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The rise of a "casualised" workforce: A conceptual account of the institutional forces legitimising contingent academic employment in Australia

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Abstract
Contingent academic employment has become a salient feature of many higher education systems over recent decades. At the same time, there remains limited understanding of how such employment has come to be institutionalised—that is, framed and accepted as a legitimate feature of the contemporary university within specific national settings. Bringing the conceptual resources of institutional theory to bear on the case of the Australian higher education system, this paper offers a conceptual account of the key institutional forces that have contributed to the legitimisation of contingent or "casual" academic employment within that system. Building upon the conceptual lens provided by Scott's theory of institutional pillars, our account spans the key institutional domains of national employment legislation, national higher education policy, university management and the academic profession. According to our conceptual account, the legitimisation of casual academic employment in Australia has no single cause but has been driven by a complex interplay of, in parts, mutually reinforcing regulative, normative and cultural–cognitive institutional dynamics. One implication arising from this is that responsibility for legitimising casual academic employment is best conceived of as distributed, with various collective actors, to varying degrees and at times unintentionally, all having contributed.

Keywords Casualisation · Collective actors · Precarious employment · University management · Workforce stratification · Academic work · Academic profession

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Introduction

Contingent forms of paid employment are a key feature of advanced capitalist economies, often coming under the guise of offering flexibility at the cost of employment security (see, e.g., Boltanski & Chiapello, 2005). The higher education sector is no exception to this. On the contrary, across many OECD countries, there has been a widely documented increase in what can be termed "contingent academic employment" at universities (see, e.g. Champlin & Knoedler, 2017; Pineda, 2023; Stage, 2020). Contingent academic employment is characterised by short-term contractual arrangements for staff fulfilling core academic duties and generally offers lower levels of job security and overall remuneration than those afforded to academic staff in ongoing appointments (see, e.g., Fure-Slocum & Goldstene, 2024; May et al., 2013).

The forms of, and dynamics associated with, contingent academic employment can differ markedly between countries (see Pineda, 2023; Stage, 2020). On the one hand, contingent academic employment has been proliferating in national contexts in which market forces play a significant role. Key examples of this trend include the growth in "adjunct" roles in the USA (Champlin & Knoedler, 2017; Fure-Slocum & Goldstene, 2024) and the shift towards so-called "zero hour" contracts (see Datta et al., 2019) and fixed-term teaching staff positions at UK universities over recent decades (Husbands, 1998; Parfitt, 2024). On the other hand, contingent academic employment has been growing in countries that are characterised by relatively stable public policy arrangements and enduringly high rates of public funding, such as Germany (see Hüther & Krücken, 2018) and Denmark (see Stage & Aagaard, 2019). This growth often reflects shifts towards project-based funding for research and other core activities.

Mirroring its apparent proliferation, contingent academic employment has become increasingly recognised as a key issue in higher education research and policy internationally, inter alia reflecting concerns about its long-term ramifications for the capacity of national higher education systems. One major area of concern has been the detrimental effects the prevalence of contingent academic employment may have on the sustainability of the academic workforce (e.g., Castellacci & Viñas-Bardolet, 2021; Janger et al., 2019; OECD, 2021). Another recurring concern, particularly throughout the Anglosphere, has been the potential implications of universities' increasing reliance on contingent academic employment for the quality of their teaching operations (see, e.g., for the USA, Rhoades, 2020; for the UK, Williams, 2022; and for Australia, Percy & Beaumont, 2008).

There is a growing literature devoted to examining the structural dimensions of contingent academic employment in university systems around the world focusing on the size of and growth in universities' contingent academic workforce, including from a comparative perspective (e.g. Pineda & Morales, 2023; Stage, 2020). A burgeoning critical literature has also explored the experiences of academic staff in contingent employment arrangements (see, e.g., Goodman et al., 2023; Fure-Slocum & Goldstene, 2024). At the same time, the various institutional dimensions and dynamics associated with the proliferation of contingent academic employment in specific national settings have only recently started to receive closer attention, with almost exclusive focus on the role of broader regulatory dynamics (Pineda, 2023).

