

WTO, HIGHER EDUCATION SERVICES AND THE EFFECTS OF GLOBALIZATION

Written by Nishi Kant Bibhu

Assistant Professor, MATS Law School, MATS University, Raipur

INTRODUCTION

Perceptions are not static and are subject to change. On the lines of the same statement we can say that the “Education” which is considered as a tool for the social awareness, mental stability, intellectual strength, and which creates sensitivity towards different social problems has now become a money generation sector and nurturing the service economy. Higher education which was considered as a panacea for all the national problems and the hope for at least the developing and the undeveloped countries has become a trade and commerce issue handled by the some concentrated powers of the world.

Higher education can be understood as whatever enhances the knowledge and intellect of an individual by giving him a way of living which is self-dependent. It includes learning, knowledge, intellect, and imparting information by teaching, demonstration and are imparted or provided in an institution as the universities, colleges, schools, training centers, professional colleges etc.

Education beyond the secondary level; especially: education provided by a college or university¹

¹ [Http://Www.Merriam-Webster.Com/Dictionary/Higher%20education](http://Www.Merriam-Webster.Com/Dictionary/Higher%20education) Accessed On 17/03/2016

Education is not untouched with globalization. Education is one of the indispensable part of the human life which also underwent a global change. We know that the growth is the evidence of life, in this century the developing countries have witnessed growth in their educational pattern by the entry of the institutions from the west side which is a result of the globalization in the world education system. There exists a difference in opinions of the people regarding the effect of globalization on the education system, some believe that the entry of the global players in education sector will widen the opportunity for the developing and the undeveloped countries to raise their education standard, their technical skill, their professional acumen and ultimately their skills. There are some of the groups who have the apprehension of education being commercialized and fear of the degradation of the education system. They fear that the commercialization of education will make the students as the customers and it will be a westernization and not a globalization in the education sector. Globalization in education system is practically a flow of knowledge from the western countries, however we can't predict that the developing and the developed countries lacks knowledge. There might be a situation where the developing countries have more knowledge than the developed countries, in that case the skills can utilize the knowledge. We can say that the education without skill is incomplete so there might be a case that the developing and the undeveloped countries have more knowledge than the developed one, but they don't have the professional skill to use that knowledge. In this case we can say that the concept of education is not restricted to knowledge only.

HIGHER EDUCATION BEING GLOBAL - VIEWS OF DIFFERENT AUTHORS

In developing countries globalization has tremendous impacts on the entire higher education system. It is difficult to access the nature and dimensions of globalization and is more difficult to access its impact on the education sector.

It may appear that the concept of globalization means different things in context of higher education. Globalization has made a fundamental change in regulation of higher education globally. The higher education sector in India has been made market oriented under the WTO and GATS regime and undoubtedly in future “it will mean a very competitive and deregulated educational system modelled after free-market but with more pressure on it to assure that the future workers is prepared for some fluid jobs in the free market of 21st century”.

The studies reviewed mainly focuses on the impact of globalization on higher education and particularly on the Indian higher education. Stewart in his article “Globalization and Education” (1996)² analyses the links between education and globalization. The study found that growth in global economy has increased opportunities only for countries which have good level of education and has made growth more difficult for countries in which level of education is weak.

Countries which have good human resource with high savings and good economic policies have attracted foreign investment and technology and only these countries have experienced high growth in exports of manufactures and increase in output per capita. On the other hand, countries which have weak level of human resource found it more difficult to succeed and have experienced downfall in per capita incomes. Further, As public expenditure has been cut during adjustments globalization has made it more difficult for these countries to build up high education level.

Because of globalization a virtuous cycle of development has emerged in which countries which have good spread of knowledge are leading to high growth in education and also generating resources for future development of education and contrariwise the potential to building up higher education of countries which have weak level of education is reduced.

² F Stewart - International Journal Of Educational Development, 1996

Altbach in his article "The Perils of Internationalizing Higher Education: An Asian Perspective"³(1999) wrote that the globalization of higher education is motivated mainly by profits rather than goodwill or government policy. The goals of globalization of higher education is to meet market demand and to create market for various types of educational products.

