

# International Student Security: Globalization, state, university

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[preliminaries] I am grateful for the opportunity to speak with you all today.

## Introduction

I want to take up an issue that goes to the heart of higher education, especially research universities, around the world. It is about global mobility, especially the mobility of human subjects. It also highlights the implications of changes in higher education for the larger world. That issue is *the human security of international students*, by which I mean people who cross national borders for the purposes of formal study.

Global connectedness continues to grow, despite the global recession. The recession has dealt a powerful temporary blow to some national higher education systems and parts of systems, including many American states. It has created downward pressures on access and quality. The long term growth of access will not stop. It will be harder to undo the damage to the quality of teaching and learning. Some equity battles now have to be re-fought. The recession has also lead to cuts in international programs. But perhaps less than might have been

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expected. In the past a sudden increase in cost pressures would have taken international activity right out, because international activity was marginal to nationally-defined activity. Not now. Consider the strategic importance of the global market in doctoral education, for nations investing in k-economy talent. Even in first degree study, cross-border student movement within and out of much of Asia has continued to grow, throughour the recession. The long term trend to globalization is robust. The issues arising will become larger.

Higher education and research are highly globalized compared to most sectors. Universities are active in the local, national and global dimensions at one and the same time. Research universities are building a global education space. Faculty, administrators and students are more likely than most people to have international experience and acquire a cosmopolitan outlook. Many university leaders have become centrally concerned with global strategy. In an increasing number of countries, cross-border student passage will be the norm not the exception, as has been foreshadowed by Erasmus in Europe.

The world is wholly globalized in the ecological sense, and partly globalized in culture and communications, knowledge, finance, the economy and higher education. There are signs that world society is slowly emerging. But systems of governance and regulation are almost entirely national in character - or rather, nation state in character. 'Nations' are culturally constructed and spread across the formal boundaries of states. But 'states' are territorially defined and bound. They cannot be other, and are limited in their capacity to handle cross-border matters, such as the human security of international students. The limits of states put international students at greater risk, unless something additional is done.

Issues of global people mobility - and of the lack of fit between national public good and global public good - are found in other sectors, not just education and research. Short term business and worker migration. Tourism. And of course refugees. Problems of the human security of mobile persons in the university sector have broad resonance. Solutions in this sector will set precedents, and help to develop new thinking about the tense relationship between the global and national dimensions of human action, again so apparent in Copenhagen.

### **Nitin Garg**

But let's turn to a more locally grounded story. Sometimes studies in which  $n = 1$  can tell us more than surveys of whole populations. Consider Nitin Garg. Nitin's home was Jagaraon in the Ludhiana district in the Punjab. He entered Australia three years ago and late last year he completed a Masters degree in Accounting at Central Queensland University at only 21 years. He achieved a Permanent Residence visa in Australia and planned to stay. Living in Melbourne, he secured an evening job at Hungry Jacks, a burger franchise in West Footscray, on the west side of the inner city, where many Indian families and students live. He shared a house with seven other Indian friends in Newport, an adjoining suburb. From all reports, Nitin was cheerful and positive. He was warmly liked by his friends, someone for others to trust and rely on. He kept in touch with his family in the Punjab, visiting them late last year: he returned in mid December.

On the evening of Saturday 2 January - given the time difference it was almost exactly one week ago, to the hour - Nitin Garg left home for work at Hungry Jacks. One of his friends offered to drive him but he said not to worry and he would take the train. He traveled to Yarraville station, a couple of kilometers

from his workplace. The walk took him through Cruikshank Park. During the day Cruikshank Park is pleasant open area, once a creek-bed, fringed by native Australian plants and used by many. It is a less comfortable place at night. Despite years of complaints by residents it is poorly lit. Houses adjoining the park are often burgled and invaded by intruders. Last Saturday, as Nitin passed through the park he was approach by a gang of youths. One had a sharp knife. After a brief argument Nitin was stabbed. The knife went deep, from his stomach to his heart, almost disemboweling him. It appeared that his attacker had experience in slaughtering animals. The attackers fled. They did not take Nitin's wallet and mobile phone, which were left lying in the park. Nitin managed to stagger 300 metres to Hungary Jacks but he was dying when he reached his workmates and by the time the ambulance reached the hospital he had gone.

