Pluralist internationalism, global justice and international student recruitment in the UK

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Abstract

The number of international students in the UK has risen considerably in recent years. These students, now constituting around one-fifth of the student body in the UK universities, are viewed primarily in terms of the economic benefits they bring to the host country, and there has been little explicit discussion around equity principles that might inform international student recruitment. Responding to calls for further consideration of the ethics of this situation, this article offers a novel perspective by drawing on a ‘pluralist internationalist’ theory of global justice. This theory grants unique normative relevance to the state whilst at the same time embedding the state within multiple other grounds of justice that are global in scope, thereby contributing to the disentanglement of some of the normative disagreements that characterise debates about global justice. The suggestions that result from applying this theory offer a substantive alternative both to the nationally oriented assumptions of current policy and to other contributions to the debate within academia which have drawn on the cosmopolitan tradition of global justice.

Keywords Global justice · International students · Tuition fees · Access to higher education

Introduction

In this article, I seek to address the ethics of international student recruitment from a pluralist internationalist perspective, also referred to as the grounds of justice approach (e.g. Risse, 2012, 2016, 2017, 2020). The process of higher education marketisation over several decades has caused a disconnect between nationally based expectations of educational equality in terms of class, race and gender amongst other factors on one hand, and the commodification of international higher education, on the other. This is an increasingly pressing issue, as both the absolute number of international students in the UK universities and the proportion of

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international students within the student body as a whole have increased in recent years. In the 2019 to 2020 academic year, the UK hosted approximately 560,000 international students (DFE, 2021). This represents an increase of around 12% over the previous academic year and means that international students make up approximately 23 per cent of the total student population. The UK government recently launched the ‘International Education Strategy’ (DFE, 2019), the central aims of which are to ‘grow education exports’ and ‘preserve market share’ (p. 4) in the context of a global economic competition for international students who are primarily framed as sources of income for the higher education sector. International higher education as an export industry is important to the UK’s economy: It was worth over £14 billion in 2016 (DFE, 2019).

This framing of international students primarily as sources of income is often highlighted as being ethically problematic (e.g. Robertson, 2011) for two main reasons. Firstly, some argue that there is no good reason to exclude international students from the much higher expectations of educational equality that apply to domestic students (Tannock, 2018). Secondly, ‘selling’ international higher education at a high cost entrenches social inequalities in other countries by essentially selecting for the most socially privileged members of society (e.g. Netz et al., 2020). Despite this, there has been surprisingly little debate around how and to what extent principles of social justice and educational equality should be applied to international students, with a small number of exceptions that act as points of departure for this discussion (Enslin & Hedge, 2008; Tannock, 2013, 2018). The need to consider this issue in-depth is increasingly pressing given that international students now represent a full one-fifth of higher education students in the UK and that the UK government plans for a significant expansion of international student numbers over the next decade (DFE, 2019).

This article aims to explore the ethics of international student recruitment in the UK from the perspective of the grounds of justice approach, which represents one contribution to what Wollner (2013) describes as an emergent ‘third wave’ of theorising global justice. The question of what ‘we’ (as citizens of the same country) owe to individuals from other countries has, broadly speaking, been considered through one of two lenses, referred to in this article as ‘statism’ and ‘cosmopolitanism’: This is also true of the limited debate around the ethical dimensions of international student recruitment in the UK. The former view holds that duties of justice towards fellow citizens take priority; this reflects the current situation in which international students are seen mostly in terms of their potential to benefit the UK (Lomer, 2017). The latter view holds that the interests of all must be counted equally, regardless of nationality; this perspective informs the handful of academic contributions challenging the status quo (Enslin & Hedge, 2008; Tannock, 2013, 2018). The ‘third wave’ is distinguished from earlier work partly because it seeks to ‘disentangle conceptual and normative disagreements that underpinned debates’ (Wollner, 2013, p. 21) between statist and cosmopolitans. Pluralist internationalism sets out a substantive alternative that lies between these two, making a case for multiple ‘grounds of justice’ with different scopes. What this means in practice is that citizens have particular rights and moral duties resulting from their shared membership of state, but other obligations of justice apply to all human beings, regardless of nationality, due to, for example, our common humanity and our shared membership of global order.

This perspective is useful for considering the ethics of international student recruitment in that it aids in thinking about justice in international education beyond simply calling for ‘equality of opportunity to access’ to the UK higher education globally. The article employs this theory as a framework to examine critically the ethics of international student recruitment. The aim of applying a normative theory is to understand various issues through the lens of a

possible alternative way of organising our social world that is ‘an object of reasonable hope’ (Cohen, 2010, p. 21), thereby aiding in understanding whether current practices are aligned with certain moral convictions around justice and equity.

