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Transnational Education: Risking ‘recolonisation’

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Transnational Education: Risking ‘recolonisation’.

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I am the author of this thesis, and the work described therein was carried out by myself personally.

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Abstract

The research considers the governance and ethics of transnational education, developing a comprehensive and holistic view of the current challenges and opportunities in the sector. There is a focus on the ethical challenges of engagement across cultures, including those areas where the values of a largely liberal western system are challenged: human rights, fraud and corruption and academic freedoms in host countries. It concludes that there is a need for greater focus, structure and transparency in the governance and leadership of this growing and complex sector.

Postcolonialism and the increasingly broad definition of decoloniality in higher education provide insights into a new framing for international partnerships and campuses overseas. They highlight opportunities for critical self-reflection on the part of leaders and governors for the delivery of a contextualised cross border higher education sector and lead to a new definition of decoloniality in TNE as based the guiding principles of delivering the best outcomes for all students in environments that support and celebrate diversity and inclusion and belonging in a globalised sector.

The data highlights a risk of 'recolonisation' through education which reinforces western hegemony. The recolonisation of peoples, not through the physical violence of traditional colonisation but through: the subversion of histories, the erosion of indigenous language and so culture, the discrediting of indigenous knowledge and ultimately of identity. A system which mimics the West and in doing so replicates the inequities of colonisation.

Practice based and with the motivation to contribute to professional practice, the data informs the development of an environmental analysis framework through which a more comprehensive review of the impact of TNE can be considered. Drawing on evidence gathered in interviews with senior university and higher education sector leaders, the research points to a need to consider ethical engagement through two distinct lenses: those that are within the control of the institution and those that are situated in the national context, inherent in the environment in which TNE is delivered. Underpinning these two lenses is effective and transparent university governance. Here the research points to a need for universities look to diversify their Board membership to include members with experience of international trade, international development and diplomacy. Those Board members, alongside university leadership need to bring the skills and aptitude to transparently debate the motivations and intention behind engagement, their approach to values or ethical conflict and to ensure that staff are developed effectively to teach and support students in new cultural environments.

Chapter 1: Introduction

1.1 Context

There is an increasing trend towards internationalisation in the higher education sector. Knight (2003 p.2) refers to 'the process of integrating an international, intercultural, and global dimension into the purpose, functions (teaching, research, service) and the delivery of higher education'. Internationalization is a broad term and one that that covers a range of activities: international research collaboration, student recruitment, student and staff exchange, internationalisation or globalisation of curriculum, and the mobility of both students and programmes. One element of the internationalisation of the sector is Transnational Education, or more specifically in the context of this paper, Transnational Higher Education (for simplicity referred to throughout the text as TNE). Also referred to as cross border education, TNE is concerned with the movement of people and programmes across national borders. There are a number of subtly different definitions of TNE. The Global Alliance for Transnational Education (GATE) defines TNE as:

> Transnational Education denotes any teaching or learning activity in which the students are in a different country (the host country) to that in which the institution providing the education is based (the home country). This situation requires that national boundaries be crossed by information about the education, and by staff and/or educational materials.
>
> GATE, 1997, p.1

The definition is particularly helpful in reaching common terms for the host country and the country of the sending, or home institution. I will consistently refer to these terms throughout the research.

UNESCO/the Council of Europe (2002), Code of Good Practice in the Provision of Transnational Education provides greater context highlighting the role of State and of a system that is, theoretically, able to operate outside of a national system of higher education.

> [A]ll types of higher study programs, or set of courses of study, or education services in which learners are located in a country different from the one where the institution providing or sponsoring the services is based. Such programs may belong to the education of the State different from the State in which it operates, or may operate independently of any national education system.
>
> Council of Europe 2002, p. 2

Consistent across the definitions is the notion of the mobility of providers and of programmes rather than the mobility of students across national boundaries. In that respect, TNE is fundamentally about the export of Higher Education. Peer reviewed published literature on TNE is growing and there is a credible body of grey literature through organisations such as the Universities UK International Office (UUKi), the British Council, the UK-based Observatory on Borderless Higher Education (OBHE), US-based Cross Border Education Research Team (CBERT) and to a lesser extent, the World Bank and UNESCO. Government trade bodies have also taken an interest in TNE and are a source of reliable data.

TNE is a growing and now permanent feature of the global Higher Education landscape. A largely 'Global North' to 'Global South' phenomenon, with the UK, Australia, the United States and increasingly, Canada, accounting for the majority of provision of Higher Education beyond their national borders. A complex and conflicted space, advocates argue for increased capacity, access, choice and quality that is driven through the contribution of new providers to national systems of higher education. The OECD and International Bank commissioned publication by Vincent-Lancrin (2005) explores ways in which TNE can benefit developing countries efforts to build capacity. Here the role of competition in an increasingly marketized sector is seen an incentive for increased quality. For others, TNE presents a range of moral and ethical questions. These are evidenced primarily through strong academic opposition to TNE. Yale academics actively opposed the Yale/National University of Singapore joint venture in Singapore. The University of Liverpool withdrew from Egypt following concerns regarding human rights. Investment and withdrawal are expensive. The University of New South Wales withdrawal from Singapore after only one semester with losses estimated at $37 million Singapore dollars.[1] Despite this there is no comprehensive review of the challenges that focuses on the leadership and governance of this complex and growing sector. It is the gap to which the research is intended to contribute.

1.2 Research Questions

The research uses grounded theory and so the research questions are informed directly by the data. It is through analysis of the data that the key areas of enquiry have largely emerged. The central questions to which the thesis seeks to investigate are:

1: What are the pervasive challenges of operating, leading and governing TNE?

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[1] https://www.smh.com.au/entertainment/art-and-design/debt-climbing-for-unis-failed-campus-20070614-gdqdvw.html

2: What ethical and equitable dilemmas and challenges have HEI and sector body leaders encountered?

3: What are the implications of the findings for the leadership and governance of TNE?

The research explores those challenges through the lived experiences of senior leaders working in TNE . It draws primarily on the voices of those that have managed substantial and complex TNE initiatives alongside those from UK sector bodies that have facilitated growth in TNE at a sectoral level, often working as intermediaries between universities and governments in host countries. This approach provides the opportunity to comprehensively document the challenges but also to offer up solutions to an area of the higher education landscape that has a significant impact in both the home and host environment. The contribution to knowledge being the comprehensive and systematic analysis of the pervasive challenges of operating, leading and governing TNE.

An output of the research is the development of frameworks through which this complex area of the sector can become more ethical and equitable, and in doing so, more relevant and sustainable. The analysis is based upon primary data collected in 22 interviews. Ethics in this context is used to describe the systematic application of moral principles to concrete problems (Wines and Napier 1992). It is concerned with the application of moral values to decision making in new and foreign cultural environments. Equitable here specifically relates to equalities: fairness, particularly in relation to minorities. With that in mind, and informed by a consistent narrative in the data relating to imperialism, cultural hierarchy and coloniality, I have particularly looked at the contribution that key concepts within the post and decolonial literature. The recommendations of the paper are intended to not only provide a new theoretical framework through which better leadership and governance can be achieved but in doings so to contribute to improved practice/delivery of TNE and which address not only the financial and reputational risk of delivery but which also explores the tensions of colliding cultures and the role of knowledge in a new decolonial space.

In the UK at least, the context for continued growth in TNE has been created by a set of economic and policy conditions. Brexit and the end of the Erasmus scheme has created the conditions for growth in TNE in Europe. The recent policy decision by the Department for Education which fixes domestic undergraduate fees for a further three years at a time when inflation is running at over ten percent is putting universities under increasing financial pressure and pushing them towards strategies that optimise income from unregulated markets: international, postgraduate and TNE. There is also an argument that an inability to travel through the pandemic years has created greater acceptance of TNE as a domestic policy instrument in some countries. As we head towards a further period of growth, revisiting the challenges of delivery, leadership and governance are pertinent.

Educating across national borders comes with significant financial and reputational risk. This is well documented in the academic research (for example Healey 2016. Siu 2017) and covered in the literature review in chapter 3. It also presents significant cultural, ethical and socio-economic complexities. These are less well researched. The persistence of westerns ideologies, an intransigent colonial mindset and cultural hierarchies (Djerasimovic 2014) are features of this contested space. And there are academic freedom and human rights conflicts arising out of octagonal cultural and religious beliefs between the host and home institution (Marginson 2022).

1.3 Structure of the Thesis

Chapter 1 – Introduction

Opened the thesis with an initial discussion on the significance of TNE, the rationale for the study and the key questions to which the research hopes to contribute:

- What are the pervasive challenges of operating, leading and governing TNE?
- How might we frame more ethical and equitable TNE?
- What does this mean for the leadership and governance of TNE?

Chapter 2 – Context

Here I outline the criticality of the research and the expected contribution to knowledge. I provide contextual information on transnational education including the scale, scope and classification. There is a focus on UK sector data as it is here, through the Higher Education Statistics Agency (HESA) that the most comprehensive and comparable set of data regarding TNE student is found. Alongside data relating to growth (and therefore questionably success) there is an introduction to the challenges of this growing and increasingly complex sector. These are expanded upon in the literature review. Failure and risk are highlighted through evidence of high-profile failures but also through reference to academic literature. Finally, I highlight that TNE continues to be part of the international strategies of universities and governments and so an ongoing area of significance and one which opens up a number of research-based questions to which this study aims to contribute.

Chapter 3 – Literature Review

I first review relevant academic literature in relation to TNE and cross border education, including discussion regarding the nature, classification and trends in the development of the sector. I consider a growing body of literature which collectively explores some of the challenges of cross border education. I explore postcolonialism and decoloniality as possible frames for challenges in operating, leading and governing TNE. Contextualising postcolonialism and decoloniality in higher education brings a focus on knowledge production and knowledge dissemination. For that reason, there is a significant and body of literature on decolonisation of the curriculum which is outlined. I then go on to outline the more limited content which links transnational higher education to postcolonialism and decolonisation.

Chapter 4 – Research methods

Explains the ontology and philosophical perspective of the research and describes the research methodology and process. The section is supported by a detailed illustration of the process and associated description and definition of terms. There is a comprehensive review of the development of grounded theory, alongside the personal rationale for selecting the methodology.

Chapter 5 – Findings

This section provides direct quotes from the primary data, alongside data from memos. The data are organised into major categories which support the emergent theories developed further in the discussion in chapter 6. The categories form a summary of the pervasive challenges of operating, leading and governing TNE as they are presented in the research data.

Chapter 6 - Discussion

Here I consolidate the findings, linking them to relevant literature in the post and decolonial space. I consider what the findings mean for the operation, leadership and governance of TNE. The discussion is framed around the categories identified in chapter 5 and the discussion shapes the development of the framework which is articulated in chapter 7. This discussion follows the format established in section 5 putting the research data and the knowledge which emerges from it at the heart of the discussion.

Chapter 7 – Practice based frameworks

I draw the findings into a recommended framework to support a more ethical and equitable TNE. The framework acts as a tool for leaders and governors to more systematically consider the environment in which TNE is delivered, the place of the provider and the conditions of the national setting in which TNE is delivered.

Chapter 8 – Conclusion and future works

Chapter 8 provides a summary conclusion to the research. It explores gaps and areas of potential improvement in the research, then going on to highlight areas of future work.

Throughout the thesis, footnotes offer further context and supplementary information where these would interrupt the flow of the argument. This includes links to media articles which, given the commercially sensitive nature of TNE, provide narrative regarding events where academic literature does not exist. They are often subjective but are a good record of the dates of, for example, the closure of programmes or campuses. They are in no way intended to replace or to equal academic content but provide some insight which reinforces the need for further research in an area where often media type articles are how TNE failures of academic protest is the only evidence available. This because of the commercially sensitive nature of these events.

Chapter 2: Context

2.1 Transnational Higher Education in 2022

2.1.1 Data and trends in TNE

The UK provides the richest and most consistent source of data and is included as an illustration of trends in TNE. Data collated annually by the UK Higher Education Statistics Agency (HESA), in its Aggregate Offshore Record (AOR), captures students studying wholly with a UK Higher Education Institution (HEI) who reside outside the UK. UUKi published detailed analysis of the sector annually. At the time of writing this thesis, the full report for 20/21 is still in development but the UUKi website includes initial analysis. Less detailed than the final report which is ordinarily published in November, the data is a reliable snapshot and supports early analysis of trends. In 2020/21, 510,835 students studied with 162 UK providers through TNE initiatives in 225 countries, an increase of 12.7% on 2019/20[2]. In the same year, HESA recorded 605,130 international students at UK university campuses. The magnitude and the rates of growth in TNE (see figures 1 and 2) make it a phenomenon which needs to be taken seriously.

The HESA data shows an overall decline in TNE students in the last three years; however, this is largely due to the change in the reporting of students studying for the Oxford Brookes BSc in Applied Accounting which resulted in the removal of 256,450 students from the record. The degree programme requires Association of Chartered Certified Accountants to complete a project/dissertation as an optional element of professional registration. Oxford Brookes had originally returned all those on the professional pathway in the data, although, many never opted to complete the degree. The AOR record now reflects only those students that have opted into the Oxford Brookes degree.[3] Universities UK International (UUKi) publish comprehensive analysis of HESA AOR data annually. At the time of writing, the most recent detailed analysis related to the 2019/20 data return. The exclusion of Oxford Brookes student numbers from the overall record points to continued underlying growth (see Figure 1 below). UK TNE is delivered in 225 countries by 156 higher education providers. This represents 82.9% of all UK higher education providers.

[2] https://www.universitiesuk.ac.uk/universities-uk-international/insights-and-publications/uuki-publications/international-facts-and-figures-2022

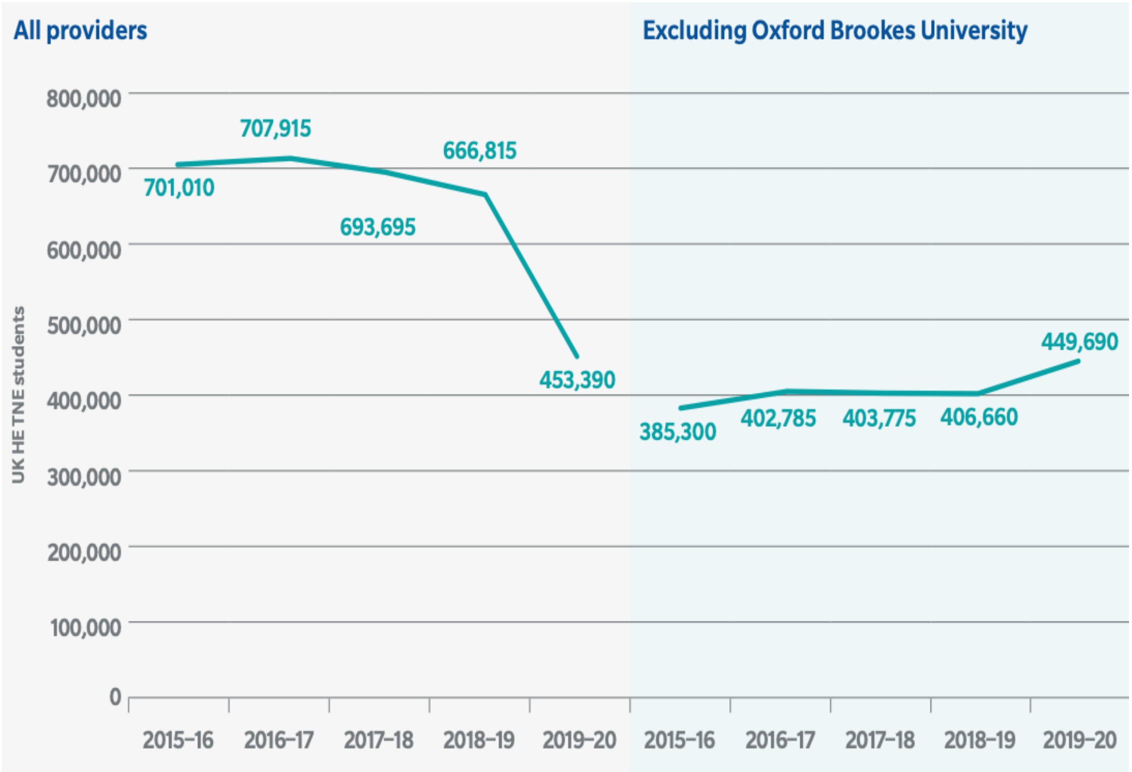

Figure 1: *UK TNE student numbers 2015/16 to 2019/20, replicated from 'The scale of UK higher education transnational education 2019-20 report. Published November 2021.*[4]

A characteristic of the sector is the variety of modes or mechanisms for delivering TNE. A range of typographies exist. A consistent classification framework is critical to comparative analysis. Knight and McNamara's (2017) research are a particularly useful addition to the literature proposing a framework through which to explore and analyse International Programme and Provider Mobility (IPPM) which centres on two major approaches: independent or collaborative provision.

Healey (2015) has developed a risk-based typography for transnational education, contrasting the reputational and financial risk of different modes of TNE. Healey highlights the risk of market-based failure for TNE partnerships across six dimensions: composition, structure, function, scope, process and outcome. The research is key in a sector which is evolving largely through partnerships but, like other frameworks, the typography is from the perspective of the sending institution. This is an important point with reference to the research. Not only is there an imbalance in the research with most considering the impacts on the provider rather than the impact of TNE on host countries or students engaged through TNE. Additionally, the very language of TNE, the classification systems and the benefits are defined by the sending countries.

[4] https://www.universitiesuk.ac.uk/sites/default/files/uploads/UUKi%20reports/Scale%20of%20UK%20HE%20transnational%20education%202019-20_final.pdf

The AOR return asks Universities to classify TNE under five categories: overseas campus of the reporting institution; distance, flexible or distributed learning; collaborative provision; students registered at an overseas partner organisation; and, other arrangement. These are defined as follows:

Students registered at a UK higher education provider

Overseas campus of reporting provider includes those studying at a campus set up as a branch campus of the parent provider, and as such it is seen as no different from any other campus of the provider.

Distance, flexible or distributed learning denotes educational provision leading to an award of an awarding provider delivered and/or supported and/or assessed through means which generally do not require the student to attend particular classes or events at particular times and particular locations. (There are a small number of distance learning students studying outside the UK who are funded (e.g., Crown servants overseas and the Services). These students are returned in the student record and not included in the Aggregate offshore record.

Other arrangement including collaborative provision denotes provision leading to an award of an awarding provider delivered and/or supported and/or assessed through an arrangement with a partner organisation. Collaborative provision, sometimes described as 'franchised' provision includes consortia and joint award arrangements.

Students studying for an award of a UK higher education provider

Students studying for an award of a UK HEI are not registered students of the reporting provider but are studying for an award of the reporting provider, and are registered at an **Overseas partner organisation** or via some **Other arrangement**.

Figure 2: *HESA AOR definition (extracted from the HESA website August 2022)*

Growth in the UK sector is mainly through collaborative provision and distance/online learning, although student enrolments at International Branch Campuses (IBC) have seen a steady increase (figure 2). The rise in collaborative provision potentially points to greater number international partnerships. These partnerships deliver, for example, joint or dual degrees. The AOR data does not allow for analysis of partnerships, instead showing growth through student enrolments. That said, a drive for a greater number of international partnerships is a theme in published university international strategies. The University of Nottingham for example has a strategic priority to deepen 'international research and teaching partnerships', the University of Birmingham global strategy is for partnerships 'across the world to produce ground-breaking research, deliver innovative teaching and to create opportunities for students and staff to gain international experience'. The University of Bath's strategy specifically mentions targeting TNE as does the University of Surrey, Edinburgh Napier University and the University of Aberdeen to note just a few examples.

AOR categories are broad, making comparative analysis regarding partnerships almost impossible. Classification is also open interpretation, particularly in a sector that is innovating with new partnership models, is rapidly growing, and interfacing with a multitude of national systems. The reclassification of Oxford Brookes data is perhaps the largest indication of this. The vast range of different modes and models of partnership can mean that universities find it difficult to fit provision neatly within the framework. However, that there is a classification is in itself a step forward. AOR data was published for the first time in 2007/08 and alongside analysis by UUKi and the British Council has led to greater transparency, detail and comparative analysis that isn't available in other countries.

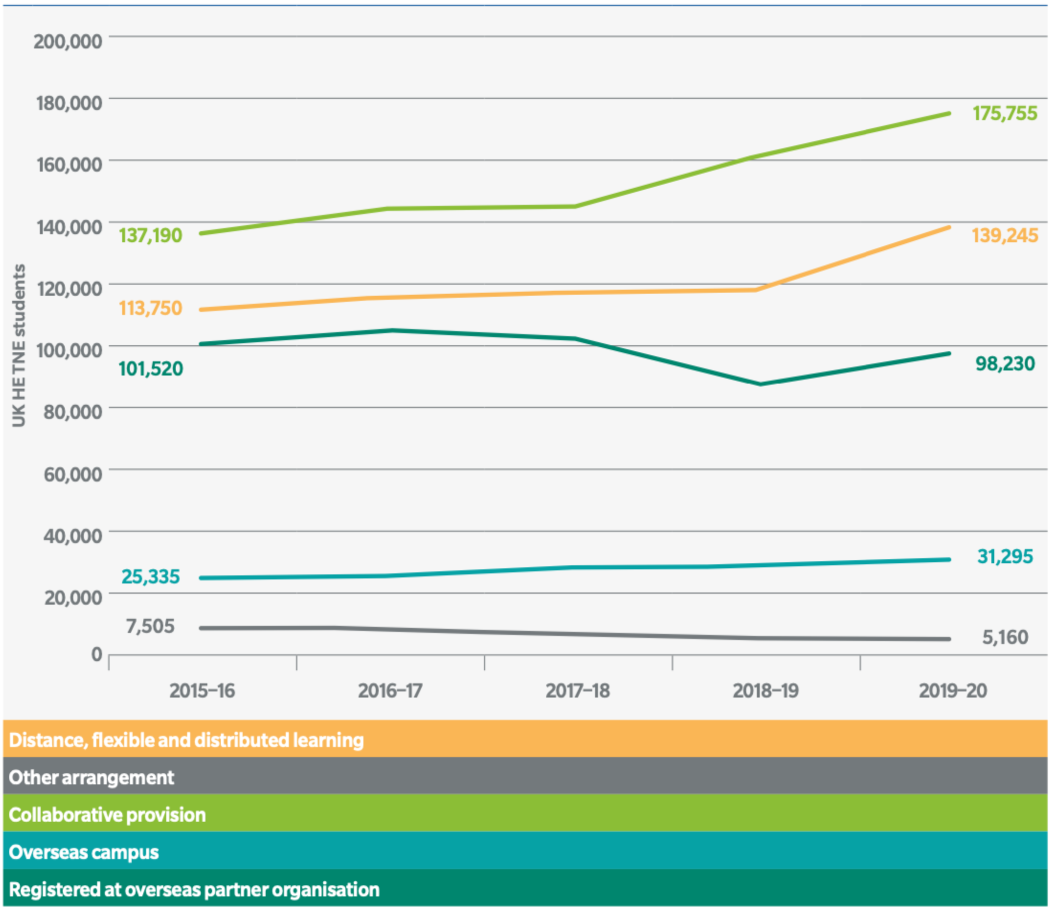

Figure 3: *Five-year growth in UK Transnational Education by year, by mode of study. replicated from 'The scale of UK higher education transnational education' 2019-20 report, based on HESA 19/20 data. Published November 2021.*[5]

Despite the lack of comprehensive data in other countries, there is evidence that the trend towards substantial growth is reflected internationally, particularly in large western systems of Higher Education: the US, Australia and Canada for example. Australia, refers to on and offshore students.

[5] https://www.universitiesuk.ac.uk/sites/default/files/uploads/UUKi%20reports/Scale%20of%20UK%20HE%20transnational%20education%202019-20_final.pdf

Offshore students being the equivalent to UK TNE students. Offshore students in Australia numbered 116,678 in 2019 with onshore student numbers of 401,930 (Australian Government Department of Education, Skills and Employment 2019). This is the latest published data, however, more recent headlines in the Conversation (2021) refer to over 145,000 students studying offshore. However, with offshore education including distance learning, it is difficult to assess the extent to which this rise is impacted by Australia's tight Covid 19 visa restrictions which have resulted in significant falls to revenues from onshore students and left many students studying online.[6]

There is a significant body of literature and data on TNE published through government and trade bodies. In the UK, for example, the Department for Education commissioned research into the wider benefits of TNE to the UK (BIS 2017) and the Department of Business Innovation and Skills, on the value of TNE to the UK (2014). The UK Department for Education (2017) research into the value of TNE concluded that £18.76 billion was generated from UK education related exports and TNE in 2014. Of that £18.76 billion, £12.43b came from Higher Education institutions and £1.58 billion came directly from TNE. At 48% growth in 5 years, TNE showed the greatest percentage income growth of any activity. The 2014 report estimated that UK TNE generates revenues of almost £496 million and represents 11% of cumulative international fee revenues to UK higher education institutions.

The top six host countries of UK TNE in 2019/20 were: Malaysia (49,160 students), China (48,700 students), Sri Lanka (30,755 students), Singapore (27,700 students) and Hong Kong (22,400 students). There has been a slight contraction in student numbers in Singapore (down 2.7%) but increases in all other of the top 5 host countries; notably Sri Lanka has grown by 21.8% and China by 16.3%. Examples provided by interview participants to this research referenced TNE in Malaysia and China most heavily and that is no doubt a result of their dominance in the market but also of the longevity of engagement in these markets. For this reason, I have provided some general context on these two countries.

2.1.2 UK TNE's two largest host countries

2.1.2.1 Malaysia

In the case of Malaysia, an increasing middle class and increasing demand for access to higher education as early as the 1980s, resulted in gradual changes to government policy which opened up the higher education sector to overseas providers. Engagement by overseas universities was initially

[6] https://theconversation.com/why-the-international-education-crisis-will-linger-long-after-students-return-to-australia-170360

allowed only through partnerships with Malaysian organisations but over time it was permitted to deliver as a fully independent private institution. Morshidi (2006) asserts that 'realization in the early 1980s that the government would be unable to educate at the tertiary and higher levels a significant proportion of Malaysians prompted a different approach to higher education provision in Malaysia'. He describes a deliberate set of legislative and policy decisions that encouraged the opening up of the sector to the private sector, including to overseas providers. Da Wan et al (2020) argue that the introduction of private higher education through the Private HEIs Act (PHEIA) 1996 (Act 555) , alongside the corporatisation of public universities was part of a general policy commitment to the privatisation of public utilities following the Asian economic crisis in the late 80s. Financial necessity rather than strategic planning created the conditions by which private Higher Education, including TNE, became the dominant delivery mechanism for higher education in Malaysia. The Asian financial crash also resulted in international mobility becoming unaffordable and so the need to accommodate more higher education students at home became a greater priority. This coupled with racial quotas for non-Malays at public universities meant that Chinese and Indian Malay students had very restricted options for study (Lee 2005). This created the conditions for TNE to grow.

Franchising and twining relationships grew rapidly in these early years but was largely unregulated. The Malaysian Private Higher Education Act (1996) brought regulation but to a sector that had already to some extent opened up to overseas providers. Act 555 was in no small part a response to low quality private provision. The Act itself appears to have been a tipping point and resulted in the establishment of IBCs but it is a sector that has existed since the 1980s. Malaysia is now the largest UK TNE market with five International Branch Campuses (IBCs), three Australian and one Southern Irish IBC. According to De Wan et al (2015) private higher education providers make up 49% of all enrolments into the higher education sector in Malaysia with TNE a major part of that provision.

2.1.2.2 China

The Chinese TNE sector also emerged in the 1980s and according to Yang (2008) it has seen rapid growth since China's accession to the World Trade Organisation in 2001. Yang (2008) describes unmet demand and social and policy decisions in China being key to that growth. These include the decentralisation and development of a market in education and the role of the knowledge economy in a drive towards international competitiveness. Although China is the second largest importer of UK TNE, the scale of population means its market penetration is lower than for instance Malaysia. According to joint research by the Education and Research Section of the Australian Embassy in Beijing and the Chinese Association for International Exchange (2018) the UK was the largest provider of TNE in China, followed by the US and then Australia. TNE is regulated through the Ministry of

Education in line with the 1996 'Circular on Strengthening Degree Conferral Management for Chinese-Foreign Cooperatively Run Schools' and Regulations on Chinese-Foreign Cooperation in Running Schools. Referred to as 'the 2003 Regulations', these measures together form the regulatory frameworks for TNE. The ministry has since published a range of policy documents and taken a more active role in monitoring to strengthen the quality for delivery. In contrast to Malaysia, higher education provision must be via a joint venture partnership with a Chinese organisation

Both are also markets where demand for higher education outstripped available places at public universities and where there has been an active national policy to promote foreign providers. It is notable that both China and Malaysia have expressly invited overseas Universities to establish branch campuses as part of the development of their higher education strategies and policy frameworks.

2.2 TNE controversy and failure

Despite the growth in student numbers engaged through TNE, the sector has not been without controversy, notably some high-profile failures. As early as 2005, UNESCO and the OECD were highlighting the lack of regulation and quality assurance in TNE. The Guidelines for Quality Provision in Cross-Border Higher Education (2005) made recommendations to governments, higher education institutions/providers, student bodies, quality assurance and accreditation bodies, academic recognition bodies and professional bodies on standards in TNE. And yet, high profile failures have continued to happen.

The National University of Singapore partnership with Yale, Carnegie Mellon's venture in Greece, Bond University's campus in South Africa and the closure of the Royal Melbourne Institute of Technology in Malaysia are just four examples. Some have struggled financially, for example, the University of Reading Malaysia[7], alongside others at Educity in Iskandar[8]. The closure of the University of New South Wales campus in Singapore after just one semester is one of the most well publicized closures with reported losses of $17.5m. The University of Warwick also withdrew from Singapore amidst concerns over human rights and academic freedoms[9]. These failures no doubt receive significant media attention because of the scale of the losses and the impact on students.

[7] Press article relating to my former institution - www.reading.ac.uk/news-and-event/releases/PR802431.aspx

[8] https://www.universityworldnews.com/post.php?story=2020120216283461

[9] http://www.theaustralian.com.au/higher-education/unsw-singapore-campus-doomed-to-fail/story-e6frgcjx-1111113831707 Latest UK branch campus developments: University of Warwick rejects plans for Singapore campus and Liverpool moves into China (OBHE 2005) press release. Latest UK branch campus developments: University of Warwick rejects plans for Singapore campus and Liverpool moves into China (OBHE 2005) press release.

Commercially confidential, they are shrouded in secrecy and often fall outside of the regulatory requirements for disclosure in the home country. As a sector we are aware that many TNE partnerships end. Some 'fail', some come to the end of their useful life for instance delivering programmes of learning that become less relevant over time. Some close because of a change in government policy. China's Ministry of Education's closure of 234 programmes in 2018, or Singapore's decision to remove eight UK universities from the list of those accredited to deliver law degrees in 2015 being examples. Both came in response to oversupply and both came alongside tighter regulation. Faculty opposition, reported in the media, gives us some insight into the complexities of global partnerships. Yale NUS College for example gained press attention when the partnership was strongly resisted by faculty who made statements regarding the need for "provisions to ensure academic freedom and tenure and collegial governance", including "anti-harassment and anti-discrimination provisions and rights to procedural fairness". Yale's own faculty union voted against the venture and voted no confidence in Yale's President as a result of the partnership, the closure of which was announced in 2022.[10]

Many closures go unreported and there is more research needed to understand the landscape, particularly given the significant potential impact on students. Singapore and other countries now require commitments to ensure that detailed plans are in place to ensure students can complete their studies even if a provider withdraws. The Committee on Private Education (CPE) in Singapore also provides advice and guidance to students who register with private providers and details insurance which students can access should their programme end.[11] This requirement to present 'teach out' plans are a stipulation of accreditation. It is an area picked up later in the discussion section and is, in part, addressed in the recommendation coming from the research for the development of transparent and robust frameworks for review of TNE by governing bodies. The regulator for UK universities, the Office for Students has introduced a requirement of registered providers that they Student Protection Plans in place. Regulatory notice 6: Condition C3 details the requirements, although it is not clear whether these extend to TNE programmes.

Despite the scale of TNE, there has been insufficient attention given to student experiences and outcomes. Research that does exist:

[10] https://www.universityworldnews.com/post.php?story=20121207122955740

[11] https://www.ssg.gov.sg/cpe/student-services/student-resources/student-advisories/what-happens-when-your-private-school-closes-down.html

- raises concerns regarding the quality of TNE (Lui et al 2021, Wang 2016, Dai et al 2020) and quality assurance (Smith 2014, Pyvis 2011)
- highlights a need for university support to facilitate adjustments to not only the educational environments but also the socio-cultural environment of the university (Mikecz Munday 2021, Hoare 2021, Heffernan et al 2010) including greater support for intercultural dialogue (Liu et al. 2021, Djerasimovic 2014)
- greater opportunities for academic support and student consultation outside of the classroom, including careers and employment support (Steele and Douglas 2021, Paterson 2017)

Steele and Douglas (2017) in particular present data from 199 domestic and 313 transnational students and highlight that TNE students to be 'significantly lower on than domestic students on social and academic integration, institutional commitment, and satisfaction (p.1). Hill et al (2021) call for further research into programme delivery, local relevance and value, the development of sustainable partnerships and the attention to the student voice in order to promote sustainability in partnerships; increased value to the local population and community; and increased flexibility and innovation in terms of delivery and design' (p.273)

2.3 Expanding TNE

The UK 'International Education Strategy: global potential, global growth', launched in 2019 sets out ambitions to increase education exports, including TNE, to £35 billion by 2030. The strategy, refreshed in 2021 to reflect the challenges of the pandemic, supports the renewal of export growth with a focus on five priority regions: India, Indonesia, Saudi Arabia, Vietnam and Nigeria. The list includes some of the most challenging countries in terms of human rights record. The Human Freedom index, for example, ranks Saudi Arabia 155th of 165 countries. Nigeria sits at 123. India at 119. None of the five priority countries are full democracies on the Democracy Index which defines Saudi Arabia and Vietnam as authoritarian regimes. Nigeria, Indonesia and India are categorised as flawed democracies. Brazil (78 and a flawed democracy), Mexico (93 and a flawed democracy), Pakistan (145 and a hybrid regime), Europe, China (150 and an authoritarian regime) and Hong Kong (30 and a hybrid regime)[12] are also noted as 'important regional markets.'

[12] The changing landscape in Hong Kong and increasing control/influence from China will impact democracy and freedoms.

The measurement of human rights or democracy is complex and there are a number of indices, each drawing slightly differently on the measurement of human freedoms. My point here is that the UK system, a space where democracy is consistently ranked highly (14th in the Human Freedom Index and a full democracy according to the Democracy Index) where university values sit in a largely liberal space, through TNE, interact with some of the most challenging countries in respect of civil liberty. I question whether this is fully understood and considered by university councils, leadership and others accountable for establishing partnerships or campuses in these jurisdictions.

In chapter 2, I have discussed the scale and scope of the sector, with particular reference to the UK sector where the most comprehensive and published data set exists. The data is used to demonstrate significant growth since the data set was first made available by HESA in 2008. That growth is highlighted to be largely through collaborative provision. Drawing on the UK data, I provide context to the two largest TNE markets: China and Malaysia. I demonstrate TNE to be an ongoing priority for university strategies but one in which there continue to be significant high-profile failures and controversy. I highlight some of the complexities which present because of the cross-border nature of TNE for example, the navigation of dual legal systems and policy environments; cultural complexity. I highlight a lack of research in two specific areas: the experience of students and student outcomes; and leadership and governance as being notable gaps in the literature. Additionally raising the lack of a comprehensive evaluation of the challenges of operating, leading and governing TNE.

3. Literature Review

I first provide context to some of the relevant debates surrounding the purpose and character of the higher education sector. Then contextualising TNE through key themes in the academic literature: neoliberalism; financial and reputational risk; quality assurance; the management and leadership of TNE; intercultural competence; brain drain and coloniality. I position postcoloniality as a relevant contextualising theoretical framing, exploring in more detail: the politics of Western representation; subalternality; Bhabha's theories on mimicry and cultural hybridity and, gender, queering and feminism. I explore decoloniality, again, looking to some of the major themes of relevance to the research. Finally, I explore the limited body of academic literature on decoloniality in TNE.

The use of grounded theory means that the literature review has been directly informed by the findings in section 5, the themes are those that are of direct relevance to research data. The review of literature was an iterative process, conducted at various points throughout the interview process and used to build knowledge, context and understanding of emerging themes in the data.

3.1 The purpose and character of higher education

A sector characterised by increasing massification, marketisation and global competition (see for example, Marginson 2004, Marginson 2007, Sidhu 2006, McGettigan 2013, Naidoo 2016), higher education has and continues to transform (Callender et al 2020). It is changing, in the UK at least, from a largely public sector-funded endeavour, considered for the public good, to one which is increasingly seen as being commoditised and with the student bearing the cost of their education. Marginson (2016) explores the various aspects of common good in relation to systems of higher education, noting the trend in the UK policy environment from universities' role in society to a focus on individual outcomes: principally economic outcomes through employment.

Greater regulation has also threatened a deeply held value that universities are autonomous; that they are able to speak truth to power and to be independent of political pressure. In the UK context for example, the Office for Students (OfS) has introduced greater regulation through conditions of registration[13], conditions which must be met in order to continue to hold degree awarding powers, to access the UK student loan system and to enable access for student visas for study at a given institution. These include clear metrics in relation to student progression and student outcomes as

[13] https://www.officeforstudents.org.uk/advice-and-guidance/regulation/registration-with-the-ofs-a-guide/conditions-of-registration/

well as tighter regulation over financial performance of universities. More recently the OfS has consulted on regulating more heavily areas that were previously held within academic governance, for example, freedom of speech and the management of sexual misconduct on campuses

The political, policy and economic environment in which universities now operate has naturally led to greater managerialism in western universities; Barnett (2011) describes the term managerialism as 'often being conjured as a term of opprobrium' (p.54). However, universities are now substantial operations with a need for effective business and compliance functions. For some, particularly those in long-established systems, changes in the higher education landscape have felt like an assault on the nature and purpose of academia. It is in these changes that tensions regarding academic identities (see for example Seeber & Berg 2016, Trowler 2008) are felt and the organisational cultures of universities are challenged (Locke 2007, Marginson et al 2022). Henkel (2000) argues that in the last quarter of the 20th century the 'relationship between higher education and the state has changed, along with the overall structure, governance and administration of higher education, its resource base and its scale' (p.13).

