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Shanghaiing America's Best Thinking: Musings on University Corporatization, Chinese Partnerships, and Embracing Critical Theory

Tim Hatcher*

I. INTRODUCTION

The majority of America's public universities no longer focus on educating people for the civic duties or liberal thinking that made America great, as John Dewey, Tocqueville, and others suggest.¹ Rather, universities are handmaidens of corporate power, bastions of neoliberalism and economic globalization, and "knowledge factories" that produce workers with skills and competencies global corporations require.

Corporate accountability has replaced social responsibility. The professional school has replaced the academy. Research bought and sold by powerful industries, such as pharmaceuticals and the military-industrial complex, have replaced research for the benefit of society. As much as we would like to think the professoriate is immune from this covert incursion, university administrators and managers increasingly reduce full-time, tenure-track faculty positions by institutionalizing part-time, contingent faculty through denying tenure and making promotions difficult.²

This article discusses U.S. public universities' recent role-reversal from instilling civic duty to focusing on corporate accountability and subservience to globalization. How far this structural change and conceptual shift has gone is illustrated by China's robbing of state-of-the-art knowledge through significant increases in U.S. universities' presence in and partnerships with China and its Communist, oppressive government, leading a country that is now the world's fastest growing economy and an increasing military power.³ Part II discusses the regression of U.S. universities' emphasis on civic duties to embracing corporate servitude. Part III describes the recent trend of U.S. universities partnering with Chinese universities and the pitfalls these partnerships create. Part IV offers a response to these recent trends by looking at Human Resources Development (HRD) through the lens of critical theory and arguing that HRD can provide a structure that enhances democracy by carrying out its desire to remain

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1. JOHN DEWEY, *DEMOCRACY AND EDUCATION* (1916); ALEXIS DE TOCQUEVILLE, *DE LA DEMOCRATIE EN AMERIQUE* (Elibron Classics 2005); ALEXIS DE TOCQUEVILLE, *DEMOCRACY IN AMERICA* (Harvey C. Mansfield & Delba Winthrop eds., trans., Uni. of Chi. Press 2002); ALEXIS DE TOCQUEVILLE, *DEMOCRACY IN AMERICA* (Arthur Goldhammer trans., Library of Am. 2004).

2. See *infra* Part II.

3. G. John Ikenberry, *The Rise of China and the Future of the West: Can the Liberal System Survive?*, *FOREIGN AFF.*, Jan./Feb. 2008, at 23, 26; Ann Scott Tyson, *Pentagon Finds China Fortifying Its Long-Range Military Arsenal*, *WASH. POST*, May 24, 2006, at A17.

autonomous and disengage itself from wholesale corporatization. Part V concludes that, while recent changes in the U.S. university system present many dangers to a democratic way of life, recognizing the problem and addressing it through HRD and critical theory can prevent the future degradation of U.S. academia and intelligence.

II. THE MODERN PUBLIC UNIVERSITY: FROM CIVIC DUTY TO CORPORATE SERVITUDE

Public universities in the early twenty-first century underwent significant changes, with damaging consequences for democratic development and a weakening of the United States' dominance in intellectual capital. The most evident changes over the past twenty years include a myopic focus on external funding instead of civic duty, with little focus on academic freedom, the latter of which results in a weakening of tenure.⁴ Other examples include a general shift in public universities' "old" mission, supporting state level extension, and engagement toward a "new" focus on economic development connected with internationalization and an unquestioning support of globalization.⁵

To varying degrees, public universities have always been agents of economic development. However, modern public (state) universities "are increasingly regarded as suppliers of private goods (individual economic benefits) rather than public goods (broad-based economic development and social equality)."⁶

Today's public university evolved from merging of the ideals of private land grants, European universities, and colonial colleges whose mission was to educate the population for life in a democratic society.⁷ Further, early universities, many of which became land grant institutions, focused on conducting research and providing training in applied disciplines, like agriculture, primarily to help America rebound politically and financially from the devastation of the American Civil War.⁸ "Many of the original institutions were active in building the new nation and later were joined by new institutions that combined the European emphasis on research with the American interest in service."⁹

4. See *infra* note 21 and accompanying text.

5. See *infra* Part II (discussing the historical development of universities in the United States).

6. Scott Gelber, Book Note, *Going Back: The Social Contract of the Public University*, 47 HIST. EDUC. Q. 368, 370 (2007).

7. See Robert M. Berdahl, Chancellor, Univ. Cal. Berkeley, Address at the Erfurt University: The Privatization of Public Universities (May 23, 2000), <http://cio.chance.berkeley.edu/chancellor/sp/privatization.htm> (on file with the *McGeorge Law Review*); *infra* Part II (discussing the historical development of universities in the United States).

8. See Vernon Carstensen, *A Century of the Land-Grant Colleges*, 33 J. HIGHER EDUC. 30, 35 (1962) (noting that by the late 1800's land-grant colleges conducted research and developed new technologies in the field of agriculture).

9. Barry Checkoway, *Renewing the Civic Mission of the American Research University*, 72 J. HIGHER EDUC. 125, 127 (2001).

In the United States, public universities have a history of addressing the growth and sustenance of democracy. Yet their recent financial shortsightedness overshadows and subverts this social objective.¹⁰ In addition, applied research that in the past benefited the public good is now primarily carried out as part of corporate partnerships and grants or contracts that benefit only the purchasing agent and, more broadly, further capitalistic elitism and inequalities caused by globalization.¹¹ Researchers with agendas that are not on corporate radar screens or who work in disciplines that may be critical of the popular axiom of globalization that it “lifts all boats”¹² equally find it difficult, if not impossible, to obtain funding.¹³

Historically, the professoriate resisted corporate influence over its research. Yet over the past few decades, the pressure exerted on researchers by the corporatization of higher education, while prima facie subtle and non-threatening, is nonetheless a reality and has, in many quite evident ways, compromised academic freedom. The weakening of governance within many public universities undermines one of the pillars of academic freedom and one of the few venues through which faculty officially communicate and exert pressure on administrators to act responsibly and seriously consider important decisions with equity in mind.

Academic freedom is the theoretical foundation of public universities’ civic and social responsibility. Open and free enquiry is the cornerstone of teaching and research—both vital functions in post-industrial society. Academic freedom is compromised, however, by university presidents who pressure faculty to increase external funding; insist that technology be licensed as a commodity versus knowledge; develop online, for-profit services; and generally see research as a source of revenue rather than as a public good.¹⁴

10. *Id.* (“Whereas universities once were concerned with ‘education for citizenship’ and ‘knowledge for society,’ contemporary institutions have drifted away from their civic mission.”).

11. *Id.*

12. See, e.g., Peter Engardio & Catherine Belton, *Global Capitalism: Can It Be Made to Work Better?*, BUS. WK., Nov. 6, 2000, http://www.businessweek.com/2000/00_45/b3706001.htm (on file with the *McGeorge Law Review*) (“The plain truth is that market liberalization by itself does not lift all boats, and in some cases, it has caused severe damage to poor nations.”).