Further this study examined that the universities of developed countries in collaboration with non-educational institutions are offering 'off-shore degrees' and internet is being used to deliver these degrees. There are only a few controls over quality regarding this and these programs are offered not only by good institutions but also by substandard institutions which are simply selling degrees which have no real value.

Carnoy in his study titled "Globalization and Educational Reform" (2000)⁴ identified changes in education which occurred on account of globalization. Internationalization of higher education shows that higher education is being used as a commercial product which is offered at a high price at national levels and at international levels to the people who can afford it. A new type of providers have emerged because of this providing new methods for delivery of education and framing new regulations and policies to monitor the standard of education. The current trend indicates domination by commercial and financial interests in which higher education is used to earn profits globally.

Arnold in his article entitled "Globalization of Higher Education: What does it means for Higher Education" (2001)⁵ wrote that because of globalization higher education is not only constrained to national boundaries. Opportunities for students have been greatly expanded to study and learn because of innovative transnational education such as branch campuses, internet based distance learning and educational franchising.

³ The Perils Of Internationalizing Higher Education: An Asian Perspective By Philip G. Altbach Is Monan Professor Of Higher Education And Director Of The Center For International Higher Education At Boston College. Available At

<https://ejournals.bc.edu/ojs/index.php/ihe/article/download/6481/5704> Accessed On 17/03/2016

⁴ "Globalization And Educational Reform-What Planners Need To Know" Martin Crony International Institute Of Educational Planning , Unesco 1999

⁵ Globalization And Higher Education, Arnold 1990, Available At [Ocfskarnataka.in/Pdf/Global.Pdf](http://ocfskarnataka.in/pdf/global.pdf) Accessed On 17/03/2016

The study also observed that because of globalization there is increase in competition for the best and the brightest students as countries now are recognizing their economic potentials through education sector in the service export sector. Because of globalization of higher education for the first time large segment of students have access to a global market for higher education.

Altbach in his paper "Higher Education and the WTO: Globalization Run Amok" (2001)⁶ has examined the negative outcomes of globalization of education. This study found that trends like internet and globalization in knowledge have potential for creating many problems for educational institutions in poorer nations.

Globalization has divided the world into two parts the centers and the peripheries. The center is growing stronger and stronger and becoming more dominant and on the other hand the peripheries are becoming weaker. Now inequalities between nations are growing in a more profound manner. The study concludes that the globalization has divided world into two centers, one is of English speaking nations (USA, UK, Canada etc.) and the other includes the developing and the underdeveloped countries. The norms, scientific innovations and knowledge of the dominating countries crowd out the ideas and practices of other countries. In this competitive environment there is a little scope for the educational systems of developing and underdeveloped countries to grow independently.

Globalization in the higher education sector brings dramatic inequalities among the universities in the whole world. In WTO regime the real danger for the universities in developing countries is that they will be swamped by foreign institutions who have only profit earning motive and not at all concerned with development of the nation.

Sreekantaradhya in his paper "Globalization and Education" (2003)⁷ analyses the mixed effects of globalization on the education system in India. Study found that from the

⁶ International Higher Education The Boston College Center For International Higher Education Number 23 Spring 2001

⁷ Available At Shodhganga.Inflibnet.Ac.In:8080/Jspui/Bitstream/10603/.../11_Chapter2.P. Accessed On 17/03/2016

academic point of view there are many advantages of globalized education system. Globalization of education facilities enrichment of educational program and fertilization of new ideas it also provides opportunities for utilization of best facilities that are available for research and from economic point of view it helps in meeting the demands of well-trained labor force and also promotes trade in the educational services. The study also points out the disadvantages of globalized education system for which necessary care should be taken. Because of outflow of scholars and students from developing countries to developed countries the pole of brain drain will be further accelerated and there is possibility that there will be greater outflow of information from developed countries to developing countries which might pose indirect threat to the traditional knowledge and values. Further foreign universities will attract talented students to their campuses which might undermine the importance of local institutions.

