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GATS and the New Developmentalism: Governing Transnational Education

RAVINDER SIDHU

This article introduces a relatively recent development, the inclusion of education as a tradable service under the World Trade Organization's (WTO's) General Agreement on Trade and Services (GATS). I focus on two Trade in Education Services forums—one in Washington, DC (USA), and one in Sydney (Australia)—to investigate the discursive strategies used to promote trade in education in the multilateral context. I identify the truth regimes that are concretized and the strategies used by both state and nonstate actors to define, codify, and delimit the discourse on trade in education. I argue that these strategies help create the conditions for a broader “epistemic lock in,” where various authorities associated with education are steered toward legitimizing a “new developmentalism,” namely, the reconfiguration of trade liberalization as a developmental tool. By framing the liberalization of trade in education in moral terms, as the means to alleviate global poverty and bridge the development divide, the implications of a GATS-sanctioned commercial agenda are rendered invisible. Using governmentality as a theoretical and methodological framework, I begin the inquiry into the discursive reconstruction of transnational education with the question of how ideas about trade liberalization are globalized. If globalization is imagined as flows, then what exactly is flowing across transnational education spaces? What kinds of ideas and practices are being transnationalized, and what are their “biopolitical”¹ and geopolitical effects?

There are five interconnecting sections in this article. Section 1 introduces governmentality, the tool used to investigate the multileveled scales of governance that have created the conditions for trade liberalization's status as a “regime of truth.” Briefly, “regimes of truth” refer to a series of historically specific, power-inflected rules and mechanisms for determining what is true and what is false (Dean 1999, 23; O'Farrell 2005, 70). Section 2 first describes how governmentality may be used in the critical analysis of discourses of globalization (Larner and Walters 2004a, 2004b). Next, it introduces the

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¹ The term “biopolitical” is derived from Foucault's notion of biopower, a technology that emerged in the late eighteenth century for managing populations. “Biopolitics” refers to the politics underpinning the management of populations.

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conceptual construct of transnational/global governmentality, which is used to interrogate educational developments in the multilateral context (Larner and Walters 2004b). Section 3 describes the politics of global trade and canvasses the implications of GATS for education. Section 4 moves on to examine existing discourses about trade in education, taking two Trade in Education Services forums as sites for knowledge production. An analysis is undertaken of the kinds of techniques used to shift debates from the explicitly commercial and trade-centered focus of the first forum to a refocused and reworked development agenda. These discursive strategies have been pivotal in securing greater acceptance for the liberalization of trade in education among developing countries. Section 5 revisits some of the key themes sketched out in the article. It reexamines the regimes of truth associated with the trade-in-education platform and questions the emancipatory promises of the broader trade-liberalization agenda.

Governmentality

Governmentality Defined

Simply put, governmentality is a framework first developed by the French historian Michel Foucault for understanding how authority and power are exercised through the applications of knowledges, communities of experts, forms of calculation, and all manner of techniques, strategies, and activities (Foucault 1994, 201–22). A central premise in governmentality is a recognition of the productivity of power—its capacity to shape choices and aspirations, form knowledges, induce pleasures, and create things (Foucault 1980). Mitchell Dean (1999, 11), following Foucault, summarizes government as “the more or less *calculated* and rational activity, undertaken by a multiplicity of authorities and agencies, employing a variety of techniques, forms of knowledge that seek to shape conduct by working through our desires, aspirations, interests and beliefs, for definite but *shifting ends* and with a diverse set of relatively unpredictable consequences, effects and outcomes” (emphasis added).

Governmentality provided the basis for Foucault to reconceptualize the relations among the liberal state, its population, and individual citizen-subjects. Here, the term “liberal” is used to refer to the philosophy of political liberalism.² The liberal state’s primary concern—population, territory, security—was premised on security for its populations as a basis for creating the conditions for the improvement of their health, wealth, and longevity. Foucault coined the term “biopower” to explain the management and regulation of populations by the modern state in ways that ensure that maximum benefit could be derived or extracted from human resources (Foucault 1994).

² The use of “liberal” to refer to a political philosophy is not the same as contemporary uses to indicate left-leaning political sensibilities.

At the same time, the liberal state was also concerned with encouraging individuals to self-manage and self-regulate their thoughts and behaviors, so that the interests of the subject became aligned with that of the state (Foucault 1994). Governmentality, then, provides a way of understanding how “top-down” technologies of domination are connected to “bottom-up” technologies of the self to govern. The latest variant of liberal governmentality identified by Foucault is neoliberal governmentality, or advanced liberal government, where government is premised on using the market as an organizing principle for all types of social organization.

Governmentality offers a more nuanced and reflexive set of tools than grand-narrative approaches, such as classical political economy frameworks, for understanding the complex rubric of forces and processes and authorities and agents that shape the power/knowledge relations governing education. This article does not use governmentality as an alternative grand narrative to political economy but rather seeks to provide a more nuanced picture of the political and economic relations that are shaping education across, and within, states and borders. It uses “midrange concepts,” such as the discourses arising from trade-in-education seminars, to show how rationalities and practices articulate in differently contingent ways to give rise to the configurations of power that shape the regulation and disciplining of education (Larner and Walters 2004a).

A central criticism leveled at governmentality is its Eurocentrism. Because he used the European nation-state as his focal point, Foucault attributed a pivotal role to governance by and through freedom (i.e., choice and self-empowerment) and paid less attention to freedom’s coexistence with domination (Hindess 2004, 30–31). Elaborating on this theme of the coexistence of technologies of freedom and domination, and by extension, the coarticulation of liberal and illiberal governmentalities, Barry Hindess contends that it is liberalism’s foundational belief in a historicist and developmental view of humanity that is at the heart of this paradox. Thus, liberalism’s defense of private property and individual rights is based on a selective use of freedom and empowerment as a technology of government within the Westphalian system of states. Marginal spaces and subjects within the imperial “centers” and “peripheries,” by contrast, have long been sites for the deployments of illiberal governmentality (Dean 1999, 131–33).