13. SHEILA SLAUGHTER & GARY RHOADES, *ACADEMIC CAPITALISM AND THE NEW ECONOMY: MARKETS, STATE, AND HIGHER EDUCATION* 181 (1997) (“[T]o maintain and expand resources faculty had to compete increasingly for external dollars that were tied to market-related research, which was referred to variously as applied, commercial, strategic, and targeted research, whether these moneys were in the form of research grants and contracts, service contracts, partnerships with industry and government” Increased competition for external revenues directed institutional expenditures and faculty activity away from instruction.”); Michael Devaney & William Weber, *Abandoning the Public Good: How Universities Have Helped Privatize Higher Education*, 1 J. ACAD. ETHICS 175, 176 (2003) (“[F]aculty may be pressured to abandon research that benefits the general public in favor of research that is most profitable to the sponsoring university.”). See generally THOMAS L. FRIEDMAN, *THE LEXUS AND THE OLIVE TREE* (1999).

14. See Paul Fain, *Crisis of Confidence*, CHRON. HIGHER EDUC., June 23, 2006, at A28, A28 (discussing the increasing demands on university presidents including “greater accountability,” increasing expectations, and strained resources); Daniel S. Greenberg, *A New Source of Research Money*, CHRON. HIGHER EDUC., Mar. 2,

As presidents and other executive level administrators circle the globe promoting their campuses, the idea of knowledge as capital auctioned to the highest bidder at some perverse global trade bazaar has become the new way of the public university.¹⁵ Steck suggests that “many top university administrators look at their institutions as businesses retailing and wholesaling a product, whether research, information, or training.”¹⁶

The pervasiveness of university-based, corporate-controlled technologies, such as nanotechnology, is fully supported by the U.S. Government. The University and Small Business Patent Procedures Act of 1980¹⁷ that brought about “a profound alteration of culture in institutions of higher learning . . . was deliberately engineered by transnational corporations in a successful effort to get control of the federal investment in university research.”¹⁸ “[T]he appropriation of intellectual labor for profit . . . is a shift of the university culture to a culture colored by values appropriate to the modern business corporation.”¹⁹

“Not since the [social and political] campus turmoil of the 1960s have academics been forced to confront so directly so much uneasiness and uncertainty about the fundamental nature and role of the university.”²⁰ However, indicators have suggested the dismantling of academic freedom and individual rights to ownership of knowledge for decades. In the 1970s, sociologist Paul Piccone was denied tenure, and his well-known sociology department at Washington University, St. Louis, was terminated for his radical ideas.²¹ His colleagues and students were denigrated, and any aspirations they may have had to take more radical paths in the future were quashed.²² More recently, tenured and outspoken George W. Bush critic Ward Churchill, professor at the University of Colorado at Boulder, was fired, allegedly for research ethics violations.²³

2007, at B16, B16 (noting that “[t]hese are especially difficult times for researchers who depend on government money” and “politicians and scholars often claim that industry controls academic research via the power of the purse”). *But see* Goldie Blumenstyk, *Harvard Licensing Deal Reflects Its ‘Public Mission,’* CHRON. HIGHER EDUC., Oct. 19, 2007, at A25, A25 (“Harvard University, one of the originators of a statement of how institutions can serve the public good while commercializing technology, has taken the message to heart.”).

15. See Henry Steck, *Corporatization of the University: Seeking Conceptual Clarity*, 585 ANNALS AM. ACAD. POL. & SOC. SCI. 66, 67, 70 (2003).

16. *Id.* at 76.

17. 35 U.S.C.A. § 200 (West 2000).

18. Steck, *supra* note 15, at 76 (quoting Leonard Minsky, *Dead Souls: The Aftermath of Bayh-Dole*, in CAMPUS, INC.: CORPORATE POWER IN THE IVORY TOWER 95-105 (Geoffrey D. White ed., 2000)) (alteration in original).

19. *Id.*

20. *Id.* at 70.

21. Timothy W. Luke, *From Pedagogy to Performativity: The Crises of Research Universities, Intellectuals, and Scholarly Communication*, 131 TELOS 13, 15 (2005). For a brief article on Paul Piccone, see Telos Press, About Paul Piccone, http://www.telospress.com/main/index.php?main_page=page&id=40 (last visited Mar. 18, 2008) (on file with the *McGeorge Law Review*).

22. Luke, *supra* note 21, at 15.

23. Berny Morson, *CU Regents Fire Ward Churchill*, ROCKY MOUNTAIN NEWS, Jul. 25, 2007, http://www.rockymountainnews.com/drmn/local/article/0,1299,DRMN_15_5642650,00.html (on file with the

Denying tenure, disbanding humanities, controlling freedom of speech, and placing finances above academic freedom are symptomatic of the disregard of higher education's original mission to develop democracy and enhance the public good.

A variety of social and political commentators representing various disciplines insist that the public good, the primary characteristic of the charter between higher education and society, is being compromised.²⁴ Higher education has replaced "general good" with "user pays."²⁵

Over time, . . . universities have been transformed from civic institutions into some of the world's most powerful research engines and, in so doing, have undergone major changes in their objectives and operations, research paradigms and pedagogical methods, and infrastructure and external relationships. Historians attribute the transformation to various forces, including the professionalization and departmentalization of the academic disciplines into the university, the drive for Cold War supremacy and national security, and other factors that caused universities to experience their most expansive growth and also to deemphasize their civic mission²⁶

Citizenship is inexorably linked with public education. Without public universities, equality of access to financial and social opportunities and the ability to fully participate in democracy in an intelligent and responsible manner are jeopardized.

The primary enemy of the public mission of the university is corporatization. The Morrill Act of 1862²⁷ defined not only knowledge for common social gain but also "a uniquely American and distinctly democratic role for higher education."²⁸ Almost a century and a half later, modern legislation, like that of the University and Small Business Patent Procedures Act of 1980,²⁹ ensures that "the social [responsibility] of the university has . . . been turned not to serving society in general or to meeting some broad democratic mission but to working with if not bending to corporate interests."³⁰ "The large and growing body of scientific

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24. See, e.g., DEREK BOK, *UNIVERSITIES AND THE FUTURE OF AMERICA* (1990); CLARK KERR, *TROUBLED TIMES FOR AMERICAN HIGHER EDUCATION: THE 1990S AND BEYOND* (1994); Derek Bok, *The Corporation on Campus: Balancing Responsibility and Innovation*, CHANGE, Sept. 1982, at 16; Patricia J. Gumpert, *Academic Restructuring: Organizational Change and Institutional Imperatives*, 39 J. HIGHER EDUC. 67 (2000); Adrianna Kezar, *Obtaining Integrity? Reviewing and Examining the Charter Between Higher Education and Society*, 27 REV. HIGHER EDUC. 429 (2004).

25. Luke, *supra* note 21, at 14.

26. Checkoway, *supra* note 9, at 128.

27. See Morrill Act of 1862, 12 Stat. 503 (1862).

28. Steck, *supra* note 15, at 79.

29. 35 U.S.C.A. §§ 200-211 (West 2001).

