
Response to the Presidential Address

NO ORDINARY PRODUCT: THE PROFESSORiate, STUDENTS,
AND A *CAVEAT VENDITOR*¹ FOR HIGHER EDUCATION

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Is education becoming a basic commodity like Jell-O or the cell phone? If it is so, in what sense does it matter for philosophers of education today? In his presidential address, Greg Loving claims that a gradual devaluation of higher education is taking place, reducing it to merely a set of competencies. The precise narrative of this devaluation is framed as an oppositional conflict between the reputed selectivity of higher education and its growing accessibility. For broad implications, Loving appeals to Foucault's notion of a power struggle for supremacy of competing discourses.

I find this paper to be a substantive and philosophically interesting reading of higher education trends while offering a way forward that is less delegitimizing of the professoriate. It is a clarion call to action, even while lamenting a simpler time. I concur with Loving that increasing participation in higher education has significant implications for the professoriate.² I take issue with his claim that the factors influencing higher education in all the ways he describes are solely reducible to these singular and arbitrary categories of elitism and populism in binary opposition. Just as extensive growth in the sales of goods such as Jell-O and the cell phone are not merely a unitary tale of improved technology, supply and demand, and diminishing prestige but also a story of consumer beliefs, values and protections shaping the market, similarly the proliferation of higher education is made possible by democratic, legislative and cultural norms upon which it depends in order to persist. Education is no ordinary product in a democracy. It is from this vantage point, that it will always be

¹ "Let the seller beware." While in the industrial era, *caveat emptor* (let the buyer beware) was more the rule, today the presence of consumer protections, such as warranties, place greater responsibility on the manufacturer for the product to live up to its billing. See Marco Pistis, "Italy: From Caveat Emptor to Caveat Venditor—a Brief History of English Sale of Goods Law," *Mondaq*, last updated June 4, 2006, <http://www.mondaq.com/x/40206/>.

² According to the Pew Research Center, the Millennial generation, those born between 1981 and 2001, are on track to be the most educated generation ever. The statistics are, for instance, that of those between the ages of 18 and 33 today, 21% of men and 22% of women have received a bachelor's degree compared with 18% of Generation X men and 20% of Generation X women. See "Millennials," *Pew Research Center*, <http://www.pewresearch.org/topics/millennials/>.

possible and reasonable for moral actors, whether the professoriate or students, to inform and challenge the status quo.

To revisit Loving's thesis, his paper asserts that higher education is following the social pathways dictated by commodity theory in which goods diminish in social value as they become more widely available. Appealing to noted sociologist of higher education Martin Trow's³ materialist analysis, the paper offers a dire prognosis for these institutions as primarily being reduced to competency-based education, now and for the foreseeable future. Situating this series of events within a postmodern Foucauldian discourse, Loving argues that elitism and populism are "structures of power," where populism serves as a form of resistance that is on the verge of superseding elitism. In the postmodernist framework, each knowledge assertion constitutes a locus of power. For elitism, it is democratic ideals and the high social value placed on academic knowledge. For populism, 21st century technology and the growing epistemological demands for skill-based knowledge are leading to the diminishing of higher ontological aims of shaping human agency. Lastly, Loving recommends that professors come to terms with their declining status and mission and join the ranks of those who, like public teachers, unionize in order to have greater influence on public policy at the local, state, and national levels.

BEYOND EDDIES:
HISTORICALLY ELITIST VALUES HAVE POPULIST APPEAL

My first worry with this talk is with its positing of the elitism versus populism dichotomy as the operative framing of higher education's historical development, which supports the commodification argument. The paper attends to Trow's sociohistorical and sociocultural analysis primarily in order to narrate an oppositional struggle for dominance. It is an argument that is so broad and overarching that it overlooks ethical considerations that can mitigate its conclusion that elitism versus populism is the dominant social force that is shaping higher education's commodification.