Applying an “Analytics of Government”

Pinning down a formal step-by-step method that applies the governmentality framework is not without problems, given Foucault’s general apprehension about inculcating a “methodological fundamentalism.” To qualify as a Foucauldian-inspired methodology, “it is imperative to examine the relationship between knowledge and the factors that produce and constrain it”

(O'Farrell 2005, 52–53). Drawing on this, Dean (1999, 22–23) has developed a four-dimensional grid to investigate the multifacetedness of governance:

Forms of visibilities.—The picturing and constituting of objects that are to be governed, ways of seeing and perceiving “the problem” at hand;

Techne of government.—The means, tactics, technologies, and strategies through which authority is constituted and rule legitimized;

Episteme of government.—The forms of thought, knowledge, expertise, and calculation that arise from and inform the activity of governing;

Forms of identification.—The actors, subjects, identities, and agents that presuppose the practices of government.

This article will apply Dean's grid to analyze the discourses used to govern transnational education. Because of space limitations, it will focus mainly on visibilities and episteme (knowledge), although it is acknowledged that each dimension “presupposes the other without being reducible to them” (Dean 1999, 23).

Globalization as a “Governing Mentality”

Despite the use of innovative theoretical approaches in its study, globalization is most commonly conceptualized as a series of radical and unprecedented transformations brought about by flows of people, capital, images, technologies, and ideas across space and time (Larner and Walters 2004b, 495). The use of governmentality as an analytic unsettles this conventional story. Globalization is taken “not as a prediscursive phenomenon and objective reality with particular causes and consequences but as a discursive event which emerged at a particular historical moment” (Larner and Walters 2004a, 5). Treating globalization as a collection of discourses—ways of knowing—that are deployed toward “convenient” ends by their various subjects reduces the hold of the logic of inevitability and teleological reasoning (Hay and Smith 2005, 125). Put another way, “dedramatizing” globalization frees the imagination and creates a discursive space for social action. With this in mind, Wendy Larner and Richard Le Heron make the case for researchers to shift their analytical focus from flows to the imaginaries that inform flows (Larner and Le Heron 2002, 753–55).

The question of how notions such as global flows have traveled across time and space and how they have come to be stabilized discursively and materially has been the source of much recent research. Feminist and post-structuralist researchers have pointed to the “globalization of ideas” by communities of experts or epistemic communities.³ Given that the rationales and logics for trade in education have relied heavily on discourses of globalization, an awareness of the performative aspects of commentary on globalization is thus insightful.

³ Massey 1999; Thrift 2003; Dicken 2004; Larner and Walters 2004a, 2004b.

In their attempts to bring together both globalization and governmentality, researchers have proposed the conceptual construct of transnational or global governmentality, which is described as a dispersed, largely contingent form of governance that embraces connections, relations, and processes across different scales (Larner and Walters 2004a, 2004b). For James Ferguson and Akhil Gupta (2002, 991) transnational governmentality refers to “new modes of government that are being set at the global scale. These include not only the new strategies of discipline and regulation, exemplified by programs such as those endorsed by the IMF [International Monetary Fund] and the World Bank, but also the numerous coalitions and alliances that constitute transnational social movements.” Importantly, the framework of global governmentality does not privilege the supranational above other scales, nor is globalism—the global order of things—reified. Instead, global governmentality interrogates the discursive and historical dimensions of globalism, including earlier global orders such as imperialism, internationalism, and cosmopolitanism (Larner and Walters 2004b, 2).

The emergence of new forms of global governance is generally accepted, although theorists and researchers differ in their approaches and analysis of the forms they take. Stephen Gill (2003, 131–35) suggests that the transnational governmentality that is authored by the WTO is animated by “disciplinary neoliberalism,” a reciprocal process that involves the production and organization of knowledge, policies, and practices according to neoliberal principles, and the use of such neoliberal knowledge and instrumentalities to regulate, shape, and steer the behavior of individuals in the social body. For Gill, institutions such as the WTO and multilateral regulatory regimes such as GATS, the North American Free Trade Agreement, and the European Union’s Maastricht regimes create the conditions for a “new constitutionalism,” sets of regulations, laws, policies, and practices animated by neoliberal ideas and values. Where traditional notions of constitutionalism are associated with political rights, obligations, and freedoms, the new constitutionalism, according to Gill, confers privileged rights of citizenship to various forms of corporate capital. New constitutionalist principles emphasize market efficiency, the disciplining of public institutions, and limitations to democratic decision making.

A parallel concept to new constitutionalism, but one operating at the national scale, is graduated sovereignty, described by Aihwa Ong (2000, 57) as “flexible experimentations with sovereignty by nation-states in response to differently articulated power formations arising from, and in response to, the broader global context.” The global is thus used to legitimate particular domestic policies. Graduated sovereignty manifests in differential modes of governing internal populations according to how they relate to the global economy, as well as the use of various state instruments, laws, and policies to create market-friendly environments for investors.

Hindess's analysis of governance in the contemporary world of advanced liberal societies and the "peripheries" in the "global south" also provides a useful context for understanding the implications for national and global governance by instruments such as GATS. In the colonial past, governance was shaped and informed by a civilizational grid—dividing populations according to the level of advancement of their civilization. By contrast, in the contemporary world of "sovereign" nations peopled by citizens, a more palatable and politically congenial set of governing discourses is deployed, namely, aid and trade. These discursive practices are premised on self-reliance and improvement and captured in policy goals of "capacity building" and "good governance." Although their underlying rationalities rest on claims of political neutrality and scientific legitimacy, their political-epistemic foundations are informed by neoliberal notions of market value and neocolonial ideas about difference, progress, and development (Hindess 2004; Phillips and Ilcan 2004; Ilcan and Lacey 2006). While a great deal has been made of the need to include the third world nation-state in partnership to facilitate ownership of good governance and capacity-building agendas, force and coercion remain a part of advanced liberalism (Jawara and Kwa 2003; Hindess 2004). Uncovering these power relations requires paying close attention to the multifarious instruments, knowledges, and calculations used to operationalize participation and empowerment. It also involves investigating the attributes and qualities depicted by empowered, participating subjects.