In an increasingly marketized, massified, commoditised and competitive sector, reputation is a key factor in attracting students. Lomer (2017) conceptualises institutional 'reputation' in the context of higher education as comprising elements such as 'quality', 'attraction', 'diversity' and 'employability', whilst stressing that international students are not only consumers in whose mind's reputation is built, but are also themselves 'resource for quality' in that attracting international student is itself an indicator of high-quality, which in turn contributes to reputation. In spreading the word regarding their experiences, reputation is enhanced and perceptions of quality are perpetuated. Here reputation links directly to perceptions of quality. The research resonates with the International Student Survey undertaken annually by Quacquarelli Symonds (QS 2022). According to the 2020 survey, international student choices regarding institution are driven by a range of factors, perceptions of the quality of teaching, league table position, employment opportunities, safety and cost of living.

University global rankings place considerable emphasis on reputation. The QS World University Rankings for example derives 50% of its overall score methodology from reputation measures: 40% on academic reputation, which is assessed through peer review, and 10% through global employer perceptions. The first global ranking - the Academic Ranking of World Universities (ARWU) – was published in 2003, followed by The Times Higher Education QS Top Universities Ranking in 2004.

These have resulted in what Hazelkorn (2013, 2015) describes as a battle for world class universities, and what Naidoo (2016, 2018) characterises as a competition fetish in the sector. Marginson et al (2020) describe the rankings as framing competition and hierarchies in universities, whilst Lane and Kinser (2017) argue that internationalisation metrics used in rankings have influenced universities in their internationalisation strategies, including the choice of TNE partners. There is a view that national policy-makers and university leadership teams have perpetuated this competition with excessive focus on league table position (Salmi and Saroyan 2007), and that the league table compilers - often in media and publishing - are the only organisations to benefit. Despite the controversies surrounding their validity and application, however, global rankings have now become a dominant feature of the context within which TNE takes place.

The development of China's higher education sector has, on all normal measures been a huge success. China now has the third highest share of top ranked universities in the world (2023 QS rankings). TNE has been an intentional policy decision of the Chinese government who targeted 'high quality providers from overseas', aiming to 'introduce globally advance curriculum and teaching materials which are in urgent need in China' (NCN 2003). Jain (2021) refers to 'Geointellect' as an 'emerging manifestation of China's global influence', a move to assert global intellectual dominance[14]. Interestingly, the Ministry of Education has tightened standards on foreign providers over time, most notably requiring the closure of 234 partnership programmes, more than a fifth of the total Sino-foreign partnerships, in 2018. This at the same time as actively developing an educational presence in, for example, Africa and South Asia through initiatives like the Luban vocational skills workshops. China has also established overseas campuses in recent years, for example Xiamen University Malaysia, Soochow University Laos and Fudan University Hungary. The move from importing to exporting higher education perhaps a major indication of the ambitions for 'global intellectual dominance' to which Jain (ibid) refers.

It is against this backdrop that TNE is situated and in this context that TNE trends should be considered, as one part of an international trend which has opened up the sector to global competition. TNE has opened up opportunities for hundreds of thousands of students that might never have been able to go to university, but in creating access, as Kleibert (2021) argues, universities have become active agents of globalization and marketisation; a force for neoliberalism rather than a passive recipient of change.

[14] https://www.universityworldnews.com/post.php?story=20210929100204424

3.2 Contextualising TNE

Here, I contextualise TNE, the policy environment and exploring some of the key, relevant themes the literature:

- Neoliberalism and TNE
- Financial and reputational risk
- Quality in TNE
- The management and leadership of TNE
- Intercultural competence
- Brain drain
- Coloniality in TNE

3.2.1 TNE policy

As a policy instrument, TNE forms part of the Higher Education system of many, usually developing, countries (Malete 2016, Jessop 2016, Maassen & Cloete & 2010). Malaysia, China, Singapore, Sri Lanka, Mauritius and others have actively partnered internationally, using transnational education as a mechanism for reform, particularly skills development and economic growth (Malete 2016) but also global competitiveness as countries move from resource to knowledge-based economies (Miller-Idriss and Hanauer 2011). Malaysia's Blueprint for Higher Education for example, targets private provider as a catalyst for growth, relying more heavily on private provision, including TNE, than on the public system to deliver tertiary education level places. Linked to economic development and human capital (Schulze and Kleibert 2021), TNE is a very substantial element of a number of national education systems, contributing to the higher education ecosystem and linked directly to improvements in access, quality and capacity building (e.g., Vincent-Lancrin 2005, McBurnie and Ziguras 2007, Wilkins 2017 , McNamara and Knight 2017) This positions TNE as a means of boosting capacity and accessing some of the world's most advanced systems of higher education. The British Council and German Academic Exchange Service (DAAD) have estimated that TNE account for up to 20% of all higher education in Malaysia, 20% in Botswana and 40% in Mauritius.[15] The scale of TNE in such countries has real and lasting implications for the competitiveness of industry and of countries (Lane 2014). But

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[15] Presentation by the British Council and Deutscher Akademischer Austausch Dienst (German Academic Exchange Service) at the QS Apple conference, Kuala Lumpur 2016.

there are also challenging, confronting aspects to inviting western universities into solve capacity problems in developing countries, the vast majority of which have, historically, been under the colonial rule of western power.

Some countries have active policies against elements of the TNE. For instance, the Indian parliament has been in debate for over a decade regarding the regulation of TNE, banning the repatriation of profits. Whilst the sector is now opening up to overseas universities, certain models of TNE are restricted on the basis of performance in the world rankings South Africa has been particularly resistant to Western influence in its higher education system in recent decades. This is perhaps best evidenced through their lack of engagement in the Global Alliance for Transnational Education (GATE).

The lack of a universal frameworks and consistent international data prevents comparison of the impact and the development potential of the range of TNE mechanisms. Knight and McNamara's work (2017) which aims to establish the common framework for TNE highlights that the majority of data on TNE being held by sending countries and little data or research coming from a host country perspective. This despite, countries actively pursuing international engagement in their higher education systems from western countries.

3.2.2 Neoliberalism and TNE

TNE has been linked to neoliberalism (Kim and Boyle 2012, Chen 2020, Tett and Hamilton 2021). Chen (2020) for example raises the miss match between the Chinese government and Chinese institutions goals for developing TNE and those of foreign institutions delivering in China. The former being to 'acquire quality education' (p4) and the latter they argue being motivated by neoliberal agenda. Kim and Boyle (2012) show an historical analysis of the shift from education as a public service to one informed by the influential financial institutions.

McBurnie and Ziguras (2007) refer to TNE as being evidence of the 'invisible hand of the market' in higher education. Branch (2019) situates TNE within the marketization of the sector and hypothesises that cross border higher education has accelerated the shift of higher education from being a public good to a market-based commodity. Altbach and Knight (2007) refer to the 'profit motive' in TNE and Naidoo (2016) asserts that competition for students permeates the higher education sector at an institutional regional and national level, creating a global market in which students and money move from developing nations to rich, industrialized countries (Maringe and Foskett 2010). Alderman

(2001) refers to TNE as a multi-billion-dollar industry with trade in higher education accounting for 3% of global service exports (Vincent-Lancrin 2005). Naidoo's (2016, 2018) work on the competition fetish in higher education is highly relevant. She describes a global sector which concerned with the 'master economic imaginary of the knowledge economy, a hegemonic discourse inextricably linked to the idea of global competition that frames political, economic and intellectual strategies' (Naidoo 2018 p.1). That competition is within and across national systems of higher education, and TNE is the mechanism through which a significant element of that globalisation is achieved. Literature paralleling overseas campus operations to the behaviour of firms (Schmid et al 2018). Deschamps and Lee (2015) consider acquisitions and mergers, Guimon (2016) applies Dunning's eclectic paradigm and Shams and Huisman (2011) contrast the integration/responsiveness paradigm. Others link TNE, particularly IBCs with multinational corporation group structures (Gore 2012, Salt and Wood 2014).

3.2.3 Financial and reputational risks of TNE

And yet, with this increasing globalisation, commoditisation and competition, there are significant financial and reputational risks involved in university's delivering overseas. Perhaps driven by those risks Verbik (2007) highlights a trend towards university entrance to new markets being increasingly through lower cost mechanisms, particularly those with lower upfront set up costs and those that require lower ongoing operational overheads to run. Verbik's analysis supports the UK AoR data outlined in the introduction which demonstrates, from a UK perspective at least that the most significant growth in TNE is through collaboration and partnerships (see also Verbik and Merkley 2006). Lawton and Katsomitros' (2012) identify a change in the nature of new branch campuses with an increasing trend towards those which are more niche in nature, incur lower costs of provision and with less upfront financial and operational exposure. A criticism of the recent trend towards lower cost provision is that has 'high private benefits but fewer social benefits' (Wilkins and Huisman 2012). That the growth in TNE services those already in economic positions of strength but is not connected with local societal challenges.

3.2.4 Quality in TNE

Quality of TNE provision is a recurrent theme in the literature (Coleman 2003, Woodhouse 2006, Chapman and Pyvis 2012, Alam et al 2013, Healey 2015a, Bannier 2016). Woodhouse (2006) highlights the trend towards greater cooperation between quality assurance agencies. Bannier (2016) describes TNE as being subject to 'increasing global scrutiny' with organisations such ae UNESCO, the Asia-Pacific Quality Network and the International Network for Quality Assurance Agencies increasingly reviewing the quality of provision. refers to a range of methods employed by host nations to govern foreign provision, including: restrictions on the use of student loans, accreditation and evaluation mechanisms, copyright regulations and restrictions on residency. Despite this, regulatory requirements can still conflict across national borders (Mok 2008, Trifiro 2018). Williams (2021) points to an evolving and co-creational space where 'the concept of relational capital, built through socialisation, at the heart of effective quality assurance in TNE'.

Hu et al (2019) review of 122 self-appraisal reports of transnational education providers submitted to China's Ministry of Education in 2017, raised four interrelated areas of concern: low foreign language proficiency among students, a shortage of highly qualified teaching staff; low quality curriculum design and implementation and inadequate institutional regulations. They concluded with two substantive issues: the use of local Chinese teachers in the teaching of imported courses and the outsourcing of foreign language teaching. They referred to the outsourcing of foreign language provision as a 'avoidance strategy', a failure in the host Chinese institution. By 2014, the ministry of Education had already launched a 'hotline' through which poor quality provision could be reported (Smith 2014). Williams (2021) relational and competency framework for quality assurance in TNE places communication infrastructure, socialisation and interaction between the host and home at the centre of effective TNE. The connection and dialogue across national boundaries as well as resources and investment in collaboration being key to the development of improved quality assurance.

The recent UK Quality Assurance Agency (QAA 2020) report into TNE in Malaysia is positive. It commends standards and quality assurance mechanisms and refers to the management of TNE as 'well-developed'. The report highlights positively a focus on 'sameness' in UK branch campus operations in Malaysia:

> 'not just in ensuring that the awards offered were equivalent to those in the UK, but also in attempting to develop a student learning style similar to that found in the UK'
>
> QAA 2020 p.2

The report also refers to local partners as having 'well-developed' quality assurance systems operating in respect of their own awards and those made by 'non-local' degree awarding bodies.

3.2.3 The management and leadership of TNE

Stafford and Taylor (2016) research into the leadership and management challenges of TNE is based on concerns raised by the Australian Universities Quality Agency AUQA. They categorised 204 concerns raised in 27 institutional audit report into 14 themes, under the principal headings of: corporate and academic governance, and; institutional strategy and leadership. Amongst other concerns, they highlight a lack of effective governance processes in the leadership of TNE, a lack of comprehensive risk management and inadequate university-level leadership and accountability for TNE strategy and delivery. They also highlight concerns regarding inexperienced management pointing to a need for greater staff development and orientation is also a theme in the literature (Stafford and Taylor 2016)

Wilkins (2017) considers ethical issues in TNE. Focusing in the IBC, he argues that whilst international business community may actively avoid engagement with countries in which there is a weak commitment to civil liberties and in which there is authoritarian rule, higher education has already engaged. Wilkins proposes an analytical framework which separates the impacts and influences of home country stakeholders and the impacts and influences of host country stakeholders on the benefits and advantages to the institution of establishing an international branch campus. Healey (2015) also focuses on the challenges of leadership of the IBC, concerning himself with the 'unique' challenges of those who are often seconded to open and run a complex operation in a new and alien environment. Healey (2015) highlights the tension to localise felt by managers. He describes IBC managers as a 'group of actors about whom little is known' and who 'face the balancing and competing demands of stakeholders' (p180). Healey and Wilkins (2015) together focus again on the concepts of localisation, stakeholder pressure and the tension between home and UK campuses, here, highlighting the political agendas of host governments as being the most important stakeholders in IBC operations. The research also points to the criticality of appointing experienced leaders to manage IBC's. Those able to navigate the complex environment. Healey (2015), points out that leadership challenges are not isolated to those working in country but also relevant to the home institution where university leadership teams have little experience in managing an entity that might be thousands of miles away and subject to powerful local stakeholders.

Sin and Koh (2022) explore the differential experiences of expatriate academic staff working in TNE in Malaysia, exploring intersectionality of race, nationality and skin colour on the everyday lives of staff in postcolonial Malaysia, in which they describe a dominance of (white) 'Westernness' racial logics (p1). Alam et al (2013) highlight the positive economic and social impacts of TNE but also raise concerns of 'westernisation' coming from Transnational Education and arising out of global increases in demand for higher education which cannot be met by national system. Rizvi (2004) also raises the antagonistic relationship between the West and Islam. With Malaysia, Egypt, Oman and the United Arab Emirates in the top ten host countries of UK TNE in 2019/20 (UUK 2021), it's a key consideration and one that highlights the challenges of navigating intercultural spaces.

3.2.5 Inter-cultural competence in TNE

There is a need for greater inter-cultural competence for those teaching abroad and those in leadership roles (Bodycott and Walker 2010, Garson 2010). Bodycott and Walker (2010) study focuses on their experiences of working as expatriates in in Hong Kong. They raise concerns from language and communication to cultural distance and the effect of hierarchy. Jianxin (2009) describes TNE as threatening the 'cultural security' of importing nations. Hill (2012) calls for the continued growth in internationalisation of higher education to be 'driven by a more sensitive, culturally aware and horizontally and vertically integrated approach than has perhaps existed in the past' (p.210).

Whilst not specific to TNE, Nguyen et al (2009) paper on the influence of western educational approaches is useful in considering the need tools that support the development of intercultural competence. For example, an understanding of universalism v particularism, individualism v collectivism, achievement and ascription. They reference Hofstede's cultural dimensions theory (Hofstede (1980). The framework was developed over time (see Hofstede and Minkov 2010) into a six-dimensional framing of national cultural values: power-distance; individualism v collectivism; masculinity v femininity; uncertainty avoidance; long v short term orientation and indulgence v restraint. Bloisi & Hargy (2021) also utilise Hofstede's framework to consider cultural difference in the provision of TNE to Nepal.

Lane (2014) refers to universities as 'social organisations' which need to adapt to their local environments and in this context, cultural diagnosis tools are helpful. Hill et al (2014) highlight the nature of academic programmes as being the products of 'different sociocultural systems, each with a distinct set of values which are imparted through academic curriculum contents' (p.962). Wilding and Li (2021 p139) highlight the need for TNE specific CPD which 'involve tutors from the local and sending institution, address the intercultural nature of TNE teaching and be able to take into account the different backgrounds/knowledge of the individuals involved.

Garson (2010) an American Business School academic, bases also bases her research on personal experiences of academic employment and life in Cairo.

> 'Right away, I realized that my preparation for Egypt was hardly adequate. Although reading the poetry of Rumi was uplifting, it did not prepare me for everyday life in Cairo' (p323).

> ‘As a businesswoman, consultant and professor in the United States, I had taken for granted my relatively equal status, I had not thought through how I would respond to a culture lacking the same equality’ (p325).

Garson encourages others to read the small body of literature’ on teaching abroad and to become familiar with stress management techniques.

Vincent-Lancrin (2004) explores TNE through ‘four different, but not mutually exclusive, driving forces in importing and exporting countries: a desire to promote mutual understanding; a need for migration of skilled workers in a knowledge economy; the desire to generate revenue for their higher education sector; or the need to build a more educated workforce in the home country of such students, generally an emerging economy. Vincent-Lancrin’s considers TNE an effective mechanism for capacity development in tertiary education: expanding access and facilitating international networks. His work explores the interaction between policy and driving force, highlighting three specific risks for developing economies in relation to cross border tertiary education: the potential lack of stability, concerns over quality and potential inequality issues.

3.2.6 Brain drain

Mok and Han (2015) consider the role of transnational education to transform the higher education landscape in China through partnerships which promote new ideas and practices into traditional Chinese teaching. TNE is also proposed as a potential solution to brain drain because it retains both student and academic talent in country.

> Chinese government has placed more emphasis on transnational higher education, considering it as an effective method in improving national teaching and research quality, as well as in curbing the phenomenon of ‘brain drain’.
>
> Mok and Han (2016)

Brain drain describes ‘skilled professionals who leave their native lands in order to seek more promising opportunities elsewhere’ (Kwok & Leland, 1982, p. 91), however, Shin and Choi (2015), for example argue that these individuals become a transnational bridge, connecting societies through a cultural understanding of two societies. They contribute to greater intercultural understanding in an increasingly globalised world. Alam et al (2013) argue that TNE prevents talent migration and therefore is an antidote to brain drain.

Gueye (2019) research explores the link between emigration of skilled professionals and the economic conditions of a country. He specifically explores the impact of national policies which send nationals overseas in order to develop scientific skills and knowledge, covering in some detail the history of policy instruments including international scholarships and diplomatic agreements between the 'Global North" and China, India and other developing nations and seeks to make recommendations for the further development of the African Higher Education sector. Gueye recommends the formation of centres for excellence in African states through a federal approach. International partnerships where countries 'pool their resources to create several institutions, in deferent disciplines, each located in a different country'. Referring to a 'federal approach', Gueye, rejects the role of foreign providers by referencing an all-African approach to TNE as a potential solution to brain drain. Vincent-Lancrin (2004) points out that brain drain is not simply a one-way transfer of human talent and resource from one country to another. Migrants retain links and often transfer financial resources to their home country and sometimes migrate back. Return is often based upon the availability of a strong primary and secondary system of education and Vincent-Lancrin argues that cross border secondary education has a positive role to play here. Government policies, for example, the provision of bonding conditions in scholarships which require international students to return or financial incentives which encourage skilled and highly skilled workers to return in e.g., China are provided as examples.

3.2.7 Coloniality in TNE

Rizvi (2004) describes education flows as being 'from "the West" to "the Rest", Crossley and Tikly (2004) assert that postcolonial legacies in higher education have resulted in systems which 'remain elitist, lack relevance to local realities and are often at variance with indigenous knowledge systems, values and beliefs' (p149). Higher education remains a predominantly colonial force decade after emancipation. Healey (2015) refers to 'academic colonialism' (Nguyen at al 2009).

3.3 Postcolonialism

Postcolonialism concerns itself with the various and lasting cultural impacts of colonisation (Ashcroft et al.2013). There is a focus on the perspectives of the marginalised and of the Global South in opposition to hegemonic Global North. Offering both a historical but of greater relevance to this research; intellectual, academic and ideological meaning (Young 2020, Nayar 2010). Marxist in theory, post coloniality offers a way of understanding modernity through the lens of imperialism by focusing on the voices of those that were colonised. Post-colonial theorists argue a profound and enduring impact of an era of subjugation. The impact being so profound as to shape every aspect of the lives of those that existed through colonial periods (Bhabha, Spivak, Said). As a form of cultural criticism, post coloniality gives legitimacy to indigenous cultures and traditions, a liberation from purely Eurocentric narratives and ways of thinking and, of critical relevance to the research, provides a lens through which we can be cognisant of new forms of colonialism.

Post coloniality is not a single theoretical framework, more a framing through which theories have been developed, Hitchcock (2003) goes as far as referring to postcoloniality as 'a discourse with something like its own genre' (p.299). It is a diverse and complex field with post-colonial thinkers heralding from numerous countries and a broad range of disciplines. Many draw on personal experiences of former colonial rule, for example, Said's writing is both directly (for example in The Question of Palestine 1979) and more generally (for example in his seminar work: Orientalism 1978) informed by his experience as a Palestinian-American. Emerging from early anti-colonial movements with the activism and writing of Gandhi in India, Fanon in the context of French colonialism in Algeria and Cabral, cofounder of the Movimento Anti-Colonista of Africans. Early anti-colonial theorists are united by an endeavour to regain native cultures and to re-establish cultural identity and roots.

Robinson (1983) highlighted the criticality of race to postcolonialism, developing the notion of racial capitalism and arguing that racism as an ideology underpinned postcolonial thought[16]. Robinson argued that Marxism, rested in economic theory, was too narrow an ideological underpinning to postcolonial thinking and extended the narrative into one more fundamentally connected with race. The foregrounding of race and racism are fundamental to an understanding of post- colonial thinking in that post coloniality has, at its heart, the subjugation of people of colour based on a perception of the superiority of western civilisation and culture, of whiteness. Coloniality was in no small part justified by the supposed racial superiority of white Europeans and cultural superiority of the West and the correlating notions that marginalised and belittled those of colour and from non-Western cultures.

Against that backdrop, post coloniality now provides a framing for multiple disciplines and the analysis of a range of discourses around for example sexuality, gender and class. I focus here on four theoretical frames within the postcolonial literature:

- The politics of Western representation
- Subalternality
- Bhabha's theories on mimicry and cultural hybridity.

- Gender, queering and feminism

I then explore relevant literature on post coloniality in the field of Higher Education, focusing on recent publications which connect postcoloniality to Transnational Education.

3.3.1 Politics of Western representation

Considered by many the founder of postcolonial theory, Edward Said, in his seminal text *Orientalism* published in 1978, described a continued dominance of the Western world over, in Said's case, Middle Eastern countries. It remains a seminal and lasting text on the West's mistreatment of Palestine and through this, the West's mistreatment of… more generally through colonisation. It also, however, provides a framing for the legitimacy afforded Western knowledge and power. Said argued that when Westerners viewed the non-Western world it was through the lens, assumptions and realities of the West rather than being a true representation of indigenous culture, practice and thought. This in itself acting to subjugate indigenous knowledge. Said argued that the Western view of the Middle East was negatively framed by 'occidental' minds, projecting Western perspectives, 'disregarding, essentializing, denuding the humanity of another culture, people or geographical region' (Said 1978) and positioning the 'East' as lesser. Leela Gandhi's description of Orientalism is one in which 'Said… diagnoses Orientalism as a discourse which invents or orientalises the Orient for the purposes of imperial consumption' (Gandhi, 1988, p88). In doing so these representations, embedded into literature, politics and art, rationalised a continued Western control and imperialism. The narrative created a justification for continued and reimagined forms of subjugation. One that reinforces a system of geopolitics and cultural hierarchy in which the Global North dominates the culture and knowledge of the Global South.

Said's 'Orientalism', along with the body of studies referred to at the time as colonial discourse analysis, rests upon the work of Foucault, in particular Foucault's (1972) understanding of discourse as a body of knowledge produced by experts with the power of an institution behind them. Here the agency of the West, the subjugator and 'colonial conqueror' gives legitimacy to knowledge. The superiority of Western knowledge is underpinned by 'ways of constituting knowledge, together with the social practices, forms of subjectivity and power relations which inhere in such knowledges and relations between them' (Weedon 1987, p108).

But Said was not the first to position Western representation of the colonised as a political tool. Malaysian academician, Hussein Alatas discussed the intellectual captivity of colonised nations in The

Myth of the Lazy Native (1977). He argued that the resistance of indigenous peoples to imperialism in fact slowed the pace of progress in colonised countries and that had colonisation never happened 'indigenous societies would have been more assimilative of the Western world, and hence the pace of economic and social change would now be further advanced' (Alatas 1977 p21). Alatas points to a thriving international trade and a rich culture in 15th Century Malaysia (Malaka being the centre of trade) which was replaced under colonial rule by the narrative of the lazy Malay, a distortion of the social reality of the time and seeking to justify 'a particular political, social and economic order' (1977: p1), that order being colonial rule. Nayar (2010) points to others that that predated Said in highlighting the wests perverted representation of the Orient in literature, history, anthropology and religious studies including: Panikkar (1953) and Asad (1973). Panikkar (1953) for example situates Western dominance in Christian missionary expansionism. He describes 'racial arrogance of the Europeans, their assumed attitude of intellectual and moral superiority, an even the religious propaganda to which Asian countries were subjected' (1953, p494). Nations which needed to be saved from their ignorance and culturally and religiously assimilated.

Spivak, in recounting the British criminalisation of 'sutee', the ritual by which an Indian widow is burnt alive alongside her husband, refers to 'white men saving brown women from brown men' (1988, p93). That superiority of ethic is evident throughout postcolonial literature and endorses a continued oppression, however, the narrative of the West rescuing indigenous women from indigenous men highlights a double oppression of women. It feeds a convenient sexism and racialisation that justifies the actions of colonial powers in conquering, oppressing and enslaving on the basis of people of colour being less human.

3.3.2 Subalternality

The 1980s saw the development of Subaltern Studies. The term subaltern was first used by Ranajit Guha to represent those that have a position of subordination as a result of gender, age, class or any other factor. Attributed to Antonio Gramsci (see for instance Guha 1997) the phrase 'subaltern classes', represent 'an intersectionality of the variations of race, class, gender, culture, religion, nationalism, and colonialism functioning within an ensemble of socio-political and economic relations' (Green 2011, p399). *Can the Subaltern Speak*, was published in 1988 by Gayatri Spivak, a dominant voice in representing the subaltern, those marginalised by their position in society? Spivak, moves the reader from a binary position of subject and object, colonised and coloniser by highlighting existing societal stratification in those societies before and during colonial rule.

Postcolonialism in many ways seeks to re-establish the voices, identities and histories of conquered societies prior to imperialism. But Spivak points to division within those societies on the basis of gender, religion, caste and class amongst other characteristics which have the result of further erasing voices and identities. Her work particularly highlights the loss of identity for indigenous women, particularly those from lower socio-economic backgrounds. With historical texts usually limited to the ruling classes, the lack of written word and the break in cultural lineage created by colonial rule has all but eradicated their historical voices. Her 1999 publication 'A Critique of Postcolonial Reason' introduces the concepts of 'sanctioned ignorance', the acceptance of an ideological view of the world which justifies the supremacy of, in particular, western philosophies.

Where post colonialists had talked of reimagining histories through the voices of those from within indigenous culture, Spivak and others (for example Dipesh Chakrabarty 2004 and Rosalind O'Hanlon e.g., 2007, 2008) highlighted the lack of voice afforded those already marginalised within society. She argues that many postcolonial thinkers had consolidated those in the developing world into one identity, with the same issues and challenges. This homogenisation reduces the voices of those that are most marginalised in colonial societies. Spivak, a feminist and a post-colonial theorist, represents the subjugation of women in particular opening up a relationship between feminism and coloniality and arguing that the historical voices of women are lost in the reimagining of indigenous communities where they were already subjugated. Spivak is critical of post-colonial authors that project Western thinking onto the 'Global South' accusing Foucault, for example, of epistemic violence. She asserts that knowledge is not innocent but represents the interests of its producer. For Spivak, knowledge is a commodity, traded like all other commodities in the interest of those who hold dominance and power.

3.3.3 Mimicry, Hybridity and the Third Space

Bhabha's work represents one of a number of voices that dispel the idea of the colonised as passive recipients of colonial oppression. *The Location of Culture* (1994) provides an alternative narrative to the oppressed and the oppressor, introducing theories such as mimicry, cultural hybridity and social liminality. Whilst Fanon, for example, is synonymous with violent resistance, Bhabha provides a narrative for resistance in epistemological terms and has, therefore, specific relevance to universities, producers and disseminators of knowledge.

Bhabha's theory of mimicry is rested in the idea that the coloniser, in enforcing Western knowledge and culture, expects of the colonised that they conform and replicate behaviours and practices. This is, however, accompanied by an anxiety in the coloniser. That anxiety is rested in the notion that they wish to maintain difference, that this is a necessity if they are to remain superior and to ensure that the colonised does not become part of the dominant culture, 'almost the same, but not quite' (Bhabha 1994). The difference in itself being used to mock and to subvert the colonised. But mimicry for Bhabha is an exaggeration of the replication of culture, ideas, manners and language such that the colonised also mock the coloniser, a 'double visioning', which in disclosing the ambivalence of colonial discourse also disrupts its authority. That replication is similar but different also gives the colonised a partial identity, a presence in this newly formed space between the coloniser and colonised. And it is a double vision that is a result of what he has described as 'the partial representation/recognition of the colonial object...the figures of a doubling, the part-objects of a metonymy of colonial desire which alienates the modality and normality of those dominant discourses' (1994 p.126).

For Bhabha culture is not a fixed phenomenon but one that is constantly changing, He argues for 'alterity', for the hybridity that comes when cultures merge. Cultures of the coloniser and the colonised come together to create a new cultural meaning. The culture of the colonised in a colonial settlement is, for example, not a replica of the culture that they left but the recreation of a new cultural norm, a third space, influenced by the society in which they colonised. This interpretation gives voice and power back to the colonised. The colonised and the coloniser share a new cultural norm which has been influenced by indigenous voices despite oppression, captivity and oppression. This 'third space', a liminal space according to Bhabha (1994) 'gives rise to something different, something new and unrecognizable, a new area of negotiation of meaning and representation.'

Hybridity in organisations has been linked more directly to the natural sciences (Zmas 2020) but is as relevant to Bhabha's definitions, in that it explores colliding cultures. In organisational terms Zmas for example refers to New Public Management and the increasing oscillation of 'different symbolic orders' between the public and private in universities. Winter and Bolden (2020) position hybridity in Higher Education as a lens through which to explore competing value systems. Referring to the need for institutions to navigate multiple identities, Winter and Bolden assert that uncertainty in universities is the result of increasing capitalism as a result of reduction in government funding and competition for students (see also Naidoo (2016, 2018) work on competition. They explore some of the tensions between communities: academic and professional service, central administration and academic departments, academic departments suggesting that it is at the interfaces in organisation that competing values are felt and that hybridity manifests through multiple and divided loyalties. Pekkola et al (2021) draw on the Johanson & Vakkuri (2017) definition of hybridity as referring to ‘impure existence between pure types in also exploring the interface between public and private universities in Nordic Higher Education. Tran et al use hybridity to explore the interactions between Vietnamese tradition and foreign influence. They explore the cultural tensions at a time of considerable expansion in the Vietnamese Higher Education sector, a phenomenon which they assert has led to limited oversight and a tension between Communist Party traditions and interactions with the West. Pointing to internationalisation as bringing ‘development in capacity to optimise the potential benefits of hybridity to enrich teaching, learning, governance and university operation’, the authors highlight staff and leaders being educated overseas and exposed to foreign practices and values as the primary driver of hybridity in the Vietnamese system.

Loke et al (2017) reference postcolonial theorists including Said, Bhabha and Spivak, in considering hybridity as an East-West or Asian-Western phenomenon in the development of Singaporean Universities since 1990. The research was based on four in depth interviews with senior academic leaders based in Singaporean Universities including Professor Tan Tai Yong, at the time, President and Professor of Yale-NUS College. They question the place of Asian Values in the Singaporean sector, by implication highlighting the Western nature of the system and also, in their conclusion raise the tension between global and local as a framing for developing higher education sectors.

3.3.4 Gender, queering and feminism

As early as 1994, Bhabha located postcolonial thinking in an intersectional space, arguing that the time for ‘assimilating minorities to holistic and organic notions of cultural value has dramatically passed’ (p241). His anti-colonial views being used to rethink attitudes to marginalised groups, for example, in feminism and gay rights.

The construct of Empire is a masculine one (Hyam 1990, Dawson 1994, Phillips 1997, Nayar 2010). One of conquest, dominance and aggression. The representation of the colonised woman within that construct is often profound. One in which a double oppression occurs, first by the patriarchy and then by the coloniser, she is ‘doubly inferior’ (Arandhi and Shabanirad 2015).

> Women therefore had to fight the double colonization of patriarchal domination in its local as well as its imperial forms. (Young, 2001: 379)

The theme of sexuality in the post-colonial literature is complex. The colonial era sees Victorian representations of women clash with the discovery of a multitude of new cultures and representation of women. We have already noted Said's representation of the Orient in culture and in contemporary literature as dehumanising, and for western consumption. This is also one in which women are consumed, one that offers that offers 'sexual promise (and threat), untiring sensuality, unlimited desire, deep generative energies (Said 1987, p188). At the same time as western men consumed women of the Orient, they protected the chastity and purity of the Western woman, fearing their allure to the 'hypersexual-brutal native' (Nayar 2010).

Colonial settlers brought with them 'enforced European 19th-century sexual mores on societies where gender roles and practices of sexuality were less restricted' (Young 2020; p.105). Young argues that these less restrictive sexual philosophies were often an attraction for settlers. He goes on to assert that postcoloniality is fundamentally queer on the basis that it adopts 'a strategy of shifting social or intellectual perspectives out of their dominant binary forms' (p103).

3.3.5 Post coloniality and Transnational Higher Education

Post coloniality has come to have a new relevance in an increasingly global higher education sector. Xu (2022) draws on a post-colonial discourse and theoretical framework of Whiteness as futurity to argue that IBCs have perpetuated Western supremacy, at the expense of local people and local knowledge. Western HE and IBCs are desired products, relegating local systems and knowledge and creating an aspiration for whiteness. Thorpe (2022) positions the 'idea' of a post-colonial university, idea for Thorpe referring to meaning the perfect form of something. His idea of the post-colonial university is one that should strive to be: 'independent, relevant and indigenous'. Independence for Thorpe brings dual meaning, the ability to confer its own degrees and freedoms from previous colonial structures. He argues for a relevance, in particular relevant programmes and curriculum but also in relation to students' socio-economic realities. Finally, Thorpe argues for indigeneity 'in terms of both staff compensation and the promotion of locally produced knowledge'.

Hill et al (2014) argues that perceptions of TNE in Malaysia are linked with postcoloniality. This creates a perception that foreign provision is inherently better and local providers worse. They highlight choice on the basis of international recognition regardless of the nature or type of higher education institution. Ling et al (2014) connect the management of IBCs with postcoloniality describing the relationship between the foreign institution and 'local agent' as having 'shades of colonialism' borne out of a set of 'unequal relationships' akin to those between 'a foreign power' and 'local population'. The paper considers whether the requirements of an academic award can be met through 'a more equal balance of decision making' in the management of IBCs. The focus is on organisational relationships and the authors frame a four-pillar model of control which transitions from 1. Home Campus Control, 2. Limited transnational campus control where there are, for example, opportunities for the contextualisation of learning activities, 3. Distributed control where the constraints on the IBC are linked only to the attainment of the same learning outcomes to 4, Transnational Campus Control where the unit of study or programmes are offered only at the IBC but where the award is made by the home campus. The aim being to ensure that management of on campus provision lead curriculum design and assessment. The paper undoubtedly captures some of the inherent power relations between host and sending institution. Limited to the branch campus model, Ling et al highlight a persistence of a colonial type management through the control of curriculum. This is picked up in more detail in the section 'Decolonising Curriculum' below.

Clarke (2021) presents a more comprehensive argument, asserting that critical analysis of the IBC model 'reveals striking similarities with classical, colonial education models of the 16^{th} to 19^{th} centuries.' She points to unequal power relations and the dominance of developing countries for economic or other gain. She points to:

- Limited access for indigenous communities
- European languages as the mode of instruction
- Control which centres in the colonial home institution with limited local institutional authority
- Limited curricula, predominately focused on vocation and instrumental subjects

Clarke specifically highlights identity, agency and sovereignty as being central the consideration of IBCs and postcolonialism. A counter argument is presented by Djerasimovic 2014 who argues for a new positionality on the debate regarding coloniality and TNE. One that does not assume students in host countries are "empty vessels'', upon which western culture, knowledge and economic discourse are imposed. She argues that the discourse itself is colonial and suggests an environment in which the host country and student also influence educational outcomes and calling for a hybridised approach.

Sidhu (2015) argues for an 'engaged pedagogy' and 'ethics of care' in addressing equity in TNE. Considering Australian TNE in Malaysia and Singapore. Sidhu asserts that the proliferation of both Australian and British TNE in Singapore and Malaysia is informed by 'cultural, economic and emotional value accorded to Anglophone education'. Sidhu situates TNE within postcolonial thinking to make 'the specific and particular visible – people and localities, their historical struggles, needs, aspirations and agencies'. For Sidhu, the development of 'engaged pedagogy' is rested in the initiatives which 'allow students to play active roles in the profoundly complex worlds in which that are immersed'. He argues against a 'universalising epistemology' in TNE. Peter's (2017) argues that the postcolonial university should seek to re-establish lost cultural values and identities through engagement with ancient centres of learning, and the 'first experimentations of the indigenous university', reminding us that al-Karaouine (Morocco 859), Al-Azhar (Egypt 970) and Al-Nizamiyya (Baghdad 1065) were all established before Bologna and the modern conception of a University in Europe but also pointing us towards ancient seats of learning within the host country as a source of indigenous knowledge and authenticity.

Caruana and Montgomery (2015) review of TNE adopts a framework of positionality, challenging the nomenclature of host and sending institution in favour of a greater understanding of the complexity of the global higher education landscape with the aim of enabling 'academics and other colleagues who are involved in transnational HE partnerships and collaborations, and who are designing and delivering programmes, and supporting learning, to position themselves within wider discourses.'

Bagchi (2021) questions the value of a franchised course in British design delivered in Sri Lanka – a different social, economic and cultural context using postcolonial discourse to 'offer insights on facilitating franchised education from the perspective of an institution that hosts British higher education services' in Sri Lanka. The research is focused on one franchise offering degrees in design. The structure and format of the degree is including input from multiple stakeholders. Bagchi finds evidence that local staff adapt content and design of their programmes but that these are 'unnoticed practices' by academic staff that 'occur in the margins of such education systems'. They conclude that the value of the programme is in the development of critical thinking and independent learning skills rather than the 'opportunity to develop design agency which is crucial in devising courses of action to change and shape local industry' and that the programme fails to acknowledge the 'economic or cultural value of design as a discipline'. Like much of the literature, Bagchi's insights come from working within TNE. They provide research informed by the lived experiences of delivering in country.

3.4 Decoloniality

Kennedy (2016) claims that the phrase was first used in French journalism, in the literal sense of reversing the process of colonial rule and in reference to the French conquest of Algeria. Moritz Julius Bonn of the London School of Economics is credited with its resurrection in the 1930's but it is not until the 1960s that Fanon's (1963) seminal text *Wretched of the Earth* situated decolonisation as a battle against oppression and domination in a global context. Ashcroft et al. (2013) define decolonisation as 'the process of revealing and dismantling colonialist power in all its forms' (p.73).

