Legitimacy of cross-border higher education policy: a comparative case study of Dubai and Ras Al Khaimah

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LEGITIMACY OF CROSS-BORDER HIGHER EDUCATION POLICY:
A COMPARATIVE CASE STUDY OF DUBAI AND RAS AL KHAIMAH

by

Christine Farrugia

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Legitimacy of Cross-Border Higher Education Policy:

A Comparative Case Study of Dubai and Ras Al Khaimah

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Christine Farrugia

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This study investigates the legitimacy of policies to import cross-border higher education (CBHE) in the United Arab Emirates (UAE). This study compares two of the UAE’s higher education subsystems – Dubai and Ras Al Khaimah – to understand how higher education stakeholders in the UAE interpret foreign involvement in higher education and investigate how those interpretations contribute to stakeholders’ assessments of the legitimacy of the country’s CBHE policies. The legitimacy of cross-border higher education policies is a potentially contentious issue because the higher education resources that are imported into host countries under CBHE policies are usually intended to supplement existing higher education systems whose stakeholders may not welcome foreign involvement in higher education. Given the multiple actors and national contexts that are active in the UAE’s higher education systems, there are potential legitimacy challenges facing local CBHE policies. The purpose of this study is to explore this area of possible disconnect in the legitimacy of CBHE to more clearly understand how host country higher education stakeholders evaluate the legitimacy of CBHE policies within their own systems and to arrive at a theory of policy legitimacy for cross-border higher education.

This study approaches policy legitimacy in higher education by investigating how higher education stakeholders evaluate CBHE policies and derives a theory of CBHE policy legitimacy from the study’s findings. The following research questions guide the study:

1. What are the goals of CBHE policies? How do these goals serve to increase the legitimacy of the higher education subsystem?
2. How do resident higher education stakeholders evaluate the legitimacy of CBHE policies?

3. How do the findings of this study on legitimacy in a non-democratic environment resonate with existing policy legitimacy theories?

This qualitative study is a two-case comparison of CBHE policy in the emirates of Dubai and Ras Al Khaimah in the United Arab Emirates (UAE), each of which has implemented CBHE policies in their private higher education sectors. Forty-five higher education stakeholders were interviewed across the two emirates between January and April 2012. Site visits and document analyses were conducted in both cases and an additional 40 higher education actors were interviewed in other UAE higher education systems, providing background context for the two cases analyzed in this study.

Support was found for the model of CBHE policy legitimacy proposed in the study. Salient components of CBHE policy legitimacy include the procedural elements of legality, decision norms, and representation, as well as normative legitimacy of the policies.
ACKNOWLEDGEMENTS

The completion of this dissertation would not be possible without the help and support of the many people who have come along with me on this journey.

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and the people of RAK and the UAE left a lasting impression on me and has fueled my desire to engage in research to inform education practice in the UAE and beyond.

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<th>Description</th>
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<tbody>
<tr>
<td>AACSB</td>
<td>Association to Advance Collegiate Schools of Business</td>
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<tr>
<td>ABET</td>
<td>Accreditation Board for Engineering and Technology</td>
</tr>
<tr>
<td>AED</td>
<td>Dirham [UAE Currency]</td>
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<tr>
<td>AUD</td>
<td>American University in Dubai</td>
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<td>AURAK</td>
<td>American University of Ras Al Khaimah</td>
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<tr>
<td>AUS</td>
<td>American University of Sharjah</td>
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<tr>
<td>BIT</td>
<td>Birla Institute of Technology</td>
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<tr>
<td>BUiD</td>
<td>British University in Dubai</td>
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<td>CAA</td>
<td>Commission on Academic Accreditation</td>
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<td>C-BERT</td>
<td>Cross-Border Education Research Team</td>
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<td>CBHE</td>
<td>Cross-border higher education</td>
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<tr>
<td>CERT</td>
<td>Centre of Excellence for Applied Research and Training</td>
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<td>CHEA</td>
<td>Council for Higher Education Accreditation</td>
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<tr>
<td>CHEDS</td>
<td>Center for Higher Education Data and Statistics</td>
</tr>
<tr>
<td>DBA</td>
<td>Doctor of Business Administration</td>
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<td>DHCC</td>
<td>Dubai Healthcare City</td>
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<td>DIAC</td>
<td>Dubai International Academic City</td>
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<td>DIFC</td>
<td>Dubai International Financial Centre</td>
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<td>DKV</td>
<td>Dubai Knowledge Village</td>
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<tr>
<td>DSO</td>
<td>Dubai Silicon Oasis</td>
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<tr>
<td>EDRAK</td>
<td>Ras Al Khaimah Education Company</td>
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<tr>
<td>EFL</td>
<td>English as a Foreign Language</td>
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<tr>
<td>EPFL</td>
<td>Ecole Polytechnique Federale de Lausanne</td>
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<tr>
<td>EQUIS</td>
<td>European Quality Improvement System</td>
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<tr>
<td>FNC</td>
<td>Federal National Council</td>
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<td>GATS</td>
<td>General Agreement on Trade in Services</td>
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<td>GCC</td>
<td>Gulf Cooperation Council</td>
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<td>HCT</td>
<td>Higher Colleges of Technology</td>
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<td>HE</td>
<td>Higher Education</td>
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<td>IAA</td>
<td>International Advertising Association</td>
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<td>IACBE</td>
<td>International Assembly of Collegiate Business Education</td>
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<tr>
<td>IBC</td>
<td>International branch campus</td>
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<tr>
<td>ICT</td>
<td>Information and Communications Technology</td>
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<td>IDO</td>
<td>Investment and Development Office</td>
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<tr>
<td>IELTS</td>
<td>International English Language Testing System</td>
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<td>KHDA</td>
<td>Knowledge and Human Development Authority</td>
</tr>
<tr>
<td>MOHESR</td>
<td>Ministry of Higher Education, Science, and Research</td>
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<tr>
<td>NYUAD</td>
<td>New York University Abu Dhabi</td>
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<tr>
<td>OBHE</td>
<td>Observatory on Borderless Higher Education</td>
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<tr>
<td>OECD</td>
<td>Organisation for Economic Cooperation and Development</td>
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<td>QA</td>
<td>Quality Assurance</td>
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<td>Acronym</td>
<td>Description</td>
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<tr>
<td>RAK</td>
<td>Ras Al Khaimah</td>
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<td>RAK FTZ</td>
<td>Ras Al Khaimah Free Trade Zone</td>
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<tr>
<td>RAKIA</td>
<td>Ras Al Khaimah Investment Authority</td>
</tr>
<tr>
<td>RIT</td>
<td>Rochester Institute of Technology</td>
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<tr>
<td>SACS</td>
<td>Southern Association of Colleges and Schools</td>
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<tr>
<td>TEQSA</td>
<td>Tertiary Education Quality Standards Agency</td>
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<tr>
<td>TOEFL</td>
<td>Test of English as a Foreign Language</td>
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<tr>
<td>UAE</td>
<td>United Arab Emirates</td>
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<tr>
<td>UAEU</td>
<td>United Arab Emirates University</td>
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<tr>
<td>UOWD</td>
<td>University of Wollongong in Dubai</td>
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<tr>
<td>UQAIB</td>
<td>University Quality Assurance International Board</td>
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<tr>
<td>Yale-NUS</td>
<td>Yale-National University of Singapore</td>
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<td>ZU</td>
<td>Zayed University</td>
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Chapter 1  INTRODUCTION

This study investigates the legitimacy of policies to import cross-border higher education (CBHE) in one country that has implemented several such policies. Using the case of the United Arab Emirates (UAE), this study compares two of the UAE’s higher education subsystems to understand how policies encouraging foreign involvement in higher education are interpreted by higher education stakeholders in the UAE and how those interpretations contribute to stakeholders’ assessments of the legitimacy of the country’s CBHE policies. Broadly defined, legitimacy is based on the degree to which relevant stakeholders view a policy as acceptable along several dimensions of policy making. In contrast to other studies (see Giesecke, 2006; Li, 2015; Slantcheva & Levy, 2007; Suspitin, 2007b) that focus on the legitimacy of higher education institutions, this study focuses on the legitimacy of the CBHE policies that facilitate the establishment of international branch campuses and other cross-border movements of education.

Cross-border higher education is a broad term that encompasses a range of activities taking place in different spheres of higher education, including the establishment of international branch campuses, the importation of faculty and administrators, the spread of practices such as accreditation, the use of English as a widespread language of instruction, and the establishment of international partnerships. As higher education institutions and systems are increasingly operating in the global arena, leaders and education policymakers in many countries have adopted policies to import various forms of CBHE as a way to develop or strengthen local higher education systems. International branch campuses are one of the most highly visible forms of CBHE and represent significant investments to establish and run. Host countries of IBCs often need to implement policies to allow or promote the establishment of IBCs and to oversee their
operations. The introduction of such policies represents a marked departure from the global historical norm of developing higher education within a locally-defined context, and thus an examination of the legitimacy of such policies is warranted.

In one example, Singapore publicly launched its Global Schoolhouse initiative in 2002, which included funding of international branch campuses and partnerships between local institutions and foreign universities with the goal of bringing in 150,000 international students to create an “oasis of talent” that would contribute to the city-state’s long-term economic development (Waring, 2014). While the initiative achieved some successes, struggles of some institutions to enroll students, as well as several high profile campus closures, concerns about some low-quality education providers, and cases of rescinded government funding (Gribble & McBurnie, 2007; Waring, 2014) suggest that the policy as it was implemented had limitations. The weaknesses of this initiative may be indicative of weak local legitimacy of the Global Schoolhouse policy.

In contrast to Singapore’s efforts, initiatives to introduce IBCs in the United Arab Emirates have been largely successful. Since the establishment of Dubai’s first IBC, the sector has grown immensely and in 2016 the UAE is by far the largest host of IBCs in the world, with 34 IBCs from 12 countries (Cross-Border Education Research Team [C-BERT], 2016). Most of these IBCs have been established through free zone regulations that were designed to promote and facilitate the establishment of IBCs in the country. These regulations have been implemented in Dubai and Ras Al Khaimah, which in the UAE’s decentralized higher education system, have each enacted their own free zone policies for education institutions. These two emirates serve as the two cases analyzed in this study, which aims to understand how the legitimacy of CBHE
policies are assessed by higher education stakeholders and to assess what elements of CBHE contribute to legitimate CBHE policy within the UAE context.

Policymakers and higher education leaders in many countries have implemented cross-border higher education policies that have encouraged the growth of CBHE. There are many potential motivators for implementing CBHE policies, including the desire to increase a country’s international profile and global recognition; the desire to increase higher education capacity with minimal public investment; the tendency to follow the global momentum in CBHE; and making use of international expertise to raise the quality of domestic higher education. Connected to these policies and their various motivations is the important question of how legitimacy is assessed for CBHE policies that permit foreign entities to develop higher education systems in different cultural and political contexts from which they came. The recent development of cross-border higher education at the policy level raises the question of whether higher education stakeholders perceive CBHE as a legitimate policy strategy, or whether stakeholders might favor more localized national or regional approaches to developing their higher education systems.

THE SCALE AND SCOPE OF CROSS-BORDER HIGHER EDUCATION

CBHE encompasses a range of cross-border movements of higher education institutions, including international branch campuses, hiring of foreign faculty, curriculum partnerships, English as a medium of instruction in non-English-speaking countries, and international accreditation (Altbach & Knight, 2007; Chapman & Sakamoto, 2010). Cross-border higher education policies have been adopted by many countries as a tool for building their domestic higher education capacity, either by improving the quality of domestic higher education or by increasing student access to higher education (OECD, 2007; Vincent-Lancrin, 2007).
Over the past twenty years the scale of CBHE and its role in higher education have grown significantly. The number of IBCs has grown from 82 in 2006 to 234 in 2016, with the highest concentrations in the Arab Gulf and East Asia (C-BERT, 2016; Lawton & Katsomitros, 2012). The international mobility of faculty has become a more common occurrence over the past twenty years, driven both by market forces that induce faculty to seek international employment as well as active recruitment of international faculty by higher education systems around the world.

Curriculum partnerships exist in a variety of forms in a wide range of countries. The scale and financial impact of such programs is significant; the export of educational services has become a multi-billion dollar industry in the U.S., UK and Australia (Sakamoto & Chapman, 2011). Yale University has partnered with the National University of Singapore to consult and collaborate on the development an autonomous liberal arts university, with degrees conferred by the National University of Singapore (Fischer, 2012; Yale-NUS College, 2012). In Oman, the Ministry of Higher Education entered into a partnership in 2006 with the New Zealand Tertiary Education Consortium to provide curricula for four degree programs to be taught and degrees awarded by Omani higher education institutions (O’Rourke & Al Bulushi, 2010). The New York College Education Group, a private provider of higher education with institutions in Greece, Czech Republic, Albania, and Serbia, partners with universities in the U.S., UK, France, and Switzerland to offer their degree programs through New York College institutions in the host countries (New York College, 2012).

English is becoming a more common medium of instruction in countries throughout the world, particularly in Europe and increasingly in Asia (Brenn-White & van Rest, 2012; OBHE, 2007). Singapore and Hong Kong have long offered higher education in English because of their
prior colonial relationships with the UK, but English-medium programs have also been increasing in recent years in China, Japan, and Malaysia (OBHE, 2007). In Europe, the number of English-taught master’s programs outside of the UK and Ireland grew from 1,028 in 2007 to 4,644 in 2012 (Brenn-White & van Rest, 2012). English-taught programs in Europe are dispersed across a wide range of countries in Western, Eastern, and Central Europe, including the Netherlands, Germany, Sweden, Slovakia, Lithuania, Poland, and Turkey (Brenn-White & van Rest, 2012; Coleman, 2006).

Accreditation across international borders is also a growing phenomenon. In 2013, all six U.S. regional accreditation agencies accredited institutions and programs outside the U.S.\(^1\). Collectively, the six U.S. regional agencies accredit 41 institutions outside the U.S., in countries such as dispersed as Armenia, Bulgaria, Chile, Costa Rica, Egypt, Hungary, Kenya, Switzerland, Taiwan, and the United Arab Emirates (Council for Higher Education Accreditation [CHEA], 2015) The U.S.-based Association to Advance Collegiate Schools of Business (AACSB) accredits 190 programs outside the United States and ABET accredits 367 non-U.S. engineering programs (CHEA, 2015). Taken together, 46 U.S. accreditation agencies accredited a total of 1,077 non-U.S. institutions or programs in 84 countries in 2013 (CHEA, 2015). Countries that seek out international accreditation often do so under the rationale that international accreditation is a marker of quality that is not matched by their home country quality assurance systems. One example is Taiwan, whose universities have increasingly sought international accreditation in efforts to improve their quality, reputation, and rankings so that they may be more globally

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\(^1\) The U.S. regional accreditation agencies currently accrediting non-U.S. institutions are Middle States Association of Colleges and Schools, New England Association of Schools and Colleges, Northwest Commission on Colleges and Universities, Southern Association of Colleges and Schools, and Western Association of Schools and Colleges (CHEA, 2012).
competitive and meet the goals of the Ministry of Education’s “Enhancing Global Competitiveness Plan” launched in 2002 (Hou, 2011).

**PRESENTATION OF THE RESEARCH PROBLEM: LEGITIMACY IN CROSS-BORDER HIGHER EDUCATION**

Legitimacy is defined by Suchman (1995) as, “a generalized perception or assumption that the actions of an entity are desirable, proper, or appropriate within some socially constructed system of norms, values, beliefs, and definitions” (p. 574). A policy gains legitimacy when it is aligned with the dominant attitudes of its stakeholders and adheres to accepted procedures of policy adoption (Wallner, 2008). Given the multiple actors and national contexts that are brought to bear on CBHE, there are potential legitimacy challenges facing CBHE policies. Some policies may be challenged on the basis of the appropriateness of using foreign resources for developing national higher education systems. This is the case in Qatar where local debates about the appropriateness of using English as the medium of instruction in an Arabic-speaking country precipitated a policy change. Other CBHE policies may be challenged based on concerns about the types of institutions they allow and how those institutions contribute to the quality of the higher education system. In Singapore, the government’s initial ambitious goals of creating a global higher education hub through branch campuses and international partnerships had limited success, but policy efforts were later scaled back by leaders who responded to local stakeholders’ misgivings about government support for international actors at the expense of support and opportunities for Singapore locals (Waring, 2014).

The legitimacy of cross-border higher education policies is a potentially contentious issue because the higher education resources that are imported into host countries under CBHE policies are usually intended to supplement existing higher education systems whose stakeholders may not welcome foreign involvement in higher education. For instance, foreign
faculty may be hired into institutions where local faculty have been dominant, and the presence of foreign faculty may be seen as unnecessary, or even threatening or unwelcome, by existing faculty. In the case of international branch campuses, the campuses may be welcomed as absorbers of unmet demand for university seats, but they may also offer a higher quality or different form of education than what is available locally (Lane, 2011) and thus be perceived as being in competition with existing higher education institutions. International accreditation is often pursued as a way of increasing the competitiveness and prestige of a country’s universities (Hou, 2011), but such accreditation may not be attainable by many institutions and so a policy to encourage international accreditation may be unwelcome by many universities.

A policy’s legitimacy is often an important component of its survival and effectiveness. Policies that are perceived as legitimate by stakeholders are more likely to have sustained policy approval, which contributes to the survival of those policies over time and can lead to more effective policy implementation (Sakamoto, 1999; Wallner, 2008). Stakeholders who perceive policies as legitimate are more likely to uphold and implement those policies, while low levels of legitimacy among policy stakeholders can generate pressures for policymakers to change or rescind CBHE policies, as legitimate policies help to maintain leaders’ authority and positions of power (Sakamoto, 1999; Wallner, 2008).

There are inherent challenges in garnering legitimacy for policies that facilitate the movement of people, institutions, and practices into environments with different cultural and political values and different educational and organizational norms. People, institutions, and practices that may be viewed as legitimate when assessed individually and within the global context of higher education are not always welcomed by host country stakeholders as legitimate approaches to developing their countries’ higher education sectors. The purpose of this study is
to explore this area of possible disconnect in the legitimacy of CBHE to more clearly understand how host country higher education stakeholders evaluate the legitimacy of CBHE policies within their own systems.

CASE STUDY: CROSS-BORDER HIGHER EDUCATION IN THE UAE

The UAE has been selected as the case for the study because of the high concentration of CBHE present in the country. In the United Arab Emirates, cross-border higher education has been used to rapidly develop the higher education sector, with CBHE policies enacted in the federal- and emirate-level subsystems of higher education (Findlow, 2005). The United Arab Emirates has become the leading importer of international branch campuses worldwide; relies heavily on foreign faculty and administrators to staff their higher education institutions; has implemented policies to encourage international accreditation; has developed academic partnerships with overseas institutions; and has implemented English as the language of instruction in its federal universities (Al-Issa & Dahan, 2011; Findlow, 2005; Mills, 2008).

Emerging local critiques of some policies (Bardsley, 2010, Jan 31; Sharma, 2010) suggest that not all CBHE policies are viewed by stakeholders as legitimate means for developing local higher education. Among the critiques aimed at CBHE in the UAE are the low quality of foreign education providers, lack of local relevance, a weakening of Emirati identity and culture, high tuition fees an orientation towards profit-making, a narrow range of programs offered, reported marginalization of Emirati faculty in domestic institutions, and a loss of Arabic language (Bardsley, 2010, Jan 31; “Branch campuses must integrate”, 2008; Gutenplan, 2012; Husain, 2010; Mills, 2008; Sharma, 2010; Tibi & McLeod, 2011; Troudi & Jendli, 2011; Wilkins, 2011).

The UAE’s decentralized higher education system is composed of a federal university system that is coordinated centrally by the Ministry of Higher Education and Scientific Research,
alongside the Emirate-level powers to implement higher education policies in each emirate. This decentralized system has resulted in several CBHE policies being implemented throughout the country, with variations in the goals and characteristics of the policies in each higher education subsystem. Each higher education subsystem has distinct (but sometimes overlapping) groups of stakeholders. Thus, CBHE policies are evaluated on different bases from one another, depending on the higher education subsystem. The presence of multiple CBHE policies in the UAE provides a fertile case study for understanding how different CBHE policies are evaluated while holding constant many features of national culture and student demographics.

THE UAE POLITICAL SYSTEM

The United Arab Emirates is a federation of seven emirates that are each lead by their own hereditary ruler. The federation was formed in the 1970s after the British withdrawal from the region when the emirates joined together for mutual cooperation and protection (Hudson, 1977). This was no easy task however, as the emirates were each controlled by a ruling family with a hereditary ruler and these emirates had histories of rivalry and conflict among them (Hudson, 1977). The original plan for a larger federation included Bahrain and Qatar, along with the seven emirates that today constitute the UAE (Abu Dhabi, Ajman, Dubai, Fujairah, Ras Al Khaimah, Sharjah, and Umm Al Qawain), but disputes over the assignment of political power and territory caused Bahrain and Qatar to withdraw from the federation (Hudson 1997). Sheikh Zayed of Abu Dhabi is widely credited with unifying the federation, largely through his personal authority and charismatic leadership that was able to bridge the rivalries of the seven ruling families and unify the country (Hudson, 1977).

Today the UAE is constitutional monarchy with elements of a rational-legal foundation in its constitution and its process of electing a Federal National Council that includes many representatives from non-royal elite families and distinguished professionals from less
prosperous families; the FNC serves in an advisory capacity to the Supreme Royal Council and does not hold true political power to approve or veto federal policies (Hudson, 1977; Davidson, 2005). From the beginning of the federation through the mid-2000s, the FNC’s members were appointed to represent their emirates on the council, but beginning in 2006, the government began implementing a voting system whereby FNC members are elected by an electoral college made up of a segment of the UAE’s population (Yaghi & Antwi-Boateng, 2015). Despite these rational-legal elements of the federal government, the legitimacy of the political system is still deeply rooted in the personal authority of rulers. There are established lines of succession within the ruling families of each emirate, but despite these lines of succession, several rulers at the emirate level have been deposed or have attempted to be deposed by other family members, indicating the ongoing importance of securing political legitimacy through personal authority and patronage networks (Hudson, 1977; Davidson, 2012).

In the federal structure of the UAE, each emirate retains its own government led by a ruler, with emirate-level advisers and government agencies overseeing areas such as economic affairs, security, and education, among others (Davidson, 2005). The emirates vary in their political structures, with some having executive councils akin to the FNC. The majilis is a forum in which Emiratis can directly address their leaders and share their concerns (Davidson, 2005). The tradition of a majilis is common in the emirates and provides a means for Emiratis’ views to be represented to their leaders and for leaders to build consensus among those they rule (Davidson, 2005; Heard-Bay, 2005; Krane, 2009).

**Goals of the Study and Research Questions**

The goal of this study is to shed light on whether higher education stakeholders evaluate CBHE policies as legitimate and what elements of CBHE policies contribute to the legitimacy of those policies in an importing country. This study aims to achieve these goals by:
a) Systematically documenting the perceived goals for CBHE policies in two of the UAE’s subsystems – Dubai and Ras Al Khaimah; 

b) Analyzing how the legitimacy of CBHE is evaluated by higher education stakeholders residing in the UAE; and 

c) Comparing the study’s findings on CBHE legitimacy in the UAE with existing policy legitimacy theories. 

The phenomenon of cross-border higher education is often driven by government policies that encourage or allow the movement of higher education across borders. Rather than focusing on the legitimacy of institutions that engage in CBHE, this study explores the legitimacy of the policies implemented by governments to use foreign higher education resources to develop their domestic higher education systems. Thus, this study aims to add to the body of work on legitimacy in higher education by extending it into the policy domain. This study approaches policy legitimacy in higher education by investigating how higher education stakeholders evaluate CBHE policies and derives a theory of CBHE policy legitimacy from the study’s findings. The following research questions guide the study: 

1. What are the goals of CBHE policies, as perceived by higher education stakeholders? 
   How do these goals serve to increase the legitimacy of the higher education subsystem? 

2. How do resident higher education stakeholders evaluate the legitimacy of CBHE policies? 

3. How do the findings of this study on legitimacy in a non-democratic environment resonate with existing policy legitimacy theories? 

SIGNIFICANCE OF THE STUDY 
This study contributes to the scholarship in higher education in three ways: 1) By exploring the relatively under-studied importer perspective in cross-border higher education; 2)
By extending work on legitimacy in higher education beyond the organizational context into the policy domain; and 3) By developing a theory on policy legitimacy in a non-democratic context, which has applicability to higher education actors involved in the movement of higher education from the West into non-democratic countries in the developing world.

ILLUMINATING THE IMPORTER PERSPECTIVE.

This project contributes to the body of knowledge on higher education through its analysis of a relatively new and growing sector of higher education about which little scholarly work has been done. Much of the emerging scholarly and policy work on cross-border higher education is based on the exporter perspective and focuses on issues related to the management and oversight of cross-border ventures (see Bolton & Nie, 2011; Smith, 2010), so the importer perspective is not well documented. The importer perspective is critical for understanding the conditions under which CBHE can be successful in the host country.