The context: shifting rationales for international student recruitment

The rationales underpinning international student recruitment have shifted over several decades towards the pre-eminence of economic reasoning today, which frames international students primarily in terms of financial benefits accruing to the UK as a result of their recruitment. This change took place in the context of a broader trend, whereby neoliberalism – market-oriented reforms rooted in a belief that markets are the most effective way of making decisions – has become the dominant form of economic relations in the UK (Morrison, 2017). In the 1960s and 1970s, international student recruitment in the UK was characterised by a dual public diplomacy and development aid rationale. As Lomer (2017) notes, international students were generally welcomed, largely as part of Britain’s ‘moral obligation’ to former colonies and members of the Commonwealth. At the same time, a public diplomacy rationale developed in response to the Cold War: Scholarship schemes were set up to counter Soviet influence in ex-colonies (Perraton, 2014). These rationales, whilst seemingly progressive, imply that the primary motivation for recruitment was the political advantages garnered by the host.

Tuition fees for international and domestic students were set at the same rate until 1967, when differential fees were introduced for the first time to reduce the number of overseas students in the UK (Williams, 1984). This was done to reduce the level of fee subsidisation by the UK government for the education of international students (Perraton, 2014), but counterintuitively led to an increase in the number of international students, as universities benefitted from receiving University Grants Committee allocations for both home and overseas students, on top of differential fees (Williams, 1984). During this time, international student tuition fees were static. However, quotas were introduced in 1977 to reduce the international student intake, and at the same time, differential fees began to increase annually (Enslin & Hedge, 2008).

In 1980, the Conservative government mandated that international students would not receive any public subsidisation for their study in the UK. This move caused widespread opposition at home and abroad, damaging Britain’s diplomatic and trade relations (Walker, 2014). In response to this, the ‘Pym Package’, essentially an exercise in damage limitation, was introduced. The package included concessions for Hong Kong, Cyprus and Malaysia, and increased funding for aid and scholarship programmes (Perraton, 2014). By 1987/8, international education was emerging as an important source of income for the higher education sector, generating £153 million of general recurrent income in that academic year (Walker, 2014). Subsequently, international student numbers have grown exponentially, and international student recruitment has become an export industry that is of significant importance to the UK’s economy. Tony Blair’s government aimed to increase student numbers and consolidate the UK’s position as a leader in global higher education provision (Perraton, 2014).

Since 2010, wider migration policy discourses have shaped international student recruitment trends. New restrictions were introduced by the Coalition government on the right of international students to work in the UK, and more stringent requirements were introduced for Tier 4 student visas (Lomer, 2017). Whilst the further restrictions on post-study work introduced by the Coalition were recently reversed (Adams, 2019), restrictions on the right

to work during study remain and students from low-income backgrounds are disproportionately affected by these measures because they are more likely to require access to part-time work to cover living costs and tuition fees in the UK. In addition, changes to visa requirements effectively made it easier for students from wealthy countries to enter the UK and much more difficult for students from 'high risk' (and less wealthy) countries. This is because the requirement to prove access to sufficient funds to cover the costs for the duration of the study period is eased for students from low-risk countries (Tannock, 2018).

In summary, over the past several decades, international students have largely been perceived as sources of income for the higher education sector and excluded from national standards of equality and social justice, as neo-liberal marketisation has become closely intertwined with processes of higher education internationalisation (Walker, 2014; Bamberger et al., 2019). This is evidenced in the ever-increasing tuition fees for international students, which effectively means that the UK higher education selects for the most privileged citizens of other countries. This situation has been subject to some criticism, as I explore in the next section. In the rest of the paper, I develop a conception of how internationalised higher education can best contribute to the realisation of global justice.

Theoretical framework and literature review

Global justice and internationalisation

The process of internationalisation is often framed as a neutral and harmless by-product of globalisation (Stein, 2019). However, there is an increasing level of recognition within academia that processes of internationalisation and neoliberalisation are closely intertwined (Bamberger et al., 2019). Stein (2019) outlines how the dominant form of internationalisation is increasingly problematised by critical scholars, framed as exploitative and as inhibiting the role of universities in contributing to global justice:

If individuals and institutions become increasingly interconnected, but power and resources are not redistributed and inherited patterns of relationship are not reimaged, then this may intensify existing patterns of inequality within an already uneven global higher education landscape (2019, p. 3).

