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The Attack on Education as a Social Right

The UK government proposes to put students at the heart of higher education.¹ In truth, they put the market at its heart. The reforms remove all direct public funding of undergraduate degrees in arts, humanities, and social sciences and replace it with a system of fees supported by student loans. The upper fee limit is currently capped at £9,000 per year, but the government hopes that many universities will charge less and is encouraging the entry of new providers of undergraduate degree programs, including for-profit providers such as BPP (part of Apollo Group), Kaplan, and Pearson International. In due course, it is likely that the fee cap will be removed, and a small group of universities will be able to charge significantly higher fees, with other universities charging significantly less in the face of competition.

These policies may seem simply to continue those of the previous Labour government. Following the Dearing report of 1997,² it introduced student fees in order to supplement direct public funding, and it also established the Browne review from whose report the present proposals are derived.³ We shall challenge this view (and the implicit fatalism intrinsic to it), arguing that the proposed changes represent a fundamental shift in direction and a deeply regressive moment in the political economy of inequality in England and the place of universities within it.

The idea of continuity appears persuasive because of the general neo-liberal thrust of public policy in recent decades, especially in the United States and the UK, in contrast to policy developments elsewhere. Where liberal market policy regimes like those of the United States and UK express classic liberal rights of citizenship (for example, associated with freedoms

of private property, association, free speech, and suffrage), social market regimes like those in Sweden or Germany express social rights of citizenship (involving various kinds of welfare benefit and public goods designed to facilitate the exercise of liberal rights).⁴ Institutionalized social rights usually also occur alongside a stronger regulatory regime governing corporations and the operation of labor markets. This is particularly significant in the present financial crisis, with its origins in the deregulation of financial markets and financial deficits brought about by bailing out banks. Indeed, in the UK case, the government's changes to higher education are justified as part of the program of rapid deficit reduction. However, these changes proceed on the basis of a supposed efficacy of markets that is called into question by the financial crisis. As well as revealing marked differences in policy instruments, the different policy regimes also show marked differences in the distribution of inequalities and in the extent of other social problems such as poverty. Thus, Sweden has a relatively narrow income range and little poverty, whereas the United States is characterized by a very large income range and extensive poverty (Germany falls somewhere in between, in terms of income differences, but has significant achievements in poverty reduction). Another significant characteristic of the neoliberal regime is that public spending and direct personal taxation are lower than in the other regime type, though the public discourse against them is much greater.

Most countries have mixes of policies, and these have changed over time. The UK is readily characterized as having shifted from an institutionalized social rights model to a neoliberal, market-based model (with the very significant exception of health care) and to a greater convergence with US policies. This is associated with the political dominance achieved by the "new Right" in the UK and United States during the Reagan-Thatcher years. On this understanding, the US Democratic Party and the UK Labour Party shifted to the right and continued the process of dismantling the Great Society, in the one case, and the institutionalized welfare state, in the other. Whereas the United States has always been the outlier in the continuum of liberal rights and social rights, the UK began to beat a path from one end of the continuum to the other, with dramatic consequences in terms of widening inequalities and the entrenchment of poverty.⁵

This context explains why many commentators believe that the fate of higher education in England follows a policy trajectory that has now become well established. The fact that a new coalition government of Conservatives and Liberal Democrats (themselves divided between social lib-

erals and “*Orange Book*” market liberals) should respond to the fiscal deficit—caused by bailing out banks—by introducing radical reforms of higher education seems neither surprising nor discontinuous with a policy trajectory begun under the Thatcher government of the 1980s and continued under New Labour.⁶ But the idea that most policy regimes are mixed suggests that there may be some areas of policy that are common across each type or particular beneficiaries whose claims are recognized across all systems. Thus, in all systems, the claims of the elderly and the elderly poor are particularly well recognized, even where the claims of others are not—for example, despite a long-standing US commitment to private medicine and voluntary insurance, Medicare social insurance exists for the elderly.

