

TOWARDS A STRATEGIC AFRICAN ENGAGEMENT: CONCEPTUAL, LOGISTICAL AND
STRUCTURAL ISSUES ABOUT GATS

by

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Introduction

The general debate around GATS and Higher Education throws up a number of interesting and important conceptual issues and developments relating to:

- conceptual, ideological and philosophical issues within the GATS regime itself
- globalisation and the new world order
- regional integration and sovereignty
- higher education's role in national, regional and continental development
- the implications of the knowledge economy
- internationalisation of higher education and the international dimension of higher education
- 'commodification/commercialisation' and unfair advantage and competition in this process

But, before Africa engages in any debate about, or critique of, the GATS, Africa has to ask some fundamental questions about her collective conceptual, philosophical, ideological and pragmatic position within the current world order, if any collective position does or should exist. Such collective - even coherent - position should underpin our engagement (or disengagement?) with the GATS.

In a sense, we seek to identify the fundamental basis upon which Mitho and others engage with conceptual issues and development perspectives brought about by the GATS. We should then match our collective position with our capacity to deliver, based on our relative strengths and comparative advantage. Our fervent hope is that once we have engaged even more dispassionately with the issues, Africa's response to the GATS and her solutions to conceptual and logistical problems/challenges brought about by the GATS will then have a better chance of success.

Africa's (collective) position in the world

The current world order is perhaps irredeemably (is this a fatalistic thought?) characterized by globalization and less so by collegial internationalization that higher education institutions are

more familiar with. Some thinkers (Jones 1998, Teichler, 2002) contrast internationalisation with globalisation by pointing out that the former is motivated by co-operative peaceful relations between willing nations while the latter is driven by the exigencies of neo-liberalism that know no national boundaries nor sovereignty. Lest we appear tendentious, or even engage in chicanery, in defense of our sovereignty, our development agenda, education as a social or public good, education as "a process of human evolution rather than a series of transactions"³, we must harmonise these values with our collective philosophical, ideological and pragmatic position in the world.

Granted, we are engaging with the debate in the context of cynicism about the WTO and GATS in general. In addition to the ideological stumbling blocks, the GATS process has been fraught with high profile difficulties and disagreement and hampered by a lack of progress. The advantages of the agreement for developing countries are not yet clear. Yet there is an increasing realization at the political level, of the need for more open trade systems in order to stimulate Africa's development mission.

We cannot resolve these issues as intellectuals and higher education leaders right here. But, we need to bear in mind the political commitment within which we are operating nationally and continentally. Indeed, the NEPAD commitment promotes African renewal driven by Africans, but in the context of a specific world order.

All in all, do we want to reform or transform the current world order, its systems, processes and practices or to create a new world order? What leverage and capacity do we have to achieve any of these two objectives? Given our comparative strength in the world the latter objective appears intractable for the foreseeable future.

A hierarchy of values?

How realistic is the notion that education is some exception that cannot be both a public good and a tradeable commodity? This issue requires closer scrutiny, given the well-documented marketisation of higher education and the not insignificant impact that decreases in higher education funding have had on the nature of provision. Added to this is the growing realization that education is the critical link supporting the new economic structure, captured in Mihyo's

² Jones, P.W. (1998). Globalisation and internationalisation: democratic prospects for world education, *Comparative Education*, 34 (2), 143-155. Teichler, U 2002. The Changing Debate on internationalisation of higher education, paper presented at the annual conference of the Consortium of higher education researchers, Vienna, 5-7 September.

³ Mihyo, PB (2004). Gats and higher education in Africa: conceptual issues and development perspectives, p.1.

explanation for what is termed the "rapid ascendancy of trade in education services to the top charts in the GATS negotiations."

How pragmatic is it for us to sideline the market forces on education? Or rather, is it true that higher education in Africa does not dabble in some commercial activities no matter how benign? Is there evidence that our ancient higher order values could be fossilized into silos and used in this new world order not only to make sense of its current status but to influence it? Does evolution apply at all in our value system? Could it be that education as a public good and education as a tradeable commodity - even as fossilised silos, if they indeed are - could be involved in some integrative evolutionary process?

Within our continent and even within a country, there is no uniform understanding of the values that higher education should inculcate, or the values that higher education embodies. In the area of academic programmes, for example, do we want utilitarian market oriented programmes, or ones that are formative and intellectual? This lack of consensus about our values is currently of specific interest to the South African system, which as you know is undergoing vast transformation. The challenge of how to build an identity and to ensure that institutions contribute to the 'public good' whilst the system encourages them to operate business-like is self-evident.

Does evolution apply here?

Do education and the market forces (commercialization) live in two distinct and opaque worlds with no possibility of contact between them?