EXTENDING HIGHER EDUCATION LEGITIMACY SCHOLARSHIP TO THE POLICY DOMAIN.

There has been little empirical research done on legitimacy in higher education. The work that has been done focuses primarily on the establishment of legitimacy among new organizational forms, including private higher education institutions, research institutions, and new academic fields (Bump, 2009; Giesecke, 2006; Gulbrandsen, 2011; Kinser, 2007; Suspitsin, 2007a, 2007b; Slantcheva & Levy, 2007; Suspitsin & Suspitsyna, 2007). Gulbrandsen (2011) analyzes the legitimacy of research institutes, which are hybrid organizations that occupy a middle ground between universities and corporations. His analysis addresses the challenges hybrid organizations face in establishing their legitimacy in multiple dimensions with contrasting cultural norms. He finds that research institutes must address opposing tensions in the demands placed upon them by the public and private actors, and in the science and non-science
communities. Suspitsin (2007a; 2007b; Suspitsin & Suspitsyna, 2007) investigates how private higher education institutions in Russia gain legitimacy status from their stakeholders. He finds that the state plays a crucial role in granting legitimacy to private higher education through regulation and licensing, and that private higher education institutions also garner legitimacy by meeting the demands of students and employers. Bump (2009) analyzes the balance that a new academic field makes in pursuing legitimacy status through its appeals to internal norms within a higher education institution and external norms in the wider academic field. Kinser’s (2007) analysis of the legitimacy of for-profit higher education in the U.S. finds that there is a continuum of legitimacy and that meeting a baseline threshold of legitimacy among the higher education community is not necessarily sufficient to meet the legitimacy threshold needed to gain the support of policymakers.

Most work on legitimacy in higher education uses higher education institutions or sectors as the units of analysis, and does not address the legitimacy of higher education policies. One exception is Vartiainen (2005) who analyzes the legitimacy of institutional evaluation policies in Finnish and English higher education along two dimensions – the moral acceptance of evaluation as an acceptable practice and a deeper integration of the values and myths that justify evaluation policies. This study contributes to the knowledge on legitimacy in higher education by extending it to the policy domain.

DEVELOPING A THEORY OF LEGITIMACY IN NON-DEMOCRATIC CONTEXTS.

One of the contributions of this study is to extend the scholarship on legitimacy theory to non-Western, non-democratic contexts. Much of the theory on policy legitimacy is rooted in democratic assumptions of interest representation and feedback models (Burgoon, Demetriades, & Underhill, 2012; Clark, 2005; Sakamoto, 1997; 1999; Schouten & Glasbergen, 2011;
Timotijevic, Barnett, & Raats, 2011). However, the United Arab Emirates is a non-democratic country that is grounded in a system of traditional rule by hereditary monarchs with very limited and controlled voting (Al Awadhi, 2011; Davidson, 2005). Thus this research, set in the UAE context, will test the applicability of traditional models of policy legitimacy in non-democratic environments.

The extension of policy legitimacy to non-democratic contexts is a timely topic because in the wake of the Arab Spring in 2011, many Middle Eastern countries, including those in the Arab Gulf, are grappling with reshaping the legitimacy of their political and social institutions. Most Gulf countries, especially wealthy ones like the UAE, are stable in the wake of the Arab Spring, but their governments are vigilant about potential sources of instability, as evidenced by recent arrests of suspected agitators in the UAE and the expulsion of some Western individuals and institutions for too explicit critique of UAE politics (Human Rights Watch, 2012; Kasolowsky, 2012; Martin, 2012; Shah, 2012). As well, governments in the Gulf have been concerned about satisfying their citizens by increasing public benefits, including raising public sector salaries and increasing other social benefits, in order to maintain stability and the legitimacy of the current social order (Shehadeh, 2011). Higher education has a critical role to play in such political dynamics, as it is a central social institution that has the ability to contribute to stability and the satisfaction of the populace, or to foment unrest and dissatisfaction (Mazawi, 2011). Therefore, the legitimacy of higher education in the Middle East has not only educational implications, but political and social ones as well.

Furthermore, as the people and institutions of Western higher education increasingly venture into non-traditional locations in the Middle East, Asia, and Africa, higher education leaders and policymakers are challenged to understand what constitutes legitimate higher
education these new environments. Thus, the border-crossing of legitimacy will become an increasingly important issue for the sustainability and educational value of CBHE. The findings of this study have practical implications for parties interested in CBHE policy formation and the legitimacy of CBHE more broadly. The study’s findings regarding a theory of CBHE policy legitimacy can shed light on the factors that higher education stakeholders pay attention to when evaluating the legitimacy of CBHE. Thus, for parties interested in the development of sustainable CBHE or the management of relationships with CBHE stakeholders, the theory generated by this study may provide a framework for understanding and assessing what factors local stakeholders find salient in accepting CBHE.

DEFINITIONS
Several terms used throughout this dissertation are either commonplace terms that are subject to a variety of definitions in everyday usage, or are highly specialized and unfamiliar, and therefore warrant explicit discussion of their definitions.

CROSS-BORDER HIGHER EDUCATION.
The term cross-border higher education encompasses a range of movements of higher education across political boundaries. Cross-border is only one phrase that describes border crossing in higher education; other terms commonly found in the literature are transnational, offshore, overseas, globalization of higher education, trade in education services, and internationalization of higher education (Knight, 2002; Martin, 2007). Although the terms are relatively new, the movement of higher education across borders has a long history. For example, research and scholarly communities have a history of international collaboration and movement (Knight, 2002; Martin, 2007). Student mobility through international degree-seeking and short term study abroad programs is also a long-standing feature of higher education, and one that has grown immensely in recent years (Farrugia & Bhandari, 2015; Knight, 2002). Other
forms of cross-border higher education include distance education and international branch campuses. Some scholars have noted the movement of educational practices and diffusion of educational policies across borders, another form of border crossing in higher education (Phillips, 2006b; Rhoades & Sporn, 2002; Steiner-Khamsi, 2004). Examples of such practices include the use of English as a language of instruction and the growth of accreditation across international borders (Altbach, 2003; Bollag, 2005; Altbach & Knight, 2007).

The General Agreement on Trade in Services (GATS) provides a useful framework of the movement of programs, people, and institution in higher education (Knight, 2002; Martin, 2007). The framework is as follows:

- **Mode 1**: Cross-border supply (distance education, virtual educational institutions, education software and corporate training through ICT delivery).
- **Mode 2**: Consumption abroad (students studying abroad).
- **Mode 3**: Commercial presence (i.e. local university or satellite campus, language training companies, private training companies).
- **Mode 4**: Presence of natural persons (professors, teachers, researchers working abroad).

Notably absent from the GATS framework is the global diffusion of practices and policies, most likely because such movements are not explicitly commercial and thus fall outside the scope of the GATS process.

For the purposes of this study, cross-border higher education is operationalized to include the hiring of faculty and administrators from abroad; the importation of international branch campuses; the pursuit of accreditation from international organizations; curricula partnerships with institutions overseas; and the adoption of English as a primary language of instruction.
**Higher Education Stakeholders.**

A broad definition of stakeholders takes the view that stakeholders are “groups and individuals who can affect or be affected by the people engaged in value creation and trade” (Freeman, Harrison, Wicks, Parmar, & Colle, 2010, p. 8). Applying this definition to higher education opens up the possibility that virtually anyone might be considered a stakeholder, particularly when one takes the perspective that higher education is a public good (Marginson, 2007), often based on public financial support, whose benefits extend to wider communities beyond those engaged directly with higher education institutions and to which higher education institutions have a social responsibility (Jongbloed, Enders, & Salerno, 2008). However, to utilize such a broad definition of stakeholders runs the risk of creating a boundless pool of potential stakeholders, many of whom may not see themselves as higher education stakeholders.

In this study, higher education stakeholders are defined narrowly to include those individuals who are affiliated with higher education institutions and whose demands or needs are directly tied to higher education institutions (Jongbloed, Enders, & Salerno, 2008), namely, administrators, faculty, students, employers, and governing entities or regulators.

**Resident.**

The UAE is a diverse society composed primarily of expatriates. Over 80 percent of the UAE’s population comes from outside the UAE (UAE National Bureau of Statistics, 2011). About 50 percent of the UAE’s population are South Asian, 23 percent are from other Arab countries or Iran, and the remaining 8 percent are from Western countries or East Asia (Central Intelligence Agency, 2016). Throughout this dissertation, the term “resident” is used to describe the full range of individuals that currently have their primary residence in the UAE regardless of
their citizenship or country of origin. Following common practice in the UAE, the terms “national” and “local” are reserved for individuals holding Emirati citizenship. As well, some bidoon, or stateless Arab people, are included in the study’s categorization of “local”. The bidoon have historical and cultural ties that are rooted in the same history as Emirati nationals, but for a variety of political and personal reasons, their families were not issued citizenship papers at the time of the country’s founding in the 1970s (Emirates Centre for Human Rights, 2012; Ghazal, 2008; Hall & Peel, 2012; Hafez, 2008; van Waas, 2010). Stateless residents of the UAE occupy a nebulous middle ground with a shared cultural history with the Emirati, but without many of the benefits of Emirati citizenship. Estimates of the number of bidoon residing in the UAE range widely from 10,000 to 100,000 (Emirates Centre for Human Rights, 2012; Ghazal, 2008; Hall & Peel, 2012; Hafez, 2008). There are no available estimates of the numbers of stateless students in the UAE’s higher education systems, but in 2012, 8 percent of students in the federal universities were categorized as international (Center for Higher Education Data and Statistics, 2012), and a portion of those are likely stateless students.

**Policy.**

In everyday usage “public policy” is often understood to be coterminous with the stated intentions of a government or official body. However, such a definition does not take into account cases where the actions of a government may not be accompanied by public statements or legislation. In this dissertation, I employ Anderson’s (2006) definition of public policy, which defines policy as a “relatively stable, purposive course of action followed by an actor or set of actors in dealing with a problem or matter of concern” (p. 6). In the context of the UAE, policymakers often do not publicly state their intended course of action (“Perils of Autocracy”,...
Anderson’s definition provides a means for defining public policy through “the action actually taken in pursuance of policy decisions and statements” (p. 80). Using Anderson’s definition, policy is an observable phenomenon that can involve statements of policy intention, but also includes the steps actually taken by government agencies to implement a desired course of action. At the same time, policy is not just equivalent to what takes place through a natural evolution, but is tied to the actions and directives of government officials or agencies. In the UAE, such policy actors can include rulers or members of legislative councils, the Ministry of Higher Education and Scientific Research (MOHESR), the federal Commission for Academic Accreditation (CAA), or emirate-level education councils.
Chapter 2  CONCEPTUALIZING POLICY LEGITIMACY IN HIGHER EDUCATION

INTRODUCTION
This chapter outlines the construct of legitimacy that serves as the framework for this study. Following a brief overview of the motivations for and ideological approaches to CBHE policymaking, this chapter presents a definition of policy legitimacy, discusses the relationship between policy and organizational legitimacy, and discusses the application of legitimacy theory to non-democratic policy systems.

THE FOUNDATIONS OF CROSS-BORDER HIGHER EDUCATION POLICY-MAKING
This section aims to provide a brief overview of the range of motivations for CBHE policymaking, as found in the literature. The intent of this overview is to provide grounding in the ideological approaches towards CBHE policy-making that will serve as context for the analyses of CBHE policy in the UAE that appears in subsequent chapters.

Cross-border higher education has increased in tandem with the growth in private higher education (Levy, 2006; Martin, 2007). Apart from the United States where private higher education has historically been a prominent feature of the higher education system, the dominant mode of higher education provision in most of the world has been through public systems. However, constrained government finances and growing enrollment demand has driven many governments to find new ways to increase the capacity and quality of their higher education systems by opening up their higher education sector to private providers (Knight, 2007; Martin, 2007; Vincent-Lancrin, 2007). Private higher education has been noted for its role in providing capacity to educate more students, providing something new that is not available in the existing...
higher education system, or providing education that is a higher quality than what is available in the existing higher education sector (Levy, 2006). While private higher education has grown around the world and many of its characteristics are consistent from country to country, its presence is particularly strong in developing countries, albeit with wide variations in the relative share of enrollments in the private sectors from country to country (Levy, forthcoming; Martin, 2007).

Over the past twenty years, many developing countries have adopted policies permitting or promoting the development of cross-border higher education (Vincent-Lancrin, 2007). Policies aimed at encouraging CBHE are motivated by a number of goals. One prominent goal is to provide capacity in higher education so that students seeking to enroll have opportunities to do so (Becker, 2009; Martin, 2007; Vincent-Lancrin, 2007). Another goal is to provide fields of study that may not be available in the host country (Martin, 2007; Vincent-Lancrin, 2007). Fields of study are often targeted to advance the development of selected industries and to develop and retain human capital to support those industries (Becker, 2009; Knight, 2007; Vincent-Lancrin, 2007). International collaborations between higher education institutions and the hiring of foreign faculty and administrators aim to transfer knowledge and innovative higher education practices from exporting countries to importing countries (Becker, 2009; Martin, 2007).

The OECD identifies four policy approaches to CBHE, two of which pertain to importing countries (OECD, 2004; Vincent-Lancrin, 2007). First is the mutual understanding approach which encompasses student and staff mobility through exchange programs and aims to promote intercultural understanding. The second is the capacity-building approach which aims to fill demand and enhance the quality of higher education offerings in the importing country. The
export oriented policy approaches are *skilled migration*, which focuses on recruiting international students, and *revenue generation* which relies on fee-paying students to generate revenue for higher education institutions. While the export oriented approaches are most common among the Western countries that are the dominant exporters of higher education, some developing countries have begun exporting higher education by developing themselves into regional higher education hubs or by opening branch campuses in other developing countries (Becker, 2009). For instance, in 2009, 16% of international branch campuses originated from Southern countries and were established in other Southern countries (Becker, 2009).

In response to the uncertainties and challenges of cross-border higher education, importing and exporting countries have enacted a range of policies to regulate CBHE. Regulations range from an extreme approach of prohibiting all CBHE, to the laissez-faire approach of ignoring private providers and not recognizing their credentials for public employment, to an interventionist approach that entails a host country actively managing the presence and quality of foreign institutions (Martin, 2007). In many cases, private higher education emerges amidst the government’s laissez-faire approach to regulation (Levy, 2006). In the absence of regulations, private institutions begin to establish, eventually attracting the attention of government, which then begins to regulate the private higher education sector (Levy, 2006).

**THE ROOTS OF LEGITIMACY THEORY: POLITICAL AND ORGANIZATIONAL APPROACHES**

The concept of legitimacy has strong roots in both political science and organizational studies. While the bodies of literature on policy legitimacy and organizational legitimacy propose some different mechanisms of how legitimacy is achieved and recognized, the two bodies of scholarship are largely similar in their delineations of the types of legitimacy. Given
the commonalities between the core elements of legitimacy described in the organizational and policy literatures, I draw on both sets of literature to define this study’s framework of policy legitimacy. While I draw on both sets of literature, this study focuses on the legitimacy of policies and not of institutions. It is possible that legitimacy of CBHE policies may at times link up with the legitimacy of institutions in that a policy’s legitimacy may be evaluated in part on the basis of how legitimate the institutions created under that policy are, but the core focus of this dissertation remains the legitimacy of the CBHE policies and not the legitimacy of higher education institutions.

In the field of political science, legitimacy theory is concerned with leaders’ right to rule and with the procedural appropriateness of a political system (Clark, 2005; Smoke, 1994). A legitimate political system is one in which political authority is based in accepted norms, whether those norms emanate from rational-legal systems, tradition, or the charisma of leaders (Weber, 1947). In organizational studies, legitimacy relates to the degree of acceptance that a social community provides to an organization (Suchman, 1995). Organizations are considered legitimate when they are considered appropriate and acceptable within a given belief system (Suchman, 1995). Political and organizational legitimacy theories overlap in that they address the acceptability of a social institution, whether it be the government or legal system, a particular policy, or an organization.

**Defining Policy Legitimacy**

Legitimacy theory provides a framework for analyzing the elements on which policy stakeholders base their evaluations of the acceptability of a policy. Sakamoto (1999) defines policy legitimacy as, “a degree of support, acceptance, or tolerance accorded by relevant actors to a particular policy” (p. 22). This definition emphasizes that a policy’s legitimacy is based on
the subjective interpretations of relevant actors (Clark, 2005; Sakamoto, 1999; Wallner, 2008; Weber, 1947). Suchman (1995) offers a succinct and widely quoted definition of legitimacy that also reflects its social aspects: “Legitimacy is a generalized perception or assumption that the actions of an entity are desirable, proper, or appropriate within some socially constructed system of norms, values, beliefs, and definitions” (p. 574). Like Sakamoto’s definition, Suchman’s definition highlights that legitimacy is something that is granted by a social community. The social evaluation component is a feature of legitimacy that recurs throughout the literature (Clark, 2005; Etzioni, 2011; George, 1980; Suchman, 1995; Wallner, 2008; Weber, 1947), and is built on the premise that a given social community determines the criteria for legitimacy. Thus, there is no absolute set of criteria for what makes a policy legitimate; different groups may assess the legitimacy of a given policy differently according to their own criteria for legitimacy.

Much of the literature on policy legitimacy emanates from Western sources and, accordingly, reflects democratic traditions in the developed world. The next section of this chapter describes this study’s concept of policy legitimacy, drawing from this Western body of literature. The chapter’s final section considers how this policy legitimacy framework might apply within the authoritarian, non-democratic context of the UAE.

**The Elements of Policy Legitimacy**

The most basic delineation of the components of policy legitimacy is that of its procedural and normative, elements (Anderson, 2006; Clark, 2005). Procedural legitimacy is based on the acceptability of the procedures used to enact a policy. Procedural components that contribute to a policy’s legitimacy include the formal elements of procedure (regulations/legality), as well as the informal elements of policy enactment, such as adherence to decision-making norms and the form and degree of representation of a policy’s stakeholders in
the policy process (Anderson, 2006; Lindblom & Woodhouse, 1993; Sakamoto, 1999; Schouten & Glasbergen, 2011). Normative legitimacy is directed at the content of a policy and addresses whether a policy’s goals are consistent with the dominant values of the evaluating audience (Anderson, 2006; George, 1980; Wallner, 2008).

**DISTINGUISHING LEGITIMACY FROM ACCEPTANCE**

The concept of legitimacy can be amorphous and overlaps with other related concepts, particularly that of acceptance. Legitimacy is based on acceptance by a given community, but acceptance itself is not enough to establish legitimacy. Betancourt and Ponce (2014) distinguish acceptance from legitimacy by noting that legitimacy is tied to a justification that is based on some normative principle. As it relates to this study’s framework of policy legitimacy, those normative components include elements such as the legality or representation of a policy. In contrast, acceptance entails a more general willingness to acquiesce to a policy without tying that acceptance to a specific justification. Thus, the concept of legitimacy has more structure in that it is tied to notions about what should or should not be considered as contributing to legitimacy. Therefore, legitimacy does not merely describe whether a policy is accepted or not. Rather, it takes the normative leap to frame the policy dimensions that should be focused on while assessing acceptance.

**PROCEDURAL LEGITIMACY**

There are three fundamental components of procedural legitimacy – legality, decision norms and representation (Clark, 2005; Sakamoto, 1999; Schouten & Glasbergen, 2011; Wallner, 2008). These three components have some distinct characteristics and may be evaluated independently, but they also complement and interact with one another. Perceived legitimacy in one component can support or diminish evaluations of legitimacy in the other components.
Legality. The legality of a policy is determined by whether the formal procedures of policy enactment have been followed. The system of rules that exists in a political system governs the exercise of power in that system (Schouten & Glasbergen, 2011). The degree to which a policy adheres to the formal rules of policy adoption contributes to its legitimacy in the legal sense.

The legal aspects of legitimacy have their roots in Weber’s typology of administrative authority, which describes the mechanisms of legitimacy that undergird power and authority systems (Ruef & Scott, 1998; Weber, 1978). One form of authority in Weber’s typology is rational-legal authority which is based on adherence to a system of laws and principles. In the legal sense, policies are considered legitimate when enacted by recognized legislators following accepted procedures for policymaking (Anderson, 2006).

Decision Norms. In addition to the formal rules that govern policy enactment in a political system, there are a set of informal practices that a given policy community considers acceptable. If the process used to enact a policy is considered acceptable within a given social and cultural framework then it may be considered to have legitimacy with respect to decision norms. Elements contributing to the legitimacy of decision norms can include engaging in an expected amount of political bargaining, seeking consultation from constituent groups, or appropriately communicating rationales for policy decisions (Sakamoto, 1999).

Representation. The concept of representation refers to the degree to which policies embody the interests of those who are subject to the policies or who have a stake in the policies’ outcomes (Koppell, 2008; Sakamoto, 1999; Schouten & Glasbergen, 2011; Timotijevic, Barnett, & Raats, 2011). How well a policy represents its stakeholders can contribute to or detract from its perceived legitimacy.
Representation operates through several different mechanisms. Brown (2006) outlines five elements of representation: authorization, accountability, expertise, participation, and resemblance. Authorization is based on the recognition of representatives through formal means such as elections, appointment by officials, or recognition of expertise through credentialing or licensing (Brown, 2006). A policy’s legitimacy can be enhanced when the policy has been enacted by individuals with the requisite authority or expertise as signaled by their possession of a specific position or a relevant credential.

Within the dominant democratic notion of governmental representation, leaders are held accountable for their policy decisions through formal requirements and public demands for transparency in decision making and accountability relies on the feedback mechanisms built into the electoral process (Brown, 2006; Sakamoto, 1999). At the same time, the legitimacy of a policy can be partially dependent on the legitimacy of the leader enacting the policy. Some policymakers have the ability to enact policies that run counter to the interests of relevant actors (Sakamoto, 1999). In Sakamoto’s (1999) framework, the greater the level of consent given to a leader by relevant actors, the more free that leader will be to enact policies regardless of the policies’ popularity.

Stakeholders’ concerns may also be represented through the mechanisms of interest groups, which serve as one way for stakeholders to participate in the policy process, as well as serve as a mechanism for introducing expertise into the policy process. Representation is distinct from participation by all constituents in that direct participation holds as an ideal the participation of all constituents in the policy process, while representation entails a small group of individuals acting on behalf of the interests of a larger group (Brown, 2006). Interest group activity includes “interactions through which individuals and private groups not holding
government authority seek to influence policy” (Lindblom & Woodhouse, 1993, p. 75). In the policy process, interest groups can serve as a mechanism for articulating the concerns and policy preferences of the citizenry to policymakers (Lindblom & Woodhouse, 1993) and they can act as representatives of the “shy and disinterested by the articulate and engaged” (Brown, 2006, p. 212). Some interest groups are also able to convey technical expertise on a policy issue, which can help to educate and inform policymakers and the public who may not be expert in the field themselves (Brown, 2006; Lindblom & Woodhouse, 1993). Given the technical complexity of many issues, experts serve as external sources of information that can be drawn into the policy process and can contribute to the legitimacy conditions of a policy, but only to the degree that the policy’s stakeholders recognize the authority of experts and utilize their expertise (Brown, 2006). Thus, interest groups serve as a system for providing feedback to policymakers outside of the electoral process, and for introducing new information into the policy-making system.

Representation can also be assessed by the degree to which agents resemble those whose interests they represent (Brown, 2006; Timotjevic, et al, 2011). Sharing a demographic identity regardless of moral perspective or political stance can contribute to the perceived legitimacy of the agent. Policies that are promoted by agents who come from the same background as those they represent may be perceived as more legitimate by virtue of the similar characteristics between the agent and the policy stakeholders.

**Normative Legitimacy**

Normative legitimacy is based on the substance of a policy and the values and motivations that the policy represents. Meeting procedural requirements for policy enactment does not necessarily mean that a policy will be viewed as legitimate; the legitimacy of policies is also judged according to their substance and by the ideas that underlie and serve to justify the policy (Anderson, 2006; Meyer & Rowan, 1977; Sakamoto, 1999; Schouten & Glasbergen,
2011). Normative legitimacy is based on whether something is proper or appropriate for a society as a whole. Legitimacy can be granted if an activity is seen as the “right thing to do” (Suchman, 1995, p. 579) and which benefits the society (Bitektine, 2011).

Inherent in the concept of normative legitimacy is the role of cultural values in defining the conditions for legitimacy. Normative legitimacy entails integrating with the norms and values of the environment (Bitektine, 2011). Norms can emanate from different sources, including professional networks and other groups, but can also be those that are understood as general societal norms (Bitektine, 2011; Parsons, 1960; Ruef & Scott, 1998; Scott, 1991; Suchman, 1995). Societal norms are often tacit and are deeply embedded in the environment, making them difficult for outsiders to perceive and to understand (Kostova & Zaheer, 1999). In a transnational context, the greater the difference between the home country and host country environments, the more difficult it will be for actors to perceive and understand the values of the host country (Kostova & Zaheer, 1999).