Scrutiny of the whole array of institutional forces is crucial to get a more complete picture of the ways in which contingent academic employment has proliferated and consolidated. In particular, an institutional perspective is key to understanding the various forces and dynamics that have led to such employment being regarded as a *legitimate* and *normal*

element of contemporary university organisation and activity. Importantly, such a focus on processes of legitimisation does not substitute for but complements those accounts that foreground structural pressures arising inter alia from changes to universities' revenue streams as a key driver of contingent academic employment. Structural pressures, financial and otherwise, indeed may compel universities to look for strategic opportunities to reduce the costs and liabilities associated with their academic workforce. However, within this context, contingent academic employment only becomes a viable option if it can be comprehensively framed as a legitimate and, ultimately, normal feature of university life.

In our paper, we draw on the resources of institutional theory to conceptualise the role and interplay of key institutional forces and dynamics that have been central to the legitimatisation of contingent academic employment throughout the Australian higher education system. Building upon the conceptual lens provided by Scott's theory of institutional pillars, we focus our account on the four key institutional domains of (1) national employment legislation, (2) national higher education policy, (3) university management and (4) the academic profession. Reflecting the nature of institutionalisation as a process, our account incorporates key changes manifesting themselves within these four domains. It examines a three-decade period in Australia, starting with the national higher education policy reforms of the late 1980s to the present—the former point in time marking a watershed moment after which contingent employment started to proliferate within the Australian university sector. Our conceptualisations are empirically contextualised via analyses of relevant national legislation and policies and of a range of scholarly literature on issues such as industrial relations, higher education policy, academic careers and employment, and organisational change within universities in Australia and elsewhere.

The Australian higher education system is of interest as it exhibits a rather striking form of contingent academic employment, the trend towards which has been referred to as "casualisation". Within this context, the term "casual" staff denotes a distinctive category of contingent employees with no guarantee of long-term employment nor even minimum working hours but who nevertheless constitute a significant proportion of the country's academic workforce (Brown et al., 2010). While there is already a considerable literature devoted to the phenomenon of casualisation in Australian higher education (e.g. Goodman et al., 2023; May et al., 2013; Ryan et al., 2017), no study has made the institutionalisation of contingent academic employment in this setting its explicit focus.

The following two sections outline the overarching framework guiding our conceptual account and introduce the case and context in more detail. Subsequently, we present our conceptual account of the forces and dynamics associated with the institutionalisation of contingent academic employment in Australia across the four institutional domains delineated earlier. Our paper concludes with a discussion of the key findings and implications of our article.

Conceptual framework

On a general level, institutionalisation can be understood as "a particular set of social reproductive processes" creating and recreating a particular social pattern (Jepperson, 1991, p. 144). Reflecting this, in this paper, we take a process-centred perspective on how institutions—which are commonly understood as a particular form of social order or as comprehensive systems or arrangements of rules that regulate social

activities—have come to be seen as legitimate or to be approached as taken-for-granted, "normal" elements of social life.

The sociological literature broadly offers two major and complementary perspectives on how institutionalisation occurs (see Jepperson, 1991; Scott, 2014). On the one hand, institutionalisation is seen to be driven, in top-down manner, by formal systems of rules codified in legislation and policies and the associated pressures and sanctions. On the other hand, institutionalisation has been associated with informal and "cultural" processes and practices, such as habits, routines, or customs that, over time, create consolidated expectations of appropriate behaviours and roles (Berger & Luckmann, 1966). Rather than following a formally defined and enforced script, the argument goes, these informal practices themselves have the power to constitute, from below, as it were, stable social meanings that ultimately are experienced as objective reality (see Berger & Luckmann, 1966, p. 78). Institutional theory in particular offers a range of useful analytical frames for studying dynamics and mechanisms of institutionalisation, often operating with a broad tri-partite division that distinguishes (a) the domains of regulatory regimes, (b) formal organisations and (c) informal norms and rules referred to by concepts such as "culture" (see, e.g. Jepperson, 1991; DiMaggio & Powell, 1983).

Our account of the institutionalisation of contingent academic employment in Australian universities is primarily informed by the typology of institutional pillars presented by Scott (2014), with some modifications outlined below. Building partly upon the earlier account of institutional isomorphism presented by DiMaggio and Powell (1983), Scott (2014, pp. 59–64) distinguishes three key institutional pillars, each of which is associated with specific mechanisms and logics of institutionalisation.

The first is the *regulative* pillar comprising the domain of regulatory systems and their associated formal rules, laws and sanctions. Similarly to DiMaggio and Powell (1983), Scott (2014, p. 61) regards the institutional mechanisms associated with the regulative pillar as primarily based upon "coercive" forms of state-based control via legislation and negative sanctions but adds that these mechanisms may also comprise specific positive incentives.