Trow's functional sociological analysis describes higher education's historical trajectory in this way. Higher education was once "a mark of distinction" and a "privilege," but it is becoming an "assumption" and a "right." As a case in point, graduate degrees are becoming a default requirement in many fields.⁴ Additional consequences of this pattern are the further weakening of intellectual and professional standards associated with undergraduate education; the attraction of private corporations to education because of its potential to generate wealth; and growth of higher education administration and bureaucracy in order to manage this expansion of services. For all of these outcomes, the

³ Martin A. Trow, *Twentieth-Century Higher Education: Elite to Mass to Universal*, ed. Michael Burrage (Baltimore: Johns Hopkins University Press, 2010).

⁴ *Ibid.*, 92.

increasing per capita college enrollment of students, including those of diverse backgrounds, is a significant contributing factor.

I fully appreciate the explanatory force of any such empirically based, big-picture theorization, as in Trow's theory. Nevertheless, in the process, very important underlying considerations can be lost that could significantly temper the proposed conclusions. One of these considerations is that since the end of World War II, scientific progress—beginning most notably with the launch of the Sputnik satellite, major geo-political developments of the Cold War, and sociopolitical changes such as the Civil Rights movement—has led to transformative changes in universities and colleges.⁵ Also, as Rudy Fichtenbaum reminds us, so has The Higher Education Act of the 1965 War on Poverty policy.⁶ These developments resulted in legislation such as the GI Bill, after World War II, which passed over the objections of university leaders and expanded access to higher education. Under the G.I. Bill, the federal government promised to pay college tuition for returning veterans who then enrolled in higher education in unprecedented numbers.⁷

Another factor to which scholars attribute the growth of higher education is the expansion of federally funded research. According to the 1985 report by the Carnegie Foundation for the Advancement of Teaching, there was an “establishment of the federal government-university research system in response to the Cold War, the improvement and expansion of science in the universities and colleges in response to Sputnik and the broadening of access to higher education for minorities and low-income students in response to the civil rights revolution.”⁸ All of these developments point as much to a parallel, or even an alternate, democratic movement towards more inclusive higher education, and to prudential considerations, as to the warring ontological and epistemological ones that Loving posits.

These federal policies were not only oriented to increase access, but also implemented to advance fairness, equality, and opportunity. Although consistent with the idea that education primarily had what Loving calls “ontological” ends to form the human character and refine its sensibilities by initiation into Western culture's grand ideas, I would argue that this form of selectivity was defensible insofar as it was an ethical ideal. Higher education

⁵ Frank Newman, *Higher Education and the American Resurgence* (Princeton: The Carnegie Foundation for the Advancement of Teaching, 1985), 6.

⁶ Rudy Fichtenbaum, “The Transformation of Higher Education and Its Impact on Inequality and Poverty,” (Phil Smith Lecture, Ohio Valley Philosophy of Education Society, Dayton, OH, September 12, 2015).

⁷ Richard Flacks and Scott L. Thomas, “‘Outsiders’, Student Subcultures, and the Massification of Higher Education,” in *Higher Education: Handbook of Theory and Research*, vol. 22, ed. John C. Smart (Dordrecht: Springer, 2007). “The GI Bill enabled the growth of public higher education, and was a key reason for the institutionalization of the college as the primary route to advancement,” 191.

⁸ Newman, *Higher Education*, 6.

federal initiatives, such as the G.I. Bill, universally benefitted white men, but only benefitted black males living outside of the South.⁹ Increasing access is an ethical aim that is distinguishable from merely social forms of selectivity, such as the ideologically exclusive and youth-culture based fraternities and sororities, athletic teams, and other clubs and organizations that Loving mentions.