**CONTEXTUALIZING POLICY LEGITIMACY IN NON-DEMOCRATIC SYSTEMS**

The framework of policy legitimacy outlined thus far is based on theories that emanate from the Western world and, accordingly, carry both implicit and explicit assumptions about legality, representation, and accountability that are rooted in democratic systems. Because much CBHE activity takes place in countries with non-democratic political and social systems, particularly those in the Middle East and East Asia, it bears considering how theories of legitimacy generated in the West may apply to non-democratic systems. This section discusses the particular features and characteristics of the UAE policy system that bear on the framework of legitimacy described in part one of this chapter.
While the literature on legitimacy theory is largely based on Western democratic systems, certain aspects of organizations function in non-democratic ways, suggesting that the organizational theory literature may provide some insights into how legitimacy theory might apply in non-democratic systems. Pfeffer (1997) notes that establishing systems of participation in organizational decision making helps individuals feel that they are contributing to organizational choices, but these systems are really a way to manage the organization’s culture and build a sense of commitment among its members. Even if participatory decision making systems genuinely incorporate organization members into decision making, the establishment of such systems is at the discretion of the organization’s leaders, thereby making the existence of such systems non-democratic in their origins. In this way, organizational leaders can unilaterally make decisions about which organization’s members are represented in the organization’s decisions, who has the right to contribute feedback, and whether that feedback is ultimately incorporated into the leader’s decisions.

Pfeffer and Salancik (2003) describe the discretionary role that an organization’s management has to decide what elements of the environment to respond to, and to make decisions about how to address those environmental demands on the organization. This relates to this study’s conception of decision norms. In a democratic political system, there is a defined process for policy making and the legitimacy of a policy is assessed in part on the ways in which a specific policy adheres to or deviates from those norms. In the case of an organization, leaders can often choose how to respond to environmental demands without any pre-defined process that sets requirements for the decision norms that they should follow in making those decisions.

Smoke (1994) contends that policy legitimacy is only an issue for democratic governments because in an authoritarian system, the regime is inseparable from its policy.
However, it is a fallacy to presume that policymaking in authoritarian governments is inseparable from the authoritarian leadership. In the UAE, the legitimacy of the monarchies is largely a function of tradition and the system of patrimony and social welfare benefits (Bunglawala, 2011; Davidson, 2005; Herb, 2009; Hudson, 1977). Within this legitimate form of government, policies on a range of issues may be enacted in a variety of ways, some of which may be considered legitimate and others which may not be considered legitimate by the relevant actors. Although authoritarian leaders are not generally subject to the same feedback loops or reelection pressures as democratic leaders, policy-making in the Gulf countries may encounter forms of feedback and pressures for accountability that are distinct from evaluations of the legitimacy of rulers or government system.

**UAE Context: Legality**

The theoretical construct of legality refers to the degree to which policy-making adheres to formal rules. In the UAE, the ultimate authority for policy-making rests with a small group of hereditary leaders whose leadership authority is passed down through the generations of the ruling families (Davidson, 2005).

The UAE government has a federal structure with the hereditary rulers of each of the seven emirates working cooperatively to form a federal government that operates under a constitution, but with significant powers retained by the emirates (Ehteshami & Wright, 2007; Heard-Bay, 2005). The authority to make emirate-level policies rests with the ruler of each emirate; he may consult with advisors, but the formal authority to make policy decision rests with the ruler.

At the federal level, the Supreme Council, comprised of the rulers of each of the emirates, hold the ultimate authority in deciding which laws are passed and how they are passed, albeit with different degrees of influence given the disparities in wealth and resources between Dubai,
Abu Dhabi, and the other five emirates (Davidson, 2005; Heard-Bay, 2005). The Council of Ministers that oversees the various government departments is part of the executive branch of government; the ministers are appointed by the Supreme Council and are primarily members of the ruling families and other elite families (Davidson, 2005).

The Federal National Council (FNC) is a 40-member council whose members have been elected since 2006 by a relatively small group of Emirati citizens who are selected to participate in elections by the rulers in each emirate (Ehteshami & Wright, 2007). The composition of the FNC includes predominantly members of the elite merchant families and “distinguished professionals” from less elite families (Davidson, 2005, p. 193; Ehteshami & Wright, 2007). The FNC does not have a formal policymaking role. Rather, it functions as a formal and enduring forum for discussion, consultation, and feedback to leaders (Davidson, 2005; Heard-Bay, 2005). The role of the FNC is to review proposed legislation and to provide feedback to the rulers, but the FNC has no power or mechanism to formally introduce, approve, or veto legislation (Davidson, 2005; Herb, 2009).

**UAE Context: Decision Norms**

Legality is one of the contributors to legitimacy, but is not always sufficient to establish legitimacy. If a policy is enacted legally, but for example, fails to represent the interests of key stakeholders or does not adhere to the normative values of the community, then its legitimacy could still be contested. In Western democratic systems legality and adherence to a system of rules are significant contributors to policy legitimacy. In contrast, in the UAE the non-formal elements of policy-making are highly important factors in policy-making and thus are highly salient factors in evaluations of legitimacy. In the UAE, interpersonal connections are often prioritized over formal rules (Hutchings & Weir, 2006; Perils of Autocracy, 2009). The cultural
influence of the country’s Bedouin history persists today through the high value placed on affiliation, reputation, and personal trust (Hutchings & Weir, 2006) and loyalties among and between large extended families remain the primary mechanisms by which power and influence are exercised in policy-making (Davidson, 2005).

The concept of *wasta* is very influential in UAE policy-making. Wasta is an Arabic word that refers to the degree of influence that someone has by virtue of their networks and connections in personal, family, business, and political realms (Hutchings & Weir, 2006, Smith, Huang, Harb & Torres, 2012). The concept of wasta is a neutral one, but its negative interpretation suggests that the only effective way to influence business or political realms is through personal connections and that rule-following and knowledge and expertise are not enough to accomplish goals (Grant, Golawala, & McKechnie, 2007; Sidani & Thornberry, 2013; Smith, Huang, Harb, & Torres, 2012).

With the modernization of the UAE and its increasing interaction with the West, formal structures and policy systems have been instituted throughout government to bring the policy system more in line with international norms. However, some have characterized such formalities as a “veneer of organizational formality [masking] tribal structures” (Davidson, 2005). Hutchings and Weir (2006) note that despite the presence of formal policies, individuals who do not develop trust relationships with the right people have a difficult time achieving their goals.

**UAE Context: Representation**

The Western concept of political representation is based on how well leaders represent the interests of their constituents, as well as how effectively various interests are represented in policy-making through other means, such as the electoral process and interest groups. In the
UAE, formal interest groups and political parties are banned (Heard-Bay, 2005), so direct contact between leaders and citizens is the primary way that citizens’ interests are represented in the policy making process. The UAE social and political structures are very much rooted in Bedouin traditions of interest representation of tribe members to their leaders. The majilis is a Bedouin tradition in which tribal leaders hold an open forum where any member of the community may come and speak about their concerns to the leader (Davidson, 2005). The majilis remains an active feature of the UAE political system and provides a way for Emirati nationals to directly access their leaders and to serve as a forum for discussion and consensus-building (Davidson, 2005; Heard-Bay, 2005; Krane, 2009). Therefore, while absolute power does exist in Emirati government, UAE leaders rely heavily on consultation with Emirati nationals and desire to maintain at least the appearance of consensus.

A chief concern for interest representation in the UAE is the diversity of the population in the country, only a small fraction of whom are Emirati citizens (about 20%). While the forum of the majilis is open to Emirati nationals, non-nationals are not commonly allowed access to the majilis, so there is not a clear pathway for non-nationals to represent their interests to leaders.

UAE CONTEXT: NORMATIVE LEGITIMACY

Normative legitimacy is rooted in social and cultural values and beliefs and so is highly variable depending on the context of the evaluating audience. Razi (1990) notes that this form of legitimacy is based in deeply rooted perspectives that develop as individuals are socialized through their families and social institutions. The high proportion of expatriate residents in the UAE presents problems in the development and maintenance of a unified and coherent Emirati or Arab culture (Herb, 2009). The UAE is a mixed, multi-ethnic country in which Emirati nationals are the minority of the population (less than 20%). South Asians make up about 50% of
the population, 23% are expatriates from other Arab countries and Iran, and 8% are from the West and East Asia (CIA, 2013). Because of the diversity of expatriate residents, there is a wide range of cultural and social views that bear on assessments of the legitimacy of CBHE policies. While the Western world is valued for its expertise and its contributions to the economic development of the country, there are tensions related to moral values, gender norms, respect of the UAE national culture, and dominance of Western views (Herb, 2009). Heard-Bay (2005) contends that the small proportion of Emirati citizens serves to solidify and reinforce a sense of nationalism and Emirati identity among nationals.

While there are myriad cultural differences between nationals and many of the expatriate groups, the chief cultural tensions in the UAE are those between tradition and modernity (Davidson, 2005; Findlow, 2008; Herb, 2009). The UAE’s efforts to affiliate with the Western world are a complication for normative legitimacy. Throughout Arab history, education provision has been closely tied to religion and throughout the centuries many of the great Arab universities have merged religious and secular education (Findlow, 2008). In the modern era, the chief tensions in Emirati culture are between conservative individuals who seek to preserve religious perspectives and traditional values and the modernizing forces that seek greater integration with the West and desire more secular approaches to governance in public life (Davidson, 2005; Findlow, 2008). The establishment of wide scale educational institutions in the twentieth century was motivated by the secular desire to educate broad populations and develop a skilled workforce (Findlow, 2008). Thus, the balance of appealing to both secularity and religiosity, to modernization and conservatism are critical tensions at play in Emirati culture today (Davidson, 2005; Findlow, 2008; Herb, 2009).
SUMMARY OF THE THEORETICAL FRAMEWORK OF LEGITIMACY

The growth of cross-border higher education has been driven by both institution-level initiatives and government-level policy efforts in both exporting and importing countries.

Among importing countries, government-driven policies encouraging CBHE are often associated with using foreign universities to develop host country higher education systems. Because CBHE policies are adopted under conditions of uncertainty and limited foresight about the kinds of higher education providers they will attract and because the outcomes of CBHE policies take time to emerge, current evaluations of such a recent phenomenon must rely on other factors.

This study proposes that legitimacy is a valuable construct for evaluating CBHE policies. Legitimacy theory places a policy’s stakeholders at the center of policy evaluation thereby emphasizing stakeholder acceptance of a policy as that which constitutes legitimacy.

Table 2.1 summarizes the elements of legitimacy discussed in this chapter, along with a description of how each legitimacy element may be applied in the non-democratic political and social system of the UAE.

<table>
<thead>
<tr>
<th>Legitimacy Type</th>
<th>Legitimacy Element</th>
<th>Theoretical Construct</th>
<th>UAE Application</th>
</tr>
</thead>
<tbody>
<tr>
<td>Procedural Legitimacy</td>
<td>Legality</td>
<td>The degree to which policymakers follow the formal rules for policy enactment.</td>
<td>Formal rules exist in some cases, but contend with deeply rooted informal policy processes.</td>
</tr>
<tr>
<td></td>
<td>Decision Norms</td>
<td>The degree to which policymakers adhere to the informal practices for policy-making that are accepted in a given policy community.</td>
<td>Personal connections are prioritized over formal procedures.</td>
</tr>
<tr>
<td></td>
<td>Representation</td>
<td>Authorization: Recognition of representatives through formal mechanisms. Accountability: Feedback on policies, often through the electoral process.</td>
<td>People with credentials and those in positions of authority are recognized. Feedback to leaders occurs through informal consultation and meetings rather than through popular elections</td>
</tr>
<tr>
<td><strong>Expertise</strong></td>
<td>Technical knowledge as signaled by experience and credentials.</td>
<td>Expertise and credentials are recognized as in the West.</td>
<td></td>
</tr>
<tr>
<td>--------------</td>
<td>---------------------------------------------------------------</td>
<td>----------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>Participation</strong></td>
<td>A small group of individuals acting on behalf of a larger group to represent their views.</td>
<td>Rather than organized political parties or interest groups, influence on policymakers is a function of elites and direct appeals to leaders.</td>
<td></td>
</tr>
<tr>
<td><strong>Resemblance</strong></td>
<td>The degree to which policy actors or representatives resemble those whom they govern or represent.</td>
<td>Policymaking in the UAE is heavily reliant on the technical expertise of expatriates from other Arab countries &amp; the West, so many policy actors do not resemble Emirati nationals.</td>
<td></td>
</tr>
<tr>
<td><strong>Normative</strong></td>
<td>Social acceptance of the content of a policy within a given social system.</td>
<td>High level of diversity in the UAE complicates normative expectations. “Who’s legitimacy” is the key question.</td>
<td></td>
</tr>
</tbody>
</table>
Chapter 3  RESEARCH DESIGN, METHODS, AND ANALYSIS

INTRODUCTION
This research utilizes a comparative case study approach to investigate the legitimacy of cross-border higher education policies and compares the CBHE policies in two higher education systems in the UAE. This chapter describes the research design, methods, and analytical approaches that were taken to investigate stakeholders’ evaluations of the legitimacy of CBHE policies. The perspectives of a wide range of stakeholders and higher education policymakers were collected through interviews and site visits conducted during a three-month period of fieldwork. Additional data obtained from site visits to educational institutions and from documents supplement the field interviews and site visits.

RESEARCH QUESTIONS
The function of research questions is to delimit the pool of potential data to that which is relevant to the research topic and to exclude extraneous data that does not contribute to addressing the research problem (Maxwell, 2005). Research questions provide a framework to connect the study’s goals and conceptual framework with the data collected and the procedures used to analyze the data (Maxwell, 2005). The research questions that guide this study were developed prior to data collection in order frame the investigation of how the legitimacy of CBHE policies is evaluated. During data collection and analysis the questions were refined to better focus my inquiry on the concept of policy legitimacy.

The initial formulation of the research questions was as follows:

1. How do local stakeholders evaluate the legitimacy of CBHE policies?
2. What are the goals of CBHE policies in each subsystem?

3. How do the goals of CBHE policies compare to local stakeholders’ expectations of CBHE policies?

4. How does the implementation of CBHE policies compare between higher education subsystems?

5. How do the findings of this study, grounded in a non-democratic environment, resonate with existing policy legitimacy theories?

In the early stages of interviewing and initial data analysis, I eliminated question 4 regarding implementation because I found it to be a distraction from the core issue of legitimacy. Discussion of the policies’ implementation was embedded in study participants’ responses and was part of stakeholders’ evaluations of policy legitimacy, but did not warrant an independent comparison across the higher education subsystems for this study. The concept of implementation remains in the data collection and analysis, but is limited to its relationship to the legitimacy of each subsystem’s policies.

I also modified the questions related to policy goals. The changes I made recognize that it is difficult to assess the motivations of policymakers and determine the true goals of policies. Determining true goals would require being very deeply embedded in Emirati policymaking systems, which would be difficult for a non-Emirati to achieve. In this study, I rely on stakeholders’ perceptions of the goals of CBHE policies. Regardless of the true intentions of policymakers, higher education stakeholders each have their own understanding of the goals of CBHE policies and they often base their legitimacy assessments upon their understandings of policy goal.

The final research questions guiding the study are as follows:
1. What are the goals of CBHE policies as perceived by higher education stakeholders? How do these goals serve to increase the legitimacy of the higher education subsystem?

2. How do resident higher education stakeholders evaluate the legitimacy of CBHE policies?

3. How do the findings of this study on legitimacy in a non-democratic environment resonate with existing policy legitimacy theories?

**PERSPECTIVES THAT GROUNDED THE STUDY**

In designing this study, I made some epistemological choices that bounded my inquiry in certain ways. While epistemological choices are often left unstated (Maxwell, 2005; Yin, 2009), I present them here to provide clarity and transparency on my approach in designing the study.

**CASE STUDY APPROACH**

The research method employed in this study is the case study method. The case study approach was selected for its suitability for deeply exploring a phenomenon within its context (Yin, 2009). For the purposes of this study, context is bounded by geographic location as well as by the higher education subsystems that exist within the UAE. The political boundaries of the UAE delimit the pool of higher education systems from which the cases were chosen. Confining the case selection to a single country allows for a comparison of the legitimacy of different policy approaches to CBHE while holding the major features of the political and social systems constant. The cases chosen are also bounded by time in that the research focuses on assessing the legitimacy of current approaches to CBHE policies.

Both higher education and legitimacy are phenomena that are closely tied to their contexts (Bitektine, 2011; Kostova & Zaheer, 1999; Peterson, 2007). Higher education
institutions and systems are often designed to meet local needs and generally evolve and develop in response to their environments (Peterson, 2007). When higher education crosses borders it enters into an environment different from the one in which it has evolved and developed over time. In moving into a different context, higher education institutions and practice bring their history, assumptions, and norms that differ from those in the host country. Legitimacy is also a phenomenon that is closely tied to context, as stakeholders who evaluate legitimacy are cognitively bounded by their environments and experiences (Bitektine, 2011). In other words, the norms of the environment shape the criteria used by stakeholders in evaluating legitimacy, and those norms vary from context to context.

Given the close relationship between CBHE, legitimacy, and context, the case study approach strengthens this study by making it possible to deeply explore both the legitimacy of cross-border higher education and its context in order and the interaction between the two. A case study approach allows me to decipher what contextual influences are at work in stakeholders’ evaluations of the legitimacy of cross-border higher education. This is particularly important because the legitimacy of cross-border higher education stands at the interface of the contextual influences of both the exporting and importing countries. Thus, a case study approach is particularly well-suited to untangling the influence of multiple contexts on the phenomenon under study.

**Comparative Approach**

A comparative approach to the study of education aims to investigate a single concept in multiple contexts in order to compare and explain the differences found in those contexts (Phillips, 2006a). The meaning and significance of policies can vary significantly according to their contexts making it important to take account of a particular environment to understand what
a policy means from within its own context, so as not to distort the policy’s meaning (Rui, 2007). This study utilizes a comparative method by examining policy legitimacy two of the UAE’s five higher education subsystems, each of which has taken a different policy approach to importing CBHE. Rather than conducting a cross-national comparison, this study is designed to compare policies within a single country. The purpose of conducting intra-country comparisons of CBHE policies in the UAE’s higher education systems is to gain insight into the process of assessing legitimacy and how the assessments of legitimacy vary according to policy approaches. The design of the study is intended to keep much of the national context constant, although with a recognition of the intra-country variations in the UAE’s higher education sub-systems.

While the primary comparative focus is on policies within a single country, an international comparative perspective is also embedded in the study because the policies under investigation address the mobility of people, practices, and institutions from many countries into the UAE. In order to study how these policies are received, we must be able to engage in some comparison of the relevant features and characteristics of the higher education being imported with the features and characteristics higher education system that is doing the importing. Thus, this study contains two modes of comparison – a “thick” comparison of the CBHE policies across two higher education systems within a single country, as well as a comparison rooted in a single country while making comparisons to other countries as warranted (Bray, Adamson, & Mason, 2007).

Comparison of multiple cases helps to provide a more sophisticated and robust understanding than a single perspective is able to achieve (Phillips, 2006b; Yin, 2009). Making comparisons between cases helps to illuminate the weaknesses and strengths of each case and aids in generating more comprehensive knowledge about the topic under investigation.
Designing a comparative study that focuses on the same aspects of each case allows for a robust analysis of policy legitimacy that contributes to the development of a theory about the phenomenon of interest (George & Bennett, 2005). Thus, this study is designed to focus on specific features of higher education policy in each system, thereby reducing the risk of devolving the study into endless description that is not focused enough to contribute to theory development. By focusing specifically on a comparison of the perceived legitimacy of CBHE policies across multiple higher education systems, this study aims to generate an understanding of the legitimacy of CBHE policies that may also contribute to the understanding of CBHE legitimacy in other contexts.

**BOUNDARIES OF THE STUDY**

The focus of this study is on the perceptions of the higher education stakeholders in an importing country. This is not a study of the exporter perspective on the legitimacy of higher education, so the perspectives of individuals outside the UAE fall outside the scope of the study.

As well, this study excludes the perspectives of individuals in the UAE who do not have a direct interest in or connection to higher education institutions or to higher education policy. Higher education’s impacts can resonate to individuals who may be quite removed from higher education, but this study seeks out only the perspectives of stakeholders who are directly tied to higher education under the assumption that such stakeholders will be aware of cross-border higher education policies and practices and will be knowledgeable of the relationship between CBHE policies and education more broadly.
**RESEARCH DESIGN**

*MULTIPLE CASE STUDY AND CASE SELECTION*

This study is designed as a comparative case study of the United Arab Emirates. A case study allows for a deep investigation into the “how” and “why” of a phenomenon (Yin, 2009), making it an appropriate approach for investigating how local stakeholders define and evaluate the legitimacy of CBHE policies. The UAE has been chosen as the location for the study because its high levels of cross-border higher education provide an “extreme case” (Yin, 2009) of the importation of CBHE. The concentration of CBHE in the UAE produces a concentration of higher education stakeholders who have had exposure to cross-border higher education and are likely to be aware of and knowledgeable about CBHE policies.

The study was designed as a multiple case study to allow for cross-case comparison across the higher education subsystems (Yin, 2009). Multiple case studies follow a logic of replication of the study design for each case (Yin, 2009), meaning that the same research questions and conceptual framework were applied to each case to allow for a comparison of legitimacy conditions across the subsystems. The higher education subsystems in this study – Dubai and Ras Al Khaimah – are defined by the policy systems that are in place for overseeing higher education. These two emirates have implemented similar policies for CBHE, but differ somewhat in the demographics, economics, and levels of development.

**DATA COLLECTION METHODS**

*INTERVIEWS*

The primary data source for this study is interviews with higher education stakeholders and policymakers. Interviews are suitable for generating data on people’s lived experiences (Seidman, 2006) and thus are an appropriate means for collecting information on how
stakeholders experience and evaluate cross-border higher education policies. In this study, higher education stakeholders were interviewed to learn their perspectives regarding the CBHE policies in their higher education systems, while policymakers were interviewed to gain insight into the goals and content of cross-border higher education policies. The perceptions and beliefs of the interview participants are treated in this study as “real data”, despite the fact that perceptions, beliefs, and feelings cannot be independently observed. This realist approach to interview research is in line with Maxwell’s (2005) view that “unobserved phenomena [are] real, and [interview data provide] evidence about these [phenomena], to be used critically to develop and test ideas about the existence and the nature of the phenomena” (p. 73).

The semi-structured interview approach used in this study was intended to allow study participants to share their views and to guide the discussion to topics they perceived as relevant, thereby providing the researcher the opportunity to empathize with their participants and to gain the “insider perspective” on the topic at hand (Fairbrother, 2007). Taking a semi-structured approach to the interviews was intended to elicit responses that were directly related to the interview protocol, as well as to provide insight into the topics deemed important and relevant to study participants. Allowing participants to partially direct the interview conversations was intended to aid in understanding the contexts that were relevant to different types of study participants in different higher education systems.

**SELECTION AND RECRUITMENT OF INTERVIEW SUBJECTS**

Interviews were conducted with two classes of individuals – policymakers and higher education stakeholders. Policy makers include government officials and employees of semi-government agencies. In the UAE, many policies are adopted without public debate and there is
often no written record of policies ("Perils of Autocracy", 2009), so policymakers were interviewed to provide information on the content, motivations, and goals of the policies.

Higher education stakeholders are included because they are a rich source of evaluations of the legitimacy of CBHE policies. Following a framework adapted from Jongbloed, Enders, and Salerno (2008), efforts were made to include as wide a variety of stakeholders as possible in each sub-system in order to solicit a wide variety of perspectives. The original framework developed by Jongbloed, Enders, and Salerno (2008) has been adapted by listing the constitutive stakeholders that are relevant to higher education in the UAE (Table 3.1). This table was used as a framework for identifying and selecting a broad variety of stakeholders for participation in the study. The intention was not to provide a strict framework for recruiting study participants, but rather to inform a robust and broad definition of higher education stakeholders so that the data collected would represent as many viewpoints as possible.

