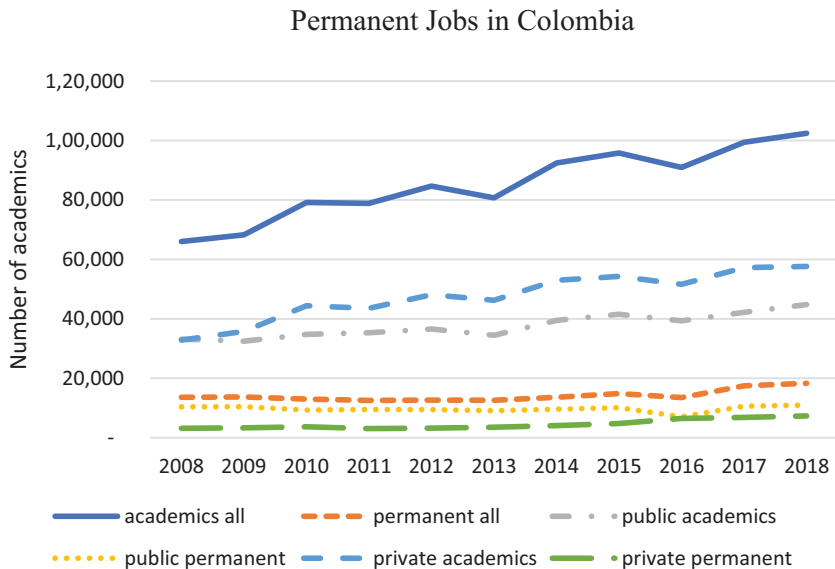


Fig. 3. Permanent Jobs in Colombia.

de Colombia, 1980). National regulations used to limit academics’ temporary employment at least in public universities. However, during the Gaviria government, temporary employment without workload limits became legal.

There is a decrease in the percentage of academics with permanent contracts between 2008 and 2018, from 20.6% to 17.9% (Fig. 3). This trend is paralleled by an increase in enrollments at private universities, a slight increase at public universities, and an exponential increase of more than three times in administrative staff in the same period. Permanent employment in higher education in Colombia is mostly found among professors at public universities: 24.5% of university academics in this sector have a permanent position as opposed to 12.7% at private ones. The decrease in permanent staff contrasts with the increase of student enrollments in 36.1% since 2008 and enrollments in the private sector, from 45.8% to 50.7% (2008–2018) (SNIES, 2020; see also Fig. 4). Administrative staff has increased from 11,852 to 39,757 (see Fig. 5). There has also been an exponential increase of scientific activities published in scientific publications, from 579 in 1996 to 12,625 in 2019 (Scimago, 2023).

Differences between the provision of temporary employment by private and public universities are framed by laws on higher education and employment. In the public sector, in Colombia, professors may acquire the employment status of public officials (República de Colombia, 1992). Permanent employment at public universities is regulated by a centralized salary system, with national promotion norms contained in Decree 1279 of 2002 (Ministerio de Educación Nacional, 2002). Once a mandatory probationary period (established by each university) is over (República de Colombia, 1992), the dismissal of a professor from the staff occurs only under conditions of force majeure that can always be countersued (Pineda & Seidenschur, 2021).

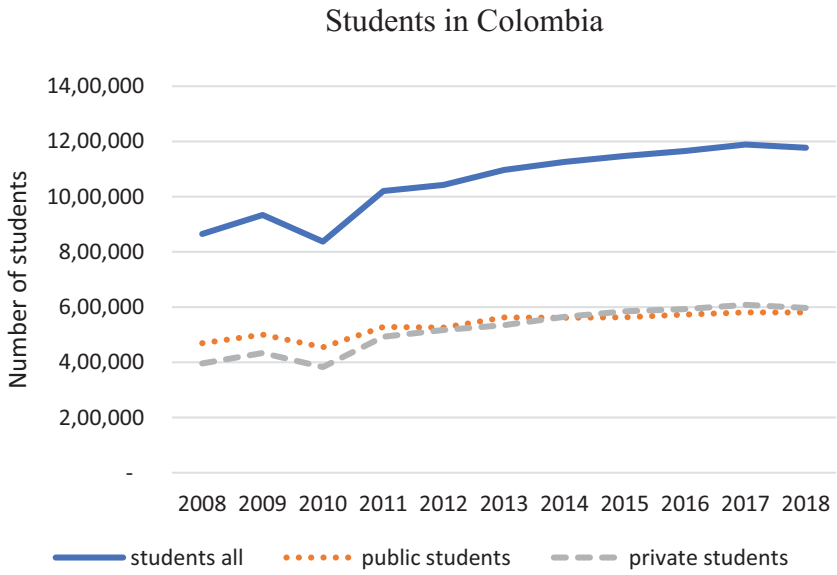


Fig. 4. Students in Colombia.