This warning has scarcely been heeded in the Global North, where current processes of internationalisation continue to contribute to the (re)production of global inequalities. Concerning international student recruitment specifically, there has been sporadic protest in the UK and elsewhere about the injustices associated with commercialisation. A recent example is that of France, where the Council of State announced the introduction of differential fees for international students in July of 2020. The national student federation objected to this change, arguing that doing so amounts to 'making a social selection' of international students along the lines of social class and wealth and that raising fees for international students 'opens a dangerous door' to increased fees for local students (Marshall, 2020). Similar concerns have been expressed in the UK (Tannock, 2018).

Tannock (2013, 2018) and Enslin and Hedge (2008) have previously considered the issue of equality of access for international students in the UK and therefore act as points of departure for this discussion. The overall arguments of both of these contributions are aligned

with the cosmopolitan tradition of global justice. An underlying principle of this tradition is that the same moral principles of cosmopolitanism apply to all, and an individual's entitlements should not be determined by factors such as one's citizenship: to use Pogge's (2002, p. 169) phrasing, each human being is 'the ultimate unit of moral concern'. 'Statists', in contrast, argue that the only relevant relation between individuals is the shared membership of a state. Therefore, when demands for social justice are made, they are generally only perceived to be relevant to those within the borders of the nation state. The key assumptions around social justice within higher education in the UK are essentially statist. This is evidenced by the exclusion of international students from demands for social justice, outlined in the previous section.

Works that can be considered part of the cosmopolitan tradition generally base the claim that individuals should not be denied access to goods based on their national origin on one of two principles. Some, such as Unterhalter (2008), argue on nonrelational grounds:

The basis of our obligations to all people in the world lies in our common humanity, which is universal in scope. Our special ties to family, community or country cannot be invoked as requiring particular consideration at the expense of our wider global obligations (2008, p. 451).

Others make the same claims on relational grounds (i.e. based on associations between people). As political and economic associations between individuals are now clearly global in scale, moral duties of individuals also span the Earth and are not confined by morally arbitrary national borders and communities. Young (2006), for example, argues that principles of justice extend globally, in particular, in instances where people are connected by social processes that transcend international borders. This position underpins the arguments of Tannock (2013, 2018), resulting in his suggestion that international students and domestic students should pay the same fees and be subject to the same demands for social justice. That is to say, overseas students should be treated as equals to domestic students, in terms of fees associated with study and in terms of ensuring the equality of access of students along the lines of gender, race, ethnicity and class backgrounds, for example. In a similar vein, Enslin and Hedge (2008) contend that the nation-state has reduced salience in the modern era and that this, combined with the increased level of global association between peoples, means that the university's role in the UK as part of a higher education export industry should be reconsidered. They conclude that if 'widening access to higher education is a necessary response within the nation state, it is an equally compelling goal internationally' (2008, p. 116).

As the examples in this section demonstrate, the principles associated with cosmopolitan justice naturally lead to a call for 'equality of access' to higher education for all, regardless of nationality. To move the debate forward and offer a new perspective, I posit that Risse's pluralist internationalism represents a useful theoretical perspective for thinking about the ethics of international student recruitment precisely because it goes beyond the statist/cosmopolitan dichotomy and offers a fresh perspective on the increasingly large number of policy issues which are neither solely 'domestic' or 'international' in nature. This results in several practical suggestions for policy shifts that differ from calls for 'global equality of opportunity' in the existing literature.

Pluralist internationalism

Internationalism grants particular normative relevance to the state but qualifies this relevance by embedding the state into other grounds that are associated with their own principles of justice and that thus impose additional obligations on those who share membership in a state (Risse, 2017, p. 41).

Pluralist internationalism, also referred to as the grounds of justice approach (Risse, 2012, 2016, 2017, 2020), offers a novel perspective that is neither ‘statist’ nor ‘cosmopolitan’. Simply put, pluralist internationalism concurs with statist theory in that it holds that the nation state should be differentiated when constructing a theory of global justice. This is due to the unmediated nature of interactions between individuals and the government of the state in which they live, which, it is argued, makes the state ‘normatively peculiar’ (2012, p. 24) and results in relatively robust demands of justice. Overall, the pluralist internationalist stance refutes the contention of cosmopolitan theorists (e.g. Pogge, 2002; Caney, 2005; Young, 2006) that the moral arbitrariness of national membership leads to moral irrelevance or meaninglessness.

