CHAPTER 5

Student Views on Cross-Border Higher Education: The Views of the European Students' Union

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Student Representation in Europe

The European Students' Union (ESU) is the umbrella organisation of the 47 National Unions of Students (NUS) from 39 European countries. In this capacity, ESU promotes and represents the interests of what is estimated to be more than fifteen million students to the key European decision-making bodies, in particular to the European Union, the Bologna Follow-up Group, the Council of Europe and UNESCO (ESU 2013a).

The European Students' Union aims to promote the views of students in the educational system and to promote the interests and human rights of students. The organisation stands for equal opportunities for all students and for equal access to higher education for all people. ESU also aims to enhance European and global cooperation, to facilitate information exchange between students and students' organisations and to

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M.J. Rosa et al. (eds.), *Cross-Border Higher Education and Quality Assurance*, DOI 10.1057/978-1-137-59472-3_5

develop assistance and support to student unions in Europe in their work (ESU 2014).

Nowadays, ESU brings together, trains and informs national student representatives on policy developments in higher education at the European level. ESU's work centres on supporting its members through organising seminars, training, campaigns and conferences relevant to students; conducting European-wide research, partnership projects and campaigns; and providing information services and producing a variety of publications for students, policy-makers and higher education professionals (ESU 2014).

What we see today as the face of the European students' movement has historically confronted significant changes. ESU has changed its name and operational scope of work throughout the years, evolving from a regional European organisation to the organisation that we know today. Founded as WESIB (Western European Student Information Bureau) in 1982 by seven NUS, it developed along with the macro political shifts in Europe, turning first into the ESIB (European Student Information Bureau) and, most recently, into the ESU (ESU 2012).

However, even if the changes of name reflect a significant change both in the geography and in the operational role of ESU, the fact is that transnational education (TNE) has long been a subject that deserved the best attention from the European student movement.

This chapter reflects the work of the European Students' Union and benefits from the efforts developed by European student representatives and the political documents published on behalf of ESU.

The work that ESU developed in these areas is significant and has proven to be a clear, conscious and critical voice of the European students, who have confirmed to be worth listening to. From its older publications to its new policy papers and statements, ESU has contributed with works not just in the direct area of transnational education but also in other working fields that are directly related, namely the areas of social dimension, quality assurance, internationalisation and mobility and, last but not least, with work addressing the public responsibility of higher education.

Following the work previously developed, this chapter follows the European Student Handbook on Transnational Education published by ESIB in 2002 (ESIB 2002) and adapts it to the new realities and to the publications made on behalf of the FINST (ESU 2013b) and QUEST (ESU 2013c) projects co-financed by the Lifelong Learning Programme of the European Commission, as well as the policy papers on the General Agreement on Tariffs and Trades, on the Commodification of Higher Education, Transnational Education and Public Responsibility.

Transnational Education from the European Students Movement Perspective

The topic of the conference on *Cross-Border Higher Education* (CBHE) has merited important discussions as a hot topic in higher education policies. A topic that is so relevant cannot be discussed in isolation from the bigger picture and without a clear analysis of the meaning and deepness of some of the ongoing discussions.

Needless to say, the discussion about transnational education at the current scale is something that—arguably—would be difficult to imagine some years ago. The rampant development of a globalised world created new worlds and new challenges that are increasingly complex and dealt with on a wider scale than we were used to. Nevertheless, if some of the complexities, subtleties and scale of transnational education were things that could hardly be predictable, the same was not true with some of the trends that came with it, which endanger the real societal benefits that it may bring.

In this field, one of the most notable works was developed by Merrill Lynch & Co. in 1999, entitled *The Book of Knowledge, Investing in the Growing Education and Training Industry*. In an extensive analysis focused on the context of the United States, the opportunities that education offers to for-profit organisations can be read thus:

> … market forces are providing a catalyst to alter the traditional ways education is delivered. Megatrends such as demographics, the internet, globalisation, branding, consolidation and outsourcing all play major roles in the transformation. (Merrill Lynch & Co 1999, p. 3)

The paper goes further and presents an interesting analysis of how education can be used as a potential market, compared with the health industry of the 1970s (Merrill Lynch & Co. 1999, p. 7). The global trends for commodification were present and with them the whole perversion of how educational reforms and values must be structured and valued.

