

Beyond these definitional issues, our research focused on what were perceived as the key question raised by CU activity: what motivates managers to talk about and set up institutions that draw on the symbolism and practice of higher education (and what do corporations gain)? This question may be considered from two perspectives: from inside the corporation and from inside the academy. The second viewpoint is easier to locate, through published criticism of CUs. There has been considerable academic resistance to corporate use of terms such as university, institute, academy, or college. Indeed, some countries (such as the United Kingdom) have placed legislative constraints on the use of these terms since they fall into the category of "protected business names." Moreover, academics have questioned the commitment of corporations with CU initiatives to uphold educational standards or norms. Two arguments are emerging: first, as outlined above, that CUs are not committed to any of the tenets that make up the idea of the university; second, that the term university (and therefore any cultural capital accruing to it) will be debased if large corporations are free to apply it to any managerial initiative.

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**The importance of the corporate market to higher education is easy to overlook**

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Managers in our study, however, express little interest in these issues. The use of educational symbols and terms is seen as having two purposes. First, training and development (traditionally known as a "Cinderella" activity in companies, bullied by the ugly sisters of financial constraints and production imperatives) are being raised in status and legitimated through relabeling. Second, the visible commitment that a high-profile CU initiative constitutes enables senior managers to stake claims for a place at the educational policy table, rendering them better able to voice corporate perspectives in state education debates.

*Mutual (In)comprehension*

It has been suggested that any institution that is not an established university should be relabeled as a specialized training institute or a corporate training institute, and provided with their own accrediting bodies and award structures. These steps would return the symbolism (and value) of academia, so long in the making, back to the academy, and therefore protect it. This straightforward solution is challenged, however, by the actions

of academics at established universities who have enthusiastically responded to corporate requests for greater flexibility in the boundaries between the academy and corporations. In short, "the university" may be a less unique label than we assume.

The importance of the corporate market to higher education is easy to overlook. People may not notice students being quietly funded by their employers and research projects and academic posts being funded by multinationals. Higher education, it is argued, has been getting progressively closer to corporations, and the potential threat this poses to academic freedom is well documented. Less expected, perhaps, is the intrusion of large corporations into the world of higher education as emulators or competitors, and this is largely the way that corporate universities have been perceived to date. More research and thought are needed before we can claim to understand corporate universities. Our research to date certainly indicates that CUs in the United Kingdom and Europe are more complex and meaningful initiatives than academic commentators have assumed so far. Beyond the symbolism and badging lies an important and far-reaching shift in corporate practice. Perhaps through seeking to understand what a corporate university is (for), we might come to better understand what higher education is (for).

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## E-learning: Expanding the Bottle to Fit the Genie

### Simon Marginson

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Electronic distance learning poses a new and difficult set of problems for educators and governments, problems both political and pedagogical. The mystery deepens when we contemplate electronic learning across international borders. While there has been much hype about the Internet as a learning medium, its educational and social potential is as yet unclear. Equally unclear is the global policy framework in which e-learning will be

developed and regulated, which is the issue discussed in this article.

Should it be left to the commercial sector to shape the new educational prototypes and play out the patterns of global influence on the basis of free trade? Does this mean that we must accept any and every e-mail operator who offers “prestigious unaccredited degrees” in exchange for a credit card number or uses the weak links in the national and international structure of accreditation in order to gain legitimacy as a bona fide educational institution with the right to trade everywhere? Or should cross-border e-learning—like conventional delivery—be subject to national and provincial government policies and the academic processes of accreditation and quality assurance?

If so, what regulatory mechanisms are needed to manage what is an essentially global form of education, in a world in which policy and regulation continue to be predominantly national in character and in which, nevertheless, direct institution-to-institution dealings are increasing, facilitated by electronic communications?

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***Should cross-border e-learning—like conventional delivery—be subject to national and provincial government policies and the academic processes of accreditation and quality assurance?***

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#### *The Difficulty of Regulating E-learning*

The higher education communities of the world have been curiously slow to tackle cross-border e-learning. In the GATS negotiations, the United States, Australia, and some other countries have sought to retain “national character” protection in relation to their public institutions while at the same time exempting e-learning from those constraints, giving the fledgling commercial industry a free hand in that part of the sector. Thus, on the one hand, it is argued that e-learning is pedagogically equivalent to face-to-face learning, in order to support a commercially motivated claim for equal status; while, on the other hand, it is argued that e-learning should be subject to a distinct and more laissez-faire mode of regulation. Such a double standard threatens to create all kinds of future problems for institutions and national education policies, the more so if even half the claims about the transformative potential of e-learning turn out to be correct.