These developments also indicate another lacuna in Loving's linear presentation of higher education commodification that is moving towards more populist terms. The Carnegie Foundation report in 1985 was commissioned on the heels of the Reagan Administration's aggressive legislation that, as we all know, drastically diminished the federal funding available to support higher education access and persistence. Specifically, the Reagan administration modified the Pell grant student aid program that provided college funding for working class and minority students. The policy shift called into question a long-standing compensatory focus, leading to uncertainty about the nation's higher education commitments and priorities.¹⁰ This report was an attempt to establish a consensus by reasserting values of student funding and research. Thus, it looked back to post-Vietnam years and the impact of the Civil Rights movement for the purpose of crafting policy designed to foster a democratic culture, as well as to maintain America's supremacy in providing a world-class education.

We know now, and Fichtenbaum reminds us, that this decline in federal support for education has only gathered more momentum in the ensuing years. Nonetheless, the Carnegie report shed light on what was accepted knowledge just thirty years ago, as it provided perspective on two and a half decades of prior political and social upheaval. There was concern that the ripple effects of the Reagan administration's education bills would negatively alter the educational prospects for millions of Americans, minorities for whom access to higher education would be closed.¹¹

One could argue as a response that the Reagan administration policy was intended to reassert the ascendancy of elitism by reestablishing exclusionist higher education. This effort achieved some success in that it limited access to certain institutions to only children of the upper and upper-middle classes. However, it failed as an attempt to limit enrollment in all higher education, as indicated by the subsequent rate of college entrance. So, arguably, the positing of an oppositional resistance obscures the interpretation that post-secondary education is a perceived gateway into a different way of life for first generation college students. For them, college has become not a "right," a term of

⁹ Sarah E. Turner and John Bound, "Closing the Gap or Widening the Divide: The Effects of the G.I. Bill and World War II on the Educational Outcomes of Black Americans," *Journal of Economic History* 63, no. 1 (2003): 145–77.

¹⁰ Newman, *Higher Education*, 5.

¹¹ Wes Moore, *The Other Wes Moore: One Name Two Fates* (New York: Spiegel & Grau, 2011) tells the devastating consequences for one woman's life when she is no longer able to acquire Pell Grant support for college. This event becomes the precipitating factor that leads to increasingly tragic outcomes for her family.

entitlement that Loving uses pejoratively, but a *necessity* that warrants disrupting any sociocultural and socioeconomic norms that reject formal post-secondary education. That is, there is a sense among these students that the established routes to a decent standard of living will not suffice in order to purchase even their parents' quality of life, let alone a better one.

These facts suggest that populism does not of necessity equate to the rejection of so-called elitist values, as framed by Loving. The masses could be seeking an education in the traditional sense. Thus, the nature of the selectivity at work matters greatly in informing the category of "elitism" if we are to grasp the kind of populist commodity that education is becoming. It is so if for no other reason than that the distinction allows us to differentiate between aspirations of our fellow citizens' best selves, those which aim to conform to life goods and ends that are deemed valuable, and decisions of necessity or convenience.

In summary, these considerations problematize Loving's narrative. In so troubling its frame of reference, it is possible to grasp the contingency of its analysis and related predictions. Appealing to the Jell-O and cell phone analogies, the claims above argue that the market viability of products "hang" on consumer preferences, market protections, and cultural norms in a mutual relationship. While this interdependence can often mean that the consumer is at the mercy of the market, there is always the pressure on the seller to live up to its billing as *caveat venditor* suggests. More substantively, the product must accommodate and facilitate those norms even while its technology can also create new norms. This constant tension can lead to unpredictability regarding market trends. A prominent example in higher education is the waning popularity of Massive Online Open Courses (MOOCs) to which Loving refers. By all accounts, this platform would transform higher education; and yet, it has failed to live up to its billing.