Table 3.1. Stakeholders in Higher Education in the UAE

<table>
<thead>
<tr>
<th>Stakeholder Category</th>
<th>Constitutive stakeholders</th>
</tr>
</thead>
<tbody>
<tr>
<td>Governing Entities</td>
<td>Ministry of Education (federal level); UAE accreditation agencies; local education councils (emirate level); university boards of trustees</td>
</tr>
<tr>
<td>Administration</td>
<td>University presidents; deans; senior administrators</td>
</tr>
<tr>
<td>Employees</td>
<td>Faculty; professional staff</td>
</tr>
<tr>
<td>Clientele</td>
<td>Local employers; Business organizations; Development organizations</td>
</tr>
<tr>
<td>Suppliers</td>
<td>Principals and administrators of secondary schools; university alumni; other colleges and universities</td>
</tr>
<tr>
<td>Competitors</td>
<td>Direct: private and public providers of post-secondary education</td>
</tr>
<tr>
<td></td>
<td>Potential: distance providers; new ventures</td>
</tr>
<tr>
<td></td>
<td>Substitutes: postsecondary vocational schools</td>
</tr>
<tr>
<td>Donors</td>
<td>Research funders; foundations</td>
</tr>
<tr>
<td>Communities</td>
<td>Chambers of commerce</td>
</tr>
<tr>
<td>Government regulators</td>
<td>Ministry of Education; buffer organizations; state &amp; federal financial aid agencies; research councils; federal research support; tax authorities; social security; Patent Office</td>
</tr>
<tr>
<td>Non-governmental regulators</td>
<td>International institutional and programmatic accrediting bodies; professional associations</td>
</tr>
<tr>
<td>Financial intermediaries</td>
<td>Education investment organizations (Ex., Tecom Investments, EDRAK)</td>
</tr>
<tr>
<td>Joint venture partners</td>
<td>Alliances &amp; consortia; corporate co-sponsors of research &amp; education services</td>
</tr>
</tbody>
</table>

Adapted from Jongbloed, Enders, and Salerno (2008).
The recruitment of study participants relied heavily on personal referrals and connections to prior study participants because Emirati culture places great importance on the credibility of personal connections (Hutchings & Weir, 2006). Potential interview subjects were identified through snowball sampling as well as by cold calling individuals whose names were found on websites or in newspaper articles related to cross-border higher education in the UAE. The *Sheikh Saud Bin Saqr Al Qasimi Foundation for Policy Research*, which hosted me in in Ras al Khaimah during my fieldwork, helped facilitate the recruitment of study participants by providing some referrals and initial introductions to appropriate individuals. Other study participants were identified through referrals by confirmed study participants and individuals previously known to me, or were identified by locating their names on public websites.

**Interview Procedures**

Interviews were conducted in the United Arab Emirates from January to April 2012. Prior to data collection, it was estimated that about 50 to 75 interviews would be conducted; by the end of the data collection, I conducted 68 meetings with a grand total of 85 unique individuals. The decision to stop interviewing was made when the interview subjects generated repetitive information without substantially new information provided (Seidman, 2006). Most interviews were single meetings lasting about 45 to 60 minutes and were conducted individually in private offices, but some were conducted in pairs. Two meetings with students were held in groups of four and six students. All interviews were conducted in English, which is the primary language of business and higher education in the UAE.

All interviews were conducted confidentially, with assurances that the study participants’ identities and affiliations would not be reported. Prior to each interview, each participant was presented with an informed consent document describing the study, its confidentiality measures,
and their rights to withdraw from the study at any time. Permission was requested to record the interviews and in most cases, permission was granted by the study participants. A total of fifty recordings were made; one recording was transcribed by the principal investigator and the remaining recordings were transcribed by a U.S.-based transcription company. In 18 cases, study participants declined to be recorded. In these instances, the interviews proceeded without recordings and extensive notes were taken during and immediately following the interview.

Written notes were taken during each interview and analytical field notes were written after the interviews. The notes written during fieldwork allowed me to capture emerging insights and impressions that were not explicitly discussed during the interviews. These written notes were typed and included in the data set for coding and analysis as an additional source of data on the legitimacy of CBHE policies.

Interviews followed a semi-structured format to elicit specific information on CBHE policies and their legitimacy, while allowing flexibility for interview subjects to offer perspectives that were unanticipated by me. The interview protocol that was designed prior to data collection was modified early in the data collection process. Following the first interview I determined that the original protocol was too general to generate data on the elements of policy legitimacy that were conceptualized in my theoretical framework. Subsequently, I revised the protocol to include more direct questions about legality, feedback, and representation in CBHE policymaking. I also included questions for higher education stakeholders that asked for their impressions of the goals and purposes of the CBHE policies in their systems. Lastly, I added questions for both policymakers and stakeholders that were directed at collecting objective information on the CBHE policy-making and oversight structures in each of the higher education systems. (See Appendix C for the original and revised interview protocols.)
DEMOCRATICS OF STUDY PARTICIPANTS

During three months of fieldwork in the UAE, I was able to interview a total of 85 higher education stakeholders. More than half the interviews (53 percent) were conducted in Dubai and Ras Al Khaimah. The remaining interviews were conducted in other parts of the UAE; these interviews were not incorporated into the case study analysis, but provided background context. Of the 85 study participants, 31 (36.5 percent) were female and 54 (63.5 percent) were male. The distribution of study participants across the higher education subsystems is illustrated in Figure 3.1. The study participants categorized as “General” are individuals with expertise on UAE higher education that spans multiple sub-systems, but are not affiliated with a particular subsystem.

**Figure 3-1. Study Participants by Higher Education Subsystem**

To aid in the analysis, all study participants were categorized according to their primary roles (Table 3.2). Additionally, 13 stakeholders were also assigned a secondary role; secondary roles were assigned in cases where individuals held multiple roles within an organization or were
able to draw on different experiences in interviews. Examples of dual roles included individuals who served in both faculty and administrative capacities, business people who also had experience as students in the UAE, and faculty with experience in the business world. The presence of study participants with multiple roles served to enrich the data as these individuals possessed both a depth of experience in their roles, as well as a breadth of experience that allowed them to make connections across their various roles regarding the value and importance of CBHE policies to higher education.

Table 3-2. Primary and Secondary Roles of Study Participants

<table>
<thead>
<tr>
<th>Role</th>
<th>n</th>
<th>Primary</th>
<th>Secondary</th>
<th>% Primary</th>
<th>Secondary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrator - Total</td>
<td>34</td>
<td>1</td>
<td>40.0</td>
<td>7.7</td>
<td></td>
</tr>
<tr>
<td>Dubai &amp; RAK</td>
<td>20</td>
<td>1</td>
<td>23.5</td>
<td>7.7</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>14</td>
<td>0</td>
<td>16.5</td>
<td>0.0</td>
<td></td>
</tr>
<tr>
<td>Business - Total</td>
<td>2</td>
<td>3</td>
<td>2.4</td>
<td>23.1</td>
<td></td>
</tr>
<tr>
<td>Dubai &amp; RAK</td>
<td>2</td>
<td>3</td>
<td>2.4</td>
<td>23.1</td>
<td></td>
</tr>
<tr>
<td>Other</td>
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</tr>
<tr>
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</tr>
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<td>Dubai &amp; RAK</td>
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<tr>
<td>Faculty - Total</td>
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<td>4</td>
<td>24.7</td>
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</tr>
<tr>
<td>Dubai &amp; RAK</td>
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<td>2</td>
<td>9.4</td>
<td>15.4</td>
<td></td>
</tr>
<tr>
<td>Other</td>
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<td>2</td>
<td>15.3</td>
<td>15.4</td>
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</tr>
<tr>
<td>Policymaker - Total</td>
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<td></td>
</tr>
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<tr>
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<td>0</td>
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<td></td>
</tr>
<tr>
<td>Student - Total</td>
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<td>2</td>
<td>18.8</td>
<td>15.4</td>
<td></td>
</tr>
<tr>
<td>Dubai &amp; RAK</td>
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<td>2</td>
<td>10.6</td>
<td>15.4</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>7</td>
<td>0</td>
<td>8.2</td>
<td>0.0</td>
<td></td>
</tr>
<tr>
<td>All Roles - Total</td>
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<td>13</td>
<td>100</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Dubai &amp; RAK</td>
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<td>10</td>
<td>52.9</td>
<td>76.9</td>
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<tr>
<td>Other</td>
<td>40</td>
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<td>47.1</td>
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</table>
As the vast majority of the UAE’s population are expatriates, the study sample includes a high proportion of expatriates. Table 3.2 lists the places of origin of study participants by world regions, as well as the location of the highest degree earned by study participants. The majority of study participants were expatriates (77.7 percent) and only 17.6 percent of participants were Emirati. This is very close to the proportion of Emiratis in the population as a whole, which is estimated to be 17.0 percent of the UAE’s population (UAE National Bureau of Statistics, 2011). Among the 45 study participants from Dubai and Ras Al Khaimah, just 13 percent were Emirati and 31 percent were from Western countries (Figure 3.2). However, 44 percent of the study participants in Dubai and Ras Al Khaimah received their highest degree in a Western country (Figure 3.2).
Table 3-3. Study Participants' Region of Origin and Location of Highest Degree Earned

<table>
<thead>
<tr>
<th>Region of Origin</th>
<th>Region</th>
<th>n</th>
<th>%</th>
<th>Location of Highest Degree</th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Western</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Europe - Total</td>
<td></td>
<td>12</td>
<td>14.1</td>
<td></td>
<td>18</td>
<td>21.2</td>
</tr>
<tr>
<td>Dubai &amp; RAK</td>
<td></td>
<td>8</td>
<td>9.4</td>
<td></td>
<td>12</td>
<td>14.1</td>
</tr>
<tr>
<td>Other</td>
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<td>4</td>
<td>4.7</td>
<td></td>
<td>6</td>
<td>7.1</td>
</tr>
<tr>
<td>North America - Total</td>
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<td>23</td>
<td>27.1</td>
<td></td>
<td>31</td>
<td>36.5</td>
</tr>
<tr>
<td>Dubai &amp; RAK</td>
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<td>7</td>
<td>8.2</td>
</tr>
<tr>
<td>Other</td>
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<td>19</td>
<td>22.4</td>
<td></td>
<td>24</td>
<td>28.2</td>
</tr>
<tr>
<td>Other Western Countries - Total</td>
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<td>2</td>
<td>2.4</td>
<td></td>
<td>2</td>
<td>2.4</td>
</tr>
<tr>
<td>Dubai &amp; RAK</td>
<td></td>
<td>2</td>
<td>2.4</td>
<td></td>
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<td>1.2</td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td>0</td>
<td>0.0</td>
<td></td>
<td>1</td>
<td>1.2</td>
</tr>
<tr>
<td>Non-Western</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Asia - Total</td>
<td></td>
<td>14</td>
<td>16.5</td>
<td></td>
<td>7</td>
<td>8.2</td>
</tr>
<tr>
<td>Dubai &amp; RAK</td>
<td></td>
<td>12</td>
<td>14.1</td>
<td></td>
<td>7</td>
<td>8.2</td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td>2</td>
<td>2.4</td>
<td></td>
<td>0</td>
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</tr>
<tr>
<td>UAE - Total</td>
<td></td>
<td>15</td>
<td>17.6</td>
<td></td>
<td>20</td>
<td>23.5</td>
</tr>
<tr>
<td>Dubai &amp; RAK</td>
<td></td>
<td>6</td>
<td>7.1</td>
<td></td>
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<td>15.3</td>
</tr>
<tr>
<td>Other</td>
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<td>9</td>
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<td></td>
<td>7</td>
<td>8.2</td>
</tr>
<tr>
<td>Other Arab - Total</td>
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</tr>
<tr>
<td>Dubai &amp; RAK</td>
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<td>10.6</td>
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<tr>
<td>Other</td>
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</tr>
<tr>
<td>Other Non-Western - Total</td>
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<td>1.2</td>
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<tr>
<td>Dubai &amp; RAK</td>
<td></td>
<td>1</td>
<td>1.2</td>
<td></td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td>0</td>
<td>0.0</td>
<td></td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>Unknown - Total</td>
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<td>4</td>
<td>4.7</td>
<td></td>
<td>7</td>
<td>8.2</td>
</tr>
<tr>
<td>Dubai &amp; RAK</td>
<td></td>
<td>3</td>
<td>3.5</td>
<td></td>
<td>5</td>
<td>5.9</td>
</tr>
<tr>
<td>Other</td>
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<td>1</td>
<td>1.2</td>
<td></td>
<td>2</td>
<td>2.4</td>
</tr>
</tbody>
</table>
FIELDWORK OBSERVATION

Fieldwork was conducted in the United Arab Emirates from January to April 2012. During that time, I conducted observations of the higher education sub-systems through site visits, campus tours, lectures and other public events, and informal conversations with higher education stakeholders. I also observed elements of the culture that bear on policymaking and education through interactions with Emirati and expatriate residents of the UAE and media reports. Observations were recorded in written notes and typed up for coding and analysis. Particular attention was paid to identifying “contrastive rhetoric” (Delamont, 2002) and paradoxes that might suggest a different interpretation of higher education than was revealed in the interviews. Fieldwork observations enhanced the study by providing a means for understanding the cultural context of the United Arab Emirates, thereby supporting my efforts to make sense of the data from the perspectives of the study participants (Maxwell, 2005).
**DOCUMENT ANALYSIS**

Additional data gathered from documents related to higher education in the UAE was used to illuminate the context of foreign higher education in the UAE and to contradict or corroborate the interview data (Yin, 2009). Most documents included in the study are publicly available and include policy reports, university marketing literature, web sites, and media reports. Examples of the types of documents included in the study include articles from local newspapers, university admissions brochures, student magazines, websites of government agencies involved in higher education, policy and research reports produced by both government and independent agencies, university fact books, and accreditation reports.

**DATA ANALYSIS**

Data analysis is an ongoing process that occurs before, during, and after data collection (Huberman and Miles, 1994). The theoretical framework and research questions serve to reduce the potential data pool prior to data collection. The study participants engaged in discussions of a wide variety of topics, many of which bear on the legitimacy of CBHE policies, including pedagogy and curricula, research and innovation, regulation and quality assurance, and financial and business arrangements. Analysis of such issues was tailored to how they bear on the legitimacy of CBHE policies.

Data analysis of interviews, notes, and documents followed a grounded theory approach as presented by Strauss (1987) and Corbin and Strauss (2008). Grounded theory analysis provides a system for generating theory based on the data collected in the study. Interview transcripts, research notes, and documents were entered into Atlas.ti qualitative research software. The files were then grouped by higher education subsystem. Each subsystem was coded and analyzed together as a group before moving on to the next subsystem. However, with
each round of coding, previously analyzed data were revisited to revise prior analysis in light of the new analysis. Data analysis of each subsystem began with a process of open coding to identify concepts and themes embedded in the data. During and subsequent to open coding, axial coding was conducted to further delineate the subdimensions of each code; and selective coding was conducted to clarify the relationships among concepts and between identified concepts and emerging themes (Grbich, 2007; Strauss, 1987). Throughout the coding process, ongoing analytical memos were written to capture insights into the connections between concepts and emerging themes; these memos served as the foundation for developing a theory of policy legitimacy (Grbich, 2007; Strauss, 1987).

The intended result of the study is to create a typological theory that proposes a relationship between the types of CBHE policies (independent variable) and the perceived legitimacy of the policies (the dependent variable). Typological theories are those which “specify the pathways through which particular types relate to specified outcomes” (George & Bennett, 2005, p. 235). In the context of this study, the pathways that tie CBHE policy types to legitimacy assessments consist of the factors that stakeholders use in their assessments of CBHE. To arrive at a theory of legitimacy of CBHE policies, the analysis follows the inductive method of developing typological theories, as outlined by George and Bennett (2005). Inductive analysis proceeded by comparing the findings of each subsystem on the factors used by stakeholders in evaluating CBHE policies, against one another and against the existing theories of policy legitimacy as outlined in Chapter 2.

**STUDY VALIDITY**

Validity in qualitative research relies on constructing the research design to ensure the “correctness or credibility of a description, conclusion, explanation, interpretation, or other sort
of account” (Maxwell, 2005, p. 106). This study seeks to increase the validity of the data through the comparison of cases, data triangulation, and extended fieldwork (Denzin, 1989; Maxwell, 2005.) Additional strategies of data validity include the recording of interviews and the production of transcripts, member checks with study participants, and actively seeking discrepant evidence (Maxwell, 2005). Drawing on Maxwell (2005), several components of the research design have been developed to enhance the study’s validity:

**LONG-TERM INVOLVEMENT**

The purpose of conducting extended field work was to be able to fully immerse myself in the culture and environment of the UAE to obtain a thorough and detailed understanding of the UAE context. Conducting three months of field work while living in the UAE provided long-term, intense involvement in the study environment. This extended involvement enhanced the depth and richness of my observations and provided extensive opportunities to understand the cultural context and to identify potentially discrepant information. Spending extensive time in the country also enhanced by ability to develop relationships and networks necessary to access certain study participants. For example, in a few cases study participants assisted in providing access to others at their institutions and I was able to revisit those institutions to interview multiple stakeholders in a variety of roles.

**RICH DATA**

The term “rich data” refers to detailed data that present a comprehensive picture of the phenomenon being studied (Becker, 1970, in Maxwell, 2005). In interview research, the production of rich data entails recording interviews and producing verbatim transcripts that can be repeatedly scrutinized for discrepant information and insights that might not have been immediately apparent during data collection (Maxwell, 2005). The strategy of recording of
interviews and production of transcripts in this study was aimed at providing rich data, and was reasonably successful given that I was able to record 50 of 68 interview meetings. In the 18 instances when participants declined to be recorded, I took detailed written notes during and immediately after the interviews.

**Member Checks**

Member checks involve sharing interpretations of conversations or events to study participants and asking participants if the researcher’s understandings are correct. During the course of my interviews and observations, I conducted member checks with participants to ensure that I correctly understood their meaning and was accurately interpreting the meaning of local events. This process allowed study participants to correct any inaccurate interpretations on my part.

**Negative Cases and Discrepant Evidence**

I actively sought out negative cases and discrepant evidence that did not appear to fit the conceptual model of the study or conflicted with the reported perceptions of other study participants. The purposeful selection of interview subjects who represented a range of positions and viewpoints aided in locating diverse viewpoints. One potential threat to the validity of this data was the inclusion of officials and policy elites who may have a tendency to describe foreign higher education in overly optimistic terms or to minimize or obscure information that may be unflattering. To reduce this validity threat I actively sought interview subjects from both elite and non-elite groups. By the end of the interview phase of the study, I was able to interview study participants in a variety of roles, particularly higher education administrators, faculty, and students, as well as a broad representation of participants from Western and Non-Western (Arab and Asian) backgrounds. (See also Tables 3.2 and 3.3,)
**DATA TRIANGULATION**

Data triangulation involves mediating the weaknesses of one data source by using a complementary data source, with the goal of exposing inconsistencies in interpretations so that the differences can be further explored and interpreted (Denzin, 1989). To achieve data triangulation, I supplemented stakeholder interview data with survey data, field observations, and documents in my analysis. Furthermore, interviews conducted in other higher education subsystems in the UAE provided contextual information that aided in triangulating the study’s findings in the Dubai and RAK cases.

**CASE COMPARISON**

Comparison between the UAE’s four higher education subsystems aimed to enhance the validity of the study by highlighting differences between the cases. Apparent differences between cases might be scrutinized to explore whether they could be causally related to the subsystem or were the result of random variation between interviewees. The function of comparison was to consider whether differences in study participants’ perspectives were connected to actual differences in environments rather than to random variation in the interview subjects’ interpretations.

**LIMITATIONS**

While this study was designed to minimize concerns about the reliability and validity of data, there are several limitations of the data that can potentially impact the findings.

**ACCESSIBILITY OF DATA**

While the study was designed to seek out as wide a variety as possible of stakeholder viewpoints, some perspectives were underrepresented due to time limitations and the associated
inability to build the relationships necessary to access representatives of certain groups. A significant gap in student representation is the absence of male Emirati students in the study. Efforts were made to include male Emirati students in the study through email and personal referrals, but no male students replied. This may be attributable to the relatively low levels of involvement and engagement in education by male Emirati students; male Emiratis make up less than 30 percent of all Emirati university students in public universities and there are reports of males Emiratis’ low levels of engagement in their educational experiences\(^2\) (Ridge & Farah, 2012). Apart from the difficulties in accessing male Emirati students, there were no apparent limitations in data collection related to gender. I was able to access both male and female study participants representing all stakeholder groups, excepting male Emirati students in higher education.

Another limitation of the study was the limited candor of some study participants. A number of study participants spoke very carefully regarding their assessments of the UAE’s CBHE policies. While freedom of speech is included in the UAE’s constitution, several laws make it illegal to criticize the UAE government (U.S. Department of State, 2011), which may account for some individuals’ reluctance to share candid opinions of CBHE policies. For example, Article 176 of the penal code makes it illegal to publicly insult public officials and Article 180 makes it illegal to form, join, or cooperate with a group aimed at overthrowing the government, opposing the basic principles supporting the government, or opposing the national unity or social peace (United Nations Office on Drugs and Crime, 2013). Media reports suggest that it is primarily Emiratis who advocate for government reform who are prosecuted under these

\(^2\) Ridge and Farah (2012) reported that only 18% of male Emirati university students surveyed “liked [school] a lot”, 65% rarely or never went to the library, and 70% of respondents indicated that they had friends who had dropped out of school.
laws. In 2011, five Emirati men were arrested and tried for criticism of the government and they ultimately had their citizenship revoked (Human Rights Watch, 2012; Shah, 2012). For resident foreigners, a more likely scenario is to have their residency visa revoked and to be ejected from the country, as occurred with one Western university professor in summer 2012 (Martin, 2012). Foreign NGOs have also been ejected from the country, including Germany’s Konrad-Adenauer-Stiftung, the National Democratic Institute (U.S.), and the Rand Institute (U.S.) (Kasolowsky, 2012).

Given the potential severity of the consequences of critical speech, I aimed to mediate potential self-censorship by asking study participants to comment on my own observations or comments that I heard from others. I also asked study participants to give suggestions on changes and improvements to the existing system that they might like to see in the future and I occasionally asked participants to comment on other higher education subsystems, with the assumption that study participants may be more likely to give candid evaluations of systems that are not their own. Eliciting comments on hypothetical scenarios has been noted as a strategy for overcoming self-censorship in qualitative research (Adler & Adler, 2003).

The success of these strategies varied. My impression based on the experiences of conducting the interviews in the UAE is that individuals from Western backgrounds and those who had significant educational or professional experience in the West were relatively candid in their comments and were often quite open about expressing critical views. For example, a number of Western faculty members complained about CBHE policies that contributed to what they perceived to be low academic quality. Among interview participants with experience in the West, those who appeared reserved or equivocal in expressing critical views tended to be those in positions of authority, such as policymakers and heads of institutions. On the whole, non-
Western study participants – particularly Emirati nationals and South Asian study participants – tended to be more cautious in their comments and more circumspect in signing the informed consent document, with a couple of participants only agreeing to sign the document after the interview was completed. While no participants refused to sign the informed consent, 18 participants declined to be recorded and those interviews proceeded without recording. However, receiving the informed consent requests may have limited the participants’ candor during the interviews as participants were concerned that by signing their names, what they said could be connected back to them, despite the guarantees of confidentiality included in the informed consent.

While it is difficult to provide examples of what a study participant did not say, one incident that occurred during a meeting with two Arab teaching staff is perhaps suggestive of the kinds of self-censorship that occurred. During the interview, one participant made some critical comments about the education system in another emirate, in which he had previous experience. I asked a few follow up questions to pursue this line of discussion. After a minute or two, we were abruptly but amiably interrupted by the third interview participant who was more senior at that institution and who steered the discussion to a new topic unrelated to education. The exception to this norm was the comments of Emirati students. The students who participated in the study appeared to be very candid in their comments and some stated that they wanted to participate in the study because they were disgruntled about certain aspects of CBHE in the UAE and wanted to share their views.

**GENERALIZABILITY**

This study aims to produce an “analytic generalizability” (Yin, 2009), meaning that the findings of the study are intended to be generalizable to a theory of how legitimacy is evaluated
The aim of this study is to arrive at a theory of how evaluations of CBHE legitimacy vary by policy type, with the goal of being generalizable to CBHE policies of the same types as those included in the study. However, this study is limited by the CBHE policies that have been implemented in Dubai and RAK and the fact that these two cases may not represent the full spectrum of possible CBHE policy types. Numerous higher education systems throughout the world have implemented CBHE policies, some of which differ significantly from those included in this study. Most countries that import CBHE do so on a limited scale. Further research may reveal inconsistencies between the findings of this study and the processes of evaluating the legitimacy of CBHE policies in other higher education systems. Thus, the findings of this study may not be generalizable to every CBHE case. However, cases in which the findings of this study are found not to apply will contribute to elaborating and specifying in greater detail the components of legitimacy evaluation of CBHE policies, thereby producing a more finely grained theory.

The extremely diverse and multinational population of the UAE also places some constraints on the generalizability of the cases of Dubai and Ras Al Khaimah. With the vast majority of the UAE’s population being expatriates on work permits, the country is a very diverse environment where individuals of many nationalities regularly interact with one another, including a large number of South Asians, Middle Easterners from the UAE and throughout the Middle East and North Africa, and Westerners, particularly those from the UK, Australia, and the United States. This extreme diversity in a country is unusual and colors all aspects of life in the UAE. Accordingly, residents of the country have a strong multicultural perspective and an understanding and tolerance of other cultures. Although these views are not universally held in all circumstances – there are strong social hierarchies and discrimination based on class and
ethnicity – such an understanding and appreciation of multiculturalism is likely to be very different, if not lower, in other contexts. Therefore, this study’s finding on stakeholder perceptions of legitimacy of foreign involvement in higher education may vary markedly from what may be found in other countries with less societal diversity.