However, pluralist internationalism diverges from statism in that it rejects the view that we *only* possess duties of justice to compatriots and that only weaker responsibilities that could be described as something more akin to ‘humanitarian concern’ apply to non-compatriots (e.g. Nagel, 2005). Instead, in a similar vein to cosmopolitanism, there are grounds of justice that generate duties between all people globally, some of which are relational (i.e. grounded in associations) and some of which are nonrelational (i.e. grounded in universal features of human beings). What distinguishes pluralist internationalism from both statism and cosmopolitanism is that it identifies *multiple* grounds of justice, rather than just one, thus representing a view between the two common positions that principles of justice should either be applied only within states or to all human beings (Risse, 2012, p. 17). The theory has utility, then, in that it helps to nuance the debate around international student recruitment in which there are, broadly speaking, two positions, the dominant ‘statist’ mode of thought, which excludes international students from debates around distributive justice due to their non-citizenship, and the cosmopolitan position, which leads to an argument for standards of social justice that exist within the bounds of the state to be straightforwardly expanded globally.

This theory is ‘pluralist’ in the sense that there are five grounds of justice roughly meaning the reasons why claims of justice apply to certain groups of people: shared membership of a state, common humanity, collective ownership of the Earth, shared membership in a global order and subjection to the international trading system. It is important to note that the latter four principles are not necessarily less stringent than the first, which applies to the state, but the content of the principles of justice and the moral duties which arise from them differ. Risse (2012) argues that the continuing significance of the state lies in the particular nature of relations between members, of cooperation and coercion. At the same time, it is recognised that the state is not the *only* community that coerces its members, and that it accepts the claim made by other theorists (e.g. Young, 2006; Valentini, 2011) that coercion is not unique to the state, given the level of connectedness beyond national borders in the globalised world. However, it is the extent and nature of this coercion that distinguishes the state. The state constitutes the environment in which ‘basic rights are, or fail to be, realised’; whether an individual can freely exercise rights is a function of their proximate environment (Risse, 2012, p. 27).

Other grounds, such as common humanity and common ownership of the Earth, supplement but do not replace the shared membership of a state. These are justified by an

argument for the moral importance of fulfilling basic human needs. Each of these grounds comes with different principles. Due to the limited scope of this article, I focus in particular on the grounds of common humanity and membership in the global order and the principles resulting from them. Risse (2017) outlines the principle of justice resulting from our common humanity as follows:

The distribution in the global population of the things to which human rights (understood as rights needed to protect the distinctively human life) generate entitlements is just only if everyone has enough of them to lead a distinctively human life (and thus if those rights are satisfied) (2017, p. 48).

This effectively means that our common humanity, a nonrelational ground of justice, generates moral duties towards others, which can be termed ‘duties of assistance’, to enable citizens of other states to live a distinctively human life. This ground of justice is closely related to a conception of ‘human rights’, in that the rights needed to live a distinctively human life are essentially ‘human rights’, and the state constitutes the environment in which these rights are (or are not) realised.

Similarly, shared membership of the global order of states generates the following principle of justice:

The distribution in the global population of the things to which human rights (understood as membership rights) generate entitlements is just only if everyone has enough of these things for these rights to be realized (2017, p. 48).

To elaborate on this, Risse accepts the idea that there is a global order and the major actors within the system are interconnected. Shared membership generates rights held vis-à-vis the global order, and rights, in turn, generate duties of assistance. This is primarily a duty to create the conditions within each state to enable the realisation of a list of human rights. Risse takes an ‘institutional stance’, arguing that institutions within states¹ are responsible for creating the conditions required for the realisation of human rights. Thus, the primary means of achieving a minimally just state is through the development of effective institutions. The duty of assistance is, therefore, specifically a duty to assist in the development of effective institutions, which will, in turn, create the conditions for all states to realise human rights. However, it should also be noted that Risse (2012, pp. 48–49) offers three *prima facie* reasons that constrain this duty. First, assistance may be ineffective because what is needed cannot necessarily be provided by the donor. Second, a paternalism (or neo-colonialism) concern: institutions may be shaped by outsiders in their own image. Third, a reliance on outside support may lead to dependency.

