

# GLOBAL UNIVERSITY NETWORK FOR INNOVATION

## *First General Assembly*

Hangzhou, 20-22 September 2002

### *The international provision of higher education : do universities need GATS ?*

Dr Andris Barblan  
European University Association,  
Geneva / Brussels

0. China is now a member of the WTO, the organisation that monitors and facilitates world trade development. For a much longer time, China has been a member of UNESCO, the agency for education, science and culture created, at the end of the last World War, to foster peace in the minds of the people of the planet. As agencies of the United Nations system, both organisations encourage some 200 nations of the world to work together rather than fight with each other. However, although composed of the same governments, representing most of the people of the planet, the WTO and the UNESCO act on a different basis, use different approaches of international co-operation, refer to different worldviews – also when dealing with education, and higher education in particular. Indeed, this could create tensions between decision-makers in each member country, UNESCO and the WTO calling for divergent political options not always easy to reconcile.

### *Processes of internationalisation*

1. In other words, today, *internationalisation is driven by two cultures*, one resulting at UNESCO in so-called **conventions**, the other, at WTO, in so-called **agreements**.

1.1 The term convention comes from the Latin *con*, which means, *with* and from *venire* that translates into *to come*. In other words, a convention is the result of people coming together; indeed one of the meanings of the word is the **group** itself of those persons meeting for a similar purpose: for instance, the convention of the Democratic Party. Another and subsequent meaning relates to the transcription of the *minimum common denominator* that justifies the fact that such a group comes together. As a result, a convention is also a **text** that makes explicit a set of references accepted as common by the people gathered around the same cause. A written convention, when it extends the common will of being together, now, to a commonality of purpose for tomorrow, usually lists an **agenda for action** intended to foster group convergence, thus helping people to meet again on similar terms. When the partners joining together are country governments, conventions, that record the compromises made to reach a common

purpose, become a tool of internationalisation, the basis for a common vocabulary, for an accepted understanding of activities leading to similar objectives. The actors join in a common system of references building consensus from experiences usually gained in bilateral contacts.

Basically, *con-venire* reflects a *bottom up process* in which each participant keeps control of the adaptations made in one's behaviour to sustain the group's shared objectives. As a result, any new step in the internationalisation process needs further exploration of possible common ground, i.e., a new round of negotiations. Countries need to be convinced of the interest of closer links – of a *higher common denominator* ; thus, each new compromise is an *ad hoc* decision and, in the bargaining for international coherence, governments can feel justified to re-negotiate past arrangements. In other terms, the convention culture is based on individual agendas and on a combination of *ad hoc* decisions that make the process relatively unstable, very complex, difficult and slow when the partners involved in the discussions are many.

Thus, after years of discussions, UNESCO and the Council of Europe proposed a Convention on the recognition of degrees in Europe, the so-called **Lisbon Convention** that was signed in 1997 before being ratified by various countries – 27 to date. It tries to build recognition of training and education on trust rather than on the minute equivalence of courses and credits – a system that had rarely led to a greater mobility of students, graduates and academics between countries and between universities. Today, the convention is also opened to countries outside of the European region, those countries that would like to benefit from the same recognition procedures in order to join the academic communities that negotiated the Convention. Last April, in Lisbon, a conference took stock of the achievements brought about by that document; its wider application was recommended as a complement to the so-called **Bologna process**, an intra-European effort made at building by 2010 a coherent and cohesive European Higher Education Area including some 35 countries – another example of convention culture that will be discussed later.

1.2 The other culture – in fact, a specific example of the convention culture – refers to the term *agreement* or, in French, “*accord*”, which comes from the Latin *ad* and *cordia*, i.e., *to the hearts* - in other terms *of the same heart*. An accord expresses a conformity of feelings, of wishes. To agree goes deeper than to convene. In fact, to be of the same heart, the participants must not only join a system of references but also accept the merging of these references into one common system that expresses the conditions and constraints of their co-operation. They have to go beyond promises – that are implied in the word *com-promise* – and must offer *con-cessions*, a procedure in which they *cede*, or abandon part of their autonomous will in order to join common development. An agreement does not allow for real changes of mind; indeed, there is little room for retreat from a system which lists the frame conditions for co-operation, thus requiring from participants an **open ended acceptance** of future, potentially unexpected arrangements. Thus, as

an *accord* supposes a **commitment to the unexpected**, at least in the framework of an agreed area of common competence, there is no use for the constant re-negotiations of closer contacts, as is the case for a *convention*. In a way, an agreement has more of a *top down nature* than a convention - considering the relative automatism of its extension to enlarged areas of common interest. Thus, an agreement is simpler, easier, faster to apply than a convention. Why? Because it requires more trust in the other, more confidence in the future than a convention that tends to check the direction of change at every step. And this requirement is not written in the document!