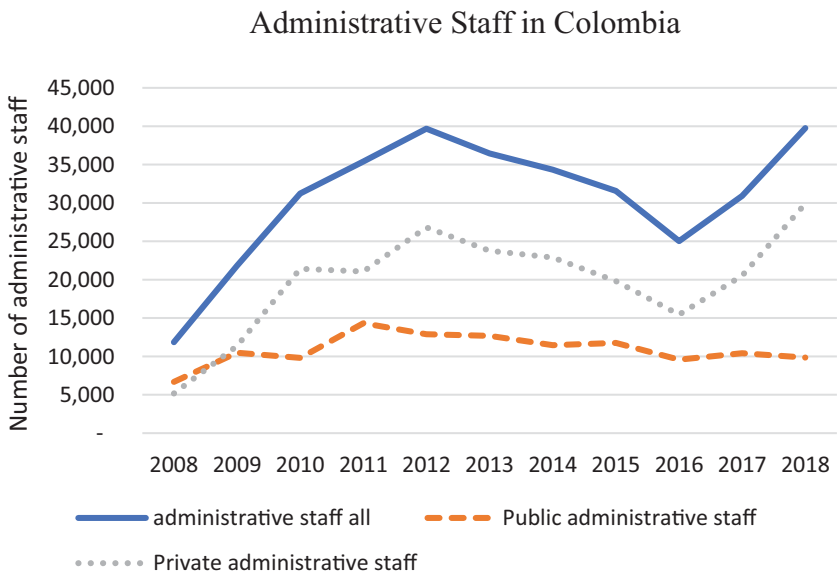


Fig. 5. Administrative Staff in Colombia.

Temporary employment is also possible in private universities for the *profesor de planta*. In this sector, professors can have 10-month contracts that can be renewed in the 13th month (two months without pay), without any prospect of permanent employment, such as employees in other sectors have (República de Colombia, 1992). Even a professor who enters the ranks of tenured professor can be unilaterally removed through paying compensation that was reduced during the reform of the labor code through Law 50 during the administration of César Gaviria. This law also allowed short-term contracts for work contracted (Congreso de Colombia, 1990) under a rhetoric of employment flexibility and increased competitiveness for foreign capital (Bocanegra Acosta, 2014). A new labor policy reform approved by the Uribe administration (Congreso de Colombia, 2002) reduced these penalization costs. Under this newer regulation, private universities can grant permanent contracts that they can dissolve at any time following normal labor legislation that does not distinguish between employees in different sectors.

Employment by the hour without any time limit was legalized in the Higher Education Law of 1990, during the neoliberal government of Gaviria, which normalized the *profesor de planta* as different from the *profesor de cátedra* (regular and zero-hours-based) (República de Colombia, 1992). While the same word “*cátedra*” is used and the main areas of the curriculum can be taught, this academic rank is different from the *catedrático* in Spain, which is the highest level of the professorial rank. While the *profesor de cátedra* was, by law, a freelancer, the Constitutional Court (1996) established that an employment relationship existed that required the payment of a proportion of the health insurance and pension contributions (Corte Constitucional, 1996). The additional legal mandate of the Constitutional Court (Corte Constitucional, 1999) to hire for the full semester and not for a number of hours, and to retain the professor for specific extraordinary tasks, is usually not fulfilled by private or public institutions. Insecure employment is also regulated by so-called “occasional professors,” who also do not have indefinite contracts.

The decreasing trend in job security in Colombian universities does not seem to have been affected by regulation of higher education through accreditation. Accredited programs started in 2008 and have increased to 1,595 (Consejo Nacional de Acreditación, 2020) (15% of programs were accredited in 2018). In theory, accreditation in Colombia represents a mechanism for regulating temporary employment. The accreditation standards applied since 1998 require permanent contracts for the faculty as a central criterion for the accreditation of programs and institutions (Consejo Nacional de Acreditación, 2013, 2014). Universities are currently debating whether the accreditation commissions will require a certain percentage of permanent contracts from some universities, after the President of the ESAP university announced in the Senate that this university was required to have at least 300 tenured professors (Senado de la República, 2020). The accreditation processes do not seem to reflect general trends, but rather, isolated cases in light of the declining trends in academic employment at universities.

Germany

The increase in temporary academic positions in Germany occurs along with the expansion of university enrollments and scientific production. While the total number of academics working at German universities increased from 106,062 in 1992 to 283,771 in 2018 (Fig. 6), the decrease in the proportion of permanent jobs is remarkable. In 2018, only 18.6% (52,702) of jobs were permanent, without major differences being observed across the public and the private sector (Fig. 6). Permanent employment of professors who automatically became civil servants used to be the most common form of contract in German universities. Academics with permanent positions represented 52% of the total number of academics in 1992. In parallel, universities have also increased their administrative apparatus from 232,611 to 267,130 administrative staff since 2008 (Fig. 8). Private enrollment increased from 1% of the total student enrollment in universities in 2005 to 1.8% in 2018 (ICEland, 2021; see also Fig. 7). Publications have also more than doubled, from 75,933 to 169,741 (Scimago, 2023).