The same can be seen in Europe, combined with astonishing institutional support for the inclusion of education in trade agreements and the wider defence of cost-sharing practices that are not cohesive with the social dimension, which is still highly underdeveloped in the great majority of European countries (ESU 2013a, p. 66). A recent study published by the European Commission states that the evidence is clear that the last twenty years have witnessed the trend towards the growth of private

funding for higher education in line with the comparative reduction of public investment (EC 2014, p. 8). So the question is clear: how does this operate in a growing environment of worldwide higher inequalities and in a context where students witness the construction of new barriers for access to education? How does this affect students? What are the factors that may contribute to building or destroying these new walls? And how can access to higher education be balanced with the globalisation of the educational market, when national governments develop the perception that the competitiveness of national higher education systems in the global market requires new levels of investment? This is complicated by the expectations of institutions themselves for higher education to be competitive within a global environment and to have an impact on the development of economies (ESIB 2004, p. 30).

Upon revisiting 2004 ESIB policies on transnational education it was reflected that, notoriously, since the 1990s the world has witnessed an enormous expansion of CBHE by a wide variety of institutions and new providers, and that has a serious impact.

Publishing companies, multinational corporations and also traditional higher education institutions are setting up branches around the globe and exporting their services. Arrangements for the international trade of educational services have been developed in several countries and many countries have made investments in marketing their own higher education, following the aforementioned trend of branding. In recent years, the new technologies have also played a role, with numerous virtual universities emerging and traditional universities beginning to offer degrees online (ESIB 2004).

CBHE has long been seen as a solution to some challenges posed by the increasing demand for higher education. It has also been viewed as an important asset for international cooperation and the development of flexibility in learning.

However, CBHE also has less advantageous aspects that are often lost among the scepticism and the extreme enthusiasm of some discussions. ESU feels that the diversification of educational provision may be a positive aspect; however, it is also evident that the expansion of CBHE in many cases faces challenges that can drastically endanger the development of national systems, especially in transitioning and developing countries.

Whereas some see it as a part of development cooperation, others view it primarily as a means of generating profits (ESIB 2004).

The for-profit basis of some of the new providers of CBHE reinforces the certainty that it will continue to have a significant impact on the external perception of students, who see their role as partners in the educational process, being diminished in favour of approaches that create additional exclusion mechanisms. Perceived as mere consumers, students tend to be pushed back to a secondary position and relevance, and educational systems are not able to meet the demands of the high number of young people wishing to access higher education.

Furthermore, transnational education strengthens existing trends in many countries, where the state retreats from its responsibilities of providing free education to its citizens. The for-profit basis of many types of transnational education presents changes in the curricula now focusing on education which is driven for what is perceived as what the market needs, redirecting the focus from basic research and the critical reflection of society towards a more aseptic and utilitarian perspective.

Questionable quality and difficulties in recognition might erupt from this reality, side by side with the tensions arising from the adaptation to different realities. Difficulties in the application of qualifications in certain contexts, increasing brain drain, overlooking cultural differences and the 'export' of a Western model of education are just some of the situations that pose major challenges to national higher education systems and build up conflicting situations between transnational and national education (ESIB 2004).

We can ultimately define and categorise these concerns into three basic situations. The first relates to the economisation of content and the adaptation of content and skills taught according to their economic relevance. The second relates to the economisation of educational services and the subsequent creation of a market of educational services. Lastly, there is concern about the economisation of educational institutions and pedagogical relations with implications for the governance and management of higher education institutions towards more business-like organisations (ESU 2013b, p. 102).

The Challenges of GATS and TTIP

One of the main aims of the student movement is to increase the participation of underrepresented groups, with the aim of the student body being representative of the diversity found in society as a whole, which we

believe will drastically contribute to the modernisation and development of our societies.

This notion of justice and social cohesion and development is widespread and accepted as one of the main fights of the student movement, since 'if education increases skills, competence and income, then education will necessarily affect the distribution of the income'.

Although we both prioritise and advocate for internationalisation, we have clear doubts about the way that transnational education and internationalisation are being dealt with.

Focused on the concerns that we have with the precedent set by the inclusion of education in discussions being held on trade and services agreements, ESU has closely followed the negotiations of the TTIP (Transatlantic Trade and Investment Partnership) and subsidiary agreements, even if in the seventh round of negotiations it was stated by Dan Mullaney—US chief TTIP negotiator—that some concerns were heard and that negotiations should not require privatisation of public services such as water utilities, education, national healthcare, and that governments' ability to regulate those services as they see fit would not be limited.

Nevertheless, the shock remains, since the biggest question behind this topic is related to the notion that an area as sensitive as higher education is—or has been—discussed at this scale in the middle of trades and services agreements, without transparency and academic stakeholder involvement. It seems obvious for ESU that no steps forward that directly affect the area of international educational cooperation should be made outside of a specialised and dedicated environment for discussing higher education.

The discussion behind transnational education has other central questions that justify our concerns. At the moment, we have a clear opinion on transnational bilateral negotiations:

The First

A lack of motivation and clarity in information about the discussions can be found in some of the reports and clarifications issued by the European Commission justifying the current bilateral negotiations with overly optimistic information concerning the mechanisms of Investor State Dispute Settlements (ISDS).