30. Steck, *supra* note 15, at 79.

research generated by universities was once a public good. More recently, universities have attempted to privatize research in order to capture the economic rent on commercially lucrative knowledge.”³¹

Predominately right-wing critics argue that the public benefits from technological advances no matter whom or what funds it. Yet the idea of technology for the public good with no strings attached seems ludicrous in today's commerce driven society. And, unfortunately, because technology is in fact a commodity, it fails miserably in addressing the depth and breadth of socio-economic and politically-manifested human suffering across the globe.³² Unlike the universities of only a few decades ago, “one is hard-pressed to see the same widespread devotion by [modern public] universities to poverty, labor unions, the arts, addressing class divisions, and the like. The corporatized university is the university of neither Morrill nor Cardinal John Henry Newman, of neither Robert Lynd nor Max Weber.”³³

The need for universities to develop, license, and sell new technologies ushered in two new organizational configurations: the corporate-university research partnership and the university research park. These numerous partnerships are “dependent both on the intellectual capital—the ideas generated in research universities—and the human capital—the students educated in these universities. . . . But the university-industrial complex brings market forces into the university to an extent never before contemplated.”³⁴

The recent increase in technology transfer through licensing by universities and the resulting partnerships with industry forces many faculty to approach research in a less academic, more commercial manner.³⁵ “This trend has prompted concerns that faculty may be pressured to abandon research that benefits the general public in favor of research that is most profitable to the sponsoring university,”³⁶ shifting the rewards of commercialization of knowledge from adding to the social common good to strictly monetary gain.

31. Devaney & Weber, *supra* note 13, at 175-76.

32. See generally TIM HATCHER, *ETHICS AND HRD: A NEW APPROACH TO LEADING RESPONSIBLE ORGANIZATIONS* (2002).

33. Steck, *supra* note 15, at 79-80.

34. Berdahl, *supra* note 7.

35. See Goldie Blumenstyk, *3 More Universities Join \$10-Million Club in Annual Revenue From Licensing Inventions*, *CHRON. HIGHER EDUC.*, Dec. 14, 2007, at A22 (discussing the Association of University Technology Managers survey of “universities earning more than \$10-million annually from their licensing of inventions” in 2006). According to the Association of University Technology Managers (AUTM), the University of California System led the nation with \$193 million in license income in 2006, followed by New York University with \$157 million. *ASS'N OF UNIV. TECH. MANAGERS, AUTM U.S. LICENSING ACTIVITY SURVEY FY 2006*, at 39-40 (2007), http://autm.net/events/file/AUTM_06_US%20LSS_FNL.pdf (on file with the *McGeorge Law Review*). Examples of partnerships include university research parks. For information and a listing of members, see Association of University Research Parks, www.aupr.net (last visited Apr. 17, 2008) (on file with the *McGeorge Law Review*).

36. Devaney & Weber, *supra* note 13, at 176.

While there have always been salary differences across disciplines and between administrators and faculty in America's public universities, these new organizational structures have significantly increased this disparity.³⁷ In many cases, salaries among faculty and between faculty and administrators are double or even triple.³⁸ According to a 2006 *Chronicle of Higher Education* report, university presidents' salaries mirror that of corporate CEOs, as five university presidents' salaries surpassed \$1 million dollars, and nine earned more than \$900,000.³⁹

The more universities become like corporations, the more they emulate the evils that come with capitalistic greed. One wonders how long it will be before there is an Enron-like debacle within public universities. University civic responsibility has indeed devolved into the ruse of corporate social responsibility.

An important aspect of the recent capitalistic orientation of higher education in the United States is its global impact. Unlike American public universities, which "are strategically situated for civic engagement [and] whose original mission expressed a strong public purpose,"⁴⁰ developing countries' political influence replaces the public good with economic advancement and financial success, "abandoning long-standing missions of social development, social justice, and democratic engagement."⁴¹ Nowhere is this more evident than in Communist China.

37. See Jan Currie, *Globalization Practices and the Professoriate in Anglo-Pacific and North American Universities*, 42 COMP. EDUC. REV. 15, 26 (1998) (noting that a Florida State University professor recently remarked: "The university administration is approaching corporate managerialism. If you look at the salaries of administrators, they're paid enormous salaries comparatively speaking; they're in the top 10 percent [nationally] and the faculty is in the bottom 25 percent nationally."); CUPA-HR™, NATIONAL FACULTY SALARY SURVEY BY DISCIPLINE AND RANK IN PUBLIC FOUR-YEAR COLLEGES AND UNIVERSITIES FOR THE 2007-08 ACADEMIC YEAR 22-25 (2008), <http://www.cupahr.org/surveys/files/salary0708/NFSS08ExecutiveSummary.pdf> (on file with the *McGeorge Law Review*) (noting that high-paying disciplines include law, business, the health professions, computer and information sciences, engineering, the physical sciences, and mathematics, while lower-paying disciplines include the visual and performing arts, library sciences, agricultural sciences, education, home economics, and communications).

38. Am. Ass'n Univ. Professors, *Financial Inequality in Higher Education, The Annual Report on the Economic Status of the Profession, 2006-07*, at 26-27 (2007), <http://aaup.org/NR/rdonlyres/B25BFE69-BCE7-4AC9-A644-7E84FF14B883/0/zreport.pdf> (on file with the *McGeorge Law Review*) (comparing faculty salaries and presidential salaries).

39. See *Presidential Pay Is Increasing Fastest at the Largest Institutions*, CHRON. HIGHER EDUC., Nov. 16, 2007, at B3 ("In the 2006-7 fiscal year, 56 of the 182 public institutions in the survey paid their president at least that amount. . . . Eight public institutions paid at least \$700,000 to their presidents . . ."); *The Million-Dollar President, Soon to Be Commonplace? A 'Chronicle' Survey Finds 53-Percent Increase in Presidents with Compensation of at Least \$500,000*, CHRON. HIGHER EDUC., Nov. 24, 2006, at B3, available at <http://chronicle.com/weekly/v53/i14/14b00301.htm> (discussing various examples of university presidents earning over one million dollars).

40. Checkoway, *supra* note 9, at 127.

41. Adrianna Kezar, *Obtaining Integrity? Reviewing and Examining the Charter between Higher Education and Society*, 27 REV. HIGHER EDUC. 429, 430 (2004).

III. CHINA'S QUEST FOR KNOWLEDGE: SHANGHAIING U.S. INTELLIGENCE

For the first time in U.S. history, universities are seemingly complicit in wholesaling some of their best and brightest academic talent and cutting edge research. Enticing U.S. public universities to either sell or give away the nation's intellectual capital is China;⁴² a country that not so long ago (along with the U.S.S.R.) was referred to as the "Red Menace."⁴³ Since the fall of Russian Communism, China is now the world's most powerful Leninist regime, but many political and academic leaders in the United States believe it has "softened" politically.⁴⁴

Prior to China's entry into the international marketplace, public higher education in the United States focused on relatively nationalistic missions, with few exceptions. Universities, colleges, vocational schools, and community colleges were married to their state, regional, and national constituents. Courting international clients saw limited activity. The past decade saw explosive growth in the number of U.S. colleges and universities clamoring to set up partnerships in China. Since the mid-1990s, when China first opened its doors to such ventures, more than 700 foreign universities and colleges set up shop all over China.⁴⁵

Following the corporate lead, universities opened their intellectual storehouses to China's universities through compulsory relationships with China's Communist Party. This loss of a nation's intellectual capital occurred without so much as a whimper from the public or from concerned socio-political scholars and pundits who typically protest such explicit capitalistic tendencies.