The framework is wide-ranging, and elements of it have been applied broadly by Risse and others (e.g. Risse & Wollner, 2019; Yong, 2016) to issues such as labour rights, labour migration, natural resource distribution, climate change and global trade. The implications of the realisation of Risse’s conception of global justice appear far-reaching: States would act responsibly towards future generations with regards to resource stewardship and climate change and ensure that the benefits of the global trade would be distributed more equitably, as examples. At the same time, several potential challenges to the theory have been put forward. For example, Vernon (2015) highlights a possible objection from cosmopolitan theorists, who may argue that global relations meet some of the criteria that Risse argues

¹ This might include social and political institutions including the education system, the rule of law and the existence of trust and social cooperation, as examples.

makes a state particularly normatively relevant, and global institutions may thus be viewed as having a position on a spectrum of normative relevance, as an alternative to privileging the state's 'special' relevance over that of global organisations.

This model implies that equality of access to the social institutions of states other than one's own is not required *per se*. On the other hand, in recognising a duty of assistance held by all citizens of states where human rights can be realised towards those who are not, by virtue of our common humanity and our membership in the global order as examples, this stance results in markedly different but not necessarily less expansive implications in terms of conceptualising justice in international education. The remainder of this article turns to an examination of the issue of international student recruitment in the UK through the lens of this theory, whilst unpacking the theory in greater detail.

Applying pluralist internationalism to international student recruitment

International students as members of the state

In this section, the normative framework is applied to the case of international student mobility. There are two main strands to the argument. The first is that charging differential fees is unjust because international students can be described as members of the state where they reside. The second is that attracting large numbers of students from low- and middle-income countries is not necessarily a desirable outcome because doing so is widely understood to perpetuate existing global inequalities. The conclusion of the first strand is seemingly similar to that of cosmopolitan theorists, but the reasoning differs. Whereas from a cosmopolitan perspective, the principle of equality of educational opportunity should be extended internationally because the same grounds for making social justice claims nationally exist internationally, from this perspective, a citizen of another state would not necessarily be entitled to the 'societal resources' of the UK or any other state (Risse, 2016). This is because entitlements to these resources emanate from shared membership of the state. Thus, the optimal response to inequalities between two individuals resulting from their national origin is not to make a case for all individuals to have the same entitlement to the societal resources of every state (such as higher education institutions) but to make the world more just (Risse, 2016, p. 59).

Risse argues that shared membership of the state is normatively different and creates relatively strong demands of justice, affirming a 'hybrid' justification for this. Internationalist conceptions of global justice generally justify the normative peculiarity of the state on the grounds of either shared national identity (e.g. Miller, 2012), shared subjection to and nonvoluntary compliance with social rules (e.g. Nagel, 2005) or collective participation in a system of social cooperation (e.g. Sangiovanni, 2007). Risse's justification draws on the latter two. The question with regard to international students is, therefore, whether they are 'members' of the state in which they reside for study purposes, in terms of subjection to forms of coercion and participation in the same forms of cooperation. An argument can be made that they are. International students become subject to the host state's authority once they become residents, which means that they are largely subject to the same forms of coercion and cooperation (reciprocity) as citizens and therefore should be subject to the same far-reaching principles of justice that dictate the allocation of the goods generated under the same conditions. In terms of coercion, it is clear that international students are subject to the same

legal system and public bureaucracies as citizens. They may pay income tax and make national insurance contributions if they are employed whilst studying (UKCISA, 2019).

It seems clear that international students cooperate as members of the state. Cooperation can be couched in terms of the ‘reciprocity’ described by Rawls (1971). Sangiovanni (2007, pp. 21–22) provides a more concrete account of what Rawls’ concept looks like in a modern state:

Citizens and residents... provide the financial and sociological support required to sustain the state. It is they who constitute and maintain the state through taxation, through participation, in various forms of political activity, and through simple compliance, which includes the full range of our everyday, legally regulated activity.

As residents, international students cooperate in several ways similar to citizens. For example, the impact of non-tuition fee income from international students in 2016 was estimated to be £11.3 billion, or £49,000 per student on average (London Economics, 2018). This includes housing and subsistence costs, other course costs and spending on dependents. They are often social and political actors, as evidenced for example by the activity of international students in protests (Pham, 2015), and the fact that some international students, who hold citizenship of a Commonwealth country and leave to enter or remain in the United Kingdom, can vote in elections (UKCISA, 2020). However, despite being subject to the same forms of coercion, and participating in a broadly similar way in the forms of cooperation that characterise membership of a state, they are granted fewer rights and protections than local citizens. A potential counter-argument is that citizens have a greater entitlement to the benefits of the UK higher education system, given that the institutions were built up partly through the lifelong taxation of students’ parents and grandparents. However, differential pricing of public services for temporary and permanent residents (such as public transport or museums) is not a norm. A notable exception is that of healthcare, in that individuals resident in the UK for more than 6 months must pay a healthcare surcharge. However, this is a relatively recent policy, having been introduced in 2015; Previously, those entering the UK as temporary residents for work or study were entitled to free healthcare (Foreign and Commonwealth Office, 2015).