A FALSE DICHOTOMY: INEVITABLE COMMODIFICATION VERSUS REALIZATION OF DEMOCRATIC VALUES

My second worry with this talk relates to Loving's point about the diminished significance of higher education really being a lamenting of the loss of its association with intellectual growth and initiation into American democratic culture. This argument is coextensive with the commodification claim. It seems to me that it is our important task as philosophers of education to "live" there, inserting our perspective, Dewey-style, into the public discourse now more than ever, raising normative ethical and critical questions in addition to acknowledging the social and economic trends. One example of a uniquely philosophical task would be that of questioning who bears responsibility for the present state of affairs in higher education and the conditions of lowered standards, insofar as they exist? Surely, in answering this question, it is not solely persons who seemingly are not motivated to meet or conform to more rigorous educational criteria, as Loving describes them. If the efforts of the masses to achieve a meaningful way of life are constantly being co-opted and subverted by

the profit-making efforts of private corporations, should we not attend to as many relevant sources of agency and ethical lapses as possible?

Boyles proposes an alternate narrative that accommodates both commodification and a proper assignment of moral responsibility.¹² Corporations engender a homogenization that suppresses bona fide difference in order to increase capitalization of higher education markets. For example, the co-opting of Ideals, such as a more inclusive and tolerant society, for marketing purposes exemplifies the ways that classical liberal economic principles applied to a higher education setting can frustrate human aspirations in order to foster corporations' greater financial gain. Playing on consumer materialism, corporatization can subvert praiseworthy aims through clever marketization. Appealing to the notion of *caveat venditor*, in this case, recognizes that there are governing principles that bear on the legality of the seller's actions, for example in the case of Jell-O or cell phones. Similarly, the morality and democracy of corporations in their conduct of higher education is fair—if difficult to oppose—game in the discourse.

For Henry Giroux and Susan Searls Giroux, insofar as there is an elitist to populist trend in higher education, it tracks increasingly antidemocratic developments in the conflict between neoliberalism—for instance, in a “push to depoliticize” and “corporatize” the university—and neo-conservatism's regulating of the private arena in areas that are traditionally the purview of personal morality.¹³ To this point, I would argue that in comparison to the elitist versus populist one, Greek society offers a competing characterization of salient domains of human society in the classical distinctions of *oikos*, *agora*, and *ekklisia*, which are the private, the private/public, and the public, respectively.¹⁴ The highly contested borders of the public and the private spheres can apply to higher education's growth and accessibility but motivate a political and ethical critique. The distinction makes possible the philosophical question of to what extent higher education, or any form of education for that matter, belongs in the marketplace as a commodity. At issue, I would argue, is whether our society believes that higher education is a public good, deserving of the protections that preserve its intellectual ideals as well as promote accessibility and affordability. Emphasizing individual freedom at the expense of the public good, neoliberals have succeeded in demonizing state educational interventions and thereby broadening the scope of the private domain and justifying individuals'

¹² Deron Boyles, “Marketing Sameness: Consumerism, Commercialism, and the Status Quo,” in *Higher Education: Handbook of Theory and Research*, vol. 22, ed. John C. Smart (Dordrecht: Springer, 1992), 537–82.

¹³ Henry Giroux and Susan Searls Giroux, *Take Back Higher Education: Race, Youth, and the Crisis of Democracy in the Post-Civil Rights Era* (New York: Palgrave Macmillan, 2004), 39–42.

¹⁴ *Ibid.*, 41.

disproportionate accumulation of wealth, while widely expanding free-market initiatives for the sake of profit alone.¹⁵

Interestingly, Trow expresses a similar sentiment that the public versus private tension is being played out in higher education as a political issue. He argues for a broad interpretation of the private domain, which would preclude disclosure of one's racial background and would render affirmative action programs impossible to administer. In this argument against preferential admissions to higher education, he states that

Higher education is supposed to enhance our sense of individuality, to encourage and educate distinctive qualities of mind and character. Intelligence and creativity, if allowed, burst through the constraints of social origin; nurtured by our origins, we transcend them. In our private lives we may choose to honor and celebrate the culture of a group to which we feel we belong. Or we may reject that identification. People differ, and must be allowed to differ, but the choices they make should be matters of private, not public, policy.¹⁶

Privileging individual freedom, Trow expresses a very broad view of the private space that disregards the troubling history of racial identity in American society in order to justify ending preferential admissions in higher education.