UNESCO Education Position Paper of year 2003 "Higher Education in a Globalized Society" examined⁸ the impact of globalized education which has both opportunities like increased supply of education and greater access of knowledge to students, economic benefits for the education providers, etc. and challenges such as brain-drain, homogenization of culture, etc. depending upon the strength and weaknesses of the nations.

What is seen as an opportunity for a country might be a challenge or risk for another country. To obtain benefits of globalization proper policy at national level is required to regulate and monitor aspects of cross border education such as registration and licensing of foreign education providers. It is becoming more essential to have good governance and solid social and economic system in context of globalized higher education system.

Pani in his paper "Globalization of Higher Education: An Indian Perspective" (2005)⁹ pointed out the effects of globalization on Indian education systems. In India education has gone through significant changes. There is considerable shift from traditional

⁸ Unesdoc.Unesco.Org/Images/0013/001362/136247e.Pdf Accessed On 17/03/2016

⁹ Globalization Of Higher Education: An Indian Perspective. Pani, Amrendra (2005). New Frontiers in Education, Xxxv (3), Pp. 195-198.

universities to internet based modern universities. Also there has been a high level of student mobility as students are attracted toward foreign universities. Foreign institutions running foreign programs awarding degrees have gained considerable importance after globalization. The traditional purpose of education has undergone considerable changes after commercialization of education.

In order to cope up with this new objective of education higher education institutions have gone for making structural and systematic changes. Further foreign students in India are very unevenly distributed. Foreign students in India are largely concentrated in western and southern India and very few students go to eastern and northern part India. Risks and opportunities are the two immediate consequences of the GATS agreement. there are several opportunities and challengers for member nations of GATS in the education sector and because of GATS developed countries universities are opening branches in developing countries that will provide students in developing countries to study at low cost. GATS also advocated industry-university relationship and private participation in education sector which will increase higher studies opportunities in developing countries. On the other hand the challenges are as follows- a gap is created between haves and have not because of GATS in higher education. The students belonging to rich families will study in top private institutions and students belonging to poor families will not be able to study in top institutions because of high fees.

GATS has advocated trade in educational sector but it observed that the trade is becoming unidirectional. All benefits of GATS are going to the developed countries. Globalization has mixed impact of higher education system. Globalization provides wider education opportunities to students on one hand and on the other higher education has become market oriented because of globalization.

WTO/ GATS REGIME AND INDIAN EDUCATION

Once commitment on global level for market access in education sector comes in force, GOI will undoubtedly secure the interests of local and foreign corporate houses who follow trade in education sector in the country against the interests of teachers and students. If people in India, particularly the teachers and students fail to pressurize the government to withdraw from offers given to WTO our higher education system will be intertwined with the WTO regimes forever and will be doomed.

Steps Taken By Indian Government

- The government of India has made certain offers to WTO-GATS on Higher education
- If not withdrawn immediately these offers will turn into commitments.
- Education will be on the agenda at Nairobi Ministerial Conference in December

Offer Terms made to WTO/GATS

- Foreign varsities will can open centers cum shops in India
- Public and Private institutions will have to be equally subsidized by the Government.
- In case the subsidies go away, money should be raised by the universities on their own.
- The students will have to bear the access cost.

Decided Policy

- India's Education policy will be vetted by WTO.
- Accreditation will also be controlled by WTO.
- Original research will be suffered by the commercialization.

In August 2005 GOI had submitted its offers for market access in higher education sub sector to WTO as a part of Doha round trade negotiations which started in year 2001 in Doha, Qatar. However there is no commitment as the trade negotiations is not concluded for the past 10 years but now there is fresh momentum going on in the negotiations. Plans are in action and the ongoing negotiations will conclude from the coming July in tenth ministerial conference which is to be held in December in Kenya. The conference to be held mainly aims to widen the scope and jurisdiction of WTO and if government of India does not withdraw its offers given to WTO the offers will become irrevocable commitments on the part of India which will have far reaching implications in higher education sector. National executive committee AIFRTE (All India Forum for right to Education) and committee of All India Shiksha Sangharshatra yatra has decided to campaign against this move in joint meeting.