Arguing, on the one hand, against commercialisation, Mihyo asserts that: "With privatization some of the common pool goods such as recreation, laboratories and libraries will be pushed into the toll goods clusters. This has the potential of converting education into a private rather than social good.⁴ This suggests that social or public good is the preserve of public institutions as opposed to private institutions. Painful as it is, would we not now regard the unintended outcomes of missionary education - which had an underlying imperialist political agenda - as having been of social or public good? What hegemony, legitimacy and relevance are left of public higher education in the whole world, let alone in Africa when MacDonaldis and Microsoft find it imperative to establish their own universities? How much "corporate" creep is already there in the "business-like" management of public higher education institutions?

⁴ Mihyo, P.B., op. cit., p14.

On the other hand, Jebuni (2004)⁵ points to an 'emerging consensus' in most African countries on the need for fiscal and monetary prudence, an outward oriented trade policy and commitment to maintain a competitive exchange rate. He states: "With respect to trade policy, various forms and measures of trade liberalisation are essential." And, Mihyo acknowledges that too, and states: "initially the services were more integrated in developed countries but now with liberalization and privatization in developing countries integrated services are taking place in the latter countries too."⁶ Thus, if Africa is already moving in sync with the globalized world and its attendant systems, processes and transactions, how does she convince that world, and herself even, that she is an exception?

The reality may well be that developed nations have reached saturation and the logical solution is to 'export' higher education, whilst developing countries want to massify higher education, but with inadequate investment in education. That this supply and demand situation (perhaps like all such situations) has been turned into a multi-billion dollar industry (the international market for global higher education exports was estimated at more than \$35 bn for 2002) does nothing for its reputation. That the Australian Vice-Chancellor's Committee (AV-CC) has produced a 2020 Vision in which they see global higher education as a market becoming Australia's top three export earner does not bode well for whatever values of education we propound, if their vision is not desirable.

Arguing for education as an exception, Mihyo further asserts that: "The human development processes involved in education including the shaping of human thinking, the conditioning of the cognitive and perceptive capabilities of learners and the socialization and integration functions of these processes, are seen as factors qualifying education to be given differential treatment in the reorganization of the global economy." Mihyo also points out that, in some countries, the entrance of new international providers or programmes to promote the development of African scholars has had a profoundly positive impact. So then, are we to undo the positive impact that the entrance of new international providers has had towards our goal to massify education? How far do we involve Africa in global systems, derive some 'positive impact' in meeting our educational demands and then dump the system? Can we have our cake and eat it, so to speak?

Taking this debate further, Mihyo quotes Altbach, who contrasts soya bean trade with "protecting culture and intellectual independence", the latter endeavour being presumed to be of higher value or priority. There is perhaps an inadvertent assumption here that in Maslow's hierarchy of needs,

⁵ Jebuni, CD. (Working Paper). Development Policy Options for Africa in the context of the New World Trade Organisation Agreements. CEPA, Accra.

⁶ Mihyo, P.B., op. cit., p.4.

Mihyo, op. cit. p.2

esteem and self-actualisation are more basic needs than physiological needs. Assuming that Maslow still holds, if soya beans - an ingredient for fulfilling a basic physiological need - have already been relegated to a tradeable commodity, how could education - a higher level need - withstand commodification? So, are we talking about different stages of evolution of commodification of food on the one hand, and education on the other? Or is education indeed an exception?

Thus, whilst there is cynicism about the political intentions of the developed world, there should also be self-criticism of higher education in the developed (and indeed in parts of the developing world) because of its ambivalence, collusion, a diminishing sense of common values and purpose and perhaps an anti-intellectual conservatism about the world we live in.

Conceptual issues in the GATS

Once we have considered our position in the world and the state of our collective values and reached some consensus, we could then grapple with the structural and conceptual issues about GATS that Mihyo discusses at great length. Then, our solutions will stand a greater chance of eliminating our problems or challenges with the GATS.

We are, therefore, grateful to Mihyo for capturing the *drivers* of the issues and developments mentioned earlier (including ICT and the implications of the digital divide, transparency, sovereignty, etc) and their *implications*, which have the potential to fundamentally reshape the higher education sector in Africa and beyond.

These different demands, drivers, implications and benefits in different contexts make it difficult to pronounce on whether trade in higher education will lead to more or less preferential outcomes between developed and developing countries. That the 'private sector' is not homogeneous in its composition, objectives or motives, and that the needs of, and resources available to, different countries in terms of higher education provision differ markedly, is one of the factors that tend to cloud this debate. That there is world-wide blurring of the public-private divide in our operations complicates matters.