The increase of temporary jobs in Germany is at least partly related to the limitation of employment duration at universities introduced by the Academic Employment Act (Bundesrepublik Deutschland, 2007). This law attempts to regulate the academic career by introducing the time limits that exist in the USA. Employment contracts for research positions other than that of professor or for a limited number of professors hired on an unlimited basis (*Lehrkräfte für besondere Aufgaben*) with a teaching function are limited to six years before and six years after the doctorate. Another position in charge of research and teaching tasks is the research assistant (*Wissenschaftliche Mitarbeiter*). The research

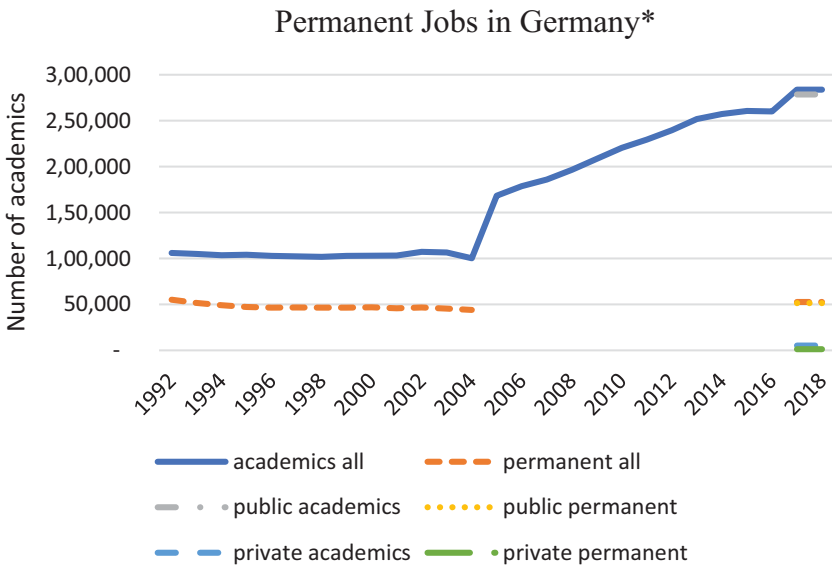


Fig. 6. Permanent Jobs in Germany*.

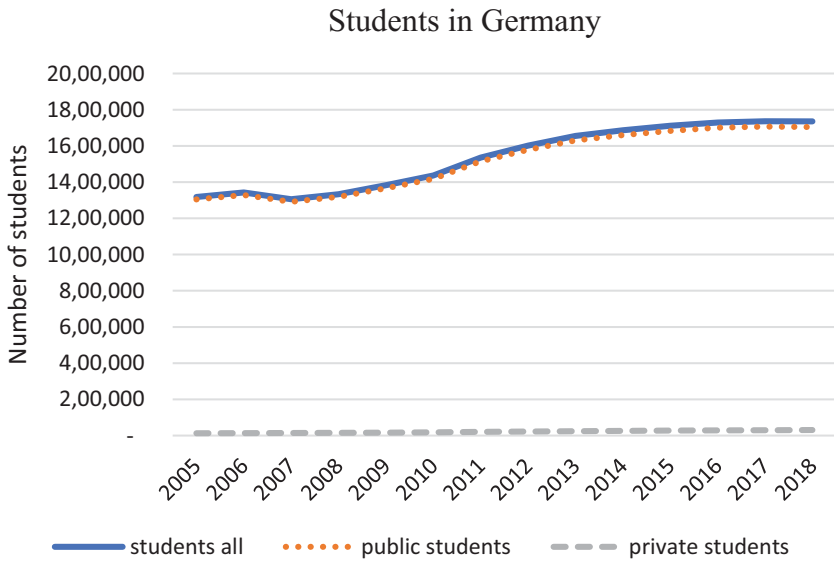


Fig. 7. Students in Germany.

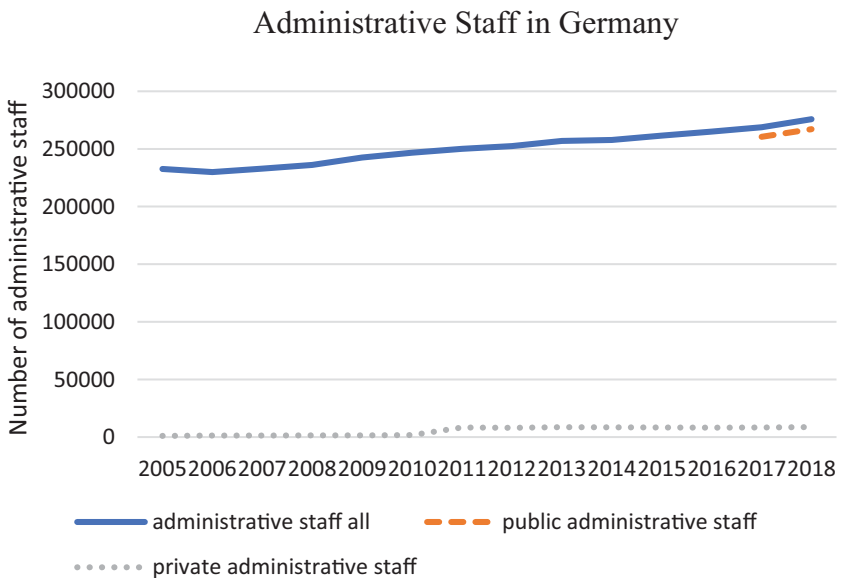


Fig. 8. Administrative Staff in Germany.