Politics of Global Governance

The World Trade Organization

The WTO was developed in 1995 following the Uruguay round of GATT (General Agreement on Trade and Tariffs). It is made up of 146 member countries, four-fifths of which are from the group termed "developing." Because the WTO is able to impose sanctions in order to enforce its agreements, it can ensure that market rationalities take precedence over other international treaties and conventions, including those concerned with human rights or environmental protection (Robertson 2003). The WTO's objective is to promote the liberalization of trade using the following rules: Most Favored Nation (identical treatment for all foreign providers based on the best treatment accorded to any one foreign provider), Transparency, National Treatment (similar treatment of domestic and foreign producers), and Market Access (WTO 2005).

The WTO regime has been proclaimed by its supporters to be democratic, transparent, accountable, and development friendly. It is democratic in principle because every nation has a single vote. However, in practice, some countries exercise significantly more power than other countries in setting trade agendas (Jawara and Kwa 2003; Wallach and Woodhall 2004). In response to accusations of secretiveness, the WTO has made efforts to construct

a more “cosmopolitical” public face (Charnovitz 2004). In remodeling itself as a more open institutional subjectivity, it has developed a more consultative Web site through which a range of Web-based documents are made available, including an online community forum (depicted in cartoon form).

Although the WTO is founded on the premises of a transparent, rules-based, disciplinary, and regulatory regime, it does not operate in an open “free” space but is linked to domestic and international power asymmetries. In this context, the grip of neoclassical economics is reasserted through circuits of geopolitical power and knowledge. Thus, the flexibilities and concessions provided by the WTO to developing countries (“special and differential treatment”) are effectively blunted by bilateral means, allowing more powerful economies to persuade weaker countries to adopt particular trade agendas that are less development friendly. Regional bilateral agreements promise increased market access but demand further concessions for foreign investment and impose rules for intellectual-property protection, thus reducing policy autonomy for national development and opportunity for upward mobility (Glasmeier and Conroy 2003; Shadlen 2005). Having already been subjected to liberalization imposed by IMF and World Bank–driven structural adjustment packages, the bargaining power of some developing countries is severely curtailed in both WTO negotiations and bilateral treaty negotiations (Pritchard 2005; Shadlen 2006). Also, because the IMF and the World Bank continue to adhere to neoclassical economic principles, they are noted for exerting pressure on developing countries to drop any WTO-initiated protections in order to be eligible for loans. Further, as Bill Pritchard demonstrates through a fine-grained analysis of the procedural workings of the WTO’s dispute-settlement body (WTO-DSB), it functions first and foremost as a political mechanism to further trade liberalization. Thus, the rule of market rules the law, and countries’ treaty-based rights under international trade law are more often than not subordinated to the greater goal of liberalization (Pritchard 2005).

Governance within and by the WTO is not just a matter of blocs of strong states bent on promoting their national interests against homogenous cohorts of developing countries. Blocs and nations are not univocal; they are made up of competing and conflicting interests (Ford 2003). But more important, trade liberalization’s appeal also rests on its status as a positive project of government, offering the promise of increased market access for developing-country commodities and opportunities for creating new productive capacities (however limited). Compared to the opportunities for development arising from regional and bilateral agreements, which are heavily imbricated in “competitive liberalization,” a multilateral system of rules and collective bargaining does appear to offer the better option for equitable trade outcomes for developing countries.

At the same time, there are a host of reputable empirical studies pointing

to the exercise of illiberal governmentalities in the realm of international trade. Whether because of the cultural legacies of colonialism (Makki 2004; Halliday 2005), the policies of the Washington consensus, or both, the welfare benefits of trade liberalization have not been realized for many (least) developing countries (Dillon 1995; Shadlen 2005). The Doha development round of trade talks that began in 2001 was initiated to rectify imbalances from earlier trade negotiations, which disadvantaged the poorest countries, but Doha remains deadlocked over the issues of agricultural subsidies and protections and nonagricultural market access.

While the existence of *realpolitik* forces cannot be disputed, the position of this article is that the power/knowledge effects from seemingly more benign, unremarkable strategies merit closer attention. For example, how the Office of the U.S. Trade Representative conceptualizes a service is instructive: “[Services are] all around us . . . consisting of things that cannot be packaged or built or held . . . ideas and efforts expressed in electrons, on paper, film or the actions of people” (Zoellick 2003). Naming is a productive act; it confers status and legitimacy. Marking out services in thought and epistemology to include the tangible and intangible invests services with an all-encompassing character and, more important, reconfigures every service as property to be governed in ways that secure competitive advantage. Bolstered by a legal doctrine aimed at “governing the intangible,” trade treaties such as the GATS thus have the potential to introduce an administrative, intellectual, and bureaucratic machinery that successfully globalizes property relations.

GATS and Education

The GATS is the first multilateral (global) trade agreement to establish rules governing trade and investment in the service sector. In response to developing-country concerns that efficiency and profit goals would subordinate equity, national development objectives, and governmental autonomy, it was decided that the principles of nondiscrimination or equal treatment for all member states (Most Favored Nation) and transparent regulation would be incorporated as general rules, while National Treatment and Market Access would be optional. These principles would be binding only if countries chose to commit to particular sectors, for example, financial services or educational services.