**Selection Bias**

The data for this study are based on interviews with higher education stakeholders in the UAE. Because these stakeholders have elected to participate in the UAE’s higher education systems, they are likely to perceive some degree of legitimacy for the UAE’s higher education policies. Those who might perceive low legitimacy of the UAE’s CBHE policies or higher education systems may be less likely to participate in the UAE’s higher education systems and would perhaps attend higher education institutions in other countries perceived as more legitimate. This limitation is likely to apply to faculty, administrators, and students who tend to be internationally-oriented and mobile. Because faculty and administrators are heavily recruited from Western countries, they often have few pre-existing ties to the UAE. International faculty who do decide to work in the UAE are typically hired on three year contracts and may decide not to seek renewal of their contracts if they evaluate that the system is illegitimate after working in the country. A few faculty in the study indicated that they did not plan to renew their contract for this reason.

Many higher education students in the UAE’s private sector are children of expatriate workers who have been living in the UAE for many years. These students have often completed their secondary education in the UAE and enroll in UAE higher education institutions so that they can live with or close to their families, but many also have strong ties to their home countries and return to their place of origin to enroll in higher education. This is particularly
salient for European and Australian students, who have access to high quality, low cost higher education in their home countries. Among Emirati students, those who are able to secure admission to higher education institutions abroad have access to generous UAE-based funding to pursue their studies overseas. Thus, many of the highest achieving Emirati students are likely to study in another country. However, high achieving female students may be less likely to study abroad because their families would like them to stay close. Therefore, the data in this study may be skewed towards more favorable evaluations than would exist if the sample frame was expanded to include non-residents or non-stakeholders. On the other hand, a few study participants seemed to agree to participate in the study because they were disgruntled and wanted to discuss their frustrations and critical assessments of UAE higher education.
Chapter 4  THE EVOLUTION OF CROSS-BORDER HIGHER EDUCATION IN THE UNITED ARAB EMIRATES

From the establishment of the UAE’s first schools in the 1950s and 1960s and the founding of its formal education system in the 1970s, numerous forms of cross-border education have facilitated education development at all levels. This chapter provides background information on the role that cross-border higher education has played in the development of the UAE’s higher education systems in order to provide context for understanding the current contours of cross-border education in higher education policy.

PRECURSORS OF EDUCATION DEVELOPMENT: FOREIGN INFLUENCES IN THE 1950s AND 1960s

The UAE was founded in 1971 as a federation of seven emirates, each led by its own hereditary ruler. Prior to the formation of the UAE, the emirates were known as the Trucial States under an agreement with the British who protected shipping routes through the Arab Gulf and defended the sheikhdoms against external aggressors (Taryam, 1987). Before nationhood in 1971, there was little formal education at any level. British involvement in the internal affairs of the Trucial States differed from the usual British colonial model; while the British were often involved in setting up extensive colonial governments and supporting infrastructure development and delivery of services in many of its colonies (Malmsten, 1977), in the Arab Gulf the British were primarily focused on protecting shipping routes and were less focused on domestic internal affairs, including education infrastructure (Burden-Leahy, 2009; Taryam, 1987). The lack of involvement in the emirates’ domestic affairs meant that any British investment in education was sporadic and limited, such as assisting a few Emirati boys to study in the UK (Al Fahim, 1995).

Despite the limited British influence on education during the 1950s and 1960s a number of primary and secondary schools were established by local sheikhs, wealthy pearling merchants,
and other individuals from Iran and Saudi Arabia; these schools used curricula from Kuwait and employed either Emirati faculty educated elsewhere in the Arab world, or Egyptian and Palestinian teachers (Davidson, 2008b; Taryam, 1987). In the 1960s, the number of schools grew because of the financial assistance of the Kuwaiti royal family who was seeking to exert its influence throughout the region (Davidson, 2008b). Thus, even before the UAE’s full-scale education development that was to begin in the 1970s, foreign countries, particularly those in the Arab world, were influential in the development of the nascent schools in the Trucial States.

**FIRST PHASE OF DEVELOPMENT (1976 TO 1987): INTERNATIONAL ASSISTANCE IN THE ESTABLISHMENT OF THE FIRST FEDERAL UNIVERSITY**

Because of the lack of education infrastructure prior to nationhood, the development of higher education in the UAE has relied on foreign resources out of necessity. Lacking enough Emiratis with the qualifications needed to lead or teach at the university level, the country’s leaders invited foreigners to propel the development of the nation’s first university and to serve on its faculty. During this period, the UAE’s leaders turned towards expertise in other Arab countries, as well as Europe and North America, to develop their first higher education institutions, including experts from the U.S., Canada, UK, Egypt, and Iraq (Burden-Leahy, 2009; Findlow, 2008).

Despite the involvement of foreigners in education development, The UAE has been able to maintain control of the trajectory of its higher education development because of its oil revenues (Burden-Leahy, 2009). Unlike many other developing countries, the UAE’s oil resources have placed the country in a relative position of power, giving it the independence to choose to have foreign involvement and the ability to control that involvement (Burden-Leahy, 2009). The first oil exports began on a small scale in Abu Dhabi in 1962, and once Sheikh Zayed Bin Sultan Al Nahyan acceded to power in 1966, oil production increased and he sought to
leverage oil revenues to further the development of Abu Dhabi and the neighboring emirates (Al Fahim, 1995; Davidson, 2008b; Taryam, 1987). Under Sheikh Zayed’s leadership, significant investments in education began, enabling the establishment of the first university and increasing the involvement of foreigners to help the newly formed UAE to achieve its education development objectives.

The UAE’s first university was United Arab Emirates University (UAEU), which is a federally-funded public university that was founded in 1976 and first enrolled students in the 1977/78 academic year. UAEU followed an Egyptian model of higher education in which the ties between academics and Islamic authority were closely maintained (Findlow, 2008, p. 345). In the first year of operation, 502 students enrolled (313 men and 189 women), growing to 7,740 students by 1989/90 (United Arab Emirates University, 2012). Faculty were drawn largely from other Arab countries, including Egypt and Lebanon (Bollag, 1994). Teaching approaches favored rote memorization, which was the dominant teaching approach used in higher education throughout the Arab world, and was the approach familiar to the primarily Arab expatriate faculty at UAEU (Bollag, 1994; Rostron, 2009; Wagie & Fox, 2005).


The second phase of development is marked by the expansion of the UAE’s federal university system and the emergence of a private higher education sector. This period also saw the beginnings of a shift to a preference for the American higher education model in both the federal and private systems. This section focuses on the evolution of the private sector in Dubai and Sharjah, which were the first two emirates to expand into private higher education.
PRIVATE HIGHER EDUCATION

One of the first private higher education institutions to follow a foreign model of education in the UAE was the American University of Dubai (AUD), established in 1995 (Burden-Leahy, 2009). The aim of AUD was to bring an American style education to Dubai without challenging local cultural values (American University of Dubai, 2013). The first enrolling class was 165 students, growing to 687 students by 2000 and about 3,000 students in 2013 (American University in Dubai, 2013).

The American University of Sharjah (AUS) was founded in 1997 by the Ruler of Sharjah as an independent university following an American model of education (American University of Sharjah, 2003). As defined by AUS at the time of its founding, “American style” included “formal academic and organizational characteristics” (American University of Sharjah, 2003, p. 1), such as shared governance by the faculty, and an integrated educational experience that is coeducational, multinational, and multicultural. To aid in achieving the goal of developing an American style institution, AUS engaged in formal partnerships and consultation agreements in its initial years with several American universities, including American University of Beirut, American University in Washington, D.C., and Texas A&M University (“Arab Emirate plans to open new American university”, 1996; Stone, 2003). When it first opened in fall 1997, there were just 280 students enrolled, half of whom were enrolled in foundation programs to prepare them for full admittance into university-level programs; enrollment reached 5,758 in fall 2012 (AUS, 2003; 2012).

The UAE’s first forays into international branch campuses started in this period. The first international branch campus in the UAE was University of Wollongong Dubai (UOWD) – a

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3 Despite the patronage of the Ruler of Sharjah, American University of Sharjah is regarded by the Ministry of Higher Education and Scientific Research as a private university and is regulated as such in the UAE.
branch of an Australian university – which opened in 1993, initially to provide English language instruction, but eventually growing to a comprehensive university offering degree programs at the undergraduate, masters, and doctoral levels, and enrolling 3,581 students in 2012 (Lane, 2010b; UOWD, 2013). In 1990, Troy State University of Alabama established a transfer agreement with a local college in Sharjah through which students completed the first portion of their studies at the Sharjah institutions and then transferred those credits to complete their degree studies while in residence at Troy University in the U.S. (Bayut, n.d.). Later, in 2005, a jointly named campus (Troy University, ITS Sharjah) was established, closing in 2011 (Moussly, 2011).

The Centre of Excellence for Applied Research and Training (CERT) was established as an arm of the Higher Colleges of Technology in 1996 to offer a mechanism for foreign educational entities to offer training courses and degrees under the umbrella of HCT, and today hosts New York Institute of Technology and University of Strathclyde (Centre of Excellence for Applied Research and Training (CERT), 2011).

**THIRD PHASE OF DEVELOPMENT (2000 TO PRESENT): INTEGRATING INTO THE GLOBAL HIGHER EDUCATION MARKETPLACE**

The current development period is marked by policies that move the UAE’s higher education system towards integration with the global higher education community. Within each higher education subsystem, policies have been implemented to align UAE higher education with global standards and practices, including developing policies to promote the establishment of international branch campuses, developing international partnerships, and seeking international accreditation.

**OVERSEAS CURRICULUM PARTNERSHIPS**

In recent years, a number of academic departments in the UAE’s federal universities have partnered with foreign universities to develop curricula. These partnerships have often taken the
form of consultation agreements in which the overseas university may provide its curricula, advice, oversight or consultation on faculty hiring, and training of faculty hired into the Emirati institutions. In these arrangements, the UAE higher education institution operates and awards credentials under its own name. Zayed University offers several graduate programs in partnership with overseas universities, including the University of Kentucky, Clemson University, University of California Berkeley, and University of Leicester (Zayed University, 2008). The Higher Colleges of Technology has consulted and partnered on curricula with institutions in the UK, U.S., Canada, France, and Australia (Findlow, 2005; Higher Colleges of Technology, 2011). Curricula partnerships are also present in the private sector. Masdar Institute in Abu Dhabi has partnered with MIT; the British University in Dubai has partnered with British universities such as University of Edinburgh, University of Manchester, and Cardiff University, among others. the Dubai School of Government was affiliated with Harvard’s Kennedy School of Government from 2005 to 2012 and the Petroleum Institute in Abu Dhabi is affiliated with U.S., Austrian, and Chinese institutions (Bertelsen, 2011; British University in Dubai, 2013; Huang, 2012; Mills, 2009).

**INTERNATIONAL ACCREDITATION**

International accreditation has become a goal of both federal and private universities in the UAE over the past 15 years. Among federal universities, the drive for international accreditation has been motivated in part by national leaders who have encouraged U.S. accreditation (Zayed University, 2008). As of 2016, there are three UAE institutions that are accredited by U.S. regional accreditation agencies, and one pursuing accreditation. American University of Sharjah and Zayed University first received accreditation from the Middle States Commission on Higher Education in 2004 and 2008, respectively (Middle States Commission on
Higher Education, 2013), and the American University in Dubai received accreditation from the Southern Association of Colleges and Schools (SACS) in 2007 (Southern Association of Colleges and Schools Commission on Colleges, 2013). United Arab Emirates University began the process of applying for accreditation from the Western Association of School and Colleges in 2012 (UAEU, 2016). ABET, the leading global accreditor of engineering programs, currently accredits engineering programs at all three federal universities and six private universities in the UAE (ABET, 2012). The Association to Advance Collegiate Schools of Business (AACSB) currently accredits the business program at UAEU as well as business programs at two private universities – American University of Sharjah and University of Dubai (AACSB, 2013).

**INTERNATIONAL BRANCH CAMPUSES AND FREE ZONES**

While a handful of international branch campuses opened in the 1990s, the number of international branch campuses has exploded since 2000. The United Arab Emirates is currently the leading importer of international branch campuses worldwide. The Cross-Border Education Research Team (C-BERT) documents 32 international branch campuses operating in the UAE in 2016 (C-BERT, 2016). In Dubai alone, 17,701 students were enrolled in free zone institutions – many of which are foreign owned – in 2011; this number accounts for about 41% of all students enrolled in the emirate (Knowledge and Human Development Authority, 2012).

Dubai has led the growth of the private higher education sector in the UAE through its establishment of free zones for education. More than half of Dubai’s private higher education institutions operate in one of its free zones (KHDA, 2012b; Lane, 2010a). The establishment of free zones for higher education marked the beginning of a concerted effort towards establishing international branch campuses in Dubai. Free zones have aimed to attract foreign investment by reducing entry barriers by providing buildings to companies, permitting 100 percent foreign
ownership, and allowing repatriation of profits out of the country (Davidson, 2008a; Lane, 2010a). Free zones for education were implemented following the success of the first UAE free zone (Jebel Ali) established in Dubai in 1985 (Davidson, 2008a). Dubai’s Knowledge Village opened in 2003 and Academic City in 2006 (Burden-Leahy, 2009). Free zones focusing on other sectors such as finance (Dubai International Financial Centre [DIFC]), healthcare (Dubai Healthcare City [DHCC]), and technology (Dubai Silicon Oasis [DSO]) also host a few branch campuses that have been invited to complement and support the mission of that free zone (Lane, 2010a).

Hoping to capture some of Dubai’s success in attracting international branch campuses, Ras Al Khaimah has enacted free zone regulations to entice international branch campuses to establish themselves in the emirate (Swan, 2010, Aug 31; RAK Free Trade Zone, 2013). There are currently 5 international branch campuses located in Ras Al Khaimah (Center for Higher Education Data and Statistics, 2012). The recruitment and licensing of educational institutions in Ras Al Khaimah is handled primarily by the RAK Free Trade Zone Authority which was established in 2000 to promote foreign investment and economic development of RAK (Mernin, 2007; RAK Free Trade Zone, 2013).

CBHE Policy in the Context of a Decentralized Higher Education System

The United Arab Emirates has a decentralized higher education system composed of a federal higher education system that operates alongside freestanding systems in each of the emirates. This decentralization of higher education is a rarity in the Middle East and presents the uncommon situation of multiple higher education systems, each with their own policies and regulations, coexisting in a single country. Because of the federal system of government, each of the seven emirates is free to establish their own education policies, resulting in several higher education subsystems running in parallel. Indeed, the scale of the UAE’s private higher
education sector is quite significant, with students enrolled in private higher education institutions accounting for nearly 65 percent of all higher education enrollment in the country (UAE Ministry of Higher Education and Scientific Research, 2014).

One consequence of parallel policy systems is the existence of multiple policy schemes for importing CBHE. The federal university system is fully controlled by the federal government, which oversees the universities and is the ultimate authority on their programs and policies. The federal government also exerts some control over private universities through regulations requiring federal licensing and program accreditation for private universities. Enforcement of these regulations is actively carried out by the Ministry’s Commission on Academic Accreditation (CAA). However, despite the formal federal role in private higher education, many emirates enact their own education policies. Emirate-level higher education policies take a variety of forms, including establishing non-federal, semi-public universities (Farrugia, Kratochvil, & Priya, 2012), establishing overt policies allowing higher education institutions to circumvent federal regulations (i.e., free zones), or protecting unlicensed and unaccredited higher education institutions on an ad hoc basis by allowing them to operate without meeting federal requirements (see Swan, 2012, February 17).

Throughout the evolution of the UAE’s higher education system, emirate-level governments have been involved in the oversight and steering of education policies within their emirates. At the federal level, higher education policymaking has been fairly centralized in the Ministry of Higher Education and Scientific Research, but at the local level royal family members, local education councils, and local government agencies are among the policy actors involved in education policymaking. It is within this context that cross-border higher education policies have developed and evolved in the UAE. As the use of CBHE has grown, the UAE’s
higher education subsystems that have imported higher education have taken different policy approaches to inviting foreign higher education into their systems.
Chapter 5  DUBAI

INTRODUCTION

Cross-border higher education figures prominently in Dubai’s higher education policy, which centers on creating a free market environment to encourage the establishment of international branch campuses. Dubai has established free zone areas that allow foreign institutions to establish themselves without meeting the licensing and accreditation requirements of the federal Ministry of Higher Education and Scientific Research. This approach has proved successful in attracting IBCs to Dubai, which in 2016 hosted 24 branch campuses (C-BERT, 2016), the largest numbers of IBCs in the world. While the free zone model aids the development of the private higher education sector in Dubai by removing federal accreditation as a condition for operating, Dubai has instituted its own regulatory scheme to ensure that baseline quality standards are met. A Dubai-based quality assurance system exists to review all international branch campuses in the free zones to ensure that they meet the accreditation requirements of their home country.

Among Dubai’s higher education stakeholders, perceptions of the legitimacy of the emirate’s cross-border higher education policies is based upon the success of the policies in meeting the demand for higher education in the local market. Most stakeholders perceive the policies to be legitimate in that they have largely served the local demand for higher education while ensuring that a baseline standard of quality education is being delivered. More critical assessments of CBHE policy legitimacy are rooted in stakeholders’ concerns about the ability of CBHE to provide a true collegiate experience with high academic standards, as well as the potential for CBHE to further Dubai’s development in key areas that are not necessarily served
through market mechanisms – areas such as healthcare, education, and related social development fields.

This chapter aims to describe CBHE in Dubai, including the role it plays in Dubai’s overall development; the actors and goals involved in CBHE policies; and an analysis of the legitimacy of Dubai’s CBHE policies. The section following the introduction begins by providing an overview of Dubai’s development status and the role of higher education. The next section describes the policy actors involved in developing Dubai’s CBHE policies, followed by a section detailing the key goals of Dubai’s CBHE policies. The final section analyzes the legitimacy of various elements of Dubai’s CBHE policies, based on the perceptions of Dubai’s higher education stakeholders.

**Dubai’s Development Status**

Dubai is a highly developed emirate that has become an international center of trade and commerce. The first oil drilling began in Dubai in 1952 and by the late 1960s drilling had expanded, sparking construction and infrastructure development in the emirate (Davidson, 2008a). The peak of Dubai’s oil production was reached in 1991, but with limited reserves, it was understood early on that Dubai’s economy needed to be diversified in order to maintain and grow its economic position, particularly in relation to Abu Dhabi, which has vast oil reserves (Davidson, 2008a). Dubai’s leaders sought to develop commercial activity in a variety of sectors and have sought foreign direct investment to build the economy and propel continued social and economic development. Free trade zones have been instrumental in attracting foreign direct investment to the emirate in many sectors.

Early on, foreign investment in Dubai was limited by the 1984 Commercial Companies Law, a UAE federal law that required companies operating in the UAE to have at least 51 percent Emirati ownership (Davidson, 2008a). To address this limitation, Dubai’s leaders
implemented economic free zones that allowed companies to retain full foreign ownership and repatriate their profits. The first free zone was launched in 1985 with the establishment of the Jebel Ali Free Zone, an industrial zone that in 2014 hosted over 7,000 companies, including 100 companies in the Fortune 500, and supports 135,000 jobs in the emirate (Jebel Ali Free Zone Authority, 2014). The free zone model has fueled Dubai’s development in all sectors, attracting foreign companies and foreign workers, as well as providing infrastructure such as office buildings, port facilities, logistical support to establish companies, and visa processing assistance to easily employ foreign workers (Davidson, 2008a). As of 2013, there were 23 free zones in Dubai in fields as diverse as industry and logistics, media, finance, information technology, education, healthcare, real estate, and aviation (Dubai Free Zone Council, 2013). Business activity occurring through Dubai’s free trade zones accounted for 32 percent of the emirate’s imports in the first three quarters of 2015 (Dubai Statistics Center, 2015).

The discovery of oil in Dubai in the early 1960s created wealth for the emirate in the early decades of the federation, but the supplies were limited and were dwarfed by the much larger oil reserves in Abu Dhabi. Dubai’s leaders recognized early on the need to diversify Dubai’s economy to maintain momentum in development and diversified into shipping and logistics by developing its ports (for re-export), commerce (retail), free zones, and tourism (Davidson, 2008a). The diversification of Dubai’s economy has been largely successful, with Dubai accounting for 82 percent of the country’s non-oil exports, amounting to almost 18.5 billion U.S. dollars in 2010 (UAE National Bureau of Statistics, 2012).

The population of Dubai is largely made up of expatriate workers who enter the UAE on work visas that are tied to their employment. Professional workers are attracted to employment opportunities but also to the high standard of living in the emirate. Dubai offers a very Western
lifestyle, with luxury apartments, international dining, and shopping malls selling luxury goods and Western brands. However, many expatriate laborers in the country work for long hours in harsh conditions and often live in crowded housing. Reports of labor abuses include withholding passports, charging workers recruitment fees, and underpayment of wages. For these expatriates, the luxurious Western lifestyle is peripheral to their experience.

Of the more than 8 million residents in Dubai in 2010, about 12 percent were Emirati nationals and the rest were expatriate workers (KHDA, 2012a), compared with about 20 percent concentration of Emiratis throughout the UAE (KHDA, 2012a). The large presence of expatriate workers in Dubai indicates the reliance that Dubai places on importing human capital to develop the economy and keep it running. In this context, educational opportunities for expatriates become important as a means for retaining workers in the emirate and improving their skills.

**Dubai’s Higher Education System**

Dubai is host to 52 higher education institutions, by far the most in the UAE (KHDA, 2016). Dubai’s higher education system is notable for the large number of private higher education institutions, both locally-incorporated private institutions and international branch campuses. Just three of the institutions in Dubai are federal universities, while the other 49 are private or semi-government institutions, which are regulated as private institutions even in cases where they receive some funding from royal family members (KHDA, 2016). These 49 institutions constitute Dubai’s higher education system, as they have been established under rules issued by the Dubai government and are regulated by the Dubai-based Knowledge and Human Development Authority (KHDA). While there are 3 federal university campuses located in Dubai, these are part of the federal university system which is funded and regulated by the federal Ministry of Higher Education and Scientific Research and does not fall under the regulatory authority of the KHDA. (See Appendix D for a list of higher education institutions in
Dubai’s higher education system.) Dubai’s large private higher education sector is a result of the establishment of economic free zones that allow foreign-owned campuses to establish in the emirate without burdensome accreditation regulations and allowing them to repatriate the profits (Lane, 2010b). While some higher education systems around the world have implemented policies to attract IBCs that are similar in some respects to Dubai’s approach⁴, Dubai stands out for the degree to which its free zone policies represent a free market and almost laissez faire approach to IBC development.

The first international branch campus in Dubai was the University of Wollongong in Dubai (UOWD), established in 1993 prior to the existence of free zones for education (Lane, 2010b). In 2016, there were 24 international branch campuses in Dubai from ten different countries, including the U.S., UK, Australia, India, Iran, Pakistan, and Russia, among others (C-BERT, 2016). Most of these campuses operate under licenses from the free zones, but two branch campuses in the emirate (UOWD and Rochester Institute of Technology) are federally-accredited and licensed by the CAA of the Ministry of Higher Education and Scientific Research (CHEDS, 2012).

As of 2012, at least seven of the private institutions in Dubai had received accreditation from international agencies that accredit at either the institutional or programmatic level, including organizations such as ABET (U.S.), EQUIS (Europe), AACSB (U.S.), Middle States Commission on Higher Education (U.S.), TEQSA (Australia) (CHEDS, 2012).

There are six foreign-style institutions in Dubai, some of which have formal curriculum partnerships with higher education institutions overseas or have international accreditation. These campuses are not international branch campuses. Rather, they are locally incorporated

⁴ Examples of countries implementing policies to attract international branch campuses include Malaysia, Singapore, and Qatar. (See Knight, 2011; Lane & Kinser, 2011).
private institutions that carry the name of a foreign country in their title, such as American University in Dubai, American University in the Emirates, European University College, British University in Dubai (BUiD), Canadian University in Dubai, and American College in Dubai. Just one of these institutions has foreign accreditation from an agency overseas; the American University in Dubai has received institutional accreditation from the Southern Association of Colleges and Schools (SACS) in the U.S., as well as programmatic accreditations in engineering from ABET (U.S.), in business from the International Assembly of Collegiate Business Education (IACBE; U.S.), and in marketing from the International Advertising Association (IAA, U.S.) (CHEDS, 2012).

Several of the foreign-style institutions have formal curriculum partnerships with higher education institutions overseas. For example, the British University in Dubai partners with several U.K. universities – University of Edinburgh, University of Manchester, Cardiff University, and Reading University – to offer selected programs that are based on the curricula of the associated universities. BUiD graduates receive a BUiD degree at the completion of their studies and not a UK degree. Other curriculum partnerships exist that are not as formalized.

In 2013/14, Dubai institutions enrolled 52,586 students across all federal and private higher education institutions, 82 percent of whom are enrolled in the private sector, including 41 percent in local private higher education institutions, 39 percent in IBCs, and 2 percent in vocational institutions (KHDA, 2014). Emiratis account for 43 percent (22,694 students) in Dubai, including those enrolled in both private and federal institutions (KHDA, 2014). The free zone institutions enroll mostly expatriate students, while Emirati nationals primarily attend private institutions outside the free zones (53 percent of Emiratis attend private institutions.
outside the free zones) and 41 percent attend the federal universities; just 5 percent of Emirati students enroll in international branch campuses (KHDA, 2014).