Nitin's death follows series of incidents over three years, affecting young South Asians in Australia, largely students. Australia has more than 110,000 Indian students. The attacks are mostly centred on the Western suburbs of Melbourne, which have a high concentration of non-European people. There is a syndrome among certain local male youth, often unemployed and outside education. They call it 'curry bashing' because South Asians are targeted, though sometimes it is extended to Chinese, Southeast Asian and African youth. Gangs, often of mixed ethnic composition, come into the Western suburbs from different parts of Melbourne. We know about 'curry bashing' because of court testimony, because some attacks are accompanied by racist abuse, and because car loads of attackers turn up at train stations late at night and wait for South Asians to get off the train. The victims are always bashed, but not always robbed. In the last few months, carloads of Indian students have turned up at the stations to protect the train

travelers. There are gang fights. Nitin Garg is the first person to die, an innocent, an involuntary participant in the urban cultural wars of tolerant Australia.

Death comes to all of us. But in a few special cases, a person's death takes on a great significance, because of its timing within the circuits of public exchange. Nitin Garg's passing triggered a furore of media reports and outpouring of grief, rage and accusations and counter-accusations in India, in Australia, and between India and Australia. The chief minister of the Punjab, the External Affairs Minister of India, the Australian High Commissioner to India, the Ministers for Trade and for Education in Australia all made statements. Both Prime Ministers are involved. Dozens of organizations and thousands of individuals have had their say in blogs, newspaper letters and talk-back radio. The debate rages on.

South Asians in Australia, and Indians in India, say there is racist targeting and their students are at risk. They protest to the Indian and Australian governments. They say the Australian government is doing little to protect international students or to police or correct violent and racist behaviour at home. But many voices in that debate in Australia, including police and politicians, say that this is 'just another murder' and has no special significance. Australia is not a racist country. There is no particular problem for Indian students in Australia. (The 'curry bashing' syndrome is on record but is side-stepped). The official government stance is shared by the mainstream public culture in the media. One senior journalist argued there are more violent deaths per head of population in India. Others point to bride murders. 'Two wrongs make a right' arguments. The public media is as nation-centred and bordered as is national government. There is no halfway point, no part acceptance of the Indian position. Equal cultural respect is hard to secure in Anglo-American countries in which systems are

monocultural, there is usually an innate belief in Western superiority, and cultural difference is accepted and tolerated provided it is confined to private networks and not exercised as a pluralization of the national public space.

But while some generalizations in India are overdrawn or wrong, and there is no lack of national stereotyping, essentially the Indian position on the central issue – the students themselves - is right. Racist targeting *is* involved. Indian students *do* have a special problem. And there is *not enough official and civil concern* about international student security in Australia. The Indian government has responded with a travel warning that points to a pattern of increased crimes of violence and property affecting Indian nationals in Melbourne, and advises precautions. For its part, the Australian government is in denial. Australia is one of the safest and most tolerant countries in the world, it says. Yes, that is true, but it does not address the issues. The question is not about whether Australia is racist ‘as a whole’, but about action on racism *in* Australia. And Australia has taken little action to tackle the problem of international student safety, while denying racism is a factor. This undermines statements that Australia is a non-racist country. Because non-racism lies not in colour blindness - in pretending there are no issues of cultural discrimination, in abstract pretences that everyone is the same - but in the capacity to identify and eliminate actual racism. Freedom from all forms of discrimination and abuse is basic to student security.

Australia’s Educational Services for Overseas Act regulates international education by placing mandatory requirements on provider education institutions. Student safety is not mentioned in the Act. Once the students leave campus and enter the general community where most of the problems are, they are not covered by the Act. It is a matter for the police. There have been modest

increases in policing in trouble spots – less than implied by Australian politicians in India - but the increases are likely to be temporary. Australian government is not prepared to acknowledge that international students need special additional public money. Its reflex is always to push responsibility back to the provider education institutions. There is no community education campaign and no expressed solidarity with the students, who have campaigned hard but are relatively isolated in Australia. Indian student organizations that tell the truth about what is happening complain of being frozen out by police and government.