Fanon (1963) described decolonisation as ‘the veritable creation of new men’, the reordering of society such that ‘the last shall be the first and the first the last’ (1963, p36) explored knowledge production. Fanon focused on the psychological impacts of colonisation. Sium et al (2012) writing in the inaugural issue of Decolonization: Indigeneity, Education and Society, describe decolonisation as ‘a messy, dynamic and contradictory process’ (p2). They found it impossible to adequately define ‘decolonisation’ or ‘indigenous’, terms that are uniquely embedded into the lives of individual and communities and so contextual, so deeply personal that they cannot be codified. They do however position decolonisation as a process which ‘does not exist without a framework that centres and privileges Indigenous life, community, and epistemology.’ (p.2) A highly contextualised process, one that recognises the multiple impacts and effects of colonisation in all its forms and spaces but critically, one that sees the world from the local, viewed from the perspective of those that were colonised. Brahma et al (2018) specify two determinants of decolonisation. They provide a definition that has most resonated in the writing of this thesis:

> a way of thinking about the world which takes colonialism, empire and racism as its empirical and discursive objects of study; it re-situates these phenomena as key shaping forces of the contemporary world, in a context where their role has been systematically effaced from view. Second, it purports to offer alternative ways of thinking about the world and alternative forms of political praxis.
>
> Brahma et al 2018 p.9

Ngugi (1984) ‘Decolonising the Mind’, whilst particularly focusing on linguistic decolonisation is also a pivotal text more generally in the decolonial literature. Ngugi paralleled the cultural and psychological impact of coloniality with the economic, political and military impacts and sought ‘communal self-definition’ (p4) as a means of regaining indigenous identity. Whilst Ngugi’s work focused on language, the implications were broader and the text a seminal one in the decoloniality literature. Dominance through the erosion of indigenous language is a consistent theme in the literature. Ngugi talks well beyond the scope of the University but references change as being rarely possible without the intervention of young people. His 1986 essays advocate for empowerment through linguistic decolonisation and the use of mother tongue as a means of self-realisation.

> Language as communication and as culture are then products of each other. Communication creates culture: culture is a means of communication. Language carries culture, and culture carries, particularly through orature and literature,

the entire body of values by which we come to perceive ourselves and our place in the world.

Ngugi 1986 p.15

Varma (2012) describes an 'assault on culture through education' and references the undermining of Indian cultural practices, religions, arts and specifically the erosion of language. Nadasdy (2003) highlights that Eurocentric language is rested in power and dominance. Where Indigenous people engage in debate using that language, they play according to western rules, using the frameworks for debate in which unequal power relationships are rested. Ngugi's pursuit of the democratisation of literature, and his return to writing in his native language, was also a 'quest for relevance' (Gopal 2021). The transformation of the colonial university into one that is relevant (Mamdani 2019, Mazuri 1992, Ngugi 1984). In discussing the construct of the imperial higher education system in Africa Mazuri (2003, p142) notes that 'a whole generation of African graduates grew up despising their own ancestry, and scrambling to imitate the West'. [17]

Young (2020) differentiates decoloniality from postcoloniality, through decoloniality's origins in Latin American and with Latin American theorists. But decoloniality has adapted over time to become an international field (Nakata et al 2012), an endeavour towards self-determination and 'definitive rejection of 'being told'… what we are, what our ranking is in relation to the ideal of *humanitas* and what we have to do to be recognised as such' (Mignolo 2009, p161). Humanitas describes what makes us human and Mignolo connects this to diversity and self-determination, a key phrase in the fight for liberation and equality. Most recently, coming out of the Rhodes Must Fall campaign in South Africa, the National Union of Students (NUS) campaign ''Why is my Curriculum White' and #LiberateMyDegree, and other dismantling interventions the use of the term decolonisation has become broad (Brahma et al 2018, Gebrail 2018, Moncrieffe et al 2020). It has come to be more directly associated with righting unequal power relationships or advantages created out of colonialism, synonymous with the process of liberation and of regaining indigenous knowledge and identity. Arguably it is also used as a phrase which is now representative of liberation more generally, freedom from oppression: 'the right to cultural and religious freedoms and other civil liberties (Gopal 2021 p879). A metaphor for liberation and social justice rather than a process.

[17] It is ironic that many of the voices in the neo-colonial space were themselves educated in the West, Nkrumah, Ghanaian, was educated at the University of Pennsylvania and then the London School of Economics. Mazuri, Kenyan, was completed his undergraduate at the University of Birmingham, UK; his Masters at Columbia University, and his PhD at Oxford University. Mignolo, an Argentinian obtained his PhD at École des Hautes Études in Paris.

3.4.1 Decolonising the University

Until relatively recently, one of the most substantial single bodies of literature on decolonisation came from the 2011 International Conference on Decolonising Our University conference at the Universiti Sains Malaya. The conference itself brought contributors from four continents and publications represent a large geographical perspective with papers looking at aspects of decolonisation. Twenty-nine papers came from the conference, covering regional decolonisation initiatives in for example: the Philippines (Fermandez 2012); Taiwan (Shih and Wu 2012) and Turkey Pür (2012). Alvares (2012) wrote on the Eurocentric nature of the sciences, Raju (2012) looked at decolonisation of maths and science. Contributions were made regarding pedagogy (Alvares (2012), Parsa (2012) and Jain (2012)). Some of this content is picked up in section 3.3.3 below, Decolonising Pedagogy. Despite the breadth of material that came from the conference, there was no specific mention of transnational education, this despite the increasing numbers of those studying via TNE in 2012. Faruqi (2012) for instances challenges the 'persistence of the colonised mind' (p.269) in the Malaysian Law system providing by way of examples, the UK and Australian universities still being the preferred choice of universities, external examiners still being appointed from the UK, US and Australia rather than locally appointed, and a lack of respect for Asian jurors. TNE is not mentioned despite the government of Malaysia's moratorium on foreign law degrees at this time because of the flood of foreign providers and over supply to the system.

Tuhiwah Smith's (2012) text 'Decolonizing Methodologies' explores the tension between research and indigenous peoples. Whilst it is not an area that is covered in depth within the scope of this research, it is worth considering just briefly in the context of established systems of colonial hierarchy that perpetuate through the relationship of the researcher (superior) and the researched (inferior). Smith's narrative on the history of research as something that was done by western scholars to indigenous communities, provokes, she argues, a 'collective memory of imperialism', 'perpetuated through the ways in which knowledge about indigenous peoples was collected, classified and then represented in various ways back to the West' and is a powerful reminder of the history and experiences of indigenous communities in the experiences of the academy in transcending national borders. In what is a postcolonial critique of Western models of research, Smith argues that decolonisation does not simply mean a rejection of western knowledge or research but that the process of decolonisation involves situating knowledge in indigenous place and perspective.

More recently Bhambra, Gebrial and Nisandcioglu (2018) edited collection of papers 'Decolonising the University' bring together a powerful collection of voices that resonate well with the continued movement for change from within the Higher Education sector. The body of literature includes research into a number of institutional initiatives (for example Icaza and Vázquez (2018) on decolonisation efforts at University of Amsterdam, Andrews (2018) on the launch of Black Studies at Birmingham City University). TNE is almost absent from the text. Last (2018) devotes some space to cross border higher education although her focus is principally upon research collaboration and the unequal power relations between contributor academic. Last directly links the diversification of curriculum to managerial drive for market penetration in an increasingly global sector. Beyond these texts, there is little academic literature on decolonising transnational education. It is an area to which this research will contribute. There is, however, a substantial body of content which explores decoloniality of the curriculum and of the university. I explore some of the most relevant literature below, before summarising the literature review and relating the review to the research questions posed in chapter one.

Recent work by Phan Le Ha (2017) is the first substantial text to bring together themes that collectively look at decolonisation through TNE. She explicitly refers to colonisation, the desire for westernisation and explores student identities in TNE. Phan Le Ha refers to neo-colonial disguise in TNE, foregrounding a number of debates in the development of the development of Western TNE in Asia. Phan Le Ha explores what she describes as the 'transformative mediocrity behind the endorsement of English-medium language', perceptions of 'choice, quality, rigour, reliability and attractiveness of programs, courses and locations in TNE' (p.6). She defines the desire for western TNE as 'imagined' and often 'misinformed' and throughout the debate around these topics, questions the impact on identity of TNE in Asia. Phan Le Ha positions the rise of Asia as a threat to Australia's dominance in international higher education in the Asia-Pacific but one which is essential to 'cultivate higher education inspired by Asian values and independent from the west'(p1).

3.4.2 Decolonising curriculum

An extensive body of literature explores the decolonisation of curriculum. The vehicle for transmitted knowledge, it is understandable that the literature on decoloniality within the university grew from an initial focus on curriculum. Kelley (2016) perfectly expresses the power of university curriculum in their writing regarding black students in the US system:

> 'granting the university so much authority over our reading choices, and emphasising a respect for difference over a critique of power, comes at a cost. Students not only

come to see the curriculum as an oppressor that delimits their interrogation of the world, but they also come to see racism largely in personal terms.'

Kelley 2016 Paragraph 21

McGovern et al (2013) explores the concept of dominant knowledge and the contribution of postmodern analysis between knowledge creation, culture and power. She refers to Kincheloe (1993) claims no universal knowledge outside of that which is created within particular social and cultural environments. It would be impossible not reference the seminal works of both Bourdieu and Foucault. That the credibility of knowledge to a large extent is rested in the social status of the author is a central theme in notion of the colonisation of the mind (Fanon 1963). Knowledge created within the institution and the social recognition, the elitism that is associated with established faculty, makes for an unequal recognition of knowledge, one that supresses indigenous knowledge in favour of the notion of 'one' truth (Foucault 1991)

Alvares (2012), writing for the 2011 'Decolonising our Universities' conference in Malaysia, highlights the complacency or even complicit relationship of academia to Eurocentric thought, particularly in the sciences and social sciences, arguing that resistance to western systems of domination did not come from within the academy but from marginalised communities: the Aboriginals in Australia and Canada, Islamic communities unable to reconcile positivist, materialist, secular thinking with their religion, Māori's in Aotearoa. She makes a series of recommendations around curriculum including: a commitment to 'intellectual delinking from the existing theories and the corpus of Eurocentric and European social science' at the faculty and university level; serious reorientation towards curriculum created in the local region, encouraging students to write papers without referencing Western scholars. She rejects the notion of an 'alternative discourse', suggesting that it infers that western knowledge is mainstream and indigenous knowledge 'alternative'. She proposes stricter use of labelling in the social sciences, for example being 'European Sociology'.

Pinar (2011) points out that decolonisation of the curriculum has largely focused on replacing literature form the west (Europe and the Global North) with local theorists. He argues that this limits the concept of curriculum to the academic literature rather than a broader definition of curriculum as encompassing the broader educational experience. The context of learning is of particular relevance to the decolonisation of curriculum. Pinar, Reynolds, Slattery and Taubman (1995) define curriculum as a 'complicated conversation'. In discussing contemporary curriculum studies in his later 2006 work

‘Internationalism in Curriculum Studies’, Pinar (2006) calls for enlargement and further complication of the concept of curriculum:

> It still includes objectives, course syllabi, and so on, but it is now as well a highly symbolic concept in which curriculum debates are understood, for instance, as debates over the identity of the nation…. Intellectual freedom, professional autonomy, personal creativity and in so doing, support the intellectual freedom and creativity of the students they teach.
>
> Pinar 2006 p36

Although not written with specific reference to TNE, the concepts of identity autonomy and personal creativity within the national context are particularly relevant. The local / global praxis as a theme is recurrent in the curriculum decolonisation literature. Subedi (2013) explores three potential frameworks for the globalisation of curriculum: the deficit approach; the accommodation approach and decolonisation. Subedi (2013) cautions against the rationalisation for globalisation of curriculum being rested in global competition: economic advantage, technological change, developing skills to complete in a global labour market, instead advocating for a decolonizing approach that does not silence difficult debate but instead promotes ‘an anti-essentialist curriculum that is more nuanced and complex and that provides contrapuntal readings of world events.’ Subedi defines his use of the term global as moving beyond notions of here ‘local’ and ‘there’ global, to one which requires greater examination of multiple local(s) and global(s) which are complexly interconnected within the axis of power and politics.

Tudor (2021) connects decolonisation of curriculum with a transnational agenda, describing the process through which the Rhodes must fall campaign created a momentum to decolonise curriculum in UK Universities but does not relate this fully to transnational education, despite the scale and growth in the sector. In fact, there is little that is specific to transnational education in the literature on decolonising either curriculum or pedagogy.

3.4.3 Decolonising Pedagogy

Pirbhai-Illich et al (2017) position there work on culturally responsive pedagogy (for culturally responsive pedagogy see also Gay and Kirkland 2003, Ladson-Billings 1995) as a decolonisation project, asserting that whilst decolonisation is a process of transformational change, it is one that is as yet not fully understood. Jabbar & Mirza (2017) position there work within the shifting Higher

Education landscape, seeking the creation of pedagogy that is consistent and fair for an increasingly diverse student population. They situate the experience of students in UK Business Schools and highlight a sector in which cultural responsiveness is increasingly driven by: increasing international student numbers; an emphasis on widening participation; the student as consumer and the marketisation of the sector. They propose the use of cultural heuristics, the behavioural patterns related to cultural backgrounds, to identify gaps in culturally responsive teaching. Tinker Sachs et al (2017) consider decoloniality in refugee education. They position the educator as 'intercultural developer', whose work is to cocreate a curriculum that is responsive to …. 'Instructional and cultural needs.' They introduce the concept of 'othering' in intercultural learning spaces. Here the 'other' is the refuge family, minoritized on the basis of race, regardless of their linguistic or cultural resources.

'Place' is a key theme in the pedagogy literature, specifically, defining the relevance of place to learning. That learning takes place within a geographical space and within a contextual space is highly relevant. Byrnes (2001) refers to place as 'space to which meaning is ascribed'. Johnson (2012) provides two constructs of place: 'place as a way of understanding, knowing and learning about the world' and place as 'the embodied location of everyday struggle for meaning: political, cultural and economic'. Johnson connects Indigenous peoples to place, 'people of place' as distinct from 'people of text' with whom s/he connects Eurocentric thought. Western hegemony has erased the indigenous stories by breaking the connection between people and their place. If we return to the definition of place offered by Byrnes, the logic follows that western hegemony has broken the connection between indigenous peoples and their way of understanding, knowing and learning about the world, replacing context with text. For Ortiz (2007) there is a conceptual link between being and place that rests in Indigenous cultural philosophy. Zinga and Styres (2017) refer to their practice, classroom based decolonial practices as 'anti-oppressive pedagogies' stressing the importance of social justice and indigeneity in curriculum (see also Styres 2017).

3.4.4 Intercultural competence

Running through discussion on the decolonisation of both curriculum and pedagogy is the importance of intercultural competence. Williams (2021) describes TNE as 'intrinsically an inter-organisational and inter-cultural phenomenon. There are a number of definitions of intercultural competence. Griffith (2016) research report on intercultural competence in higher education list 25 definitions. Deardorff (2006) list 49 references in her assertion that there is no fixed agreement on the definition. Deardorff's 2006 study was the first to attempt to reach consensus and describes an evolving definition of intercultural competence, 'Just as culture is ever changing, scholars' opinions of intercultural competence change with time' (p.258).

Whilst there is a substantial body of literature on intercultural competence in higher education (for example Deardorff and Arasaratnam-Smith 2017, Pinto 2018, Punti et al 2015, Griffith 2016), there is little that addresses TNE specifically. Greenholtz (2010) links intercultural competence as a success factor of cross-cultural endeavours and calls for academic and support staff in TNE to have a greater focus. Citing the Global Alliance for Transnational Education (GATE 1997), Greenholtz references the requirement for 'faculty and staff of transnational educational programmes have an appropriate level of expertise and sensitivity in the crucial area of intercultural awareness and that adequate support (*i.e.*, training) be provided to permit them to function effectively in transnational contexts' (p.411). The paper goes onto to recommend the use of Bennett and Hammers (1998) Intercultural Development Inventory as a possible development tool. Sia (2015) highlights the lack of research into intercultural competence despite its criticality to the sector and the need to develop transnational faculty with advice and guidance on 'pedagogical' and 'country specific issues' before they are deployed overseas (p.65). Xie (2022) raises the possibility that transnational education can contribute to the development of intercultural communicative competence but also contribute to a desire to study abroad.

Heffernan et al (2010) discussing Australian cross border reference a colonialism in TNE that is in contradiction to the provision of relevant education services which 'identify the needs of the markets that they are attempting to serve'. They reference an 'expert in transnational education' (there is no further referencing), in the introduction to their work on cultural difference in learning styles in China:

> 'We have this wonderful Bachelor's degree or whatever, and we will take it across to educate uneducated Asians…that will fail because that era has long since passed'

Heffernan et al (ibid) identify the importance of cultural difference to learning style and highlight the relevance of cultural difference and its relevance to effective student engagement. Cultural difference being the 'characteristic, cognitive, affective, and physiological behaviours that serve as relatively stable indicators of how learners perceive, interact and respond to the learning environment' (Keefe 1979 p.4). It is an area that needs greater research, connecting the body of literature on intercultural competence to many of the challenges in TNE: curriculum, pedagogy, western hegemony and beyond.

3.5 Gaps

Whilst the underlying data and broad research on the scale and scope of transnational education came ahead of the data collection, I remained as true to the grounded theory process as possible. The result being that the research data has directly informed this literature review. This, particularly in the areas of post and decoloniality. The process was, as described in the research methods chapter (4) an iterative one. Concepts and themes that arose from the data led me to explore relevant fields which in turn informed my understanding of the content and context of the interview data. That data was collected in response to broad, high-level questions that supported the research questions: what are the pervasive challenges of operating, leading and governing TNE and the ethical and equitable dilemmas and challenges have HEI and sector body leaders encountered? Those questions, asked of senior leaders in the sector, those with knowledge of the implications of for the leadership and governance of TNE?

A number of gaps were identified in the literature, areas where the data pointed to a need for greater research, understanding and connection. There is for example, still relatively little literature that explores the relevance of decolonisation to transnational education, particularly given the prevalence of decolonisation strategies on home campuses. This, despite the obvious complexities around knowledge dissemination and creation in a different national setting. Intercultural competence in TNE is an important area given that teaching and learning are situated in a different national setting and yet the research here is also light.

Of most relevance to the research, is the lack of systematic and comprehensive evaluations of the challenges of operating, leading and governing TNE. Research is dispersed across a number of areas and often based on academic colleagues' own experiences of delivering within TNE. This paper brings those challenges together into one space and forms a conceptual framework through which they can be considered by sector leaders.

4. Research Methods Theory

TNE is a complex area of research. It is concerned not only with the dissemination of knowledge across national boundaries. It sees leaders navigate differing cultural, religious, social, legal and environments within the university setting. A setting which is by its very nature, is critical, questioning and perpetually in pursuit of new knowledge. The research required a flexible, iterative research framework. One which remained open and through which the data itself drove the key questions, concerns and challenges in a highly adaptive environment. For these reasons, my research is conducted using grounded theory. It is post-positivist, important given my own leadership place within the higher education sector. The approach is fundamentally inductive and data led but dualist in that it recognises both objective and subjective dimensions. The research draws primarily on the lived experiences of senior leaders working in TNE and as such is a qualitative in nature, the ontological assumption being one of constructivism. The process relies on realities which are relativist, conditional and informed by individual experiences, interpretation and context. Hence rejecting the notion of absolute truth (Lincoln, Lynham and Guba 2018). Within the process of grounded theory research, I draw specifically on data gathered through in-depth semi-structured interviews. More broadly I also draw on secondary data in the form of sector specific reports, policy documents and media coverage.

Whilst the overall approach is not one of mixed methods, the research draws regularly on the Higher Education Statistics Agency (HESA) annually published data sets which provide a regular and reliable source of qualitative data. In particular, HESA have collated data on offshore activities since 2007/08. The Aggregate Offshore Record (AoR) is a reliable record of UK engagement in transnational education. It provides historical and contextual data. Although the data fields have adapted over time, it provides one of the most reliable sources of data on the sector, such that it informs several other published reports mentioned in the research, for example, UUKi's annual report on the size and shape of cross border higher education and UUK's racial diversity statistics.

I start by introducing grounded theory, its historical roots and the development of the different schools of grounded theory, primarily: Classic, Straussian and Constructivist. I explore the fundamental elements of grounded theory research with some comparison of the different schools of thought. I briefly look at practical examples of grounded theory in research and consider the disadvantages of the method. I go on to outline the research data collection process. In line with my constructivist preference in grounded theory, I situate myself in the research. Finally, I provide a detailed account of my own research design, mapping that process to the research methods that I have chosen.

4.1 Grounded Theory

Grounded theory emerged in the United States in the 1960s, developed by Sociologists Glaser and Strauss, as they researched the relationship between terminally ill patients and medical staff working in hospices, research that was later published as the Awareness of Dying (1965). Both studied at the 'Chicago School' in a period where field research, case studies and life histories had emerged as valid empirical foundations for the development of research theories but where there was little transparency over process. Grounded theory was constructed at a time when quantitative research was almost uniformly considered of greater validity. The empirical nature of data-driven scientific enquiry and a positivist approach was seen as rigorous whilst qualitative methods were considered lacking in reliability and thought to be impressionistic. In this environment, Glaser and Straus developed a systematic research approach which challenged these assumptions. Flick (2018) describes a qualitative movement in 1960s sociological research and references the work of Kuhn (1962), Garfinkel (1967) and Berger and Luckman (1966) as broader evidence of a shift towards qualitative research methods and a change in the use of theoretical and methodological research methods. Against this backdrop, Glaser and Strauss published their seminal work 'The Discovery of Grounded Theory' in 1967 with an ambition of the furtherance of social research and for the formation rather than verification of theories, through rigorous methods of data collection and analysis.

Glaser and Strauss criticised existing social research methods which focused on the verification of existing theories rather than the development of theory.

> Our basic position is that generating grounded theory is a way of arriving at theory suited to its supposed uses. We shall contrast this position with theory generated by logical deduction from *a priori* assumptions.
>
> Glaser and Strauss 1999 (pg. 3)

They identified five related purposes for a grounded theory of sociology:

- as an enabler in the prediction and explanation of behaviour;
- as useful to the advancement of theory in sociology;
- to be useable in practical applications;

- to provide perspectives on behaviour; and
- as a guide and style in the provision of research in areas of behaviour.

Glaser and Strauss criticised prevalent research practices which resulted in 'the opportunistic use of theories that have dubious fit' rather than the use of the data to generate new and relevant theory. They offer up the discovery of grounded theory 'to strengthen the mandate for generating theory, to help provide a defence against doctrinaire approaches to verification' (page 7). In the seminal text, first published in 1967, they describe a circular process of data collection and analysis where theories emerge and are tested iteratively as the research continues. The process includes continuous comparison and the development of theory as the study continues. It is a process of inductive, iterative enquiry which is relevant regardless of the scale of the social unit to which the research applies. The theory was developed out of the comparative observation of individual patients in hospital wards in the study of dying but is intended to be applicable at any scale: research that spans individual subjects all the way up to research into nations. The theory has been adapted over time and with many practitioners now recognising three main traditions: Classic, Straussian and Constructivist. Guber and Lincoln (1994) describe an ontology in grounded theory that moves through post positivism, to critical theory and then constuctivism. More recently Sbaraini et al (2011) reference five schools of practice, being: Glaserian or Classic Grounded Theory, Strauss and Corbin's 'Basics of Qualitative Research', Charmaz's 'Constructivist Grounded Theory', Clarke's 'Situational Analysis' and more recent 'Dimensional Analysis' emerging from the work of Schaztman. Despite the divergence, the critical connecting thread is undoubtedly the inductive nature of grounded theories and the iterative process through which theories are developed.

The Classic approach refers to the fundamental work and principles developed by Glaser and Strauss in their early research. The method is inductive, stressing the importance of the discovery of new knowledge through analysis of the data. 'All is data' argues Glaser (1992) who has continued to stress induction and emergence as critical to the classical theory. Classical Grounded Theory is now sometimes attributed to Glaser alone. Strauss went on to make further developments to the theory, particularly the development and documentation of methodological instruments (Strauss 1987, Strauss and Corbin 1990), with a focus on the development of a systematic approach and to the validation of process. Sometimes referred to as Straussian theory, Strauss and Corbin outline a significantly more detailed process of data analysis and introduce two key concepts to grounded theory: deduction and symbolic interactions. Both, relating the research societal influence. Deduction here acting as a verification tool, social interaction bringing into the theory, a recognition of the relationship between within a society. Glaser, arguably remaining true to (at least his) original theory allows greater creativity on the part of the researcher. A key divergence is in relation to the review of literature prior to research. Glaser argued for abstaining from a review of the literature as a means of remaining impartial, which he argued is an unrealistic proposition in today's research landscape. Strauss and Corbin later argued the difference between the "open mind" and the "empty mind" (Jones and Alony 2011), endorsing some preliminary literature review has the potential to 'enhance theoretical sensitivity and rigor', potentially leading to 'innovative insights' (Giles et al 2013 p.29).

Charmaz (2006), in her development of Constructivist Grounded Theory goes further in recognising the place of the researcher. She argues that if we accept that 'social reality is multiple, processual and constructed' then we 'must take the researcher's position, privileges, perspective, and interactions into account as an inherent part of the research reality'. Charmaz (2016) described the constructivist approach as a 'contemporary revision' of Glaser and Strauss classical theory, one that 'assumes a relativist epistemology, sees knowledge as socially produced, acknowledges multiple standpoints of both the research participants and the grounded theorist, and takes a reflective stance toward our actions, situations, and participants in the field setting'. Charmaz rejected both the highly systematic and prescriptive Straussian processes. She also rejected the Glaser's notion of an 'implicit theory', emphasising the challenge of complete independence on the part of the researcher. Both Glaser and Strauss raised criticisms of Charmaz constructivist approach but it is one that I have personally found most relevant and most useful in the development of my own research methods. The reflective nature of the theory development and also the acknowledgement of the complex relationship between the researcher and the research, the acknowledgement of the participants liminality is particularly relevant given that the subject of the research, TNE, is rapidly evolving.

Charmaz (2014) outlines the defining components of constructivist grounded theory as being:

I. the simultaneous collection and analysis of data
II. the construction of codes and categories, independent of any preconceived hypotheses
III. constant comparison at every stage of analysis
IV. the development of theory at each stage of data collection and analysis
V. memo writing
VI. sampling which is focused on theory development (theoretical sampling), not on population representativeness
VII. the literature review being undertaken after independent analysis

I explore these defining components in more detail below:

i. *The simultaneous collection and analysis of data*

Glaser (2002) emphasised everything that is learnt in the research field contributes to an understanding of the research topic: that 'All is data' (1992). Grounded theory allows the researcher to draw on a range of research materials both primary and secondary, quantitative and qualitative, analysing the data as they are gathered and constructing theories throughout the process of analysis. The inductive nature of collection and continuous analysis depend both on the quality of the data and the thoroughness and accuracy of the records that are maintained. For that reason, memo writing is an essential tool for the grounded theorist and is discussed in more detail below. Sufficient and suitable data are essential to the production of meaningful theories and at least some of the criticism that is levelled at grounded theory relates to analysis said to be built on skimpy or haphazard data (Loftland and Loftland 1984). Charmaz (2014) herself warned that insufficient data can lead to superficial analysis and raises a series of questions to support the researcher in evaluating the quality and quantity of data in a grounded theory study:

- Is there sufficient background data relating to individuals, processes and settings to allow the researcher 'ready recall' and a full understanding of the range of contexts of the research?
- Is there sufficient detailed description to represent fully the views and actions of participants?
- Has the researcher looked below the surface of responses to search for real meaning in the data?
- Has the research gathered multiple perspectives?
- Is the data sufficient to develop meaningful analytical categories?
- Does the data allow for effective comparison and how do those comparisons inform ideas?

The quality of data is also dependant on the process of data gathering. Gathering rich data in grounded theory is a process that looks beneath the words and seeks out meaning through for example: seeking out pre-conceived assumptions and taken-for-granted meaning; exploring the conditions, actions and processes at play as well as the words; identifying reasons behind actions; and looking for the 'conditions under which specific actions, intentions, and processes emerge or are muted' (Charmaz 2016). The quality of the data is dependent on the reflective capacity that is central to Charmaz' constructivist approach to grounded theory and is also dependant on the observational and interpretive skills of the researcher. Glaser (1998) highlights the need for collecting sufficient quantity of data to offset the negative impacts of misleading or inaccurate accounts.

ii. The construction of codes and categories, independent of any preconceived hypothesis

It is in the approach to data coding that Glaser and Strauss appear most divergent. Glaser preferred a less structured approach, whilst Strauss (and Strauss and Corbin) introduce a greater 'methodicalism' and structure into the coding process. Glaser (1978) approaches coding in two stages: substantive and theoretical.

Substantive coding generates an 'emergent set of categories and their properties which fit, work and are relevant for integrating into a theory' (Glaser 1978 p.56). Glaser proposes a number of questions to frame that coding: 'What is this data a study of', 'What property of a category, or what part of the emerging theory does this incident indicate', and 'What is actually happening'. He proposes line by line coding of data, always by the analyst, and a process of reflection and note making throughout the coding process that helps to stimulate ideas and prompt the generation of potential theories. This constitutes a process of open coding which is refined throughout the study. Glaser, in the substantive phase of coding, adopts an open and then selective process, applying a 'significance' indicator to the material in the first stages of coding. Glaser refers to two types of code emerging during the substantive phase: *in vivo*, coming directly from the data and *analytic*, being data as expressed in the words of the analyst. Strauss (1987) refers to the 'social construction' of analytic coding, whereby knowledge is constructed to make sense of the world as opposed to created.

The theoretical phase of coding is, according to Glaser, more formal and structured. He describes a process of grouping codes into 'families. During the theoretical phase of coding, the researcher develops core categories. Flick (2018) defines core categories as being: (1) central; (2) recuring frequently and therefore: (3) taking more time to saturate; (4) as having connections with other categories which come quickly and richly; (5) which should have clear and 'grabbing' implications for formal theory; (6) should have carry-through and not lead to dead ends; (7) are completely variable in degree, dimension and type; (8) are an actual dimension of the problem: and (9) tend to prevent social interest and logical deductive process from establishing a theory which is not grounded. Finally, (10) the category can be in any form of theoretical form: consequence, condition, dimension, process, etc.

Strauss (1987), despite the tension in the literature around divergence of approach, picks up many of the elements of Glaser's process. The formal coding process comes later for Strauss and in particular Corbin and Strauss (1990) introduce the concept of axial coding. This further step in the coding process, axial coding is a process by which emerging central categories - those that are most relevant to the research question - are related to each other through both inductive and deductive processes. This is a verification and testing process that takes the researcher back to the material to repeatedly test the relevance and relationships between concepts. Kelle (2005 p.1 para 3 abstract) criticizes axial coding on the basis that it leads to a 'forcing' of the data into conceptual categories and argues that 'basic problems of empirically grounded theory construction can be treated much more effectively if one draws on certain results of contemporary philosophical and epistemological discussions and on widely accepted concepts developed in such debates.'

In similarity to Glaser, Charmaz refers to two stages of coding. The first, a line-by-line analysis of the data through which ideas are conceptualised and a second more focused stage of coding which allows the researcher to synthesize and sort data, drawing themes of analytical significance. Charmaz (2006) also rejects axial coding instead preferring to 'keep codes simple, direct, analytic, and emergent'. This is the approach that I adopted. I found that it allowed for a more dynamic and adaptive analysis as interviews progressed and themes emerged.

iii. *Constant comparison at every stage of analysis*

Constant analysis and comparison is key to effective application of Grounded theory. Glaser and Strauss (1967) included little information on the process of coding, instead focusing on constant comparative methods outlined in an earlier article by Glaser (1965). Glaser described a constant circular approach whereby data and emerging categories were compared again and again as the data was gathered and the dataset grew, returning to the data repeatedly and testing categorisation and theory development throughout the research data gathering process. Flick (2018) encourages the researcher to return to the data and to adopt a continuous process of integration as theories and concepts emerge.

iv. *The development of theory at each stage of data collection and analysis*

It is in the continuous process of theory construction and conceptual development that grounded theory sets itself apart from other forms of qualitative research. For the process to be truly inductive, potential categories should not be assumed at the start of the process or contained within the research question. Theoretical sampling is at the core of grounded theories abductive reasoning process. Whilst grounded theory starts with an inductive logic, the research moves into abductive reasoning and they search out all possible meanings and theoretical explanations for evidence found in the data. Seeking meaning through further research and verification processes which also allow them to account for anomalies or surprises in the findings. Charmaz describes four theoretical concerns in the development of theory: plausibility, direction, centrality and adequacy. For Charmaz, plausibility trumps accuracy, particularly in the interview process where she describes the pursuit of accuracy as challenging to the theory of social constructivism. The theoretical direction of the research will emerge through the gathering of data and where concepts will begin to stand out or cluster and will help to shape how and what is gathered in subsequent stages of data gathering. For instance, an emerging direction may result in a change of emphasis or questions during interviewing. Themes will start to emerge as central to the development of theories or not. Finally, the adequacy of the theory is tested, particularly through data verification in the later stages of data gathering and through the notion of data saturation.

v. Memo writing

Key to the development of theory is maintaining notes of emerging categories, theories and the thought processes that underpin the rationale of the analyst. These are maintained in 'memos'. Maintaining informal records of connections, concepts and emerging theories is one tool through which simultaneous collection and analysis of data occurs and through which constant comparison is achieved. In grounded theory, memo writing is an informal and reflective process, one which Charmaz (2006. p84) 'describes as freeing 'you to explore your ideas', to converse with yourself about ideas, codes and data. Glaser (1978) advocated for maintaining notes as they occurred to the researcher and many researchers and writers advocate for carrying and maintaining a paper journal as a tool for reflective practice.

Charmaz (2006) advocates transferring ideas into memo form as quickly as possible and without edit: 'do not worry about verb tense, overuse of prepositional phrases, or lengthy sentences' (p.84), instead focusing on finding the researcher's natural voice. For her, the memo is unshared and private, a discussion with oneself. To that end, memos are unstructured and personal. She does however, refer to a number of techniques that support the memo writing process, for example clustering and freewriting.

vi. *Theoretical sampling*

Strauss and Corbin (1999 p.45) refer to theoretical sampling as being the process of data collection 'for generating theory whereby the analyst jointly collects, codes and analyses his data and decides what data to collect next and where to find them, in order to develop his theory as it emerges'. This method creates an emergent rather than planned approach to data gathering; a process of selecting comparison groups based on their theoretical relevance to the development of emerging categories. It is flexible and allows for multiple relevant data sources and data sets to be brought together in the pursuit of meaning. Charmaz distinguishes initial from theoretical sampling. Initial sampling is about 'getting you going' whereas theoretical sampling guides the researcher in where to go next in their pursuit of new and relevant data. Theoretical sampling as a process allows the researcher to develop, explore, test and validate emerging initial categories in the data; to chase an emerging hypothesis or theory, demonstrating links between the various categories as they emerge. This is certainly true of my selection of participants. Whilst I started with a clear set of criteria regarding the selection of participants - that they be senior academic and/or professional service leaders that have direct experience in the leadership and/or delivery of substantial programmes of TNE - the data led me to adapt that thinking through the course of the research. This is covered in more detail in the section below on semi structured interviews. The flexibility to allow the data to drive the approach brought a richness to the analysis that would have been lost had a less flexible method been used. For example, the voices of those that had chosen not to engage in TNE were as valid to debates on coloniality and ethics as those that had delivered complex partnerships. The process of following analytical leads is pivotal to grounded theory practice. It keeps the development of theory - and the search for meaning - grounded in the data. It presents an approach which follows the data rather than one which is constrained by a predetermined sample.

Theoretical sampling is an unconstrained process and for that reason, data saturation is a key concept. A category or idea is considered saturated when ongoing research and analysis contributes no further meaning to emerging theories. So, a category of data is saturated when the same reasoning, examples and evidence emerge repeatedly and no new knowledge emerges from the sampling process. For many grounded theorists, saturation happens regardless of the scale of scale of dataset that is reviewed and it is here that there is some criticism of the sampling technique. Mason (2010) and Weiner (2007) for example argue that sampling size needs to be situated in the research objectives, therefore that saturation is subjective and can lead to samples that are small and unreliable. Mason in particular refers to the determination of adequate sample size being in part a dependent upon the skill and experience of the researcher. Dey (1999) introduced the term 'theoretical sufficiency' as a response to the criticisms of assumptions based on too little data and also in response to the potential open-ended notion of saturation.

vii. The literature review being undertaken after independent analysis

Unlike the vast majority of research methods, purist followers of grounded theory turn to the literature after the data analysis and coding processes have taken place. Critical to the inductive nature of grounded theory, it is the data and the themes, categories and theories that emerge from the data that lead the researcher to the literature. Whilst the principle of allowing the data to drive the theory is critical, the nature of modern research make this purist approach challenging. Experts exploring a field will present with not only an understanding of the literature but often with the outcomes and experience of previous research.

I arrived at the research with a reasonable knowledge of the TNE, particularly the scale and scope of TNE. I have represented that body of literature in section 2, the context section of the paper. I also brought personal experience of leading substantial TNE initiatives across multiple geographies. The research absolutely led me to new areas of literature and the flexibility to move from data to literature and back throughout the research process was essential to the development of theory. I did not present with strong theoretical frameworks because these are largely absent in practice and were the key motivation for the research.

4.2 Grounded Theory in Practice

Bernard (2000) describes the grounded theory process as deceptively simple, outlining the following steps:

1. the production of interview transcripts and an initial review of sample texts
2. the development on *analytic categories*
3. the comparison of categories as they emerge from the data

4. a process of comparison of the categories and their linkages
5. assessment of the relationships between categories to build theoretical models, including the review of inconsistencies and negative cases
6. the presentation of findings with specific references to exemplars that support theories developed through the process.

As a researcher, I found the grounded theory process more complex than the somewhat linear process that Bernard describes. I moved more frequently between the data and the research than Bernard's steps suggest and also returned to previous interview participants to clarify or to explore in scenarios that they presented in greater detail. I also referred more frequently to the grey literature and to published quantitative data (HESA, UUK, British Council) to evidence some of the theories as they emerged.

Criticisms of Grounded Theory

Some criticism of grounded theory is on the basis that it ignores pre-existing, well established, well tested theory in pursuit of new knowledge. Others, in line with Charmaz' constructivist approach (ibid.) argue that there is no completely theory neutral position. Researchers come with some knowledge of the literature and some experience in the area of research, resulting in a bias in the coding and categorisation process which makes it is impossible to keep the research entirely inductive. Researchers also identify more easily with some research participants than to others and so bring subjectivity into the coding process based on personal connection as well as prior knowledge and experience.