In this spirit, the World Trade Organisation, in 1995, proposed a **General Agreement on Trade in Services** (GATS) that would extend the lowering of tariffs and other commercial barriers to exchanges other than the trade of goods that had been covered by an earlier series of negotiations, from the Kennedy round in the early sixties to the Millennium round at present. GATS should cover in particular financial services – banking and insurance, for instance -, tourism and transportation, health or education, to name but a few types of services of common interest. The 1995 Agreement indicates a few basic principles – accepted by all signatory governments –, principles that can apply to all services under discussion. For instance, the *national treatment* clause says that all foreign services are to be treated as if they were national; or the *most favoured nation clause*, the MFN, indicates that any concession offered to one country is automatically granted to all the others which are also part of the agreement. These principles represent the **framework conditions** of the deregulation of trade - for services, in this case; once accepted, they become the **constraints** of commercial internationalisation – also in the field of education.

In June this year, all WTO member governments were invited to outline the areas of trade in services that they were ready to commit to deregulation, i.e., the fields which they would accept to open to foreign providers on conditions similar to those applied to their own national providers. All these offers are now being collated in Geneva to prepare for the bartering of concessions – which will apply to all partners in the system. The whole process should be finished by the beginning of 2005. As for education, 31 countries – out of 180 (?) WTO members – have indicated an interest in lowering trade barriers concerning the provision of training, four mentioning explicitly higher education, Australia, Japan, New Zealand and the United States of America, but in very different terms.

### ***Trust and value – the implicit tenets of internationalisation***

2. Let us look back on our international past, in the 19<sup>th</sup> and 20<sup>th</sup> centuries

2.1 In the middle of the **19<sup>th</sup> century**, the countries of Europe were known as the “concert of nations”; they were the countries going through the same industrialisation process, characterised by the use of steel, coal and steam to develop shipping and rail connections that, starting from

Britain in the 1840's, expanded throughout Europe in the next 30 years before extending to the whole world by the turn of the 20<sup>th</sup> century. As a group of nations – long accustomed to quarrel and fight – the countries of Europe accepted at the time that they needed some kind of procedure to harmonise their common economic fate rather than to insist on their unique political identities. In the 1860's, under the leadership of France, and with the support of Britain, the *most favoured nation clause* was invented to reinforce the economic ripples of industrial development. Such a policy was based on **trust**, trust in the partners of the concert of nations, on the one hand, trust in one's own capacity to benefit from competition, on the other. But also trust in an open future in which governments could take the risk for the unknown, i.e., for the unexpected consequences of a world community that would affect them in the long term. Most European governments felt confident enough to risk tradition against potential wealth. Such trust was turned into value by the use of gold as the standard for measuring exchanges and assessing the success of trade. Combined to the MFN, the gold standard, common to all, allowed for the opening of European markets to foreign competitors and for the fast reorganisation of production, from food to industrial products, that was to transform world society in the second half of the 19<sup>th</sup> century. Not always without reactions, however, as groups of people and countries were losing well-defined positions and roles to make way to the new world order. To counteract such losses, some encouraged colonial enterprises that would channel and protect trade restricted to specific partners only – France and Indochina, Britain and India, for instance, not to speak of Far Eastern conquests for Russia or Far Western settlements in the US. This also led to nationalist assertions of identity, in newly created countries like Germany and Italy in particular. Such reactions against free trade contributed, in the long run, to the political and military oppositions that led to the first World War: they killed global change and global exchange for most of the 20<sup>th</sup> century. For the cosmopolitan classes that ruled at the time, however, these fifty years of free trade remained the memory of a *golden age* when people, capital and goods could move freely, thus passing borders with no need for a passport or a visa, while using gold as a standard making comparable trade and exchanges all over the world.