The path of ethical analysis relates to the political morality of the expansion of higher education and the question of whether it fundamentally violates or conforms to the basic principles of justice in a democracy. Considering, as Loving maintains, that higher education is trending towards being a broadly available product and that its commodification is the result of various sociopolitical forces, the classically liberal public versus private demarcation relates to the conflict of personal liberty and fairness. Rawls's theory of justice,¹⁷ intended to pursue questions of equality concerning institutions in the basic structure of society, could be particularly salient here. Recall that when individuals deliberate about issues in this basic structure of society, they are no longer behind the veil of ignorance. They are guided to accept social policies for the common good that protect comprehensive doctrines of individuals and groups by principles of justice, and can agree on terms of mutual reciprocity or overlapping consensus. Although, for reasons unknown, Rawls does not include K-12 or higher education in his theorization, given this new proposed categorization of education as a commodity, what would it mean to bring to bear these distributive principles of higher education accessibility? About what areas in the delivery and structure of higher education can there be

¹⁵ Ibid., 50.

¹⁶ Martin Trow, "Preferential Admissions in Higher Education," in *Beyond the Color Line: New Perspectives on Race and Ethnicity in America*, eds. Abigail M. Thernstrom and Stephan Thernstrom (Stanford, CA: Hoover Institution Press, 2002), 297.

¹⁷ John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971).

an overlapping consensus delineating the public obligation to support the preparation of its youth and nontraditional students to be responsible members of society? Philosophically, I would argue that this negotiation for more just and fair terms plays a critical role in mitigating Trow's functionalist account.

ENVISIONING THE PROFESSORiate IN THE ACTIVIST ROLE

A third worry about the elitist versus populist formulation, in addition to its potential to obscure the normative political issues at work, is the extent of abstracting of higher education trends in these broad sweeping terms. This can keep us from getting into the really messy business of the professoriate's limited culpability in the present state of affairs. Like Socrates in his conversation with Crito, it is important to reflect on ways that we flourished in departments, colleges, and universities that had long ceased to even remotely live up to the educational demands of a thriving democratic society.¹⁸ A series of questions below relate to this line of thinking that can be subsumed under the matter of limited faculty culpability, agency, and participation in sustaining and challenging the conditions related to higher education's current diminished significance.

- To what extents have we attended to the changing status of the traditional college or university within the knowledge economy and adjusted pedagogy in order to meet these times? Or has there been a resistance to emerging technologies that foster active learning under the illusion that this distance from populist and accessible forms of knowledge dilutes our perceived elitism?¹⁹

While forms of science and its related disciplines will always be engaged in discovery, there is nothing sacrosanct about the disciplinary silos and staid instructional strategies that we prefer in higher education and that can contribute to its elitist reputation. Tom Rosenstiel, the former director of the Pew Research Center's Project for Excellence in Journalism, stated that we cannot make a living providing students information that is available anywhere else.²⁰

¹⁸ It is worth noting that Loving expresses a similar view about there being possibilities for professoriate activism in the current higher education environment.

¹⁹ Newman, *Higher Education*, 6.

²⁰ Tom Rosenstiel, "Millennials, Media and Information" (panel discussion, *Pew Research Center presents Millennials: A Portrait of Generation Next*, Washington, D.C., February 24, 2010). See also, Roderick Smith, "A Critical Appraisal of the Position of the University within the Knowledge-Economy" (EdD thesis, University of Sterling, 2006), <http://hdl.handle.net/1893/336>.

- To what extent have faculty abdicated their role in helping to shape the values of students?