We suggest that education occupies a similar role, perhaps even one with deeper significance. On the one hand, an educated citizenry is a condition for a properly functioning democracy, and it is widely recognized that the public benefits from supporting education.⁷ However, education has also developed as a *social right*, and this is the case for the United States no less than for other regimes that are more strongly associated with recognizing social rights on a more fundamental level. In fact, education as a social right appears to have greater emphasis in the United States than elsewhere, at least if this is understood in terms of the early expansion of mass higher education and the development of public education.⁸ Of course, public universities and public education, more widely, are under threat in the United States as they are in the UK. However, it is the rapid, direct, and systematic nature of the threat that makes the UK case unique (in contrast to the atrophy and slow starvation of funds currently characteristic in the United States).

This allows us to pose the following questions: why is public education under such manifest threat at this particular historical moment, and what kind of neoliberal fundamentalism constitutes that threat? Answering these questions will expose the nature of a deep crisis in political culture in the United States and UK (and, indeed, in any other country that would go along this path).⁹ In what follows, we will use the UK case as our exemplar. We suggest that part of the explanation for the threat to public higher education derives from its very success in universalizing aspirations. However, this has taken place in the context of a greater polarization of the labor market and, therefore, greater anxiety on the part of those previously privileged that their advantages are at risk by the very equality of opportunity they purport to endorse. In the United States this has been powerfully described by Christopher Newfield in his association of the “culture wars”

and attacks on public universities following access to higher education by minorities and the previously underprivileged.¹⁰ We suggest that a similar process has taken place in England. As such, it represents a moment when liberal values become the expression of naked self-interest unmediated by wider obligations.

Essentially, liberalism is based on the idea of the possessive individual—the individual capable of property—whose identity is bound up with self-determination, independence, and choice. This idea is now associated with the individual as a consumer and with the market as the expression of consumer sovereignty. The “market” is promoted as a mechanism that aggregates the choices of disaggregated individuals, so that no individual can dominate over others. In this way, the market is also seen as an expression of economic freedom. However, the liberal emphasis on the autonomous individual recognizes the dependence of children and a collective interest on the part of the social community in the proper development of the liberal subject. At the same time, parents are also given rights over the self-development of their children. This is the nub of the problem. Since liberalism tolerates social and material inequalities as the outcome and objective of self-development, the problem arises of how inequalities in the distribution of resources impinge on the development of autonomous individuals and their capacities for self-expression. In this context equal opportunity comes to be a key political concern, with public education one of the primary means of realizing it and of moderating the potentially unfair advantages of those privileged by birth.

Even within societies with a strong commitment to core liberal principles, then, a social right to education has typically underpinned the proper exercise of liberal rights. Within the more hierarchically ordered UK society, this social right to education, with public education as its expression, developed more gradually than it did in the United States, both in terms of schooling and higher education.¹¹ This hierarchical order is evident in the development of private schools (including the transformation of charitable foundations into endowments to support privilege)¹² and in the function of the Universities of Oxford and Cambridge as institutions to reproduce a social elite or privileged caste. R. H. Tawney attacked this status order in his 1931 book *Equality*, in which he described the English as making a “religion of inequality.”¹³

Opposition to this status order (including from within the upper class by figures like Tawney) and the pressure for democratization in the context of wartime mobilization led to the achievement of the 1944 Education Act,

which introduced free public secondary school education in England and Wales. Of course, this system of public education coexisted with private education, but a widespread view was that the latter would gradually diminish in its importance, both in terms of the proportion of pupils educated at such schools and in terms of their capacity to determine life chances. This perception was further reinforced by the extension of the principles of the 1944 Education Act to higher education, following the Robbins report of 1963.¹⁴