Therefore, even if one rejects the claim that the nation-state is becoming less relevant when evaluating the justice of relations between people, it is clear that the standards applied to the UK students should be applied to international students. This would mean, at a minimum, that international students are charged the same fees as domestic students if universities seek to recruit them. However, from a pluralist internationalist perspective, there is not necessarily an obligation on the part of the UK to apply the same standards of equity in access to higher education that currently apply to UK citizens to all globally. Conversely, other grounds of justice generate moral duties, and whether barriers to international students accessing UK higher education should be removed is dependent on how effective this would be in terms of fulfilling these moral duties.

Beyond the state: global duties

Whilst shared membership of a state as a ground of justice leads to the notion that students should be treated equally during the time they are in the UK, it suggests little about the inequalities that persist in terms of access to higher education for international students. However, other grounds of justice that apply more broadly than shared membership of a state mean that the UK and its higher education institutions have moral duties which extend beyond

the state. Rather than suggesting that all should have equal access to the societal resources of the UK, the grounds of justice approach leads to a claim that every agent and institution has a duty to ‘do what it can, within limits, to bring about the necessary conditions of just distributions, as described in the principles of justice’ (Risse, 2017, p. 48).

This duty may involve enacting foreign, trade, development assistance or immigration policies that would contribute to creating conditions under which realisation of human rights is possible. In other words, the grounds-of-justice approach weakens the contrast between domestic and foreign policy, implying that it is not acceptable to give priority to domestic concerns in higher education policy, as is currently the case (Risse, 2020). Consequently, whilst student mobility from countries where the necessary conditions of just distributions already exist would remain at the discretion of the host country, providing higher education access for students from countries where they do not may be considered as a means of contributing to institutional development in the students’ home country.

Risse (2012, p. 81) notes that it is not clear how much is required to fulfil the duty of assistance. However, existing policies serve to extract wealth from developing countries, perpetuating inequalities and denying access to knowledge, and are most damaging to those countries towards which the UK has the greatest duty of assistance. Pogge (2002) argues that those who play a role in reproducing a global order which disadvantages others have a duty to improve that order. This duty includes alleviating the effects of unequal institutions, which includes a highly unequal global system of higher education. Risse (2012, p. 293) suggests that wealthy countries at the top of this global order cause the harm to the global poor claimed by Pogge (2002) by ‘not doing enough to make good on’ the duty of assistance emanating from non-relational grounds of justice such as our common humanity. In other words, even if the claim that the idea of national sovereignty no longer carries intrinsic moral weight (Enslin & Hedge, 2008) is rejected, the problem remains that the unequal system of global higher education can effectively be viewed as one part of a broader institutional order which is exploitative and requires of the UK, placed at the top of this order, a duty to ensure a just distribution of the things to which human rights generate entitlements which it is not fulfilling.

It is difficult to see how these moral duties could be fulfilled under the current system. It appears unrealistic to suggest that the UK government could shift its policies in the short term in a way that would disadvantage it in the context of a global trend towards the marketisation of international higher education, and the prioritising of the market over social justice imperatives in this domain. The transformation of higher education and international student recruitment in line with a ‘duty of assistance’ seems difficult to achieve under a system that ‘normalises inequalities’ and turns internationalisation and international student mobility into an ‘investment for gain’ (Bamberger et al., 2019, p. 208). I concur with Enslin and Hedge (2008) that achieving justice in international higher education requires reform at the level of the global economy.

Fulfilling global duties: considering the effects of international student recruitment

The remainder of this article is concerned with exploring means through which governments and higher education institutions could move towards fulfilling the duty of assistance whilst avoiding the three *prima facie* reasons constraining it. It should be noted that the duty of assistance is a general principle, and not limited to specific measures related to international education. The aim is that all of the measures taken by the UK together fulfil the duty of assistance, and practices related to international education may or may not be part of this.

Thus, any proposal for measures to alleviate injustices should be assessed in terms of its effectiveness when compared to other measures (Yong, 2016). In addition, I take a view similar to that of Sen (1999), who emphasizes that recipients must be active participants in the process of assistance. This view also positions the recipients as ‘co-generators of solutions’, and as equal partners in terms of decision-making authority and power to shape and direct the purposes of the assistance (Maffettone & Muldoon, 2017, p. 1009).