The unusual cause of this robbing of state-of-the-art knowledge reveals much about the role of higher education in today's global marketplace. "Higher education, once the rarefied province of the elite, is now viewed by most nations as an indispensable strategic tool for shaping, directing, and promoting economic [and political] growth."⁴⁶ As a developing nation, China now realizes that a college degree is an indispensable passport to the globalized knowledge economy of the twenty-first

42. See Philip G. Altbach, *Chinese Higher Education in an Open-Door Era*, INT'L EDUCATOR, July/Aug. 2007, at 15 (explaining that "[m]any Chinese universities face financial shortfalls" and partner with foreign universities to increase revenues).

43. See Amry Vandenbosch, *The Flaming East*, ANNALS AM. ACAD. POL. & SOC. SCI., May 1948, at 23, 31 (referring to Russia and China as the "Red menace" during the late 1940s through the late 1950s).

44. ROSS TERRILL, *THE NEW CHINESE EMPIRE AND WHAT IT MEANS FOR THE UNITED STATES* 250 (2003) ("There is little violence, as both Beijing and the outlying cities involved . . . are softened by the winds of freedom."); see also James Mann, *America's China Fantasy: Our Political and Business Leaders Insist That Opening China to Trade Will Eventually Turn It into a Democracy. But What if They're Just Making an Authoritarian State Much More Powerful?*, AM. PROSPECT, Mar. 2007, at 12, 12 ("The notion of a China on the road to political liberalization has taken hold in the United States."). But see Ying Ma, *China's Stubborn Anti-Democracy*, POL'Y REV., Feb./Mar. 2007, at 3, 4 ("[O]bservers have been right that China would become more pluralistic and multifaceted. But they have been delusional in thinking that Chinese leaders would simply roll over and relinquish power when presented with new challenges to their rule.")

45. Altbach, *supra* note 42, at 15 ("Today about 1,400 foreign higher education institutions have been approved by various education authorities in China to operate in the country.")

46. William R. Brody, *College Goes Global*, FOREIGN AFF., Mar./Apr. 2007, at 122, 122.

century. In most capitalistic cultures, the need for an educated populace is obvious, especially as regards democratic growth. Yet the underlying reasons for China's recent gobbling up of U.S.-based research and knowledge remains elusive.

Many politicians and leading economists predict that the more China experiences market forces and Western corporations, the more democratic it will become.⁴⁷ While it is true that China has and continues to change, these pundits "have been delusional in thinking that Chinese leaders would simply roll over and relinquish power The Chinese Communist Party (CCP) shows no interest in meaningful political reforms and has continued to rely on repression and brutality to maintain its rule."⁴⁸ "Chinese rulers have consistently proven China optimists wrong."⁴⁹ Some "political and business leaders insist that opening China to trade will eventually turn it into a democracy. But what if they're just making an authoritarian state much more powerful?"⁵⁰

The popular assumption that U.S.-driven capitalism and free trade will magically change Chinese communism to liberalism and ultimately through integration to democracy may, in fact, turn out to be a huge mistake. Instead of China being "integrat[ed] into a new international economic order based upon free-market principles[,] . . . China [may be] integrating the United States into a new international political order where democracy is no longer favored."⁵¹

China is succeeding in melding capitalism with political repression, a model that other less than democratic regimes throughout the world are closely watching and seeking to emulate. This poses an especially troubling problem for critics who support Chinese citizens' opportunity to participate in economic freedom but who are also beginning to understand this economic policy is simultaneously strengthening the Communist Party.

Countries with repressive governments continue to learn from the failure of the Soviet Union, and they are watching China's growth and are succeeding in allowing high levels of economic freedom while maintaining political repression. Based on research using data from The Freedom House, an organization that rates the level of political freedom in nations, and the Fraser Institute, an organization that rates economic freedom, Kevin Hassett discovered:

47. Ma, *supra* note 44, at 4 ("Many China observers have long been predicting that China's encounter with market forces or liberal institutions and instruments from the West would spur inevitable democratic change."); Rowan Callick, *The China Model*, THE AMERICAN, Nov./Dec. 2007, <http://www.american.com/archive/2007/november-december-magazine-contents/the-china-model> (on file with the *McGeorge Law Review*) ("In the 1980s, wishful thinking on the part of some Western observers, combined with a form of historical determinism that was, in its way, a tribute to the thinking of Hegel and Marx, had China inevitably becoming more free and democratic as it became more of a market economy.").

48. Ma, *supra* note 44, at 4.

49. *Id.*

50. Mann, *supra* note 44, at 12.

51. *Id.* at 13.

[T]he countries that are economically and politically free are underperforming the countries that are economically but not politically free. For example, unfree China had a growth rate of 9.5 percent from 2001 to 2005. But China was not the whole story—Malaysia's GDP grew 9.5 percent from 1991 to 1995, Singapore's GDP grew 6.4 percent from 1996 to 2000, and Russia's grew 6.1 percent from 2001 to 2005.⁵²

Repressive governments know that without an economy that provides at least some freedoms, citizens are more likely to question and consequently seek to replace their political rulers. As Hassett suggests, "[t]he unfree nations will grow so quickly that they will overwhelm free nations with their economic might. The unfree will see no reason to transition to democracy."⁵³ Thus, we should caution against focusing on China's rapid and seemingly endless growth as the world's manufacturer and instead pay attention to the fact that China is an "authoritarian state [that] builds selectively and opportunistically on a more than 3000-year-old tradition of imperial rule."⁵⁴ Some insist that China is grabbing "Western technology, know-how, and capital without relinquishing its monopoly on power,"⁵⁵ while "aggressively malign[ing] Western-style democracy as chaos-inducing and unsuitable for the country's current economic conditions."⁵⁶

China's entry into the World Trade Organization (WTO) in 2001 provided many with the promise that the Communist regime would change as a result of the many social and political commitments required for membership.⁵⁷ Even though the Office of the U.S. Trade Representative (USTR) says that China deserves "due recognition" for the efforts it has made to reform its economy, the USTR detailed China's lack of progress in implementing the trade commitments it made to become a member in the 2004 Report to Congress on China's WTO Compliance.⁵⁸ "As the Report shows, while China's efforts to fulfill its WTO

52. Kevin Hassett, *Does Economic Success Require Democracy?*, THE AMERICAN, May/June 2007, <http://www.american.com/archive/2007/may-june-magazine-contents/does-economic-success-require-democracy> (on file with the *McGeorge Law Review*).

53. *Id.*

54. TERRILL, *supra* note 44, at 8.

55. Ma, *supra* note 44, at 5.

56. *Id.* at 11.

57. See World Trade Organization, Decision of 10 November 2001, WT/L/432 (Nov. 23, 2001), available at <http://unpan1.un.org/intradoc/groups/public/documents/APCITY/UNPAN002120.pdf>; World Trade Organization, Ministerial Declaration of 10 November 2001, WT/MIN(01)/3, available at <http://www.uschina.org/public/documents/2005/05/workingpartyreport.doc>.

58. See U.S. TRADE REPRESENTATIVE, 2004 REPORT TO CONGRESS ON CHINA'S WTO COMPLIANCE 3 (2004), http://www.ustr.gov/assets/Document_Library/Reports_Publications/2004/asset_upload_file281_6986.pdf (on file with the *McGeorge Law Review*).