Lord Robbins and the fellow members of his Committee on Higher Education confronted an ad hoc set of institutions offering degrees, among them, the ancient foundations of Oxford and Cambridge, newer civic universities, the Scottish universities with their different ethos, as well as technical and other colleges. The growth of colleges outside the more established universities also pointed to a greater demand for higher education than was currently being satisfied.¹⁵ In effect, the Robbins report proposed to think of higher education as a “system” (paragraph 14) and to recommend its further, publicly funded expansion. In effect, doing so would render private schools anomalous. They might allow families to buy the extra teaching resources to secure access to university education, but the expansion of university places (including the creation of new universities and the designation of the colleges of technology as universities) and the creation of a system of public higher education would make university education widely available beyond a privately educated elite, including at the older universities.

Arguing for an expanded system, the report also took an expansive view of university education, setting out the multiple goods that education provided. These included the public benefit of a skilled and educated workforce (paragraph 25), but the report also endorsed the importance of higher education in producing cultivated men and women (paragraph 26), securing the advancement of learning through the combination of teaching and research (paragraph 27), and providing a common culture and standards of citizenship (paragraph 28). Higher education, it argued, should be available to all with the ability to benefit from it. The Robbins report, however, recognized that whereas secondary education is compulsory, higher education will be available only to those who wish to pursue it (and have the ability to do so). In addition, those who pursue a degree will have an economic advantage over those who do not, which suggests a public subsidy to a future private benefit (paragraph 642). While the report conceded that this raised issues of distributive justice and might warrant students paying

a contribution in the form of fees supported by loans, it argues against such a move for a number of reasons. First, the calculation of future benefit is too uncertain. Second, there are significant public goods secured by university education, and on this basis, public funding is appropriate. Indeed, not to recognize this would be a different kind of injustice, where private individuals would be asked to secure a public benefit (paragraph 644).¹⁶

It is also evident that the dominant assumption in the Robbins report was that the consequences of the “knowledge economy” (the report does not use the term) would be a general adaptive upgrading of jobs, such that even if an individual’s educational attainments and preferences did not take him or her to university, there would be a benefit from the greater integration of education and the economy.¹⁷ However, one of the consequences of the last decades of labor market deregulation in the UK (as in the United States) is the decline of skilled manual jobs and the stagnation of real wages for those in routine employment alongside the growth of jobs demanding highly educated labor, especially professional employment. This has increased the incomes of highly educated labor and is part of the process of widening income inequalities in both countries. This is the context in which the issue of “distributive justice” flagged by the Robbins report reemerges, as it does in the Dearing report (1997), which recommended that a supplementary student fee be charged to maintain appropriate levels of university funding. However, the Dearing report is also clear about the wider public benefits of higher education, and so the recommendation is, in fact, for a supplementary fee and not the *replacement* of public funding by fees.

It was not until the Browne report of 2010 that the issue of distributive justice became an argument for the removal of public funding. At the same time, the normal understanding of distributive justice was inverted. Where usually distributive justice has been associated with the reduction of inequality and the articulation of social rights, arguments about it are now brought into play as part of the very justification of widening inequalities. Students should pay because they are beneficiaries. And education is to be encouraged because it contributes to an economy of high earners. The fact that there are other benefits and beneficiaries is elided because to recognize others would undermine any justification of subjecting higher education to the market mechanism. This explains the philistinism of the Browne report, so powerfully described by Stefan Collini,¹⁸ where there is no idea of education beyond education for employability, and the arts and humanities are not recognized for their contributions to cultural and political life.