We can see why. The issues are not just politically charged but economically sensitive. There is talk of trade sanctions. Education is Australia's third largest export, \$15 billion USD a year. The largest export in the State of Victoria, where Nitin died. Australia regards these temporary migrants, its international students, as economically significant. But this has not triggered an instinct to provide better protection for individual students because there are 560,000 students and this would be expensive. It would undermine Australia's cost advantage over the other English speaking countries in the global education market. It is more efficient to focus on impression management, not individual student welfare. Market research shows national reputation is the chief factor in international student choice, bigger than educational quality. So the Australian government spins the national reputation, and waits for Nitin Garg to be forgotten.

This is not working. The problem of student security will not go away and will continue to affect family choices in the education market. And the problem will recur. Nor is it confined to Indian students. In Sydney and Melbourne in Australia, the Chinese consuls have made public concerns about crime and student safety, and student difficulties with accommodation, depression while

away from home, the heavy-handed regulation of student visas by the immigration authorities, and obtaining professional jobs. Nor is the problem confined to Australia. The gangs in the Western suburbs are not representative of Australian urban culture, they are one of its pathologies. Overall, I suspect the position of non white international students is better in Melbourne than it is in most parts of the USA and the UK, where racism is broader and deeper, though the UK government is smarter in its handling of student safety and crime.

In 2003 and 2004 abuse of Chinese students in New Zealand, including hostile media, and the collapse of some private colleges, led to official complaints by China to the New Zealand government. When New Zealand responded with spin, with the pretence there were no real problems, China issued an official warning to families contemplating international education. There was a sharp fall in Chinese student enrolments in New Zealand in 2005 and after. Another reminder that student security has market power, though it is more effective at the aggregate than individual level. But if a strategy of denial and do nothing is ineffective, and if there are economic and political risks in neglecting student security, why are normally competent governments caught out by this issue?

### **Issues arising**

The answer is that states handle some kinds of international security issues better than others. What a contrast there is between the ill-focused and ineffective responses on student security, and the rapid moves by states in response to the threat of a would-be al-Qaida suicide bomber! National governance is effective in dealing with the threat to the security of nation-states posed by 'stranger danger'. It mobilizes well, if not always with complete success, to protect inner

territory and static persons against mobile persons. It is ineffective in protecting the security of strangers, mobile persons, against static persons on national soil. The prima facie bias of states in favour of their own citizens does not help.

States are deeply ambivalent about student strangers. Education and economic ministries imagine mobile students as sources of revenue and research talent. Immigration and defence ministries imagine them as a threat. Thus on one hand international education is a cross-border market where the student-as-consumer is sovereign and devolution is the order of the day. On the other hand international education triggers border anxiety, old style bureaucratic regulation and force. In the export countries governments want to build skilled migration and stretch categories such as identity and residency to accommodate it. But government is also concerned with border threats, trusts no one but itself, uses exclusive categories, and is not fully persuaded that it wants the alien at all. International education is simultaneously shaped by these two different regimes of governance and regulation, and the tensions between them. It is a mess.

But it is a mess with a large group of mobile persons attached. There are three million cross-border students. The numbers will continue to grow. This is ensured by the globalization of professional work and educational opportunities, the global nature of knowledge, and university strategies.

International students are investors in geographical and social mobility. They face many difficulties. Some have good backup. Others do not. But most will enter the top quintile in their home countries, or somewhere in the world. They will not live on a dollar a day. They are not a proletarian subject, they are not among the most disadvantaged people. But they are at the cutting edge of two

problems of global governance, or rather its absence. One is an old problem: the extent to which regulation should modify market forces. The other, less familiar, is that of the disjunction between mobile populations and national regulation.

Let me summarize the issues and questions arising from the case of Nitin Garg:

- Australians are concerned about their position in the international education market, and more generally, national pride. Indians are concerned about a dead man and more generally, dangers to young Indian people in Australia. None of the humanist concerns are shared in Australia, except in token ways. The humanism is nationally bordered.
- Amid the official flurry, little has yet been done in Australia to enhance international student security. In fact in both countries the issues are addressed almost entirely by symbolic politics. All the energy and heat and the activist and formal pressure have achieved little in practice.
- But there are underlying ambiguities in the position of mobile persons in a national setting. Who is really responsible for their security? National government in the country of education? Local government and police? The educational institutions? NGOs and community-based welfare? Or just the student families and the students themselves? Governments push the problem on to the universities. Universities often seem to displace it to the student's family and to informal friendship networks.
- The commercial character of the international education industry in Australia, New Zealand, the UK and Malaysia and elsewhere weakens attention to human security. The commercial approach treats fee paying international students as subjects of trade, with consumer protection rights - not as quasi citizens with the full range of human rights, or even as

traditional educational subjects entitled to full pastoral care. Policy focuses on their net contribution to the national economy, not their human needs.