2.2 From 1918 onwards, the history of the **20<sup>th</sup> century** can be considered as a single-minded effort to recreate the conditions of that golden age; politically, to make war impossible, the concert of European nations was to be enlarged to the countries of the world through the setting up of the **League of Nations**, with a secretariat in Geneva. This attempt at internationalisation suffered a fatal blow, however, when the US Congress refused to follow President Woodrow Wilson, who had launched the organisation. On the economic front, gold was reinstated as the standard of trade, with disastrous results however, when the golden standard was pegged too high – in particular vis-à-vis the pound sterling -, thus restricting commerce at a time of reconstruction while stimulating, on the contrary, efforts made by single countries to control their own economic fate. One of the results of such developments was the second World War.

After 1945, efforts were renewed to stabilise the world, especially through the creation of the United Nations organisation with its many specialised agencies, UNESCO in particular, but also, the World Trade Organisation. Super-powers, however, were reluctant just after the war to entrust a world organisation with the monitoring and the facilitation of trade; again, a question of trust in the other or in the future! Instead, they settled for a treaty that would cover one aspect of commercial exchanges only, custom duties and tariffs. Thus was signed and ratified the **General Agreement on Trade and Tariffs**, the GATT, on the basis of which various negotiation rounds were organised to reduce the obstacles to international exchanges represented by country rules protecting national providers of goods and products. And it is only in the nineties, during the Uruguay round, that, comforted by the success of GATT as a forum of negotiations, the World Trade Organisation was finally set up.

Some governments considered that the global approach proposed by UN agencies was too slow and cumbersome, by the sheer fact of the number of countries involved and of the diversity of conditions prevailing in each of them. For instance, the lessons of two world wars fought in Europe in less than fifty years were pointing to the need for stability and peace if the area were to rise from its ruins. Several approaches were proposed to uproot hatred and mistrust in Western Europe: *political* ones, for instance, that would help national decision-makers to meet and develop common regulations, projects and programmes. Thus the **Council of Europe** was created and its Assembly comprised of parliamentarians from some 20 countries, at first, and now from 42 nations. *Economic* linkages were also considered as a possible route to international confidence. Consequently, in the early fifties, the six countries that had been at the heart of the two world conflicts – France, Germany, Italy, Belgium, the Netherlands and Luxembourg - organised as a single sector of multinational activities the many firms that could support war efforts, steel and coal industries in particular. That European Community for Steel and Coal represented the seed of trust for the Common Market, set up in 1957 by the Treaty of Rome, that extended free trade to all goods and products produced in the area – beyond steel and coal. At a regional level, the most favoured nation clause was being used to its full and, as a consequence, like in the 19<sup>th</sup> century, the mobility was not only granted to the objects but also to finance and, more importantly, to people. The launch of the Euro, and its formal use since January this year, have completed the model of the earlier century by offering a money standard that would also make possible comparisons of value, in terms of goods and services. No longer in the 6 original countries of the 1950's but in the 12 countries that have accepted the common currency – the last three countries of the community hesitating still to abandon their own monies, the sterling in Britain, the crown in Denmark or Sweden. Again, a question of trust! With some 400 million people, however, the Common Market – now the **European Union** - has turned in fifty years from a disaster area into a pocket of prosperity that attracts neighbouring countries. At present, it is also a leading partner in commerce which, in the World Trade Organisation, deals as a single

entity vis-à-vis all other governments. This same dream of liberalisation to counter nationalist stances has also been pursued in other regions, at a lesser level of integration however, for instance in South America with the *Mercosur* or the *Andean Pact*, or in North America with NAFTA, the North American Free Trade Agreement.