The 1985 Carnegie report identified a shift in the attitudes of faculty in terms of a reluctance to wrestle with the role of higher education in imparting values.²¹ In addition, after the Vietnam War, many faculty members expressed deep cynicism about engaging in national debates about morality and politics.²² Arguably, some four decades later, this distance from politics has become standard in our profession. Giroux and Searls Giroux argue that progressive educators can sometimes engage in “insularity” by finding refuge in all-encompassing critique, thus backing away from substantively engaging with producing the very conditions that support a democratic way of life.²³ This view suggests that the progressive critique can become imprisoning, not fully wrestling with facts or conditions that are outliers to the overarching progressive narrative.

- Are we forcing political, socioeconomic and educational factors into frameworks that are not equipped to make sense of an increasingly demographically diverse society?

It is worth noting that in the limitations section in the closing portion of the address, Loving acknowledges that he was not able to discuss the “role that race and gender have played in the transition between elitist and populist education.” In my view, this oversight is particularly striking in its divergence from any such interpretation that would take positionality (e.g., race, gender, or other forms of identity) into account. Over the last 50 years, American society has undergone dramatic demographic and cultural shifts that have brought unprecedented changes to public policy in every sector of society. Indeed, this can be said to be the very best of times for inclusivity in education, which is a fundamental democratic principle, even alongside the argument that it is the worst of times because of a new populism. However, it is not entirely clear what we have lost or gained if a reductive or singular analysis renders positionality to be insignificant in theorizing an overall trend.

- What kinds of understandings or resources are available from faculty identity positions that can be made available to others broadening their experience of what it means to be part of a public space and validating the sense that civic identity is inclusive?

Counter to Loving’s approach, confronting such structurally complex issues as the commodification of education can take place through a positionally situated lens. One example is through Cornel West’s articulation of the black prophetic tradition, as a transracial/transethnic and quintessentially American critique that

²¹ Newman, *Higher Education*, 59.

²² *Ibid.*, 60.

²³ Giroux and Searls Giroux, *Take Back Higher Education*, 48.

can be available to all. Comparing the bold truth-telling and courageous activism of the past to the milquetoast and quiescent voices of contemporary black leaders, West offers a full-scale attack against an American culture of greed, individualism, and denial that, he claims, has gripped much of the black community, which is departing from this legacy that he believes belongs to everyone but is particularly the legacy of black culture.²⁴

In this tradition, there is a mandate to “speak truth to power” in the darkest of times. It is a tradition that always speaks up for those on the margins, framing the call for justice within the larger democratic project. It also brings a message of resilience and hope that transcends the current state of affairs, looking towards a future, beyond the life of its speakers, when the “arc of the universe bends towards justice,” leveraging one’s cultural identity membership to fully weigh American experience, recognizing one’s situatedness, and influencing one’s assessment.

West’s project raises the question of the bearing identity commitments and positionality have on the kinds of interpretations and judgments one makes about higher education’s prospects.

CONCLUSION

Is education merely a commodity in the way of Jell-O and the cell phone? The trend that Loving describes is neither as linear nor as long-standing as he argues. Additionally, in invoking a solely post-modernist analysis abstracted from cultural and social verisimilitudes, this discursive reading of higher education overlooks the normalizing role of the democratic, sociocultural and legal contexts. Even if higher education is packaged and sold, education in a democracy always bears the teleological burden as well as a practical one. Democratic values that reflect a more inclusive society formation as an end in itself run through the evolution of higher education, a point that can be lost in Loving’s overarching story. Lastly, this narrative can minimize the significance of group identity as a real, if not essentialist, standpoint that is a catalyzing factor motivating a more egalitarian role to higher education. This emphasis places value on local, relational, and particular contexts as spaces of activism. Loving similarly proposes reasons for hope in our relationship with our students. It is the idea of pedagogy as a site of struggle and the importance of establishing solidarity with them. I would argue that this perspective is the most viable and ethically consistent one.

²⁴ Cornel West and Christa Buschendorf, *Black Prophetic Fire*, ed. Christa Buschendorf (Boston: Beacon Press, 2014).
