

Higher Education is a Human Right- Not a commodity!

Student views on Access, Equity and student related issues

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What is higher education in the 21st century? What are its functions for society and how does that relate to the emerging market in HE trade on a global level? How do these two notions relate to questions of equity and access to higher education and why should and are students concerned with these issues?

Where we come from.....

Looking back historically, higher education used to be a means of reproducing the elites of countries, a notion which has been challenged and changed since the end of world war two and, more rapidly, since the late 1960's when students in a number of countries challenged the national elites and put society as such in a critical perspective.

Since then, a massification of HE has taken place with more people having access and an ever growing number of an ever diversifying student population.

The UN has responded to these trends both in the Universal Declaration of Human Rights and the Covenant on Economic, Social and Cultural Rights which asserted HE as a human right which should be made freely accessible, especially by the introduction of free education. The clear call for an abolition of tuition fees was followed by a number of countries which abolished fees in the 60's and 70's.

However, with the rise of the market model in the late 1970's and "Thatcherism", "New Public Management" concepts and the economic crisis that a number of countries were facing, fees were slowly but progressively reintroduced, so that as of today, there are more countries with than without fees on the globe and the last twenty years have seen an extensive wave of privatisation of the public education system.

....brought us where we are today.....

As stressed before, education has in the recent past, witnessed an enormous pressure of privatisation and generating new incomes, also often referred to as a diversification of funding sources. There is an apparent trend around the world to look for market solution when it comes to solving problems of the education sector. The recent debate about the GATS treaty and its possible effects on HE is the most visible symbol of this trend. The search for market solutions rather than solutions established in the higher education sector has led to the reintroduction of fees and also to a marketisation of the sector. The most extreme example of market liberalism in education are probably Australia and New Zealand where the systems have been largely privatised. The consequences of this are visible: Access of traditionally underrepresented groups drops, there is a huge difference in the quality of schools and colleges, depending on the wealth of the region and the capacity of the "customers" to pay for the "product" of the school.

In Europe, recent developments show the negative impact of fees on access and equity: student debt by graduation is rising, in some countries student numbers have dropped by almost twenty percent when fees were introduced and a number of other countries are following this model. The market model of deregulating the public system and restructuring universities into knowledge enterprises also undermines democracy in higher education institutions. Traditional organs of decision making, where students, teachers, professors and staff were represented are abolished in favour of management models, where the power is concentrated in the hands of the university leadership. While it has been argued that these models are more efficient as steering models, one has to ask the question whether they really

are. The wave of bankruptcies and corruption scandals from the economic sector from which these models have been taken and which is usually argued to be so much more efficient than the slowly changing public sector at least make this assertion seem dubious.

The cost of this extreme market model slowly becomes obvious. The debt that students accumulate has a negative impact on other capital markets, since people are busy paying off debts in their 20's and 30's rather than buying for example a house or a car.

The consequences of the deregulation and new steering models are more diverse. Firstly, the new steering models together with the overall attempted conversion of universities into knowledge factories or learning service providers, conceives students as consumers and teachers as producers of knowledge. While it has been argued that this strengthens the role of both, I would argue that firstly students' and teachers' roles are weakened rather than strengthened and that secondly the concept is difficult to apply to HE.

The weakening comes about in the form of the accompanying trend which eliminates students' participation in decision making in HE to a huge extent and is inherent in the concept. Why should a "consumer" get a say in the way that the product is produced or the factory is administered? Secondly, the concept fails, as the HE sector is not the perfect market. It is neither transparent in the way that students would be in a position to make informed choices about the product they purchase, nor do students, like consumers of other services have the right to demand their money back if the product is not of the desired quality. The question of quality is of utmost importance in this context and I would argue that it is no coincidence that the number of complaints about the low quality of education has risen in the UK since the introduction of fees.

Teachers roles are also being negatively affected. Whilst there used to be an instructor or in the best way partnership relationship this is changed to a mere transmitter of knowledge who has to make the highest possible number of students pass and in many cases, also earn his or her salary by attracting commercial partners for research activities. The first trend is especially worrying in the context of HE as it puts the quality in question. If employment and also funding of higher education depends largely on graduation success rates, this might lead to a lowering of standards to make the highest possible number pass exams rather than assessing whether a proper level of knowledge has been reached.

As a general trend, from a student perspective the introduction of market concepts has therefore primarily had negative consequences for students from an economic, participatory and social perspective.

The most clear trend of this new market in HE is the development of trade in services, which has been growing in recent years. While we acknowledge that transnational education can have a positive impact, it has to be stressed that in order to achieve this the transnational programme needs to fulfil a number of criteria. The programme has to be of sufficient quality and the main driving factor for the supplier should be academic co-operation rather than making quick money. Also, the quality of the programme has to be ensured. Lastly and most importantly, the programme has to be culturally sensitive in a way that it is applicable to the local needs and that it is also embedded in the local culture of the country where it is provided.