The vast majority of Dubai’s students in the public and private sector are enrolled in bachelor degree programs (70 percent), while 18 percent are enrolled in master’s programs (KHDA, 2014). Business is the most popular field of study, accounting for 44 percent of all students in both the private and public sectors of education (KHDA, 2014). Media and design are studied by an additional 10 percent of enrolled students, while engineering accounts for 9 percent of all students in the emirate (KHDA, 2014). The popularity of business, media, and engineering reflects the close ties between higher education and the labor market in Dubai. Other fields with limited labor market connections in the emirate are pursued by only small proportions of students, such as education (2 percent), health and medicine (3 percent), and natural and physical sciences (0.4 percent) (KHDA, 2014).

**ACTORS AND APPROACHES IN CROSS-BORDER HIGHER EDUCATION**

Free zones are the dominant entities involved in hosting private higher education institutions in Dubai. The free zones that host higher education institutions are effectively setting CBHE policies by establishing the conditions under which many higher education institutions operate. Dubai Knowledge Village (DKV) and Dubai International Academic City (DIAC) are the two free zones that are specifically focused on education as their primary industry, while several other free zones that are primarily focused on other industries host private institutions that complement the mission of the free zone. While the Federal Ministry of Higher Education and Scientific Research (MOHESR) based in Abu Dhabi has formal authority over all higher education in the UAE, Dubai’s free zone regulations allow higher education institutions in the free zones to operate under the more lenient regulations established by Dubai’s Knowledge and Human Development Authority (KHDA), exempting them from MOHESR oversight.
This section provides an overview of the Dubai-based entities that are active in CBHE policy through their regulatory, oversight, or support roles in the higher education sector.

**Knowledge and Human Development Authority (KHDA)**

The Knowledge and Human Development Authority (KHDA), established in 2007, is a Dubai government entity that oversees the development and regulation of education in the emirate, including primary and secondary education, as well as higher education and other postsecondary training (KHDA, 2013). KHDA’s oversight extends to private education, but since 2011 it has not had a formal oversight role in public education, which is overseen by the federal Ministry of Education at the primary and secondary level and the Ministry of Higher Education and Scientific Research (MOHESR) for higher education (Ahmed, 2011). The KHDA regulatory role includes licensing private education providers and monitoring the quality of schools, universities, and training institutes.

**UQAIB**

In 2008, just one year after the KHDA was founded, it instituted a quality review process for international branch campuses in Dubai. The review process was established in response to concerns that the laissez faire approach of the Dubai free zones was allowing some sub-standard or rogue educational institutions to operate in the emirate. To address these concerns, the KHDA established the University and Quality Assurance International Board (UQAIB) to provide quality assurance for Dubai’s private sector institutions that operate in the free zones. UQAIB consists of international experts in higher education that regularly review the academic quality of new and existing private higher education institutions in Dubai and make recommendations to KHDA on approving or renewing operating permits to educational institutions in the emirate (KHDA, 2012b).
The review process developed by KHDA and carried out by UQAIB strikes a middle ground between the comprehensive accreditation requirements of the federal ministry of higher education, which some find burdensome, and the largely unregulated approach that existed in the early days of Dubai’s free zones. The KHDA characterizes their approach as a “validation model” that confirms that the branch campuses are accredited in their home countries and that the IBCs in Dubai offers a comparable quality of their academic programs in Dubai as they do on the home campus (KHDA, 2012b). The UQAIB review process is designed to allow campuses enough flexibility (KHDA, 2013) to follow their home country standards, while still providing a measure of quality assurance of Dubai higher education that avoids duplication in quality assurance processes between the IBC’s home country and host country. Following UQAIB’s first round of review of existing branch campuses, several campuses had their licenses revoked for not meeting appropriate standards or not being affiliated with a legitimate higher education institution in the home country.

TECOM

Dubai’s free zones for education are part of the business portfolio of TECOM Investments, whose role in Dubai is to, “make strategic investments in sectors that contribute to the development of Dubai’s knowledge-based economy” (TECOM Investments, 2012) across a range of industries. TECOM was founded in 2005 as the umbrella organization under which several knowledge-oriented free zones are based, including DKV and DIAC, as well as Dubai Internet City and Media City, among others. Its role in the higher education sector is to develop education as an industry in Dubai by providing the infrastructure, building management, regulatory environment, and business development (new partners), just as it does for free zones for other sectors in Dubai. While the KHDA is responsible for monitoring the academic
component of Dubai’s private institutions, TECOM acts as a landlord through its ownership of the buildings that they rent to campus tenants. It also markets DKV and DIAC and their educational partners to prospective students and to educational institutions that may be interested in opening a campus in Dubai.

TECOM serves the development of Dubai’s private higher education sector in several ways. First, as a mediator between government agendas and the private sector business development. As a member of Dubai Holding, TECOM is structured as a private company that is part of Dubai Holding, whose majority shareholder is the Ruler of Dubai. TECOM’s predecessor (Dubai Technology and Media Free Zone Authority) opened its first business park – Dubai Internet City – in 2000 and became formally incorporated as part of Dubai Holding in 2005 (TECOM Investments, 2012). Its role in the education sector began in 2003 when it established Dubai Knowledge Village as the first free zone for education in Dubai (TECOM Investments, 2012). Secondly, TECOM provides the regulatory structure under which the foreign campuses enter the emirate.

**Free Zones for Education**

**Dubai Knowledge Village (DKV).** Established in 2003, DKV was the first free zone for education in Dubai. It was initially founded under the purview of the Dubai Technology and Media Free Zone Authority, which provided the regulatory framework under which DKV operated (Dubai Knowledge Village, 2016) and then became part of TECOM investments when that entity was founded in 2005. Given its historical relationship with and proximity to Media City, DKV is heavily oriented toward providing professional training and human resource development for workers in the emirate (TECOM Investments, 2012) through professional development programs, language training, consulting, computer and technical skills training, and like services. In addition to the array of training and professional development services available
at DKV, the free zone hosts 22 higher education institutions, primarily international branch campuses.

**Dubai International Academic City (DIAC).** DIAC was established in 2007 as a free zone dedicated to higher education. It is the largest education-focused free zone in Dubai, with 18 million square feet of classroom and office space. DIAC was established in 2007 amid rapid growth in Dubai’s private higher education sector. While DIAC’s existence provided the platform that allowed for the rapid expansion of higher education capacity in the emirate, the fast growth in the private sector enrollment indicates a strong and previously unmet demand for private higher education in Dubai that DIAC was able to fulfill by providing a pathway for more IBCs to open.

**Other Free Zones.** Several free zones that focus outside of higher education have hosted international branch campuses or other private institutions. For these free zones, the campuses that operate are ones that are closely tied to the industrial focus of the free zone. For example, in keeping with its purpose of hosting companies in the financial sector, Dubai International Financial Center (DIFC) hosts some business programs, such as Cass Business School (UK), which offers MBA, PhD, and other graduate programs as well as executive training programs, and previously hosted Duke University which closed in 2012. Dubai Silicon Oasis (DSO) hosts the Rochester Institute of Technology (RIT), which offers degrees in engineering. RIT’s mission is in keeping with the mission of DSO to develop high tech industries. Dubai Healthcare City (DHCC) previously hosted an offsite location of the Boston University Dental School, which operated a dental center to train dentists. In 2012, the BU Dental Center closed and a locally run entity took its place. Harvard University was also involved in a medical school beginning in 2004, but pulled out because
of prolonged delays in constructing the affiliated hospital. The planned medical school campus eventually emerged as a Harvard Medical School Center located in Dubai Healthcare City that opened in 2014 to collaborate on local research, training, and public health education (Harvard Medical School, 2016; Jara-Puryod, 2015).

The Goals of Dubai’s CBHE Policies

With multiple entities actively contributing to CBHE in Dubai, several goals emerge from an analysis of the CBHE policies in Dubai. With each policy actor enacting its own vision for CBHE, there is some variation in goals across the emirate, but at the same time there is a great deal of overlap in the goals of CBHE policies. Economic development stands out as one of the foremost goals of cross-border higher education policies in Dubai. CBHE policy is oriented towards supporting the economic development of the emirate by creating an ecosystem that supports the development of a knowledge-based economy; providing education options to meet the training needs of businesses located in Dubai, particularly among expatriate workers who do not have access to the federal universities; and to create an education market to draw students to the emirate.

This section describes the key goals of CBHE policies in Dubai, in order to set the stage for the final section of the chapter which analyzes stakeholders’ perceptions of the legitimacy of CBHE policies. Because stakeholders often assess policies based on how well those policies meet their goals, it is important to first understand the goals of CBHE policies before moving into an assessment of their legitimacy.

Meeting Dubai’s Business Needs

One initial impetus behind Dubai’s cross-border higher education policy was to provide higher education options for expatriate workers and their families who are not permitted to enroll
in the emirate’s federal universities. The establishment of the free zone concept prompted the growth of foreign companies establishing themselves in the emirate and as those companies grew in number, there was a growing call for a trained workforce. As one study participant described,

“The very first motivation was to provide education and training for Media City and Internet City. . . As the companies came into these free zones, they were interested in training and education opportunities, to have universities to have training opportunities nearby for their staff, or their employees to collaborate and to work with them. And Knowledge Village started right next to those two [free zones].”

Knowledge Village serves as a source for training the employees of local businesses. In this way, the presence of Knowledge Village serves as an amenity for businesses operating in the emirate so that they have a source for improving the skills of their employees.

Having local educational opportunities available is viewed by many as a way to help retain expatriates in the emirate, many of whom are children of workers in Dubai or the expatriate workers themselves. Prior to the establishment of Knowledge Village, “the expatriate community didn’t have a lot of [education] options. They did if they left and went to other regional campuses or went abroad or went home to India or Jordan or North Africa or wherever the student happened to come from.” This stakeholder conveys the view held by many that providing educational options for expatriate workers helps to retain them in the emirate by providing them and their families with local education and training opportunities so that they do not have to leave the country.

Workforce development continues to be a driver of Dubai’s higher education development strategy. DIAC has stated its desire to “expand its operations by bringing in Academic institutions and Universities that fit the region’s workforce demand” (DIAC, 2014). Throughout policy documents and reports on higher education by Dubai government agencies, links are frequently made between higher education and economic development. One document
describes Dubai’s higher education system as “providing Emirati nationals and expatriates with the higher-level skills and abilities to sustain the future growth of Dubai’s economy” (KHDA, 2012b) and aligns the concept of quality higher education in Dubai with “relevant skills essential to drive economic growth and development, [that] will equip young people with choices that will shape the future of Dubai and the United Arab Emirates” (KHDA, 2012b).

BUILDING A KNOWLEDGE ECONOMY

Broadly speaking, the concept of a knowledge economy can be understood as the “production and services based on knowledge-intensive activities . . . [that] include a greater reliance on intellectual capabilities than on physical inputs or natural resources” (Powell & Snellman, 2004). In the UAE, concerns about an eventual end to the available oil reserves has motivated leaders to focus on diversifying the economy into non-petroleum areas. At the federal level, the UAE’s Vision 2021 outlines the government’s goal of creating “a diversified and flexible knowledge-based economy . . . powered by skilled Emiratis and strengthened by world-class talent to ensure long-term prosperity for the UAE” (United Arab Emirates, n.d.). The Vision expresses the desire to develop a flexible and diversified economy in knowledge-oriented fields including entrepreneurship, innovation, and research. The drive to create a knowledge economy is pervasive throughout the UAE, especially in Dubai which has exploited its available oil reserves and where there has been substantial progress in diversifying the economy outside of the petroleum sector in a variety of fields, including tourism, finance, and retail.

Today, rhetorical references to developing a knowledge economy can be found at all levels in Dubai including statements by government officials and documents issued by government agencies. Sheikh Mohammed, the Ruler of Dubai, has been quoted as saying that, “Our region's success depends on creating an environment conducive to acquiring knowledge and on providing tomorrow's leaders with motivation to build a better future. It is our duty to
convert them into great assets to themselves, their nations and to the world.” (BUiD, 2011). The Sheikh’s comment emphasizes the link between knowledge acquisition and subsequent contributions to national development and conveys a positive perception of the link between the two.

In the higher education sector, officials, agencies, and institutions refer to the knowledge economy to justify their activities and align them to the government’s overall development agenda for Dubai and the UAE. For example, DIAC and DKV have stated a shared purpose to “develop the region’s talent pool and establish the UAE as a knowledge-based economy” (DIAC, 2014; Dubai Knowledge Village, 2014). One example is the passage of Law 21, which was approved in 2011 and allows degrees issued by Dubai free zone higher education institutions to be accepted by the Dubai government for the purposes of public sector employment. The passage of the law is seen as beneficial for free zone campuses that do not have CAA accreditation because it helps open the market for their programs to Emirati students, many of whom were reluctant to enroll in free zone institutions because they would not be able to get public sector jobs with those degrees, as they were not recognized for public sector employment.

In discussing the passage of Law 21, Dr. Warren Fox of the KHDA stated that, “[The KHDA’s] primary focus is on contributing to Dubai’s knowledge economy and workforce” (Swan, 2012, January 16). Even for a law that has a strong market-based component, tying it to a knowledge economy framework ties it to an existing policy agenda. In the case of Law 21, tying the policy to Dubai’s agenda for developing a knowledge economy is done to both advance and to justify the existence of international branch campuses in the emirate.

The frequent references to the knowledge economy convey the importance that policymakers place on developing knowledge-intensive sectors of Dubai’s economy. In
particular, the adoption of this rhetoric by higher education policymakers demonstrates the role that higher education is expected to play in contributing to the development of Dubai’s knowledge economy. The macro-level focus on economic development based on knowledge-intensive sectors is thus a powerful organizing principle that is used to justify a range of higher education policies and activities.

**CREATING A MARKET FOR HIGHER EDUCATION**

While Dubai’s private higher education sector serves as a source of educational options for the large number of expatriates residing in the emirate, the free zones also seek to attract international students from outside the UAE (Lane, 2010a). The evolution of the emirate’s cross-border higher education policies provides evidence of the efforts to move beyond serving Dubai residents to become a regional higher education hub by attracting international students specifically to enroll in higher education institutions.

Dubai has developed its private higher education sector through the use of free zones, following the model of business development in many other sectors in the region. The free zone model has helped create Dubai’s higher education market by facilitating the establishment of foreign-owned campuses. These campuses initially served primarily resident expatriates living in Dubai, but as the number of private and international branch campuses grew, the government’s interest in attracting international students to Dubai has also grown, primarily focused on students from neighboring countries in the region. Indeed, with 25 international branch campuses operating or in development as 2016 (C-BERT, 2016), Dubai’s vision “to be the leading regional destination for higher education providers” (TECOM Investments, 2012) can in one sense be claimed as a success.

Concerning the goal of “attracting international students to the emirate [to fulfill] Dubai’s ambition to be a higher education hub” (KHDA, 2012b), judgments of success are less clear, as
the enrollment of students in Dubai is closely tied to employment migration and business flows in the region, rather than to the mobility of students for the sole purpose of enrolling in Dubai’s higher education institutions.

The branching of Dubai’s higher education development strategy to draw students from the region mirrors the development strategies in other business sectors. The connection between Dubai as a hub for trade as well as for education is described by the KHDA which states that, “Dubai is considered a regional hub for trade, tourism and business at the intersection of the East and the West. Similarly, Dubai’s reputation as a regional hub for good-quality higher education is growing amongst the business community and aspiring tertiary students” (KHDA, 2012b). This quote conveys the aspiration of Dubai’s higher education officials to develop the emirate into a hub for higher education as an extension of its role as a regional and internal hub for business. A representative of one Dubai government agency described Dubai’s ambitions to become an education hub as fitting into its status as a hub in other sectors:

“An overall vision is for Dubai to continue to capitalize on its history and its geography. It’s a hub and it’s still a major trading port [with] shipping, airlines, shipping containers, finance. Now it’s becoming a tourism destination resort [with] places to go, things to do, and it wants to continue this . . . Dubai [is] very influential in the Gulf into this part of the world. Maybe 25 percent of the world’s population lives within a four or five hour flight of Dubai. Emirates would probably be the biggest airline within six to eight years and it can bring a lot of people here and they can go home. We want more people to study here and go home, and we want more people to study here and stay. [For] those who have the skills and abilities to help Dubai grow and diversify its economy, it’s an excellent way for talented people to arrive in Dubai and participate in its growth.”

This description conveys the importance of Dubai’s location and position in the strategy for developing the sector to attract international students. Once the sector first opened to private universities serving primarily expatriates, policy actors began to expand student enrollment by capitalizing on Dubai’s geography and promoting the market advantages of its location. Dubai’s status as a hub for other business sectors may be seen to enhance the attractiveness of Dubai for
higher education. Prospective international students with an interest in working in the region may see value in studying in Dubai as a vehicle to other opportunities.

**Perceived Legitimacy of Dubai’s CBHE Policies**

Several dimensions of CBHE policy are particularly salient to stakeholders’ assessments of legitimacy: sponsorship, academic excellence, oversight, student market, and cultural integration. Each dimension relates to procedural and normative legitimacy in different ways that sometimes overlap or conflict, revealing some legitimacy challenges for CBHE policy. The remainder of this chapter describes and assesses the perceptions of Dubai’s higher education stakeholders along each of these dimensions and analyzes their assessments against the framework of procedural and normative legitimacy.

**Sponsorship**

The procedural legitimacy of CBHE varies according to the type of sponsorship. Most of Dubai’s non-federal institutions are self-supporting and for these institutions there are clear guidelines and procedures that delineate the rules for permissible sponsorship and ownership arrangements with private partners and overseas institutions. These clear and consistent policies provide legitimacy for these ownership arrangements that include private and foreign sponsors. In cases where government agencies or members of the ruling family sponsor higher education institutions in Dubai, they often do so through the free zone regulations that have been established for private campuses. The fact that government entities and members of the royal family follow the same free zone regulations as private and foreign education providers suggest that these laws are widely viewed as legitimate ways of establishing higher education institutions in Dubai. The royal family is making use of that legitimacy by operating through the free zone regulations.
The majority of Dubai’s non-federal higher education institutions are privately supported and are heavily reliant on student tuition to generate operating revenue. While a handful of Dubai’s non-federal higher education institutions receive some form of financial support or patronage from government agencies or members of the ruling family, the cross-border higher education policies that are in place create an environment that encourages the development of self-supported private higher education institutions. Overall, Dubai’s CBHE policies are set up to facilitate the establishment of privately held and self-supporting campuses and most campuses follow this model. Just a small number of campuses receive government sponsorship in Dubai, and these arrangements are created on an ad hoc basis, rather than as part of a strategic approach to higher education development.

The need for campuses to be self-supporting creates a system in which Dubai’s higher education institutions are oriented towards the market, meaning that the campuses must focus on activities that generate operating funds through tuition or other means. While such a focus is common in many higher education institutions around the world, there is a particular concern among Dubai stakeholders that the heavy reliance on tuition throughout Dubai’s higher education sector is too heavy and skews the focus of the sector’s development. To attract enough students, higher education institutions provide fields of study that tend to be the most in demand by students—typically those tied to the labor market, such as business and engineering. One study participant explained student interest as follows:

“In this region, just as in most of the developing world, parents only want you to go into like four or five careers: business, accounting, engineering, medicine. So, basically if you look at programs that initially came in and had great success, it’s these areas. We have lots of engineering programs. We have lots of business programs. We have lots of accounting/finance and then we have medicine programs. The medicine programs all tend to be all federal, and there is another reason for that. But, again, people [think that] you get your MBA and you are guaranteed to have a good life and a good job and all of that.”
Given the demand for these fields by students and their families, these are the fields that allow the institutions to generate the revenue they need to sustain themselves, thereby demonstrating their legitimacy as individual campuses, as well as the legitimacy of the entire policy system, which depends on institutions being successful and self-supporting.

Business as a field of study is relatively inexpensive to offer, while engineering is a much more expensive field of study for campuses to deliver, as there is a need for lab space and additional instructional time. Evidence of the popularity of business programs in the emirate can be found in the fact that 44 percent of students in Dubai’s private higher education institutions are enrolled in business programs (KHDA, 2014). Campuses that offer substantial engineering programs tend to be those that rely on support beyond student tuition revenue. Rochester Institute of Technology (RIT) is one example of an IBC focused on engineering technology and it is sponsored by Dubai Silicon Oasis. Other engineering programs in Dubai that follow a self-supporting model have relationships with the home campus so that students are able to collaborate on research and perform lab work remotely on the home campus, while they are physically studying in Dubai.

Within this context of student demand, the efforts of sponsors to shape higher education in other areas may be challenging. “TECOM will facilitate their opening of that campus by virtue of helping them understand what the processes need to be, [and] helping them develop a business plan that is catering to the needs of the region . . . [and in fields where there will be a market of interested students.] Because obviously it is a profit-generation operation entity when a branch campus comes in. Because they’re not coming in out of the goodness of their heart, they’re coming in because it’s a [perceived] revenue opportunity.” [P5] This view illustrates that the free market approach of self-supporting branch campuses only goes so far in generating
representational legitimacy for the system. Many students are interested in job-related fields like business and engineering and Dubai’s CBHE policies create a system that satisfies those interests, but other stakeholders also have interests in a higher education system that serves other needs and they find that the CBHE policy does not adequately represent those interests.

These business partners typically provide funding for the logistical operations of the campus, such as human resources, and facilities, while the academic operations are overseen by the home campus, or by academic directors in non-IBCs. While higher education institutions in the UAE are not formally recognized as non-profit institutions⁵, many higher education stakeholders noted a tension between financially-focused business partners and academically-oriented institutional leaders. In cases where there is a business partner, there can arise a tension between a profit-oriented business partner and the academically-oriented home campus or academic director. Many stakeholders identified having a shared vision between the business partner and the academic partner as one of the chief challenges related to international branch campus sponsorship in Dubai. The conflict that sometimes arises between these two stakeholder types can pose legitimacy challenges for CBHE policy. With CBHE policy in Dubai employing a free market approach to IBCs, in which campuses must be self-supporting and without government sponsorship routinely available, it is often necessary for private higher education campuses to engage with a business partner. However, some stakeholders reported friction between the two sides and described concerns about business partners wanting to limit investment in academics in order to preserve profits and financial sustainability, while the academic partner wanted to maintain or increase investment in academics to improve quality and

⁵ While some campuses may operate as non-profit entities in the home country environment, the non-profit designation is not applicable in higher education in the UAE, with all private higher education institutions established under the same rules that apply to other free zone companies.
student success. When the two sides have a shared vision, they are described as a successful partnership and a successful campus. However, when there is too much friction between the two sides, the partnerships can fracture, which can lead to one party leaving the partnership, and in some cases can lead to branch campus closure. Identifying a trustworthy sponsorship arrangement thus emerges as a key component of branch campus success and is a salient issue that contributes to the legitimacy of CBHE policy.

**Academic Excellence**

The role of academic excellence in Dubai’s CBHE policies has evolved throughout the development of the private higher education sector. While the concept of academic excellence can be understood in many ways, in this context academic excellence relates to the academic preparation of students entering the higher education system and how higher education policies and processes handle students’ preparation levels. Given the diversity of stakeholders in the higher education sector, there is also a diversity of perspectives on what constitutes academic quality. In this regard, academic excellence represents a normative legitimacy concern in that a focus on academic quality was expected by all stakeholders, as well as a representational legitimacy concern in that there are a range of perspectives on what constitutes academic quality and therefore a choice to be made about whose standards should prevail. While most stakeholders accept that there is a range of academic quality among institutions, they also agree that academic standards that are either too high or too low are not appropriate for the higher education sector in Dubai.

Among Dubai’s higher education stakeholders, there is a widespread concern about the academic preparation of students, as well as the steps that campuses take to respond to underprepared students. Many stakeholders noted that the students’ English proficiency was a concern for campuses, with many students having low English proficiency scores during the
application process. While much secondary education is offered in English, for many students and some teachers, English is a second language and as a result students graduating from the country’s secondary schools are often not able to achieve English scores high enough to meet the admissions standards of Western institutions. This can be a concern for campuses that expect to enroll students with high levels of English and is an especial concern for IBCs who are committed to maintaining the same admissions standards that they would have for non-native English speakers on the home campus. Depending on the cutoff scores necessary, it may be difficult to find enough applicants with the requisite level of English in the Dubai student market. Students who are native English speakers (especially those from Australia, the UK, and the U.S.) typically travel overseas for higher education where they can enroll in high quality institutions in their home country and often for a lower tuition than in Dubai. This mobility dynamic siphons off many of the most fluent English speakers from Dubai’s private sector higher education institutions.