According to GATS, there are four modes through which a service can be supplied: mode 1 (cross-border supply, e.g., distance education), mode 2 (consumption abroad, e.g., movement of students to study overseas), mode 3 (commercial presence, e.g., overseas campuses), and mode 4 (movement of natural persons, i.e., movement of people to deliver the service). Higher-education services are largely traded as mode 2—consumption abroad—and the Organization for Economic Cooperation and Development (OECD)

countries, in particular the Anglo-Saxon countries, enjoy competitive advantage, attracting some 85 percent of students (Larsen et al. 2004, 3).

In their discussion of GATS and the rescaling of educational governance, Susan Robertson et al. (2002) offer a detailed analysis of the potential implications for social cohesion and linguistic and cultural diversity by the commercially driven imperatives of the WTO. This and other research highlight the risks associated with GATS (Cohen 2000; Knight 2003; Ziguras et al. 2003). Briefly, the issues of contention at present are the extent to which GATS will interfere with the function of governments to regulate and fund higher education. Although article 1.3 of GATS states that public services (“services provided in the exercise of governmental authority”) are exempted from GATS, most higher-education systems draw their funding from both public and private (including individual) sources, leading to confusion as to whether such hybrid models are noncommercial. Also unclear is how much of private or public involvement makes a provider private in one geographical setting and public in another. Article 6 presents particularly difficult negotiation challenges, given the tensions between the regulatory responsibilities of nations and the issue of what constitutes “unnecessary barriers” for trade and investment (see Chand 2002; Barrow 2003; Scherrer 2005). Unresolved too is the concern that the protections offered by GATS for education could be subverted by “trade offs and package solutions,” as Christoph Scherrer warns: “Much of liberalization in education comes as overspill from other sectors’ free trade or protectionist interest and from the neoliberal constitutionalist agenda espoused most forcefully by international organizations such as the World Bank and the OECD” (2005, 79). Finally, concerns remain that, through its ethos of progressive liberalization, GATS will steer education toward ends that are unanticipated and unforeseen (Kelsey 2003). Given that commitments made cannot be easily reversed (without compensation), this raises the likelihood that poor policy choices will be fixed over time. The next section examines the discourses, rationalities, and practices in the first and the third Trade in Education Services forums, held in Washington, DC (2002), and Sydney, Australia (2004), respectively.

Trade Discourses in Education

The 2002 Washington Forum

The first Trade in Education Services forum was held in Washington in 2002, with the OECD designated as a “broker” to bring together all the stakeholders. A brief synopsis of the forum is now provided to illustrate how problematizations were steered in particular ways so as to arrive at liberalization of trade in education as the solution to a perceived crisis in education. Through all of this, certain truths about the knowledge economy, the effectiveness of public education, and the benefits of trade in education were defined, codified, and delimited.

An important participant at the forum, the World Bank, echoed the thematic priorities in its 1998 world development report, *Knowledge for Development*, arguing that developing countries were stymied in their development because of “knowledge gaps” and “information problems.” The Bank took the position that an open trading regime—and foreign investment—would enable countries to acquire the necessary knowledge to develop. By adopting this position, the Bank helped to insert Hayekian economic ideas into the episteme of development (Olssen and Peters 2005). Ignored were the issues of “trade justice,” including how existing geopolitical and geoeconomic relations might impinge on developing countries’ capacity to remake themselves into “new knowledge economies.”

Similar in tenor was the OECD’s view that the “arrival” of the knowledge economy was the result of globalization. Globalization and the knowledge economy were thus held responsible for producing a “thirst” for overseas higher-education credentials (Chen 2002). The urgency of responding to this “new” era of the knowledge economy—an era as transformational as the Industrial Revolution—was accentuated by coupling it with a discourse of crisis (see also Robertson 2005). It was implied that the unrequited ambitions of masses of frustrated youth denied education spelled apocalyptic possibilities. The solution? Liberalization—opening up opportunities for foreign nonstate provision.

By steering problematizations in particular ways, by invoking a crisis around escalating and unmet demand for postsecondary education and the arrival of a new mode of production—the knowledge economy—an epistemological reality was thus created, featuring trade and liberalization as governing rationalities. The liberalization of trade in education was read against the normalizing narrative that trade in education already existed, evident in the large numbers of students who traveled overseas to further their education. Formalizing the governance of this commercialized transnational education space through GATS was presented as the next logical outcome, one that would ensure accountability and quality assurance. This position took the Anglo-Saxon education exporters as a reference point, while ignoring the fact that relatively few countries in the world have education export industries, even if international students are permitted to study in their education institutions (Scherrer 2005). These discursive maneuverings are also instructive in understanding how space-time reconfigurations work as a political technology. A linear teleology premised on a Euro-American development trajectory was used to promote the desirability and inevitability of trade in education. To progress, nations, cultures, and societies everywhere should aspire to become knowledge economies. Less thought was given to “power geometries”—the insight that individuals, social groups, places, and regions are placed differently in the flows and interconnections termed “globalization” (Massey 1999).

At the Washington forum, supporters of GATS such as the NCITE (National Committee for International Trade in Education), an interest group of for-profit American education service providers, argued that education's worth was better regarded in terms of how it might contribute more straightforward goals, including the creation of a world trading environment in which foreign companies and educational institutions are not denied access to markets (NCITE 2002, 2–3). The NCITE expressed its concerns in a rights-based discourse that constructed a homogenized American education sector whose members were victims of the vicissitudes of opaque, unfair foreign procedures. They called for “the *right* to establish commercial operations and the *right* to full majority ownership, the *right* to be treated on equal terms with local providers” (NCITE 2002, 1; emphasis added). A more complex and nuanced picture of the U.S. higher-education field was subsequently obscured, including concerns by the American Council of Education (ACE) that GATS could erode the autonomy of American institutions, while doing little to protect developing countries from the worst excesses of America's marketized system such as the *diploma mills*.

