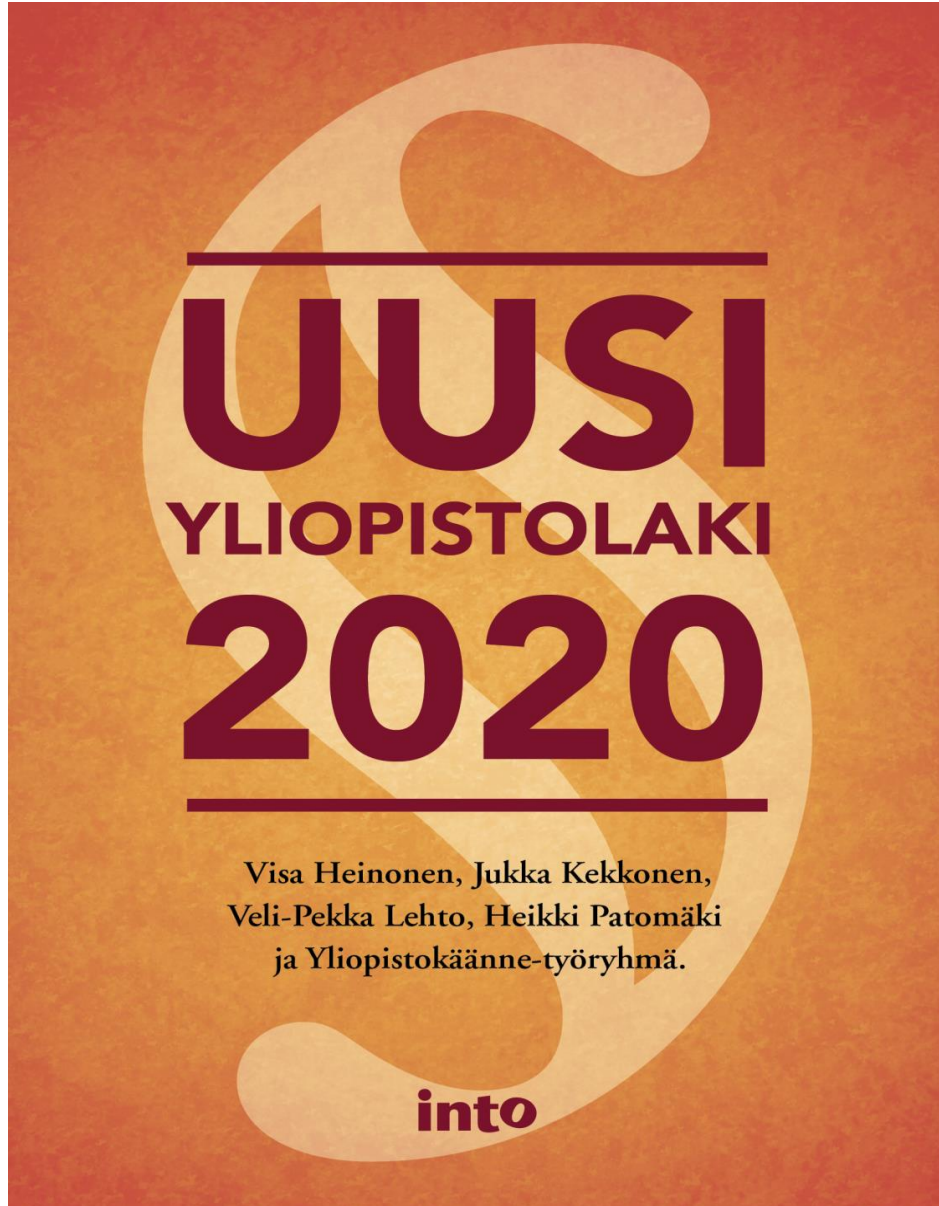


Commodification in Higher Education:
The Old University Law of 2009
and the New University Law 2020

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- This book, entitled *The New University Law 2020*, was published in October 2016.
- The main authors Visa Heinonen, Jukka Kekkonen, Veli-Pekka Lehto and Heikki Patomäki are part of the "University Turn" working group.

Three parts of the book:

PART 1: Justification of the New University Law 2020

- ◇ the real effects of 2009 law (and "reforms" preceding it)
- ◇ the tasks of free university cultivating critical reason in the 2000s

PART 2: The New University Law 2020 and its detailed explanation

PART 3: Appendices: (i) 2009 law and (ii) an alternative proposed at the time but not taken seriously by the decision-makers.