- In the export countries, there are no protocols that enable national government to determine whether and how it should differentiate, in matters of security provision, between its own citizens and non-citizen foreign visitors and migrants. Should government provide *less* to foreigners as a matter of policy? In relation to Australia, a colleague of mine has identified count 28 policy areas, programs and entitlement systems where international students are disadvantaged, compared to locals. On the other hand, should national government in the country of education offer international students *more* help when their outsider status makes them vulnerable, as in the case of Indian students in Australia at present? But if so, how far can it go without prompting a backlash from the local citizens that elect government and pay lifetime taxes?
- Does the student's home country government have a practical role in student security, as distinct from engaging in political rhetoric, and if so how is it best expressed? Bilateral negotiation is more effective than are international students themselves in putting pressure on the education country government, but sanctions and warnings are blunt instruments.

### **Limits of nation states**

Cross-border migration, whether permanent, or temporary for work or study, is challenging for those that undertake it. Mobile persons move from familiar rules, conventions, supports and citizenship rights, to a country less familiar where they have less personal support, they lack citizen rights and the rules may be unknown. Global mobility demands adjustment by mobile persons. On the face

of it, global mobility *also* demands adjustments by the institutions and systems that mobile persons encounter, especially when there are many such persons. But institutions and systems in the country of education rarely adjust to ‘strangers’.

The core of the problem for mobile students is that in matters of their protection and the active exercise of their rights, they fall between the two different national citizen regimes. Though they have rights in their own country, where they are citizens, the home country government can do little to help more than a handful of individuals abroad, except by generating diplomatic and economic pressures. These are indirect mechanisms that depend on a response from government in the country of education. But in the country of education, government does not treat international students as equivalent to national citizens in respect and rights. The students are at greater risk than they should be, not because they are a danger to the country of education but because they are strangers, because legal protections and policy obligations are sparse, and because there is no political mechanism for translating concerns about their welfare into action.

This suggests that the welfare and rights of mobile persons should be seen not as a matter of national private good, or national public good, or global private good that is created in global markets, but one of *global public good*. At the global level, we all have a common interest in the freedom and security of cross-border movement. Mobile persons who breach that common security should be dealt with as exceptions, rather than by reducing the freedom and security of all. As Amartya Sen remarks, ‘any affirmation of social responsibility that replaces individual responsibility cannot but be counterproductive’.<sup>2</sup> We find ourselves in an Orwellian world in which in the name of security, states create punitive visa

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<sup>2</sup> Amartya Sen (2000). *Development as Freedom*, p. 283 New York: Anchor Books.

regimes and discriminate on the basis of nationality, ethnic identity or religion. For example the US Patriot Act and the surveillance of international students.

But to achieve the common freedom and security of international students, we need to look beyond the economic market, and place one foot beyond the nation-state. First, the logic of market consumption, which secures maximum price for minimum cost, and devolves security to the individual student and family, must be regulated and where necessary, overridden. Second, entitlements to national public goods such as security are essentially confined to citizens, and extended to visitors as a matter of grace and favour, if at all. Global student security cannot be effectively realized by single states. It can only be done jointly.

But the problem of providing global public goods is that there is no global state. And right now few want a global government. It would reflect one or another national political culture, not a global culture. Global civil society is emerging, but cannot provide universal rights and protections. For the foreseeable future, short of ecological catastrophe we continue to rely on bilateral and multilateral international negotiation, supplemented by global agencies. Somehow this creaky system has to be mobilized to create the global public good of cross-border student security. That discussion has not begun. It needs to be started.