Following Scott (2014, p. 64), the second, *normative* pillar comprises the domain of norms and values that "introduce a prescriptive, evaluative, and obligatory dimension into social life". Accordingly, norms and values not only define what legitimately counts as an organisation's goal or objectives, but also delineate "appropriate ways to pursue them" (Scott, 2014, p. 64). As such, Scott associates the normative pillar with a logic of appropriateness rather than an instrumental logic of consequences (see also March & Olsen, 1989). The normative logic is efficacious through a variety of avenues, ranging from formalisation of roles and rules within organisations and their subsequent internalisation by individuals to the organisational internalisation of external standards used for comparison and evaluation. Examples are, in the case of universities, the various international and national ranking systems (see Brankovic, 2018).

The *cultural–cognitive* pillar, finally, refers to the domain of shared conceptions and "frames through which meaning is made" (Scott, 2014, pp. 67–74) and where legitimacy derives from conforming to a common frame of meaning that is culturally recognised and supported. Rather than being explicitly defined and formalised, the frames operating on the cognitive–cultural level tend to be more implicit or sedimented. For example, they may be embodied in certain routines that are taken for granted (Scott, 2014, p. 68) or they may manifest themselves in a range of unquestioned logics or "scripts" for action that derive from tradition.

Reflecting some of the criticisms of specific aspects of Scott's typology of institutional pillars (see Thornton et al., 2012, pp. 36–39), we make two adjustments to Scott's account that enable us to better capture the key forces and dynamics associated with the institutionalisation of contingent academic employment. First, regarding the normative pillar, we depart from Scott's (2014, p. 38) narrow emphasis on the role of morality as sole basis of legitimacy, reflecting the fact that there are many formal rules to be found within organisations such as universities that do not have an explicitly moral justification or basis. Second, we move beyond Scott's somewhat restrictive, normative view of professions and instead see the academic profession as being constituted and governed by not only normative but also cognitive–cultural forces (see Thornton et al., 2012, p. 38).

Scott's pillars can then be mapped as follows onto our four key institutional domains identified earlier. The domains of national employment legislation and national higher education policy are associated with the regulative pillar. These constitute the broader regulatory frame for the emergence and reproduction of practices of "casual" employment. University management is for the most part associated with the normative pillar and the host of strategic rationales and formal practices governing casual employment at the organisational level. The academic profession, finally, is associated with both normative and cultural–cognitive frames and practices that shape the formal and informal institutionalisation of a casual academic workforce.

In highlighting the roles of university management and the academic profession, our conceptual–historical account is finally informed by an established line of institutionalist thinking that recognises the role and agency of collective actors in processes of institutionalisation (see, e.g., Scharpf, 1997). In a minimal sense, collective actors can be understood as entities comprising a multitude of individuals that are capable of acting collectively towards a common goal (see Mayntz & Scharpf, 1995). Collective actors can either be constituted formally and be capable of centrally coordinated decision-making and action, as in the case of university managements (see Krücken & Meier, 2006), or they can be constituted and act in a more informal and ad hoc manner, as is at least partly the case with the academic profession (see Mayntz & Scharpf, 1995, p. 51). Regardless of whether constituted formally or informally, collective actors cannot be reduced to mere "cogs". While collective actors' activities are shaped and constrained by the institutionalised sets of rules governing the field in which they operate, the very same rules also only "come to life" insofar they are, over time, enacted, reproduced, and potentially modified through such actors' own actions (see Jackson, 2010).

Case and context

Australia is known internationally as an early adopter of New Public Management (NPM) reforms and where the associated higher education policy changes have enduringly transformed the governance of universities both at system and institutional levels (see Croucher et al., 2013). As elsewhere, Australia's NPM higher education policy reforms were motivated by the ambition to transform universities so that they effectively deliver "value for money" (Broucker & de Wit, 2015). To achieve this, these reforms inter alia have sought to strengthen direct and indirect competition between universities on a system level while, at the institutional level, encouraging changes towards higher levels of managerial autonomy and control and lower levels of academic self-governance (see Rowlands, 2017). These policy and governance changes have been accompanied by a significant restructuring of