DYNAMICS IN TRADE NEGOTIATIONS

In November 2014 special meeting of the general council of WTO was held in Geneva in which the process of systematic suppression of 10 years long resistant of the least developed and developing countries was culminated. In this meeting it was decided that by July 2015 a work program shall be finalized and further 10th Ministerial conference to be held in December 2015 by the top most body of WTO. This would prove to be most disastrous for the least developed and the developing nations of the world. The decisions taken in 10th ministerial covers trade in goods, agricultural and services like education, drinking water, health, public distribution system and other public entitlements.

The Doha round trade negotiations started in 2001 was held in Doha city in Qatar and hence named after the host city. The Doha round being clearly exploitative for the sovereignty of nations and for the rights of the people has created a scheme for extending

the claws of WTO. Fighting forces throughout the world after anticipating the result are preparing themselves for the 10th ministerial meeting and further people who love education cannot keep silent on this issue at this critical stage.

ONWARD MARCH OF IMPERIALISM

The WTO has classified countries as developed countries, developing countries and least developed countries based on economic inequalities. These economic inequalities are a result of imperialistic exploitation of the developing countries by the developed countries.

World Trade Organization was created to protect the interests of the developed nations and now it is doing adverse for the interests of the developing nations.

Developing countries like India joined the WTO with a view that its membership will provide benefits to corporate houses and subsequently will benefit the people. In the last two decades the WTO agreements have only aggravated the inequalities both class and social in all countries. The expansion of WTO operations will only intensify this process. This Doha round trade negotiations is also called as Doha development plan as it includes some palliatives for poor countries in order to attract them.¹⁰

EDUCATION AS A TRADABLE SERVICE AND GATS

The main body of WTO is constituted with three integrated multilateral agreements, viz., General Agreement on Trade and Tariff (GATT-1994) which includes Agreement on Agriculture, Trade-Related Intellectual Property Rights (TRIPS) and General Agreement on Trade in Services (GATS) and education is reduced to one tradable service which is included under GATS.

¹⁰“The Companion”, By All India Forum for Right to Education, April 5, 2015.

Trade in education is governed by GATS council (council for trade in services) in the same way as clubs and night pubs is governed with the same set of rules but there are some variations because of domestic regulations of the member countries as the offers and commitments are given by the member countries in a mode wise and sector wise format for the operation of GATS.

FOUR MODES OF TRADE IN HIGHER EDUCATION SECTOR

Five sub sectors in education service is recognized by GATS and they are Primary, Secondary, Higher, Adult and Other Education. The government of India has submitted offers in the higher education sector.

Further four modes of trade in all services is recognized by GATS. In the higher education sector first mode is Cross border supply in which the students receive education from foreign institutes and pay them the service charge. Second mode is consumption abroad in which students go to a foreign country gain education and pay for the service. Third mode is Commercial presence in which foreign providers establishes universities and colleges in India and provide service and collect service charge. Fourth mode is presence of natural person where the foreign teachers come to India and provide service in already established institutions and collect service charge.

In all the four cases Indian students would be consumers as India is opening up its market and the foreign individual's gets service charge and as a result foreign corporate houses earn profits. Even if we do not consider the monetary prospective the grates misfortune will be to reduce education to a tradable service controlled by global corporate forces and the worst thing is that the agreement will be irrevocable in essence.

FOREIGN PROVIDERS

If foreign universities are coming to India on the basis of educational and cultural relations and in order to exchange and spread knowledge we have no need to oppose

them. Throughout Indian history this has been a prominent feature and was also promoted by leaders and freedom fighters but this is not the case with WTO agreements as foreign countries are coming to India under trade agreement only to make profits. Under this agreement this is also not mandatory that only well-established foreign universities that can provide good quality education come to India to provide education and research facilities.

Even substandard institution can establish a branch here under the agreement.

A survey report by World Bank in 2000 shows that well known universities of developed countries establishes substandard branches in developing countries.