It is, in fact, the only UK report on higher education that can find no value for higher education other than its value in promoting economic growth and facilitating the investment in human capital. Were it to identify any other benefit for higher education, it would need to address the injustice of requiring “student-consumers” to sustain it.¹⁹

The report’s philistinism is also cynical because not only are universities removed from any social mission, but they are actively conscripted into the reproduction of inequality. Thus, the figure of a relatively “disadvantaged” taxpayer is invoked. Why should a taxi driver, say, pay for the education of those who are better off? The implication, with little examination of the issue, is that he or she should not. The shift from government paying the bulk of the costs of higher education to those costs being paid by individual students (and often, in effect, their families) marks a shift from *all people* in Britain having an interest in education to education becoming something that is only a “private interest.” Arguably, the taxi driver also has a private interest in public funding of universities, just insofar as the rise of mass higher education has brought about the possibility that his or her children might attend university. The figure of the “taxi driver” is compelling. In the UK, as in the United States, he or she is likely to come from a working-class or ethnic minority background, where aspirations for education have typically been served by publicly funded schools and by those universities not now intended to be “top-tier” institutions. They have not hitherto been overly disadvantaged by this, precisely because all universities have been similarly funded and have provided undergraduate education of similar quality.

The consequence of privatization is to reverse the postwar trend in the expansion of public education and the displacement of private secondary education. Now higher education *is to be aligned* with the fee-based character of private secondary education. Not only that, but the intention is to create a hierarchy of institutions that operate in a “selective” manner. The most selective institutions will be those most well resourced, while competition will drive down costs at other universities, which will become significantly less well resourced (replacing the current system of similar funding for all universities). In this way, education becomes a “positional good,” and access to it becomes a privilege. This is the opposite of the “system” inaugurated by the Robbins report.

The government argues that it wishes to promote equal opportunities at the same time as it introduces measures to diminish such opportunities. High rates of student indebtedness will act as disincentive for those

students who have no family experience of debt at the levels now being proposed. At the same time, those students who “choose” a cheaper option confront a situation where that option is designed to fit them for a stratified labor market in which employers are guided to recruit from “elite” institutions for more advantageous positions. At best, the policies are based on the privileged’s disregard for their fellow citizens. Whereas those who have used public education have not opposed private education, the beneficiaries of the latter seem to have resented public education and the greater competition for advantaged social positions that has come in the wake of mass higher education.

The UK has not been characterized by an explicit engagement in the “culture wars” that Newfield argues are associated with the attack on US public universities, or at least the engagement has been more muted. Nonetheless, the consequence for the public university in the UK is more dramatic by virtue of now being systematic. Behind the neutral language of the market and the student as consumer and the populist language of tax reduction,²⁰ what is taking place is a fundamental attack on education as a social right that makes liberal citizenship effective. As such, it is both unprecedented and profoundly dangerous.

Notes

- 1 Department for Business Innovation and Skills, *Higher Education: Students at the Heart of the System*, 2011, Cm. 8122, www.bis.gov.uk/assets/biscore/higher-education/docs/h/11-944-higher-education-students-at-heart-of-system.pdf (accessed July 25, 2011). Since the creation of the devolved assemblies in Scotland, Wales, and Northern Ireland, the British Parliament (which includes MPs from those countries) has powers only over education policy for England.
- 2 National Committee of Inquiry into Higher Education, *Summary Report* (Dearing report), 1997, www.leeds.ac.uk/educol/ncihe/sumrep.htm (accessed July 25, 2011).
- 3 *Securing a Sustainable Future for Higher Education: An Independent Review of Higher Education Funding and Student Finance*, October 2010, <http://webarchive.nationalarchives.gov.uk/+/hereview.independent.gov.uk/hereview/>.
- 4 See Desmond King and Jeremy Waldron, “Citizenship, Social Citizenship and the Defence of Welfare Provision,” *British Journal of Political Science* 18, no. 4 (1988): 415–43. The most effective articulation and explicit formulation of the idea of social rights of citizenship in the UK was in T. H. Marshall’s discussion of citizenship and social class, which had particular significance in the area of education policy. See T. H. Marshall, *Citizenship and Social Class, and Other Essays* (Cambridge: Cambridge University Press, 1950). See also Tomas Englund, “Education as a Citizenship Right, a Concept in Transition: Sweden Related to Other Western Democracies and Political Philosophy,” *Journal of Curriculum Studies* 26, no. 4 (1994): 383–99.