Australian universities' academic workforces (see Woelert & Croucher, 2024). Mirroring shifts across the Australian economy more broadly (see Gilfillan, 2021), universities over recent decades have moved to "casualise" an increasing proportion of their workforces. As indicated, in the Australian context, casual employees form a distinctive group of staff who do not have ongoing (or fixed-term) employment or guaranteed hours of work and are not entitled to provisions such as paid sick and paid annual leave (Brown et al., 2010). To partly compensate for this lack of provisions, relevant ministerial determinations associated with the national *Fair Work Act* 2009 stipulated that casual employees ought to receive a 20% and, from 2023, a 25% higher hourly pay rate than their peers performing similar duties in full-time or part-time appointments. However, recent comprehensive panel data research covering the entire Australian economy illustrates that, in reality, such additional 'loading' payments seldom attain this level and that those on lower salaries in particular tend to be penalised financially by casual contract arrangements (Laß & Wooden, 2019).

There is some inconsistency in how extensively Australian universities publicly report data on the actual number of individual casual staff (headcount) they employ over a given period. As a result, changes in the prevalence of casualised academic staff at Australian universities are more reliably tracked through an aggregated "full-time equivalent" (FTE) measure that captures the number of casual staff in terms of their national equivalence to full-time employees' working hours. Additionally, comprehensive data on casual academic staff prior to 1996 are hard to obtain. Analysis of publicly available staffing data reveals that, in that year, 16.32% of all academic staff (FTE) were already employed casually (Department of Education, 2024). By 2019, just before the outbreak of COVID-19, the share of casual academic staff had risen to 24% of all academic staff (FTE) and, despite some decline due to job cuts over the following years, it has consistently remained well above the 20% mark (Department of Education, 2024).

In reality, the actual number of individual academic staff who are employed as casuals at Australian universities is a much higher proportion of the overall headcount workforce than the FTE numbers suggest (see Andrews et al., 2016). Well-informed estimates drawing on alternative sources of data, for example, put the number of individuals employed on a casual basis at Australian universities at four to eight times the FTE casual figure (Andrews et al., 2016). Furthermore, scrutiny of university superannuation data suggests that for many years, academic staff on casual contracts may have come to outnumber their peers employed on continuing or fixed-term contracts (May, 2011).

Legitimising contingent academic employment: key institutional domains

National employment legislation

As a key element of the regulative pillar, national employment legislation in Australia sets the legal boundaries within which universities can formally define and enact their relationships with their employees. Considering the specific implications for the institutionalisation of a casual academic workforce at Australian universities over recent decades, two regulative features of national employment legislation are of particular note. These are, first, the lack in key national legislation of clear and positive definitions concerning casual employment that persisted up until recently and, second, changes to frameworks

specifically governing employment conditions in the higher education sector that made possible and indeed encouraged greater use of casual staff by universities.

One of the peculiarities of national employment legislation in Australia over recent decades has been the absence of an explicit and substantial positive legal definition of what constitutes casual employment (see Pocock et al., 2004). For a long period of time, casual employment at the level of national legislation remained defined primarily by the *absence of* a "firm advance commitment" on the part of the employer "to continuing and indefinite work according to an agreed pattern of work" for the employee (e.g. *Fair Work Amendment Act* 2021, p. 5). Importantly, such framing of casual employees implies a deficit understanding of casual employees as being distinguished by *a lack of* certain conditions or privileges vis-à-vis employees in more permanent employment arrangements and ultimately legitimated the lower level of legally binding and practically enforceable privileges or protections existing for this group of staff.

Partially ameliorating this situation have been legally binding terms concerning casual employment introduced in many industry-wide collective employment agreements (sometimes called "industrial awards") and employer specific "enterprise agreements" typical of the industrial relations landscape in Australia, including for the university sector. These enterprise agreements applying to each university have commonly provided additional protections and specifications for casual employment. Nevertheless, in 2022 an Australian Senate committee noted in their report that across university sector, a lack of legally binding clarification of the rights and responsibilities of casual academic staff has contributed to situations where some casual staff have been expected to complete work for which they are not directly paid, such as preparing instructional materials, or to undertake tasks for which remuneration is opaque and structurally prone to underpayment, such as the marking of student assignments (see Senate Economics References Committee, 2022, Chapter 4).

At the level of national legislation, this situation was ultimately only remedied in 2024 when, finally, legislation was introduced that added greater definitional specificity to what constitutes a casual staff and the associated work rights and conditions (*Fair Work Legislation Amendment Bill* 2024). Importantly, these legislative changes concerning casual employment more broadly were also reflected in changes made to the national legislation specifically governing employment conditions in higher education (*Higher Education Industry—Academic Staff—Award* 2020).