Clearly then, the discussion around higher education's participation in GATS is not reducible to an "if then" set of scenarios and solutions. That is why some policy analysts, including Knight, have deliberately avoided focusing on whether one is for or against including education services

as part of trade agreements, in order to try and unpack some of the other important issues that beg analysis and informed resolution.

Africa needs to fully understand the obligations and commitments under the agreement and critically review the implications for different modes of supply, and then point to some (African?) solutions, as Mihyo suggests. Demands on the sector which include the need for far more sophisticated systems for quality assurance, mechanisms for broadening student access to higher education and diversification of funding sources to name a few would have to be addressed. But, using less ambiguous and contentious definitions and concepts in the GATS.

Towards solutions

Finally, what of the way forward? We know that trade in education services is taking place, that the public-private divide is blurred, that higher education's value system is no longer uniform and coherent, that African higher education institutions participate in commercial activities no matter how noble and benign, and that it has variably positive and negative implications. Some of the latter point to the need for proper regulatory mechanisms to be put in place. However, it is precisely the nature of these mechanisms that is difficult to define: they could vary from including Education as a service in the GATS agreement to a very 'light touch' approach in which we attempt to retain a collegial approach within a dog-eat-dog global framework. We need to be clear about what these mechanisms can, and will, achieve, if we have capacity in the first place to make them work.

Several other mechanisms, regional or sub-regional, can be put in place to govern relationships among countries as far as higher education is concerned, ensuring that these relationships are transparent and ethical. In light of this, the South African Education Ministry has, in consultation with Education Ministries from around the continent, spearheaded the development of a Code of Conduct. The Code, currently undergoing review within the country and parts of the continent, proposes guidelines for an ethical approach to one of the key areas of international trade in higher education, cross border education. It is intended to enable and monitor cross border education, ensuring that it is congruent with the needs, expectations and norms in the host country.

However, we will need to find ways of ensuring that the Code, once it has been agreed, attains more than just lip service to this commitment to high quality delivery. We should be clear about what sanctions to impose on institutions and countries that violate this Code. But, what of the

other modes of 'trade' (consumption abroad, presence of natural persons and commercial presence) which are not covered by the Code? Where are the examples that we can learn from other sectors?

Mihyo's suggestion of revitalizing the Arusha Convention is a good one. We need a structured mechanism for the recognition of qualifications, and to facilitate quality and articulation as the backbone of student mobility within the continent and the region. Once again we will need to review practices in other sectors or regions where this has worked to try and systematically identify the enabling success factors. Once again we will need to identify what areas of international relations are covered and excluded by this Agreement. There is surely much to think about if the Convention is still faltering in its implementation more than twenty years after it was signed.

Mihyo further proposes formal engagement on these issues through establishing an area of co operation, the Area of Higher Education in Africa which will deal with trade related issues facing the African continent. This form of information sharing, analysis with a view to 'collective bargaining' indeed has its merits and SAUVCA looks forward to participating in such a forum. The challenge then is to ensure that we interweave the existing progress that has been made, the lessons that have been learnt, into a network that will serve clearly defined imperatives for African education, and especially higher education.

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As part of a sub-regional approach, Vice-Chancellors in the SADC region are currently considering the formation of a regional association of universities. There could well be many other sub-regional bodies across Africa that have to be either established, resuscitated or nurtured to ensure that higher education in Africa could operate as a coherent and formidable block. The initiative in the SADC region is driven in part by the recognition that collaboration and coherence have to be cornerstones of the renewal of African higher education. It is now up to us to give meaningful attention to the research issues and advocacy strategies that will allow our countries and the continent to develop a strategic response to trade in higher education.

The possibilities that open up for Africa are immense, not only in terms of realising NEPAD objectives, acquiring reciprocal knowledge and even generating additional revenue streams but also in terms of focusing the sector on long-term aspirations of capacity building and development. We have to be realistic and strategic in our initiatives. It could be foolhardy to think that African intellectuals, for example, shall return to Africa *en masse* just because we plead so, despite the less than savoury conditions in Africa that those intellectuals continue to eschew as much as they did when they left Africa. We may well be content with groups of them and their institutions from different parts of the world entering into partnerships with African institutions in building capacity in our institutions and helping our continent in its development agenda.

The interventions that we discuss, therefore, need to be holistic and pragmatic. We need to take into account that the form and extent to which government and civil society value the contribution of higher education in Africa needs to be challenged and transformed. Some fundamental shifts need to be made before we can address the 'symptoms'. We need to be realistic in terms of what we can achieve, given the lack of resources in our continent and the reality of pressing social, economic and development challenges. However, I have no doubt that the discussion in this session and over the next few days will take us forward in agreeing on some preliminary ways in terms of how we can advance in this field.