assistant is often called “postdoc,” if he or she has attained a doctoral title. In job advertisements, it is often the case that “postdoc” positions are offered on the basis of a few months to some years, often with temporary contracts ranging from 50% to 100%. The percentage of employment offered depends on the funds and duration of research projects. It is a common practice that, based on the available funds of a project senior academics calculate the nominal workload and number of research assistants, either “pre-docs” or “postdocs.”

The modification of the higher education law had already created the so-called *junior professor* without a mandatory possibility of a stable position (Deutscher Bundestag, 1976/2002). This position is, in practice, divided into a “tenure track” or “non-tenure track.” The junior professor has a similar status to that of assistant professor in the USA, but with the difference that they do not necessarily have a long-term expectation of tenure, as is the case with the latter. Some junior professors have been appointed through the use of competitive funds, such as from the Excellence Initiative (Krücken & Kosmützky, 2023, Vol. 86). Only 20.6% of junior professors (150) in 2018 are in tenure-track positions (ICEland, 2021).

Thus, this modification of the higher education law in 2002 revoked the rule previously introduced by labor law (Deutscher Bundestag, 1985) that scientific institutions should provide factual reasons for contracting through temporary contracts. A main reason for contracting under a temporary contract could be the aim of facilitating an academic qualification. Short-term contracts had been promoted by the government of Gerhard Schröder through a further modification of labor law (Deutscher Bundestag, 1996a) and a discourse about the need for an “employment-friendly flexibilization of labor law” that relieves companies from additional wage costs detrimental to employment (Deutscher Bundestag, 1996b, p. 1, author’s translation).

The German university continues to be organized hierarchically around the position of the professor in charge of a specific topic, different from a department-based organization with different professors specializing in various topics. The numbers show that the law limiting the duration of employment has not been accompanied by the creation of new permanent jobs and it has exacerbated the hierarchical structure in German universities.

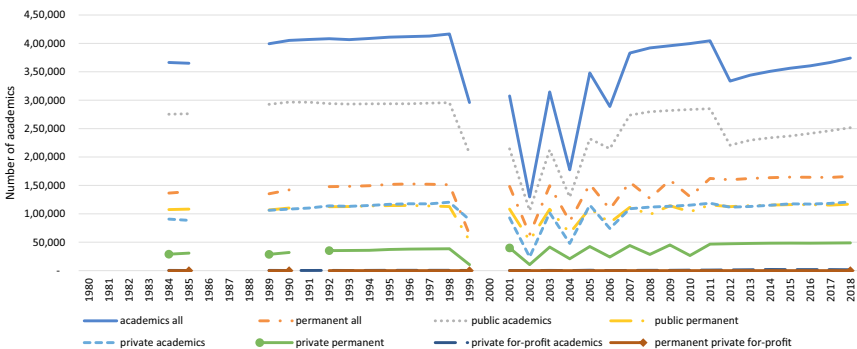
The decrease in secure employment in Germany is also related to the so-called “pacts” for higher education and science. These consist of funding programs that allocate new resources for research and teaching (Mayer, 2016). These pacts have been in place since 2005: the Pact for Research and Innovation since 2005, the Excellence Initiative since 2005, the Pact for Higher Education since 2007, and the Pact for Quality in Teaching since 2011. These programs are associated with a growing expectation that academics obtain research funds and increase the numbers of doctoral graduates. These funds are also considered in the funding agreements of states (Länder) and their universities and the use of performance indicators on research and teaching (Hüther & Krücken, 2018). Remuneration schemes of professors also commonly include performance bonuses depending on achievements such as creating new study programs or cooperating in large-scale projects (Krücken & Kosmützky, 2023, Vol. 86). However, these funding programs have a limited effect and a short duration, because the federal government

has established these performance criteria in their funding strategies. As a result, the jobs created with these resources are also temporary.