In addition to the lack of a clear and positive definition of what constitutes casual employment that persisted in key national legislation up until recently, there were also regulatory changes that specifically contributed to legitimising the casualisation of the academic workforce at universities. Since the early 2000s, the Australian federal government has sought to encourage transformation of universities via changes to higher education workforce policies. One notable step in this regard was a "workplace reform program" instigated by then Minister for Education Brenden Nelson in 2003 that promised additional funding to universities after they implemented "flexible working arrangements" with a "focus on direct relationships with employees" (Nelson, 2003, p. 37). The program singled out the provision of greater flexibility to universities over how to manage their academic workforce as a key avenue for increasing universities' performance. Legislative change followed in form of the *Higher Education Workplace Relations Requirements* introduced in 2005. The *Requirements* removed restrictions introduced in 1998 concerning the use of noncontinuing (fixed-term) academic staff within universities. They also formalised the anticipated financial incentive for universities to increase their "workplace flexibility" through removal of any local agreements restricting the use of casual staff (Rosewarne, 2005, p. 197).

The *Requirements* and the associated incentives were ultimately removed in 2008. By this stage, it has been argued, widespread use of casual academic staff had become to be seen as a normal element of the institutional fabric of Australian universities (see Ryan et al., 2013, pp. 164–165).

National higher education policy

Beyond the domain of national employment legislation, a range of national higher education policy dynamics are key to understanding the role of the regulative pillar. Considering not only structural but also institutional implications of national policy settings, one can identify at least two major, NPM-aligned policy dynamics that can be said to have been conducive to the legitimisation and, ultimately, normalisation of casual academic employment. These are policy dynamics that intensified direct competition between universities for research funds and domestic students and that propelled forms of marketisation of higher education.

Intensifying competition between universities has been an explicit aim of national higher education policy in Australia over recent decades, reflecting a deep-seated belief that increased competition and the resulting structural pressures would lead to a more efficient, diverse, and responsive university sector (see Dawkins, 1988). Key developments intensifying competition include the radical overhaul of national higher education policy in the late 1980s, ultimately resulting in a significant increase in the number of universities in Australia, all of which were expected to increase their student numbers and undertake research (see Croucher & Woelert, 2016). Competition for (domestic) students and the associated revenue was further intensified throughout the period of the "demand-driven system" from 2012 to 2017. The demand-driven system removed caps on the number of domestic undergraduate student places the government would provide funding for, thus incentivising universities to try to attract greater numbers of students (see Kemp & Norton, 2014). At the same time, policy changes resulted in increasing formal separation between public research funding and the public funding provided for teaching. Moreover, the entirety of Australian universities' recurrent public funding that is earmarked to support research ultimately came to be allocated through competitive mechanisms (see Woelert & McKenzie, 2018). As a result, competition between universities for national research funding as a source of revenue and prestige intensified too.

Changes in national higher education policy settings also encouraged some limited yet consequential form of marketisation of the university sector. The drive towards embedding "marketisation" within the university system came through successive policies to promote international higher education as an "export" of national economic importance. The key policy levers included establishment of full-fee paying places for international students and governmental export development grants aimed at strengthening Australian universities' competitiveness in the international student market (see Croucher & Waghorne, 2020, p. 183). Over time, the resulting international student revenues became an increasingly attractive proposition for universities due to the increasingly competitive and constrained domestic funding environment. This had the additional benefit of cross-subsidising expenditure on research activities (see "University management" section).

Overall, national policies increasing competition and marketisation presented a new and compelling legitimising ideal of what it means to be a university. According to this idea, universities' legitimacy rests to a significant extent on their capacities to act strategically in identifying and responding swiftly to opportunities, economic and otherwise (see Krücken

& Meier, 2006) and to effectively compete in both domestic and international contexts (see Marginson & Considine, 2000). This legitimising idea of the university as a strategically managed, adaptive and competitive organisational actor is a shift from the notion of the university as a particular type of social institution towards, in more instrumental terms, seeing it as a corporate organisation (see Musselin, 2006) and more broadly seeing the national university sector as an industry (see Gumport, 2000).