Theoretical sampling can lead to a substantial volume of data that is difficult and timely to analyse and critics point to the lack of systematic or guided approach to analysis making grounded theory particularly challenging for inexperienced researchers. Other criticisms talk about the quality of the data and the tendency to force 'themes' or be driven by pre-existing concepts when coding.

My reading of the historical development and application of the theory is that the debate around schools of thinking and particularly criticisms around the validity of approach to some extent detract from the value of the method. They confuse the narrative and create an inaccessibility which means an undue focus on maintaining true to the various schools of thought rather than the fundamentals of the theory.

4.3 Situating myself in the Research

Many of the criticisms of grounded theory relate to subjectivity: the challenges of researcher-induced bias and the potential impact on both the data and of the interpretation and coding. The relationship between participant and researcher is also outlined as a potential issue, both on the basis of bias and of confidentiality. It's hard to ignore the profoundly personal connection that I have with my research topic. I've worked in the higher education sector for a large part of my career. I have several years' experience working in the internationalisation of the sector, including establishing a branch campus, developing and overseeing a wide range of TNE initiatives in Asia and more recently Africa. The motivation for the research has always been practice based. To see things done better and to enable the development of an ethical, inclusive global sector. That sector is of course multidimensional and based on multiple motivating forces, some which work in harmony and some which can create seemingly irreconcilable ethical dilemmas. I have also observed failures of governance in relation to internationalisation. In a sector that is regulated and has a structured approach to governance of its 'home' operation, I have experienced various and often unstructured approaches to the leadership and governance of cross border operations. The development of a comprehensive tool for evaluation, based on the experiences of senior staff, across multiple universities in multiple national settings is the key contribution of the research.

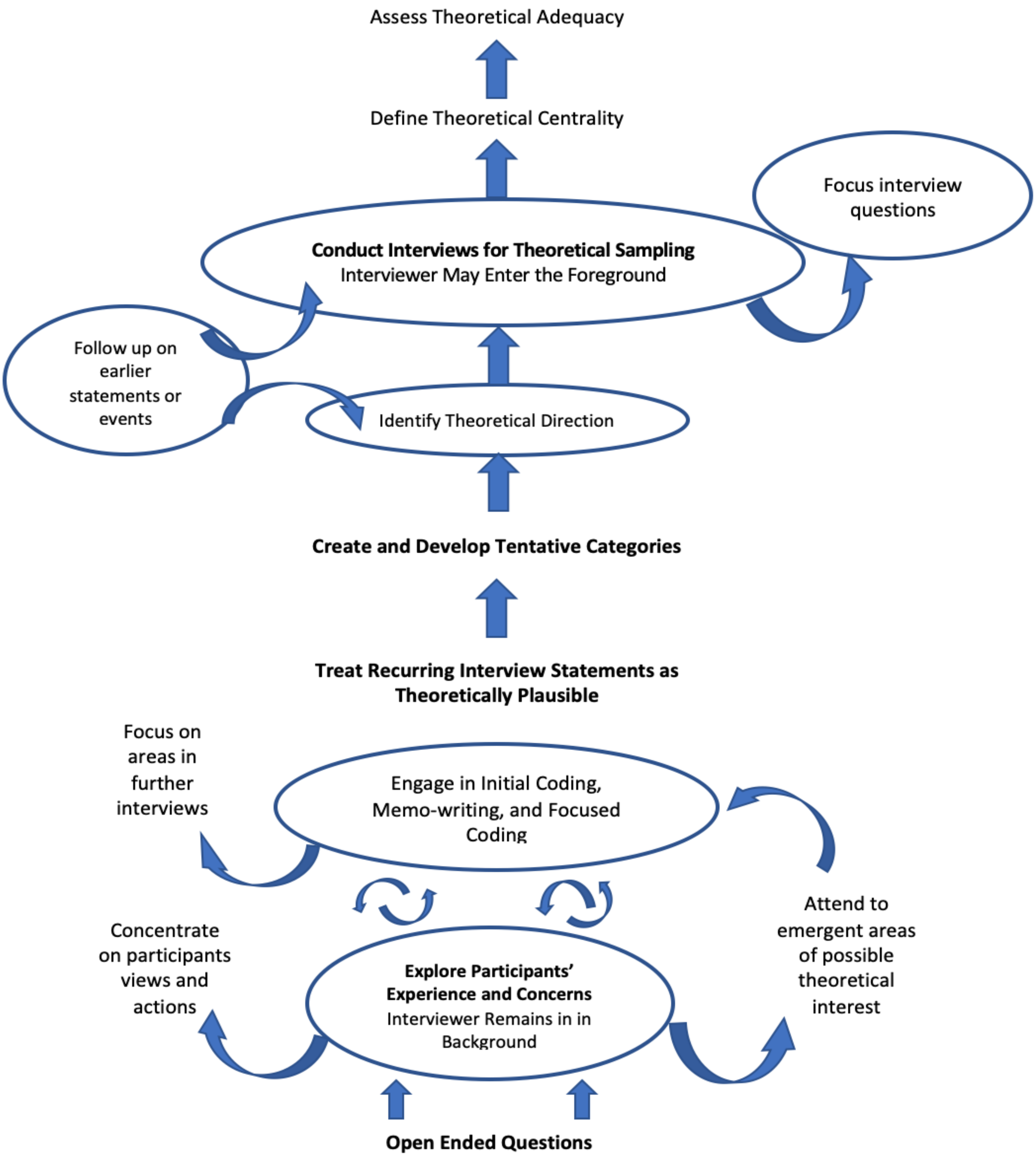

Figure 4: *Situating myself in the research*

My motivation undoubtedly comes from experiences that fell far short of my perception of a good educational experience. Educational programmes, delivery and management that were poor, that highlighted prejudices and hierarchies in the global higher education system; and that did not serve the student. There were of course examples of exceptional practice but sadly these were fewer. It remains my motivation that this research offers up some practical tools and that it benefits learners, educators and sector leaders. In reality I found it hard not to relate the experiences of others back to my own experiences. I do not however, feel that I allowed that to unduly influence the findings of the research. I was strict in the use of memo's and these included personal reflections. The practice of memo-taking kept me to constructivist grounded theory practice in part by allowing me to identify and close down or mitigate personal prejudice as far as possible.

I am fortunate to have been able to interview some of the most influential and senior leaders, policy makers and practitioner in TNE. Those that have opened huge overseas campuses, leaders with decades of experience in delivering cross border higher education initiatives, those that broker the relationships at a country level and help to support policy development in countries that engage in TNE as a part of their higher education sectors. I was careful to ensure that around and beyond the basic interview questions, the interviewee led the conversation, discharging my ethical responsibilities as an interviewer.

Grounded theory was at first attractive because it helped me to develop an approach through which I could attempt to set aside preconceptions based on lived experience. One through which the data informed the development of conceptual categories and through which I then developed a comprehensive review of the existing literature. Grounded theory as a research method also allowed me to explore the broad areas of ethics and governance without pre-empting the challenges, the questions or the potential solutions. I had initially struggled to define a question that would allow me to fully explore the breadth of ethical and governance challenges faced by leaders and practitioners in TNE and the use of grounded theory provided an approach to qualitative research that was flexible enough to allow for a fuller exploration of the subject whilst allowing for an ongoing analysis of the data, the ability to 'construct theories from the data' itself.

4.4 Research Design

My final research process is outlined in figure 5 below. The design is then outlined in more detail, referenced to that diagram in the numbered section that follows. The final design emerged as an iterative process as I listened, reflected on applied initial conceptual categories to my data, identifying trends and finding meanings through an adaptive process of analysis. I consistently attempted to identify and factor out any preconceived ideas. The semi structured interview processes generated rich data, I also looked to sectoral media, websites and other publicly available data in order to contextualise and gain a greater understanding of some of the experiences discussed in narrative provided in the interviews. The ability to go back to interview participants with points of clarity as the study progressed was also valuable and I did this on a number of occasions.

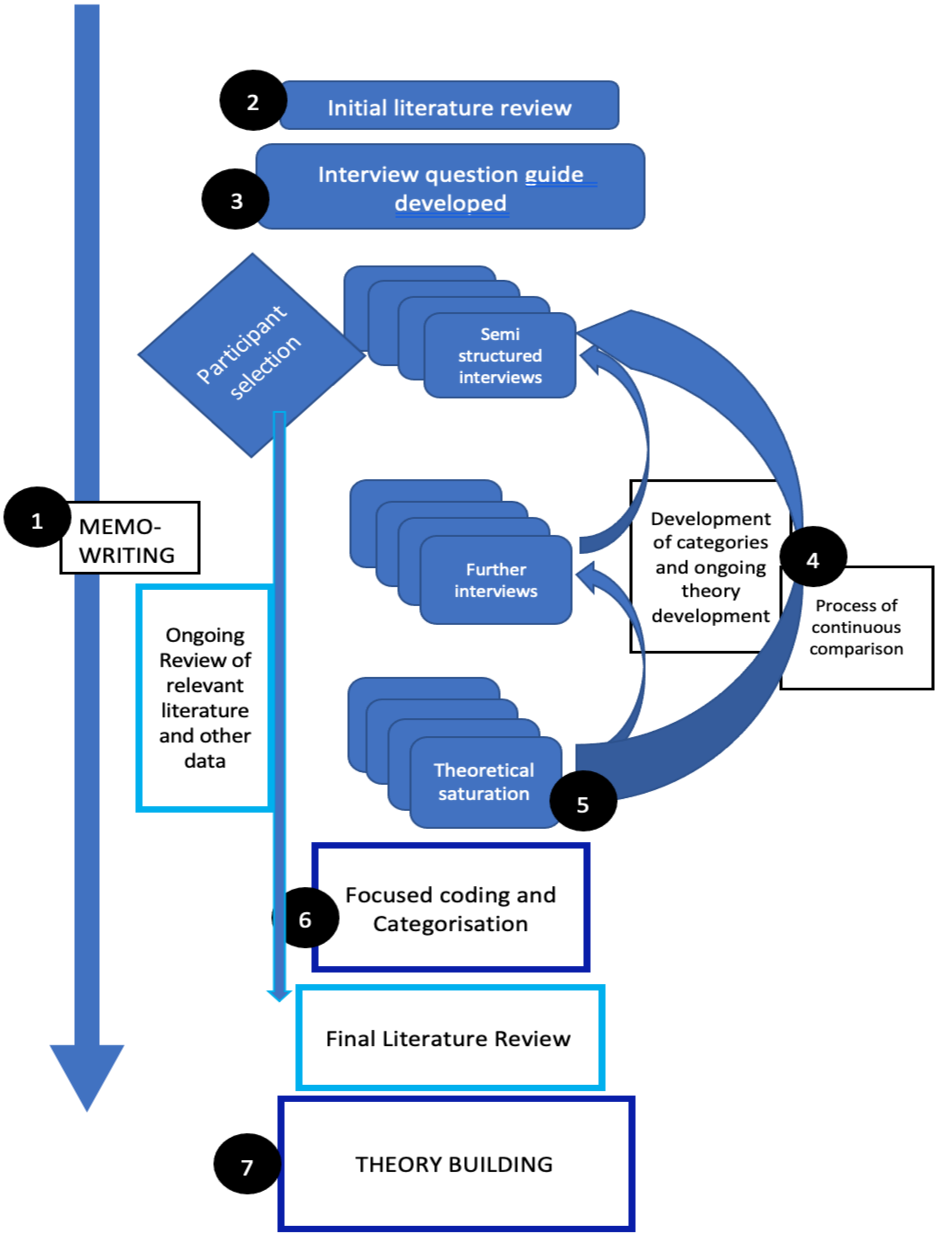

Figure 5: *Research methods design diagram*

1. Memo writing

One of the most valuable tools in the grounded theory process was the process of memo writing. I maintained a physical journal of the steps in my research, my observations, my thoughts and of emerging categories in the research. I also made notes on my phone and cut and annotated sections of literature, articles and other publications, sticking them into the journal. the later stage of the research I kept the journal with my interview transcripts.

Memos allowed me to reflect on the interview process, my engagement with participants, interactions that had gone well and areas of questioning that had felt less satisfactory. As I work in the field, it also allowed me to note down thoughts and reflections that emerged throughout the 18-month period of data collection and documentation and on practical experiences and encounters that impacted my thinking. I used both clustering and freewriting throughout the research process.

Whilst I didn't change the basic questions, I did change and adapt the way that I asked questions. A key observation is that my early interviews were more structured. Later as I became more confident, the questions flowed more naturally through interviews. That the research was undertaken at a time of global pandemic no doubt impacted both my thinking and the thinking of participants delivering international education at a time when countries have been locked down and the very delivery basis of international education challenged. The Covid Pandemic became a natural area of discussion from early in 2020. The death of George Floyd and the subsequent strengthening of the BlackLivesMatter movement also had some impact. Race and racism undoubtedly being at the forefront of many participants minds, perhaps, in a way that they might not have had the interviews been conducted at another time.

2. Initial Review of the Literature

My initial review of the literature focused on academic and grey literature on TNE, this is largely contained within Chapter 2, the context to the research. Whilst I did not complete the literature view until late into the writing of section 5 and when I had started to develop theories, the literature review was for me, an iterative process. This is at odds with Glaser and Strauss principles of grounded theory, that the data lead the researcher to new knowledge rather than attempting to build on previous knowledge and reinforces my approach as constructivist. Having written previously on the development of International Branch Campuses and on TNE in Malaysia, I came to the research with some prior knowledge of the academic landscape.

It was not however until the data had been fully analysed that I circled back and undertook a comprehensive review of the literature which supported the development of the frameworks in Chapter 5. For instance, coloniality and imperialism emerged as themes very early in the data gathering process but it was through the literature review that I started to consider decolonialty as a framework for the development and delivery of equitable partnerships in TNE. The reach of decolonial literature beyond curriculum and into areas of equality, access and commoditisation created an overarching framing for the most common categories of data and a useful lens through which to build practical frameworks.

I regularly reviewed a number of the commonly available higher education data sets throughout the data gathering process e.g., the annual Higher Education Statistics Agency (HESA) data release. This is evidenced in section 5.2.4 on access for example where I look to validate with statistics the slow growth in engagement in the Philippines by UK universities that had been discussed by an interviewee. I also looked to data analysis undertaken by University UK (UUK) and British Council for the same reason, to establish validity to the qualitative statements raised by participants.

3. Semi-structured interviews and the selection of interview participants

The process of interviewing is not covered well by Glaser or Strauss and Corbin but is picked up in some depth by Charmaz. According to Charmaz, Glaser (1978, 1998, 2001) did not transcribe interviews but instead relied on notes. Charmaz (2016), in referring to this objectivist approach (reliance on capturing emotion, perception, reasoning, etc. only during the interview process) in her own dissertation asserts that this approach did not adequately preserve participants tone and tempo, silences and statements, and the form and flow of the construction of the interview'. Hence, the constructivist approach to interviewing includes transcription. Figure 6 below, informed by Charmaz (2014, figure 4.1, p88), provides a clear diagrammatic representation of a constructivist approach to grounded theory interviews. The diagram links directly to the four theoretical concerns in the development of theory: plausibility, direction, centrality and adequacy, outlined in section 4.1.

The use of semi-structured interviews as a basis of gathering qualitative research data that reflects the personal experiences and perspectives of participants is well established. According to Charmaz (2006 p.28), intensive interviewing fits particularly well with a grounded theory approach because both are 'open-ended yet direct, shaped yet emergent, and paced yet unrestricted'. Interviewing allows for the in-depth exploration of an area in which the interview participant has substantial experience. Whilst some grounded theorists, notably Corbin and Strauss (2015) show a clear preference for unstructured interviews on the basis that they give the participant the greatest control 'to determine what subject to talk about, at what pace, in what order, and to what depth', an absence of any guiding parameters or framing was, for me, the wrong approach given the breadth and complexity of the field of research. Mishler (1986), in fact argues that the process of questioning and answering in itself relies on shared cultural assumptions, that the very process, the construction of the questions and of verbal and non-verbal communication influence the data. Corbin and Strauss also argue that the addition of structure to the interview process may also cause a participant to leave out detail on the basis that they felt the interviewer might not be interested in a topic or area not specifically covered by the interviewer.

Semi structured interviews however have the benefit of bringing some consistency and allowing for comparability of data. Flick (2018) notes the importance of setting the stage for interviewees by providing some basic framework and setting expectations around what is expected. Here some structure is helpful. For Flick, the challenge is in maintaining flexibility whilst formulating adequate questions to guide the participant. Ulrich (1999) poses a range of questions around the relevance and understandability of questions as well as the relationship between questions as a means of evaluating the likely effectiveness of interview preparation:

Evaluation of interview questions:

1 Why do you ask this specific question

- What is its theoretical relevance?
- What is the link to the research question?

2 For what reason do you ask this question?

- What is the substantial dimension of the question?

3 Why did you formulate the question in this way (and not differently)?

- Is the question easy to understand?
- Is the question ambiguous?
- Is the question productive?

4 Why did you position this question (or block of questions) at this specific place in the interview guide?

- How does it fit into the rough and detailed structure of the interview guide?
- How is the distribution of types of question spread across the interview guide?
- What is the relation between single questions?

(Ulrich, 1999)

Figure 6: *Evaluation of interview questions*

In line with my constructivist approach, I developed an interview question guide, drawing on Ulrich's evaluation tool. I designed questions that were open and broad, aimed at guiding the conversation within the parameters of the research topic but allowing the interviewee to respond in the broadest terms. Questions were high level, specifically covering the areas of governance and ethics in TNE but were also designed to explore the experiences and motivations of participants, allowing trends or patterns in the findings to be contextualised by the experiences of the participants. In line with the motivation to contribute to improvements in the ways that universities engage in TNE, I also asked participants to discuss how they had overcome challenges that they had faced and how they might address these challenges in the future. Candidate selection was criterion based. Given the ambition of the research to contribute to better management, leadership and practice in TNE, I had intended to adopt a criterion-based approach where selection was based on participants having substantial senior leadership experience in the delivery of TNE. I actively sought out participants that had delivered or facilitated some of the most significant TNE partnerships regardless of either the sending or host country. Significance was based mainly on the scale of the TNE operation but I also actively sought out those that were known in the sector for leading complex TNE arrangements and those that had managed high profile challenges including closures. Sixteen of the 22 participants interviewed met the criteria in full in their current roles.

However, part way through the data collection process, and in response to recommendations by participants, I chose to widen the approach. And so, there was an element of snowball selection. Firstly, I chose to interview two participants that had made active decisions not to engage in TNE. Both were senior leaders in the higher education sector and one had previously delivered substantial TNE partnerships but had made a decision that engagement in TNE was not right for their current university. Those participants had both led international partnerships in previous universities. They brought a fresh perspective and undoubtedly enriched the data, contributing in particular, to a fuller understanding of the ethical and operational challenges of TNE.

Additionally, and following an interview with one senior leader that had previously worked for a sector body in facilitating TNE partnerships at a sectoral level, I also decided to seek out further participants that had had similar experience. These individuals brought a broad perspective of managing the interactions of several universities with new and emerging policy environments in host countries. Their perspective was one that was often informed by the impact of TNE providers on the ambitions of host countries.

The initial interview questions were designed to be directed at senior leaders in Higher Education sector.

1. Could you tell me a little about your range of experience in Transnational Education? Which countries and what models or modes of TNE you have worked with?
2. What are your motivations for engagement in Transnational Education initiatives? Both institutional and personal?
3. In delivering TNE in country, how have you engaged locally as an institution (in your current and previous roles)? And how if at all have you adapted?
4. Could you briefly describe how TNE is governed within your institution?
5. How does this link with institutional governance and strategy?
6. And turning now to the complexities of engagement, what ethical dilemmas has TNE posed for you and for your institution? What is the most significant ethical dilemma you've faced?
7. How, if at all, have you overcome them?
8. What could you have done differently?
9. Looking to the future, are there new models, ways of working or geographies that you will look to in the future?

Over the 18-month period of data collection, Covid 19 hit and I moved to interviewing entirely online using MS Teams. Around half of all interviews were conducted online. Something is undoubtedly lost in an online interview. It is more difficult to form a connection with the interviewee. Body language, changes in tone or volume of voice, periods of quiet or reflection all help to bring an emotional context. There is a meaning, a sensemaking that comes with observing some of those physical responses and that is simply more difficult when you have a limited view of the participant. In total, I interviewed 22 participants over a period of 24 months.

4. Sampling, initial coding and theory development

I commenced interviews in mid 2019, initially planning the first four interviews, all of which I was able to conduct in person. Initial interviewees had all held significant roles delivering major TNE initiatives. Some of the most experienced individuals in the sector, all had worked at Provost, Deputy or Pro Vice Chancellor level and with direct responsibility for the TNE agenda in their institution/former institution. The four interviews were conducted within a few weeks of each other and transcribed immediately. I maintained notes, observations and reflections in my journal, particularly capturing: tone, emotions, engagement levels but also reflections on the interview process and my own practice.

I continued to interview in participants in blocks of 3-4, transcribing and analysing data for emergent themes and patterns. An iterative process, for early interviews I did attempt to use NVivo as a tool to support analysis but found that it created distance between myself and my data. My analysis process was a physical one with highlighters, post it notes and many printed copies of each transcript. I also listened and re-listened to recordings. Without doubt, the participants tone of voice, hesitations, emphasis and other verbal indicators were critical in understanding the emotional engagement in complex and often conflicted areas. For example, one participant whispered whilst they talked about concerns regarding fraud. There was often an increase in volume and pace of speech where the participants described inequality or injustice. Verbal indicators became a strong indicator of not only strength of feeling but also discomfort and concern. This enabled me to gently probe those areas but also to capture areas of greatest relevance, particularly around ethical dilemmas, in my analysis.

5. Data saturation

On reflection, I arguably reached data saturation relatively early in my interviews; certainly, by the time I concluded the 4th block of interviews all of the key categories of data had been established. Those themes were consistent, referred to varying degrees by the majority of participants and arose from what became clear were common experiences. The data highlighted similar, lived experiences and challenges in the leadership and delivery of TNE. Further interviews, however, brought context: stories and rich narrative to support the development of categories. Those stories gave meaning and context to the themes and helped to create meaning in the data. Data arising from the interviews also highlighted conflicting perspectives and opinions. Over the course of 24 months and with over 25 hours of transcribed interviews, participants provided candid responses and rich examples through which I was able to gain empathy and understanding on often sensitive and confronting experiences.

Ultimately all interviews contributed to the understanding of what is a complex and contested space. Interestingly one particular incident, the reaction of the Malaysian government to a gay rights activist visiting a branch campus was retold by two participants. Whilst the event was described in broadly similar way, the emphasis and positioning of the event was slightly different. It was in these examples that I sought to understand the complexity. Dey (1999) described saturation as 'imprecise' and this was certainly my experience. Each new participant brought stories that helped bring perspective and greater understanding to emerging themes but I would agree that during any interview process, it surely has to be conjecture that all of the categories have emerged and that there the properties of those categories are fully articulated.

6. Focused coding and categorisation

Coding and the formation of categories were for me a highly iterative process. It became evident early in the interview process that many if not most of the themes were interconnected and overlapping. The PESTLE (Political, Economic, Social/Cultural, Technological, Legal and Environmental) framework (see table 1) which you see in the later framework development section of the thesis was particularly helpful in reviewing and working through those interdependencies and connections in the data. I used diagramming to track connections in the data. Alongside the physical notebook in which my emerging themes were noted, drawn and otherwise collated, I developed and maintained an electronic table in which I grouped quotations from the interviews into emerging thematic areas. I annotated the table, used colour and connectors to highlight dependencies and started to develop narrative which would ultimately be transcribed into the finding section. Eventually it was this, rather than the physical memo that was key to the final focused coding and categorisation process.

I moved between interview data and other sources of evidence, both online and in the grey literature. I validated concepts by returning to the sources of publicly available sector data (for example UUK and HESA data). And I started to explore themes within the research as I worked towards my final interviews, coding and categorising themes and exploring their correlation with published materials.

7. Theory building

In building theories, I returned to my original ambition for the research, that it provides tools or frameworks to improve practice. Here I sought to develop frameworks that would have practical application to engaged in the leadership and management of TNE and as a result to students engaging in higher education through TNE. There are no comprehensive theoretical frameworks through which universities can explore holistically the risks, challenges and opportunities of engaging in TNE. I have found none that promote discussion on the ethics and governance of TNE, including frameworks through which senior leaders and Boards can express the boundaries of engagement across social, ethical, cultural and other complex geopolitical frames. It is here that I focused my theory building.

Early in the data collection, it became clear that there was a tension between national settings: the home and the host (e.g., Wilkins 2017) and I started to view data, the lived experiences of senior leaders in the sector, as being rested at home or within the host environment. This became a clear framing for the development of theories fairly early on in the theory building process. The idea of the ‘home’ context as being within the control of the university and the ‘host’ environment as being a situation to be navigated was helpful in assessing the challenges, particularly the really challenging areas in which there were ethical and human rights challenges associated with delivery. The context of control was one which felt particularly relevant to leadership and governance of this complex sector. It became relatively straightforward to consider individual examples and scenarios through this lens.

Coloniality was a consistent theme and in the research and this led me to the body of literature which connects postcolonial and - less well developed - decoloniality to transnational education. Key concepts in the literature were then used to further develop theories, particularly focusing on:

- Home: decoloniality as a framing for self-reflection and criticism in the areas within the control of the institution.
- Host: situational analysis of the host environment
- Leadership and governance: as the underpinning mechanisms through which a more ethical, relevant and considered approach is taken to TNE.

4.5 Research participants

Participants came from across the international higher education sector including leaders from the UK, Australia, America and Africa and from a variety of universities including Russell group, Ivy League, Red Brick, and Post 92. They included five Vice Chancellor/Provosts, eight current or former Pro Vice Chancellor Internationals, five Directors of International, and senior leaders in sector bodies and 2 'in country' Academic Registrars. Participants had in common a significant level of experience in the delivery of TNE, including four that had worked at Chief Executive level in a branch campus. Most had significant experience of developing large and substantial TNE portfolios. Even the two interviewees that were interviewed on the basis of an active decision not to develop TNE within their current institutions had former and significant experience in developing international partnerships.

Whilst the basic format and questions did not change greatly throughout the interview process. The target audience did. In many instances, interview participants would make introductions to colleagues that they felt had experience that would support the study. For instance, early in the process I was recommended an interview participant that had chosen not to engage in TNE. Ultimately this led to one further interview of a senior academic leader that had decided not to engage in cross border education activities. The data gained in those interviews was as insightful as engaging in conversation with participants that had delivered significant TNE activities. In particular it highlighted the challenges of TNE, including the ethical challenges and how decisions had been made in relation to approaches by international partners. For these participants the questions were tailored and more specifically sought to understand the motivations for nor engaging and explored whether the decision had been informed by ethical or governance-based considerations or experiences.

Following an emerging theme around academic standards and student experience, I took an active decision to interview two members of staff that had worked in country in senior academic registry leadership roles (Academic Registrar or equivalent). Those participants brought knowledge of academic governance, quality and accreditation. A recurrent theme in early interviews was the challenge of delivering an equal student experience, of overseas accreditation and these participants allowed me to explore those areas although, again, the format of the questioning remained broadly the same, the perspective of the participants was rested in academic regulation and curriculum. This allowed me to questions more deeply some of the issues and challenges that had been raised in those areas.

Ultimately, interview participants fell into four broad categories:

1. **Senior Institutional Leader (SIL):** senior leaders in higher education VC/Provost/DVC/PVC with responsibilities for TNE.
2. **Sector Body Representatives (SB):** those working in senior roles in sector bodies including UUK, the British Council, and other international education sector bodies. All individuals that are engaged in delivering government policies and strategies relating to education exports and/or the development agenda and all involved in facilitating and developing TNE.
3. **Senior Professional Service Leaders (SP).** Director of International, Registrar or equivalent. These participants brought management and senior operations experience and perspective rather than academic leadership experience. For example, they managed the operating environment including academic quality and regulation.

Where candidates had held several relevant roles and had discussed experience in those roles during the interview, I refer to them (SIL, SB, SP) using their current or most recent position. I have provided more detail on participants in the table below. It is potentially not a complete reflection of participants experience in the field but drawn from responses to the interview question:
'Could you tell me a little about your range of experience in Transnational Education? Which countries and what models or modes of TNE you have worked with?' Where there was any lack of clarity, I also referred to individuals published biographies.

Ref.	Relevant experience	Home Institution location/s	Host country/regional expertise/ experience	TNE mode (using HEAS categories)
SIL01	Pro Vice Chancellor International Director International	UK	ASEAN China	Collaborative provision Franchise Branch Campus
SIL02	Provost	UK	ASEAN USA China India Africa	Collaborative provision Franchise Branch Campus
SIL03	Provost and Deputy Vice Chancellor International	Australia	ASEAN Africa	Collaborative provision Franchise
SIL04	Provost	Australia	ASEAN,	Branch Camus AW
SIL05	Provost	Malaysia	ASEAN	Branch Campus SW
SIL06	Provost	Ireland	ASEAN	Branch Campus Collaborative provision SD
SIL07	Pro Vice Chancellor International	Australia UK Ireland	China Hong Kong Sri Lanka Europe (Spain)	Collaborative provision
SIL08	Vice President Vice Principal International	UK	China	Collaborative provision
SIL09	Director Research Institute	UK/China	China	Collaborative provision
SIL10	Pro Vice Chancellor International	UK	China ASEAN USA	Branch Campus Collaborative provision
SIL11	Vice Chancellor	UK Africa	Africa	Collaborative provision
SIL12	Deputy Vice Chancellor International	UK	Middle East ASEAN South America Europe China Sri Lanka	Branch Campus Collaborative provision Franchise
SB01	British Council Director Deputy Vice Chancellor Global	Australia	Global experience	All modes
SB02	UUKi/British Council Director	UK	Global experience	All modes
SB03	UUKi/British Council Director	UK	Global experience	All modes
SB04	UUKi/British Council Director	China	Global experience	All modes
SP01	Director International	UK	China ASEAN Africa	Collaborative provision Franchise CB
SP02	Director Global British Council Director	UK	Middle East ASEAN Australia	Branch Campus Collaborative provision Franchise PC

			Korea Europe	
SP03	Director International	UK	ASEAN Carribean Pakistan Bangladesh Sri Lanka	Collaborative provision Franchise MH
SP04	Director Global Vice President International	Australia	Africa ASEAN China Middle East	Branch Campus Collaborative provision Franchise TS
SP05	Director Global	USA	ASEAN	Collaborative provision
SP06	Academic Registrar/Operations Director	Canada UK	China	Collaborative provision

Table 1: Interview participants

In line with the ambition of the research to provide a comprehensive framing of the pervasive challenges of operating, leading and governing TNE, interview participants were intentionally drawn with a wide range of geographical experience and experience of the modes of TNE. They were selected for the depth, breadth and seniority of experience in the sector.

4.6 Summary

Within this chapter I have provided an overview of the development of grounded theory from its early and more rigid beginnings with Strauss and Glaser (1967) to constructivist grounded theory (Charmaz 2006). I have presented my rationale for adopting grounded theory as the method for research and my reasons for adopting a constructivist approach, situating myself in the research (4.2). The chapter includes a diagrammatic representation of the research method (figure 6) which is referenced to stages of the process. It also includes information relating to the rationale and experience of interview participants. In chapter 5, I present the findings of the research.

5. Findings

5.1 Introduction

In this section I present the findings from the collected data and emerging categories. It is in section 5 that I go on to develop frameworks and theories from the data. In particular, I bring together a comprehensive practice-based theoretical framework for the development and leadership of TNE that acknowledges the complexities of coloniality and human rights, alongside the financial, operational and reputational complexities that are already well documented in the literature. Two broad areas were evident in the analysis of the data. The first, within the control of universities, related to the governance and leadership of higher education, they characterise the values, ethics and approach to TNE from within the home university and can broadly be defined within colonial/decolonial narratives. 'Recoloniality' is also a phrase which has found resonance through the research. It is not phrase which I have found within the academic literature but one which has relevance given the nature of TNE and its place in former colonies. Despite emancipation, those colonies are now colonised through knowledge, culture and identity that comes with embedding western systems of education in the 'Global South'. This is picked up in more detail in the discussion.

The second is situational and relates to the environment in which TNE is delivered. This includes ethical issues such as the human rights record of host countries but also the legal, religious and socio-cultural environment in which TNE is delivered. Both present major obstacles to the effective governance of TNE and to the development of equitable cross border partnerships.

The data is organised into those two principal areas. Within the area of coloniality, four clear sub themes emerged: 1) cultural hierarchy, 2) curriculum, 3) quality and the student experience, and 4) access. In exploring the human rights and inequalities raised by participants in relation to TNE, there were three well discussed protected characteristics: 1) sexual orientation, 2) gender, 3) race and racism. Other protected characteristics, for example, religion were raised but with less frequency and fewer clear examples were provided. That said, religion is no doubt one of the underlying reasons for challenges around sexual orientation and gender in particular. There were a series of related and also interconnected themes in the data: 1) commoditisation, profit and the link with brand, 2) fraud and corruption and 3) academic freedom were also raised by several participants. These are also outlined. The themes are interconnected and together form a complex social and political frame through which TNE is delivered. Whilst these dependencies make it impossible to entirely segregate the data into clear categories, in this chapter I largely report on the above themes in the data. It is in the subsequent discussion and framework development chapters that the connections and interdependencies are more fully explored.

Finally, and of particular importance to the objective to create meaningful practice-based recommendations on the leadership and management of this complex areas of provision, there is a section which explores the data in relation to governance in TNE. The fundamental question in relation to the data, and the question that opens up the research to having real and practical impact is: how do the findings inform more effective, informed and ethical leadership and governance of TNE? Figure 6 provides and overview of the themes through which this findings chapter is structured.

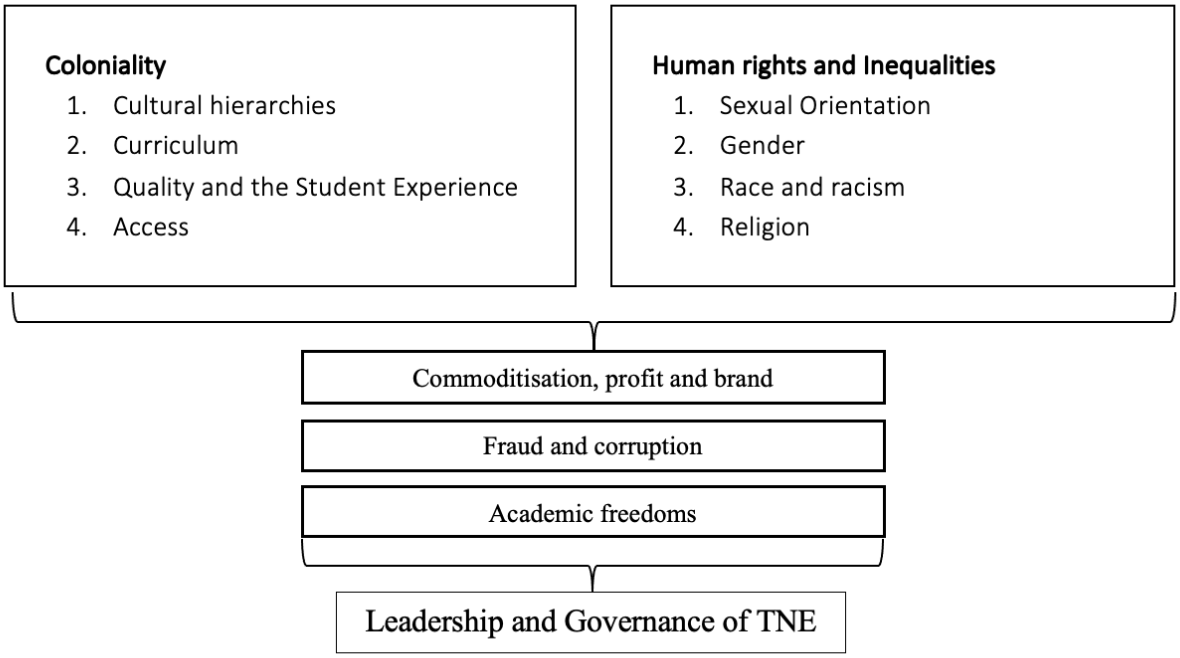

Figure 7: *Themes and format of discussion*

5.2 Coloniality

5.2.1 Cultural hierarchies

Cultural hierarchy, coloniality and imperialism were consistent themes in the data, being referenced by a majority of interview participants (17 of 22). A number of sub-themes relating to coloniality and cultural hierarchy were evident in the data and are explored in this section of the findings:

1. Academic staffing and cultural hierarchy:
   The complexity of staffing, particularly academic staffing across national borders and the creation of hierarchies within the academic community.
2. Western culture as an emblem of success and power:

Explores the impact of desire from within a country for western education as a symbol of success and elitism.

3. The potential for TNE to undermine local systems of higher education sectors and to negatively impact national development strategies.
4. Anti-colonial opposition to TNE
5. Intercultural competence

5.2.1.1 Academic staffing and cultural hierarchy

Staffing of cross border education is an area of particular tension and one through which complex issues of cultural hierarchy were articulated. SP04, a senior professional service lead with experience of leading large international offices and of establishing significant ventures across several continents on behalf of both UK and Australian institutions, discussed 'educational colonialism' in relation to the development of overseas partnerships. They described 'terribly colonial attitudes' and referred to examples of delivery that they described as operating as if we were still in 'the world of the British Empire'. SIL04, drawing on the experience of leading an International Branch Campus in Malaysia described the pervasiveness of a 'colonial mindset', referencing it as the most contentious and difficult area of discussion in managing the overseas entity. They particularly referenced hierarchical relationships between academic staff at the home campus and those that delivered at the branch campus, referring to mistrust arising from perceived 'capacity differences.' SIL04 asserted that mistrust had led to a directive approach by academic colleagues from the sending institution towards those employed locally:

> [there is...] 'a degree of mistrust and a degree of, well, just make sure they deliver the content right…. rather than seeing people as a transnational education resource'.
>
> SIL04

They noted that 'undeniable differences in the research record of staff' had contributed to a perception that locally employed staff were less capable of teaching: ''there is a perception and a reality that, to some extent, they are second class citizens'

Additionally - and raised by a number of participants - is the fact that academic staff seconded to overseas TNE partnerships, or branch campuses are currently excluded from being returned to the UK Research Excellence Framework (REF). The REF assesses the quality of research in UK higher education institutions and in many ways crystallises the research status of individuals, subject areas and universities on a roughly six-to-seven-year cycle (2001, 2008, 2014, 2021). Exclusion from the REF is likely to be detrimental to career progression in many universities where academic colleagues are judged on research performance as well as teaching ability. SIL04 described his university's strategy to create one globalised institution in multiple national settings but where the opportunities available to 'for research funding, for equipment, for so many things are so much less', noting that despite this, the promotion criteria are the same. There are no such studies around the impact on research performance of those working overseas and in TNE.