Despite 2,389 academic programs being accredited in 2018 (Akkreditierungsrat, 2020), the accreditation processes, implemented since 1999 (Akkreditierungsrat, 1999), do not seem to have had a positive effect on permanent employment. This trend seems decoupled from the rhetoric of accreditation being about securing human resources to provide conditions for quality assurance (Schneijderberg & Steinhardt, 2019). However, critics of accreditation claim that, in the long run, it fails to create standards for good quality university education. Schneijderberg and Steinhardt (2019) found that the definition of educational quality is polysemic across states (Länder) and only some emphasize teacher indicators, while others stress other aspects, such as teaching metrics, civic goals, promoting student diversity, or economic goals, such as employability. Possibly, the relatively low influence of accreditation in Germany is related to the low level of recognition among academics themselves (Baumann & Krücken, 2019). They raise arguments based on the principle of academic autonomy to dispute accreditors, usually with less respected positions.

United States

The USA has comparatively high rates of permanent employment, while maintaining a small growth of student numbers by almost one fourth since 2003 (Fig. 10) and almost duplicating scientific publications from 350,675 in 1996 to 604,776 in 2018 (Scimago, 2023). The last 40 years show a pattern of permanent employment, where between 36% and 44% of academics in 1980 and 2018 had indefinite contracts (Fig. 9). The criticisms of the recent deterioration in working conditions in the USA (Kezar et al., 2019; Stromquist, 2016) seem to be valid, but only for the last decade, where permanent employment has decreased from 47.9% to 44.4% since 2012 (Fig. 9). If this trend in deteriorating job security continues,



* The universities providing data on permanent contracts in the USA were various until 2012, whereas from this year onwards all universities were providing them.

Fig. 9. Permanent Jobs in the USA*.

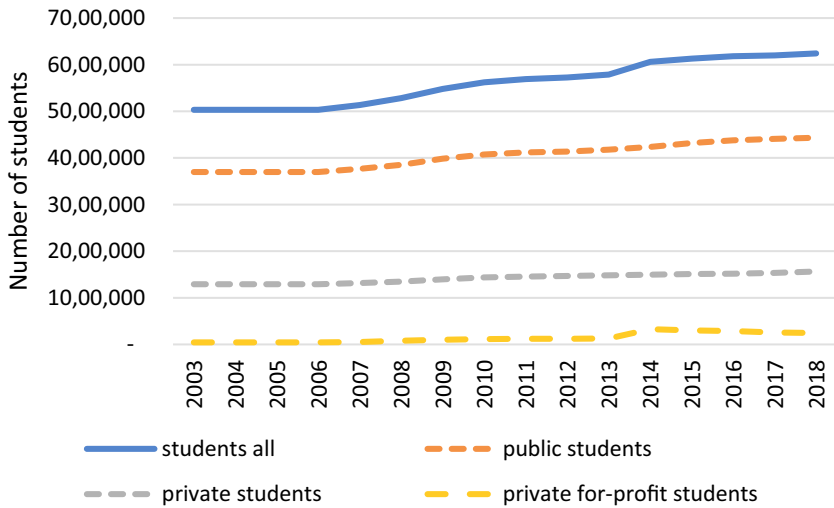


Fig. 10. Students in the USA.

permanent employment at USA universities may become as scarce as in other countries. The security of academics occurs in a context of increasing enrollment and an exponential increase in administrative staff from 267,987 in 1993 to 298,556 in 2018 (Fig. 11).

The higher proportion of academics with a permanent contract is largely explained by the institution of tenure that exists at both private and public universities. This shared regulatory framework explains the similar proportion of professors with permanent employment conditions in both sectors. Private for-profit universities seem to drive insecure employment, but with only a small effect proportional to their participation in higher education in the USA. Only a small percentage of academics working at these universities are employed on a secure contract basis. However, this sector only has 3.9% of enrolled students (starting with 0.9% in 2005) and does not appear to be a major force in driving insecure employment (IPEDS, 2023).

An environment of weak central regulation and competition of external funds brought forward the practice of tenure as an initiative promoted by academics to secure academic freedom from the pressures of politicians and donors. Thus, the relationship between academics and the university has been regulated by the principle of academic freedom extended during the 1940s through academic unions and faculty associations, with bargaining capacity for improving working conditions, such as the American Association of University Professors (AAUP) (Dobbie & Robinson, 2008; Rhoades, 2019) and more recently, by postdoctoral unions following the one created at the University of California (Camacho & Rhoads, 2015).

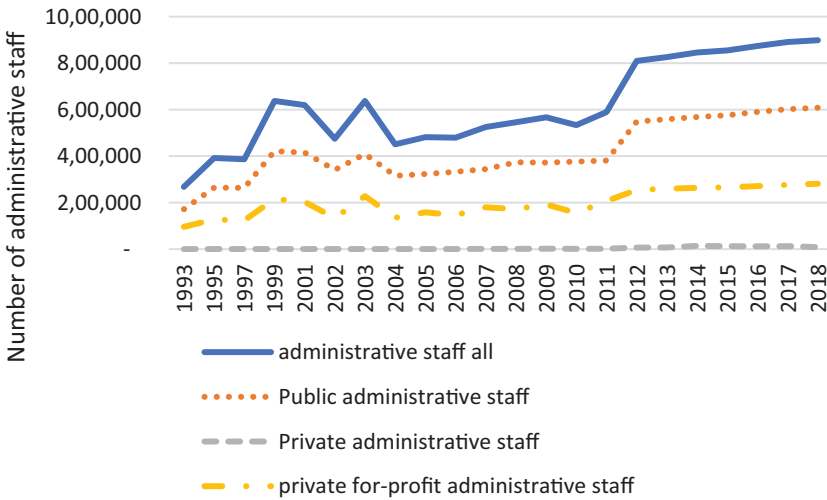


Fig. 11. Administrative Staff in the USA.

