

Book Review: Regulating International Students' Wellbeing

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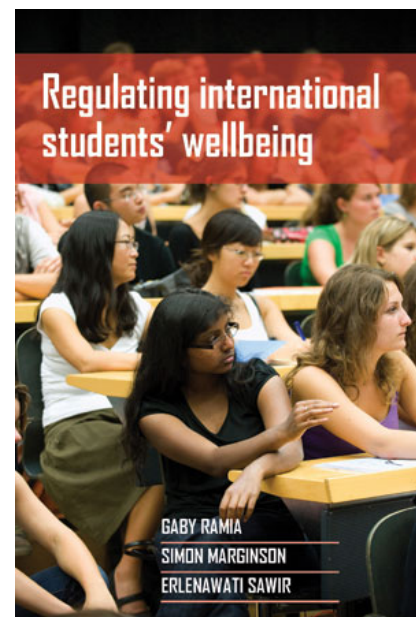
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Cross-border education is a fast growing and diverse global market, but little is known about how international students actually live. Using international and cross-country comparative analysis, this book explores how governments influence international student welfare, and how students shape their own opportunities. The authors outline the vulnerabilities of international students in such areas as housing, work, safety, health, discrimination, and abuse. Reviewed by Jennifer Miller.



Regulating International Students' Wellbeing. Gaby Ramia, Simon Marginson and Erlenawati Sawir. Policy Press. June 2013.

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Australian researchers Gaby Ramia (Graduate School of Government, University of Sydney), Simon Marginson (University of Melbourne), and Erlenawati Sawir (Central Queensland University) challenge the prevailing approach to regulatory protection of international students. Regulatory protections for these students currently focus on providing consumer protections for individuals exercising choice in a free market. In *Regulating International Students' Wellbeing*, the authors advance a moral argument that nations profiting from higher education as an export industry should provide stronger regulatory protection of the wellbeing of these “economically and socially vulnerable” students. The solution they envision imbues international students with a form of transnational citizenship in addition to existing consumer protections.

The adoption of a radical policy innovation like transnational citizenship for international students would seem to require the participation, even the leadership, of the country that hosts the largest number of international students. Yet many of the book's ideas seem far removed from the current US higher education policy agenda. As this academic year began, President Obama announced an eight-point plan for higher education, with affordability as the top priority. The plan, heavy on incentives, accountability, and technology, did not mention foreign students in the US or US students studying abroad even once. Regarding regulation, Obama pledged only to “encourage innovation by stripping away unnecessary regulations.” While many US universities provide a high level of support for the wellbeing of international students to advance their competitive advantage and commitment to excellence, it seems unlikely that new mandates or rights will be formalized in national policy in the near term.

If the book's ideas seem far removed from current US policy for higher education, perhaps that is because they come from – literally – half a world away. The book draws primarily on the cases of Australia and New Zealand. Each case, explored through the lens of regulation theory, includes analysis of formal policy documents as well as summaries and excerpts of interviews with international students, student services staff, and policy staff.

Chapter 5, “Much regulation, minimal protection: the Australian model” analyses Australia's Educational Services for

Overseas Students (ESOS) Framework. In spite of a great deal of black letter law protecting students as consumers of educational services, with specific provisions for international students, they find a “student welfare deficit” attributable to weak enforcement, low levels of knowledge, and a lack of independent oversight.

Chapter 6, “Pastoral care, minimal information: the New Zealand Model,” describes what appears on paper to be a strong regulatory regime for the protection of international students. New Zealand’s Code of Practice for the Pastoral Care of International Students contains broad and specific welfare protections, including mandated orientation, support services, and advocacy for student rights. It also provides for a level of independent oversight from an International Education Appeal Authority. In practice, however, international students are only barely aware of the existence of the Code, let alone the specific protections to which they are entitled.



Houghton Street, LSE Campus. Credit: [SomeDriftwood](#) CC BY-NC 2.0

The two national cases are compared in Chapter 7, “Different frameworks, similar outcomes: comparing Australia and New Zealand.” Ramia and colleagues find that the low level of regulatory awareness and understanding, especially among the students themselves, means that the more fully articulated protections in New Zealand are not much more effective than the looser protections in Australia.

As the authors proceed to outline their proposed reforms in Chapter 8, “Doing it differently: national and global re-regulation and trans-national student citizens,” I found myself considering this proposed non-incremental policy change from the perspective of Kingdon’s policy streams theory. This idea of transnational citizenship seems to belong in Kingdon’s “policy primeval soup” – the solutions developed by policy wonks that simmer on the back burner, awaiting an opportune policy window.

What convergent events in Kingdon’s problem and politics streams might open a policy window wide enough for a disruptive innovation like transnational citizenship to take hold? It often takes a crisis to place a policy problem on the decision agenda. As tragic as they have been on a personal level, even deaths and disappearances of individual students have not placed international student welfare on major national and international policy agendas.

In the politics stream, what elected official is going to seize the moment to act on behalf of international students when youth unemployment is one of the most pressing domestic issues—and international students are not even voting

constituents? It might take a disruption of global governance on the scale of the formation or dissolution of the EU or the UN to make the idea of transnational citizenship politically feasible.

Finally, if a crisis in the problem stream eventually does meet opportunity in the politics stream, higher education may have been so transformed by technology and disaggregation that we will need to ask fundamentally different questions.

Ramia, Marginson, and Sawir have outlined the vulnerabilities of international students in such areas as housing, work, safety, health, discrimination, and abuse. They have also established the inadequacy of national regulatory regimes based in both consumer protection and pastoral care. However, I did not find the proposed resolution through transnational citizenship convincing. Dramatic changes in higher education, technology, and global governance may thoroughly restructure the problem before such a complex, multilateral reform could be realized.

Jennifer Miller is an Assistant Teaching Professor at the University of Southern California's Sol Price School of Public Policy. She received her doctorate in public policy from the University of North Carolina at Chapel Hill. Her research interests focus on the scientific workforce. She has also written about collaboration among universities, industry, and government in university research centres. Before pursuing her doctorate, she worked for IBM in human resources. [Read more reviews by Jennifer.](#)