This no doubt limits the career potential among seconded and permanent academic staff in TNE provisions. It requires those with a significant research profile to step away from the main mechanism for measuring individual, unit and university success in research. Participants highlighted mechanisms that had been developed to ensure that staff in branch campuses were able to return to the REF.

> 'I think they played a little bit fast and loose, but I know they returned (redacted). What (redacted university name) did in the past was the one year eleven months secondment. So (redacted university name) kind of played the game.'
>
> Undisclosed

SIL03, a senior academic leader in TNE, described scenarios in which academic colleagues refused to partner outside of arrangements with highly ranked institutions out of a need to maintain their status and place within a hierarchical system. For example, they talked about a discussion regarding a potential new teaching partnership in Singapore and in which faculty were clear that they would only partner with the National University of Singapore (NUS - ranked 11th in the QS world ranking) being the highest 'ranked' institution in the country. The faculty themselves worked within a university that ranked somewhere close to 400th in the QS table but had a perception of status in which they saw an equal partnership as being with NUS only.

5.2.1.2 Western culture as an emblem of success and power

A particularly uncomfortable narrative in the research was the desire for western knowledge, culture and education as a mark of 'elitism' from within the Majority World. It was a view expressed by multiple participants and covering multiple national/regional settings: Malaysia, China, the Middle East. That desire manifested itself in the data in a number of ways. The first is connected with the complexities of academic staffing discussed above. Participants highlighted a desire by students, parents of students and ministries of education for students to be taught by western academic staff.

SIL01 talked about expectations, particularly in their experience of working to establish Chinese TNE partnerships, that staff would look British. They talked particularly about the importance of leadership of overseas ventures appearing to be British in origin, despite academic staff on the home campus being 30% international.

SP04 referred to local educators seeing British coloniality as a trademark of quality and went on to talk about their experience of attitudes and language that resembled a British coloniality of a century ago, of 'cravat wearing' and of wanting the 'gloss' of the British brand. They went on to describe local demand for an education system based on antiquated, outdated notions of British culture based on an era of coloniality. SP02 in discussing their time with the British council in Malaysia, they raised the complexity of brand and values in selling UK Higher Education overseas. They referred in particular to the complexity of employing local staff to represent what is British in brand and 'the irony of having values that came from British culture and then trying to say to the Malay staff or the guys in Taiwan or the guys in Australia, you've all got to conform to this set of values' whilst at the same time promoting the UK as culturally inclusive and adaptive to local needs.

It is clear from the data that the value placed on overseas education by individuals in emerging economies allows Western universities to easily attract and retain students onto TNE programmes. SP06, in recounting the experience of managing the academic and regulatory function of a UK institutions major collaborative venture with a Chinese university, reflected: 'we wouldn't have got a single student if we weren't issuing a UK degree'. This is certainly something that resonates with my own experiences of delivery in Malaysia: one of the most commonly asked questions by prospective students being whether the degree certificate would be issued by the University of Reading or the University of Reading Malaysia. The legitimacy of the wholly-UK brand was critical in recruitment and inextricably linked with the notion of quality. Of course, no one has argued that UK, USA or Australian TNE sectors would want to deliver anything but excellence, however, there was a sense in the data that a western higher education in some ways impart a western lifestyle. For example, SIL09, a senior professor managing a Chinese research laboratory and delivering masters level degrees in bio medical and related degrees from their home in the UK, talked about Chinese parents buying 'a different life for their kids. No-one's gonna say it but that's what they've paid for'.

There are less overt but still telling comments in the data that point to a hierarchy of cultures in the TNE space. SP05, a senior leader in an Ivy League university described a student body that was being prepared for a global future: 'Our fourth century was really about the global university…. our students in virtually every programme… in their careers and lives (are) going to be working around the world'. Later in discussing the low levels of student mobility from her university, she questioned why domestic students would want to travel outside of the US campus 'I got into this place to study with these professors here. I only have eight semesters, why would I go anywhere else'. This quote implies a view of US universities as observers and directors of the global economy rather than active players in an equal social system.

5.2.1.3 TNE undermining local infrastructure and development

A number of participants raised concerns regarding the negative impact of TNE on local higher education systems and infrastructure. SP04, a former DVC International with experience in the UK and Australia, raised concerns regarding 'cultural historical issues' and discussed the potential for transnational education to become a mechanism for 'feeding off other systems.' They referenced a number of negative experiences of working for UK institutions to establish TNE partnerships they felt stemmed directly from imperialistic attitudes and described a predatory approach to student number acquisition by universities in the 'Global North': an approach that they felt undermined local university providers. SIL11, a Vice Chancellor with experience in both the UK and South Africa commented that 'everybody commits but fails to deliver equitable partnerships' because universities are 'trying to create equitable partnerships in an inequitable world':

> The dilemma of higher education and international partnerships, is that you try and everybody is committed to doing equitable partnerships. But they're not really, very equitable. And the reason they're not is not because of some malevolence, on the part of the individuals doing it, it's got to do with the fact that you tried to create equal partnerships in an unequal world
>
> SIL11

He went on to say that in attempting to deliver equitable partnerships most universities had addressed the form rather than the substance of the challenge. That they had looked at greater equity in the formation of partnerships or explored the mode of study but had failed to address the underlying inequity in the system, one that rested on unequal resources.

Referencing a study undertaken by Abdoulaye Gueye (2019) for the African Union and funded by the Carnegie Foundation which looked at migration patterns, SIL02 discussed the impact of brain drain in the Majority world. The study particularly explores the impact of national policies to send students overseas as a capacity building mechanism and the unintended consequence of individuals not returning to their home country post qualification. This mobility pattern aggravates the development agenda, particularly in an increasingly knowledge based global economy. A policy instrument that was intended to improve mainly scientific and medical progress has in fact removed talent and with-it knowledge from the country.

SIL09, talked about the resources being committed to repatriating academics back to China, reversing brain drain. They referred to China as being ‘very nervous about haemorrhaging’ talent and about China ‘paying them enormous amounts of money’ to return. Chinese academics had, by this point, been able to live and work outside of communist rule and for example, to return with a second child. For the majority of interviewees, TNE was one possible solution to brain drain, providing increased capacity in constrained systems and allowing students to remain in their home country to study. This, however, was not seen as being a strong enough reason for engagement in an unequal power system, particularly by participants representing African countries. SIL02 in particular raised the power of connected universities working together. In a world where the greatest challenges are global in nature (pandemic, climate, food and water scarcity), global and partnered solutions are required. The loss of talent from the Global South to the Global North perpetuates global inequities but that is also true of a system that reinforces Western power and knowledge.

5.1.2.4 Anti-colonial opposition

Western education did not, however, come through as having universal appeal. Interestingly, colonial legacies and cultural hierarchies were also referenced as a barrier to the development of effective international partnerships and therefore to the capacity building potential of TNE. The data pointed to historical legacies that have undoubtedly impacted the ability of Western universities to have meaningful dialogue with some emerging economies. Despite capacity issues, Nigeria, for instance, has been resistant to TNE, ‘there is pride amongst Nigerians and they’re also very conscious of the colonial past…. they feel that day in day out’ (SB01). The same participant referenced anti colonial sentiment as being a barrier to other ‘nationalistic jurisdictions’, noting that Vietnam, Indonesia, India, are hard places to penetrate, not to mention Africa’.

SIL11 referenced ‘racial essentialism’ from within the developing world as a challenge to equitable partnerships. The identification and empathy for similar racial groups overriding the sense of collective humanity, particularly against a backdrop of colonisation: violence and slavery by Western powers. Discussing Africa, they highlighted anti-colonial sentiment that prevented the development of even equitable relationships and was a significant barrier to any partnership with the Global North, even those that had strong local and national benefits. They discussed capacity in UK medical schools and the desperate need for doctors in Africa. They described a 'national chauvinism', that they felt had arisen in response to former oppressive regimes in Africa, as a barrier to better healthcare. A fierce independence and resistant to further Western intervention.

In discussing a major Chinese partnership, SPL04 described the Chinese partner as being less engaged than the UK TNE partner: 'they were tolerating us but they didn't really care about us much'. They described the partner as being aware of their own strong reputation in China and did not having the need for the UK partner in order to be successful. Support for the UK partner and the partnership more generally had, in this instance, come from the local city government in support of their regional development agenda. In a region with economic development running at twice the rate of many Chinese cities, SPL04 said of the city government that they rather than the university partner 'had the energy that helped us be where we wanted to be and they were the ones that showed the initiative in building student accommodation and thinking through the complexity of regulations around the mixing of international students and local students.' Here, TNE was no doubt part of a regional development initiative but the narrative conflicts with the earlier narratives around desire for western culture and so partnerships.

5.2.1.5 Intercultural communication

Cultural difference as well as cultural hierarchies emerged as potential barriers to the development of successful TNE partnerships. SIL01 described the cultural complexities of working in China:

> 'Working in China is not knowing, both sides thinking they've agreed the same thing in a meeting but actually having a different understanding.'
>
> SIL01

Highlighting business culture and etiquette in China, they also talked about how important it was to protect the relationships of senior staff from challenging areas of debate or negotiation. The challenge of intercultural communication was also raised by SIL05 in relation to their time in Malaysia, they talked about the complexities of delivery within a culture where it is impolite to say no:

> 'it's the old 'can, can-can' from Malaysia. Can we do this? 'Can'. Which might mean cannot, but it might mean can-can, which is a definite yes'.
>
> SIL05

This is particularly evident in environments where there are unequal power relations. The culture is to say ‘can’, regardless of whether something is possible in policy, resource or regulatory terms. Conversely, SP06 talked about the challenges of engaging with British culture: ‘I’ve found the conversation and discussion around the table very, very compromised. And sometimes the politeness and the political correctness means you cannot have a straightforward direct conversation.’

Discussion on intercultural communication highlighted the need for local staff to be a fundamental part of the delivery and leadership in TNE. The very people who understand the culture and can navigate cultural complexity. SIL01 for example talked about the importance of local knowledge referring to ‘ambassadors’, and to the critical role that local employees play in understanding culture, particularly at the start of ventures or as members of founding teams. This is an approach which is supported in the across research participants. The need for openness, transparency and effective leadership skills in a transnational setting were seen as being critical to successful delivery. This particularly related to the need to ensure open discussion and transparency regarding the objectives, motivations, benefits and perhaps most importantly, the constraints of both partners. Without this, the evidence suggests, inequalities are more likely and ultimately the partnership is more likely to falter. That conversation requires strong intercultural competence and intercultural communications. Intercultural competence is a key theme and is picked up again in the analysis of data relating to coloniality and curriculum. I was surprised by the lack of reference to intercultural competence. Many participants referenced challenges in communicating across cultures but none specifically talked about the development of intercultural practice. This despite there being a question around adapting and changing to deliver in new environments. It points towards a developmental need for future TNE.

5.2.2 Curriculum

With curriculum the primary vehicle for the dissemination of knowledge, it is unsurprising that the data pointed towards areas of significant complexity for TNE delivery. State interference in curriculum, coloniality and the reliance on western knowledge, employability and language were raised as controversial. And they all point to a tension between local and global understanding of knowledge.

5.2.2.1 Compulsory curriculum

Participants identified a number of compulsory elements of curriculum in delivering TNE in-country. Some contextualisation of curriculum is regulatory, for example China’s requirement for degrees to be four years in duration or Malaysia’s requirements for minimum face-to-face contact. They are designed to bridge the gap from secondary to degree level teaching. Many relate to quality assurance and accreditation and no participant raised any queries relating to these practices; some welcomed them as part of the development of a reputable sector.

However, state involvement in compulsory curriculum was raised by participants with knowledge of TNE in both Malaysia and China. The regulatory frameworks of both countries include compulsory adaptations or additions to degree curriculum. In discussing the content of Chinese 'core curriculum' SB04 said that there are things that 'the UK public and government would probably not be completely comfortable with'**.** In China, for example, a two-month period of military training is a compulsory element for first year undergraduate students. The training applies to all Chinese citizens, regardless of gender, ethnicity, religion, race, or education being required to perform military service in the People's Liberation Army. SIL01 talked about the teaching of the philosophy of Mao Tse-tung as being alien to UK academics but that 'they might approve actually'.

Malaysia degree programmes must contain what SIL01 described as 'add-ons', 'supernumerary programmes that students have to take'. These are modules that are required to be delivered as part of degree curriculum. All students, including international students are required to take four 'general' units, collectively termed Mata Pelajaran Umum (MPU), a requirement of Act 555, the Private Higher Education Act 1996:

- U1: Appreciating philosophy, values and history (international students can take a variable module in 'Malaysian Studies' which includes elements on the culture and religion of Malaysia but not the Malaysian language requirement)
- U2: Mastering humanity skills
- U3: Broadening knowledge about Malaysia
- U4: Developing practical community-minded skills

The MPU is managed by the Malaysian Examination Council, part of the Ministry for Education. For all modules, the curriculum content is prescribed and passing all four modules is a graduating requirement. The MPUs include life and practical skills including leadership, innovation and decision-making as well as practical exercises aimed at developing community mindedness through the organisation of community-based projects. No one argued that these elements were inappropriate, and they were paralleled with some of the university competency certificates e.g., the University of Reading's Experience and Development,' RED' award: an extra-curricular certificate demonstrating learning and engagement in the development of employability skills for new graduates. Participants talked about the additional work pressure that these modules created, particularly the Malaysian language module for international students and non-Malay speaking Malaysians (Chinese and Indian Malay) but SIL02 said that they had been able to embed some of the more practical elements into years 2 and 3 of undergraduate study. Others clearly left the additional modules as add-ons.

More challenging is MPU U1 which includes elements of learning on 'ethnic relations and Islamic/Asian civilisation' (TITAS). The module was paralleled with religious instruction and there was undoubtedly some discomfort in the participant population on the inclusion of Islam instruction as a compulsory element of a UK degree. The discomfort arose in no small part out of the ethic make up of those engaging in the private higher education system in Malaysia. With public university places being prioritised for Islamic Bumiputera students, the student body engaged in TNE was largely Chinese with some Indian students.

SPL05, an expert in Academic Registry, described an approach to quality assurance arrangements by the university for compulsory elements of curriculum in China that they felt was less rigorous than that which was applied to other elements of the curriculum. Suggesting that engagement in the delivery of compulsory national content was more tokenistic than embedded. Mandatory curricula that is irrelevant to the West was viewed by participant SPL05 as being delivered in a minimalistic way. It resonated with others use of phraseology relating to 'add-ons' or 'supernumerary elements' of curriculum and is a concrete example of 'the West' paying less attention to locally prescribed curricula, so, dismissing local knowledge and context. This suggest a bias in TNE practice towards western knowledge and power but it also highlights the contested nature of knowledge and the discomfort with which western universities teach areas that are at odds with their own culture and social norms, e.g., teaching Islam or Chinese philosophy.

5.2.2.2 University 'Central' Control

It is perhaps that complexity as well as concerns regarding quality that have led to a tension between the home and overseas offer. It's a narrative that is reflected well in the data and one which clearly remains an issue (e.g., Healey and Wilkins 2017, Healey 2015). This feels at odds with the narrative that leadership should be open, transparent and adaptive to new cultural environments. This tension was particularly relevant in relation to autonomy over curriculum and pedagogy. Few would argue that it is right to simply lift and deliver UK content in a different national context. At the very least, case studies and other contextual information need to be relevant to students. It is perhaps not surprising, given the seniority of the participants, that there were few practical examples of the adaptation of curriculum. But where they were provided, they generally talked about adaptations having taken place over time. Some examples are given below, but given that few VC/PVC level staff continue to teach and so it seems appropriate that comments relating to curriculum were broad and at the institutional level. SIL04 described ‘faculty academic conservatism about the control and management of curriculum’. They described a control of curriculum delivered - in this example - at a well-established and branch campus.

> I suppose it’s an inevitable part of the history, that we picked up the curriculum from Australia and delivered it here’…. ‘I think it still continues, we still have lecturers here who will get emailed a set of PowerPoint slides today and deliver it tomorrow.
>
> SIL04

Interviewees referred to a ‘localisation’ of curriculum, particularly case studies used in teaching. They described a range of adaptations, some that were as simple as ensuring that case studies were based on organisations that students would recognise, ‘Aeon’ replacing ‘Tesco’s’ in Malaysia, for example. Some examples related to ensuring that policy and national legal frameworks were appropriately updated in curriculum. Some content changes were more substantial and related to geographical and national relevance. SIL02, for example, discussed the relevance of heat transfer in engineering: ‘If you’re teaching issues around heat transfer in engineering, your examples in the UK might be about keeping buildings warm, but in Malaysia it would be about keeping buildings cool – still heat transfer’. ‘In teaching financial monetary economics, you wouldn’t teach UK monetary policy, but you would teach Malaysian monetary policy’. In these examples the learning outcome became the measure of quality.

Several participants described a transition or evolution in relation to curriculum, from a position of quite literal replication in the early days of engagement to one where curriculum was now more relevant to ‘local context and society’ (SIL06). We ‘started with a perspective of trying to replicate UK curriculum’. That replication was undoubtedly linked to quality assurance. SIL02 referenced opposition to change arising out of national regulatory bodies who were reliant on identical curriculum as a proxy for quality. I know from my own time working in the leadership of a branch campus in Malaysia that there is a regulatory requirement for ‘identical’ curriculum built into the licence that granted rights to establish a campus in Malaysia.

The data highlights a persistent tension around the adaption of curriculum and the need for effective quality assurance. Early TNE endeavours replicated western curricula; 'lifting and dropping' UK, Australian or US content and curriculum as a means of ensuring like-for-like and quality. What seems to me a barrier to effective learning was in fact seen as the mark of quality in TNE and indicates not only a lack of confidence on the part of regulatory authorities in new educational policy but also a lack of confidence of the part institution themselves to deliver in a new environment. Interestingly, SP02 commented that this lifting and shifting itself had undoubtedly contributed to quality concerns in some early franchising agreements where 'the identical curriculum, identical learning experience, identical assessment to the home campus' (SPL02) had led to challenges for locally employed teaching staff and students because identical was not relevant and not understood by local participants.

SP06 talked passionately about the senior Chinese partner and Principal in a substantial joint venture between the UK and China. 'He wanted to reject the old-fashioned way of running a Chinese University and he wanted to blow away the notion of hierarchy'. The cultural ambition of active learning and student empowerment was used in promoting international academic staff. Young, entrepreneurial, new academics then arrived only to face opposition from static and unmoving UK hierarchies who were 'in total fear of the QAA framework' and the notion that to deviate at all from the UK frameworks undermined the credentials of both campuses. This was particularly controversial in relation to UK European National Information Centre for the United Kingdom (UK ENIC), the UKs National Information Centre for global qualifications and skills.

UK ENIC (formally the National Academic Recognition Information Centre) provides 'internationally respected benchmarking of qualifications', a reference point through which to navigate international qualifications. UK ENIC provides a framework through which Universities can 'benchmark' entry standards onto programmes. SIL01 talked about an 'obsession with NARIC', which, they argued reduced some national secondary school graduating qualifications to 'Esso tokens.' The focus on entry level qualifications rather than on degree attainment particularly disadvantages those coming from outside of the UK system because of the systemic bias built into the UK ENIC framework. Beyond the framework, a number of participants raised a bias in respect of student attainment more generally.

This is perhaps the most shocking finding of the research. Given the depth and breadth of academic research into the relevance of postcoloniality and decoloniality to curriculum (Pinar 2011, Alvares

2012, Subedi 2013, Tudor 2021), the evidence suggest that curriculum is still largely the domain of the home campus controlled centrally and with no strategic, proactive, leadership analysis of the nature and purpose of adaptive, culturally appropriate curricula.

5.2.3 Quality and the Student Experience

Fundamentally linked to curriculum is the broader experience of students, particularly the quality of student experience:

> 'I think that the biggest threat to transnational education, and to the long-term future of British Transnational Education, is that is the quality is not the same, then ultimately, that will undermine the quality of all that we do and the reputation of TNE as a whole'
>
> SB02

SB02 refuted the idea that there was equivalence of student experience, 'even on a branded overseas campus' and SIL07 questioned whether students were really getting 'what's written on the tin'. SIL01 backed up the view: 'I genuinely believe that it is pretty much bullshit to say there is an equivalence of experience, even on a branded overseas campus.' They argued: 'if you start off by the working assumption that difference can be equal in equality that's ok, but if you start off with equal means the same, then you're never going to succeed, because it's not possible'.

For many who of those that I interviewed, real concerns regarding quality were expressed as a historical concern, one that had - at least in the major sending countries - been addressed.

> 'when they were opening up Malaysia and weren't always doing it in the most scrupulous fashion, you know they didn't feel they were going to be inspected and they pretty much thought they could do what they wanted'.
>
> SP02

They went on to describe a situation in Malaysia over 12 years ago where the quality of teaching and of staff was judged not to be acceptable, uncovered by the UK Quality Assurance Agency when it became more interested in cross border provision. This had resulted, he argued in curriculum being misinterpreted and:

> 'no real comparability of learning outcomes for those students in Malaysia to students in the UK and in fact all elements of the student experience were poor and it started, for a little bit of time, a little bit of a cowboy'
>
> SP02

Reflecting on senior experience working for the British Council, they expressed concerns about early provision in a 'unregulated era' of TNE, particularly validation, which the British Council felt they needed to support. He described 'the race to the bottom' in TNE partnerships where local universities were 'kind of playing off UK universities against each other to try to get the cheapest deal'.

Conversely, in discussing academic standards at a UK campus in China, SP06 described the UK quality assurance processes as being 'an outlier in the university world', saying that the rest of the world, with the exception of Australia - had 'lighter touch' quality arrangements. She described an international staff that were shocked at how intrusive the quality assurance and how intrusive the oversight of assessment' (SP06). An internationally experienced professional service lead and non-UK national, SP06 came with senior quality assurance experience of the US, Canada, the UK and of UK TNE. It is hard, therefore to argue that this 'intrusiveness' related only to the TNE venture and not to the UK system more generally as she argued.

One proxy for quality in the narrative related to entry standards. It was clear that there was a lasting concern regarding softening of grades at entry in overseas ventures.

> 'if you've trained those students yourself for two years in Suzhou, you can be very confident of their quality when they enter. So, it takes the risk out of admissions processes.
>
> SP06

SIL01 described UK institutions as being 'obsessed with NARIC rather than what the output level is' and being 'overly obsessed with entry level rather than exit level and what we can do with students' However, most articulated entry grades as a 'tension between getting students in and maintaining standards.' (SIL01).

A further concern regarding quality related to the inclusion, or not, of the voice of students in their learning experience. Government of institutional opposition to or even illegality of student unions was used as an example by a number of interviewees. SIL04 said that 'empowered student representation is problematic in quite a few cultures' but also questioned whether notion of a student union, 'a very peculiarly western thing' had created a change. They described the problem as being one of language 'in certain cultures, that really doesn't sound appropriate that it should be a union'. SIL04 further reported that they had experienced challenges around engaging with the student body.

> 'We had a huge concern, justifiably so, but went to the nth degree about student representation and student unions because we wanted to make sure the union were happy and actually there's no problem in having a union, you just don't call it a union, you call it a student society'.
>
> SIL04

They also talked about engagement of student representative bodies across national boundaries:

> If you're involving your guild with their society, you've got to do some kind of moderation because there's a reason why international students don't get involved generally in political stuff on campus. It's because…. They've been brought up to see it as being culturally unacceptable and they might get arrested and put in prison'
>
> SIL04

Finally, participants reflected on the need for tailored but appropriate quality assurance processes that 'are designed to provide a degree of proper evaluation of that quality and externality'(SP06). This participant went on to talk about the 'leap of faith' made by parents engaging with TNE and linked this to the need for effective quality assurance processes.

> 'these parents across China take this leap of faith with this brand-new campus to have their dear single child take this education'
>
> SP06

Several of the interviewees including SIL12, SIL04 and SIL01 were keen - despite bringing both a strong narrative around aspects of localisation and decoloniality in the student experience - to point out the strength of the university offering in their home countries (UK and Australia) that were attractive and had distinctive elements that needed to be protected.

5.2.4 Access

A converse narrative in the data and one that is noted in the literature (Vincent-Lancrin 2005, McBurnie and Ziguras 2007, Wilkins 2017, McNamara and Knight 2017, Bloisi & Hargy 2021) is the reduced cost barriers and resultant opportunities TNE brings for access. That argument was reinforced in the data with TNE being presented as a lower cost alternative for students. Those interviewed raised not only tuition but also the significant cost barriers of travel and living in the UK (or Australian, or the US) as an international fee-paying student. SP01 described the motivation for institutional engagement as being 'slightly moral, slightly financial': 'there is a genuine feeling that it's a good opportunity for students to get a UK degree with all of the flavours that that entails without spending £30,000/£40,000 per year on coming to the UK to study'. The same participant said that whilst the international fees charged at the branch campus they operated were 'at the lower end in terms of tuition', they were still 'too expensive for 95/96% of students to come and study with us.'

With at best mixed evidence relating to the profit-generating potential of TNE and questions regarding the repatriation of funds back to the home campus, it is difficult to argue a clear profit motive. There are numerous examples of governments investing in infrastructure as an incentive to attract overseas universities across national borders. SIL04 referred to NYU Abu Dhabi being funded by the Crown Prince. The most high-profile investment by governments is seen in the construction of university cities or hubs, for example, EduCity in Malaysia and Dubai International Academic City. The creation of free zones which place universities outside host country tax regimes in country also creates economic incentives for TNE.

It is in these financial relationships, rather than in fee income, that the profit incentive in TNE may well sit but it is also these relationships that test academic freedoms. State control through financial or other incentive has the potential to influence policy decisions within university systems, to shape the direction of research, to restrict academic freedom and to shape curriculum. These relationships undoubtedly create a greater conflict than the simple act of taking higher education across national borders or in the establishment of for profit, market driven programmes. The conflict is made more complex because it is also this substantial investment in infrastructure and facilities - at a time when real funding to higher education in countries like the UK and Australia is falling - that is attractive to academic colleagues. SIL09 talked about being built a 'massive' research base by the Chinese partner and a model which allowed for attractive packages and start-up funds to attract academic talent through employment contracts split between the UK and China. SIL11 talked about China's huge investment (30 billion) in research as a powerful mechanism to attract university partnerships and individual academics. China is 'bringing them because of cash', it is 'spending far more than any other country on higher education…. no state in the world has as directive an agenda for higher education'.

5.3 Human Rights and Inequalities

The most complex and most challenging dilemmas described by participants related to human rights, inequalities and political influence in Higher Education systems. The data highlighted prejudice, exclusion and/or intolerance on the basis of sexuality, race, ethnicity, religion and cultural beliefs.

5.3.1 Political influence

SB03 reflected that the most significant issues and greatest risk arose from political systems in host countries.

> 'there has been ongoing political instability here for the last four years, and as in many countries that I've worked in, higher education is far more political than in the UK, and people in top positions are often political appointees or are allowed to continue in those positions because of their political affiliations'
>
> SB03

Political influence through the control of funding to universities is discussed in more detail in section 5.6 below which explores profit and commoditisation in TNE. Here we consider another mechanism through which state control of knowledge is possible. There are many countries in which the position of Vice Chancellor is a government appointed position, whether overtly - for example in Malaysia - or through other political pressure. The interaction between universities and political systems are in these instances obvious and link directly to concerns regarding freedom of speech and/or control of curriculum discussed above in section 5.2.2.

The appointment of university leaders by governments officials shows direct political influence. It also says something about the identity of universities within the national and political system in which they operate. In many jurisdictions, universities play a major role in reinforcing national values, ethics and legislation. They work with governments to shape education policy including policies relating to international partnerships. Universities themselves become political instruments. Engaging in TNE with those universities and higher education systems means engaging directly with those values and cultures.

5.3.2 Sexuality

By far the most challenging issues highlighted in the study were in relation to conflicting legal, national and cultural approaches to equality and diversity, with LGBT rights being the most dominant in the narrative. The data provided examples of specific cases of conflicting and complexity in the narrative on LGBT rights but there was also significant evidence that pointed to a more nuanced and compromised position. Complexities concerning LGBT rights in TNE were raised by half of those interviewed. SIL06 described interventions by the Federal Territories Islamic Religious Department (JAWI) including complaints regarding transvestite 'conversion' on campus. This had finally been accepted as an academic session with 'discourse around supporting minorities.' SIL02 described working with a student organised LGBT society in Malaysia, a jurisdiction where unions, including student unions are illegal and where 'sodomy' is an illegal act.

Despite these restrictions, SIL04 also provided examples of working with student LGBT communities. LGBT clubs and societies for instance were supported and endorsed by UK and Australian universities working in Malaysia. They commented:

> (A)fter careful reading of the Penal Code… I think we have found a pretty good accommodation, where we permit a relatively normal range of activities, but we've had good discussions with the students involved in the groups about the potential risks.
>
> SIL04

Participants described pragmatic adaptations that maintained legality but allowed for support to LGBT students and groups (i.e., a compromise that was as close to equity in relation to sexual orientation as the law would allow). Participants also described regulators and enforcers who largely turned a blind eye to activities within the confines of UK and Australian branch campuses.

> 'Everybody knows that being gay is illegal in Dubai, it's a well-known fact. You know, there's a free zone, no-one's going to police our campus. There's a gay soc. But also, the reality is if an academic says, well I don't feel comfortable … I want to march…. Well, then you have to say to them, you can't because you're going to get arrested.'
>
> SP02

Its notable that in the example given by SIL06 in relation to the Malaysian student accused of acting immorally in sharing a bed with her boyfriend, it was a formal complaint made directly to the Ministry of Education that resulted in direct action by the regulator. SIL04 noted the impact of a change in government and leadership in Malaysia;

> I was lucky: I've experienced the change of government, which has made this a bit easier in Malaysia. But when I first came here, there was a view that, well, we can't possibly let students organize an LGBT club.
>
> SIL04

5.3.3 Gender

Gender was also highlighted as an area where the data evidenced conflicting international policies and attitudes. I explore this further in the paragraphs below.

Gender issues were most frequently raised in relation to operations within the Middle East, specifically within Dubai and Saudi. In one example, an institution had decided not to enter into a partnership with a Saudi institution on the basis of gender segregation. One participant reflecting on faculty engagement stated: 'if I'm told I can't send a female staff to Saudi Arabia then I won't partner there' (SIL01). Of a joint PhD scheme in Saudi, SIL06 noted, 'the university we were working with … was only for women. So, we were faced with the position that we would only be open to women. I think that was something that we were comfortable with'. 'But then we faced the dilemma around supervision, because supervision, as far as the Saudi's were concerned, could not involve a male academic without there being another female academic in the room', there was 'an assumption that a man and a woman could not, in a professional relationship, be in the same space together' (SIL06). The joint PhD was in Computer Science, a subject which attracts more male than female students; UK HESA data indicates only 21% of computer science students were female across all levels of study in 20/21. Around 15% of computer science academics are women and so having access to sufficient female supervisors was an issue. Gender segregation had in itself had not been the issue, and why should it be in a country where single sex education is still a choice at secondary education. The issue was highlighted as values based, one of trust and respect between the genders. Sexual discrimination was not limited to the Middle East. Of a substantial partnership in China, SPL05 commented, 'I feel as a female administrator, I had no impact at all (in local engagement) …. Which was fine. That was the role of other people, to carry that banner'.

SIL06 described ministry involvement in a complaint which had been made in relation to one of their female students in Malaysia. The student had been sharing a dormitory with another female student and there was an accusation that one had shared a bed with her boyfriend. Having received the complaint, the ministry wanted to investigate. The University had held firm, refusing to concede to the student being interviewed but the student herself eventually said she was willing to undergo a physical examination.

5.3.4 Race and racism

There were limited examples of overt racism in the data; just three participants gave explicit examples. SIL12 recounted a conversation in the early stages of the development of a TNE partnership in the Middle East:

> 'he dictated to me. "You are not to have that woman' – one of my academic staff – 'involved in this partnership' 'She's brown'
>
> SIL12

Whilst the institution held its ground and the Black academic - critical to the delivery of the programme - was retained, the partnership eventually failed. They expressed that the discourse should have been a 'warning bell'. A number of participants referenced an expectation that staff teaching at overseas partnerships would be racially representative of the home country, this despite universities being multiracial: 'there's a perception that foreign staff will look like this...I remember …writing statements that say…30% of the staff in the UK are (born) outside of the UK'. They went on to say that 'it's perceived to be important from a marketing point of view'.

However, in many of the interviews – three quarters - racism and notions of coloniality were intertwined and difficult to untangle. In describing experiences of facilitating partnership discussions in Malaysia, SPL02 noted being listened to more carefully on the basis of being a white British man than far more knowledgeable colleagues in the room who were of British-Indian ethnicity. Describing himself as 'a middle-aged white guy', he was 'British and fitted their stereotype'. He went on to describe how a Malay audience had deferred to him, on the topic of teaching, rather than his British Indian colleague who he described as clearly British and knowing '100 times more than me' on the topic of teaching.

And there was evidence of racial bias amongst TNE expatriate staff. This manifested itself in the narrative on student attainment. There was a suggestion that UK academics are surprised at the capabilities, ambitions and work ethic of students studying through TNE initiatives in Romania (SB03). Of establishing entry tariff in TNE, SIL01 said that academic thinking 'starts off with an assumption that students are weaker overseas.' These sentiments echo my own experiences of delivering programmes at a UK Branch Campus in Malaysia were that the academic performance of students exceeded those at the home campus. It's not possible to give clarity on the reasons for higher attainment but anecdotally, it's a story that I heard repeatedly in my conversations with those leading in other institutions.

SB01 questioned why Western institutions seem to be more accepting of some regimes than others, paralleling the challenges of working in Malaysia with those of working in the Middle East, 'Malaysia is a Muslim Country, they practice Sharia law, things could go wrong'….'I do not know why we feel so comfortable in Malaysia without feeling the same discomfort that we feel in Nigeria or Indonesia'. Malaysia operates a dual legal system and so secular roots do exist but the point is valid and highlights racial bias in our sector. There is 'a latent islamophobia that permeates people's perceptions, where they'll be blind to problems with China but see problems with Dubai'. SPL02 commented in relation to engagement in Dubai, that debate around sexuality became disproportionate and that there was by contrast very little debate on other freedoms in the delivery of TNE. It is certainly a fair reflection of the data, with sexuality and LGBT rights being raised more than other human rights conflict.

> 'no-one is saying Dubai is a perfect place but you know, what about the US and the death penalty? What about China and China's human rights records?
>
> SP02

5.4 Profit, brand and commoditisation

The two most commonly referenced motivations for institutional engagement in TNE were brand/reputation and profit. The Global North profiting from the Global South is uncomfortably reminiscent of a colonial era in which developed nations exploited natural resources. The ongoing depletion of financial and natural resources is a theme in the decoloniality literature, the notion that economic and cultural control exists post emancipation (Young 2001 provides a comprehensive review of the literature). That the west profit from a lack of educational resources in developing nations points to a continued exploitative power relation between the developed and the developing world. The tension between education as a commodity or for the public good exists regardless of geography, it does however present a greater moral conflict when that profiteering is also undermining indigenous cultures and identities, validating only western knowledge and ideologies:

> we have pursued transnational education as a strategy with really two key purposes in mind. One is to develop a different revenue stream for the university, and the other is to raise the reputation and profile of the university in particular markets'
>
> SIL12

The various aspects of profit and brand are explored in this section which considers the research data in relation to the tensions around the commoditisation in higher education through TNE. Referenced frequently in existing academic research which largely associates TNE with commoditisation (Branch 2019, Altbach and Knight 2007) and briefly explores flows of money from developing nations to rich industrialised countries (e.g., Maringe and Fosket 2010), participants reflected a more nuanced and complex position, for example:

1. Commoditisation, the shift from public good to commercial venture, in university financial models and income diversification, particularly highlighting the increasing need for universities to diversify in order to meet financial and other obligations in increasingly constrained and regulated domestic markets.
2. TNE for profit or for loss, highlighting significant debate around the potential or not for TNE to be income generating which undoubtedly reflected the literature on high profile closures and market exit but is at odds with notions of profiteering.
3. Incentives and intervention on the basis of Global diplomacy and soft power from sector bodies including UUK and the British Council.

5.4.1 Commoditisation

There was reference to TNE as representative of the shift of universities from 'a place of learning to a place of business' (SP02) and a clear narrative in the UK context that universities saw TNE as a way of diversifying income in an increasing constrained system where the cost of operation was increasing but where domestic fees had been fixed for a significant period of time. Similar narratives were presented with respect to Australia, Canada and the USA.

> 'An opportunity that seemed to be too attractive not to explore. The changing landscape, at the time falling numbers of domestic students because of birth rates and increasing government interference……. the call to diversify'
>
> SP02

That sentiment was echoed by SIL 12 who articulated the motivation as 'a direct contribution to the financial performance of the university, rather than necessarily some of the other objectives that quite rightly TNE might have around international experience for students, either here or from elsewhere, or research ambitions.' The need for diversification of revenue streams as a driving force for TNE was a topic echoed by several participants.

SIL03 expressed clearly the tension between commoditisation and coloniality in discussing potential partnership models with Africa: 'basically taking money from, say, Nigerian students and repatriating into the UK looks like a form of neo-colonialism as opposed to capacity building on the ground'. The use of predatory language by participants reinforced that tension: 'Indonesia, it's one everybody's circling around at the moment because of the demographics' (SP02). SIL11 described a sector that was motivated towards equitable partnerships but funded through a business model that made that impossible, 'it's fundamentally contradictory… the logic of it is you need bums on seats.' And bums on seats delivered through TNE undermine local providers and impact the development of a sustainable national higher education system. SIL11 argued that TNE in any system where there is already local provision takes money away from local universities and undermines growth and investment in the national system.

TNE is in some way representative of a sector already at odds with its place in society. Massification, marketisation and internationalisation are all indicators, for many within the academy of a move from education as a public good to education as a commodity. That tension has, according to SIL01 created a dishonesty in university narratives regarding the motivation for engagement in TNE, 'in my experience the driving force around internationalisation if we take research out is around income generation, short term income generation' rather than the 'wider benefits of internationalisation'. SP06 in discussing a major partnership between a UK and Chinese university referred to finances that were 'strangely untransparent compared to any university I've worked at'. There was also a narrative in the research data around the complexity of group structures with overseas subsidiaries and partnerships. The vast majority of those entities are private in nature and this appears to be a reinforcing factor in notions of profiteering through TNE. The links between private sector, profit and the erosion of the public good and the public nature of universities in some way symbolising identity challenges already felt by a sector increasing seen as places of business. That provision is private in nature was linked to the concept of differential service levels to that at the home institution (SP01), potentially inferring that the motive for profit was responsible for undermining the quality of provision delivered through TNE. SIL04 talked about the complexity of universities forming international group structures and the need for each entity within the structure to demonstrate financial viability. In particular the creation of separate entities and the necessity to show that each unit was viable in its own right was seen as a barrier to student mobility. The challenge was also reflected in the context of the need for academic departments to be financially sustainable.