2.3 All those efforts are based on a series of assumptions, which are not mentioned in any convention or agreement; I refer to them as the **building of trust**. In all the examples, mentioned, past and present, there is first a will to co-operate, be it at the lower level of the convention, or at the higher level of the agreement. People, nations, governments recognise that, next to them, they have “others”, be they opponents or partners. The *recognition* of those others is the first condition of a dialogue. The second stage of exchange builds on *comparisons*, comparisons with the other, so that the person, the nation, the government discovers points of commonality and areas of differences in the identity and behaviour of their counterparts. Then, the areas of commonality can be considered as potential focuses for common action, as meeting grounds for joint development – if there is an interest in collaboration. At that level, however, the definition of common approaches does not imply the need for a changed behaviour among the partners to the dialogue: they keep doing what they have usually done but they do so in parallel; thus, in the long run, there grows a shared practice and, with it, confidence develops in each other’s goodwill and competence. The third stage of development in co-operation is that of *compatibility*. Comparisons show, after a while, where gaps can be bridged so that shared practice leads to convergence in behaviour, i.e., a behaviour that accepts to incorporate **change in order to adapt** one’s own pace to the needs of the other. The fourth stage of collaboration, finally, is that of *commitment*, when the partners, be they people, governments or nations, agree to a common purpose and adopt common strategies to meet their objectives. To succeed, each partner must be able to count on the others’ unrestricted collaboration and on their full acceptance of the objectives as they have been defined in common.

The *culture of convention* corresponds to the first two stages of recognition of and comparison with the other, that lead to shared practice, like the Lisbon Convention on the recognition of degrees. The culture of agreement refers to the next stages of collaboration – compatibility and commitment -, those stages that accept change in behaviour patterns to reach a common goal, like the GATS that requires an early commitment from member countries in order to obtain transformed patterns of trade that are going to affect deeply the national provision of specific services – and often in an unexpected way, at least in the long term.

2.4 In the field of higher education, Europe is trying to develop a pattern of integration that refers to the two cultures, or the four stages of co-operative development. This is the so-called **Bologna process**. In June 1999, 30 Ministers of Education signed a Declaration in Bologna, the city hosting the *Alma Mater* of all the universities of Europe, a document in which they indicated

their intention, by 2010, to develop a *European Higher Education Area* (EHEA). The number of countries able to join was left open – and, indeed, another three have joined in 2001 and some more will ask to adhere to the Bologna process in September 2003 when the Ministers meet again, in Berlin, to take stock of the development of the EHEA. The substance of the EHEA was also left open: indeed, there is no definition of what an integrated academic Europe should be. Referring to the European Union, it could be an area where knowledge and knowledge workers are freely exchanged, i.e., a space where students can train in any higher education institution of the participating countries – with the support of their home country; a space where professors and researchers can be recruited from any of the participating countries; a space where employers and public authorities recognise the value of degrees taken in all participating countries. The Bologna Declaration, however, does not spell out such a grand design – that would frighten most academics and political decision-makers, anyway. Instead, the text points to the **tools of convergence** that could lead to the EHEA, and thus achieve the *highest common denominator* between the higher education systems of participating nations. For instance, it recommends the development in each country of a *two tier system of higher education* with a BA of at least three years followed by a MA of three or four semesters – thus facilitating the comparisons between national systems of higher education; it also recommends the use of the *Diploma supplement*, a document with a European format that explains the content of learning acquired in various countries; it asks for the extension to all institutions and to all levels of higher education of the *European Credit Transfer System* (ECTS) in order to simplify those procedures encouraging mobility between institutions, countries or types of training – to take account, in particular, of lifelong learning alongside traditional university studies; moreover, it suggests convergence in the *quality assessment* of knowledge services as arranged in the signatory countries; it also requires the suppression of all administrative *obstacles to the mobility* of persons and ideas; finally, it encourages the development of the *European dimension* of academic training.

By signing the Declaration, the Ministers pledged their countries' interest in the common use of those tools – even if each government is developing somewhat different strategies in their implementation. Italy, for instance, re-organised in one year its more than 1500 traditional five-year curricula into 3 + 2 programmes of studies, adopting very quickly the BA/MA structure – even if they do not call it that way. Germany went much more slowly, each university being encouraged to offer the BA/MA curriculum next to their traditional programmes of training. Some universities considered the dual system to be so cumbersome that they decided to offer only BA/MA courses, such as the Humboldt University in Berlin. In the Netherlands, the Parliament has just discussed the transfer to a BA/MA system of higher education. In other words, the countries are left the choice of their own use of the tools considered common – and of their own pace as long as this leads to European convergence and to an increased mobility of

people and ideas throughout the region, a region that goes much beyond the borders of the European Union.