Assuming that there is an institutional deficit that causes outbound student mobility in the first place, in other words, an education system that cannot provide all citizens with quality education, a primary goal from this perspective is to facilitate the development of the domestic institutions of source countries from which international students emigrate partly due to inadequate institutions. The extent to which encouraging students from low- and middle-income countries to study in the UK would contribute to this goal or create problems such as dependency, and brain drain is therefore important to consider.

Improving access to the UK higher education for students from other countries, for example, by reducing fees and increasing the availability of scholarships, is one possible means of assistance. In the short term, achieving equality of access would allow governments in the Global South to respond to the needs of society for highly skilled labour by sending students abroad. These students could then return home and contribute to the development of institutions. In addition, the diaspora effect (Agrawal et al., 2011) may facilitate exchange and knowledge transfer between receiving and sending countries and encourage foreign investment in sending countries. However, I argue that it is more likely that enhancing access to UK higher education for students from the countries for which the duty of assistance is strongest would have negative implications for the development of domestic institutions in the countries at the bottom of the global economic and political order and would therefore be an ineffective measure in reducing global injustice.

The cosmopolitan goal of global equality of opportunity to access UK higher education may have negative implications for source countries is that reducing barriers to access is likely to further contribute to ‘brain drain’, thereby impacting institutions and development in the home country and entrenching inequality between countries. There are two main mechanisms, established in the empirical literature, through which brain drain can impede the development of institutions: Emigration of skilled individuals can undermine institutional reform by depriving states of the (highly skilled) individuals most capable of catalysing it and can deplete the state’s pool of human capital, destabilising forms of production that are necessary if states are to provide citizens with primary goods required for the realisation of human rights. The states furthest from achieving the level of institutional development required to meet the needs and human rights of citizens are more likely to be negatively influenced by brain drain because countries with ineffective institutions are not only more likely to motivate citizens to emigrate but also less able to achieve some level of ‘brain circulation’ or ‘brain return’ (Gamlen, 2014). Thus, countries in the Global South which lack good institutional foundations can fall into a vicious cycle, in which ineffective institutions drive emigration, leading to the persistence of ineffective institutions. This is why several authors have challenged the idea that countries in the Global South, with the exception of those with large economies such as India and China, benefit from outflows of highly skilled citizens (Brown et al., 2020; Gribble, 2008; Agrawal et al., 2011). Thus, it is clear that reducing the barriers to accessing the UK higher education institutions could, perversely, contribute to the entrenchment of an unjust global order. Simply perpetuating a global institutional order which contributes to the institutional deficit would be undesirable.

If the overall effect of outbound student mobility is damaging to the source country, targeted immigration restrictions may be required. Yong (2016) suggests that in the case of medical brain drain, countries that possess ‘minimally just institutions’ would be required to apply targeted immigration restrictions to minimise medical brain drain from other states. In addition, the recipient state, bound by a duty to aid in the development of minimally just institutions resulting from shared membership of global order, should help to address the institutional deficits which cause the brain drain in the first place through cooperation with the recipient. The same logic applies to brain drain caused by international student recruitment. The UK has a duty to avoid recruiting skilled citizens of countries where it is unlikely that the negative effects of brain drain would be outweighed by the positive effects of brain circulation, brain return or the diaspora effect. Alternatively, if student mobility is encouraged, then for students from these countries, policies designed to create educationally channelled labour migration should be avoided. One implication is that the recent return to the pre-2012 post-study work visa policy, which entitles international graduates to two years to work in the UK and was implemented with the hope of attracting skilled workers from overseas (Adams, 2019), would be untenable.

Overall, if the UK were to host international students to fulfil the duty of assistance, it would also have to adjust its policies in cooperation with the recipient state, according to the expected net positive (e.g. as a result of brain return and diaspora effects) and negative (e.g. as a result of brain drain) effects of said policies on the sending country. This perspective stands in contrast to suggestions made in policy-focused contributions to the debate on student brain drain to date, which tend to put the onus in terms of reducing brain drain on the source country (e.g. Gribble, 2008; Ziguras & Gribble, 2015). Determining the overall effect of mobility would be complex, would require careful analysis and would be highly idiosyncratic across geographical contexts (Gamlen, 2014). However, it seems clear, based on what is known about brain drain, return and circulation that countries with less effective institutions are less likely to benefit from the UK hosting large numbers of their citizens as international students.