Another issue of discussion in trade in education is the GATS treaty within the WTO. Going from the argument above that higher education is a human right and, for that matter, a public good and public responsibility, ESIB has always stressed its opposition to enlarging the commitments in education under GATS and therefore welcomes the announcement of the EU not to negotiate education in the ongoing round in the WTO. However, it has to be stressed that existing commitments have to be valued and should not be forgotten. Additionally, the GATS process is a process with a long term goal of progressively eliminating trade barriers in education service trade, so whilst education might be out this time it might be back in next time. Lastly, other trade agreements besides GATS continue to exist on regional and

subregional level and enlarge their scope and pose in many ways the same questions and problems that have been thrown up by the GATS negotiations. The main reasons for the strong opposition to GATS have been questions linked to quality, market access rules and subsidies and the unwillingness or incapability of the proponents of GATS to give guarantees that the feared negative consequences can be excluded or ruled out. This points to the general problem of the GATS, as many unclear definitions and the lack of clarity in proceedings as well as the lack of having tested the agreement in legal disputes make the text a lawyers nightmare rather than a transparent framework of rules for trade. Therefore, I would argue that thorough legal assessments of the effects the treaty might have on the national system have to be carried out. In this context, it is highly relevant to consider the argument which has been made by UN Human Rights High Commissioner Mary Robinson, who has argued that trade in basic public services such as education, health care, water etc. might actually jeopardise existing human rights agreements. From a student perspective this is a highly relevant debate since both the GATS and the UN agreements form international law and therefore have to be compatible rather than the one, in this case the trade agreement, putting the other one, in this case the human rights agreements, in question. Also, from a student perspective, however ideological this may seem, human rights are more important than trade. Furthermore, it should be stressed that since there is a continuous working group in the WTO structures on domestic regulation, the GATS and its development are far from ceasing to be problematic and dangerous for the sector of higher education and the just evolving debate about trade with research and the possible impacts of TRIPS are just beginning. Lastly, it has to be stressed that the GATS is only the most obvious symbol of the general trends outlined above which are highly questionable and dangerous from a student perspective. Therefore, future caution is necessary and I am sure that students and teachers as well as other civil society groups will continue to raise questions and criticise these developments.

So, assessing the overall situation of the implications of recent changes in higher education, one can assess from a student perspective that they are predominantly negative. The main problem seems to be that the term internationalisation is being used to push forward a market model with all its consequences. Whilst internationalisation is for sure something embraced by students and the academic community, the effects of the privatisation and deregulation policies of the recent twenty years are multilayered and, at least from a student perspective, mainly negative, even though some positive aspects do for sure exist.

...but do we know where we are going?

The criticism has been voiced several times before and a number of concerns have been addressed. While I do acknowledge that there is a market and that there is trade, whether I or my organisation might like or not like it, I would like to stress that a regulation of this trade seems necessary.

Firstly it seems necessary to bring all actors to the table to discuss these issues, which is why this conference and also the meetings organised by the OECD on these issues are highly important and welcomed by students and other actors.

Furthermore it seems important that existing global trends of decreasing budgets for education are reversed and that the objectives of the World Conference on Higher Education in UNESCO from 1998 of ensuring sufficient funding are adequately met. In order to achieve the benefits of higher education public funding has to be ensured and increased around the world. This involves a public debate about the commercial activities of universities. While public private partnerships can be useful and helpful in providing money for applied research and raising money for scholarships for students from disadvantaged backgrounds, universities should not be forced to engage in treaties with business which jeopardise

academic freedom, for example by carrying out research which is not allowed to be published afterwards. If the question of ownership of results of research conducted in public private partnerships can be resolved and a public ownership of the result of research being conducted in public institutions can be guaranteed, there is no need to argue against PPPs.

As for the GATS and the whole trend of trade in education services, it should be made clear that from a student perspective it is necessary to address the questions highlighted by the GATS, i.e. how to ensure transparency for foreign suppliers of education in TNE arrangements, facilitate recognition of qualifications as well as the mutual acceptance of quality assurance systems, and to develop alternative frameworks of addressing and resolving these. One of the main criticisms against the WTO is its secrecy. While I can understand the necessity of trade talks to be held in a certain amount of secrecy it is also important to realise that this is not the right form and forum to address questions of public interest such as education or public services in general for that matter, especially if the consequences are as unpredictable as outlined above.

Therefore, it seems important to develop alternative frameworks to solve these problems, such as the regional recognition conventions in UNESCO or the UNESCO/Council of Europe Code of Good Practices in TNE, which, as I lately learned, has also been incorporated in national legislation in the case of Latvia. It seems important to promote these frameworks and make them compatible to ensure that the objectives of a truly internationalised higher education can be met and that higher education is not traded off on a global market place. To this end, it is also of great importance that the existing instruments are more promoted and become better known to decision makers at all levels.

This point is also highly important for the question of North South dialogue, because the current model can easily be described as an academic colonialism from the North to the South. If we want to realise an internationalised HE community we have to rule this concept out and also overcome the traditional concept of "charity" in the form of aid to reach a state of partnership and academic solidarity, which is already existing on the level of students and, as far as I am informed teachers.

So, do we know where we are going? Yes, I would say, towards a concept of HE that might not be realised but which we might be able to approximate... a system which values differences and cultural diversity, which is internationalised, which fosters critical thinking and is responsive to as well as reflective of society and which is equally accessible to all based on capacity, regardless of gender, religious or political beliefs, ethnic origin, sexual or gender orientation or any disability a person may have. A system which fulfills the criteria that student unions have to fulfill to become members of the organisation I work for and which meet those international agreements that most countries of the world have signed and ratified and that we have to bring back on the agenda.