The papers and presentations at the Washington forum also illustrate the discursive tactics used to devalue the optics and rationales of GATS critics. The concerns of public-sector education unions, in particular, were relegated to the realm of irrationality, their reservations reported in emotional language (“extreme view,” “strident,” “lack of trust,” “fanciful,” “false,” “inflammatory,” “misleading,” and “fallacies”; see Sauvé 2002, 12). Little or no attempt was made to engage with their intellectually robust, careful empirical work, which raised concerns about the impact of trade liberalization on the public good.

A salient and much-used discursive ploy, which runs through much of the WTO-authored discourse including presentations at the first forum, is to portray instruments such as GATS to be flexible, highly accommodating, and animated by the principles of voluntarism and national sovereignty: “Over 140 governments have chosen through membership of the WTO to participate in a package of multilateral agreement because they recognise the overall net economic and social benefits that accrue from a rules-based trading system” (Sauvé 2002, 16).

Statements like this function as “technologies of agency” by their construal of countries' participation in the GATS as a bottom-up, voluntary process. Less powerful countries (e.g., least developed countries), therefore, are constituted as active participants. For these countries, the identity of “willing participant” establishes the basis for their being responsible for the future: as willing participants in the WTO and GATS, they are subsequently responsible for their end condition, whatever the outcomes might be, from the liberalization of education. The language of participation creates an impression of agency; however, as Suzan Ilcan and Anita Lacey (2006, 212)

observe, “it is agency that is not acquired but bestowed or granted” by the more powerful members of the WTO in accordance to political expediency.

To summarize, certain truths were legitimated and codified by the first Trade in Education Services forum using a variety of strategies and calling upon particular knowledges and authoritative sources. The first truth regime was that an epochal transformation in world politics had created a fairer multilateralism with GATS delivering mutual benefits to all parties. A second truth regime rested on the view that open markets would bridge the knowledge gap by making it easier to acquire technology, capital, and ideas, which by extension would generate educational progress and economic and social well-being for all (Sauvé 2002; see also World Bank 1998).

The scope of this article does not extend to a genealogy of liberalization, but it is certainly worth considering the question of how liberalization as a category of thought acquired such amplitude. How has this rubric come to be invested with so much power and authority and to be seen as the solution to the problem of providing for the well-being of so many people and so many countries? How has liberalization come to be rearticulated with a fairer and more just globalism, where previously it might have been associated with other forms of “global rule” such as imperialism and mercantilism?

Briefly, what is evident from an overview of the literature on trade liberalization is the extent to which proof of its “success” is pinned on examples drawn from selective geographies—the newly industrialized countries, or Asian Tigers (see Little 1981; World Bank 1993). “New trade theorists,” however, have noted that the “Asian Miracle” was sustained by government intervention antithetical to the “market-friendly” policies of open trade and financial liberalization (Krugman 1986; Berger 2004). Further, as the Nobel laureate and liberal economist Amartya Sen has noted, international trade and competition were not the sole factors behind the success of the Tigers. The “Miracle” was enabled by policies aimed at “broad based participation in economic expansion such as good education policies to secure high levels of literacy and numeracy, the provision of good health care, widespread land reforms, the removal of barriers to economic mobility and state efforts to foster gender equity” (Sen 1997).

Simply put, the neoclassical position derives its discursive legitimacy from erasing the specificities of place and time: it does not convey the strategic geopolitical importance of the Asian Tigers during the cold war era, and it renders invisible those geographies where trade-liberalization policies have failed spectacularly to sustain economic growth and address social inequalities (Beeson and Islam 2005). Indonesia (once declared by the IMF to be a model pupil), Zambia, Argentina—indeed, much of the Latin American continent—provide a wealth of examples. In this vein, Daniel Schugurensky and Adam Davidson-Harden (2003, 323) point to the “two decades of neoliberal experiments [that] have already negatively impacted upon the capability of

Latin America's societies to pursue equitable social and economic development." Also rendered invisible in the discourse of liberalization are the social and ethical consequences of the "cruel, intellectually bankrupt certainties of neoliberalism" (Halliday 2005), which informed structural adjustment programs. These have severely disadvantaged some of the most vulnerable citizens in the world—poor children in developing countries. For instance, providing compelling evidence of irreversible deterioration in the health status of children, John Peabody (1996, 823) highlights the ethical lapses that arise when the temporalities of biological development are staggered to fit with budgetary management programs: "Unique biologic events such as neural development cannot be postponed even for a short period."

The next section provides an analysis of the third Trade in Education Services forum. At one level, its focus on capacity building pointed to a welcome departure from the aggressively commercial focus of the first forum. However, a closer reading suggests that the softer discourse of new developmentalism signals the emergence of an "inclusive" configuration of what is an essentially neoliberal governmentality, which continues to promote trade liberalization as the means of reducing global inequality. I select extracts from speeches and panel discussions by the forum's presenters to illustrate the shifting and polyvalent discourses that make up the "new" trade-in-education agenda.

The 2004 Sydney Forum

Publicized as having an "Asia Pacific flavour," the Sydney forum's theme, "building capacity and bridging the divide," appeared to mirror the WTO's "new" commitment to development. Publicly, the trade agenda was promoted as the means toward achieving cosmopolitan sensibilities and humanitarian outcomes. Privately, the rules of marketing discourse celebrated "hard" marketing over "softer" rationales. Dismissing as utopian sentimentality the "I want to change the world" mentality, one marketing executive emphasized his interest in "hard marketing" not the "soft stuff" (personal communication, October 11, 2004). Notably, the rules that accord status and authority to marketing authorities also play an important part in instilling an instrumentalization of education. As this statement from a senior marketing executive shows, employability is increasingly constructed as driving institutional reputation: "We *have to* go out there and do research about what employers want. What do the top banks in Shanghai want from their graduates? What do big multinational firms want?" (personal communication, October 11, 2004).