> when you start talking about students moving more fluidly across those boundaries, when you talk about teaching happening more fluidly across those boundaries, immediately deans and other people like me are going to say, 'Well, who gets paid for the students?'
>
> SIL04

5.4.2 For profit or for loss

Conversely, and potentially debunking the profit motive narrative, a large number of participants referenced significant challenges in making TNE financially sustainable. SB01 asserted 'TNE actually doesn't make money' and went on to talk about the challenges of ensuring that ventures did not become 'a loss-making machine'. SP02 talked about the challenges of repatriating revenues, in particular from China but also from Malaysia: 'in their head they're thinking income and I think there's not that many examples of TNE providing real value back to the UK'. SIL12 talked about the need for scale in order to 'monetise' TNE. SIL09, a senior academic running a significant medical teaching and research collaboration in China talked about the UK university being interested in surpluses but said of partnership that 'it can't be about money', and outlined the economics of many partnerships where £5000 per year in student fee income was being split between partners, commenting that: 'it's not sustainable'. Sustainability they argued came from inward investment from industry in China and from governments incentivising growth in higher education through investments of 'a billion dollars to set up this international branch campus.'

In considering the role of TNE in large development projects, SP04 talked about multimillion-pound deals, this time with the Middle East. They also referred to a venture to establish an academic programme in Egypt. That particular example was interesting in that the financial incentives were enough to make the university, a Russell Group, develop a programme, despite not having that provision on the home campus in the UK. Financial incentives were sufficient for them to develop a new programme for the Egyptian market. For SP04 this was an indicator of the power of brand to attract significant investment: 'brand trumps everything' (SP04). It also shows a clear profit motive. The Egyptian partner was backed by a 'very large real estate conglomerate' and the model devised by the Boston Consulting Group. SP02 talked about the role that universities played as anchor tenants in the development of new city infrastructure. Specifically referring to Malaysia they talked about policies and financing schemes aimed at attracting international universities: ‘if you went behind the scenes politically connected businesses who wanted to do real estate and wanted university as an anchor tenant’.

Both Nottingham’s and Heriot Watt’s branch campuses in Malaysia are partnerships with infrastructure investors. Of a large red brick University’s relationship with a Chinese University, SP06 said, ‘[the university] wasn’t putting a penny into the construction of the buildings, so that already shows a very strong partnership locally’. It is difficult to see ventures that attract to large commercial developers as being anything other than commercial in nature. Of a major investment organisation’s financing of infrastructure in an Australian/Malaysian partnership, SIL04 said ‘if we had had to put up multimillion dollars to build infrastructure, we just would’ve been swimming against the current from day one’.

It is difficult to evidence the financial sustainability of university TNE. As part of the research, I returned to the ‘grey’ literature to attempt to validate or otherwise some of the narrative around profit or loss. Whilst the Aggregate Offshore Record now provides a reasonable level of detail on the scale and scope of TNE by the UK sector, there is little transparency over the vast majority of finances of TNE activities. The variety of models and the complexities of partnerships across borders also makes consistent measurement of the financial performance of TNE almost impossible. Unlike revenue streams related to domestic students and research funding, TNE is a commercial activity and data commercially sensitive. Like other commercial income streams, financial transaction data relating to TNE is largely absorbed into the financial statements of universities in a way that is difficult to untangle. The exception relates to large subsidiary holdings which are disclosed as assets or liabilities and in the related parties’ sections of financial statements which requires disclosure of the activities between the parent university and those organisation in which it has a financial interest. A review of the UK financial statements of the University of Nottingham and University of Reading, being two that have branch campuses and so overseas subsidiaries, show mixed financial results.

One source of evidence was the consolidated financial statements of the University of Nottingham. The following provides an extract from the 2016 and 2020 financial statements:

	Percentage interest in foreign entity	2016 Carrying value in the Financial Statements	2020 Carrying value in the Financial Statements	Increase in carrying value 2016 to 2020
University of Nottingham Malaysia	29.9%	£6.3m	£14.2m	£7.9m
University of Nottingham Ningbo	37.5%	£28.0m	£35.9m	£7.9m

Table 2: Extract from the University of Nottingham Statement of Accounts 2016 and 2020

This limited information suggests that almost 20 years into operation, the venture is generating returns for the UK University. The University of Reading's 2020 financial statements after 6 or so years of operation read far less positively and included an amount due from the Universities wholly owned Malaysian subsidiary, RUMAL Reading Sdn. Bhd. amounts due of £35.7m. These resulted in a charge for 2020 of £5.5m in the University's statement of comprehensive income (2019: £6.1m). Just two examples that demonstrate that it is impossible to draw universal conclusions about the health of the TNE sector in a global market. Inland Revenue records are likely to be the most accurate financial record and these group university activity with other education providers including private schools and skills provision. That said the 2019 data recently published by the revenue shows UK TNE as a whole to be estimated as £2.2 billion, an increase of 104.4% since 2010. This omits substantial flows of income and expenditure that stay in country.

Individual profit motive was also raised as a motivation for engagement, SIL07 talked about TNE ventures that were 'emotionally and enthusiastically supported by a small number of academics who got paid extremely well for the short time they spent there and stayed in incredibly luxurious hotels and flew in the front of the plane' saying that 'they would come home with thousands of Euros in extra pay from a few days' worth of teaching'.

5.4.3 Sector bodies

The role of intermediaries like the British Council, in their capacity as facilitators of global partnerships was raised by several participants. SB02 who had been involved in the facilitation of partnerships globally talked about the role of the British Council in facilitating TNE through first establishing 'what the local ministries and agencies were looking for'. The British Councils stated mission is 'building connections, understanding and trust between people in the UK and other countries through arts and culture, education and the English language'. They talked about the role of the British Council in de-risking relationships through facilitation and through supporting the establishment of frameworks for engagement, particularly in environments where 'business plans are going to be quite difficult' and where investment 'is about taking a risk or going for an opportunity which may only have a 50/50 chance of being a long-term success.' The impact of failure on the host country is not well debated in the academic literature but was raised as a specific concern in the research (see for example Trifiro 2018).

Withdrawal was also linked to Student Protection Plans, a new regulatory requirement of the Office for Students which requires UK universities, including overseas operations, to set out what students can expect to happen should a course, campus, or institution close with the purpose being to 'ensure that students can continue and complete their studies, or can be compensated if this is not possible' (https://www.officeforstudents.org.uk/advice-and-guidance/student-wellbeing-and-protection/student-protection/student-protection-plans/). The creation of the Student Protection Plan had caused the university to review its approach to international partnerships, pulling back from franchising and focusing on provision where students could, in the case of a failed partnership, complete their studies in the UK. The damage done when cross border partnerships or campuses fail was evident in the data. SB02 talked about the reputational damage to the UK higher education sector and the British Council of Liverpool's withdrawal from Egypt which was on the basis of 'ethical issues.' There was little in the data regarding the impact on local students and communities of failed ventures.

5.5 Financial incentives, Fraud and Corruption

Six participants raised specific examples/dilemmas concerning fraud and corruption, working within cultures where 'facilitation payments and the like' (SIL02) are commonplace and are not considered inappropriate, they are part of daily life.

> 'for somewhere like Nigeria, there's obviously security and being able to operate in an environment where corruption is high, where everything is a cash-based society'.
>
> SP02

SIL01 talked about being in difficult scenarios working in the Middle East, 'I've certainly come close to being implicated', describing the situation as being 'very, very uncomfortable' with few options to extricate themselves from the situation as it was happening. SIL01 in discussing the development of policies and processes for those working in TNE said: 'the real obvious one that again where I think we are quite weak on is bribery and corruption'. They went on to explore potential conflicts for relatively junior members of staff.

> 'you've got to recruit 30 more students next year from Nigeria and I'm about to do an exhibition tomorrow, my materials are stuck in customs and someone is saying $100 and we will release your materials… They honestly, they're under so much pressure and they're so junior…'

They went on to talk about the complexity of working with agents and the likelihood that 'almost every university in the UK that works with agents, will have at least one agent who is giving kickbacks to a government official in order for them to give them students with scholarships that they can place'. SIL06 described a scenario where the 'Chairman of the Board came to me at one point and said this is my grandson, he's been rejected'. Whilst they held firm and the grandson was not admitted, it highlighted the huge complexity to operating in a culture where such things were considered favours rather than being fraudulent.

SIL06 of one institution that they joined said 'one of the first scholarship students happened to be a member of staff's daughter'. Questions were raised over the wealth and assets of some academics living and working in TNE in China, and an inference that they were engaged in fraud: 'how come I'm dealing with Professors in China on TNE projects often who are a professor in their university and seem to be able to afford for their children to study in Canada, have houses in the UK, it doesn't match'. A further example of fraud related to the provision of a European medical degree facilities in South East Asia with significant parts of the campus having been constructed without proper building regulations and controls being observed but where permissions appear to have been later granted: 'that bit of dodgy building had fire certification, which there's no way it could have done'. It is fair to say that all of these examples come from a western perspective. They fail to acknowledge that financial incentives or similar payments are commonplace in some societies and are not considered to be fraudulent. And this possibly explains why those based in societies where payments are acceptable did not raise the area as a concern. It highlights well the collision of legal and cultural contention that exists across borders.

5.6 Academic Freedom

Most challenging in relation to state control was discussion relating to restrictions on curriculum outside of the prescribed compulsory curriculum. Here there is in many ways a more direct challenge to academic freedoms. The control is less transparent and less overt. SB04 who came with significant experience of living, working and facilitating partnerships in China made specific reference to the development of a political science programme in Beijing, saying: 'It's completely naive to think that that programme, no matter what promises are made up front will have a great degree of freedom in terms of what it teaches'. SIL07 talked about authorities forcing universities to amend your curriculum to reflect a different world view or 'to change history in a way that suits them', saying engagement with some governments were 'extremely complicated'.

> 'I went to the Sorbonne in Abu Dhabi and the guys said to me, well I don't really work for the Sorbonne, I really work for the Abu Dhabi Government because I have to do everything they say. I can't call it the Persian Gulf; I have to call it the Gulf of Arabia and I have to have these books and I can't have those books.'
>
> SIL07

The question relevant to coloniality that was raised in the research was the extent to which the 'forced' inclusion of local knowledge infringes academic freedom. When is knowledge indigenous and when is it an infringement on academic freedoms? Whilst academic freedoms are protected in the UK, US, Canada and Australia (I am sure there are those that would contest this statement), many instances of state control on the transmission of knowledge were apparent in the data and it is undoubtedly a profound challenge for those delivering cross border higher education.

Conversely an argument for maintaining academic freedom and likeness in the creation of both content and pedagogy was given with reference to a decision not to deliver in Abu Dhabi, 'they would have insisted at the time that we did an Abu Dhabi qualification'. Here the curriculum would have needed to have been adapted to meet Abu Dhabi regulatory requirements and elements of academic integrity would have been challenged. The participant was clear that this would have undermined the ability to engage the academic community in effective delivery. In this instance the degree subject was engineering and the qualification identical to that delivered in the UK but the state required the curriculum to be adapted.

There is an obvious question relating to the extent to which not only individuals but also universities are comfortable to ask academics to teach in positions where they consider academic freedom is challenged. What are the risks of those staff speaking out against any authoritarian voice? This, remembering that laws protecting academic freedoms are being strengthened in the UK through the Higher Educations (Freedom of Speech) Bill, which is currently at report stage ahead of a third reading in the House of Commons. The Act is broad and places an obligation on higher education providers to take reasonable steps to secure freedom of speech, within the law, for: staff of the provider; members of the provider; students of the provider; and visiting speakers. It goes further to say that 'the use of any premises of the provider is not denied to any individual or body' on the basis of 'their ideas, beliefs, views, policies or objectives'. That legal protection seems impossible when UK providers are operating outside UK jurisdiction. It is clear that the governance of TNE needs specific framing and very careful consideration. SIL07 for example referred to the decision for Yale to partner with the National University of Singapore as 'hugely controversial' on the basis of academic freedoms and concerns over civil liberty and human rights. With eleven of twenty-two participants raising concerns regarding academic freedoms, these are significant areas for university governance that should be a focal point of university leadership and Boards.

5.7 Governance

It is clear from the findings that TNE is a complex and conflicted space, one that requires significant thought, careful navigation, clear leadership and effective governance. The vast majority of participants that were involved in university leadership felt that TNE was not governed as effectively as it could be.

The data points to a landscape in which universities are navigating some of the most significant cultural and ethical complexities but also one where there are differing legal and regulatory frameworks to navigate. Despite this, there were variable approaches to governance and variable engagement from university executive and Board members. Perhaps the most significant finding of the research is the lack of a consistent and robust approach to governance and no uniformity in the governance structures across deployed across the sector. This despite university governance structures more generally being relatively generic. SIL06, a senior academic with experience of running multiple overseas campuses, in describing governance in TNE said: 'it's arm's length and it's not being recorded anywhere. So, I think the governance structure impacts on the approach to ethics.'

Participants described governance arrangements which ranged from highly centralised and structured to those arrangements that lacked any formal process and any Board engagement. There were only two examples of structured governance arrangements. These included dedicated committees, prescribed business and risk management process and approval routes which included the university executive and the Board. One specific example, described by SIL12, included an annual review of all

TNE activity on an annual basis and included an assessment of teaching quality, financial viability and the legal environment. Whilst the participant did not refer to an ethical review, they did talk about instance where the committee had rejected proposals on the basis of human rights issues.

Several participants described arrangements in which there was very little oversight by formal committees. Some described inconsistent governance arrangements: particularly where TNE partnerships had been developed as a result of individual academic relationships. I found only one example of Council being formally and consistently engaged in the oversight of TNE. In discussing Council oversight of the development of a large and complex university campus in the Middle East, SP02 said that it 'really showed up the weaknesses in having a bunch of gifted amateurs…. I knew where the holes were and they very rarely asked about them because they were quite excited by the pictures of you know, artists impressions.' Here, it was clear that the ultimate governing body was briefed on TNE, 'councils like international out of proportion… it's a lot more interesting than talking about tariff' but that there was inadequate scrutiny. A number of participants raised the need to diversify the University Board to respond to increasing TNE. Given the scale of TNE, University Council's should specifically include those with international experience on their Board of Trustees: 'the composition of your governing body, how's the international voice covered on that' (SIL01).

The composition of leadership team at overseas campuses was a theme as were the relationships between leadership at the home campus and the TNE venture. SIL01 talked about the importance of a dual reporting structure with both the academic and professional/administrative leads having separate reporting lines to the home campus: 'it's almost like having an audit line'. He discussed a presentation that he'd attended on the withdrawal of University SA from TNE, describing a comprehensive and well-planned process with engagement from across all professional services and questioned whether an equivalent team of experience was generally deployed to support new ventures. SIL05 talked about a reluctance to be transparent with the UK home campus on academic standards or student behaviour. She described a culture where so many staff in the UK were willing the campus to fail that it created a sense of protectionism. That lack of transparency was echoed by SP06 in relation to the finances of a significant partnership with China, describing them as 'strangely less transparent than' those that they were used to in their home institution environment. They referred to 'power and control' of UK leadership teams over overseas operations' saying there was mistrust between leadership teams. SIL06 described a scenario where leads from across a large TNE partnership barely knew each other:

> 'we were sitting there as a team in a meeting and you the sort of Senior Managers from the UK, the institution of Senior Managers from the [partner] institution. And you'd be going round introducing ……. these guys had never chatted, they'd never met, what does that mean for student experience. What if you've got an issue, they don't even know who each other are.'
>
> SIL06

And there were examples of a tension between how things are done, how leadership happens. These related to local context: 'the local, how you get things done locally' (SIL02). They also related to the nature of overseas subsidiary ventures: newer; smaller and more agile entities.

> 'We just need to make this happen… it's compelling how the timeframes push you to make decisions in a real time that in a larger university would actually, to be truthful, would be almost unsafe. There's a different calculation of risk when you're in a start-up'.
>
> SIL02

Start-up mentality was mentioned by a number of participants, as was a higher propensity for risk in staff groups working in TNE. They inferred an entrepreneurial approach to those willing to relocate to new cultures, to start something new and inherently riskier. This, often against a backdrop of highly traditional university governance structures and leadership at the home campus.

5.8 Summary

In Chapter 5, I have explored and framed the key themes in data. Organising them into a structure which focuses on three key categories of data:

- factors within the control of the sending institution
- factors which are inherent because of the 'host' nation
- considerations for leadership and governance of TNE

In Chapter 6 I will develop these themes further, considering how they contribute to the research questions and more directly linking the data to the literature.

6. Discussion

The discussion chapter is broken down into three distinct parts. These respond directly to the research questions.

- What are the pervasive challenges of operating, leading and governing TNE?
- What ethical and equitable dilemmas and challenges have HEI and sector body leaders encountered?
- What are the implications of the findings for the leadership and governance of TNE?

The discussion intentionally follows the format in the findings section of the paper (see figure 8), reflecting the principle that grounded theory is rested in the data. Here, however, I start to categorise the data into two specific frames:

1. The first covers elements which are largely within the 'control' of the sending institution, these I have grouped under the heading of decoloniality. Those factors which can be addressed within the institutional leadership, culture and practice of the home institution.
2. The second section covers the 'situational' challenges of TNE, those that present ethical or other dilemmas on the basis of the interaction with local culture, ethics and other social factors within the host country. Here I particularly draw on postcolonial theories to frame the discussion.
3. Finally, the implications for leadership and governance are discussed. It is essential that this section is read in conjunction with chapter 7 in which I present a practice-based framework.

The literature is not as polar. There is some learning at the host and home level from within post and decolonial theories, however, the increasingly broad framing of decolonising the university as a self-reflective process from within the institution provides more material in the home space. Postcolonial thinking challenges, in particular, our interaction with others, 'othering', and is a helpful framing for the host country. This differentiation of host and home continues to provide important clarity to support diagnosis of the environment, both at the home university and overseas. It builds upon the differentiation in the literature between 'home' and 'host' (see in particular Wilkins 2017).

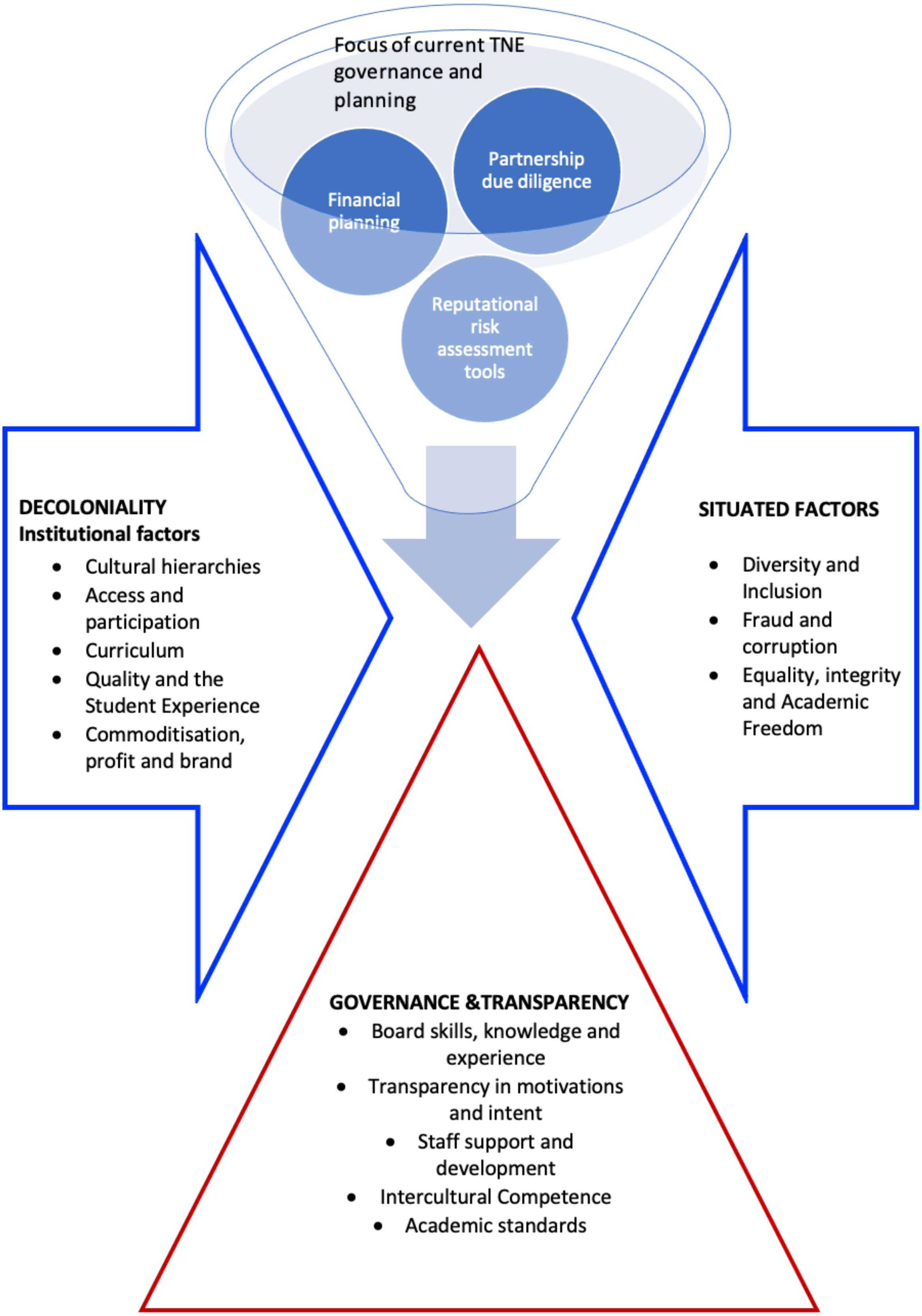

Figure 8: *Discussion framing*

The focus of this chapter is on connecting the discussion to the literature. Leadership and governance are more fully addressed in section 7 where I present a framework to facilitate effective leadership and governance in TNE, considering how the research can contribute to the creation of a more ethical and relevant TNE sector.

6.1 Decoloniality

Despite a growing body of literature on post coloniality in transnational education, the persistence a colonial mindset and colonial practice was evidenced in the research. Cultural hierarchies were evidenced across countries and across multiple modes of delivery with participants referencing colonial attitudes in delivery in India, Malaysia, China and the Middle East. A number of key concepts within the postcolonial literature are particularly relevant, most significantly: the politics of Western representation; subalternality; place; mimicry and cultural hybridity, and; gender, queering and feminism. Decoloniality in Higher Education also offers a useful lens. Emerging literature on decoloniality in Higher Education has shifted over time. The narrative moving from one which focused on curriculum to broader definitions which can be applied at the system level. Decolonisation as a concept has adapted in meaning. Originally applied to struggle for liberation and independence in South America (Young 2001), decoloniality is now synonymous with a more fundamental connection or reconnection with diverse identities. The higher education literature on decoloniality has also adapted, now encompassing debates not only around the depletion of physical and knowledge-based resources but also now closely aligned with: inequity in access, racial attainment of students and progression of BIPOC staff through academic promotion (reflected for example by Last 2018, Young 2020). This increasingly broad definition of decolonisation in the academic literature, largely coming out of the Rhodes must Fall Campaign (Brahma et al 2018, Gebrail 2018, Moncrieffe et al 2020), creates a perfect framing for universities to consider the way in which they engage as they enter new national systems. Diversity issues are increasingly a part of the decolonial narrative as the concept becomes aligned with the concept of liberation, tolerance, belonging, equity and diversity (e.g., Gopal 2021).

It provides a framing within the overall context of ethics in TNE that I have labelled 'input ethics.' In this section, 6.1 Coloniality, I discuss the key elements, as they presented in the findings:

- Cultural hierarchies (6.1.1)
- Curriculum (6.1.2)
- Quality and the Student Experience 6.1.3)

And, particularly reflecting the shift in narrative to a broader definition of decoloniality, coming out of for example, the Rhodes must fall campaign:

- Commoditisation, profit and brand (6.1.4)

The findings highlight a community of leaders and senior practitioners adapting and pursuing these necessary and contextualised 'inputs' to educational delivery but often constrained by colonial mindsets, operational, institutional and systemic barriers. They described a context where universities plan resource models upfront and navigated new political and economic environments relatively well but where challenges that manifested in the social, cultural and ethical space were less well considered, particularly in the planning of new TNE initiatives. There were also some challenges regarding ongoing adaptation to political changes in host countries. Whilst UK, US, Canadian and Australian Universities usually have whole departments horizon scanning changes to the policy environment at home, this is left to an often-small leadership team in country who do not have the same sector bodies or connections to provide foresight for change. The data pointed to positive as well as negative policy change, for example the change in government in Malaysia meaning a less restrictive approach for the LGBTQ community.

But where policy change had come quickly, the impacts were significant and difficult to navigate. This was best evidenced in China's Ministry for education's termination of 234 transnational education programmes in 2018. [18] These political changes do not only impact TNE provision. In 2015, in response to oversupply, the Singapore's Ministry of Law removed the recognition by the Singaporean Bar Association of law degrees from eight UK Universities. The committee specifically referenced league table data as informing the decision, the aim of which was to ensure 'quality control'.[19] The move by the Ministry of Law left unchanged the ten Australian, four American, two Canadian and two New Zealand providers, despite some occupying lower league table positions. This move impacted international recruitment to the UK from Singapore as well as being a significant barrier to those providing or looking to provide UK law degrees in Singapore. It also led to whisperings of prejudice by China against the UK. A similar move by the Malaysian Ministry of Education specifically established a moratorium on the provision of law degrees via TNE. The data indicated one partner that had particularly been impacted by the moratorium, one that they considered lacked transparency.

[18] https://thepienews.com/news/china-ministry-shut-down-234-foreign-partnership-programs/

[19] https://www.universityworldnews.com/post.php?story=2015022712383695

Whilst the data was largely reflective of existing literature on institutional racism, sex and gender discrimination, greater complexity was introduced when operating in countries where protection of protected characteristics is not observed and where the human rights records of host countries and governments were at odds with those seen in western cultures. I have considered these complexities, as highlighted in the data, through a lens of 'situation ethics.' They are discussed below at 5.3. Finally, at 5.4, I consider what both input ethics (decoloniality) and situational ethics in TNE means for the leadership and governance of universities. In section 6, I go on to present a potential framework for leaders looking to develop equitable partnerships and a more ethical approach to TNE. The framework aims to support more effective governance and leadership, addressing the various political, social, ethical and cultural challenges of delivering across borders.

6.1.1 Cultural hierarchies

That notions of coloniality and cultural hierarchy are one of the most complex and challenging areas in the provision of TNE was reflected across the data. In an area of higher education delivery that has until recently been an almost entirely 'Global North' to 'Global South' phenomenon, the notion that one national system, and the knowledge, history and culture that make up that national system is superior to another is a particularly pointy problem. It is a narrative that flows through the seminal post-colonial literature (Said 1978, Spivak 1988, Bhabha 1994)

It is also reflected in recent publications, see for example Peters (2017), Caruana and Montgomery (2017) and Clarke (2021) in relation to higher education internationalisation. The research indicates the persistence of cultural power relations between the 'West and the rest'. Bringing new systems of education into a national setting risks the erosion, or in some cases, the further erosion of indigenous cultures, values and beliefs. Mazuri (1992) describes a generation of African graduates that despised their own ancestry. The data would suggest that current TNE provision is doing little to address this destructive impact on identity or to address the obvious role of higher education to connect students locally and nationally as well as globally.

After foregrounding the narrative, reflected in the research, which points to the continuation of western power, I specifically consider four themes that emerged:

- the role of league tables in the perpetuation of wester power dynamics
- academic staff in TNE
- cultural capital and TNE
- brain drain.

National systems of higher education in former colonial outposts were founded to educate the children of colonial settlers: the university of Malaya, the National University of Singapore, the University of Sydney for example all have their roots in British colonial rule. Those institutions were first established to meet the needs of British Officials and their families and were modelled entirely on UK Universities. Australia's first University, the University of Sydney, for example, was established when the University of Oxford refused to admit the child of a British dignitary who had married a settled convict. An institution that to all intents and purposes replicated the University of Oxford in Australia was built. The buildings are hard to distinguish from the sandstone quadrangles of Oxford. In South Africa both Stellenbosch and the University of Cape Town were established in 1918 and have British and Dutch colonial rule at their foundations. The University of Malaya and the National University of Singapore also established as colonial outposts of King Edward VII College of Medicine and Raffles College, named after British statesman Sir Thomas Stamford Raffles. Early internationalisation, through the creation of founding universities in former colonies, was undoubtedly a tool of imperialism and, many decades later, TNE appears to be replicating the errors of these early universities in former colonial territories.

It is interesting, I think troubling, that Universities have continued to physically replicate aspects of the home campus in their branch campus operations: the University of Newcastle Malaysia's campus was developed to incorporate the famous red brick arch on the home campus. The University of Nottingham buildings in Kuala Lumpur and in Ngingboa incorporate elements of architecture which are strongly reminiscent of the UK campus, the website refers to 'exotic yet familiar surroundings' (www.nottingham.ac.uk/connectonline/features/2017/our-changing-campuses.aspx). It is also interesting to reflect on the use of the word exotic. For Said (1978) exoticism was not a positive descriptor. It reflected not only 'difference' but was also a reflection of the desires and attitudes of the West. It 'othered' the Orient.

Although much of this paper is dedicated to coloniality as a construct of mind, it is worth reminding ourselves that empire was always about land and material gain. Colonisation is fundamentally linked to place and space, to the increase and control of physical territories, a drawing and redrawing of national lines and ultimately the creation of the nation state. Gunn's (1983) powerful description of the destruction of native lands: animal, plant and people in California in *The Woman Who Owned the Shadows*, is a poignant reminder of this and one that resonates as I write. He describes death as hanging 'like dirty air over the lands where once had walked peaceful ones.' The pursuit of those lands resulted in: the displacement of and violence against indigenous peoples; theft of natural resources including space and place. Former colonial towns and cities are now recognisable by architectural features which replicated the style of the 'mother country'. New colonial spaces, built on indigenous lands, eliminating native places. Violence against indigenous peoples for their land, resources and histories. New settlements eradicated previous landscapes and in places where notions of land ownership and land rights were not social constructs within the indigenous communities that were destroyed.

The use of physical imagery in overseas campuses is reminiscent of Bhabha's 'mimicry'. Colonialism has always been about physical space and resources, about territory. The physical mimicking of anglophile universities in overseas territories is of course an attempt by universities to connect their various places of learning. But it also risks being a physical manifestation of western power, a symbol which says to those that live, work and study within its wall: "you are entering a superior domain". Whilst we will explore language in more detail later in the findings, it is worthy of note here. Participants discussed that students were required to speak only in English within the physical boundaries of the campus: whether in the classroom or whether engaging socially. I cannot help thinking that many branch campuses or significant partnerships have created overseas territories rather than places of cross-cultural learning.

The Rhodes must fall campaign is notorious for the destruction of western symbols of power[20]. The removal of colonial symbols - artifacts and buildings - on South African University campuses often came in the form of violent rebellion. It demonstrates the anger and contempt with which South African students held Western symbols of power. Anger that resulted in violence against oppression, in particular against slavery. And more recently, there are similar campaigns from within colonial societies. The recent successfully defended case against a group including of University of Bristol students for the removal of the Edward Colson statue in Bristol, the ongoing campaigns at Oxford for the removal of statues of Rhodes and other colonialists[21]. When I look to the recreation of university buildings in overseas campuses, I am left wondering what has been learnt. There is scant evidence that these principals so hard fought for through Rhodes Must Fall or through Black Lives Matter have been brought into leadership, governance and decision making in TNE. We seemingly persist in recreating Western ghettos.

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[20] Rhodes Must Fall: Why Colonial Symbols are loathed in Africa https://newafricanmagazine.com/10988/
Rhodes Must Fall campaigners burn UCT Art https://www.groundup.org.za/article/rhodes-must-fall-protesters-destroy-uct-artworks/

[21] https://www.bbc.com/news/uk-england-bristol-57337123

Against this backdrop, decolonisation and to some extent reparations are concepts that are increasingly used in a sector attempting to right some of its colonial past. Glasgow University, for instance, gained media attention for their commitment to reparations relating to historical association with the slave trade[22]. The Legacies of Enslavement Advisory Group, at the University of Cambridge, published the findings of an inquiry into its historical connections to enslavement in September 2022. The inquiry implicated the University of Cambridge in receiving bequests based on income generated by slavery, identified investment in the Atlantic slave trade, cited the education of wealthy slave traders' sons and highlighted proslavery academics within the institution. These Universities are far from alone in their historical connections the colonial practice of enslavement. Responses to such investigations have resulted in a range of measures, from dedicated scholarships for black students to the renaming of streets and buildings. But there is still a considerable way to go in establishing a definition for decolonisation in the higher education sector and even further to go in implementing decoloniality in a system that financially now dependant on international students. When it comes to decolonising TNE, the literature is even more scant. This silence exists despite the very physical act of an institution establishing itself in an overseas jurisdiction.

The most relevant academic literature here is fairly old but pertinent. It is highly relevant given to the findings given that participants discussed colonial mindsets and unequal power relations as education provides a mechanism for the colonisation of the mind (Ngugi 1986) with education rather than colonising forces cross national boundaries. The findings echo some neo-colonial theorists (see for example Hayter 1971) that argue neo-colonialism is taking new forms. Again, Hayter's context is based in the 1970s and sees and almost complete rejection of aid on the basis of imperialism. Dependency theory provides a relevant framing and, whilst an extreme and perhaps unrealistic stance, brings a stark warning of the challenges of a new colonialism. One based in an increasingly knowledge-based era that risks western hegemony being the only truth. Nkrumah's seminal 1965 text "Neo-Colonialism, The Last Stage of Imperialism' centres on the retention of indigenous knowledge and belief, rejecting western knowledge and power. But Nkrumah's was himself educated in London which perhaps shows how unrealistic the stance in an increasingly global world.
The data highlights that TNE provision does not currently address western dominance over knowledge and truth. In many instances, it perpetuates it.

[22] https://www.theguardian.com/uk-news/2019/aug/23/glasgow-university-slave-trade-reparations

6.1.1.1 League Tables

The various impacts of the international rankings and their associate league tables on partnership relationships was a theme in the data, with five respondents referring to it. For example, SIL01 from a UK perspective talked about institutions partnering internationally with similar institutions and identified the leagues tables as the primary means through which similarity (of quality and reputation) was measured. Three participants saw the ability of Chinese Universities to develop TNE partnerships with highly ranked institutions in the UK, US and Australia as an indication of market forces. In their view, the financial incentives for such highly-ranked institutions to set up partnerships in China were sufficient to ignore some of the concerns that were expressed regarding partnering in a similar way in, for example, Africa.

That global rankings are specific instruments of national policy makers is highlighted by Lane and Kinser (2017), who also point to the key role of rankings in institutional decision-making concerning strategic priorities such as a focus on internationalisation metrics contribution to certain ranking algorithms. The discourse of such national policies and institutional strategies tends to focus on being 'top': top 200 (around 1% of all HEIs globally) or top 500 (less that 3%), constructing a sub-field of 'world-class universities' (Enders 2015) and implying that 'high quality' is rested in a tiny proportion of institutions. Shahjahan and Baizhanov (2021) argues that this makes the league tables themselves neo-colonial tools, since the vast majority of such 'world-class' universities is seen to be located in the Global North. The assertion by Enders (2015) that rankings, reputation management and branding have a 'mutually-reinforcing effect' resonates with Lomer's (2017) model of reputation in universities as being a self-perpetuating cycle where students, through word of mouth, perpetuate the reputations of the universities which they attend. In the view of a majority of participants, TNE policy which restrict partners to only those in the top league table positions serve to perpetuate the reputation and perceived quality of a small number of such universities, which are able to foster multiple partnerships in countries where partnerships with a wider range of overseas HEIs may well have served local social and economic need more directly.

6.1.1.2 Academic staffing

The value of teaching verses the value of research active academic colleagues is a debate across the sector, and one which could not be given adequate space to be comprehensively explored within the scope of this research. It is, however, a particular tension within TNE. There are many national systems which do not afford resources for investment into research or where national research funding is a lower priority to other national priorities, this particularly applies in developing nations. In these instances, opportunities for research engagement are limited and so it is the system rather than the skill of the academic researcher that is the limiting factor. Despite that and because of the global nature of the sector, the 'capacity' of those individuals is judged based on research in an environment where the agenda has already been set. As the UK, US, Australia and Canada enter these markets, there are established criteria for the measurement of academic success through which we have the resources and the upper hand.

To compound this issue, staff working at overseas campuses are not, at least in the case of the U.K., returnable to the Research Excellence Framework (REF). Their academic work is excluded from the national system for measuring individual and collective research excellence. Whilst you could argue that this at least levels the playing field in overseas campuses and partnerships, it also results in research active staff either refusing employment in overseas ventures. It contributes to a sense of othering of staff working in cross border campuses. The data also highlighted some manipulation in the returns. Instances where highly cited academic researchers on secondment to TNE campuses had been returned to the REF. Although I was unable to understand how this was achieved, my assumption is that it was through the construct of the employment contract. It is particularly uncomfortable that the examples provided relate to UK staff on secondment rather than to locally employed research active staff.

The policy environments in several host countries, for example, Singapore and Malaysia, require an element, often the majority, of educational delivery to be undertaken by academic staff from the sending institution. This often means that a significant or majority proportion of staff are either seconded to a partnership or branch campus or 'fly-in, fly-out' of country in order to deliver teaching. In Singapore, the Committee on Private Education requires that academic staff from the home institution form the majority of the teaching component In Malaysia, a majority rule also applies, meaning that the majority of teaching staff recorded by the institution as teaching on Malaysian degree programmes need to originate from the home campus. The requirement is linked to the Ministry of Higher Education's accreditation process for overseas programmes and providers and so an obligation of establishing TNE in country. As a regulatory requirement it was almost certainly introduced to address some initial challenges experienced in the 1980s when Malaysian regulation allowed for the opening up of the sector. With a public higher education sector unable to meet demand, the establishment of the private higher education sector, at first allowed an influx of low-quality franchise agreements. Evidence points to loosely managed franchise arrangements, provision 'badged' with an internationally branded university but delivered with little adherence to academic standards. At a time when the market was expanding rapidly and the Malaysian Quality Association finding its feet, there were no doubt some very poor-quality local providers, and general discussion surrounding degree mills and other fraudulent activities. Policies were developed that attempted to ensure like-for-like quality, one being the requirement for educators to be flown in or seconded

The unintended consequence, however, of addressing quality in this way has been the creation of a premium or elite status that is applied to non-local educators. The sense that overseas, generally western academics are the mark of quality and as such are better. By implication it also reinforces the status of western knowledge in a global market. That requirement for 'like-for-like' has also impacted the relevance of curriculum and the educational experience of students. This is picked up later in the section on curriculum. The approach reinforces cultural hierarchies. It fails to recognise the potential for cross cultural learning or to acknowledge that international partnership or delivery internationally brings learning for all actors.