Why is regulating e-learning proving to be so problematic? First, e-learning is still new, and though

large-scale distance education in broadcast mode is well established, Internet degrees have yet to become established on an equivalent basis. Second, because regulation is predominantly national, global systems relatively undeveloped, and e-learning readily crosses borders, regulating it requires unprecedented international cooperation. Third, the potential of the technologies is open-ended. There is genuine uncertainty about how to define the field—the more so because persons with regulatory power are rarely at the forefront of technological change—coupled with a reluctance to be prescriptive, given that many interests (tertiary institutions and companies) have staked a claim. Fourth, policies on educational internationalization are rarely integrated with policies on distance learning and on educational technologies.

A further difficulty is that debate about the regulation of e-learning is polarized in an unhelpful way. The advocates of an “e-revolution,” are excited about the potential of technology, but with a narrow and often purely commercial take on the policy issues, and are predisposed in favor of market solutions. However, the skeptics about the e-learning hype focus on a broader set of educational and policy issues but without grasping the technological potential. This polarization readily becomes aligned with the all-too-familiar split between education as a private good and education as a public good (market freedom versus political democracy) as exemplified in the GATS debate. In between are innovators attempting to reconcile technology, pedagogy, efficiency, learner empowerment, greater access, global awareness, and national development.

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***A further difficulty is that debate about the regulation of e-learning is polarized in an unhelpful way.***

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#### *Can E-learning Be Regulated at All?*

Distance learning takes a wide variety of forms, in which distance-based communication via the post, broadcast, or computer screen is combined with on-site learning centers or shorter periods of face-to-face classes. While face-to-face learning programs often draw on “distance” techniques such as printed reading materials, e-mail, and chat-rooms, an irreducible distinction exists between programs that are predominantly face-to-face and conducted in “bricks and mortar” institutions with staff and buildings and programs that are predominantly distance based. It is important to emphasize that, pedagogically, e-learning is a distinct, exciting, and in many respects

unknown mode of learning. As such, it needs to be subjected to forms of pedagogical development and quality assurance that recognize its distinct character and potentials, *not* treated as the “same” as face-to-face learning.

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***The ultimate challenge that e-learning creates for regulators is that it is technically possible to conduct an e-learning operation over the Internet without maintaining a corporeal educational institution.***

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The ultimate challenge that e-learning creates for regulators is that it is technically possible to conduct an e-learning operation over the Internet without maintaining a corporeal educational institution. Bricks-and-mortar institutions can be subjected to national controls based on territorial sovereignty. So far, the Internet has eluded such controls, except for extreme and counterproductive controls such as blocking Internet messages or refusing to facilitate its development. Given that face-to-face tertiary education retains dominant status, as numerous studies of student views attest, this problem is not as significant as often suggested (though the potential of Internet-based operators to fleece unsuspecting customers is a concern). The larger problem is that in the absence of an agreed international framework of accreditation and quality assurance, governments and accreditation agencies in one country cannot readily control Internet communications coming from bona fide institutions in another country.

In the absence of an international regulatory framework, e-learning enables First World operators to make developing countries a cultural offer they cannot refuse. Because of the pecuniary attractions of a reputable English-language degree, even in electronic form, unregulated e-learning will undermine national education systems and the policies and values that they are designed to express. In this context, the GATS deal—continued national control of national institutions while giving cross-border commercial educational operators a free hand—is not as generous as it seems. It is a simple solution, by-passing the technical difficulty of monitoring the Internet and the diplomacy of cross-border negotiations, but over time its protective function will become eroded.

#### *Global Public Goods in E-education*

A key conceptual and policy difficulty in the present debate is that the public good is seen as confined to the nation-state, while the private good takes both local and global forms. Thus when state-financed public universities from one country deliver foreign education on the soil of another country, whether in the form of conventional or Internet-based delivery, they are seen to do so as commercial operators that should be regulated by a trading regime rather than by educational policies. It is more useful to recognize that tertiary education creates both public and private goods, and both the public and the private goods take global (as well as local and national) forms. These global public goods include cultural exchange on the basis of national diversity, the circulation of knowledge, and the development of globally transferable skills and personal attributes. Regulatory frameworks that facilitate international relations in education on the basis of mutual respect, with all nations signing off on outcomes, are another kind of global public good.

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***In the absence of an international regulatory framework, e-learning enables First World operators to make developing countries a cultural offer they cannot refuse.***

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Rather than treating e-learning as equivalent to face-to-face learning for the technical purposes of quality assurance, while exempting it from international regulation, we would be better to do the opposite on both—regarding e-learning as distinct for the techniques of quality assurance, treating it as a separate mode, but subjecting it to the same regulatory requirements for mutual recognition and accreditation as are applied to face-to-face learning. It should not be left to evolve independently of policy. This will require national governments and independent accreditation authorities (depending on the regulatory regime in the country concerned) to regulate the educational activities of their own nationals that operate abroad, including electronic operations.

*This article is based on the author's address to the 2002 International Symposium of the Council for Higher Education Accreditation.*

