

Address to IFUT ADC

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Dear Delegates and Guests,

Let me begin by bringing you greetings on behalf of the president of the Canadian Association of University Teachers, Robin Vose, our executive committee and our 68,000 members for a successful annual delegates' conference.

It is an absolute privilege and an honour to be invited to address you today. IFUT and CAUT have a long history of close collaboration and friendship that is a source of pride for all of us.

Let me add also a word of gratitude for the enormous contribution that IFUT plays on the international stage, and in particular the stellar work and leadership that your General Secretary, Mike Jennings, provides at the European and international level. It is true that in terms of numbers IFUT is a small union compared to many counterparts, but it is one that punches well above its weight. You should be very proud.

Today, I want to talk about some of the key challenges facing the academic labour movement globally. There is of course a long list of challenges that one might compile. I have only a few moments today; so I will have to draw a selective list. I must also warn you I am an economist by training. In that light, it might be appropriate while I'm on Irish soil to recall George Bernard Shaw's shrewd observation that if you took all the economists in the world and lay them head to foot, they would go on and on and on...but never reach a conclusion. I admit that I may not reach a conclusion today, but I will promise not to go on too long.

Let me begin by describing what I see as a paradox – or an apparent paradox – in discussions about higher education globally today. The paradox is this: It is virtually impossible not to find a politician no matter what political stripe they might wear, a business leader, a community leader, a government and perhaps even an economist who doesn't preach the importance of higher education. There is a consensus that high education is more important than ever, that increasing access and providing opportunity is absolutely vital. And yet, at the same moment, the academic workforce – the very heart of universities and colleges – are under unprecedented pressures.

These pressures will not sound foreign to you. The first is what I call the shift from "tenure to taxicab". Around the world the number of fixed-term positions in higher education is rising. In Latin America, outside of Brazil, 80% of the professoriate is employed on limited-term, precarious contracts. They are called "taxicab" profs because many of them shuttle

from one university to another in taxis in order to pick up enough work to barely make ends meet.

In China, large parts of Eastern Europe, and in Sub-Saharan Africa, almost all academic appointments are fixed-term or casual, with faculty expected to supplement their income with outside contracts and tutoring.

This isn't just a problem in the Global South. In the United States today, 75% of those who teach in universities and colleges are employed on non-tenured, non-tenure track positions. That's compared to just 25% a generation ago.

The second trend I see is the steady erosion in the status of higher education teachers and researchers. The growth in precarious, low-paid work has been a key factor in this, but even for full-time academics the past few years have been marked by either stagnating or declining salaries and conditions of employment. It used to be that being a university or college professor was a career on par to that of a lawyer or doctor. No more. In many countries today, faculty don't earn much more than the average industrial salary and certainly less than comparable professions.

Finally, there has been general trend from autonomy to accountability. Just within the past decade we've seen the dramatic erosion of collegial governance in places such as Denmark, Israel, Japan, France and Quebec. In all cases, the voices of faculty in shaping academic decisions have been muted if not silenced.

But we also see this in the way that faculty control over teaching and research is giving way to accountability, assessment and managerialism – faculty are seen less and less as autonomous professionals, and more and more as employees who need to be managed. It's this kind of thinking that has led to the emergence of ever changing, simplistic, reductionist but time-consuming assessments of “academic productivity” -- our administrative bean counters are on steroids!

So, what does this mean? Why is there this consensus that higher education is important, and yet everywhere our institutions and the people who work in them are under attack?

The first reason, I believe, is because you matter. This is an important point: academics are under attack not because you are weak, but because you are strong. You have power – if you didn't, nobody would care. You stand in the way of something that others want.

Now, before I make you too narcissistic, I'll add that the second reason why the university is under attack is because it is about more than you. What's at stake is beyond just us. It's about certain values that, though located in the university, transcend the university. Public service values, in fact the very notion of the public, is under attack.

Being here in Ireland, I must add that it's of course absolutely true that the current economic and fiscal climate of austerity is a factor in the stress we see on the profession

and on the sector. But I think it's important to recognize that all the trends affecting academic labour – precarious work, de-professionalisation, all the things I raised previously - pre-date the “crisis”. And of course, our political foes will never let a good crisis go to waste if it will further their agenda. But there is a broader political and economic context that needs to be addressed.