This shift towards framing the legitimacy of universities in more explicitly instrumental terms in national policies has by no means been restricted to Australia. However, one aspect that has arguably been more explicit in the Australian context than elsewhere is the articulation of the legitimising idea of universities being a major national "export industry" by virtue of their involvement in the international student market (see, e.g. Ferguson & Spinks, 2021). As will be shown, precisely such an idea also has been mobilised across the university sector to legitimise various changes to the formal organisation of academic work, including the increasing use of casual academic staff and arguably beyond what had been envisaged at the level of national policy.

University management

Against the backdrop of changes to national employment legislation and higher education policy, universities have embarked on a range of organisational changes that are key to understanding the role of the normative pillar in the institutionalisation of a casual academic workforce in Australia. In this regard, one can distinguish between, on the one hand, broader and contextual changes to universities' formal governance and organisation and, on the other hand, those changes that directly concern universities' academic workforce management and planning.

To begin with the former, there is a range of research illustrating that Australian universities, in terms of key changes to their formal organisation and governance, have reacted rather uniformly to the transforming incentives and ideals provided by national policy. There is ample evidence, for example, that universities of all types have endeavoured to significantly increase their internal leadership and management capacities, as is reflected in a significant growth in middle and senior management positions at universities over recent decades (Croucher & Woelert, 2022). Correspondingly, universities have almost universally established comprehensive performance management systems for their academic staff, where some of the key performance indicators mirror the key metrics of national research performance funding and international university ranking systems (Beerkens, 2013; Woelert & McKenzie, 2018). Finally, there is evidence suggesting that under the influence of increasing competition for students, universities' teaching offerings have significantly converged, as universities have tended to target similar opportunities and niches (Woelert & Croucher, 2018). This convergence, inadvertently, has intensified competition between universities even further.

In addition to these broader, isomorphic organisational changes, universities have actively pursued a range of specific changes to their academic workforce management and planning that have had lasting implications for the institutionalisation of casualised academic work. Perhaps the most significant change concerns the formal entrenchment of a hierarchical division of academic labour at the organisational level. Over recent decades, Australian universities have established an increasing divide between those academic staff who are formally allocated time to undertake research and those academic staff who are hired, almost exclusively, to undertake teaching activities. By and large, research as an

activity has gained a disproportionate amount of prestige due to the increasing internal fixation on research and research ranking performance (Woelert & McKenzie, 2018; also see Sauder & Espeland, 2009). Reflecting this development, at many universities "teaching-focused" academics have often been deemed less valuable by university managements than their more research-focused peers (Bennett et al., 2018; Brown et al., 2010; Kimber, 2003).

One major reason research-based rankings have become a key point of reference within universities is they are seen, in reference to the "export industry" ideal, as key to attracting international students (see Cebolla-Boado et al., 2018). Following this logic, most Australian universities have come to significantly increase their expenditure on research over recent decades through making often considerable strategic investments in personnel and infrastructure—even if this can only be afforded through substantial cross-subsidies from their teaching revenue (see Norton, 2023, Chapter 6). It is no surprise, then, that casualisation has been frequently framed by university managements as a legitimate means for enabling swift restructuring of their teaching workforces in response to changes in international and also domestic student demand, to the end of creating the teaching revenue surplus necessary for strategic investments into research.

Importantly, the differential recognition and treatment of the academic work functions of research and teaching also implies increasing workforce polarisation and stratification, arguably contributing to the creation of a "two-tiered academic workforce" at Australian universities (Kimber, 2003, p. 41; see also Brown et al., 2010). On the one hand, universities have maintained a core academic workforce who is provided with stable employment. This core workforce not only enjoys relatively secure employment conditions but also is paid to undertake a full range of academic activities including research. On the other hand, universities have developed a flexibly deployable workforce pool of casually employed academics that are primarily hired to sustain universities' teaching operations. These staffs, by virtue of their contingent employment status, are provided with little job security and also tend to have little or no access to professional development opportunities or incremental salary adjustments that reflect increases in work experience (see Richardson et al., 2021).

Remuneration is another key dimension along which the intentional creation of an increasingly polarised and stratified academic workforce by university management clearly manifests. There is comprehensive evidence that universities have been frequently willing to exceed already generous salary levels stipulated by collective wage agreements to attract and retain more senior academic staff employed on continuing or fixed-term contracts. Such additional remuneration is usually allocated via additional payments called loadings (Bailey et al., 2016). This generous treatment in terms of salaries and loadings markedly contrasts with recent evidence revealing that over recent years, many casual academic staff working at Australian universities have been inadequately compensated for their work efforts, often under violation of basic work rights stipulations (see Senate Economics References Committee, 2022, Chapter 4).