Selling the liberalization agenda to its skeptics requires a modicum of diplomacy and humility that emphasizes reciprocal benefits and win-win scenarios. This involves the reformation of particular relations between key operant concepts and a reworking of space-time relations (Foucault 1971). At the third Trade in Education Services forum, key authorities linked education

markets to the myriad benefits arising from long-standing, nonmarket intercultural educational encounters. Thus, in his opening speech, the head (secretary) of Australia's education bureaucracy, Jeff Harmer (2004, 2), observed: "The benefits of trade in education go well beyond monetary value. . . . We have been enriched by international students; we have contact with other cultures, histories and societies in ways previously unimaginable. . . . [We are] strengthening relationships. . . . Citizens in the global labour market are more tolerant and understanding of other cultures. . . . Collaboration of scientists and researchers is important for the economy of our countries. . . . Outside provision challenges countries to think about their national system."

A set of new identities was created in discourse—citizens in the global market—anticipated to be endowed with tolerance and understanding. A coherent discursive formation, the global labor market, was anticipated to create the conditions to support citizenship. In the context of a liberal trading environment, trade terminology now deems "protectionism" to be a "bad" principle. Those skeptical about trade in education were accordingly conferred with a new identity—protectionist. Thus, the secretary, who was introduced to the forum's participants as "the CEO," lamented that "there are people who are protective of education systems. . . . Education is not sufficiently liberalized. . . . Controversies remain" (Harmer 2004, 3).

Governmentality theorists have noted that the persuasive powers of political rationalities are best realized when they are embedded in characteristically moral forms, for example, through references to notions such as freedom, equality, justice, fairness, and economic efficiency (Rose and Miller 1992). At the third forum, the moral and social values of trade were reasserted through the discourse of capacity building. Trade's neoliberal character was reworked and inserted into a developmental discourse of "doing good" for the peripheries. The ethical reconfiguration of the trade agenda was partly achieved by establishing a discursive common ground between the countries of the North and South. Thus, Norway's education minister, Kristin Clement (2004, 2), declared that "Norway is an importer of education. . . . We share this similarity with the countries of the South." Given that Norway is one of the wealthiest nations in the world, with a gross domestic product per capita of \$40,000, the relations of similarity are at best tenuous. Additionally, New Zealand's minister for education, Trevor Mallard (2004), noted that New Zealand was "a poor country" and therefore could not provide much by way of educational aid, although it was able to contribute to capacity building by opening its doors to fee-paying international students. Like many of the presentations at the forum, both of these ministerial speeches mirrored a "new" trend found within developmentalist discourse—the reconstruction of trade liberalization as a development tool.

Acknowledging that "there was mistrust" at the Washington forum, Nor-

way's minister of education was keen for the global order of things to continue, implying that "thinking global" is a natural human tendency that has been stymied at various periods by nation-states: "History offers many stories of countries that kept their people out of global education exchange" (Clement 2004, 3). Staying on the global course—making sure that (economic) globalization continued—was the best way forward to achieve the goals of bridging the divide between rich and poor countries.

The issues of mobility, migration, and trade in education were salient in several presentations. Having observed that demand for cross-border education was partly migration related, the OECD presenter provided a slew of statistics to illustrate student mobilities: 96 percent of Chinese doctoral graduates and 86 percent of doctoral graduates from India settle in the United States after completing their study, rather than returning home (Vincent-Lancrin 2004, 32). This might once have been considered "brain drain," but the high status accorded to mobility means that new truths are being normalized—"brain circulation" is now the preferred term. International students "do not transfer completely but retain active links with their country of origin by reinvesting, sending remittances and migrating back" (Vincent-Lancrin 2004, 32). New Zealand's education minister was similarly enthusiastic about the transnationality of his country's citizens, noting that "20% of the population of New Zealand lives offshore. . . . This is not brain drain; They are ambassadors. . . . There are tremendous advantages to a country that relies heavily on trade" (Mallard 2004).

Somewhat surprising was the limited exploration within these brain-mobility narratives of the changing proprietary regimes accompanying the knowledge trade. As demonstrated by the TRIPS (Trade Related Aspects of Intellectual Property Rights) agreement, intellectual-property regimes impose particular burdens on developing countries, which face paying significant royalties for the outputs of some of their brightest nationals who may have completed most of their education and training in their home country. What is clear is that the development of knowledge is viewed as a highly individualized endeavor (May 2004). Its public benefits are realized by the rewarding of private rights, with no acknowledgment of contributions made by the creator's country of origin, even though individuals may have completed most of their education in their home country.

As with the first forum, considerable effort was invested by various presenters to highlight the "sovereignty clause" within GATS. A particularly convincing performance was provided by the director of the WTO's Trade in Services Division, Hamid Mamdouh, whose presentation sought to give trade liberalization a democratic face, a patina of equal opportunity, and a level playing field: "Liberalization means two things: market access to suppliers, and you treat them as you treat your own providers." In carefully enunciated words, he observes: "GATS doesn't interfere with government ownership.

. . . Government ownership of particular entities will never be challenged by the GATS” (Mamdouh 2004). Left unstated was the continuing ambiguity as to just what constitutes government ownership, particularly in the education sphere where hybrid funding models exist. Later, in response to a question from the floor, he agreed that the relationship between trade liberalization and capacity building is insufficiently clarified.

In the context of a post-Washington consensus, Mamdouh (2004) argued that it is necessary to entertain a more active role for the regulatory state: “Under GATS, liberalization does not mean deregulation or privatization. Regulation is important. . . . The aim of liberalization is not just economic objectives; we look at more than the bottom line . . . social cultural, environmental objectives, [and] respect for national policy objectives.”