Current research into TNE has not explored staffing in relation to power dynamics, instead focusing on the challenges of attracting and retaining academic staff to the host country (e.g., Wilkins 2017). And yet academic staffing in TNE is one of the principal mechanisms through which cultural hierarchies and western supremacy are reinforced. Whilst there is academic resistance to partnering with universities in, for example the Philippines, Africa and parts of Asia, based on rank, there is no resistance to researching those regions. Even those academics that had chosen to research aspects of Asia and Africa and whose research was based in these regions of the world were reluctant to travel when it was to teach. Participants described an 'insularity' and an elitism that defined who academics felt they should or would partner with, which is deep-seated and ironic given universities spend their time talking about being international of global, think UCL strap line 'the Global University', Kings College London 'Of London for the World', the University of Nottingham's vision to be 'a university without borders.' Yet, the focus on research over teaching in TNE points to an uncomfortable self interest in the academic community, to the mining of data from poorer regions whilst at the same time being unprepared to contribute to their educational endeavours. Of 'Global' carrying a range of caveats based on systemic inequalities within the global system.

It is a systemic problem, reinforced by the constraints of e.g., the Research Excellence Framework and reinforced by the colonial mindset and elitism of some academic staff. With the vast majority of TNE ventures are about teaching and there is a need to reinforce research as a normative activity despite the lack of funding and resources if those staff are to be engaged on equal terms as their counterparts at the home institution. There is no research which explores the promotion prospects of those that lead and teach at cross border. A reflection, and one that might not be supported across the sector, is that during my time at the University of Reading Malaysia, all seconded academic staff, other than the Provost, were women. Gender inequality and career development are areas beyond this research but both need greater exploration to avoid hierarchies within academic staffing in TNE.

Smith's (2012) work on decoloniality in research is particularly relevant here and points to an uncomfortable absence of equality within academic research. I struggled not to see the powerful image she painted of researchers measuring the 'faculties' of her ancestors by filling their skulls with millet seeds in order to assess the 'capacity for mental thought' whilst relistening to the recordings of this particular interview. Wilkins (2017) discussion in relation to academic resistance to engagement in TNE on the basis of, for example, 'a less attractive climate; being away from friends and family at home; or simply the disruption caused by having to pack up personal possessions and start afresh somewhere new' also resonated.

6.1.1.3 Cultural Capital and identity

Linked to hierarchies in academic staffing is the critical role that western academic staff play in ensuring the overseas campuses and partnerships maintain an appearance of being western. There is a clear theme within the data that the appeal of studying with at an overseas branch campus or partnership is linked directly to the status of western universities. Xu (2022) whiteness as an aspiration is pertinent. The 'lifestyle' or 'western experience' narrative is to a large extent, backed up by the endeavour for universities to offer the same experience to those students engaging via TNE as they offer to students at the home campus. It is the attainment of a western qualification and emersion into western culture that, the data evidenced, was critical in attracting students (shin and Choi 2015, Moon and Shin 2019).

This speaks to one of the most challenging themes in the data. The importance of selling western culture as a fundamental feature in the development of sustainable TNE business models. It connects TNE with concepts that are similar to those you may find in lifestyle or luxury branding, situating cross border education uncomfortably with the creation of new class structures or class distinction. Pointing to a neo-colonialism which Nkrumah (1965) described in 'The Last Stage of Imperialism' and the mental constructs to which Mignolo (2000) refers, to the persistence of Mazrui's 'chain of dependency'. All of which erode local culture and identity reinforcing imperialism in higher education system in which students are taught to imitate others, always from the 'Global North' and always considered to be more educated. Evidence of cultural elitism within cross border education raises the question of whether TNE is responsible for reproducing inequality.

Access to higher education in developing economies is fundamental to social mobility. In the case of the UK, widening participation, particularly for those from lower socioeconomic groups, but also more broadly for those underrepresented in the student body is increasingly statutory. The Office for Fair Access requires of universities that they commit 10% of domestic fee income to scholarships, bursaries and activities that directly support the widening of access. Here higher education is a catalyst for capacity development. In absolute terms, TNE creates more places in higher education but it is difficult to evidence its role in inclusive development. In reality, there is a strong argument within the data that TNE delivers the opposite outcome for developing economies. It creates competition within the national system of higher education (see Naidoo 2016, 2018) and establishes a hierarchy of provision through which local universities become less desirable, less prestigious.

For many participants, creating access to higher education was the key personal motivation for engagement in TNE. HESA data certainly reflects substantial increases in student numbers over the last fifteen years The percentage of the population accessing higher education in key TNE countries e.g., China, Malaysia, Sri Lanka, has also increased. This indicates that TNE has been successful in supporting access. The resultant higher education landscape that was described is, however, one in which there were multiple and conflicting challenges and in which teaching provision is not: consistent; culturally inclusive; locally and nationally relevant; and delivered on equal terms with partners and other actors in the local environment. Given that TNE is delivered largely in developing countries, delivery that imposes and replicates western ideologies, reinforces the arguments around the colonisation of the mind (Ngugi 1986) and evidences coloniality as a social process (Laenui 2000) with and enduring impact (Mignolo 2000).

6.1.1.4 Capacity at what cost?

It also creates perhaps the most fundamental tension for TNE. This being the conflict between creating capacity and opening up access to higher education in places where there is currently limited infrastructure and scale. The risk, being that in doing so, we replicate western values and undermine indigenous knowledge and systems of belief. In overcoming the challenges of creating sufficient access to higher educations, several countries have imported provision. In doing so they have created access, meeting the needs of a growing number of students. Malaysia, China, Hong Kong, Sri Lanka amongst others have actively sought foreign providers as a means of meeting demand for higher education. In doing so they have arguably replicated cultural hierarchies in which the 'global north' is seen as the purveyor of truth and knowledge. Those in the 'global south' receive wisdom from the more highly developed west, perpetuating cultural hierarchies and subverting local knowledge and power. Participants reinforced that inherent tension again and again.

There are some clear parallels with Bhabha's theories of mimicry. Students are encouraged to mimic western culture, ideas and language. Through curriculum, they come to understand the world through the eyes of the west. They are surrounded by spaces which physically replicate western university buildings and spaces. They are required to speak in English even in social spaces. Mimicry becomes an overt goal of the education that is being delivered because it is this that makes the TNE offer attractive, that makes it into an elite or luxury good. The very process of knowledge reproduction, the process of learning, that creates an environment in which students replicate behaviours and practices. It also becomes essential for the offer to remain differentiated. If the university becomes hybridised, it loses that elite status and the competitive edge that that brings. In this realm, the university and the western academic become the coloniser of students. It strikes me that this is also at odds with the increasing trend in the UK to cocreate alongside students. There are also parallels with Bhabha's mimicry in that the colonised, despite replication, remains in some way different, not quite part of the dominant culture, 'almost the same, but not quite' (Bhabha 1994). This argument is reinforced for example, by the lack of trust regarding academic standards in TNE operations or the lack of parity between locally appointed and seconded staff. A sense of hierarchy that maintains the superior position of the home campus and home campus community.

Mok and Han (2016) conversely argue that TNE in China has transformed traditional teaching and created a more equal partnership between students and academics. The act of bringing together two or more universities and national systems of higher education has allowed for comparison, improvement and best practice in Sino-British partnerships.

6.1.1.5 Brain drain

In their comments relating to China's one child policy and the search for a different life, SIL09 introduces the wider socio-economic landscape as a motivator for brain drain, including China's one child policy and limited access to Chinese universities. They also talk about the power of the US green card and post study work as being a strong marketing tool for western universities. But China recognised the challenge as early as the 1990's and implemented a range of policy instruments to attract native Chinese back to live and work in China, including the 'Young Thousand Talents' or

Y1000T programme. Marini and Yang (2021) empirical study of the success rates of returning Chinese academics is notable and demonstrates China's success in attracting global academic talent. They describe the Chinese government's efforts to ensure a global pipeline of scientific talent through such policies as 'remarkable'. TNE, as a policy instrument has the advantage of retaining and attracting academic colleagues to live and work in China. It is about more than meeting student demand for places in higher education and linked firmly to China's technology ambitions.

That broader geopolitical picture didn't play out in the data where there was a focus on profit motive, even exploitation of Chinese partners, 'the first thing that gets discussed when you're talking about China is, oh, is there any surplus in this? (SIL09)'. Many participants described foreign institutions of chasing profit rather than educational purpose in partnering with Chinese universities. This was perhaps most clearly articulated in the narrative regarding highly ranked foreign universities partnering with much lower ranked universities in China. This wasn't the case in partnerships outside of China, where there was less financial incentive to partner. China is a global power compared to many of the other countries that have adopted active policies which use TNE as a mechanism to grow their national higher education sector, however, the research data undoubtedly pointed to profit as the driver for successful collaboration.

As noted in 6.1.1.1, the research highlighted the success of Chinese partners in attracting highly ranked universities. Participants highlighting a willingness by western universities to partner more frequently with lower ranked universities in China than was the case in other countries. SIL09, a UK professor, who leads a major joint medical research institute with UK and China discussed levels of scientific investment coming through the Chinese partner that they could never have secured in their home institution. They also asserted that the UK held 20-year-old ideas of what China is like, highlighting that the vast majority of masters students coming to the UK will be doing so because they've failed to obtain a state sponsored place in a Chinese University. So, the UK is in fact a second choice, for the less academically gifted student but for those with the financial means to travel. In that context, TNE becomes an attractive proposition for UK universities wanting to tap Chinese talent. That fundamental flipping of narratives, is the story of success of China's continued and strategized investment into higher education.

SIL11 argued against foreign intervention as a catalyst capacity development in Africa, proposing instead a 'collective' response from the developing world as the solution to creating equitable international partnerships. Here, many universities with less resources come together to form a ‘collective’, creating a more balanced position particularly when partnering. They argued that a ‘network dynamic’ brings strength through combined resource and collective knowledge. an example being the Pan African University network, established in 2011 with a remit to focus academic talent on some of Africa’s most pressing developmental challenges through five postgraduate centres each dedicated to a critical theme.[23] Whilst I struggled to gain evidence for their argument that TNE contributed to brain drain, there was a compelling case linked to identity which connected with repelling western hierarchies in the development of a pan African sector. Perhaps brain drain is less about the migration of national talent and more about the drain of local cultural pride and indigenous identity, Ngugi’s ‘colonisation of the mind’. (1986)

6.1.2 Curriculum

The persistence of coloniality in higher education is a multi-faceted phenomenon. With curriculum the primary vehicle for the transmission of knowledge, it is unsurprising that curriculum development and pedagogical approach are the areas that are most referred to in the academic literature on postcolonial and decoloniality. This is also perhaps because it is an obvious focus of the academic endeavour and so the one that is foregrounded in academic minds. Particularly given the focus within the academic literature, I was genuinely shocked at the lack of adaptation evidenced in the data. The idea that curriculum was still lifted and shifted across national boundaries with little or no structured approach to ensuring the relevance of knowledge and pedagogy is, in itself, evidence of the persistence of coloniality in the academy. This, particularly given the growth and scale of the sector and the widespread discussion regarding decoloniality on western home campuses.

I am conscious that interview participants were senior members of university staff and that few now delivered teaching directly to students. It is possible that innovation in curriculum content and delivery was happening within departments. This reflects Bagchi (2021) argument that innovation in curriculum within TNE goes largely unnoticed. This is picked up in more detail again later in this section. That senior staff were not versed in this critical work, in itself however, points to an unstructured and therefore, ungoverned, approach to one of the primary measures of quality within the academic system.

In fact, the replication of curriculum was seen by some national importing ministries, as the mark of quality. Quality frameworks that govern TNE through for example the Malaysian Qualifications Agency

[23] https://pau-au.africa/about/background

(MQA) or Ministry of Education (MOE) in China focus on input measures as an assessment of quality: 'identical' curriculum, face to face contact time, the qualifications of academic staff. Things that can easily be measured at accreditation. This is diametrically opposed the direction of travel in the UK sector where Universities are increasingly measured based upon the outcomes of students. The UK system has for example rejected notions of learning gain in favour of metrics which assess and benchmark outcomes. The introduction of the Office for Students B3 condition of registration which sets numerical thresholds for continuation, completion and graduate outcomes, however blunt, is a clear indication of the focus on student outcomes rather than input metrics in the UK system.

It is perhaps an obvious point but TNE in emerging higher education sectors often lacks the data to support the measurement of student outcomes, there simply aren't sufficient graduates or sufficient data points. Yet, some TNE sectors: Singapore, Malaysia, China, for example, are well established, having operated across decades, and yet there appears to be a residual reliance on inputs to the system rather than on outcomes. This is perhaps the mark of a lack of confidence on the part of regulatory bodies. Participants to the research reflected a rigidity in quality assurance processes and one has to wonder if it is this rigidity that contributes to a lack of innovation in curriculum and pedagogy in TNE.

An area that did illicit some significant space within the interviews was the teaching of compulsory curriculum imposed by ministries from within the host country. In particular, the compulsory teaching of Islam. Many participants discussed discomfort at the compulsory element of Islam within the requirements of the Malaysian Private Higher Education Act. It is difficult to unravel whether this belies anti-Islamic sentiment in western communities, an underlying intolerance which is increasingly enforced through the governments Prevent agenda and debates on campus regarding freedom of speech. It may of course also be that the material is alien to wester academics and that western academics are still the overwhelming majority of leaders of overseas campuses.

Compulsorily teaching of Islam also brings in a new and difficult debate around 'colonisation'. For much of Asia, Islam is as much a tool of the coloniser as Christianity has been. A new religious mission in a country's that would have moved from indigenous religions to Hinduism and Buddhism over two millennia ago. Malaysia again provides an interesting case. Islam came around 1400 years later. Sunni Islam is now the official religion of Malaysia and there are constraints on those who do not practice the national religion, these include different tax regimes and access to different schooling, for example. Ethnic Malays cannot covert to other religions and those that wish to marry Muslims in

Malaysia are required to convert. Alongside tax incentives for Bumiputera and better access to education, there is a sense of increasing fundamentalism and potentially 'Islamic conversion' within higher education that is uncomfortable, particularly when embedded into more liberal and now atheistic western curriculum. It's an area picked up more directly in the discussion on human rights but one which is worth further exploration with regard specifically to the development of curriculum that is contextually relevant across national borders.

The question that should be posed is not whether it is right for a UK institution to feel discomfort at conforming to nationally prescribed curriculum that includes religious instruction but whether it is right that Islamic studies is part of the core curriculum for degree award in Malaysia, particularly given the multi-cultural nature of Malaysian society. There should also be a debate surrounding whether the discomfort at delivery shows an unconscious bias or anti-Islamic sentiment. These are complex debates at the very heart of definitions of knowledge and of universal truth. Should academics accept a curriculum on Mao Tse-tung but object to teaching the Quran? Should curriculum reflect the religious and cultural practices of the country? How does that fit with academic beliefs and freedoms? How does that fit with the desire for western education and culture outlined above in the section on cultural hierarchies? These are the very questions that help to shape a more comprehensive framework for TNE and move University Boards past a focus on financial and reputational considerations.

Pirbhai-Illich et al (2017) culturally responsive pedagogy is relevant. Pirbhai's approach to developing culturally responsive curriculum through decolonisation and as a process of transformational change resonates strongly with the data. It sits particularly strongly with the narrative in the data around curriculum development in TNE being an ongoing process and one that is not yet fully understood. Sidhu's (2015) argument against a 'universalising epistemology' in TNE is also relevant and reinforces the problem of lifting and shifting curriculum. Sidhu's reflections on the role of postcolonial thinking to focus on local context is key. The argument for including students in the design and delivery of their own programmes highlights an interesting. Co creation with students would bring a local dimension that appears, from the data, to be missing.

It of course also reinforces a hierarchy based on western knowledge and power. Bagchi's (2021) argument is that this work is happening in franchised provision but that it is academic work that goes largely unnoticed. Adaptation is individual and not at the University or system level. This is reflected across the research data. The failure of TNE is to deliver contextually relevant degrees risks graduating cohorts of students not able to live and work effectively in their own cultures and realities.

It is reminiscent the situation found in universities established in former colonies: the University of Sydney: University of Cape Town and many others. Those early universities were established to educate the children of colonial settlers and for some considerable time retained the Western cultures and epistemologies. There is a real risk, highlighted in the research, that TNE reintroduces Western knowledge and power, particularly in relation to the failure to address curriculum and pedagogy but also in the wider student experience. It replicates the errors of the past, re-establishing 'colonial outposts', colonising minds through western thinking and learning. Continuing to create generations of Africans at odds with their own histories (Mazuri 1992).

The interviews left me with a sense of frustration from within the TNE 'community'. It was clear in the data that the potential to develop globalised curriculum and greater intercultural competence through TNE was an ambition of those leading the sector but one that was yet to be realised. A number of participants referenced the benefits to of business, engineering, surveying or architecture students engaging in development zones or regions where there was huge growth and construction. '(I)n the case of certain discipline, like civil engineering and architecture, think about what tremendous opportunities this is for your students, for UK students, to have – in a country that is the fastest in construction' SPL04 Despite that frustration, I found little evidence of university level initiatives within the data. Pinar (2011) specifically highlights the tension between the development of a global curriculum and one that allows for local contexts and histories, highlighting the need to move beyond course objectives and syllabi to considering the role of identity and nation in curriculum. Pinar (ibid) points out that decolonisation of the curriculum has largely focused on replacing literature form the west (Europe and the Global North) with local theorists. He argues that this limits the concept of curriculum to the academic literature rather than a broader definition of curriculum as encompassing the broader educational experience and outlines a four-tier approach to decolonised curriculum and practice.

- Curriculum as product: certain skills to master and facts to know
- Curriculum as process: the interaction of teachers, students and knowledge
- Curriculum as context: contextually shaped curriculum
- Curriculum as praxis: practice should not focus exclusively on individuals alone or the group alone. It must explore both creative understandings and practices.

This approach to decolonised curriculum and practice is a lens that I think would be particularly useful in the context of curriculum development in TNE.

A further argument to support the development of a localised approach to curriculum is academic autonomy. SIL06 noted the need for 'academic autonomy on either side to contextualise their (student) learning and their assessment'. There is a real irony given that many of the objections to TNE are on the basis of academic freedoms, that a key narrative in the data was the control of curriculum from the home campus to the branch campus or partnership. The ability to replicate curriculum was seen as an advantage in some restrictive regimes. The requirement of local regulators to maintain identical curriculum had allowed for the inclusion of materials that might have otherwise been challenged on the basis of religious or cultural belief and was seen, conversely, as a benefit to academic freedoms. This of course is predicated on the argument that there are universal truths which override local belief systems.

Intercultural practice is an area where there is a substantial body of academic literature but one that did not appear to being drawn upon. Whilst a number of interviewees discussed challenging cultural differences, I found very little evidence that active frameworks or strategies were being employed at an institutional level to address cultural competence or intercultural communication, either for staff or for students of TNE.

6.1.3 Quality and the Student Experience

The experience of students is critical to the provision of quality education in TNE. Current literature on the experience of students in TNE provides at best a mixed and at worst a fairly sobering read (see for example Wilkins 2020 which includes discussion on replication, investment and infrastructure in TNE, Tsiligiris & Hill 2019 which explores the student as customer in TNE). This sadly concurs with the narrative in the data.

The most important message in the data was the importance of ensuring that students were clear about what the campus or programme was able to offer. It is a space that is regulated by the Competition and Markets Authority[24]. In the UK it is a is clear the focus of attention by the Office for

[24] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/428549/HE_providers_-_advice_on_consumer_protection_law.pdf

Students but which, the data, suggests, is not consistently considered in TNE. The Office for students expects of all providers, that they make sure that:

- prospective students can access the information they need to make the choices that are best for them
- all students understand what they can expect in terms of teaching and support available
- students have access to clear, accurate and timely information at all stages of their education experience. This includes information on course content, structure and total course costs
- contracts are understandable, fair and transparent. If things do go wrong, students should have access to a clear complaint handling process.

Whilst the language may be consumerist, the request is not an unreasonable one, particularly in a hybrid space where programmes or campuses are new and merging. Trying to replicate the experience of student at western home campuses is flawed. Not only is it likely to produce a poor comparator, it fails to align quality and the student experience (Tsiligiris & Hill 2019) or to recognise the unique position of TNE students, there needs and wants (see for example Wilkins 2020). Replication is perhaps the greatest indicator that we have failed to decolonise the university offer.

Whilst English as the medium for learning feels appropriate in a setting where students have actively chosen to study with a UK university, enforcing English in corridors and conversation outside of the classroom feels particularly colonial. One of the advantages of TNE is that it addresses concerns regarding brain drain that have been a factor of traditional inward mobility of international students. It keeps the student in the country and potentially supports the development of knowledge and skills in the community or national setting. In this context, enforcing English is simply hierarchical and oppressive of indigenous culture. Supporting relevant knowledge and skills for the individual, community and nation should be the primary goal of TNE, and provision that is assessed through this lens a mark of quality and appropriateness. Ngugi's narrative on language as a tool of the coloniser is pertinent.

> '….the biggest weapon wielded and actually daily unleashed by imperialism ….is the cultural bomb.
> The effect of the cultural bomb is to annihilate a people's belief in their names, in their languages, in their environment, in their heritage of struggle, in their unity, in their capacities and ultimately in themselves.
> It makes them see their past as one wasteland of non-achievement…'
>
> Ngugi (1986) p.3

Quality assurance in TNE has improved significantly from the 'wild west' (SP02) to the introduction and refinement of assurance mechanism that are becoming more standardised, particularly in countries where TNE is a significant part of the national system (MQA in Malaysia, MoE in China, Commission for Private Education in Singapore, etc.). It is perhaps still a characteristic of new systems that the structures for quality assurance are not yet adequate or where they are overly rigid, relying on blunt instruments: identical curriculum, specified contact hours, etc. The QAA in the UK and other sector bodies are also entering the space, considering sectoral level engagement and reputation (Trifiro 2018).

The need to define quality in TNE, at an institutional level, is a key finding of the research. Whilst quality assurance agencies have started to explore TNE provision, the lack of an established framework outside of the national boundaries of any one sending country, alongside the complexity of navigating new quality assurance frameworks within the host environment pushes the onus back onto institutions. Self-regulation is not a new space for universities. It has been a fundamental and forming edict of the sector, certainly in the UK. It is within the DNA of academia where universities are the awarding bodies. TNE provides the opportunity to shape an innovative space, an intercultural space, one which delivers effectively for students, communities and other stakeholders but one which requires deep analysis and reflection. Something that the research found was not currently prevalent.

6.1.4 Commoditisation, profit and brand

Whilst profit motive is a theme within the literature (for example Maringe and Foskett 2010, Branch 2019, Altbach and Knight 2007) it was hard to evidence financial success within the data. The evidence suggested an environment in which finances were often very challenging. If those that engaged are to be taken as indicative of the TNE more generally, and there is little reason to think that they are not a representative group, the evidence potentially debunks the myth that TNE is for profit at all with many participants to the research claiming the pursuit of profit was unrealistic. Many pointed to connection and partnership as being fundamental to global challenges and to the role that international experiences have in student success. There was undoubtedly a clear motivation to develop global brand and reputation.

Although the research pointed to at best mixed financial results in the operation of TNE, there is undoubtedly an increasing pressure on universities in the West to maintain financial sustainability as Higher Education becomes increasing marketized and governments look to restrict the burden of investment into a now massified and still growing sector. This has created an imperative to diversify income and that driven diversification, in part, through cross border higher education and through partnerships. The pace of change and the pressure to finance operations through growth, particularly since turn of the century has resulted in a lack of deep and broad research into cross border initiatives. Whilst there is little transparency over the underlying reason for closures, I am cynical that highly lucrative ventures would be shut down given the financial pressures felt by the higher education sector. Anyone who has worked in the sector has felt the pressure to ensure partnership ventures deliver financially and at least, in part, we can assume that the financial challenges of overseas ventures are to blame for closure[25]. If nothing else, the increasing number of closures in itself points to a need for greater skill in the negotiation and operation of partnerships and to more sophisticated risk assessment[26]. In reality, the data, and the literature point towards an increasing trend towards models of TNE which require lower upfront investment (Verbik 2007), towards models that Wilkins and Huisman (2012) position as financially rather than socially driven. Despite the clear risks and mixed financial outcomes, the finding clearly point towards income diversification and profit as a motivation for TNE. Profit, alongside brand and reputation were the most commonly referenced motivators for engagement in TNE. TNE is positioned as a mechanism for market and brand penetration.

This is no difference between this and a sector which is increasingly marketized through international student recruitment and competition for home students. One which is built on a premise that financial viability comes first. A theme throughout the data was an increasing focus on the university as a business. Universities have a 'charitable' objective. Overseas partnerships separate legal entities are able to operate outside of that charitable status. Dependent on the location and the regulations of the country in which they operate, a campus overseas can, for instance be liable for taxation.

Is the creation of a private or commoditised sector in higher education always bad? Some policy makers have argued that improved service and a greater understanding of the student experience has grown out of competition within the sector. SIL07 certainly argued that the need to focus on the 'basics', with 'simpler problems to fix' on the home campus was a reason for not yet engaging in TNE. Is a privatised element to the sector necessarily bad or simply at odds with the public good identities

[25] https://www.smh.com.au/national/red-faces-millions-lost-as-uni-closes-campus-20070524-gdq7ti.html

[26] Kent lists a number of recent closures: https://www.internationalhighereducation.net/api-v1/article/!/action/getPdfOfArticle/articleID/3422/productID/29/filename/article-id-3422.pdf
Most notably the end of the Yale NUS partnership: https://yaledailynews.com/blog/2022/03/07/there-is-only-one-yale-nus-and-now-they-have-lost-it-students-at-yale-nus-dissatisfied-with-nus-college-planning-process/

of individuals and universities? Flexibility and choice may play a part in widening access. That access might not necessarily create an equitable playing field but it does, quite literally mean more places in higher education. Clarke's 2021 assessment of IBCs points to access on the basis of financial means rather than ability as one of the colonial features of the model, that hypothesis was undoubtedly reinforced in the data. With TNE positioned as an alternative for students unable to gain entry or scholarship to national systems of education by several within the research sample.

Discussed more fully in the findings on human rights, inequalities and political influence, it is worth noting that in some countries private sector universities enjoy greater independence and therefore academic freedoms from state control. Whilst not conflating this with equity or choice in access, it does, potentially create greater opportunity for universities to challenge threats to equalities and human rights. There are still many countries including Malaysia, Nigeria and Pakistan where governments appoint or exercise considerable control over the appointment of Vice Chancellors. Arguably state funded entities also have less freedom in expressing concerns on the actions of incumbent governments.

6.2 Situated factors

6.2.1 Diversity and Inclusion

UK Equalities Act 2010 provides specific protections against discrimination on the basis protected characteristics including sexual orientation, gender and race. The data points to TNE providers from more liberalised western cultures facing not only values-based conflict but also two conflicting legal systems. The Higher Education Code of Governance is also explicit in relation to inclusion and diversity. Element 4, for example, requires of governing bodies that they ensure that there are arrangements in place to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity between people who share and those who do not share a protected characteristic; foster good relations between people who share and those who do not share a protected characteristic; and promote an inclusive culture. [27] It is difficult to see how these aims can be achieved as universities cross borders and deliver within very different socio-cultural environments. Ultimately any response is a compromise.

[27] https://www.universitychairs.ac.uk/wp-content/uploads/2020/09/CUC-HE-Code-of-Governance-publication-final.pdf

6.2.1.1 Gender and Sexuality

LGBTQ+ rights were without doubt the most frequently raised ethical dilemma for universities establishing TNE ventures, particularly in South East Asia and the Middle East. The top six host countries of UK TNE (and accounting for 38.9% of all UK TNE student numbers in 2020/21) were China (61,495 students), Malaysia (48,460 students), Sri Lanka (37,175 students), Singapore (27,875 students), Egypt (23,805 students) and Hong Kong (22,480 students). Homosexuality is illegal in Malaysia, Sri Lanka, Singapore and Egypt. Whilst not illegal in China or Hong Kong, same sex couples cannot marry or adopt and do not have the same legal or anti-discrimination protections as heterosexual partnerships. Malaysia, Singapore, Sri Lanka, Hong Kong were part of the British Empire and the legal systems which are now in force, a legacy of former British rule. Egypt's judicial system also retains elements of British law having been occupied by the British but not annexed.

Malaysian ethics, for example, embedded into constitution are informed by the national religion of Islam. The penalty for sodomy under Section 377 of Malaysia's Penal Code is up to twenty years imprisonment and flogging. Section 377A details a two-year conviction for acts of 'gross indecency with another male'. Whilst there are no direct translations in Malay for the words 'gay' or 'lesbian', the near equivalent terms: 'pondan' and 'bapok' used until very recently in common day language are derogatory (Baba 2001). More recently trans people in Malaysia have advocated for the use of mak nyah or pak nyah (pak meaning father, mak meaning mother and nyah meaning transition). Advocacy potentially still comes with personal risk. Section 21 of the minor Offences Act 1955 still in force allows for a charge of indecency on the basis of cross dressing. Gender reassignment is forbidden. It is interesting that wo participants, now working in different institutions, recounted the same experience of managing a trans woman and LGBTQI advocate visiting a Malaysian branch campus. They both described an almost reluctant challenge from the Malaysian Ministry, only after complaints from parents. The ministry ultimately accepted the event as an academic engagement around diversity. That university, alongside other Malaysian Branch campuses enabled student LGBT societies. That complexity between legality and greater tolerance was echoed in relation to UK partnerships in the Middle East.

The United Arab Emirates, where homosexuality is also illegal, was host to 16,570 UK TNE students in 2020/21. Here, Branch Campuses are also home to Gay Societies for students with one participant referencing the freedoms within a freezone, the lack of policing and a generally tolerant approach to homosexuality. The narrative across many participants and multiple geographies was one of culture that was adapting and increasingly tolerant despite the legislation.

This narrative may, in some way soften the legal and ethical responsibilities of universities. Subverting the ethical dilemma and avoiding difficult debate and confrontation. The stories told by locally employed staff regarding an ambivalence by local regulators and law makers to act on or to enforce legislation in respect of sexuality was the story people told themselves. These stories are perhaps how staff, personally committed to equality, had made themselves comfortable with living, working and educating within systems that they personally found uncomfortable.

There was an inevitability and sense of acceptance in the voice of several participants. In discussing the challenges of LGBT rights on campus, SIL02 reflected: 'we got the routine phone call'. They expressed a sense that the Ministry felt they had to intervene, to provide a 'telling off' so that they appeared to be robust whilst at no time taking formal action regarding activities on campus.

> 'We had a British guy of Afro-Caribbean heritage who was gay, who was the President of the Student Association, and he was out, and he spoke and he blogged about his sexuality, but it wasn't in your face, and that kind of worked' We had an LGBT Society on campus'.
>
> SIL02

There is an irony that in many instances, TNE providers are now confronted with the legacy of their own colonial values as they engage with national systems where sexuality is heteronormative (see for example Nayar 2010, Young 2020). Victorian notions of sexuality have left an enduring oppression and, in many cases, political and cultural environments where single sex relationships are unacceptable and where same sex relationships or acts are illegal. There is a further irony in Young's assertion that colonial settlers where often attracted to colonies on the basis of greater sexual freedoms and liberalities. The colonial legacy that now confronts TNE providers is one which is at odds with current cultural norms but based on the legacies of more oppressive regimes that the West once enforced. This in an environment of now greater gender fluidity in Western cultures and legal frameworks which actively support diversity and inclusion. Postcolonial literature in particular foregrounds queering, adopts 'a strategy of shifting social or intellectual perspectives out of their dominant binary forms' (Young 2020 p103) and provides a lens through which to explore the intersection of different cultural norms highlighted through the engagement of universities in overseas ventures.

How do notions of TNE being a catalyst for more liberal thinking fit with Spivak's views for example. These challenge the idea that more developed economies impose their values on those who are less economically progressed. There remains in my mind a significant question regarding whether it is possible to successfully navigate diverse views regarding equalities from indigenous cultures without destroying the cultures of those societies in which TNE delivers.

Perhaps the most challenging country in respect of women's rights (an arguably human rights more generally) is Saudi Arabia. Saudi hosted 14,945 UK TNE students in 20/21 and is one of the five priority countries for the promotion of UK education under the governments February 2021 International Education Strategy. It is a country in which gender segregation is normalised, including within the education system. Women still require the permission of a male colleague to marry, to travel overseas, and where even release from incarceration is dependent on their being a male relative that will accept care and responsibility for a woman's liberation. One of the few examples in the research of an active decision not to engage on the basis of protected characteristics was in relation to gender segregation in Saudi Arabia. It is a space of absolutes and one in which the challenges of diversity and inclusion cannot be ignored. The question is, does that mean that we should not engage? These are deeply challenging questions that require careful consideration, I argue, by the governing bodies of universities and yet there was little evidence that this was happening. There was evidence of sometimes strained and distant relationships between leadership and governance at the home institution and teams based in country delivering via TNE.

6.2.1.2 Racism

The complexities of race were evident throughout the research and are course fundamentally connected to western/white supremacy and coloniality. Whilst some overt racism was evidenced in the data, the vast majority was evidenced in relation to cultural hierarchies, to the dominance of the West in the lived experiences of staff and students. This is covered in section 6.1.1 above. Here I discuss the relevance of race more broadly but this is at all times intertwined with the complexities of western power. The introduction to the paper positions TNE within a structurally racist UK higher education sector, the data is overwhelming. Both students and staff are subjected to structures and cultures which limit progression, success and outcomes. Through TNE, that sector becomes interwoven with the complexities and hierarchies of race in other systems.

This is most evident in the data in relation to Malaysia, a multiracial country. Within the development of the education sector, the Private Higher Education Act, controlled through the Malaysian Ministry of Higher Education is the primary policy maker and enforcer. It is a requirement of the Malaysian Ministry of Education, written into the Act, that private institutions be 'open to all races in this country and not concentrate to any particular race', that the sector should 'must reflect the multi-raciality of Malaysia'. This is in stark contrast to public sector provision which is still largely dominated by Bumiputera[28] (meaning son of the soil and refereeing to indigenous communities). Despite the lifting in 2003 of Article 160 which gave preferential access to those that "professes the religion of Islam, habitually speaks the Malay language, conforms to Malay customs and is the child of at least one parent who was born within the Federation of Malaysia before independence of Malaya on 31 August 1957, or the issue (off-spring) of such a person".

UTM Space, a private entity owned by the University Teknologi Malaysia, for example, exists largely to fill a gap in access. It recruits mainly Chinese Malay students. This appears to also apply to branch campuses in Malaysia. My experience of managing the overall professional service at the University of Reading Malaysia, including the application and admissions process is that recruitment was dominated by Chinese Malay students. This is also evident in published data for the University of Nottingham. The last publicly available report relates to the 2014/15 academic year and shows a total student body which was: 70.6% Chinese Malay; 21.1% Bumiputera; 6.9% ethnic Indian Malay and 1.4% 'other ethnicities.' National statistics recorded the Chinese Malay population to be 24% of the total Malaysia population in that year. The result being that Chinese students, restricted access to public institutions are pushed towards the private university system and TNE and other private providers see a predominance of Chinese students. Prevented access to public higher education providers, Chinese Malay students come with financial means but are racially excluded from the state sector.

Arguably, the Malaysian government is expecting of private providers a balance in racial equity that it has been unable to achieve through the public institutions. Private providers are serving those that have been unable to access the public university system. Those racial inequities are in part the outcome of national policy (see Sanderson 2016). And whilst of course, we should strive for equalities in access to education globally, we should not forget that race is a structural challenge across multiple national systems. The UK fails to deliver fair access and fair outcomes on the basis of race and wealth.

[28] Jennifer Pak 2/9/2013. BBC news coverage: 'Is Malaysia university entry a level playing field?'. Pak suggests that the system is still heavily dominated by Bumiputera and that Indian and Chinese Malay students have less access *http://www.bbc.co.uk/news/world-asia-23841888*

The Australian sector is still unrepresentative of indigenous communities and US Ivy Leagues largely fail the black American community.

6.3 Fraud and Corruption

Fraud and corruption are tightly governed and legislated for in the UK. Similar legislation exists in other Western countries. On the face of it there is no contestation but this does not account for cultural practices of gifting or influencing in other countries. The nature of the fraud is also often opaque. I was particularly struck by the reference in the data to materials being held at customs and the requirement to pay to release marketing materials. It's a situation that many of us working in the international filed have found ourselves in.

The provision of training and development in relation to fraud, be these in the form of cash, scholarships or other monetised transactions is relatively straightforward. More difficult are those instances where the nature of fraud lacks transparency. Payments at customs which may or may not be legal, payments in relation to 'accreditation' to quality assurance bodies, the unseen or uncontracted relationships of agents for example). Those that involve government offices or officials are particularly difficult to unravel. It is in these spaces that staff in country can feel exposed and sometimes intimidated. Staff tasked with delivering the programme, campus or partnership are torn between the need to deliver in their role and to navigate the legality of new governance infrastructure and environments.

This opaqueness reinforces the need for open and transparent discussion between staff in the host and home country and for supportive and experience general counsel. There needs to be a relationship of trust and openness where staff in host countries can talk openly of their experiences and a body of learning can be developed. The need for good legal advice in country is also essential as the university navigates two distinct legal jurisdictions. The ability to talk through and consider the flow of payments in country and across countries is a mark of mature and experienced leadership and governance.

6.4 Delivering Equality, Integrity and Academic Freedom

A liberal approach to equality and individual choice is in the DNA of western universities, for that reason university campuses are proudly the spaces of Student Union liberation officers, of discourse on the most challenging ethical issues, places where diversity of voice and view are celebrated and debated. Equalities are also enshrined in the responsibilities of our governing body and yet I found little evidence of the type of discussion and debate that is normal on our campuses, and at Council. regarding cross border education. This given that the participants to the research were all senior leaders in the sector.