Over the years, the universities of Europe had achieved some kind of recognition of their work; there had been many programmes encouraging joint teaching and common curricula development – at least in those parts of study courses that were specifically opened to foreign students – for instance, in the framework of the ERASMUS programme that supports the intra-European exchange of more than 100'000 students a year. The Bologna Declaration considered that this learning of each other's needs and methods needed a boost if the comparability of services were really to enter the stage of compatibility of action. Thus, it offered governments the possibility to commit to a mid-term future of integration – the EHEA of 2010 – and it urged them to enter similar lines of development. These were reinforced in Prague, in May 2001, when the Ministers insisted that higher education, including *lifelong learning*, had to be considered as a *public good* and that the *students* had a key role to play in social change. The Ministers were thus confirming earlier indications in the Bologna Declaration that the integration of European higher education would not be done by the governments alone but with the full support and creativity of the institutions of higher education and their members, students, teachers and administrators. If public authorities are there to ensure the conditions of academic development, European intellectual growth is the business of the universities – which have to put their act together, also at the European level.

In October, for instance, the European University Association organises in Zurich a conference on the use of ECTS as a tool of academic integration. The meeting, officially considered as a part of the Bologna process, will bring together some 200 university leaders as well as government representatives from all signatory countries or student and teacher representatives: all 300 participants will try to determine how to move from good to best practice in the use of credit transfer and accumulation in Europe – i.e., to move from the lowest to the highest common denominator. The conclusions of the conference will be part of the recommendations for further harmonisation that will be discussed by the next ministerial Summit a year later in Berlin. Like similar “Bologna” conferences, the meeting in Zurich will have been prepared by national debates and, as far as ECTS is concerned, by visits to scores of institutions using European credits and facing problems in the extension of the system to all curricula, a move influencing indirectly all aspects of their activities. In other words, the Bologna Declaration implies **partnership with the government** rather than dependency, as far as higher education institutions are concerned. This means that the universities trust in the authorities and that the authorities trust in the universities, or equivalent institutions of higher learning. The same is true for other actors in the process: for example, the National Unions of Students in Europe (ESIB) take full part in the shaping of the EHEA, launching discussions at institutional and



national level, organising European symposia – the results of which are presented directly to the Ministers. This also implies an **open future** where the partners' goodwill can realise shared ambitions. This can lead however to somewhat uncomfortable positions as everything should stay on the move: for all actors in the process, each decision is but an approximation towards the creation of the EHEA.

Indeed, the Bologna process is not at all automatic as it combines the slow growth of confidence and the stimulation of innovative proposals around an open and growing definition of what the future EHEA will be. In a way, it bets on the "convention" approach, keeping most of its unrelenting day to day discovery of the other but it brings it to the level of the *shared heart*, that of the agreement culture by constantly searching for the highest common denominator. Members are free, however, to move towards the common goal in their own way although they agree to remain constricted to the use of a fixed set of shared tools of development. As a result, the world of European higher education looks somewhat of a jungle, more intent on new ideas than on fixed order. The Bologna process, in many ways, is an experiment in international relations. This openness is also its strength as shown by the countries of South East Europe: they are not parties to the Declaration yet, but they have decided to re-organise their system of higher education on its lines, by passing laws of higher education that are **Euro-compatible**, i.e., that converge with the developments engineered by the Declaration in other countries of the region.

2.5 My contention is that the two earlier stages are compulsory in the building of trust and that this is sometime forgotten by the supporters of international integration – through trade or otherwise. The chance of Europe is that, despite historical and political fragmentation, there is a basic consensus on what represents the common culture of the region, and on what is the role of higher education in social development. The stages of recognition and comparison are already well underway among the 35 countries sharing in the Bologna process - even if one is always surprised by the little knowledge average academics have of the educational systems prevailing on the other side of their national borders. Anyway, there is acceptance of a common ground, an acceptance that does not necessarily exist in other parts of the world. In other words, to start with agreements when a convention culture has not developed yet - i.e., making people of the same heart when they do not know each other yet - could lead to unwanted results, some partners feeling oppressed rather than supported in their adaptation to change.