This report is the third report prepared pursuant to section 421 of the U.S.-China Relations Act of 2000 (P.L. 106-286), 22 U.S.C. § 6951 (the Act), which requires the United States Trade Representative (USTR) to report annually to Congress on compliance by the People's Republic of China (China) with commitments made in connection with its accession to the World Trade Organization (WTO), including both multilateral commitments and any bilateral commitments made

commitments are impressive, they are far from complete and have not always been satisfactory; and China, at times, has demonstrated difficulty in adhering to WTO rules.”⁵⁹

Critics of the WTO are quick to point out its overt mission to encourage Western style capitalism across the globe and especially in countries who supply cheap labor.⁶⁰ An example of the WTO’s bottom-line philosophy can easily be seen in the higher education General Agreement on Trade Services (GATS), which China is required to comply with.⁶¹ The objective of GATS is to provide for more specific agreements than simple WTO membership offers.⁶² It requires members to view higher education not as a public good but rather as a globalized trade commodity.⁶³ “The WTO’s GATS covers ‘higher educational services’ and ‘adult education services.’”⁶⁴ This agreement stipulates that, with the exception of teaching activities fully subsidized by various governments (such as military academies), all teaching activities for which fees are taken and that are of a commercial nature come under the rubric of trade in educational services, which covers basic education, higher education, adult education, and technical training.⁶⁵ Again, higher education is treated as a commodity.

Because China’s education, especially its higher education, is currently weak, it finds itself at a disadvantage when trying to compete globally for talent.⁶⁶ Its future place in a globalized economy dependent not on toys or cat food but upon knowledge, China’s economy is being established through policies and activities that will guarantee the country becomes modernized and fully capable of international competition for high technology and knowledge-based business.⁶⁷

to the United States. The report also incorporates the findings of the Overseas Compliance Program, as required by section 413(b)(2) of the Act, 22 U.S.C. § 6943(b)(2).

Id. at 1.

59. *Id.* at 3.

60. See Engardio & Belton, *supra* note 12 (arguing that poorer nations actually fear the WTO, seeing the potential for Western dominance).

61. See World Trade Organization, Trade in Services, The People’s Republic of China: Schedule of Specific Commitments, GATS/SC/135, at 27 (Feb. 14, 2002), available at [http://docsonline.wto.org/DDF Documents/t/SCHD/GATS-SC/SC135.doc](http://docsonline.wto.org/DDF/Documents/t/SCHD/GATS-SC/SC135.doc).

62. See *id.*

63. See Council for Trade in Services, *Background Note by the Secretariat: Education Services*, S/C/W/49 (Sept. 23, 1998), available at http://www.wto.org/english/tratop_e/serv_e/w49.doc.

64. Yang Deguang, *China’s Joining the WTO and Educational Reform and Development*, CHINESE EDUC. & SOC’Y, Sept./Oct. 2003, at 12, 15; see also Special Distribution, *Note by the Secretariat: Services Sectoral Classification List*, MTN.GNS/W/120 (May 24, 1991), available at http://www.wto.org/english/tratop_e/serv_e/mtn_gns_w_120_e.doc.

65. Council for Trade in Services, *Background Note by the Secretariat: Education Services*, S/C/W/49 (Sept. 23, 1998), available at http://www.wto.org/english/tratop_e/serv_e/w49.doc.

66. See Deguang, *supra* note 64, at 12.

67. See ODED SHENKAR, *THE CHINESE CENTURY: THE RISING CHINESE ECONOMY AND ITS IMPACT ON THE GLOBAL ECONOMY, THE BALANCE OF POWER, AND YOUR JOB* 4-5 (2005).

In addition to boosting its own educational system, China is counting on an eventual influx of Chinese students returning from abroad. Chinese students are now the largest contingent of foreign students in the United States. . . . The Chinese government has been accelerating its efforts to entice the best and brightest of this crop to return, offering “overseas terms” and joint appointments to the

To ensure it has talented people, China has chosen to bring talent to its shores through foreign university partnerships and international agreements, such as the WTO, while developing knowledge internally.⁶⁸ China seeks not only foreign know-how but also “something else the Chinese sorely need: application know-how and business-related expertise.”⁶⁹

The rhetoric of a more democratic China through university partnerships is overshadowed by China’s strengthening of its human and financial capital. As China continues to seek out intellectual capital while maintaining its oppressive regime, and as the United States and other western countries comply with its needs while discounting its politics, it is axiomatic that a power shift towards China will result. “[O]nly a modernized China will be able to grasp the baton of chief hegemon from the (presumed) weakening hand of America. For the moment, China still has a third world economy married to a Superpower ego.”⁷⁰ Until the United States and other democratic countries understand that China’s reasons for gaining intellectual capital have more to do with its place on the world political and economic stage than with the innocuousness of university partnerships, these democratic countries will continue to reap what they sow. Politically, this is not a new focus for China; it has had supporting policies in place for some time.

The Communist Party has led China’s government since Mao Tse-tung’s defeat of the Nationalist party in 1949.⁷¹ The Party and many in the citizenry voiced “democratic dictatorship,” but since the late 1940s, there has been much less democracy than dictatorship.⁷² Four decades later, in 1990, Chairman Deng Xiaoping proposed a foreign policy that included the following methods: “‘Hide our capacities and bide our time’ (*Taoguang yanghui*), ‘Be good at keeping a low profile’ (*Shan yu shou zhou*), and ‘Never play the leader’ (*Jue bu dang tou*).”⁷³ According to Ross Terrill, Beijing currently has the following foreign policies: “control of the regime’s own people; economic development; managing security issues around China’s borders; [and] unfolding plans for China’s rise to replace the United States as the dominant power in Asia.”⁷⁴ “[T]he evil of the United States [is] essential to the refreshed legitimation of the Communist party-state.”⁷⁵

most promising prospects. Even without formal incentives, many students as well as practicing scientists and executives are lured back by the wealth of economic opportunities offered by a fast growing economy.

Id. at 5.

68. *Id.* at 4-5.

69. *Id.* at 5.

70. TERRILL, *supra* note 44, at 265.

71. *Id.* at 256.

72. *Id.* at 121-23.

73. *Id.* at 255-56.

74. *Id.* at 265.

75. *Id.* at 300.