This argument left unexplored the unresolved tensions arising from the WTO’s ethos of progressive liberalization, wherein the rule of the market overrides treaty-based rights of nation-states to regulate and to respond to political, economic, and social conditions. The vexing issues of power and geopolitical asymmetries also have to be airbrushed. In a bid to “keep geopolitics out of sight and out of mind,” Mamdouh (2004) declared: “WTO alliances are quite different from the UN. They are not constructed along North/South lines but along mutual interests. . . . Political divisions don’t play much of a role. . . . *The trading weight of nation-states is not a decisive factor in determining their effectiveness in negotiating rules in WTO negotiations*” (emphasis added).

Such claims that the WTO is a level playing field on which neither geopolitical alliances nor trading weights are decisive influences in negotiations have been robustly refuted by development and international trade scholars and activists. Also contestable was Mamdouh’s assessment that the risk to education posed by for-profit, transnational education companies remains minimal since “education is not considered low hanging fruit” (trade parlance for a priority sector offering strong commercial returns). Again, it is debatable whether this reasoning, along with the reassurance that “the WTO is aware of education’s social responsibilities” (Mamdouh 2004) is sufficient to ensure that GATS does not delimit education’s public-good functions.

In settings such as this, publicizing the WTO’s credentials as a responsible global citizen is paramount: “We are trying to obtain a reconciliation between trade and development” (Mamdouh 2004). The role of activist, transnational social movements in pushing the WTO toward greater engagement with social issues, however, appears to be less welcome: “[The] WTO has a high political profile and people who participate *don’t have the expertise* but go because they are important enough. [The] WTO has a more complex legal framework. . . . [So, you] have more complexity and less expertise. *You need more specialisation, not more participation*” (Mamdouh 2004; emphasis added).

Given the strong presence at the forum of senior education bureaucrats,

education marketing personnel, and university executive managers, it was not surprising to find little resistance to the trade narratives in public discussions. However, on the last day of the forum an irate delegate from Argentina attempted to steer the discussions away from the realm of the technical and technological toward the political with a sharp criticism of the implied neutrality of transnational education: “What are you educating people for? This has not been discussed at all. . . . We need to build citizenship and enhance our own development in a sustainable way” (discussion, “Building Capacity in Open and Distance Learning” presentation; Daniel 2004). The panel delegate Sir John Daniel, representing the Commonwealth Association of Universities, offered a response premised on the self-governing, autonomous, choice-exercising individual: “That is an enormous question and I don’t know where to start. You are referring to values. . . . I agree there is no neutrality. [However, our] courses are not just off the shelf. So the business program in [the] UK is very different compared to Australia. What are our values? I don’t know how to answer that in a short answer. *Our values are that students will be able to look at the evidence and make informed decisions. . . . Hopefully, they will be the right ones*” (emphasis added).

The success of mobilizing transnational resistance to trade in education will continue to present significant challenges, given that the notion of public good has shallow transnational roots and especially given the endurance of cultural and national polarities. Trade in education represents a positive project for many international students who are unable to secure an education in their country of origin. For its opponents, such as education unions, trade increases the commodification of education, weakens certain disciplines, and inculcates privatized, market-like subjectivities in individuals and institutions to the detriment of the public good (CAUT 2005; Scherrer 2005; EI 2006).

The themes of quality control and consumer protection in the education-export industry were particularly salient, with several overseas delegates expressing concern about the aggressively commercial partnerships between Australian education bodies and dubious local operators and the quality of pastoral care provided to students. Reassurances from Australian officials were expressed through the language of audit—the government audits overseas partnerships and offshore campuses. However, because audits take place on a 5-year cycle, they cannot be depended upon to address immediate, pressing problems of quality. A detailed discussion of the strengths and weaknesses of quality assurance regimes and their allied techniques exceeds the scope of this article (see Vidovich and Currie 1998; Ball 2000; Hodson and Thomas 2001). However, three questions are worth raising in the context of the brief exploration below on quality assurance in education: How has education quality come to be visualized in technical and managerial discourse? How has quality assurance assumed an “objective” power-neutral status, despite

numerous studies that implicate it as a governmental technology (Shore and Wright 2000; Charlton 2002)? And how do quality assurance frameworks fix the identities and actions of their subjects?

Audits of transnational education programs have consistently raised concerns that without exposure to research and staff development opportunities, casual teaching staff will be stymied in facilitating the higher order critical thinking skills associated with university-level study. British, Australian, and American studies of quality assurance programs have noted that audits are poor custodians of quality (Hodson and Thomas 2001; Charlton 2002; Vidovich 2004). Furthermore, the significant ambiguity surrounding the concept of quality across disciplines, institutional contexts, and social actors makes quality assurance an elusive goal (Polster and Newson 1998; Hodson and Thomas 2001; Marginson 2006). None of these concerns were raised in the forum, aside from a few mild comments by some British panelists on the issue of resources required to implement quality assurance frameworks.

Technologies of performance such as quality assurance audits “present themselves as techniques of restoring trust (accountability, transparency) [but] presuppose and subsequently contribute to a culture of mistrust including the transformation of professionals into ‘calculating individuals’ subject to calculative regimes” (Dean 1999, 169). Also, rationalities—forms of thought—become governmental only when they are made technical. Governing education is ultimately only possible with the institutionalization of quality assurance mechanisms that make the “incommensurable commensurable” (Larner and Le Heron 2002, 9; Shore and Wright 2000). Informed by managerial rationalities and moralities, quality assurance regimes contribute toward creating self-managing, anxious individuals, while reinventing educational institutions into neo-Taylorist institutions (Strathern 2000). Quality assurance frameworks, then, exemplify global “flows” (Larner and Le Heron 2002). Made up of technical devices, such as software, charts, statistics, reports, and training manuals, all of which can be disseminated across time and space, these flows link people and places in specific ways. As disembodied technical artifacts they are primarily concerned with optimizing performance.