Tenure at private universities began to be publicly discussed after Professor Edward A. Ross at Stanford was fired, because of opinions affecting the interests of the university’s founders in 1900 that gave rise to the AAUP in 1915 (Ginsberg, 2011). After World War I, universities often had procedures that prevented owners and the administration to arbitrarily dismiss a professor, even before the basic principles of academic freedom were explicitly declared. Academics organized to disseminate those principles formally in 1940, when the AAUP and the former Association of American Colleges (today, AACU) published the “Declaration of Principles of Academic Freedom and Tenure” (American Association of University Professors, 1940/1978). The prosperity and subsequent growth of higher education between 1945 and 1970 coincided with the acceptance of criteria for university promotion and tenure. The courts played an important role in this process and in 1972, the Supreme Court established through two landmark cases (Board of Regents State Colleges versus Roth, 1972; Perry v. Sindermann, 1972) that academics in tenure track had the right of due process before being dismissed or their contracts not being renewed.

The right to tenure or a tenure track, though, did not apply to the nascent category of the postdoctoral researcher, which was established by the National Research Act (Congress of the United States of America, 1974). This law provided funds for “pre- and postdoctoral training” in bio-medical and behavioral sciences. Only later, these positions would be created in other disciplines, including the social sciences and humanities. Even in the 1990s, postdocs were labeled and defined differently, with different academic status and benefits, including job classifications defining a postdoc in terms of “volunteer” (Micoli & Wendell, 2018). Postdocs were not always recognized as having an academic position.

In regard to accreditation, another invention to regulate higher education in the USA, it is difficult to assess its influence on higher education since it has been historically stable throughout the whole period for which I have data. Accredited programs were 274 in 2000 and rose to 370 in 2018 (U.S. Department of Education, 2020). Accreditation has existed since 1952, when the government began to financially support institutional accreditation; federal recognition of accreditation was formalized in 1968 (Brittingham, 2009). In the government, the Federal Department of Education is responsible for certifying accreditation agencies (Harclerod & Eaton, 2005) and in general, in the USA, this is voluntary. However, having institutional and/or program accreditation status is often relevant to professional licensing and access to federal financial assistance. In many cases, accreditation is granted by institutionally based associations at the federal and regional levels, whose members pay fees.

When accreditation is performed by USA agencies, information about financial conditions are requested by the accreditors (Barrett et al., 2019). Accreditation is also formally related to the job security of academics, but often appears as a secondary, rather than primary criterion. Wilkerson (2017, p. 136) finds that “full-time or part-time teaching assignments” are common indicators of “faculty quality” in accreditations from the Council for Higher Education Accreditation (CHEA) and the regulations of the USA Department of Education (USDE). However, these are secondary to other indicators, such as “evidence of faculty competence, including training/experience, faculty role in curriculum development and evaluation, as well as numbers of faculty in relation to student enrollments” (Wilkerson, 2017, p. 136). The articulation of these guidelines with academic employment and the influence of these visits on academic employment practices of universities *in toto* requires investigation.

ANALYSIS: NEW TEMPORARY ACADEMIC POSITIONS AND CONTRACTING PRACTICES

Chile, Colombia, Germany, and the USA established new temporary positions in higher education and employment laws since the 1989, 1992, 2002, and 1974, respectively. The systematic comparison also shows similar patterns in all the studied countries in terms of a majority of the faculty being under temporary contracts. Under these institutional frameworks, universities have developed different practices under a similar rationale to expand higher education and science to the detriment of increasing permanent contracts for academics. I will examine both isomorphic trends in the creation of academic positions and vertical academic structures, as well as the different practices linked to these trends.

Isomorphism in the Creation of New Insecure Academic Positions Following Rationales of Higher Education and Scientific Expansion

As I had anticipated, there is a growing isomorphism in the creation of similar academic positions in national laws in terms of temporary academic employment. In all the four focal countries, new unstable academic positions now representing the

majority of academics working in universities in each country have been created. Insecure academic employment was created under the National Research Act (Congress of the United States of America, 1974), the labor regulations covering higher education (Ministerio de Hacienda, 1989/2005), the Higher Education and Labor Law in Colombia (Congreso de Colombia, 1990; República de Colombia, 1992) and the German Academic Employment Law (2007). These new insecure temporary academic positions were socially created under the influence of a neo-liberal agenda and managerial doctrines that promoted labor insecurity in academia. These were introduced during the Pinochet and Gaviria governments in Chile and Colombia and during the influence of NPM in Germany during the 2000s, but were not completely alien to the USA. The new forms of regulation of academic employment were articulated with other key laws and court interventions that I summarize in Table 2.