I believe the attacks we see today are symptoms of a deeper and more profound transformation of higher education. It is a transformation characterized by the marketization, privatization, and commercialization of education and other public services locally, nationally and internationally

Let's consider marketization for a moment and how it is affecting higher education. A generation ago, we didn't talk much about privatization of higher education on a global scale. Today, virtually every international conference and gathering on higher education features discussion and debate on the explosive growth in the private, for-profit sector. Internationally, this is seen in the growth of branch campuses, franchising arrangements, joint-ventures and public-private partnerships, cross border e-learning – including the hopelessly over-hyped Massive Open On-Line Courses or MOOCs – and of course the obsession with international student recruitment as a key revenue generator.

This international marketplace until recently has been largely un-regulated, a kind of Wild West of higher education. But increasingly, we are seeing attempts to create and codify rules largely through the so-called “trade” in education services. This reflects the belief of some that, like widgets or wheat, education is something that can be and should be traded globally. As one of the more exuberant proponents of this has declared: “Any other commodity that has become globally traded has improved in quality and decreased in price. Higher education has to figure out how to cut costs.”

This “logic” -- if I can call it that -- is reflected most recently in the proposal to negotiate the Transatlantic Trade and Investment Project – or TTIP.

The TTIP is an ambitious and comprehensive trade, investment and regulatory cooperation agreement between the EU and United States. It is extraordinarily broad in scope. It used to be that trade talks were largely quantitative exercises. One country would agree to cut its tariffs by 10%, while another would counter with 8%. No more. Trade deals like the TTIP extend far beyond tariffs and quotas, to cover any legislation, measure, rule, regulation, or requirement that potentially affect trade. It's not just about numbers, it's about public policy.

Education remains one of the least-covered sectors in trade agreements because of long held, legitimate concerns that legally-binding trade rules would restrict the ability of governments and designated authorities to ensure access to quality education. In the context of the rise of cross-border education, marketisation and commercialisation,

however, some players are looking to open new markets and set binding rules that would lock-in private provision.

For instance, the UK government indicated in its international education strategy policy released last year that “[i]n order to ensure the UK is best placed to take advantage of global opportunities in the education services sector, the Government will look actively at how significant trade negotiations, both ongoing and future, could address the market access barriers which our education services suppliers face in some third country markets.”

Note the reference to market access barriers. What barriers, you might ask? There are no tariffs on trade in education of which I’m aware. Rather, what is meant are regulatory barriers – things such as accreditation procedures, quality assurance, local hiring requirements and procurement policies. In other words, all the things we do to ensure quality, equity, and other policy goals.

Will education be covered in this new deal? So far, the EU has said that there’s nothing to worry about, that education will be protected because there will be a general exemption for public services in the TTIP based on existing language in the GATS – the World Trade Organisation’s General Agreement on Trade in Services.

GATS provides a basic exemption for public services, but these are defined narrowly as those services that are “supplied neither on a commercial basis, nor in competition with one or more service suppliers.” This is hotly contested language that is open to conflicting interpretations. In the education sector, for instance, it is quite common for educational institutions, particularly at the post-school level, to operate on a commercial basis insofar as they charge private fees even if they receive public grants. As well, there is in most European countries competition in the education sector insofar as public and private institutions coexist. In short, the exemption is extremely narrow and ambiguous with respect to what protection if any it offers the education sector. It’s not language I’d want to hang a legal argument on.

There are other reasons for us in the education sector to be concerned about the TTIP. The agreement is adopting a so-called negative list approach. Basically, this means that all services are included in the scope of the agreement unless countries specify what sectors or sub-sectors and all non-conforming measures they want to exclude. This contrasts with GATS which has a positive list approach – you list only the things you want to liberalise. The intention with a negative list approach of course is to dramatically broaden the scope of coverage. It’s a “list it or lose it” approach. The negative list also creates a target for future rounds of liberalisation.

In addition, the TTIP will likely include a standstill and ratchet clause as was negotiated under the recent Canada-EU deal. Standstill requires parties to lock-in existing levels of liberalisation in all service sectors unless a specific exception has been taken. The ratchet clause goes further and requires parties to bind all autonomous liberalisation. The problem

with the ratchet clause is this: Imagine a government of a certain political persuasion in Europe decides to open up its education market to offshore providers. If education was not properly protected, this action would automatically bind and lock-in that liberalisation for all future governments. The problem is that a future government, even if had a mandate to undo the policy of liberalisation, would be restricted by the TTIP from doing so. It wouldn't be impossible, but it would be very difficult and potentially costly to undo the damage. This, in my view, has serious implications for democratic decision-making.