Conclusion

By using governmentality as a conceptual tool, this article has produced new insights into how particular understandings of “becoming global” are constructed, legitimized, and used to govern education. Taking as a focal point two Trade in Education Services forums, the article identified the discursive strategies that define and delimit the discourse on trade in education to show how trade liberalization, which has been a mechanism for global government since the 1980s, is now being embraced in education. These discursive strategies play a critical role in creating the conditions for an “epistemic lock in,” wherein a range of state and nonstate authorities from

both developed and developing countries are socialized and acculturated to engage with the trade-liberalization agenda in education.

The first Trade in Education Services forum in Washington, DC, was concerned largely with enabling market access through the reduction of barriers, in particular, mode 3 (commercial presence) and mode 4 (the movement of natural persons). However, the rhetorical focus of the third forum shifted to how trade in education could contribute to capacity building and development. Liberalization was linked to capacity building to make it a more inclusive and congenial discourse. The net effect of both forums was to create the conditions for knowledge of a particular kind, from which various truths could be used to govern. What were these truths?

First, trade liberalization is an important developmental tool; it will help to reconstitute countries that are presently importers of education into sophisticated knowledge economies. Allied to trade as a positive project of governance was its depiction as the means toward supplementing and strengthening public education systems by creating the conditions for quality education services. However, quality regimes function as disciplinary instruments that have the potential to subject educators and educational institutions to specific ways of conducting themselves, namely, optimizing performance ahead of other conduct. Furthermore, research has shown that quality frameworks have a poor record in ensuring good educational experiences for students (Charlton 2002; Marginson 2006).

A second regime of truth was concerned with upholding the sanctity of national sovereignty. Nation-states and their governments were constructed in discourse as willing participants in all facets of liberalization. The principle of voluntarism implied in the GATS discourse on trade in education also creates the conditions for making all nations participating responsible for the outcomes and effects of trade liberalization. As willing partners in capacity building and liberalization, countries cannot claim oppression or exploitation if liberalization in education services subsequently fails to deliver knowledge-economy dividends.

In conclusion, the salience of the capacity-building thematic in the third forum appeared to be indicative of the emergence of a softer, more inclusive and humanitarian discourse. However, on closer analysis, the rationalities and practices, knowledges, and institutional frameworks that constitute capacity building can be seen to derive inspiration and impetus from norms and codes that are inherently neoliberal. These norms rest on the notion of trade liberalization as the means to advancement and betterment for all. It can be argued then, that the legitimacy and sustainability of neoliberal governance derives from a host of discursive reinventions that call on new strategies and knowledges, using new configurations of humanitarianism, freedom, empowerment, and choice.

Why is trade in education regarded now as the means toward successful

capacity building of education institutions in the majority (developing) world, where previously international aid and nation building were seen as the solution to building institutional capacity? The answer to this question is complex. While the arena of international trade is not immune to exercises of illiberal governmentality, top-down applications of power are only part of the answer toward understanding the spatial reach of trade liberalization. It is also important to understand the productive possibilities offered by new articulations of neoliberal governance, including the extent to which neoliberal discourses are embodied by individual policy makers, educators, and higher-education administrators. Understanding how the bureaucratic and professional classes in both the North and South have embraced, and simultaneously been steered toward, the belief that trade liberalization is a legitimate, effective, and humanitarian developmental tool—with a chance to alleviate global inequality—requires further investigation.

Some of the most highly cited works on the implications of GATS for higher education are academic papers arising from consultancy reports funded by bodies such as the OECD and undertaken by various private consultants and researchers to construct a “knowledge economy of capacity building” (see Phillips and Ilcan 2004). One area that merits further study is how epistemic communities have themselves been the target of governmental strategies, subject to the grant and tender economy and the workings of the “enterprise university” (see Marginson and Considine 2000; Slaughter and Rhoades 2004; Washburn 2005), with the consequence of producing particular kinds of knowledge about trade and education. Despite claims by some consultants that they have adopted an “education-centered, international approach” that attends to the implications of GATS for both developing and developed countries (see Knight 2003), as a general observation, research and discussion papers and reports are often based on depoliticized and ahistorical analyses of the processes and outcomes likely to flow from the new multilateralisms being flagged by GATS. As Nederveen Pieterse (2004, 76) observes, “most research and policy accounts . . . tend to be ahistorical and apolitical; in view of their reliance on neoclassical economics they are atheoretical as well. Their matter-of-factness is impression management only; under the surface are many conflicts about measurements and their implications.”

Despite optimistic claims by some media commentators that “the world is flattening out” to become a series of level playing fields (Friedman 2005; see also Wolf 2005), there are many other signs that what is in place is a positional hierarchy of nation-states, regions, institutions, and individuals ordered by the grids of economic success and integration into the global economy. The current brand of transnational neoliberalism, which is sponsored by governing elites and informed by principles of trade liberalization and comparative advantage, is bolstered by global knowledge practices, expertise, and calculative mechanisms such as quality assurance frameworks. Introduc-

ing a humanitarian discourse, such as capacity building with its attendant notions of inclusion and partnership, helps to establish new ways of governing populations and geographies. At first blush, these discursive practices suggest a welcome relief from the harsh neoliberalisms that have characterized structural adjustment programs. However, their reconfigured neoliberal underpinnings have similar biopolitical and geopolitical effects, namely, recalibrating the moral worth of individuals, groups, and countries according to whether they have the right attributes, dispositions, and knowledge bases for a particular definition of economic success.

The implications of these new articulations of neoliberalism for higher education are potentially immense. There are signs that trade imperatives will further reduce higher education's capacity and commitment to attain the "right" balance between service and critique, resulting in power/knowledge practices that are complicit with and contribute toward graduated sovereignties and illiberal governmentalities. These developments will do little to further global justice.

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