The labels that create these laws vary according to the national languages: *a contrata*, *por honorarios* in Chile; *de cátedra*, in Colombia; the junior professor without tenure and the *Wissenschaftliche Mitarbeiter* who have finished their doctoral studies (“postdoc”) in Germany; or the postdoctoral researcher called “postdoc” emerging in the USA and a term now recognized in all countries. These positions were created while permanent positions remained unchanged, such as the *Professor Asociado* and *Professor Titular* in Chile and Colombia (but only in the public sector), the Professor in Germany (under the W2 and W3 categories), the Associate and Professor in the USA, and some special cases of lecturers and research assistants with indefinite contracts. In all four countries there is a hiring plan in which most of the faculty is employed in a situation of insecurity. The terms of these positions also hint at the rationales for their creation. While Germany and the USA were oriented toward creating new research positions in universities to expand scientific production, the categories in Chile and Colombia refer to teaching positions enabling the growth of academic programs and student numbers.

Isomorphism in Academic Structures Based on Different Practices

Universities in the four countries studied may be isomorphic in terms of academic structures having a majority of academics working in universities under insecure positions. Chile, Colombia, and Germany represent countries where the vast majority of academics are working in a situation of labor insecurity, while in the USA a majority also now works in insecure positions.

In all the case studies, except in the last decade in Chile, the increase in the size of higher education went along with a decrease in the job security of academics. However, universities have developed different practices under rationales that explain similar trends in the low proportions of non-permanent academics. In Colombia and Chile, leaders of public universities have been staffing their universities under a managerial logic searching for maximizing efficiency contract *profesores de cátedra* and *profesores a contrata*. In the studied Latin American countries, similar patterns of employment mainly based on insecure schemes in the universities with different university traditions are explained by the influence

Table 2. Comparison of New Forms of Higher Education and Employment Regulation.

	Chile	Colombia	Germany	USA
Higher Education and Science Laws	<ul style="list-style-type: none"> • Law decentralizing ranks and remuneration in universities (República de Chile, 1980) • Programme Accreditation (2006) • Higher Education Act (2018) 	<ul style="list-style-type: none"> • Decree 80 of 1980 limited the hours of hourly contracts • The Higher Education Law (1992) standardizes the division between <i>planta</i> and <i>cátedra</i> teachers • Decree 1279 of 1992 establishes that academics' salaries are based on rank and results • Programme Accreditation (1998) 	<ul style="list-style-type: none"> • Higher Education Act (1976/1999/2002) that created the temporary position <i>junior professor</i> without the option of tenure • NPG-influenced Pacts for Higher Education and Science allocate funds by competition • Programme Accreditation (1999) 	<ul style="list-style-type: none"> • Morrill's Laws (1862) • Bayh-Dole Act (1880) • National Research Act creating the category of the temporary position of <i>postdoctoral researcher</i> (1974) • Programme Accreditation (1952)
Labour Laws and court decisions	<ul style="list-style-type: none"> • The administrative statute (Ministerio de Hacienda, 1989/2005) creating the categories <i>planta</i>, <i>a contrata</i> and the temporary positions <i>por honorarios</i> and <i>a contrata</i> applicable to universities • Labour law limiting temporary employment in the private sector to two years (Ministerio del Trabajo y Previsión Social, 1990/1993) 	<ul style="list-style-type: none"> • Law 50 of 1990 that decreases contract termination costs and allows for temporary employment • Law 789 of 2002 that further decreases costs for unilateral contract termination 	<ul style="list-style-type: none"> • Academic Employment Law (2007) which regulates the <i>Wissenschaftliche Mitarbeiter</i> (scientific assistant) without a doctorate or with a doctorate ("postdoc") 	<ul style="list-style-type: none"> • Declaration of Principles of Academic Freedom and Tenure (1940/1978) later applied by the Supreme Court in 1972 (Board of Regents State Colleges versus Roth, 1972; <i>Perry v. Sindermann</i>, 1972)

of forms of hiring that privilege the use of the market logic over traditional forms of academic employment. The “taxi professor” of an academic working to cover the expansion of public universities and economically benefiting the owners of private universities is the dominant model for academic employment in contemporary universities in Chile and Colombia.

In Germany and the USA, some temporary staff cover teaching, but insecurity is mostly driven by temporary scientific positions in competitive, short-term research projects under a main rationale of scientific expansion. In Germany, as in the rest of continental Europe, the self-governance of professors as an ideal has allowed them to maintain high power and influence on boards of trustees, presidents, and academic senates (Engwall, 2018). But even there the academic body has been segmented, which has given rise to a majority group of academics whose job prospects are uncertain. At the contemporary German university, it is accepted and expected that each professor will be in charge of several doctoral students, research assistants without a doctorate, and the research assistants with a doctorate (“postdocs”) – many of whom have part-time employment positions that often do not correspond to the real invested time. Given the proportion of tenured academics, research assistants usually do not have good chances of secure employment prospects in academia. Depending on their disciplines, they may also not be enhancing their chances of obtaining secure jobs outside academia.