While optimists contend that the “pacifying effects of economic integration will forestall outright hostility and conflict between Washington and Beijing,” obscuring outright dominance, “[o]thers . . . argue that the strategic competition itself augurs peace and stability between the superpowers, because each country’s arsenal of nuclear weapons constitutes a security blanket [and] nuclear deterrence [will] cool tensions between the United States and China.”⁷⁶ In 2006, the “others” included the U.S. Pentagon, “warn[ing]: Of the major and emerging powers, China has the greatest potential to compete militarily with the United States.”⁷⁷ But as China continues to dominate the manufacturing sectors, “[e]ven companies supplying the U.S. defense establishment now realize they may have little choice [in using China’s factories], although they try hard to keep their core operations at home.”⁷⁸

Contrary to evidence, naysayers who continue to insist that Sino-U.S. educational partnerships will enhance China’s democracy, as well as increase intellect and knowledge equally on both sides of the Pacific, should take note of the current state of these partnerships. The justification for partnerships with Chinese universities is *prima facie* valid. Demand for higher education in the United States is relatively high, and the need of public universities for external sources of income has never been greater.⁷⁹ In terms of academics, “[China] itself, [some] American academics say, is a useful laboratory for students and professors in all sorts of disciplines.”⁸⁰ But many U.S. university presidents see this differently. They see a potential for profit in partnerships.⁸¹ Yet this has proven to be problematic. “[A]s many of the entrepreneurs who came before them learned the hard way, foreign educators are finding that the road to success in China is paved with failed partnerships—victims of unrealistic expectations, bad planning, and what the Chinese call ‘same bed, different dreams.’”⁸² Unfortunately, many are beginning to find that the road to Peking University is not paved with gold.⁸³

According to the Reverend Ronald Anton, Dean Emeritus at Fordham University and adviser to the University’s M.B.A. program in Beijing,⁸⁴ “the

76. Keir A. Lieber & Daryl G. Press, *Superiority Complex*, THE ATLANTIC, July/Aug. 2007, at 86, 86.

77. *Id.* at 88.

78. SHENKAR, *supra* note 67, at 15.

79. KERR, *supra* note 24, at 5-6, 11; *see also* Paul Mooney, *The Wild, Wild East: Foreign Universities Flock to China, But Are There Riches to Be Made, or Just Fool’s Gold?*, CHRON. HIGHER EDUC., Feb. 17, 2006, <http://stevens.edu/webcampus/chronicle.html> (on file with the *McGeorge Law Review*) (“The demand for education is enormous, as is the potential for profit.”).

80. Mooney, *supra* note 79.

81. *Id.* (“The demand for education is enormous, as is the potential for profit.”).

82. *Id.*

83. *See id.* (discussing how “the word out there is that [having U.S. universities with China] is a gold mine for education programs” while “schools just barely make it [to China]” (quoting Reverend Ronald Anton, Dean Emeritus at Fordham University)).

84. The University runs their M.B.A. program in Beijing “with a consortium of other Jesuit universities, Peking University, and the China Center for Economic Research at Peking University.” *Id.*

word out there is that [partnership with China] is a gold mine for educational programs"; Anton argues, however, that "schools just barely make it here."⁸⁵ He further "says [that] the education market in China is becoming increasingly competitive, and that local programs are improving fast. 'The idea that this is a huge market waiting for foreign partners to come in is just wishful thinking.'"⁸⁶ Anton's experience is just one indication that partnering with Chinese universities will not lead to a growth in income for U.S. universities.

"The Chinese government, too, has become more cautious. Burned by some questionable foreign partners, they are now evaluating all existing foreign degree programs here, and are reviewing new applications more carefully."⁸⁷

"The Chinese understand the need for foreign universities to come to China for capacity building," says Ian Gow, provost of a branch campus of England's University of Nottingham, in Ningbo, 100 miles south of Shanghai. "Every Chinese province is desperate to attract one major university and one middle-level university," he says. "It's the internationalization of the province."⁸⁸

As China seeks to gain important technological capability, a priority for Chinese authorities is to do its own research by locating R&D centers on Chinese soil.⁸⁹ Improving its research base will have a significant impact on its ability to innovate. Innovation is one of the keys to global dominance of technology used for both public good and military power.

It is not enough for China to update its technology; it must also upgrade its human capital. To do this, China is undertaking a fundamental reform of its educational system and bringing in world-class scientists, engineers, and business scholars.⁹⁰ It is also "enticing home" Chinese students completing degrees abroad.⁹¹ In the early part of the twenty-first century, "160,000 PRC students went abroad . . . specializing in technology-related areas of study."⁹² In the United States alone, Chinese students made up "7.5 percent of all science and engineering doctorates between 1986 to 1998, while fewer and fewer American students chose scientific studies."⁹³

Of course, this recent negative publicity may have little real impact on U.S. universities continuing to seek partnerships in China. China seems just too tempting a market for universities faced with significant budget cuts and already

85. *Id.* (quoting Reverend Ronald Anton, Dean Emeritus at Fordham University).

86. *Id.* (quoting Reverend Ronald Anton, Dean Emeritus at Fordham University).

87. *Id.*

88. *Id.*

89. SHENKAR, *supra* note 67, at 71.

90. *Id.* at 74.

91. *Id.* at 76.

92. *Id.* at 75.

93. *Id.*

staggering tuitions for presidents and other administrators to ignore. For faculty, students, and administrators who believe that “selling” U.S. intellectual capital is a mistake, or at the very least want to take a “wait and see” attitude to establishing partnerships, there must be a way to resist the power and persuasiveness of administrators, politicians, and business leaders hell-bent on supporting global capitalism and a communist regime with hegemonic ambitions by giving away U.S. intellectual capital and knowledge. The next part illustrates one approach to resistance.

IV. HOW A DISCIPLINE RESISTS CORPORATIZATION THROUGH CRITICAL THEORY

This section addresses how an academic and practice-based discipline may counter the ubiquitousness of corporatization and resist the status quo of rampant global capitalism that many see as a system of inequality and oppression. It may be useful for academics and others who are feeling pressure to establish partnerships in China and in other less-than-democratic regimes throughout the world. It should be noted that this is not a definitive approach and has yet to be fully tested as regards the issue of partnerships with foreign universities and other institutions that may reside in oppressive regimes. The assumption is that resisting corporatization has similar characteristics to resisting global economic partnerships that create inequality and oppression. It should also be noted that even in cases where partnerships are inevitable, having a theoretical foundation based on the requirement to constantly question the existing social, political, and economic status quo may serve to help academics experience the power of critical theory within their own disciplines. Of course, this may also place them in precarious positions within their institutions and make them a target for their government. Accordingly, due diligence and caution should be taken.

The discipline of Human Resource Development (HRD) is used for illustrative purposes only, as its academics and practitioners have yet to fully embrace critical theory. In addition, HRD has not experienced real benefits in research or practice through the use of critical theory as a theoretical foundation. Before discussing how HRD is using critical theory to resist corporatization and economic globalization, it is important to define critical theory.