Finally, there is a proposal to include a so-called investor-state-dispute settlement mechanism in the TTIP. Most trade agreements, like those of the WTO, involve state-to-state dispute resolutions. If a country feels that another signatory country is in violation of an agreement, it can launch a legal process adjudicated by the WTO.

Investor-state is different because it grants private companies special rights to bypass domestic court systems. Cases are heard by arbitration panels that can order governments to compensate investors allegedly harmed by public policies or regulations. In effect, investor-state rules establish a private justice system exclusively for foreign investors, including the world's largest and most powerful multinational corporations.

It gives investors a powerful tool to challenge public policies. There are numerous examples of the dangers of this. For instance, at the end of 2012, Dutch insurer Achmea (formerly Eureko) was awarded €22 million in compensation from Slovakia under the investor rights provisions of a bilateral investment treaty signed with the Netherlands. Achmea challenged a 2006 Slovak government decision reversing the health privatisation policies of the previous administration and requiring health insurers to operate on a not-for-profit basis.

It's not hard to imagine a similar case where, if education services are covered by the scope of the TTIP, offshore private education providers could argue that accreditation rules or quality assurance procedures are in fact trade barriers.

In the worst case scenario, then, the TTIP could facilitate a flood of private, for-profit colleges into Europe and leave governments with limited policy space to regulate them. And regulation of the private sector is needed. In 2012, the US Congress launched an investigation into the activities of the for-profit colleges and found there was a 64% drop out rate and high graduate unemployment rates. As well, for-profits spent over 22% of all their revenues on marketing, took just under 20% in profits, but devoted just 17% of their revenues to instruction. The Congressional report concluded that for-profits were characterised by "substandard academic offerings, high tuition and executive compensation, low student retention rates and the issuance of credentials of questionable value."

The TTIP is just one symptom of this darker shadow being cast over the university today. Even if we defeat the TTIP, we will not vanquish the enemy that is the marketisation and privatisation of all things public.

At stake are the values of the university that serve the public interest. We are now in danger of sacrificing academic quality for managerial expediency; research integrity for corporate marketing; and academic freedom for administrative obsession over messaging, branding and public relations.

The academic labour movement hasn't sat idly by in the face of this challenge. In country after country there has been renewed activism. We've seen the rise of new coalitions and campaigns such as the Campaign for the Future of Higher Education in the United States, the Council for the Defense of British Universities, and of course your own Defend the Irish University – and might I just say kudos to IFUT for taking the lead on this important initiative.

But as I said at the beginning, I'm here not just to flatter you but also to make the case that while defending the university is about us, it is also about more than us. It is about a broader struggle against the forces that would seek to reduce public space, to constrain democratic participation, and to extend markets into public sites like the university with the effect of subjecting them to a cold, economic logic.

What do we need to do? I will be the first to admit that I don't have all the answers. However, I would propose in what is a tradition in Ireland of thinking in threes, of three things we as academic unions need to think about.

I would propose, following the lead of the American higher education scholar Gary Rhoades, the following three "Rs": regenerate, reach out and reach beyond

Regenerate. We need to regenerate our leadership. In many parts of the world, but particularly in the OECD countries, demographics require us to rebuild our leadership at the local and national level. This is not as simple a task as it may seem. In many cases, younger academics have become disengaged from their unions. We need to find out why and look for solutions.

Reach out. We also need to find new ways to engage and grow our membership. Academic work has changed dramatically. The growth in precarious and fixed-term employment poses new challenges for us and the entire labour movement. It requires us to think about new ways of organizing. And organizing isn't just about signing up members and sending them a newsletter once in a while. It's about engaging them and listening to them.

Reach beyond. Finally, if the attacks on the university and on academic labour are about more than us as I've suggested, then we need to make common cause with others – with students, the broader labour movement, civil society partners, and our communities.

Once again, thank you for the invitation to speak to delegates here today. I am absolutely honoured to have had this opportunity and look forward to our continued work together.

Go raibh maith agat.