- 5 See Richard Wilkinson and Kate Pickett, *The Spirit Level: Why More Equal Societies Almost Always Do Better* (London: Allen Lane, 2009).
- 6 Though, of course, it also took people by surprise, not least because the Liberal Party had campaigned in the election on the abolition of supplementary tuition fees, not replacing public funding of university degrees with tuition fees.
- 7 In fact, this became evident in the responses to the riots that broke out in London and other English cities in August 2011. Many commentators attributed the riots to failures of both parenting and education. The fact that the riots seemed to reprise those of the early 1980s shortly after the Thatcher government introduced welfare cuts is also significant.
- 8 See William E. Scheuerman, "Stealth Social Democracy in US Higher Education," Campaign for the Public University 2011, June 2011, <http://publicuniversity.org.uk/wp-content/uploads/2011/06/Bill.pdf> (accessed July 25, 2011).
- 9 There are other aspects of the development of public universities—for example, the expanding audit culture—that have been predominant in recent years in the UK and are being extended throughout Europe through the Bologna process. While we have strong reservations about this, we do not regard it as continuous with the issue we are highlighting here, namely, the attack on education as a social right.
- 10 See Christopher Newfield, *The Unmaking of the Public University: The Forty-Year Assault on the Middle Class* (Cambridge, MA: Harvard University Press, 2008).
- 11 Of course, education in the United States was also racially segregated in many states until the 1960s, where "separate but equal" purported to overcome the contradiction. Nonetheless, the importance of public higher education was recognized in the establishment of the land-grant universities in 1862.
- 12 Significantly, at the same time the US federal government was creating the land-grant universities, the British government was transforming former charity schools into private endowments to function for the wealthy by the Public Schools Act of 1868.
- 13 R. H. Tawney, *Equality* (1931; London: Unwin, 1964), 33.
- 14 Committee on Higher Education, *Higher Education: Report of the Committee Appointed by the Prime Minister under the Chairmanship of Lord Robbins, 1961–63, 1963*, Cmnd. 2154, available at www.educationengland.org.uk/documents/robbins/robbins00.html (accessed July 25, 2011), hereafter cited parenthetically in the text by paragraph number. On the connection to the 1944 Education Act, see paragraph 17.
- 15 Thus, the proportion of the cohort entering the restricted group of older universities was about 4 percent, but if those doing degree courses at other colleges and taking them part-time are included, the proportion rose to 15.1 percent at the time the report was published (paragraph 49). Men outnumbered women by a ratio of 3 to 1.
- 16 In fact, Lord Robbins himself came to believe that a system of loans would be appropriate, provided it met the requirement of securing equal opportunities and the "principle" that all should be able to study who had the ability and desire to do so. See Lord Robbins, *Higher Education Revisited* (London: Macmillan, 1980).
- 17 Similar assumptions are found in Clark Kerr, *The Uses of the University*, 5th ed. (1963; Cambridge, MA: Harvard University Press, 2001).
- 18 Stefan Collini, "Browne's Gamble," *London Review of Books* 32, no. 21, November 4, 2010, www.lrb.co.uk/v32/n21/stefan-collini/brownes-gamble.
- 19 Universities are being asked to create, out of their fee income, scholarships and other

forms of support to widen participation by students from disadvantaged backgrounds. This is to require “student-consumers” to subsidize others who will go on to achieve the same advantages assumed to accrue to those paying fees.

20 In fact, the public funds necessary to support the new system of student loans will be more costly than the system of direct funding it replaces. See John Thomson and Bahram Bekhradnia, “The Government’s Proposals for Higher Education Funding and Student Finance: An Analysis,” *Higher Education Policy Institute Report*, November 11, 2010, www.hepi.ac.uk/466-1875/The-government’s-proposals-for-higher-education-funding-and-student-finance-%e2%80%93-an-analysis.html.