

## ***International Higher Education: Complex Challenges for Turbulent Times***

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After World War II, a new world order emerged. Its most powerful symbol was the *Universal Declaration of Human Rights*, which celebrated the virtues of democracy, openness and internationalism. Some countries resisted these values for several decades, but by the end of the 20th century, with the Berlin Wall in ruins and apartheid a bad memory, they were more deeply embedded than ever. International higher education flourished.

Today this consensus is breaking down. Not only are nationalist and populist movements gaining support, but the very foundations of higher education are being undermined in what is being called the "post-truth" and "post-trust" era. Expert knowledge is at a discount, "elite" is a pejorative term and trust in institutions is eroding.

This *Brief* examines some of the challenges that these changing political attitudes pose for international education and accreditation, notably to the freedom of higher education institutions (HEIs) to operate across borders and their ability to recruit students and staff from across the world. We explore different manifestations of these challenges through three examples.



Our first example is an extreme case that reveals a general trend. North Korea's only Western-run university, the Pyongyang University of Science and Technology (PUST), may be forced to close because from September 1, 2017, the U.S. government will ban all U.S. citizens from visiting North Korea. PUST's faculty consists largely of visiting academics, some 80 each semester, most of whom hold both South Korean and U.S. passports. PUST's senior leadership is dominated by Korean-American staff.

PUST delayed the start of some 2017 fall semester courses in the hope of recruiting academics from other countries to teach them. Although the issue is the U.S. travel ban, not any direct hostility to PUST from the North Korean government, which seems to appreciate this little window on Western higher education, such faculty appointments are clearly not for the faint-hearted! Two Korean-American PUST academics are currently in detention in North Korea, albeit for activities unrelated to PUST, and the case of Otto Warmbier, the U.S. student who died in June 2017 after spending 17 months in a North Korean prison for allegedly stealing a propaganda poster, is chilling.

Visa restrictions have always been an obstacle for some would-be international students, but the problem is getting worse. Study abroad is a multi-year commitment, so uncertainty over possible future visa restrictions, for example in the UK following Brexit and in the United States if entry from some Muslim countries is banned, is already impacting student decisions and changing patterns of cross-border mobility.

Our second example is the furore over the Central European University (CEU). Established in 1991, the CEU is a private graduate-level institution in Budapest, Hungary, with 1,000 students from over 100 countries. Its mission is "teaching the values of open society: free minds, free politics and free institutions" in formerly communist countries. Chartered by the New York State Education Department, it is accredited by the Hungarian Accreditation Committee and also by the U.S. Middle States Commission on Higher Education.



In April 2017, however, at the urging of Prime Minister Viktor Orbán, the Government of Hungary amended its National Higher Education Law to make it impossible for the CEU to operate in Hungary unless, by September 2017, it opened a campus in the United States and secured a bilateral agreement between the Hungarian government and the U.S. federal government (which does not have jurisdiction in such matters). Transforming the CEU into a Hungarian institution with

a different name would, in Orbán's view, eliminate nefarious liberal influences from abroad. Following strong protests, both within Hungary and from the European Union, the matter is now before the courts. Unless it is resolved the CEU will have to move to another country. The Czech Republic, which is where the CEU began in 1991, has offered to host it again in Prague.

The CEU's challenge is not visa restrictions imposed either by Hungary or by the students' countries of origin. Rather, because the Hungarian government wishes to have complete control of the HEIs on its territory, the CEU's problem is its foreign accreditation and charter.



**The Open University**

Our third example is the subtler challenge facing the UK Open University (UKOU). The UKOU, which has many thousands of distance learning students in numerous countries across the world, naturally accepts that its operations in particular jurisdictions are bound by the local laws. It has now decided, however, that it cannot risk accepting students in Cuba and other countries subject to comprehensive U.S. sanctions (Iran, North Korea and Syria). The UKOU believes that it may be subject to such U.S. policies because, as well as the degree-awarding powers conferred by its UK Royal Charter, it is accredited by the U.S. Middle States Commission on Higher Education. It has released a

statement saying: 'The Open University is strongly committed to being open to all people in all places. However, we cannot simply disregard regulation that may apply to us, nor is it within our power to resolve any tensions between UK law and international laws.'

The UKOU has applied to the U.S. Treasury Department's Office of Foreign Assets Control for a licence to operate in these countries. Meanwhile, in an ironic twist, the University is now under investigation by the UK's Equality and Human Rights Commission as it could be in breach of the UK's Equality Act 2010, which states that it is unlawful to discriminate on grounds of race or nationality.



What are the lessons? A first conclusion is that international higher education is a volatile business. Countries and individual HEIs should beware of becoming too dependent on their income from foreign students. Global patterns of student mobility can change suddenly and dramatically, not only when host countries introduce new immigration requirements, but also when large "sending" countries, such as China and India, alter their attitudes to study abroad. Furthermore, individual students may change their minds after seeing press coverage of attacks on foreigners in particular places or simply developing perceptions that certain countries are becoming less tolerant and welcoming.

The second lesson for HEIs is that any decision to seek accreditation and/or quality assurance (QA) services from foreign countries should be thought through carefully. Accreditation abroad may bring prestige and facilitate international linkages, while foreign QA services can genuinely help an HEI to raise its game. In times of increasing nationalism, however, such strategies may "boomerang," as they have in Hungary.

Furthermore, in such arrangements, particularly accreditation, the devil is in the detail. Accreditation overseas may bring constraints related to legislation in that foreign country. In the particular case of U.S. accreditation, which is thoroughly decentralised, the extent to which foreign HEIs are subject to other U.S. government policies is not always clear, as the UKOU is finding out. Finally, the U.S. regional accreditation organizations' own rules also need careful scrutiny because they may, for example, preclude an accredited HEI in one foreign country running a joint programme with an HEI in another.

In sum, HEIs planning to expand internationally should "look before they leap" and then follow carefully the evolution of the policies of the foreign governments and institutions that can impact their activities.



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