Given the reality of overall low levels of English preparation among the pool of potential applicants for higher education, the institutions that require high English scores sometimes find themselves challenged to find enough qualified students. The Michigan State branch campus is one such example. Michigan State Dubai opened its doors in Fall 2008 and closed less than two years later in July 2010. University officials initially anticipated an enrollment of 200 students for the first class, but were only able to enroll about 50 in the first year. Scholarship offers were launched in an effort to increase applications and in the second year they were able to enroll 85 students. The university attributed low student enrollments to a dearth of academically qualified students in the host country, as well as an economic recession that impacted the area shortly after
opening (Bardsley, 2008, Aug 11; Sep 1). One stakeholder described the connection between students’ academic preparation and IBC success as follows:

“And they do fail. They will fail. Like Michigan State University – [is a] top university and they failed in two years. . . Why did that happen,’ people asked. They came out here and they started saying [they] are at the top. We understand, but if you come out and tell me that a student has to be 6.5 IELTS, 700 TOEFL, you’re raising the standard. Excellent. I have no doubt that the institution is a top level [institution], but what are you doing to bring [students up to] those standards?’”

This stakeholder supports the idea of maintaining high academic standards, but also holds the view that in order to be successful, campuses must recognize the reality of the current level of academic preparation among Dubai’s pool of students and then work with students to help them meet those high standards. Several stakeholders expressed similar views that institutions in Dubai must set their expectations, design their recruitment strategies, and develop student support services accordingly, if they want to enroll enough academically prepared students to stay open.

Another challenge inherent in Dubai’s education system is the existence of many different systems of education that prepare students with different curricula and uses different approaches to teaching and learning. Contending with the different curricula systems that feed into the education pipeline presents a challenge for the representational aspects of procedural legitimacy. The challenge is that while all national curricula are viewed as legitimate and rightly represented in Dubai’s education system, in higher education institutions with largely Western-trained faculty, the expectations for student preparation are those associated with Western-style education, such as critical thinking skills and classroom debate and discussion. One stakeholder described the impact of these multiple educational systems on preparing students for further study:
“Education over the years has been distorted here. There’s no one standard. You see, it’s not like the American system where you have typically the American schools [and] there’s one system [and] everybody knows it. You come in and go out through the same system. In [Dubai], you have Indian. You have Australian. You have Pakistani. You have this, you have that and you have twelve different schools, parents shifting their children. [It] depends on their earnings. Today they earn less, [so] they put them in a cheap school. Then tomorrow they find themselves [with] a better job, [so] they change them to [a top level school]. . . Suddenly, the student is all day studying and then he goes to this school that doesn’t have infrastructure or they go to this highly extravagant school, but still don’t come out the other end with the right figures. There are so many problems and non-regulatory systems here that just allow many people who are doing this to conduct it like a business. Most of them are businesses. Everybody’s conducting education here like a trading business – [like] buying potatoes and tomatoes.”

While there is a regulatory system to review and license K-12 private schools, this stakeholder describes great variation in the schools’ quality and the frequent movement of student as a challenge for graduating students who are well prepared for higher education. As well, the structure of the education system – with schools offering education in many different national styles – means that there is little consistency in education across Dubai’s secondary schools. Once these students come together in the same higher education institutions it becomes evident that they have been educated to many different standards and are familiar with different styles of teaching and learning.

Foundation programs in the region are a common way of providing support for students who seek higher education enrollment, but who do not meet regular admission requirements. Foundation programs provide the opportunity for students to gain additional English and academic skills and then move into the degree program upon successful completion of the foundations course. For institutions, foundation programs provide an opportunity to capture students before they are ready for degree study, with the expectation that the institution will later retain many of those students in their degree-granting programs. These programs help to allay the legitimacy challenges presented by the wide variation in preparation among students entering...
higher education and the expectations of the faculty and institutions enrolling them at the higher education level. One stakeholder affiliated with the government explained the strategic importance of foundation programs to the success of Dubai’s higher education strategy:

“What we advise the universities is [to] think about where the students are coming from. Some universities have instituted a pre-foundation year, where they would require the students to take extra language courses, or extra developmental courses to make sure that they are ready for actual first year and then set up for success, not for failure. [In primary and secondary education there are] different education systems and when they come together the skills have to mesh and match, so the universities have to be creative and innovative in terms of making that happen.”

In the view of this stakeholder and many others, foundation programs are a critical component of Dubai’s higher education sector in that they provide extra academic support that helps to bridge the differing levels of preparation and different styles of learning among a diverse student body.

The presence of institutional strategies to manage student enrollment in light of the realities of students’ levels of academic preparation speaks to the competitive nature of the higher education market in Dubai. While Dubai has a large base of people with potential interest in being undergraduate or graduate students, concerns about academic preparation effectively limits the actual pool of potential students. This somewhat restricted market for student enrollment, combined with the large numbers of campuses in Dubai, increases the competition for students and underscores the role that market dynamics play in the emirate’s higher education sector.

One stakeholder describes his view that competition increases performance standards:

“In the market, you have to understand competition is very important. When your competition is strong, you have a number of alternatives. Then that gives everyone that space to come up to [a certain] standard. Why? Because now, if somebody is preferring Heriot-Watt to my institution, I need to understand why. So I need to raise the standards. It’s just about that. It’s how I raise the standards. What are the key areas that I focus on? What are the types of staff? What is the staff, whether it is the industrial elements? Is it the content? Is it curriculum? Is it my exposure? All these things have to be taken into consideration. So competition keeps the area alive. So I think that contributes a lot for institutions’ survival in the long run.”
In his view, competition in Dubai’s higher education market helps raise the standards for all institutions as they benchmark against one another and seek to follow the most successful models. Within this context, institutional legitimacy is assigned to those institutions that are successful in the marketplace and legitimate CBHE policies are viewed as those that encourage this kind of competition to keep standards high. However, the potential drawback of this approach is that it lessens the diversity of educational programs and types of institutions, which for some stakeholders diminishes the legitimacy of the policy.

The view of the stakeholder above is not held by everyone. Many stakeholders expressed the view that campuses need to have enrollment strategies that account for students with low academic preparation; campuses that do not will struggle to enroll enough students and will fail in the competitive market for student enrollment. Thus, addressing variations in student preparation was seen as a key element of legitimacy by many stakeholders. One media report spoke to the competitive environment for students in Dubai and the large number of private institutions who seek to enroll students from the same pool. A lecturer at the British University in Dubai was quoted as saying, “Critically, there’s much more supply than there is demand. . . . The fact that that happens pulls down the quality because [universities] are willing to accept students that don't quite have what they need and they’re not so demanding so the students can finish [their courses]” (Bardsley, 2010, Jan 2). Many stakeholders throughout the emirate pointed to the example of Michigan State University’s branch campus in Dubai as a cautionary tale about IBC’s needing to fully understand and adapt to the local student market in order to be successful. Michigan State launched an ambitious branch campus in Dubai offering a wide array of programs, but then had trouble enrolling enough students who were academically qualified.
After two years, the campus scaled back its operations to a couple of small-scale graduate programs. In one stakeholder’s words,

“[Michigan State] now only offers graduate programs and they’ve picked and chosen the graduate programs that they want to offer based upon basically what they learned. When they came in they came in with this smorgasbord of programs and there wasn’t enough of a student base to support that and that is where they ran into some challenges, and so they downsized and now they offer limited programs and now they have the capacity that they need to be okay.”

The Michigan State example was used by many stakeholders to illustrate the need for private institutions to fully understand the local market, plan their programs accordingly, and provide support for the students to meet the given standards. This perspective indicates that following the procedural elements of understanding and addressing the local market through institutional planning and program development are hallmarks of perceived legitimacy in Dubai’s higher education system.

Many stakeholders express a concern that Dubai’s international branch campuses do not provide a true collegiate experience. Their comparisons of branch campuses and home campuses revealed perceptions that the collegiate experience was not the same across the two settings. These perceptions relate to the normative legitimacy of Dubai’s CBHE policies and some stakeholders’ beliefs that a full university experience is superior to the limited experience students receive at campuses in Dubai Knowledge Village and International Academic City. Branch campuses typically provide only a select number of academic program offerings, rather than the comprehensive academic curriculum available at large universities. Several stakeholders shared their negative assessments of the limited nature of many of the branch campuses. One stakeholder described small programs located in office buildings:

“Most of the universities are less than 500 students in Dubai. It’s only one class. This is an M.B.A. with 150 students, or two M.B.A.’s, one in the morning and one in the afternoon, and that’s all they are. So what they need is internet access, a nice room with 22 chairs and
tables, and one secretary, and a fancy location for an M.B.A., downtown. So this is an issue.”

The facilities and academic support available at branch campuses also differ from the home campus; branch campuses may not have libraries, lab facilities, or other academic resources that are typically available at universities. The following stakeholder shares the view that a lack of a true campus limits student development.

“I would have argued that Dubai had the potential to be [a real education hub], but if you look at the infrastructure that’s put in place, I mean, DIAC is the best one in the world [but] is not an education hub. So the infrastructure isn’t here, there’s not a major library here, there’s no major student facilities. Fifty percent of the student education experience, particularly for younger people, is associated with a social development, the social consciousness element, the sporting side, all of that. There’s none of that infrastructure here. This is a commuter university, a commuter Free Zone, where students come in, they have lunch together, and they go home. So is this a true university educational experience? Does it encourage the thinking and education of young people? I’m not sure it is.”

Some stakeholders also spoke critically of the intellectual atmosphere, specifically the students’ lack of interest in intellectual discourse, as well as the lack of conferences and networking opportunities available for academics working in the region. Among those stakeholders who mentioned the lack of a true collegiate experience, they felt that this lack resulted in a diminished academic environment, especially when compared to the home campus.

One faculty member described his view of how important the collegiate experience is for academic development and how that experience is lacking at IBCs.

“I always told my students [when they] come and take my advice about doing a PhD program, I tell them if you need to do a PhD program, pack your stuff and leave. Go to an institution [that] gives you the experience of higher-level education. Because all higher-level education is about the experience. It’s not about the information. It’s not about the knowledge because knowledge . . . has different dimensions. It’s not about only what I get from the book. That is one part of knowledge . . . I have [attended elite universities in the UK and United States]. And that experience itself is totally different. You will never be able to get it here. Even at small universities [overseas], you can find that experience in it. But you cannot find it here. You have to feel you are in a campus. In a real university campus. Look around. Maybe we’re still better than others, we live in an educational campus. . . You can
see an institution with a high-rise building. I don’t know what experience you are trying to get out of it. It’s very commercial, it doesn’t have the scene, you don’t feel it.”

While acknowledging the lack of a true campus environment, several stakeholders discussed the importance of providing options and choices for students and their families. One branch campus administrator stated:

“I get a father or mother on an Open Evening saying to me, “Should our son study here or in London?” Tricky. So, I would say, “Well, if you can afford London and if you have a plan for London and if you believe the maturity level is fit for London, you should send him to London because that’s a proper university and a way of really experiencing it, but if you have other kids and you have other things and you would like him to do a year of part time or a summer job or regulations are different, well, this is a viable option for you. So it’s really, I believe, expanding options.”

Thus, for many students in Dubai, the local private higher education institutions, including IBCs, provide their best option for higher education, particularly when overseas study is not feasible due to family or work obligations, financial concerns, or concerns about the students’ maturity and readiness to study abroad independently.

Oversight

Within the context of Dubai’s free market approach to higher education development, concerns about quality, oversight, and strategic planning have emerged as challenges to the legitimacy of the free market system. Over the past several years, the KHDA has responded to these concerns by implementing policies to monitor quality that balance the quality assurance norms of the foreign and international higher education providers with local needs, and implementing procedures to more strategically develop higher education in certain areas and diversify higher education offerings. Implementing quality assurance processes helped boost the normative legitimacy of cross-border higher education by bringing Dubai’s higher education system in line with globally accepted quality assurance practices. At the same time, local
tensions between Dubai-based quality assurance processes, federal processes, and international accreditation practice have presented challenges for procedural legitimacy.

Throughout the interviews with Dubai’s higher education stakeholders, oversight emerged as a key concern relating to the emirate’s CBHE policies. The use of free zone policies to develop the private higher education sector has allowed for the establishment of foreign-owned institutions and international branch campuses through an open, free market system without having to contend with what many stakeholders view as burdensome accreditation requirements imposed by the UAE’s federal Ministry of Higher Education and Scientific Research. “If a branch campus, wants to come in, they don't want to go through all of the paperwork, they don't want to introduce an Islamic studies, they don't want to go through all of the very timely procedures and costs of all of the accreditation and all of the site visits. Then they can just go through a very streamlined process through KHDA where they have to prove that they have the same admissions standards, same curriculum, and that’s it. They're good to go. So it's very streamlined.” As the private sector has matured, the oversight policies have shifted to introduce emirate-level regulation, such as the quality assurance review process for all international branch campuses. As well, the KHDA and TECOM have begun moving towards a strategic, planned approach to recruit campuses that will help to diversify the program offerings in the free zone. Finally, there is an ever persistent tension between the oversight roles between Dubai’s KHDA and the CAA of the federal government.

**Quality Control.** The implementation of quality control measures related to Dubai’s CBHE has both procedural and normative legitimacy elements. The initial openness of Dubai’s free zone policies for the establishment of private institutions and IBCs led to some concerns about the quality of some of the higher education institutions. In the early years of
free zones for education, the presence of low-quality providers led to questions about the legitimacy of the CBHE policy and its ability to provide quality higher education options. One stakeholder noted that in the early years of Dubai’s higher education system, “Private universities were not much in demand and even if they were, they were money-making machines, fly by night operations, people just coming in and just giving false hopes. The content was not very good because education was not recognized and there were a lot of loops and gaps.” Concerns vary in degree, ranging from concerns about the potential for rogue providers running inferior educational programs and sometimes providing sham degrees, to concerns that some credible institutions may not be addressing the particular needs or context of Dubai. Several stakeholders noted that some private higher education institutions do not conduct due diligence in assessing the market potential for their programs. One stakeholder characterized this as a weakness of the free zone system:

“The problem with that system is that when universities make the choice to set up a branch campus, they're not always done on a whole lot of research. It's either driven by the thought that Dubai is an El Dorado or, it's ego as much as anything, to have a global footprint. They can very quickly come into this market without doing a lot of the thinking and the planning and all of the other things the CAA requires. They can make choices that aren't in their best interests. Had they gone through all of the CAA paperwork, they might have come to the conclusion that maybe this isn't a viable solution. Now that we've done a full scale market analysis, maybe we should slow down and reconsider.”

In response to these kinds of concerns, Dubai instituted a quality review process for foreign branch campuses. Implementing such a process addressed stakeholders’ normative legitimacy concerns by adopting a quality review process. The practice of quality assurance is globally accepted as a legitimate and a desirable practice for higher education systems. Dubai’s turn towards quality assurance strengthens the legitimacy of Dubai’s higher education sector by incorporating the legitimate practice of quality assurance into the oversight of the sector.
Apart from satisfying normative legitimacy challenges by implementing a quality assurance process, Dubai’s higher education policymakers also faced particular challenges in determining which kind of quality assurance process to set up. There was already a patchwork of quality assurance processes in place, given the large number of international branch campuses from around the world, each with their own relationships to their home campuses and home country accreditors, or government regulators; the optional CAA accreditation that some campuses obtained; and occasional voluntary accreditation through international programmatic accreditors such as ABET. The particular legitimacy challenge presented by this situation was the dilemma of whose decision norms to prioritize in an environment with such diverse representation from around the world. The choice to implement a quality assurance process that validated IBCs’ home country accreditation and equivalency in Dubai is a way of balancing these different systems and incorporating representation from all relevant players in the higher education sector. Dubai’s quality assurance process is designed to be less burdensome for campuses than the CAA requirements and also to preserve the curriculum and teaching standards of the home campus, which are viewed by Dubai’s stakeholders to be a good contribution to Dubai’s higher education landscape. When the system was first instituted, at least two campuses stopped operating in Dubai due to their inability to pass the KHDA’s quality review process (Swan, 2010, Nov 1). Campus stakeholders largely viewed this as a positive development that helped boost the credibility of the remaining campuses. They shared the perception that the campuses that were shut down were “selling degrees” or providing instruction that was inferior and was a disservice to the students. Campus stakeholders also valued that the quality review process allows them to retain their home campus character. At the same time, some campuses do
choose to pursue CAA accreditation, as they perceive a market advantage from the ability to enroll Emirati students.

Stakeholders value the flexibility that the policy provides for foreign institutions to establish operations in the emirate while retaining ownership of the endeavor. They also value the fact that they do not need to adhere to the CAA accreditation policies when they set up in a free zone. Many stakeholders characterized the value of this policy in terms of the ability to retain academic control of their institution. This is a particularly salient concern for international branch campuses that, for reasons of efficiency, consistency, control of the branch campus, and reputation, want to maintain the same curriculum as the home campus. Some stakeholders also cited accreditation or quality assurance requirements from the home country or a programmatic accreditor as a reason for wanting to maintain control of the branch campus’ academics.

**Local vs. Federal Control.** Despite the potential balanced approach that Dubai’s equivalency model presents for competing international accreditation systems, an ongoing tension exists between the Dubai-based KHDA and the federal CAA quality assurance systems. While the KHDA recognizes CAA accreditation, the reverse is not the case, suggesting that the CAA may not fully recognize the legitimacy of the KHDA quality assurance process.

The KHDA’s implementation of its own quality review process is telling of the tensions that exist between the KHDA and the CAA. Depending on whether campuses choose to receive CAA accreditation, campuses may be more directly overseen by one of the agencies. For campuses that have CAA accreditation, they are bound to follow the CAA requirements and KHDA recognizes the CAA accreditation in lieu of its own quality assurance process. However, the reverse is not true, and campuses that have passed the KHDA process are not recognized by the CAA. For stakeholders, the primary disadvantage of the lack of reciprocal recognition is that
the degrees awarded by KHDA-approved institutions are not acceptable for employment in the federal government or many of the emirate-level governments\textsuperscript{6}. Emirati students, who largely seek public sector employment after graduation, therefore are reluctant to enroll in the campuses that lack CAA accreditation. In this way, representational legitimacy tensions exist in that the KHDA’s CBHE policies reflect the needs and interests of non-Emiratis. There is validity in this choice because the private higher education sector is the only source of higher education options for the sizeable expatriate population, while Emiratis have access to federal higher education. At the same time, the CAA, in its oversight role for all of the UAE’s higher education, seeks to exert its legitimate claim to oversee all higher education institutions, while the KHDA’s policies circumvent the CAA’s legitimate oversight role.

Many international branch campuses view the CAA accreditation requirements as overly burdensome, which is why they do not seek federal accreditation. One example of a CAA requirement that is seen by many as overly strict is their regulation that faculty members must have a PhD. One stakeholder describes his assessment of the importance of practical experience among the faculty:

“The Ministry of Higher Education here, they have a policy in which people who are teaching [at the] postgraduate level or higher cannot have a master degree. Which means they have to be a PhD holder. And imagine [that] you’re teaching a management degree. All our degrees are always management. . .And most institutions here in the United Arab Emirates, except a few, what they offer is the blending [of management with other fields]. . .Since you’re doing a blending in term of management perspective, it would be very difficult to find a professor in engineering, for example, who has a lot of industrial background. Professors are professors. They’ve been in education for a long time and they never were into industry.”

Since many IBC programs focus on practical subjects and value industry experience, the CAA requirement is viewed as too stringent, and in many cases is more strict than requirements for

\textsuperscript{6} Law 21 was approved in 2011 and allows Dubai government agencies to recognize free zone degrees for employment in Dubai government only.
faculty on the home campus. The KHDA licensing process is therefore seen as more desirable by many of Dubai’s higher education stakeholders because of its flexibility.

Tensions between the CAA and the KHDA also manifest in other ways for Dubai’s free zone institutions. For example, when the Ministry of Higher Education and Scientific Research launched a national level data collection for higher education institutions, many of the free zone institutions were uncertain as to whether their institutions should or were required to submit their data to the federal ministry, given that the KHDA was the agency under which they received their authority to operate. Another example of policy confusion between KHDA and the CAA related to a decree made by the federal government that all educational institutions needed to adhere to the same academic calendar relating to vacations and break periods, aligning with the academic calendar used by Abu Dhabi’s schools. The decree was apparently made without consultation with Dubai’s higher education institutions and for international branch campuses, the decree was particularly problematic because the new calendar would take them out of alignment with the home campus. As one stakeholder described,

“And the rules change too much. And very quickly, so on the fly. . . .which is not good for higher education. So for example the beginning of January all accredited institutions received a – basically a directive that we were to align our [academic calendar] with the school holidays to make sure that all the families could spend more time together. But the academic or the school calendar they’re referring to is the Abu Dhabi school calendar. Which could very well be quite different to the Dubai school calendar. And considering the number of different curriculums the school that are offered . . . to me that’s just quite bizarre. You can’t expect institutions to turn around and quickly change . . . I received a letter in early January to say that we had to align our academic calendar for this year onwards with the Abu Dhabi – well they didn’t say the Abu Dhabi school calendar. But that’s basically what they meant.”

While the alignment of academic calendars may in one sense seem tangential to core concerns about academics, from a management perspective, such policy changes require administrative attention and resources to resolve. From the administrator perspective such changes often appear arbitrary and are unexpected, making it difficult to plan for them.
Identifying the lack of recognition of KHDA degrees as a limitation of Dubai’s private higher education sector, the KHDA advocated for Law 21, which was approved in 2011. The decree was made by the Dubai government to recognize KHDA-approved degrees for employment in the Dubai government. While this degree recognition is limited in that it does not extend to public sector employment in other emirates or in the federal government, many of Dubai’s higher education stakeholders view Law 21 as a positive development. For higher education institutions, the appeal of Law 21 is that it opens up a potential new market of Emirati students who might enroll in Free Zone institutions.

**Strategic Planning.** The establishment and growth of Dubai’s private higher education sector has taken place through a free market system that has openly allowed any institution that met its basic licensing standards to begin operating. While stakeholders perceive the free market approach to be legitimate and in many ways successful, some stakeholders conveyed their critiques that duplication in program offerings created a lack of diversity. Many called for a more strategic approach that would produce a more diverse set of program offerings in fields to serve Dubai’s needs. While both approaches are viewed as legitimate, taking a strategic approach to planning would contribute to the normative components of legitimacy. Strategic planning was characterized by many as a desirable and appropriate approach to CBHE development in its next phase, now that the private sector has been firmly established.

Stakeholders perceive the free market approach as being an effective one for development, particularly since a system for quality review was instituted. Most stakeholders view the free market approach favorably because they see it as serving the desires of students, with the rationale that institutions will be successful if they provide students what they are looking for and at a reasonable quality. Institutions that do not succeed are perceived as not
providing the market what it wants. While this view is prevalent, there is also the view that the Dubai higher education market is now saturated, particularly for business and management programs. Despite the clear student interest in business and management degrees, some question the larger social and economic value of those degrees for Dubai. Alongside these concerns, TECOM and KHDA have identified the need to think more strategically about the sectors that free zone institutions serve.

In 2012, the TECOM education cluster commissioned a study by Deloitte to assess Dubai’s workforce needs, among other aspects of Dubai’s higher education and workforce planning, in part to help identify potential fields for development in Dubai’s higher education sector. The study surveyed students and corporate representatives in several nearby countries regarding their perceptions of Dubai’s strengths in several fields of study compared to the availability of those fields in other countries. The study takes a market-based approach to workforce development through the higher education system based on the potential to successfully market specific fields of study to students in the region. The report found that according to student and corporate perceptions, Dubai’s higher education sector is well aligned with its tourism industry, but that Dubai’s higher education sector could continue to develop its higher education options in energy, construction, healthcare, education, and logistics in order to meet market demand for study options in these fields and for the development of these industries in Dubai. Fields such as law, social sciences, arts, and literature were seen as low demand fields in Dubai.

With the free, open-market approach to higher education development, there have been challenges in balancing market demands for certain types of programs with the strategic concerns about offering programs in fields that can help to advance Dubai’s development. One
stakeholder at a branch campus described the institutional process for determining which programs to offer in which the institution’s marketing department tracks program inquiries from students, assesses what their competitor institutions are offering, and proposes new programs they think students will be interested in. In this institution-driven process, it is left to each institution to determine where there is student demand for a given program of study.

While the institution-driven process is seen as desirable by those who value the flexibility for institutions to determine which programs they would like to offer, others perceived limitations in following student demand for academic programs. One stakeholder described the needs for programs in areas other than business, including fields such as the arts, social sciences and law, and also calling for “serious engineering faculties” with the research activity and expertise needed to support the UAE’s anticipated growth into nuclear energy. Because of the lack of programmatic diversity, this stakeholder shared the view that, “if you’re looking at a really vibrant education system, do we have it here? No. We’ve got elements of it. Small elements of it.”

One government stakeholder described the importance of striking the right balance between preserving institutional autonomy to decide on their academic programs while incorporating a strategic planning perspective in order to meet the broader needs of Dubai:

“So somehow we have to find the mix of what programs and institutions meet Dubai’s needs without diminishing the business and entrepreneurial spirit of Dubai. Dubai is pro business, pro growth. We will remain so. That’s the commercial vitality is the heart of Dubai, and we want to have successful free zones, and we want to have these institutions.”
While no consensus emerged among the study participants about the desirable balance between institutional autonomy and strategic academic planning by government, many stakeholders noted both advantages and disadvantages to both approaches.