The academic profession

The academic profession itself plays an important role in both the normative and cognitive–cultural pillars shaping the institutionalisation of casual academic employment in Australia. In terms of the normative pillar, the profession's influence has been through the actions of collective formal actors, with the union for university employees in Australia, the National Tertiary Education Union (NTEU), being by far the most important. By comparison, the academic profession's cultural–cognitive efficacy has been of

a more tacit and diffuse nature, manifesting itself via shared yet often implicit cultural frames concerning academic work and practices.

To begin with the normative pillar, the NTEU has been the main representative body of the academic profession since its establishment in 1993, formally negotiating university specific enterprise agreements covering levels of remuneration for all academic staff in the country (see for overviews Goodman et al., 2023, Chapter 4; O'Brien, 2015). In this capacity, the NTEU has made sustained and at times successful efforts to draw attention to and improve work conditions for casual staff at universities. At the same time, and perhaps reflecting the skewing of union membership towards continuing academic staff, casualisation only became a more overt focus of NTEU bargaining over time (see Goodman et al., 2023, p. 102). To date, the union has had limited effectiveness in reining in the overall trend towards an increasingly casualised academic workforce. Moreover, and despite all its overt opposition, there are at least three ways in which the NTEU can be said to have inadvertently contributed to the institutionalisation of casual academic employment.

As has been repeatedly noted in the literature, initially the NTEU focused its efforts to reduce insecure forms of employment at Australian universities on restricting the use of fixed-term contracts (Andrews et al., 2016; Goodman et al., 2023, Chapter 4). While such efforts proved to be largely effective, they also had the unintended consequence of encouraging, and ultimately normalising, the use of casual forms of academic employment as an alternative to the use of both fixed-term and continuing staff. Perhaps it is no coincidence then that after implementation of the Higher Education Contract of Employment Award (1998) that restricted the use of fixed-term staff, universities appear to have swiftly come to replace these staff with casual academics (Andrews et al., 2016, p. 15; Goodman et al., 2023, p. 99).

A similarly legitimating effect can also be attributed to the NTEU's eventual embracing of continuing teaching-focused (at times styled as 'teaching-only') academic roles in 2012 (see Goodman et al., 2023, Chapter 4). These roles were meant to provide a pathway to continuing employment for casual academic staff. At the same time, the embracing of these roles by the NTEU also contributed to legitimising a normative separation of academic work that had been pursued as a strategy at the level of university management and thus further propelled the creation of an increasingly polarised academic workforce. Moreover, it has become very clear that the introduction of such teaching-focused roles did very little to stem the overall tide of casualisation across the Australian university sector (Goodman et al., 2023, p. 106).

As well as these two developments, at times during its history, the NTEU can be said to have contributed to the institutionalisation of a casual academic workforce through what appears a selective approach to campaigning and bargaining that has increased rather than reduced the polarisation and stratification of the academic workforce. For example, the NTEU, over recent years, has very effectively campaigned to draw attention to and address universities' underpayment of their casual academic staff—yet it also has remained largely silent on universities' use of pay loadings for senior academic staff and the associated repercussions for income stratification.

In addition to these institutionalisation dynamics associated with the activities of the NTEU as a collective, formal actor, there is much to suggest that the academic profession also has contributed to the institutionalisation of casual academic employment in a more inconspicuous fashion, through inculcating the differential recognition and treatment of academic work and the associated workforce stratification strategy pursued by university management into local academic practices on the ground.

Arguably, such inculcation has been driven primarily by those "core" members of the academic profession who enjoy much more secure employment conditions and higher levels of professional autonomy than their peers on casual contracts (see Brown et al., 2010; Kimber, 2003). It is important to note, for example, that at most Australian universities, the extent of the use of casual academic staff for teaching activities is routinely decided upon locally, often at the departmental level, by ongoing academic staff rather than being mandated from above by university senior management (see Ryan et al., 2013). Similarly, across many faculties and departments, a hierarchical division of labour has become taken for granted among members of the academic establishment, according to which casual staff have responsibility for what is referred to as the "delivery" of teaching, including the associated administration and marking, but are excluded from all higher order consideration and decision-making concerning academic program and course development, not to mention other key academic issues (Brown et al., 2010; Goodman et al., 2023, Chapter 5). Such a division of labour thus practically embodies and reinforces the sentiment that casual academic staff are ancillary to, rather than a core part of, the academic community. Taken together, all of this strongly suggests that the academic profession has to shoulder some of the responsibility for the institutionalisation of a casual academic workforce at Australian universities.