Alternative measures to meet global duties through higher education

If encouraging international student mobility to the UK is indeed an ineffective or even counter productive measure, then other means, through the provision of higher education, to address the deficits in the source country’s higher education institutions that prompt emigration could be sought. As the duty of assistance is not limited to international student recruitment, preventing brain drain should be one part of a broader approach to improving higher education and other institutions in developing countries (Risse, 2017, 2020). A comprehensive discussion of what this approach would entail is, however, beyond the scope of this paper. That said, if the UK were to choose to undertake its duty of assistance by providing citizens of other states with access to its higher education system, policies would have to be reconfigured to promote institutional development and reduce the negative impact of brain drain.

One possibility would be to expand distance learning provision, although this approach is not without problems. A likely outcome of the COVID-19 pandemic is an acceleration of ‘internationalisation at a distance’ (e.g. Mittelmeier et al., 2020), including the provision of distance learning for international students. As a result of the pandemic, temporary concessions were made for international students in the UK, meaning that those enrolled in a higher education course could continue their education at a distance, without entering the UK (Home

Office, 2021), effectively demonstrating that the provision of UK higher education to international students at a distance is possible.

An interesting practical example of international distance learning expansion is that of UNICAF university (e.g. Marsh, 2015), which offers the UK and locally accredited degrees at relatively low cost across sub-Saharan Africa. UNICAF delivers online courses at a lower cost with greater availability of scholarships than typical UK degree courses delivered in the UK. Students can study asynchronously, pay fees on a module-by-module basis and suspend their studies and pick them up again flexibly (Marsh, 2015). This model is designed to expand access to higher education in countries where capacity is unable to meet demand. In sub-Saharan Africa, the main area of focus for UNICAF's platform, the number of young people seeking higher education across the region increasingly outstrips supply (Bloom et al., 2014).

However, there are issues associated with this idea. Whilst the expansion of distance learning has the potential to contribute to knowledge transfer and thus the development of institutions, and reduce problems of brain drain, it is also possible that without careful consideration around implementation, any of the three *prima facie* reasons against assistance in institution building would apply. The first reason is that distance learning expansion has the potential to be an ineffective measure, in that distance learning platforms, especially those with a profit motive, may act as competition for domestic institutions, inhibiting their growth and development. The second reason is shaping institutions in a paternalistic way and the third is creating dependency. To mitigate these issues, the UK universities may focus on developing partnerships with universities in the Global South to aid in the development of such platforms. These partnerships could be 'transformational' rather than 'transactional' (George-Mwangi, 2017), focusing on collaborative efforts and avoiding patriarchal approaches to knowledge transfer: An emphasis on power dynamics would be imperative, in line with the agency-oriented and participatory view of assistance that is necessary to avoid creating paternalism or dependency (Sen, 1999). Overall, whilst this example is not without potential issues, it demonstrates that there are practical alternatives to existing models that could be implemented at the institutional level, supported by appropriate policies at the national level, in order to use the UK's higher education capacity to contribute to the development of effective institutions in other countries.

Conclusion

Overall, this article has sought to apply a pluralist internationalist normative theory of global justice to a discussion around the ethics of international student recruitment in the UK. This conception led to several suggestions for changes to the current system that would allow the UK higher education institutions to contribute to global justice, rather than injustice. The analysis resulted in two key points. The first is that if the normative peculiarity of the state is taken as a starting point, it is still clear that current practices around international student recruitment in the UK are unjust because, for all intents and purposes, international students *are* members of the states where they reside during their overseas sojourn. That is to say, they are subject to the same legally and politically immediate kinds of coercion and norms of reciprocity that characterise membership and are therefore subject to the same strong justice demands. In addition, the argument could be made that denying access to knowledge for students from low- and middle-income countries, in particular, represents a failure to fulfil moral duties that exist beyond the state.

At the same time, the article diverges from other works calling for global equality of opportunity to access to UK higher education, in that it argues that reducing the barriers to study in the UK for international students may be counter productive, given the possibility that doing so may have the effect of entrenching structural inequalities between states. This is because doing so may inhibit the development of effective institutions in source countries for several reasons. Thus, in terms of future policy shifts at both the national and institutional level, the grounds of justice approach suggests that reducing the negative effects of international student mobility (such as brain drain) and aiding the development of foreign higher education systems should be a priority. To avoid the three *prima facie* reasons against assistance in institution building, which are perhaps more problematic than Risse (2012) acknowledges, I highlight the necessity of taking a participatory view of assistance that emphasizes the agency of recipients, their role as co-generators of solutions, and takes as a fundamental aim the avoidance of dependency.

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