The lack of transparency is not secondary and must be understood in line with the growth of nationalism, euro-scepticism and the lack of trust in political institutions.

Undermining one of the basics pillars of democracy in such sensitive questions gives new legitimacy to movements that endanger the European Project and trust in political institutions, and it can have severe implications on the accepted democratic values of our societies.

The Second

The fear of commodification and its impacts on the lives of students and prospective students isn't necessarily new, but we fear that it could become even worse.

ESU sees education as a means for social and democratic innovation that can decisively contribute to the general well-being and economic development of societies. We strongly believe that access to all levels of education is the cornerstone of a socially, culturally and democratically inclusive society and a prerequisite for individual development and well-being. But it is clear that this definition of education is continually contested, and that education is increasingly understood solely as an economic factor rather than a tool for social development, and this has detrimental effects on the development of clear policies in the area of social dimension.

ESU contests the current focus on education solely as preparation for the labour market and for maximising personal financial returns upon graduation. This provides no balanced perspective for the needs of society and the social role of higher-education institutions, and it presents a negative and one-sided approach.

It is thus the increasingly commercialised way in which higher education is being addressed that clearly shows the 'commodification' of education (ESIB 2005).

It is this great fear aligned with new ideological and political tendencies that justifies the scepticism in the analysis of the new developments in CBHE.

The Third

Even if internationalisation and commodification are different chapters of ESU's policy papers, the fact is that some of the mechanisms and arguments being used to enforce acts like the Services Directive (or bilateral and transnational diplomatic and economic relations) are decisively impacting the area of higher education.

There are noticeable asymmetric developments in the internationalisation of higher education at the European level, and what was supposed to create the conditions for development may in fact lead to a widening in national and regional gaps and, as mentioned in the editorial of Education at a Glance in 2014, it "is also becoming clear that economic growth is not enough to foster social progress, particularly if the growth dividend is not shared equitably" (OECD 2014, p. 13)

We could pursue these related questions with the models of presence of natural persons, consumption abroad and commercial presence, or simply argue about how higher education institutions could be, in fact, an extremely powerful mechanism of soft power.

We can question the lack of transparency in the discussion of bilateral agreements. We can question the democracy, legitimacy and seriousness of agreements on trades and services that may include higher education. We can question how quality assurance mechanisms will work in the future when considering those already-mentioned bilateral agreements. We can ask how the mechanisms of licensing and the recognition of qualifications will function. We can question the impact that we will face on the quality of the education provided.

We can point out all these difficulties and how difficult it will be to find a balanced model of agreement between the European and American models for higher education. Full transparency is essential for a public that will be directly affected by the negotiations.

We are sure that this is a topic that will generate even more attention from the students' movement in the future. Having the opportunity to be vocal on this topic is, in itself, an important tool of activism and advocacy, something that is quintessential for a democratic society.

Transnational education is indeed a transversal topic that touches on almost every issue in higher education policy and poses totally new challenges for political decision-makers and stakeholders that cannot be easily resolved. We firmly believe in the role of education in developing a democratic, responsible and sustainable society, and that CBHE can contribute to reaching these goals if implemented properly. However, if no constructive attempts are taken to make cross-border education beneficial for students, staff and societies, we can see the danger of negative and harmful developments for the educational sector as a whole.

Conclusion

According to the OECD study on GATS from 2002, education still remains one of the sectors where countries seem to be more conservative towards liberalisation approaches and commitments, especially in regards to primary and secondary education (OECD 2002, p. 7). This is the reason why higher education is understandably being confronted with structural challenges. Working in transnational education in the area of higher education is challenging and highly relevant for the future development of our societies. Such a complex and new reality poses significant challenges for higher education policy-making, ones that are not usually discussed in the context of trade policies (OBHE 2003, p. 23).

The impact of TTIP is still difficult to foresee even from a macro-analysis perspective, with notable disparities among EU countries due to their inherent structural economic differences (European Parliament 2014). While the process is not completed, it is essential that these concerns are taken into account and that all stakeholders are heard. This includes the need to find mechanisms to include the student body and the need of the students' movement to develop stronger and more global cooperation to face the challenges of this new reality.

Following these concerns, two resolutions were recently adopted by the 47 National Unions of Students at the 67th Board Meeting of the European Students' Union, held in December 2014. From the students' perspective, the negotiations need a fresh start in order to make them more transparent and inclusive of civil society. ESU would like to follow-up on those words by urging the negotiation teams to open up their talks and take stakeholders' concerns into account. Thus, students want to see significant changes through which the discussion is made more transparent and education is removed from the agreement being discussed under the TTIP.

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