### 3. *Do universities need GATS?*

3.1 EUA, as an organisation, is certainly not against free trade. Nor should the Europeans be, in general, considering the level of wealth and development brought about by the growing mobility of goods, monies and people in the area since 1945 - when World War II closed on so many cities, firms and infrastructures of Europe being levelled to the ground. The hesitations

concerning the inclusion of higher education as one of the areas covered by the *General Agreement on Trade in Services* do not refer to the need for improved international exchanges leading to a stronger world community – a welcomed aim – but to the conditions of their development. Two points mainly deserve further discussion.

3.1.1 *Are services equal to goods?* As the Uruguay round was coming to a close, it was clear that all sectors of international exchanges were not covered by the lowering of obstacles to trade that had been encouraged by the GATT over so many years. These sectors, like tourism, banking or insurance, playing a growing role in world development, it seemed normal to apply to them the basic rules that had freed commerce in the goods sector, mainly the *national treatment* and the *most favoured nation clauses*. The assumption was that services were equivalent to goods and could be dealt with the same way. Indeed, both have a price reflecting an efficiency cost, both depend on production processes that can be protected by national regulations and tariffs.

However, even in plain English, to speak of a *producer* of services sounds rather clumsy; and one would prefer a term like a service *provider*. Why? Because a service has an immaterial identity that a good has not. In a way, services require from the consumer a different type of trust in the validity of their provision than the one asked from the buyer of a material object.

Buying a service is like buying a network of relations, **not yet activated**, to answer a demand. For instance, when buying a package tour to the historical cities of the Silk Road, I am buying my own expectations of my discovery of China; and, to meet these expectations, I am contracting a network of goodwill - from the travel agent to the hotel keeper, from the museum guide to the bus driver, whose many competencies, when implemented, will make my holidays a success or a failure. There is a time dimension, a sense of duration until materialisation that does not play such a role in the exchange of goods. Goods are also the result of competencies, but exercised in the past. Services developing in the future, they call for a higher level of trust. Moreover, as the service is usually still to be done when you pay for it, it is interesting to note that the consumer seems ready to pay more, the higher he or she can trust in its realisation and its specificity. In other words, there is a **subjective margin of evaluation** that is more important than for the commerce of goods. Another way of looking at services is to consider that they reflect a **potential supply** of competencies (to be activated) while material goods are produced to the requirement of **existing demand** (as a result of activated competencies). Then, are the instruments developed for goods directly applicable to services? Should not that dimension of extra trust be taken into account – that deals with immaterial, subjective values that are full part of the services provided? Then, if my analysis makes sense, are

not the *responsibilities* of the service provider different from those of the good producer? As a consequence, are the regulations applied to service and to goods not intrinsically different? Is the similarity of ruling applied to both adequate?

- 3.1.2 *Is trust in the negotiation process justified?* is my second point. For instance, if these questions on the nature of the process are to be answered convincingly, all partners should be contributing to the discussions – a little like in the Bologna process. Governments, institutions, providers, students should be involved in defining their common future. If the governments taking part in the GATS are the same as those joining the Bologna process, at least in Europe, i.e., governments betting on partnership as the best means for confidence development when creating the EHEA, they should act accordingly when working for the setting up of a global community – shouldn't they? But this is not the approach of the WTO which, for negotiations, relies on the departments of trade and commerce from member countries. And they rarely consult colleagues from the ministries most concerned by the provision of those services put on the bargaining table, the ministers of health or education for example.

This explains part of the reactions to the GATS, also among universities. When the *Association of Universities and Colleges of Canada*, the *American Council on Education*, the *Council for Higher Education Accreditation* and the *European University Association* drafted a common declaration and signed it in September 2001, the four organisations, representing some 4000 institutions, expressed their strong reluctance to the inclusion of higher education among the services that are to be committed to freer trade. Why? Because there were fears that the process of consultation would not include the universities effectively – although they are still the prime providers of higher education, a service with a specificity of its own, not necessarily covered by the GATS ambitions.