On the other hand, there is the USA where universities have maintained a much higher proportion of secure academic employment when compared to the other studied cases. The social institution of tenure, which has served as a defence against the expansion of higher and private higher education, now also protects against the emergence of a huge administrative apparatus. Public and private universities in the USA hire much of their academic staff on secure terms, with the exception of for-profit universities. This seems to have been changing since 2012, possibly driven by the increasing contracting of postdoctoral researchers who are not entitled to a tenure track. Academic tenure contributes to the claim of rights by the adjunct faculty in relation to standards attained by the tenured faculty (Rhoades, 2019). The inclusion of such rights in the negotiation of bargaining agreements could explain the observed trend where job security is maintained or at least has not deteriorated to the levels observed in the other three studied countries.

The different trends in the growth of accreditation and administrative staff also seem to indicate that increasing managerialism demanding the growth of administrative structures may have different effects in each country. For Colombia and the USA, the increase of the administrative apparatus measured as administrative staff and accreditation is exponential. It is possible that universities have been redirecting resources toward administrative activities that they have saved by means of granting just temporary contracts for academics. In Germany, the increase of job insecurity of academics has not occurred along with an exponential increase in its administrative apparatus. Here, new forms of temporary and competitive funding between universities, such as the so-called “pacts” for higher education and science, may have led to the accelerated creation of temporary jobs, but without an increase in administrative staff.

CONCLUSIONS

In conclusion, the expansion of higher education intertwined with influential managerial doctrines seems to relate to isomorphic trends of insecure positions and their use by universities to enroll more students and produce more knowledge. This pattern occurs unless mechanisms to protect academics' working conditions are in operation. University tenure and/or accreditations explicitly demanding secure employment conditions exemplify institutionalized countermeasures. Countries with different educational traditions, such as Chile, Colombia, Germany, and the USA, share similarities in having created insecure academic positions between 1974 and 2002. Universities then used (and further promoted) the social acceptance of these positions through contracting academics to occupy them. As a result, universities from countries with different educational traditions share vertical academic structures, isomorphic in terms of having most academics contracted into temporary positions.

Despite this fundamental similarity, academic structures do differ in terms of the type of new positions at the base of their hierarchies. New insecure positions, such as the professor *a contrata* or *de cátedra* in Colombia, mostly engage with teaching. They also often do not have any representation on governance bodies and academic senates. Thus, the social acceptance of these positions as the most common type of contracting also contradicts principles of collegial governance. In the Latin American context, in Chile, but not in Colombia, the government has made some modifications through including academic job security under the evaluation criteria of accreditations. These are, then, needed by universities as a signal for quality in the market for students, academics, and grants, while also obtaining governmental funds via scholarship programs.

In Germany and the USA, some temporary staff working as instructors or lecturers cover teaching. However, the new categories involving the creation of the junior professor without tenure track, or the "postdoc" are primarily linked to augmenting research activities through positions that are less expensive than professorial positions (Gaughan & Bozeman, 2019). First established in the natural sciences for training in laboratories, the position of the postdoc was then exported to other academic communities. Now, so-called full-time and part-time postdoc positions are offered also within the social sciences and humanities, where trained scientists may later have comparatively higher difficulties in developing a career outside academia (van der Weijden et al., 2015). Young scholars work in temporary scientific positions for research in competitive, short-term research projects, where the rules of the game are driven by a main rationale of scientific expansion. These activities may contribute to the research agenda and the academic career of senior academics protected by their tenured or professorial status (civil servant in public German universities), but clearly, at the same time, are a driver of job insecurity. Also, in an environment of scientific expansion, the educational and training value of postdoctoral researchers is being displaced by an expectation to contribute to publications, while career mentoring and frequent advisor interaction has been often minimized or become non-existent (Gibbs et al., 2015; Miller & Feldman, 2016).

The change in the rules of the game and the new contractual schemes show great similarities across universities with such different traditions can be explained by the common denominator of a world culture (Meyer et al., 1997; Meyer & Ramirez, 2013). Created after World War II and more influential after the Cold War, these cultural ideas promoted doctrines linked to administrative efficiency and the expansion of higher education and science as a symbol of progress. This article adds to the literature by contributing the insight that the rationale for maximization of student numbers, administration, and scientific production is occurring together concomitantly with the creation of greater numbers of temporary academic positions. These new positions are cultural constructions in the same way that universities in continuous expansion are also social inventions. Contracting practices under new institutionalized employment categories creates tensions with former and new procedures promoting labor security in academia.

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