A. *Critical Theory*

Critical theory includes the critical viewpoints associated with scholars allied with the Frankfurt School, later named the Institute for Social Research, in Frankfurt, Germany.⁹⁴ Established in 1923, the Frankfurt School consisted of

94. See generally TOM BOTTOMORE, *THE FRANKFURT SCHOOL AND ITS CRITICS* (Peter Hamilton ed., Routledge 2002) (1984); MARTIN JAY, *THE DIALECTICAL IMAGINATION: A HISTORY OF THE FRANKFURT SCHOOL AND THE INSTITUTE OF SOCIAL RESEARCH, 1923-1951* (Univ. of Cal. Press 1996) (1973); ROLF

social, political, and philosophical thinkers such as Max Horkheimer, Theodor W. Adorno, Herbert Marcuse, Friedrich Pollock, Leo Lowenthal, Erich Fromm, Walter Benjamin, and later Jürgen Habermas who represented various disciplinary backgrounds aligned broadly with Marxism.⁹⁵ As the Nazis came to power, and the political climate made it impossible to continue, several of the Jewish members emigrated abroad and eventually were able to continue their work in the United States.⁹⁶

For many years, Horkheimer, Adorno, and Marcuse engaged with American academics and made important social and political contributions.⁹⁷ After the War, in the early 1950s, the Institute for Social Research returned to Germany with three of its original members: Horkheimer, Adorno, and Pollock.⁹⁸ Marcuse stayed in the United States.⁹⁹ Later joining the Institute would be Jürgen Habermas, the noted sociologist and philosopher.¹⁰⁰

Even though a standardized body of thought does not exist, it is important to define critical theory. “Unlike traditional social theory that seeks to explain society, critical theory critiques society in order to change it.”¹⁰¹ Critical theory has been characterized “as a radical, emancipatory form of Marxian thought.”¹⁰² It implies that the world is filled with oppressive practices, “inequities[,] and exploitation, especially of minorities by majorities.”¹⁰³ It “challenges to dominate ideologies that enhance the power of majorities, increase hegemony, and maintain alienation” and “socio-economic theories such as capitalism that support performativity and worker control.”¹⁰⁴

Some define critical theory with implications for higher education and a globalized world, which

. . . foster[s] a rational, democratic development of modern institutions in which self-reflective, autonomous and responsible citizens become

WIGGERSHAUS, *THE FRANKFURT SCHOOL: ITS HISTORY, THEORIES, AND POLITICAL SIGNIFICANCE* (Michael Robertson trans., MIT Press 1998) (1994).

95. BOTTOMORE, *supra* note 94, at 11, 14-15; JAY, *supra* note 94, at xxx, 31; WIGGERSHAUS, *supra* note 94, at ch. 1.

96. JAY, *supra* note 94, at 38-40; WIGGERSHAUS, *supra* note 94, at ch. 2.

97. See generally BOTTOMORE, *supra* note 94, at 11, 14-15; JAY, *supra* note 94, at xxx, 31.

98. BOTTOMORE, *supra* note 94, at 11, 14-15; JAY, *supra* note 94, at 250; WIGGERSHAUS, *supra* note 94, at 407-08.

99. JAY, *supra* note 94, at 219-20.

100. WIGGERSHAUS, *supra* note 94, at 537.

101. Tim Hatcher & Tuere Bowles, *Bridging the Gap Between Human Resource Development and Adult Education: Part One, Assumptions, Definitions, and Critiques*, NEW HORIZONS ADULT EDUC. & HUM. RESOURCE DEV., Spring 2006, at 5, 15 [hereinafter Hatcher & Bowles, *Part One*].

102. *Id.* (citing MAX HORKHEIMER, *CRITICAL THEORY: SELECTED ESSAYS* (Continuum Publ'g Co. 2002) (1972)).

103. Tim Hatcher & Tuere Bowles, *Bridging the Gap between Human Resource Development and Adult Education: Part Two, The Critical Turn*, NEW HORIZONS ADULT EDUC. & HUM. RESOURCE DEV., Summer 2006, at 5, 6 [hereinafter Hatcher & Bowles, *Part Two*].

104. *Id.*

progressively less dependent upon received understandings of their needs, and are less entranced by the apparent naturalness or inevitability of the prevailing politico-economic order. . . . [Critical theory] encourages the questioning of ends (e.g. growth, profitability, productivity) as well as their preferred means, such as dependence upon expert rule and bureaucratic control, the contrivance of charismatic corporate leadership, gendered and deskilled work, marketing of lifestyles, etc.¹⁰⁵

B. HRD: Human Resources Development

Compared to other disciplines, such as management, HRD is a relatively new, multi-disciplinary, stand-alone discipline. Moreover, it is in a conceptual conflict, embracing performative versus non-performative theories that inform its research and practice. It has been criticized as being a handmaiden of profit-oriented business and rampant capitalism, and supporting versus questioning the status quo while disregarding its responsibility to society and to democratic workplaces.¹⁰⁶ In an attempt to shift its role as an unquestioning lackey of big business and globalization, the discipline of HRD is proposing critical theory as an equal status partner for existing conceptual foundations of economics and systems thinking. Foundations such as economics keep HRD from expanding its responsibility to society and the worker. Because it is a relatively new discipline, it may be instructive at this point in the discussion to offer definitions of HRD.

Definitions by Leonard Nadler¹⁰⁷ and Patricia A. McLagan¹⁰⁸ are the two most commonly used by HRD practitioners. According to Nadler, HRD “is a series of organized activities conducted within a specified time and designed to produce behavioral change.”¹⁰⁹ According to McLagan, “HRD is the integrated use of training and development, organization development and career development to improve individual, group, and organizational effectiveness.”¹¹⁰

The definition by McLean and McLean represents “where the discipline has the highest potential for sustainable individual, organizational, and societal growth.”¹¹¹ McLean and McLean’s theory supports critical theory as a conceptual base. Human resource development is any process or activity that, either initially or over the long term, has the potential to develop adults’ work-based knowledge, expertise, productivity, and satisfaction, whether for personal or group/team gain, or for the

105. MATS ALVESSON & HUGH WILLMOTT, MAKING SENSE OF MANAGEMENT: A CRITICAL INTRODUCTION 17 (1996).

106. See HATCHER, *supra* note 32, at 7, 19.

107. See generally LEONARD NADLER, DEVELOPING HUMAN RESOURCES (1970).

108. See generally Patricia A. McLagan, *Models for HRD Practice*, TRAINING & DEV. J., Sept. 1989, at 49.

109. Hatcher & Bowles, *Part One*, *supra* note 101, at 13 (citing NADLER, *supra* note 107, at 3).

110. *Id.* (citing McLagan, *supra* note 108, at 52).

111. *Id.* at 14 (citing Gary N. McLean & Laird McLean, *If We Can't Define HRD in One Country, How Can We Define It in An International Context?*, 4 HUM. RESOURCE DEV. INT'L 313, 322 (2001)).

benefit of an organization, community, nation or, ultimately, the whole of humanity.¹¹²

C. *Enhancing Democracy Through HRD and Critical Theory*

The example of how, through critical theory, an academic and practice-based discipline is beginning to question the status quo, help create workplaces that are equitable, and develop organizations that are socially responsible may be useful for other academic disciplines to resist pressures to participate in external partnerships and contracts in regimes that support inequality and oppression.

Since its inception, HRD has focused almost exclusively on the individual or the organization, not on the profession, as a vehicle for social action.¹¹³ Professions have social responsibilities. To be a profession, a discipline must meet the following criteria: (a) be a research-based, systematic theory and knowledge; (b) have authority over clients; (c) have autonomy, free of external controls; (d) be altruistic (i.e., have community versus self-interests); (e) have formal and informal community sanction; (f) have a code of ethics; (g) have a professional culture, norms, sites for practice, standards, and locations of professional training, a specific language, and symbols.¹¹⁴ Even complying with these criteria, HRD has not sought to expand its social base nor tended to its reciprocity with society. Professions such as HRD are emerging which could be innovative, professional, self-regulatory associations and interest groups of the future. HRD professionals and scholars must continue the guardianship of their expertise in the global workplaces to develop international arrangements for qualifications and legitimacy within transnational markets and international divisions of labor.