Indeed, we heard of the potential role of higher education in the GATS negotiations through the Canadian universities because, in that country, there is a well established consultation culture: in Ottawa, the Department of Trade had asked the opinion of the Department of Education - when wondering if Canada should commit itself to freer trade in education; and the Department of Education had referred the matter to the Association of Universities and Colleges, its usual partner, to prepare its position paper. However, in Washington and in many European capital cities, the trade people were less co-operative as if their experience with freer markets of goods justified similar operations in services. Thus, Ministries of Trade were rarely consulting their colleagues in education, which was no real stimulation for a debate with the providers themselves or their representative associations. Our transatlantic declaration was a way to remind that the first institutions concerned were the universities and, as such, that we should be partners in the debate.

Again, a question of trust, of trust in the concepts, of trust in their definition, of trust in the negotiators, in short of the trust being built on past experience and on recognised differences leading to convergence paths. In other words, in the field of higher education, we were wondering if the bases of cross recognition and international comparability around the world, in more than 180 countries, were sufficient enough to move to comparability and commitment? Comparability and commitment which are clearly required by an Agreement that wishes to achieve an open future by simply determining the conditions of growing exchanges of services.

Fears of misunderstanding were increased by the fuzziness of the GATS document itself, when, in **Article 1:3**, it defines the kind of services that are *not* covered by the negotiation process, in particular those services provided by the various States to their own citizens. However, if government controlled institutions are to be excluded, what of the private universities fulfilling a *public role* or, on the contrary, of the state institutions that have set up private branches to develop new educational services? Another area needing clarification covers the consequences from the Agreement on countries with a less developed system of higher education, often a system linked to the affirmation of a cultural identity. Would GATS lead to the substitution of *valued but inefficient* services (at least in economic costs) by well-packaged, cheaper foreign alternatives based on very different cultural assumptions? In other words, are all WTO members able and willing to bear the **brunt of liberalisation** – in particular in the field of education, which, like culture, reflects group identities and national specificity?

Mistrust, in all these cases, could be softened by a clear understanding of what *quality* means in higher education. If a service refers to a *network of competencies*, yet to be activated, these can vary in time and place although they are considered part of the same package – presented under the same name everywhere. How do you assess the quality of an immaterial process in the making? At least, with a product, the competencies have shown their limits in the good itself and a quality judgement is much easier. Thus, as associations of higher education institutions, we would be willing to discuss – and agree on - the **standards** to be used so that various educational services can be considered similar enough to compete on the world market. This is essential if we are to protect the students, if we are to reassure the parents (who often foot the bill either by paying fees or by supporting taxes), and if we are to set a path of convergence for teachers, employers and professions so that they can refer to some kind of order in the whirlwind of globalisation.

In Washington, last May, the OECD organised a Forum on *trade in services* and experts explained that the whole process was innocuous and reversible, that countries kept control

of any concession offered, thus being able to decide what public service and quality should mean in each and every case. Should the universities be convinced, however, when the GATS is not a convention – allowing for an *ad hoc*, step by step approach - but indeed an agreement that uses the national treatment and the most favoured nation clauses to integrate the unexpected? Moreover, fears were compounded by the rather dismissive attitude of the official negotiators vis-à-vis the students who, in Europe, had prepared their case against what they call the risk of “**commodification**” of higher education. For them, education is a process involving people, a *close encounter* with knowledge as experienced and accounted for by various teachers, each in his or her own unique way. Considering learning as a packaged good, as a “commodity” distinct from its provision modalities deprives the education process of its very essence, transforms learning into simple instruction – so contended ESIB. The argument can be countered but it should certainly not be dismissed as irrelevant as it was in the Forum. Indeed, are we moving towards “world curricula” – like there is a “world car”, built from similar parts engineered in different countries (in function of cost efficiency) but packaged in varied ways from region to region, so that the customer has the impression that the machine has been tailor-made for him or for her? Should we be afraid of *the industrialisation of knowledge* – leading to potential uniformity - when, traditionally, higher education has been built on differentiation, on freedom of teaching and on institutional autonomy? No, say the GATS experts, for the agreement will provide regulation so that internationalisation – the aim of the whole process – can grow.