The official aims of the 2009 law:

1. Improve the capacity of universities by increasing their autonomy, especially in terms of financial management.
2. Reinforce the special nature of the university, especially in terms of its employer-employee relationships.
3. Ensure that (a) the societal significance of the university as an institution is retained and that (b) other actors in society are fully committed to supporting the mission of the university.
4. Strengthen the international competitiveness of the university.

The real effects of the 2009 law in practice:

1. Less time, resources and facilities for research and teaching; more resources for business ventures and arbitrary management by change; and more freedom of manoeuvre for arbitrary recruitment.
2. Academics lost the civil servant equivalent of "tenure" and can now be made redundant as easily as in any corporation
 - professors' protection against summary dismissal is now the weakest in Europe
3. Appreciation of higher education, learnedness and the university has declined rapidly; the external board members have often explicitly contributed to this trend (e.g. Jorma Ollila, the former CEO of Nokia).
4. The 2009 law has not had any noteworthy effect on the "international competitiveness" of the Finnish universities
 - we ask: what is the point of these rankings anyway?

University "autonomy" in a broader context

- ◇ The grip of the Government, Finance Ministry and the Ministry of Education is tighter than ever, in particular through strictly conditional funding.
- ◇ Two examples: (i) the on-going reform of degrees and curricula and (ii) the impetus to "profile" departments, faculties and universities
 - a direct chain of command from the Government and Ministries to the details of the practices of teaching and research
- ◇ State steering of the academia is also realised through the Academy of Finland, as it conditions research funding and reports on the state of science/research.
- ◇ Moreover, the new category of "strategic research funding" is directly under the control of the Government.
 - this is another route through which the neoliberalised State is directly governing academic practices, while most elements of collegiality and democracy have been abolished

These changes have nothing to do with increased freedom or self-governance of the universities.

Freedom and critical reason:

1. Management by results, new hierarchies and the submission of research to serve external interests tend to have counterproductive effects. In most fields of science what matter also from the point of view of efficiency are: freedom, collegiality and self-governance.

2. Both the logic of critical reason itself and wider social and political viewpoints support

(i) public non-commodified education and

(ii) free and autonomous research that is self-determining

The tasks of the university in the 21st century

- ◇ Free university provides a space for criticism of prevailing conceptions and for the development of new ideas and theories.
- ◇ In a globalizing world, many new risks as well as the new opportunities entwines humankind's destiny together. In this world the task of universities is to develop new knowledge. Its mission is also to provide an objective and critical basis, inter alia, to weigh the arguments relating to the risks and impacts of various technologies, new products and services as well as social experiments.
- ◇ The university promotes not only the learning of citizens but also the collective learning of humanity as a whole
 - the university aims at personal development of individuals and at the same time cultivates a deeper and more holistic understanding of the world
- ◇ In this way the university can best contribute to public common good.

The mission of the university requires public virtues

	The aim is public good	The aim is private good
Risk-taking is encouraged	Popperian developer of new theories; the revolutionary of science.	Schumpeterian entrepreneur.
Risk-taking is discouraged	Kuhnian “normal scientist” (gets the bulk of research funding and can happily serve the military-industrial complex)	Cartesian ego (or, from a different viewpoint, a Robinson Crusoe alone on his island; tries to survive from day-to-day)

The main points of *The New University Law 2020*, part 1

- ◇ Universities will stay as non-state entities governed by public law, but their autonomy will be strengthened substantially.
- ◇ The new financing model is more future- than past-oriented
 - 95% of the budget follows directly from the previous budget → predictability and freedom
 - for the remainder, the principles of deliberative democracy are applied: deliberative forums consisting mostly of practising researchers and teachers allocate funding on the basis of often future oriented criteria and good reasons
- ◇ An elected assembly ("kollegio") becomes the most important decision-making body of the university – analogical to parliament.

The main points of *The New University Law 2020*, part 2

- ◇ The board can consist max. 25% of external members; and any member can serve as the chair.
- ◇ An American-style tenure-institution is established.
- ◇ All power to the councils! -- elected in terms of the 3-tier system.
- ◇ However, a new system of "citizens'" initiatives and deliberative forums is created, parallel to the council-system, kollegio and board.
- ◇ Research is by definition **global** and **co-operative!**
- ◇ Maximal principle of publicity.



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