### **Ways forward**

Let me move to summarize. First, the global public good of international student security will be constructed by an incremental process of voluntary agreement, whereby each nation makes its education system into a globally responsible space. This could begin on a bilateral basis but would need to become a

multilateral process, supported by global agencies. And ultimately, the security of mobile persons is complete if it is backed by a cross-border agency. If necessary, students need a point of appeal and of resolution against states.

Second, we need to change the language and conception of ‘international security’. The term ‘international security’ is derived from a long history of military strategy discourse, pre-dating the Enlightenment. That discussion of international security is about the security of states – and at a second level of importance, it is about the security of particular national populations within the borders of those states. A double move is wanted here. We need to shift the focus of discussion of ‘international security’ from states to people. And we need to extend the security discussion from the citizens of one state, to the citizens of all states, and the stateless, and include people moving between states.

In a book on *International Student Security* to be published by Cambridge University Press by June this year,<sup>3</sup> we suggest that security is an elemental human need that can only be met by a comprehensive approach. We argue that international students should be understood as active agents with human, educational, civil, industrial and other rights (except for a small number of rights exercised only by citizens, such as the right to vote for a national parliament). We define international student security as ‘*the maintenance of a stable capacity for self-determining agency*’. This recognizes that a measure of change enters into the lives of mobile students, and that they are self-managing individuals responsible for those lives, within a social framework. Thus their security encompasses both protections and active rights, in every domain of life.

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<sup>3</sup> Simon Marginson, Chris Nyland, Erlenawati Sawir and Helen Forbes-Mewett (2010, forthcoming). *International Student Security*. Cambridge: Cambridge University Press.

Security includes the physical safety of the person, financial issues and work experiences, housing, health and welfare services, language, and experiences in dealing with government and university authorities. It is affected not only by formal policy and legal regulation, but also by institutional practices, social networks and private life. The informal domain is not subject to exhaustive regulation. But there must be a capacity to intervene when student security is compromised, just as states intervene in the domestic population, for example in relation to family violence.

In short, we need to de-nationalize, globalize and humanize the concept of ‘international security’. We should think about cross-border security not in terms of national strategic interests, but in terms of global humanism - a global humanism in which every person is understood as a self-determining subject and worthy of equal respect. Charles Taylor argues that it is ‘utterly wrong and unfounded’ to draw the boundaries of our respect and concern for people any narrower than the whole of humanity.<sup>4</sup> We must agree. This is key to the issue.

No doubt states will find it easier to extend the humanist compact to economically significant non citizens like international students, than to non citizens such as refugees. There are three million international students, but hundreds of millions of mobile persons, and numbers are growing. We all know that in future there will be many climate refugees. In Bangladesh the displacement of persons by rising sea-tides has already begun. The wider significance of the evolution of a universal humanist regime of international

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<sup>4</sup> Charles Taylor, (1988). *Sources of the Self: The making of modern identity*, pp. 6-7. Cambridge: Harvard University Press.

student security is the implication for the other mobile populations. Isn't this always the logic of the politics of rights? Rights and protections, such as the right to own property and the right to vote, and the right to gender equality, tend to be first won by the middle class and then become extended to all.

If we can get the systems and values right for mobile students, we create precedents for other mobile populations. National governments could cease to use the denial of human rights and the imposition of barriers and harsh conditions on mobile persons, as a way of managing global population flows by forcing people to go elsewhere. Instead the resettlement of those who have no choice but to be globally mobile would be managed on a multilateral basis.

The promise of education is that it advances the human subject by conferring on each person a greater measure of ability, sociability, dignity and agency, greater power to form themselves and make their own lives in their time on Earth. The promise of higher education and research is that we might find ways to better order the world so as to universalize ability, dignity and agency, and work together to solve our problems collaboratively. I am struck by the gravity of the issues at stake in this messy and unresolved debate about international student security. International student security is not just about higher education or the global knowledge economy. It concerns the future world society and civil culture. It is about giving meaning to every life, not just the lives of those born in our own country, who might look like us, speak like us or share a religion.

We all want our lives to have meaning. If Nitin Garg's death helps to focus world attention on the problems of mobile persons, the gaps in their human

security and the need for a workable global regime of human security, his life has achieved a greater meaning. Give him that honour. That way, he still lives.

Thank you all kindly for listening. Thank you to the World Universities Forum. I wish everybody well.