INDIAN DOMESTIC REGULATION

One of the instruments of WTO Trade Policy Review Mechanism (TPRM) will annually review trade policies of different countries and suggest changes to make to their policies. The regulation of domestic policies and formulation of their policies by WTO bodies will prove to be infringement of freedom and sovereignty of the member countries. In every possibility the public policies of the member countries will be controlled by the WTO and the developing and least developed member countries will become victim of this. The TRPM personnel will annually meet secretaries of HRD ministry on a yearly basis and enquire about the implementation of reforms agenda in education sector if this happens than the HDR ministry will be more accountable to TRPM than to the people of India. Six higher education bills have been introduced by HRD ministry in parliament to make changes in the domestic law and regulations to change it in conformity in with WTO demand. All the bills have lapsed for now but there is possibility that the current government will try to pass them by making equivalent ones and thus the domestic regulations by WTO and its organs will lead to infringement of sovereignty of member nations especially the developing and the least developed nations.

INDEPENDENT REGULATORY AUTHORITIES

In many service sectors in recent times we find that independent regulatory authorities have been established. IRAs are there for water, power, and telecommunication and for many other services also. The chairman of knowledge commission Sam Pitroda in his report suggested that an independent regulatory authority to be established to be established for higher education sector and For the same Professor Yash Pal suggested in his report that an overreaching body should be established by government by abolishing various all India educational bodies which are working in different domains.

Both the knowledge commission and Prof. Yash Pal have recommended establishment of a independent regulatory body. But establishment of these high profile center for power can only be understood as additional commitments made under the provisions of GATS. These IRAs are established clearly to divest government representatives from their power and accountability of decision making. The IRAs which are already established in different services and as well as IRAs established in education sector will be free from public pressure. A bill was introduced by the former government for the establishment of IRA in education sector under NCHER that was lapsed with other bills introduced in higher education sector. However the current government already committed in its election manifesto to establish a “higher education commission”.

CONCLUSION

In clear legal terms the GATS regime reduce student into a consumer and education into a commodity. Turning education into a tradable commodity will lead to denial of education to the poor and will also deceive students and teachers in the global market.

Further, globalization of education will degrade the course content of education to suit the need of the corporate world. Globalization of education under the trade rules will change the position of education from enlightening, transforming and empowering process which is required to build citizens with self-dignity and on the values of democracy, social justice and sovereignty. Education lovers' people and organizations in India have been organizing campaigns against this inclusion of higher education in WTO since 1988 when a background paper was circulated by WTO in favor of bringing education under the WTO regime.

However, the campaigns were not strong enough to stop government to give offers to WTO in higher education sector. Now it is time to bring a strong movement demanding withdrawal from the offers made for market access before they become irrevocable commitments on part of India. AIFRTE makes appeal to all people, organization, activists teachers, students and all other sections of the society to join hands against this assault on our education system and demand for immediate withdrawal of offers made to WTO before they become irrevocable enslavement for the people and nation.

Privatization and commercialization don't limit their devastating effect to the deprivation of a certain section of the society from education and the increase in fee, it ultimately ruins the character of knowledge. On the advice of the World Bank to have an independent regulatory authority, a sole body for global market transactions in place of the bundle of institutions regulating higher education, The Indian government has started slurring several institutions with intention to have a single window. Prof. Yashpal in his Yashpal Committee Report even named this single window body as: The National Council of Higher Education Research. The National Knowledge Commission of India has also recommended a similar body.¹¹We are losing the educational sovereignty as if the government wants something new in the education system, this must be vetted by

¹¹ "We Need To Save Higher Education From Wto": Anil Sadgopal, August 28, 2015 Available At [Http://www.Catchnews.Com/India-News/We-Need-To-Save-Higher-Education-From-Wto-Anil-Sadgopal-1440775116.Html](http://www.catchnews.com/India-News/We-Need-To-Save-Higher-Education-From-Wto-Anil-Sadgopal-1440775116.html) Accessed On 17/03/2016

the Trade Regulation Council of WTO. A review mechanism related to the trade policy which suggest changes by reviewing the policies of the member countries annually. They also determine the accreditation. This is dangerous and will destroy the sovereignty of higher education system.