Professions in an increasingly globalized world can enhance democracy by mediating a dialogue with the traditions and discourses of others in an attempt to expand professional horizons around values, meaning, prejudices, and understanding, and to provide a venue where members of these professions can enjoy the varying perspectives of nations, regions, and the transnational community.¹¹⁵ Professions represent the moral basis for society by placing themselves between the individual worker and the state. Sociologists have also suggested that "professions . . . pass on tradition, resist evil, stand like bastions against threats, and are a critical stabilizing factor in society by providing a channel of communication between leaders, thus assisting in world order."¹¹⁶

112. McLean & McLean, *supra* note 111, at 322.

113. Hatcher & Bowles, *Part One*, *supra* note 101, at 18.

114. See generally STEVEN BRINT, IN AN AGE OF EXPERTS: THE CHANGING ROLE OF PROFESSIONALS IN POLITICS AND PUBLIC LIFE 3-44 (1994) (discussing the evolution of professionalism and what it means to be a professional).

115. Hatcher & Bowles, *Part Two*, *supra* note 103, at 6.

116. Tim Hatcher, *Democratizing the Workplace Through Professionalization of Human Resource*

Born out of industrialism and scientific management, professions initially sought the role of savior of social woes and struggles as a result of the conflicts between science and the new evils that industrialism wrought on society. The culture of professionalism, and especially of elite occupations that arose in the emerging capitalism of the nineteenth century, supported the rationalization that came with capitalism—an incorrect assumption that scientific and rational principles could be transferred to social dilemmas and problems of humanity.¹¹⁷

Beyond the moral reason for a profession and discipline such as HRD to become more socially responsive lies structural actions that may impact professions and professionals asked to support oppressive regimes. Structural actions include basing research on critical theory as a conceptual basis and revising curricula to include a stronger focus on critical theory.

Developing conceptual and empirical research based on critical theory instead of economics, systems thinking, or management, as is generally the case of HRD research, provides results that do not solely support performativity, economic gain, or globalization. Rather, research based on critical theory allows researchers to fully understand and question the implications of their research, to question individual and organizational results of their research in light of its impact on equality, workplace democracy, ethics, and social responsiveness.

Including critical theory as a crucial aspect of HRD curriculum within academic environments such as public universities and colleges has a couple of advantages. It establishes priorities and socialization expectations for learners who are just entering the profession. In addition, it challenges more senior professionals seeking advanced degrees to understand and embrace the profession in a more responsible and ethical manner.

V. CONCLUSION

This article discussed the current state of public universities in the United States and their recent shift from civic duty to corporate accountability. China's robbery of U.S. intellectual capital through university partnerships serves as an illustration of the full extent of this change. How the academic discipline of HRD is resisting capitalistic globalization was also discussed. In an effort to provide an example of how hegemonic economic structures may be confronted, the example of the theoretical and curricular activities surrounding critical theory, which HRD uses to remain autonomous and to partially disengage itself from corporatization, was offered.

At first blush, the above musings seem somewhat disconnected. Upon further investigation, however, it becomes clearer how rampant economic capitalism,

Development, 10 INT'L J. TRAINING & DEV. 67 (2006).

117. Cf. Hatcher & Bowles, *Part One*, *supra* note 101, at 6 (noting that critics of HRD often assume that it, too, is "embedded within a rational/functional paradigm that tends to support any means to profit over democratic or humane treatment of people in the workplace").

fueled by multinationals like the WTO and regulations like NAFTA, has spilled over into higher education and specifically into public universities.

The corporatizing of higher education has resulted in a loss of academic freedoms, a lack of autonomy of disciplines, and a myopic focus on external funding in its many forms, from grants to presidential hawking of precious knowledge. The subsequent loss of democratic development through public universities is not lost on recent activities with China. The democratic responsibilities of universities require autonomy, academic freedom, and collegial self-governance. As China and other developing countries attempt to emulate U.S. public universities, they fail to receive any democracy-building benefits that in the past would have been axiomatic within such partnerships. Instead, they receive an odd form of capitalism today.

Outside of higher education, little democratic infiltration or impact is occurring. "American democracy promotion—ranging from economic engagement to democracy programs to lofty rhetoric—has not halted the speed at which the Chinese authoritarian behemoth presses on with grave human rights abuses."¹¹⁸

The opaqueness of U.S. university partnerships in China should not be overshadowed by their apparent innocence, especially when one considers exactly what is being shared or, in many cases, stolen. Public universities trade in state-of-the-art technology, humanities, and business acumen: the kind of knowledge that creates medical and scientific breakthroughs and tremendous productivity and financial gains for business and industry. This is also the kind of knowledge that can lead to political power and control.

Even if one chooses to ignore the violence brought about by anti-corporate sentiments (for example, the riots in Seattle and other cities hosting WTO meetings) and even if one ignores its critics who claim it is undemocratic and serves only developed countries, the WTO remains a gatekeeper for capitalism and entry into the world's elite power club. As a new member, China wants the world to believe it really cares about democracy through capitalism. Although China appears to be striving for WTO compliance, it does not appear to care about competing on a level playing field with the United States, considering "between 10 and 30 percent of China's GDP comes from piracy and counterfeiting," which is actually government sanctioned in some cases.¹¹⁹

Political pundits, scholars, and writers have suggested that somehow free trade and partnerships with China will by caveat or some kind of mysterious osmosis create a more democratic government. Yet very little of this is happening. Conversely, as China adopts Western technology sans Western values, it remains a Communist, oppressive regime with no real want for substantive changes to the Communists Party's stranglehold over society and

118. Ma, *supra* note 44, at 3-4.

119. SHENKAR, *supra* note 67, at 86.

economics. Just because a few “nouveau riche” Chinese are wearing Levis while they sip a Starbucks latte does not mean their government has given up the ubiquitous power of Communism for the openness and individual freedoms associated with democracy. Rather, “China will not be satisfied with anything but a position of prominence.”¹²⁰ “[I]t wants no less than to restore its ancient Imperial glory”¹²¹ The goal of China “is not merely to catch up with the major industrialized powers[,] but to overpass them.”¹²² The United States “has the most to lose” from China’s borrowing of the United States’ technology.¹²³ This “leakage” of technology “represents a greater risk to the competitive advantage of the United States than to other nations.”¹²⁴

This article also implied that adopting a theory that encourages a questioning of the status quo and resisting tyranny may have some relevance as China continues to seek out partnerships with U.S. universities and scholars. Critical theory has the potential for a discipline, such as HRD or other scientific disciplines, to create more just, equitable, and responsible workplaces, communities, and societies by encouraging its scholars and practitioners to question capitalistic tendencies to control workers and view labor simply as a commodity to be sold to the lowest bidder in the world marketplace.

HRD has had limited success in establishing critical theory as a widely accepted conceptual foundation for its many scholars and practitioners around the world. Nor can it point to definitive successes in practice. However, critical theory has the potential, if not to completely overturn tyranny, at least to help U.S. public universities realize that in many ways they are assisting a Communist regime in gaining traction in the global race for power and supremacy.

120. *Id.* at 23.

121. *Id.* at 35.

122. *Id.* at 59.

123. *Id.* at 61.

124. *Id.*

* * *