Summary and implications

Covering the key domains of national employment legislation (regulative pillar), national higher education policy (regulative pillar), university management (normative pillar) and the academic profession (normative and cultural–cognitive pillar), our conceptual account has revealed, not a single driver or cause but a complex picture of institutional dynamics that together have come to constitute casual academic employment as a legitimate, and ultimately normal, element of university organisation and activity in Australia.

On the level of national employment legislation, the long-standing absence of a precise legal definition of casual employment has provided universities with considerable scope over how to utilise, recognise and reward casual academic staff—scope which, it can be argued, universities felt they could legitimately exploit. Additionally, and at least intermittently, national legislation aimed at employment in the university sector and the associated incentives for universities provided some manifest justification for individual universities to pursue casualisation agendas. On the level of national higher education policy, various policies aimed at increasing competition and marketisation have presented an apparently compelling legitimising idea of the Australian university as a strategically managed organisational actor capable of quickly seizing economic opportunities. Australian universities, in turn, have proved very receptive to such idea, as is evidenced through a range of formal organisational changes such as the strengthening of universities' management capacities occurring rather uniformly across the sector. Furthermore, and beyond any explicit scripts provided at the level of national policy, universities have proactively contributed to the institutionalisation of a casualised academic workforce through the differential recognition and treatment of the academic work functions of teaching and research—and the associated polarisation and stratification of the academic workforce into an essential "core" and a dispensable "periphery". The academic profession, finally, has reinforced the institutionalisation of casual academic employment either through inculcating such normative separation of academic work into local academic

practices or through labour union activities that, at least indirectly, have contributed to legitimating and normalising the reliance on casual academic staff within universities.

One implication arising from this complexity is that responsibility for legitimising casual academic employment in Australia ought to be understood as distributed, with various collective actors having, to varying degrees and at times unintentionally, all contributed to its legitimisation. On the one hand, it is undeniable that the national regulative environment in Australia provided the legal scope for universities and their management to legitimately pursue casualisation agendas. On the other hand, while national employment legislation permitted casualisation, there were never binding commitments or even negative sanctions enforcing the use of casual contracts within universities. The same can also be said about national higher education policy settings that, indirectly, encouraged casualisation both as an idea and practice but generally did not provide any direct impetus or specific frame for strategically embracing and formally bedding down casualisation at the level of individual universities. Thus, ultimately, while regulative forces and dynamics have undeniably played an enabling role, they do not suffice to explain the proactive and sweeping fashion in which universities institutionalised casualisation normatively, through the formal creation of mutually exclusive workforce roles and categories and the associated hierarchies and divisions. In a similar vein, the academic profession cannot be said to merely have been a “passive” victim of casualisation given the ways in which its members and its representatives have contributed to consolidating expectations and practices concerning casual academic employment on the ground, thus contributing to legitimising such employment ‘from below’.

The analyses and findings presented in this paper open up a range of avenues for future research into the phenomenon of contingent academic employment. These include, first, the important question concerning the key conditions and forces necessary to deinstitutionalise (Oliver, 1992) and thus delegitimate particular forms of contingent academic employment, first of all within the Australian context but also more broadly. In this context, it will be important to understand the long-term impact of the 2024 legislative changes noted earlier and to see whether they effectively reduce reliance on contingent forms of employment in universities. Second, there is a pressing need to better understand the institutional as well as structural forces associated with the casualisation of Australian universities’ professional staff. Such casualisation, public staffing data illustrate, has likewise been considerable in scope, yet it also has received relatively little attention to date, at least not if compared to the many studies devoted to universities’ casual academic workforce. Finally, much could be gained from further in-depth comparative research comparing and contrasting ways in which contingent academic employment has been institutionalised across different national settings (see Pineda, 2023). This is particularly so, our findings suggest, if the scope of analysis is extended beyond the regulative domain to include attention to normative and cultural–cognitive forces and dynamics.

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Declarations

Conflict of interest The authors declare no competing interests.

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