The context regarding equalities and human rights legislation and obligations are laid out in the context to this paper. The issues already present within the sector (structural racism, gender inequality, lack of access) become ever more complicated because of the situational elements, the national political, ethical, socio-cultural, technical, environmental and legal conditions that present in TNE. Delivering equality is a legal obligation in most western countries. It is, in the UK system, also one of the six core values of the University Code of Governance. A code to which the vast majority of UK institutions have signed up to. Inclusion, within the code, is a value 'which HE governance should be founded on' and are 'at the heart of HE delivery across the UK'. It's worth noting the UK context to this. The code remains silent on obligations regarding overseas entities. The research pointed to evidence of local leadership teams navigating these complexities but largely disconnected from leadership and governance in the home institution.

It is important to remember that whilst governing bodies are of course responsible for the overall governance: leadership, compliance and strategy, of their university, they are also responsible for the academic assurance of the institution. The Advance HE Insight Guide: governing bodies and academic assurance (2017) points to a need for greater understanding on the part of governing bodies of academic life, stronger inter-relationship between governing bodies and academic boards and greater representation and understanding of the institutions academic work on the part of governing bodies. I argue strongly that where universities engage in TNE, representation should include governors who have an understanding of the cultural and ethical challenges of working across national borders. Seeking individuals with transnational trade, cross cultural experience and experience of delivering academic programmes in multiple jurisdictions should be included in the Board skills assessment matrix. The report also calls for greater understanding of the student body and an escalation of engagement between governing bodies and the student experience and the student voice.

An understanding and empathy for the voice of students came through in the data as a potential challenge for TNE. Some of this, the result of legislation in a number of countries that barred student unions, some because of the control over curriculum and the lack, therefore of student cocreation, some because of restrictive human rights legislation which supressed the voices of minority groups. The physical distance as well as the cultural distance between governing bodies and their students overseas needs greater consideration.

Multiple participants to the study reflected on the ability of TNE to liberalise, to bring a positive impact, in particular onto have a positive influence on equalities through education. Tran et al (2017) highlight foreign influence in Vietnamese Higher Education as a catalyst for positive change within the system but stress that the University President, who is also the Communist Party Secretary that holds ultimate power in the Vietnamese University. It is in this space that the real complexity in transnational education emerges. Is there such a thing as universal truth in a global context? We accept that which we can tolerate but attempt to change, within, other cultures, that which is alien or abhorrent to us. Ironically, many of the cultural norms that the West now rejects was introduced into colonised cultures through the violence, oppression and conversion of the colonial era. Authors such as Spivak also caution the sector not to impose new cultural norms of the west. How is influence over indigenous knowledge and cultures in 2022 better than that of the colonial era? Are white academics teaching brown academics about university life? Is this simply recolonisation in other guise or is it the pursuit of universal truth and justice? That of course depends on where you sit. It highlights perfectly the ethical complexity of an international trade in knowledge.

6.4 Decoloniality in TNE

It would, with the body of evidence pointing towards a system fraught with complexity, inequity and colonial thinking, be easy, to become opposed to TNE. To see cross border education as profiteering and a tool for recolonisation. However, even having listened to over 26 hours of sometimes confronting and certainly challenging transcripts, that is not my position (not my position until there is a global mechanism through which equitable access to higher education can be achieved and I doubt that can be achieved in my lifetime if ever given an increasingly nationalistic global sentiment).

If you were to ask a parent in any economy where access to higher education is highly constrained whether they would like access, for their children, to degree level education from the UK, or the US, or Australia. I doubt that many would say no, even if they were presented with the constraints, limitations and currently colonial nature of the offer. And whilst there is a clear argument that TNE preferences those with financial means, few could ultimately argue that it has contributed to growth and sustainability in markets like Singapore, Malaysia and China. TNE is a sector that continues to grow and is the focus of government policy and strategy post Brexit.

Whilst the TNE landscape is undoubtedly one of the most complicated arenas in which universities deliver, it is not simply a case of the liberal West battling the intolerance of restrictive regimes. As is

the case with most effective leadership development, the process, in my opinion should start with the self, in this case the university. This, even more so, given that it is the university which is transcending borders to occupy a space which is not theirs. And it is here that the decolonial lens is critical. Taking knowledge across national boundaries comes with a set of with ethical responsibilities and the lack of frameworks by which to assess these points to an underlying profit motive driving expansion.
TNE is essential in promoting access for students that are not adequately supported by national higher education systems. In Malaysia where access to public university is largely restricted for Chinese and Indian Malay, in Ghana where providers are opening up access to high quality provision in the early mornings, evening and at weekends, allowing those that have to work to study. Yes, the provision is market driven but it is these innovations, often in private sector initiatives that crack the cycle of social inequity.

The question becomes, how, given the evidence, can the sector achieve more equitable TNE. How can strive towards provision and partnerships that respect local voices, navigates cultures and social norms whilst also working within the values and governance frameworks of the home institution. This is work that is essential to the purpose of higher education, the values of higher education and the responsibilities of governing bodies. How can we decolonise TNE? Decoloniality can only be achieved through means proactively debating and providing guidance on the collision of sometimes conflicting ethics, values and cultures between the home and host country? It means engaged and connect leadership teams and open governance across national borders.

6.4 Implications for Governance and Leadership

The data points to a range of cultural and ethical challenges which are largely discovered and confronted during the operation of TNE initiatives. Upfront environmental analysis would mitigate for an element of this and ensure that the institutional position on areas of cultural and ethical complexity had been debated. It is also possible that robust upfront environmental analysis might result in a decision not to invest. Think for example of the withdrawal of the University of Liverpool from Egypt, a situation which SB02 described as having a damaging impact in Egypt but also to the relationship with the UK Higher Education sector. I cannot imagine that the ethical issue could not have been understood earlier in the engagement had a more detailed assessment of culture and ethics been undertaken. The data, instead, points to local leadership having to manage in an often-reactionary way to what are sometimes intractable challenges, and without an institutional position or risk-based assessment. It leaves employees exposed and universities at risk of serious reputational damage. It also, as argued by SB02, a senior leader in a sector body, damages the reputation of the sector and potentially impacts on national diplomacy.

The aggregation of social, cultural, legal and ethical challenges present in cross border delivery present significant risk to universities both reputationally and financially but also potentially create and environment in which values are compromised or conflicted. It also challenges the delivery of the Committee of Universities stated values in the Universities Code of Governance, particularly those relating to:

- Integrity: transparency, accountability, honesty, freedom of speech; and
- Inclusivity: equality, diversity, accessibility, participation and fair outcomes for all

Despite this, the research highlighted little consistency or structure in the governance of TNE, a discontent between home and overseas campuses and at times a lack of transparency between the overseas and home operations. The result being that governing bodies were not consistently cited on the risk, opportunities, environment or operations of overseas campuses or partnerships. The tension between central university and local control of overseas ventures was evident. This manifested itself in environments of low trust. University central leadership teams questioning the quality of TNE and attempting to control delivery through fairly blunt instruments: academic secondments, control of curriculum; enforced language being just a few examples. Those leading cross border partnerships and campuses also demonstrated low trust of central university leadership, questioning the understanding, particularly the cultural understanding and context of delivery. Several participants raised the entrepreneurial and innovative staff that were attracted to new TNE initiatives, suggesting that they were likely to have a higher appetite for risk and that this might also contribute to a tension between more traditional central administrative functions.

Effective governance also requires an honesty regarding the motivations for engagement. The research highlighted at best mixed financial results and a consistent narrative from those most heavily engaged in delivery that the pursuit pf profit as a primary aim was only possible in the long term. Without clarity regarding purpose, brand and reputation become compromised. Without a consistent understanding of ambition and approach, operational delivery becomes compromised or conflicted.

One notable observation of the literature review was the focus on the IBC model, particularly around the time of these failures. The IBC is a very visible manifestation of TNE. It’s more difficult to ‘hide’ closure of a large and distinct entity than it is of small and commercially sensitive partnership ventures. But the IBC is a small part of a rapidly growing sector. The scale of failure is unknown as is an understanding of the collective challenges faced in managing a highly adaptive and changing sector. There is still an absence of literature in the space that connects ethics to institutional governance and the responsibilities of leadership despite large and growing numbers of TNE students.

What does this mean for the effective governance and leadership of TNE? Simply put there is a need for greater conversation and for transparency. For the conversation to move beyond finance and reputational risk to consider how cross border initiatives fit with institutional values, character and culture in an increasingly globalised sector and society. The framework developed below aims to create a mechanism through which transparency and open debate can be achieved. It is intended to be a toll to engages governing bodies in decision regarding the ethical parameters of cross border education.

A potential criticism of the research is that it has, in many ways, failed in delivering on one of the key contentions of the findings. The lack of student voice in the creation of decolonised TNE. That interviews were conducted with those leading or governing TNE at a university of sector level, they came largely from across the western university world. Whilst representation was certainly not all from the 'Global North', the vast majority now represented western universities. Further research is needed to represent the voice of students, communities, sector leaders and policy makers in host countries.

This section follows the format established in section 5. It puts the data and the narratives emerging from the data at the heart of the discussion. This approach is intended, as far a as possible, to remain true to the grounded theory process by putting the data at the heart of the research. I connect the research findings more directly to the literature and discuss, throughout the narrative, the potential for post and decolonial theories to contribute to the development of the sector. Fundamental to that are the principles that higher education should be a more inclusive, equitable and ethical approach to TNE, one that is 'independent, relevant and indigenous' (Newman 2020), recognises an 'ethics of care' (Sidhu 2015), where relationships between host and home are more equal (Ling et al 2014). In section 7, I go on to develop a framework, an organisational tool. One that supports dialogue at university leadership and governance level, shaped directly by the themes which emerged from the data analysis.

Against a backdrop of significant and continuing growth in the scale and breadth of TNE, the findings highlight a complex and contested space. A space where cultures collide and where universities have, in general, not adapted their governance arrangements to effectively manage the sociological challenges, instead focusing on financial and reputational risk. The increasing commoditisation of the sector, across national borders, is, for many, also indicative of a colonialism. The flow of resources from the 'Global South' to the 'Global North', is arguably recreated through TNE and is particularly problematic for communities where education remains firmly for public or social good (Kim and Boyle 2012, Chen 2020, Tett and Hamilton 2021). It is a sector in which the market is evident (McBurnie and Ziguras 2007, Branch 2019) and the commodity one which, according to the research data, is focused in profit, a position which appears not to have changed in the last 15 years (see for example Altback and Knight 2007 on the profit motive in TNE, Maringe and Foskett 2010 on the flow of wealth in higher education internationalisation from developing countries to rich, industrialised nations).

The research also clearly highlights an inconsistent and unstructured approach to governance and leadership in TNE. Whilst the challenges of leadership and management of TNE is well discussed in the literature (for example, Stafford and Taylor 2016, Wilkins 2017, Healey 2015) this is often from the perspectives or concerned with the experiences of those managing IBCs or large international partnerships (Sin and Koh 2022). There is a gap in the literature which challenges the ultimate authority of Senate, Council or other university governing bodies. This despite the data clearly evidencing the need for greater structure, consistency, proactivity, transparency and in many cases scrutiny in the governance and leadership of a complex sector.

The data affirms the persistence of coloniality (Ling et al 2014, Clarke 2021, Peter 2017) through unequal power relations and through a largely Western curricula which I argue is akin to recolonisation. Those power relations are exercised through cultural hierarchies evident in, for example: staffing and employment; western culture as an emblem of success and power; the impact on local systems of Higher Education and on factors impacting access to TNE. They are also exercised through continued reliance on western hegemony in curricula. Curriculum that is still 'lifted and shifted', dominated by the sending institution and with little adaptation for local culture or need. With curriculum the primary means of knowledge transfer and with the power to shape young minds, the persistence of western knowledge is key to the findings. Curriculum that disconnects students from their local histories and culture risks further generations that grow up despising their own ancestry and scrambling to imitate others (Mazuri 1992) but also leaves students ill prepared for life and work within their own communities. Whilst this is evident in the international sector more generally, and reflected in debates surrounding the inclusivity of higher education curriculum, it is more pertinent, more pointed when institutions cross national borders and situate their provision within an existing higher education system, community, culture. Within this context, the research provided evidence that locally determined compulsory curriculum such as the Malaysian Mata Pelajaran Umum or Chinese compulsory curriculum is taken less seriously, with less academic oversight or quality assurance. For a sector increasingly focused on employability as a measure of quality of education, this is powerful evidence of the persistence of western dominance in a now globalised higher education system.

There is a continued tension in spaces where there is divergence relating to strongly held ethical or human rights perspectives. This is best evidenced in the data relating to gender and sexuality but also in that which relates to religion and race. I have highlighted within the literature review that existing research relating to leadership and management touches on the management of only some of these complexities. Wilkins (2017) paper on the ethical issues of TNE in the IBC phenomenon for instance fails to address human rights issues or to comprehensively consider equalities and protected characteristics in an international operation. It is a space which to some extent adapts over time: new political regimes, conflict, changing social perspectives. This creates further complexity within the system, and, I argue, the need to consistently review and revisit the institutional portfolio and future strategy for TNE. There is very little that attempts to address the social, cultural and ethical challenges holistically and so no comprehensive framing that University teams can use in that assessment. And the data gathered in the research is clear. Universities are adapting in a largely reactionary way to social, cultural, ethical and sometimes political challenges as they occur. And where leaders are dealing with conflict across cultures and geographies without comprehensive diagnosis and evaluation.

The TNE sector is still predominantly a ‘Global North’ to ‘Global South’ phenomenon and with the notable exception of China, the ease of English language as a medium for instruction has created a platform for growth in former colonies. Malaysia, Sri Lanka and Hong Kong rank 2nd, 3rd and 4th respectively for example as importers of TNE from the UK. Although, there is some movement in this dynamic, with new but limited South-to-South provision, the impact of western culture and hierarchy is still evident. It is here that post colonialism and decoloniality offer up challenging perspectives to a Higher Education sector that increasingly delivers across national borders, embedding itself within national systems, influencing and in some cases dominating national systems of higher education.

Engagement should come with accountability. A responsibility to engage on terms that are socially, culturally and ethically appropriate and which delivers the best outcomes for students and communities. Those accountabilities include, as a minimum:

- responsibilities to deliver curriculum that is of a good quality, is contextualised and respectful of the cultural and ethical norms at play in both sending and host country.
- a need to ensure that the experience of students engaging in TNE is comparable to that of the sending institution but that it is also appropriate in the context of the host country, delivering student outcomes that arm graduates with the best start to their working lives.
- a requirement to meet the quality standards laid down in both the host and sending country.

Beyond this, and reflecting that we are educating and shaping the minds of students, there is a responsibility to approach engagement ethically, with cultural literacy and an understanding of the communities in which delivery takes place. Arguably there is also a responsibility around access.

A key finding of the research is breath and complexity of questions that it raises for university boards and leadership teams. These are highlighted throughout the discussion and form the basis of the development of a framework through which university communities can reflect and debate individual institutional responses in this complex and contested space.

7. Framework Development and Conclusion

7.1 Framing the development of TNE

In concluding, I bring together the findings into an overarching narrative and framework. I address the 'so what'. How can the findings of this research contribute to the development of a framework which provides opportunities to deliver TNE that is relevant, considered and informed by postcolonial and decolonial thinking. The objective of the framework is not to dictate to universities their approach to TNE. It is to create a structured approach to the evaluation and implementation of university TNE strategies and/or portfolios. One which contributes to the development of a more robust, ethical frame of reference. The research highlighted a fairly unstructured funnel of opportunity and inconsistent approach to the development of TNE, whether that be the result of devolved departmental projects, the response to changing overseas policy instruments or even rapid and less well researched responses borne out of financial pressure. That inconsistency came through in the research as a potential unconscious bias or national prejudice. Why was Malaysia more acceptable than some Middle Eastern countries, despite the religious and cultural alignment? Why were universities more willing to partner with some restrictive regimes than others?

The framework clearly disaggregates the environment into two distinct lenses:

1. The first explores the impact of the university on students, communities and national systems in the host country. A largely introspective process. One that has been informed by postcolonial theories and an emerging trend towards decoloniality as a movement for social justice, diversity, inclusion and belonging.
2. The second promotes greater openness and discussion on the national setting in which universities deliver TNE. I consider the ethical challenges of engagement across cultures, including those areas where the values of a largely liberal western system are challenged: human rights, fraud and corruption and academic freedoms in host countries. Alongside financial and business planning which are undertaken routinely, the outputs of the framework or resultant gap analysis will provide a tool through which effective governance and decision making can be undertaken.

These distinct perspectives are underpinned by strong leadership and governance, and this is also reflected in the framework.

In this chapter, I introduce environmental scanning as a tool to support the analysis of cross border delivery. Drawing on frameworks used in business planning, I present a revised PESTLE tool for use by leadership and governance in achieving a more structured and robust analysis on current and future delivery of TNE. The development of the framework outlined in this section is intended to provide a comprehensive tool for leaders in higher education. To guide and frame the institutional approach and parameters for TNE. It builds on the structure developed throughout the paper by considering input and situational factors as distinct but related areas of discussion, connected and underpinned by effective governance and leadership.

The framework is based on the following key recommendations of the research:

1. That all significant TNE proposals are brought to the Board of Trustees.
   Significance may be based on scale but it may also be based on other factors: reputational risk, entry to a new market, involvement of a new academic department, a political and ethical environment which requires focuses discussion. It will always include scrutiny of new TNE initiatives that show misalignment with the values of the university.
2. That comprehensive portfolio reviews be undertaken with an at least annual review of the TNE partnerships.
3. That University leadership and Boards consider TNE through the lens of:
   a. Decoloniality: the approach by which the institution enters the country or region.
   b. Situational factors: ensuring a comprehensive review of the national system to which they are entering and giving consideration, up front to their position on a range of cultural, ethical and social challenges at well as to the financial and reputation risks of working within the country or region.

   The PESTLE(C) framework below is one possible framework through which that review could be undertaken and constitutes an environmental analysis which incorporates the full context in which TNE will be delivered.
4. That universities look to diversify their Board membership to include members with experience of international trade, international development and diplomacy.

The findings also highlighted the need for stronger sectoral support and guidance on the governance of TNE. This being particularly relevant in the context of, for example, the UK International Strategy, where expansion of TNE targets countries that hold orthogonal values and ethics to those held by western institutions and/or have challenging legal and policy environment. In an area of delivery that is often commercially sensitive, the sector bodies have a continued role to play in providing training, development and a platform for open dialogue on the most challenging areas for the sector.

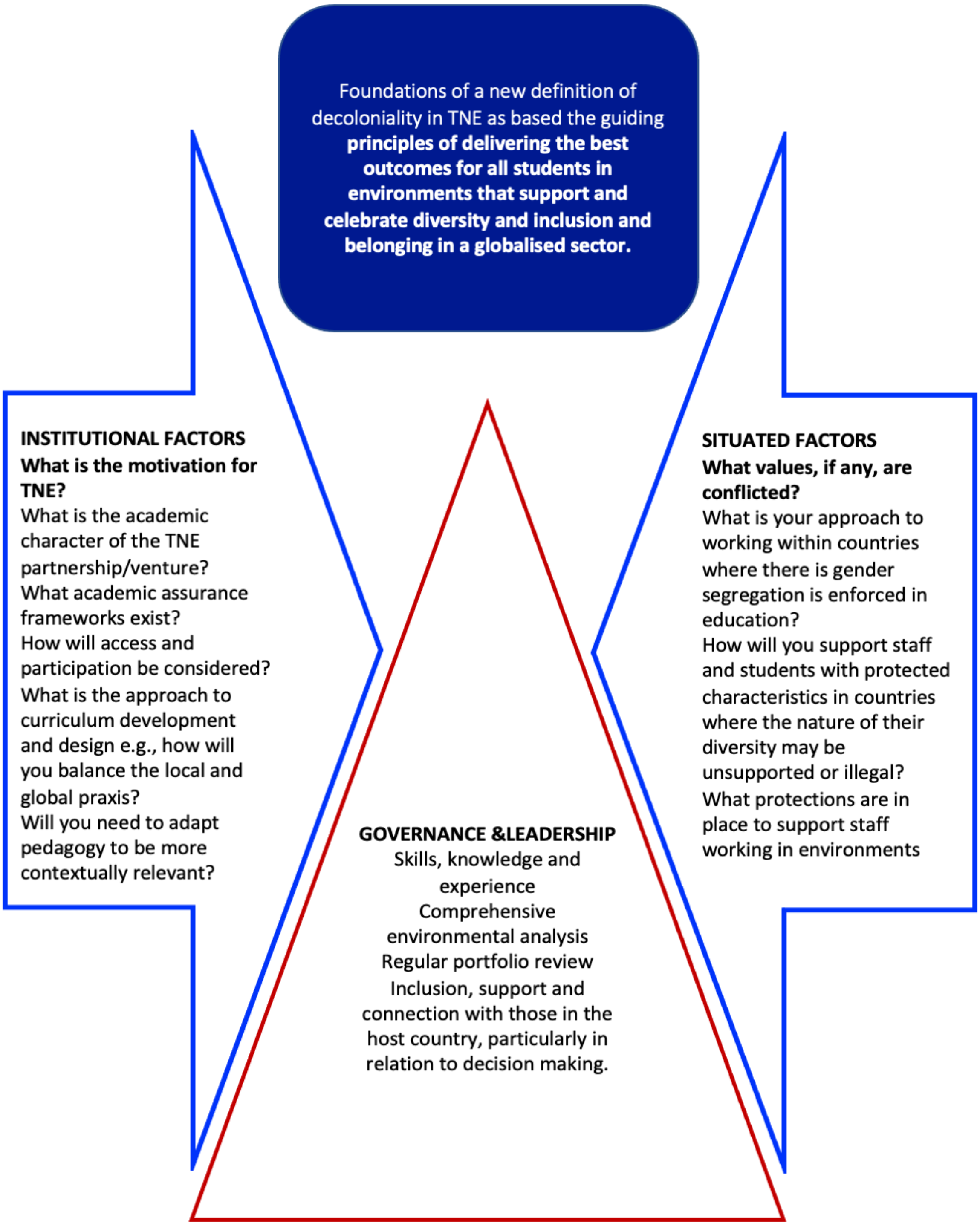

Figure 9: *A framework for governance in TNE*

The research clearly points to a bias towards the consideration or evaluation of financial and reputational risk as the primary decision-making factors used by universities in assessing new TNE relationships. The framework extends this, using an adapted but traditional business environmental scanning framework, the PESTLE(C) to cover more broadly the areas of concern and challenge raised by interview participants. PESTLE, attributed to Francis Aquilar in his 1967 text ‘Scanning the Business

Environment' is a tried and tested business framework tool for environmental scanning and analysis. The framework provides a mechanism for structured review and categorisation of environmental influences and risk. More importantly the tool is classically used in horizon scanning, as a mechanism for assessing and responding to externalities and it is in this context that it felt particularly relevant to the research. Additionally, in the context of Transnational activities, the PESTLE provides a comparative tool between nation states. For example, allowing a comparison of legislation or sociological factors between countries. The framework has been adapted to include specific reference to curriculum and pedagogy, highlighting the criticality of both in the research.

It is particularly intended to support dialogue regarding the social, cultural and ethical landscape in which universities deliver. Perhaps more importantly it provides a structure for open discussion by the governing body and leadership teams regarding the approach to some of the most complex ethical challenges in university operations. With that in mind, three specific and interconnected areas are developed further in this section: institutional factors, situated factors and governance and transparency. They are represented in figure 8 above and explored as interconnected elements of the TNE environment in this section.

They collectively first seek to address a key theme in the data: the inconsistent and often unstructured approach to governance of TNE through the development of a situational analysis tool which addresses shortcoming in the environmental analysis of TNE. In each section, I seek to focus on those areas which were highlighted in the research as currently under developed and requiring greater focus.

7.2 Decoloniality

7.2.1 Institutional factors

The literature tells us that decoloniality is increasingly seen as a verb, an act of transformation or of action that is self-reflective, a self-critical process. We see this in, for example, the various movements that call for greater equality and social justice - including in the university setting - #decolonisetheuniversity #decoloniseourminds. The primary question which is posed relates to motivation: why TNE?

The framework aims considers those areas within the control of the host institution. The questions are introspective and supports, for example, discussion regarding the impact universities will have in host countries, exploring the primary questions that university leadership and governing bodies should be asking themselves in respect of the elements of TNE that they can influence or directly control, those that exist regardless of the national setting in which the provision is delivered?

- What is our motivation for engagement in overseas ventures, in particular what is the balance between our charitable endeavour and our approach to profit in cross border projects?
- What academic assurance mechanisms are in place in respect of TNE?
- What does our current and future portfolio of TNE mean for the academic culture/character of the university?
- What is the university approach to access and participation in TNE?
- What is our approach to curriculum development and design? What autonomy exists in the local space to shape relevant curriculum and pedagogy, student experience and extra curricula learning that will prepare students for local and global futures?
- How will you balance the local and global praxis in developing curriculum that prepares students for local, national and global lives?
- What will the academic culture of the partnership/campus be? What are the characteristics, qualities and experience of the academic body that will espouse that character?
- How will the operating environment (HR, finance, etc.) support diversity and inclusion?

There is potential to frame the development of equitable partnerships and overseas campuses through the lens of decoloniality. Drawing on an increasingly broad use of the term decoloniality, based in the ideals of individual and collective freedoms and choice and the rejection of the control of western power. This leads to a new definition of **decoloniality in TNE as based the guiding principles of delivering the best outcomes for all students in environments that support and celebrate diversity and inclusion and belonging in a globalised sector.**

7.2.3 Situated Factors

Post-colonial thinking directs us to pay more careful and considered attention, to work respectfully within the social, cultural and ethical environments of those countries in which we situate TNE. Ultimately, governing bodies and leadership team, at the university and of TNE should ask themselves: what is the third space which they are intentionally creating? The emphasis here, given the findings of the research, is on intentionality and transparency in leadership.

This section of the framework specifically considers the spaces in which TNE is delivered. Those that exist within the conditions of life in the countries in which TNE is delivered. Concentrating particularly in the spaces in which ethics and culture is challenged. The questions here aim to open dialogue across universities which establish agreed ethical boundaries and considers upfront the approach of leadership and governance to some

- What values, if any, are conflicted in any specific project and what decisions require escalation back to the governing body?
- What is your approach to working within countries where there is gender segregation is enforced in education?
- How will you support staff and students with protected characteristics in countries where the nature of their diversity may be unsupported or illegal?
- What protections are in place to support staff working in environments where fraud and corruption as defined by the legislation of the home country may cause personal conflict?

One specific lesson from the post and decolonial literature is the need to develop a deep understanding of the needs, wants and ambitions of those in the host country. It is a necessity that universities engage the communities, including students, in host countries in the dialogue if they are to establish truly relevant provision. It is also essential to engage the academic community in the conversation. Those that will support and deliver the ambitions of the university in these new third spaces.

7.3 Governance and transparency

The leadership and governance of TNE require an analysis of the environments in which TNE is delivered, considering both institutional and situational ethics and values. It also requires leaders and governors to be open and transparent regarding their institutional objectives in respect of individual TNE proposals and more broadly. There is a need to better equip staff engaged in delivery with the skills to not only navigate new political, legal and cultural environments but to manage the interface between these and those of the home campus. Developing intercultural competence is key and applies to both those staff delivering TNE and to those leading and governing universities that deliver. University Boards should include those with skills, knowledge and experience of international trade, international development and diplomacy.

7.4 PESTLE(C)

The transparency process starts with a comprehensive environmental analysis and it is here that business frameworks offer up useful analytical tools for situational analysis[29]. A number of environmental scanning tools exist but others do not directly address the cultural, legal and political challenges highlighted in the research. PESTLE, attributed to Francis Aquilar in his 1967 text 'Scanning the Business Environment' is a tried and tested business framework tool for environmental scanning and analysis. The early text referred to an analysis of four broad environment factors: Economic, Technical, Political and Social (referred to as an ETPS analysis). A strategic analysis tool, classically used to assess external influences, the pneumonic adapted over time to also include the analysis of legal and environmental influences resulting in the PESTLE as it is generally used today. The framework provides a mechanism for structured review and categorisation of environmental influences and risk. More importantly the tool is classically used in horizon scanning, as a mechanism for assessing and responding to externalities and it is in this context that it felt particularly relevant to the research. Additionally, in the context of Transnational activities, the PESTLE provides a comparative tool between nation states. For example: allowing a comparison of legislation or sociological factors between countries.

Political

Incorporating a range of factors from political stability to government policy, to environmental regulation, to trade and reform. In the context of Higher Education this might include policy or political influence on academic freedoms, national education policy and reform, for instance: language of instruction; curriculum; and accreditation.

Economic

Factors relating to economic growth or decline, Gross Domestic Product, employment/unemployment, wages, inflation, exchange, and cost of living for example.

Sociological

Including cultural practice and norms but in the context of the framework, also generally including demographic factors, for instance population, age distribution. Cultural practice might include, for

[29] I tested the use of PESTLE at the annual International Education Forum organised by UUK. Attended by leaders from the International Higher Education community, I found the framework robust and comprehensive. In fact, interviews brought no new categories, just rich examples to illustrate the main ethical challenges raised at the conference.

instance: attitudes to careers; to gender equality; to sexual orientation; to health and safety and religious belief systems.

Technological

The influences of current and emerging technology, including connectivity, access to digital resource, cybersecurity and technological awareness.

Legal

The influence of legislation and its impact on, for example: employment, taxation, access to resources, import and export freedoms. In the context of Higher Education this might include considerations around the legality of establishing a presence overseas.

Environmental

Including carbon footprint and other environmental sustainability influences and impacts. Sustainability of resources and global supply chain.

The PESTLEC tool has been adapted below to illustrate the types of questions that would encourage meaningful debate and greater transparency at Board. It has also been extended to include university specific environment analysis of curriculum and pedagogy, as follows:

Curriculum and pedagogy

The quality and relevance of curriculum. Here curriculum is defined in the broadest sense being the overall experience of students in terms of both academic content and delivery and the wider student experience.

Whilst it is difficult to argue that the questions posed are entirely comprehensive in a highly adaptive sector, these questions have been directly informed by the data and so provide a comprehensive starting point for analysis.

Dimension	Definition and Scope		

		Key transparency questions INPUT ethics	Key transparency questions SITUATIONAL ethics
Political	Incorporating a range of factors from political stability to government policy, to environmental regulation, to trade and reform. In the context of Higher Education this might include policy or political influence on academic freedoms, national education policy and reform, for instance: language of instruction; curriculum; and accreditation. It includes national education and skills strategies.	• What is the role of government strategy at home e.g., the UK international Education Strategy, on your TNE agenda? • What trade or other agreements exist between the UK and host government and what regulatory frameworks exist in relation to trade with specific countries and how might they impact delivery?	• What is the political climate into which the university is delivering? • Will delivery meet any national skills or employment gaps. • Is there political instability? What impact might that have on future delivery and on those delivering TNE? • Is there political influence over the academic culture/character of the institution? • Are there political restrictions on academic freedoms and freedom of speech? • Does the partner/s have political affiliations which should be considered?
Economic	Factors relating to economic growth or decline, Gross Domestic Product, employment/unemployment, wages, inflation, exchange, and cost of living for example.	• What is the financial model for TNE at an institutional or project level? • Is profit a key driver in TNE and how does this fit with the educational purpose on the home campus. • What is an appropriate fee?	• What current or future changes might impact financial sustainability? • How will you support staff delivering in countries where fraud and corruption indices are high? • What are the likely competitors in country, what impact

		• Will fees be differentiated to support access or bursaries/scholarships given? • How will staff be remunerated and otherwise rewarded and how is this comparable to the home institution?	will delivery have on the national system? • What are the impacts of currency fluctuation on the economic model?
Social	Including cultural practice and norms but in the context of the framework, also generally including demographic factors, for instance population, age distribution. Cultural practice might include, for instance: attitudes to careers; to gender equality; to sexual orientation; to health and safety and religious belief systems.	• How will you ensure that staff involved in deliver are conversant and respectful of societal cultures in a new national setting? • How will you support staff to navigate cultures at odds with their own values or those of the institution? • Will engagement by staff in TNE be compulsory? • What restrictions does the geography place on staff progression (e.g., can staff be returned to the REF or similar national research frameworks, can staff access research funding) and how will you manage this within the institution.	• What values, if any, are conflicted in any specific project and what decisions require escalation back to the governing body? • What is your approach to working within countries where law or culture are unaccepting of LGBT+ rights? • What is your approach to working within countries where there is gender segregation or restrictive cultural and/or legal restraints on the freedoms of women? • How will you support staff and students with protected characteristics in countries where the nature of their diversity may be unsupported or illegal?

Technological	The influences of current and emerging technology.	• Is the university clear regarding the regulatory environment concerning data and data transfer between the home and overseas operation? • Are students and staff data protected and measures in place to ensure cyber security in the cross-border domain?	• Are there technology constraints which impact access, for example, economic barriers to personal devices. • Is internet readily and easily accessible to students and are library and other digital resources accessible? • Are there restrictions on digital content at a country level? • Are there restrictions on access to digital platforms or apps at a country level?
Legal	The influence of legislation and its impact on, for example: employment, taxation, access to resources, import and export freedoms. In the context of Higher Education this might include considerations around the legality of establishing a presence overseas.	• Are there any legal or contractual constraints on engagement (for example sole provider clauses in existing TNE contracts).	• What legal and compliance frameworks are relevant to cross border delivery? • Do any conflict with legislation at home and how will you navigate this? • Are there specific legal frameworks that impact on staff employment? • Does specific legislation impact the freedoms of, for example: free movement, career choice, dress, conduct in public, staff and students?
Environmental	Including carbon footprint and other environmental sustainability influences and impacts. Sustainability of	• How will TNE contribute to university sustainability strategies, particularly	• What are the environmental track record/polices of the host country in the TNE setting?

	resources and global supply chain.	to carbon reduction plans. • Can the university commit to the same standards in environment and sustainability policies as those on the home campus?	• Are there construction projects and have these been environmentally impact assessed? • What are the environmental impacts of the partnership/campus?
Curriculum and Pedagogy	The quality and relevance of curriculum. Here curriculum is defined in the broadest sense being the overall experience of students in terms of both academic content and delivery and the wider student experience.	• What is the university approach to the development of relevant curriculum in the new national setting? • What is the balance between local and global in the development and implementation of programmes of learning? • How will provision be adapted to deliver the best outcomes for students? • How will the academic integrity of the university be maintained in overseas delivery and how will the governing body ensure academic assurance? • How will the experience of students be measured and monitored? • How will you engage students in feedback, cocreation, etc. particularly in settings where student unions are prohibited.	• What national quality assurance frameworks exist and how do they impact on curriculum and pedagogy? • What are the mechanisms to deliver compulsory elements of curriculum and how will the quality of provision be measured? • How will you navigate the impacts of restrictions to digital and printed content. Are staff clear what content and materials, digital or other resources are restricted? How will curriculum be adapted around these? • How will legislative or other restrictions impact the design of pedagogy and/or curriculum (these might include dress, career choice,

Table 3: PESTLE (CP)

Fundamental to all of these questions is what this means for the operating model of the partnership or campus? Having analysed the environments and created greater transparency regarding delivery, it is essential to then equip leaders and governors with the skills and resource to manage the new spaces created through cross border education. Cyclical review is also essential, in part because of changing legal, cultural and policy environments but also to ensure that appropriate training and development is offered as staff and leaders start and leave the organisation.

7.5 Concluding remarks

The research points to the need for a reframing of Transnational Education. Postcolonialism and the increasingly broad definition of decoloniality in higher education provide a new framing for international partnerships and campuses overseas. They highlight opportunities for critical self-reflection on the part of leaders and governors for the delivery of a contextualised cross border higher education sector and lead to a new definition of decoloniality in TNE.

TNE is a sector in exponential growth, which not look set to slow as government policies in both home and host countries, through various instruments, drive collaboration across borders. In the UK context, a fixed domestic fee and rising inflationary pressures are driving universities to diversify income. The Australian and US sectors are similarly growing. At the same time, fears over immigration (particularly government concern regarding the impact of dependant visas on net migration) are incentivising TNE. In a number of Global South countries, TNE is seen as a means of meeting a growing demand for higher education that cannot be met through domestic higher education systems. TNE is symbolic of a sector already at odds with the shift from public good to one which is more commercial and consumer focused. My research points to further complexity: a space where ethics and values are often compromised and where there is little evidence of a structured or consistent approach to leadership and governance. The findings encourage universities to do what they do best, to discuss and debate this contested space, to critically examine their place in transnational education and perhaps, most importantly, to enter new national systems with an open, inquisitive and humble attitude. I argue that they should place the student at the heart of the system through scrutiny of the universities' impact on individuals, communities and the national higher education system and also through an open and transparent dialogue with the national environments in which TNE is delivered.

Key to this is an approach to environmental analysis that moves beyond financial and reputational management to consider a comprehensive evaluation of the political, environmental, socio-cultural, technological, legal, environmental and pedagogical factors at play. TNE should adopt a framework that considers the obligations of governance and ethics in TNE from the dual and sometime opposing perspectives of host and home. It is here that some of the most challenging ethical dilemmas can be considered: diversity and inclusion; fraud and corruption; integrity and academic freedoms; cultural hierarchies; access and participation; relevant curriculum; quality and the student experience; and commoditisation and profit motive.

For now, the US, UK, France, Australia and Canada remain the most significant exporters of higher education. This dynamic will shift and is perhaps best evidenced by China and Malaysia - the UK's largest importers of higher education via TNE, now having established overseas campuses themselves. Perhaps evidence of China's drive for 'geointellectual' power[30] , China now has five branch campuses (in South East Asia, Europe, South America and Hong Kong). Malaysian now has four overseas campuses in Botswana, Cambodia, Yemen and the U.K.

The ambition of this research has been to contribute to more grounded analysis and reflection processes based upon a definition of decoloniality in TNE through the guiding principles of delivering the best outcomes for all students in environments that support and celebrate diversity and inclusion and belonging in a globalised sector. The objective of such an approach should be to create a system which supports capacity development and the creation of self-sustaining national higher education systems. Through this process, cross border higher education remains relevant and sustainable, rather than – as in some of the examples of TNE in this research - a process of replication of western knowledge and power, ultimately directing students to imitate others and potentially to reject their own cultures.

Through understanding this study using a grounded theory approach, my engagement with the data has highlighted the risk of 'recolonisation' through education which reinforces western hegemony. I have a deeper understanding of the recolonisation of peoples, not through the physical violence of traditional colonisation but through: the subversion of histories, the erosion of indigenous language and so culture, the discrediting of indigenous knowledge and ultimately of identity. Whilst this is a small-scale study with limited evidence base, it suggests that TNE risks being seen as a system which mimics the West and in doing so replicates the inequities of colonisation.

[30] See Jain 2022 in section 3.1

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