3.2 Confidence is not really there, however, neither in the concept nor in the process, neither inside the various governments nor among the many educational providers and their beneficiaries. If the dynamics of trust are recognition, comparability, compatibility and commitment, then the fast track towards internationalisation, as represented by GATS, is untimely considering that the knowledge of the other and the ability to co-operate have not been tried and developed in and between many member countries of the world community. In a way, unfortunately perhaps, the institutions of higher education and the public authorities in charge of intellectual development have not reached yet the stage of a *learning community* - the lowest common denominator - based on personal and institutional confidence leading to group consensus. The potential of convergence being not explored yet, there is little chance of success for automatic developments leading to an international *community of learning*, the highest common denominator. In other words, the world of education is not yet ripe for the fast dismantling of national devices protecting academic services. Or, should GATS proceed quickly, then the risk would be for some providers to take advantage of implicit but clear weaknesses in several education systems in order to substitute services - with no assurance of long term trust by

the customers as to the relevance of the “product”. Disappointment could turn into accusations of imperialism.

Not the best way to develop internationalisation. GATS is but a tool, whose top down capacity could be premature. However, the need for better understanding, for the exchange of people and ideas if the planet is to avoid new world conflicts, remains as fundamental now as it was in 1945. Then, if we cannot be *of the same heart* yet, and abide by agreements, we can still use the UNESCO way – that of conventions building *common references*. True, it has proved a rather slow approach to the lowering of borders, be they intellectual or administrative. And conventions should not become reasons to procrastinate rather than to reform, even if this has little to do with the convention itself but much more with the will of the signatories to move ahead. The GATT has brought the markets of the world closer, even turned them into a common economic area – a process which is usually referred to as “globalisation”. If we are to draw lessons from the European experience - where goods, people and capital can move freely in a community of some 400 million citizens – the need for the European Higher Education Area can be understood as a late result of the growing interaction achieved in other fields. Indeed, the governments of Europe, already linked by thousands of other contacts and contracts, can now envisage to give common grounding to activities that have always been considered as *country specific*, culture and education. That is perhaps why the Bologna Declaration reflects an inter-governmental process rather than an integrative programme run by a supra-national entity like the European Commission in Brussels – born out of an international agreement.

At a global level, governments all over the world could recognise that they are already part of an economic entity, that should be completed by free trade in services. The commitment to education would then translate into an international policy of culture supported by existing involvement in other areas of commerce. To follow the European model, the convention path could be strengthened then by strategies inspired by the Bologna process where the *ad hoc*, step by step approach is also used to develop compatibility and encourage commitment to procedures leading to a higher common denominator, where confidence is measured by the *level of partnership* proposed to all actors by the governments, the same authorities that back UNESCO or GATS - and their very different actions in favour of internationalisation.

### 3. *A provisional conclusion*

The two cultures – as represented by UNESCO and GATS – go side by side as reported in our newspapers – or they can relay each other, not surprisingly if one considers agreements to be a special type of conventions. I have tried to show their connections, in so far as they aim towards the same goal – internationalisation -, an objective they attempt to reach with different although complementary instruments, the convention approach using a bottom up approach, the agreement

path a more top down frame of references. However, as long as the actors on the educational stage do not show enough trust in each other or in each other's services – as long as there is no confirmed will to reach a community of learning -, the two cultures can be opposed: indeed, the recognition and comparability of various systems of higher education, national or otherwise, represents a necessary stage of collaboration before countries can commit to the compatibility of action that is required by the GATS. When the first two stages of co-operation have been completed, GATS procedures could be applied - using the confidence built up between actors now become partners in the field of higher education. Further *bottom up* activities could also be devised, next to it or instead of free trade policies – as the Bologna process shows for Europe where the long term aim of a common academic area is proposed to be achieved by the creativity of all partners, as they engage in a shared enterprise.

So, do universities need GATS? Not for the moment, if we are not to add mistrust to fears in a learning community, which is not mature to become a community of learning yet. This is a provisional answer until many of the questions asked above are answered satisfactorily – and the universities must be part of the debate. Then, the fast track of free trade could even prove an easy way to intellectual globalisation and a world knowledge society.

“The soft overcomes the hard.  
The slow overcomes the fast.  
Let your working remain a mystery.  
Just show people the results.”

*Tao Te Ching* (chapter 36)

*AB/Sikinos, 1 August 2002*