**STUDENT MARKET**

Dubai’s CBHE policies have been shaped in response to the dynamics of the student market for higher education. Dubai has a large population base with many expatriate workers and their families who make up the pool of potential students in the private higher education sector. CBHE policies evolved largely to satisfy the educational demands and needs of this group, with the result that expatriates’ needs are well represented in the policies. Therefore, the legitimacy of the CBHE policies is largely based on how well they satisfy expatriates’ interests as they perceive them. At the same time, legitimacy challenges exist when considering how well the policies address other potential student markets, notably Emirati students and non-resident international students. More so than the other emirates, Dubai is seen by many stakeholders as a place that has the potential to attract a significant number of international students beyond those already residing in the country.

The success of Dubai’s private higher education sector has much to do with the large population of expatriates who live in the emirate and are not permitted to enroll in the public higher education system. For Dubai’s expatriates, their only options for higher education are the private institutions, so they make up the majority of the student market for international branch campuses and other private institutions. One stakeholder shared his assessment of the role of expatriates in the development of higher education in the emirate: “The private universities were developed initially, [in] my understanding, as an attempt to improve the quality of education and an attempt of serving the market for the ex-pats. There was no market for the ex-pats that were not allowed to go into the public universities, so there was no space for them in university, and
from the government point of view, as a fantastic real estate project.” Many stakeholders share this view that Dubai’s expatriates account for the success of higher education development in the emirate. In another stakeholder’s words, “The vision for education was to bring IBCs to attract outsiders to come into the country, but it works only because there are a lot of expats. The Free Zone is the vision. Why did it work? Because there is a local market.” (a23). The existence of the local market accounts for the success of the free zone concept in the education sector. While the original intention was to be a hub to attract students from other countries, international students who come to Dubai primarily to study do not substantially drive enrollment in the emirate. Instead, the free zones have been a success because of the existing market of expats that was not previously being served by higher education.

While some Emirati nationals enroll in Dubai’s private sector institutions, most opt to enroll in federal institutions, which are free for Emiratis. Even so, several IBCs actively seek to enroll Emirati students and view them as a potential student market, particular at the graduate level and in fields that are not well represented in the federal institutions. The following stakeholder describes a typical case of Emiratis who are seeking advanced degrees that are not available in the federal university system and, given their professional and family obligations, are seeking local academic programs.

“When students get to that point of wanting to do a PhD or a DBA or something along those lines they already have an established career. They have family. They’re not gonna go offshore and do three, four, five years of study, you know? [Private institutions are] a great opportunity for them still to be continuing on with their studies and be at home and be working, et cetera.”

Even with their efforts to attract Emiratis, private higher education stakeholders recognize that given the dynamics of the higher education market in the UAE, private higher education institutions will never attract large numbers of Emirati students. As one stakeholder describes:
“Entry criteria would certainly be a driving factor [and finances]. There’s two aspects to the finance . . . because if they’re going to a non-accredited institution, they can do an undergraduate degree in three years. But if they’re coming to an accredited institution, it’s four years. So the factor there is time and money. . .I think number-wise at the undergraduate level we can’t compete with the federal institutions. It just isn’t – really isn’t possible for us to be a true competitor because those students receive free education.”

A certain proportion of students in Dubai’s private institutions are international students who did not reside in the emirate prior to their studies. Many institutions in Dubai, as well as the KHDA/TECOM would like to increase the number of international students who travel to the emirate specifically to study. Because of Dubai’s role as a regional and international hub, they view the emirate has having the potential to attract international students from the region. While there is interest in increasing the number of international students, some have expressed concerns about Dubai’s potential for substantially increasing their numbers. The cost of living and attending school in Dubai is high, which can be a deterrent for students who in many cases would be able to attend public institutions in their home countries for free or for a very low cost. The most highly qualified students who can afford overseas study often look to the West as a study destination rather than to Dubai. Those who do travel to the UAE for higher education often do so because they wish to migrate – perhaps because they ultimately seek employment in the emirate or because they view Dubai as a transition between their home country and the desired final destination. Students in the latter category may enroll in international branch campuses affiliated with countries they wish to move to. One IBC stakeholder interviewed described the advantages that Dubai’s higher education system holds for many families who do not live in Dubai and are looking for international education options for their children:

“The advantages of having a branch campus is that as countries like the UK, the U.S., and Australia become a bit less accessible to international students, for a number of reasons. One is visa regulations; two – cost of living; three – cultural differences and so on, then a branch campus like ours becomes a bigger and better option for some international students. You can live in Nigeria. Father and Mother may opt to send their daughter or son here. They can
visit them more often, it’s closer. It’s generally a safer environment or perceived to be a safer environment. So there are a lot of options and the best of both worlds. You still get a British degree . . . You can go back to Nigeria. You can go to the UK to pursue higher studies, you can go anywhere in the world. So there are a number of positives here.”

In this description, the stakeholder expresses that while Western countries are often viewed as the most highly desired education destinations among students and their families, for many, Dubai is very desirable because of its proximity to the students’ home countries, its relative affordability compared to higher education in the West; and its good quality education institutions with degrees that are recognized globally.

Many stakeholders describe Dubai as the most desirable emirate to live in because it offers a nice lifestyle including a high level of development, nightlife, cultural activities, and shopping. For many, particularly those from Asia and other Middle Eastern countries, Dubai offers the lifestyle attractions of the West while being closer to home and also balancing the cultural aspects of being in a Muslim country. Students appreciate the excitement of the city as well as the potential work opportunities that Dubai offers.

**Cultural Integration**

Dubai is an international city that for decades has relied upon large numbers of expatriate workers, particularly those from South Asia, the Middle East and North Africa, Europe, and North America, to work in the emirate and to fuel its development and prosperity. In line with the great diversity of people from around the world and the economic reliance on international companies and workers, multiculturalism is frequently celebrated as a desirable and present principle in Dubai. As it relates to the legitimacy of CBHE policy, the appreciation of diversity and internationalism is a strong and widely held norm in the emirate. By addressing the multicultural and international perspectives of the region, Dubai’s CBHE policies have garnered
normative legitimacy from the perspective of stakeholders. One stakeholder’s words nicely summarize this view:

“This is probably one of the most diverse societies in the world. Come Christmastime, you go into the malls here, they’ve got huge Christmas trees, people singing carols, all the Emirati mothers are covered, and the kids are up there going up to see Santa. Then comes Ramadan and everybody’s fasting, all the expatriates don’t eat during the day. Come eat, and everybody celebrates, and then comes Divali for the Hindu community. Everybody has a good time. It’s a tribute to greater things. It’s something precious. Really precious. I’ve not seen that anywhere else in the world.”

Despite potential areas of cultural conflict that could arise from the UAE’s limitations on criticizing the government and the rights of laborers, many residents appreciate Dubai’s integration with the wider world and an acceptance and tolerance of Western values, while at the same time preserving the family and cultural values of the region. Another stakeholder states that Dubai is attractive for students and their families from the region: “Because this is an Islamic country it’s very close to their culture. . . So they might send their children here without exposing [them] too much to the Western culture – and study here and go back to their homeland again to join the family business or whatever.” (a44)

In the realm of education, the presence of workers and their families from many and diverse locales means that the education system is a site where these cultures meet. At the primary and secondary levels, private schools are often segmented by education styles of the home country (e.g., Indian, Pakistani, American, British). The curricula, teaching styles, and even academic calendars typically match those from the home country, which means that students entering Dubai’s higher education institutions have been prepared in very different academic styles, often with English as the students’ second or third language. One stakeholder shared her concerns about the large number of English-speaking Western faculty who are
subject-matter experts but who may not have appropriate training in teaching students whose first language is not English.

“Not to blame the professor, but if we talk about the mentality coming from the West, and I include Australia and UK and everything, and the U.S., this isn’t home. It’s not the same kids. We don’t have one native [student] speaker of English. Not one. So compound the issues of you haven’t taken any teacher education [and] you don’t understand the dynamics of English as a foreign language. Honestly, so I think there’s a compound problem, same as in the States, no teacher education training, and then you get EFL [English as a foreign language], then you get people from all different cultures.”

Many stakeholders in Dubai’s higher education system value the diversity of the students and faculty, but also identify the mixing of academic styles as a challenge. In particular, critical thinking and a culture of dialogue and debate in the classroom emerge as concerns, particularly among the large numbers of Western educated faculty and staff. In some Asian and Middle Eastern cultural traditions, students are not encouraged to question the instructor and often learn through rote memorization. Western instructors cite difficulty with engaging students in the kind of classroom debate and discussion that is expected in many Western countries.

Another source of cultural tension revolves around the use of Western curricula and debates about the appropriate level of adaptation to the local context. Some stakeholders view the use of Western curricula as a means of controlling academic quality and providing a particular style of education that students value. The following stakeholder affiliated with an Australian branch campus describes the steps taken to align curricula and teaching at the branch campus with that on the home campus:

“From an academic point of view, there is a QA process. Our curriculums are not predefined, but there’s got to be some alignment with our campus back in Australia. So the academics go through a training as well including what is our way of teaching, which methodology, and so on. Obviously we’re not asking them to be robots, but there needs to be some level of standards and we need to be able to differentiate ourselves from other institutions. Because when you hire, you hire people from different backgrounds, different exposures, different countries, and bring them all together in this unique environment.”
From this stakeholder’s perspective, the alignment of curricula between the branch and home campuses is important for maintaining the institution’s academic standards. However, in the view of other stakeholders in Dubai, adhering too closely to the home campus curriculum is viewed as a negative for higher education. An American faculty member working in the emirate describes the importance of adapting the curriculum of the home campus to the local context, in order to meet the needs of the students:

“It seems to me we’re not just taking an American model and sitting it on top of here. We’re trying to think about what’s our realistic situation, and I think the main problem . . . is that we take this canned curriculum and we hire the curriculum experts from the States to come and do this and this. I’m sorry; you can’t ignore who are your students. You can’t just take a canned [curriculum], just like I can’t teach in the same way I teach it in the States. It’s the same content mostly, but a whole different can of worms.”

In this view, there needs to be more attention paid to providing education that is locally-relevant and local faculty must have flexibility to adapt their curricula and teaching to the students in the region.

Faculty and administrators also referenced the differences they observed in the Middle Eastern ways of operating organizations and systems compared to their experiences in the West. One representative of an Australian branch campus described how their Australian way of doing business helps to attract faculty and staff to their institution.

“For us to promote [ourselves] in saying that we're the Australian university, we try to adopt the Australian culture --- it's like telling people that we promote transparency, we want to be fair, we want to reward people, we want to recognize people. That sometimes is not the same culture in the UAE environment or local environment.”

Among the large number of Western staff and faculty in Dubai’s higher education institutions, differences in institutional culture and work styles were frequently cited as factors bearing on institutional quality and satisfaction. For example, Dubai’s higher education stakeholders with educational or professional experience in the West noted that Dubai institutions with strong
hierarchical oversight of teaching staff were viewed as lower quality by teaching staff than those institutions that supported faculty autonomy.

**SUMMARY**

On the whole, Dubai’s use of CBHE in its higher education policies is perceived as legitimate by higher education stakeholders in the emirate and the success of those policies is tied to these assessments of legitimacy. Dubai’s approach to CBHE policy is based on a free market approach to encourage foreign activity in the private higher education sector. The use of the free zone model in education has made Dubai the world’s leading host of international branch campuses. The success of the free zone model is due largely to its focus on reducing the barriers to entry for foreign universities. By removing the rules for majority investment by an Emirati and bypassing the federal accreditation requirements, the free zone system has created conditions that many foreign operators of private institutions have found attractive and indeed, Dubai has become the leading host of international branch campuses in the world.

Evidence of the success of Dubai’s CBHE policies can also be found in student enrollment figures. Dubai’s large population base of expatriate workers and their families provides a large market of potential students who desire higher education opportunities in the region. The emirate’s position as a regional hub, and indeed an international city with a high level of development and a Western lifestyle that many find desirable, also contribute to the large international presence in Dubai’s higher education sector. The emirate is viewed as a desirable and attractive place to live for students and faculty, in addition to providing favorable operating conditions for institutions that established themselves there. The attractiveness of Dubai for students is key to the success of the branch campus phenomenon, as the campuses are predominantly dependent on tuition revenue to cover their operating costs. Without a robust base of students, IBCs would not be able sustain their operations; indeed, institutions that have
not been successful at enrolling enough students have faced closure because they are not able to generate enough operating funds.

In spite of the policies’ success and overall assessments of legitimacy, there are key elements of the CBHE policies that do pose legitimacy concerns. As it relates to institutional sponsorship, there are concerns about an overly-heavy reliance on student tuition revenue to support the private higher education sector, leading to concerns about representational legitimacy and whether tailoring program offerings to student interests in market-oriented fields is in the best interests of the emirate. The academic quality of students also poses legitimacy challenges because foreign higher education providers often have expectations of students that are not aligned with the local education market and students’ academic preparation. Among Dubai’s higher education stakeholders, there was broad agreement that international branch campuses and other private higher education institutions should align their admissions criteria to local market realities, while providing support to students to progress to the desired standard during their studies.

The oversight of Dubai’s higher education institutions presented another set of challenges for CBHE policy. On one hand, the emirate’s development of a quality assurance process in the emirate has bolstered the normative legitimacy of the system. At the same time, procedural legitimacy concerns exist in that there are many quality assurance practices present in Dubai’s higher education sector, including local, Dubai-based processes, federal accreditation policies, and international quality assurance tied to foreign accreditors and home campuses of IBCs. While the KHDA’s quality assurance policies were designed with the intention of balancing these multiple actors, in reality many stakeholders identified ongoing conflicts between local, national, and international quality assurance processes.
Chapter 6  **Ras Al Khaimah**

**Introduction**

As a small emirate without oil reserves, Ras Al Khaimah (RAK) faces the challenge of developing higher education with limited financial resources. Cross-border higher education has played an integral role in the emirate’s higher education development strategy primarily through free zone regulations that facilitate the establishment of international branch campuses and other private higher education institutions. The purpose of these regulations is to create an attractive environment for campuses to operate without burdensome and costly quality assurance requirements in order to increase the higher education options in the emirate. Some government investment has also been made to leverage existing resources through joint public-private ventures to develop higher education for specific purposes. Despite the limited success that CBHE policy has had in facilitating the growth of RAK’s higher education sector, limited demand for higher education in the emirate limits RAK’s potential to become an education hub. Furthermore, the lack of a quality assurance system for RAK’s free zone institutions fosters skepticism about the quality of RAK’s institutions.

The primary goal of cross-border higher education policy in RAK has been to open the market to increase higher education options in the emirate. While higher education stakeholders largely support increasing higher education capacity, the relatively small pool of higher education students in RAK limits the growth of the higher education sector. Limited local oversight of foreign campuses has also created some unresolved concerns about the quality of higher education in the emirate. The funding models available for private higher education institutions are perceived to be unstable because both private and government sponsors can shift
their priorities, which can result in changes in funding for campuses, thereby threatening the longevity of higher education initiatives.

Higher education stakeholders in RAK evaluate the legitimacy of the emirate’s CBHE policy positively, particularly its role in advancing RAK’s social and economic development in ways that are tailored to the needs of the emirate. More critical assessments are associated with the difficulty RAK has had in creating a robust market for higher education to attract students and high quality institutions to the emirate.

This chapter aims to describe CBHE in RAK, including the role it plays in RAK’s overall development; the actors and goals involved in CBHE policies; and an analysis of the legitimacy of RAK’s CBHE policies. The section following the introduction begins by providing an overview of RAK’s development status and the role of higher education. The next section describes the policy actors involved in developing RAK’s CBHE policies, followed by a section detailing the key goals of RAK’s CBHE policies. The final section analyzes the legitimacy of various elements of RAK’s CBHE policies, as assessed by RAK’s higher education stakeholders.

**RAS AL KHAIMAH’S DEVELOPMENT STATUS**

Ras Al Khaimah is a small emirate located about a one hour’s drive north of Dubai. In comparison to the flashier and wealthier emirates of Dubai and Abu Dhabi to its south, Ras Al Khaimah is substantially less developed, with large rural areas and less wealth available to invest in development. Without oil reserves to draw from, RAK’s development has depended upon the establishment of non-petroleum industries. In 2013, the most recent year for which export data is available, RAK accounted for just 1.9 percent of the country’s non-oil exports, compared to 85.0 percent for Dubai and 10.8 percent for Abu Dhabi (UAE National Bureau of Statistics, 2015). RAK has built its industrial sector, which in 2013 accounted for 25 percent of its GDP,
particularly in the areas of glass, cement, and ceramics (Oxford Business Group, 2015). Tourism also contributes to RAK’s economy, with an estimated 2.4 million overnight tourist stays in the emirate in 2014 (Oxford Business Group, 2015). A number of international hotel chains operate resorts in RAK, including a Rotana hotel and several Hilton resorts.

Despite recent strides made in developing the emirate, Ras Al Khaimah remains substantially less developed than Dubai and Abu Dhabi. One news report described RAK’s, “absence of digital billboards, shopping centres, and hotels that typify Dubai. Instead, desert roads are dotted with clusters of small apartment blocks, car repair workshops, and discount retailers. Clotheslines are laden with laundry left to dry in the sun, and diesel generators are placed near commercial and residential buildings, to compensate for power shortages” (Fayed, 2011, in Davidson, 2012).

When the current Ruler of the emirate was appointed Crown Prince in 2003, eventually assuming the position of Ruler in 2010, large increases in investments in infrastructure and business development began to be made by the royal family, and the federal government has increasingly invested in power, housing, and roads since 2011 (Davidson, 2012; Zacharias, 2013).

Similar to the UAE’s overall population, RAK’s population contains a mixture of Emirati nationals and expatriates from South Asia, the Philippines, and the West. RAK was home to 10 percent of the country’s Emirati nationals in 2010 (UAE Department of Statistics, 2012). However, given RAK’s smaller total population than Dubai and Abu Dhabi, RAK has higher concentrations of Emirati nationals. In 2009 – the most recent year for which such statistics are available by emirate – Emiratis accounted for 45.4 percent of RAK households, compared to 29.1 percent in Abu Dhabi and 13.3 percent in Dubai (UAE National Bureau of Statistics, 2015b). RAK’s relatively high concentration of Emiratis serves as a source of some political power in the federal system in which the satisfaction of the Emirati population is an important component of political stability. Particularly following the Arab Spring demonstrations that took
place elsewhere in the Middle East in 2011, the UAE federal government increased development spending on roads, electricity, and housing in Ras Al Khaimah and other poor emirates to address the big disparity in wealth between Abu Dhabi/Dubai and the other emirates, ultimately aiming to support social and political stability among Emiratis in less wealthy regions of the country (Davidson, 2012; Zacharias, 2013).

**RAS AL KHAIMAH’S HIGHER EDUCATION SYSTEM**

Higher education enrollment in RAK was 3,846 students in 2013/14, representing 3.0 percent of total higher education enrollment in the UAE (UAE MOHESR, 2014). Of these students, 67.3 percent are Emirati, 19.4 percent are from Arab countries outside the UAE, and 13.2 percent are from other countries (UAE MOHESR, 2014). As of 2013, a slight majority of RAK’s students (53 percent) were enrolled in the public sector (UAE National Bureau of Statistics, 2013), which means that nearly half of RAK’s students are enrolled in the private and local semi-government institutions. Most of RAK’s students (72.9 percent) are enrolled in bachelor’s programs, while 23.5 percent are enrolled in foundation or diploma/higher diploma (pre-bachelor) studies. Just 1.3 percent study at the graduate level (UAE MOHESR, 2014). Data on the fields of study of RAK students is not available.

Despite its relatively small size, RAK is host to 10 higher education institutions (Center for Higher Education Data and Statistics [CHEDS], 2012), including the federal Higher Colleges of Technology (HCT) and several private institutions, including international branch campuses, independent private institutions, and semi-government institutions. Currently operating international branch campuses include institutions like the University of Bolton (UK), the Ecole Polytechnique Federale de Lausanne (EPFL; Switzerland), and the Birla Institute of Technology (BIT). Al Ittihad University is an independently run private institution in the emirate, while the
American University of Ras Al Khaimah (AURAK), and the RAK Medical and Health Sciences University are semi-government institutions that receive funding from the emirate. In recent years, several international branch campuses were established in RAK, but subsequently closed for reasons related to funding and student enrollment, such as George Mason University (U.S.), Tufts Friedman School of Nutrition (U.S.), University of Pune (India), and the Vatel international tourism school.

**ACTORS AND APPROACHES IN CROSS-BORDER HIGHER EDUCATION POLICY**

There are several governmental agencies involved in the oversight of RAK’s higher education system and who are active in CBHE. Ras Al Khaimah does not have a central agency dedicated to higher education development or oversight. Rather, the decentralized structure of RAK’s higher education system means that multiple trajectories of higher education development occur independently and without central coordination or strategic planning. Each vector of development emanates from a different government agency and represents that agency’s interests.

**RAS AL KHAIMAH FREE TRADE ZONE (RAK FTZ).**

The RAK Free Trade Zone is a government agency dedicated to developing businesses in the emirate by promoting the emirate as an attractive business location for foreign and domestic companies and by providing logistical support to set up businesses in the emirate. RAK FTZ was founded in 2000 and has several offices around the world (in Turkey, India, and Germany) that work to promote RAK as a desirable location for businesses to establish themselves (Knowledge@Wharton, 2013; RAK FTZ, 2014). A key pillar of RAK FTZ’s approach to developing business in the emirate is its policy to attract foreign direct investment, including providing 100 percent tax exemption, allowing 100 percent foreign ownership, and allowing full
repatriation of profits (RAK FTZ, 2014). Education is one sector that it targets, among other sectors like manufacturing and tourism (Kane, 2013).

The majority of private higher education institutions in RAK operate under licenses offered by the RAK FTZ. The University of Bolton (UK), which opened in 2008, was one of the first branch campuses to open through RAK FTZ under the free zone regulations for education institutions. The India-based Birla Institute of Technology (BIT) is another large campus operating under free zone regulations. The free zone regulations provide a means for RAK FTZ to issue licenses for international branch campuses without the institutions having to receive accreditation from the UAE’s federal Commission for Academic Accreditation (CAA). Unlike in Dubai, where the two free zones operate as campuses with dedicated buildings hosting many branch campuses and include classroom and office space, as well as student facilities, RAK FTZ does not have a dedicated campus location where the branch campuses are housed. Rather, RAK’s free zone approach to education is manifested as a set of policies that license campuses to operate in RAK and help them to locate or develop space that is appropriate to their business plan.

*RAS AL KHAIMAH INVESTMENT AUTHORITY (RAKIA).*

In 2005, the RAK Investment Authority (RAKIA) was established as a free zone with the specific focus of managing and developing RAK’s industrial parks (RAKIA, 2012b). RAKIA operates in much the same way as other free zones in that it issues licenses for companies to establish in the emirate and facilitates the establishment of the business by helping with logistics, but goes further than some other free zones in that it also manages and invests in certain projects. According to RAKIA, “Across this region free trade zones have traditionally been viewed as real estate ventures, primarily issuing licenses, however, RAKIA went the extra mile not only being a
facility provider but also offering investment advisory services and equity participation on selected projects” (RAKIA, 2012b). While RAK FTZ seeks to develop education as an industry itself, RAKIA has invested in higher education that serves its particular goal of developing the industrial base in the region. “Education/Technology” is one of RAKIA’s strategic business units that aims to support the development of the emirate into a hub for technology and industry. The cornerstone project of that unit is RAKIA’s partnership with the Swiss Ecole Polytechnique Federale de Lausanne (EPFL) which has set up a campus in RAK to conduct research and training in engineering, particularly in energy and sustainability – fields that are relevant to local industry and technology needs. EPFL’s RAK campus was announced in 2009 with an initial pledge of “hundreds of millions of dollars” from RAKIA (Bardsley, 2009, Jun 22). The ultimate goal of investing in EPFL in RAK is to develop a technology park that will serve as a technology incubator and will facilitate technology transfer (RAKIA, 2012a).

EDRAK.

EDRAK was established in 2006 by the Ruler of Ras Al Khaimah through the Investment and Development Office (IDO) which provided a start-up investment of 1.5 million dirhams (about $500,000) (RAK News Online, 2012), with an initial goal to also raise an additional 1 billion dirhams (about $270 million) from private investors to generate joint public-private investment in education (AME Info, 2006). Licensed as a private company through RAK FTZ, EDRAK intermingles public capital with private funds to provide a vehicle to pursue governmental objectives in education while leveraging private sector investment. The company was designed to “provide highly lucrative investment opportunities to investors” in projects that “aim to support the educational sector and raise the level of educational standards locally and regionally” (AME Info, 2006). Its initial projects included developing the George Mason
University branch campus, which subsequently closed, and the RAK Medical and Health Sciences University (AME Info, 2006). Today it operates the dormitories of the American University of Ras Al Khaimah. EDRAK and the Investment and Development Office also supported the Tufts Friedman School of Nutrition beginning in 2007 to offer courses in health and nutrition in the emirate (Tufts University, 2014).

**The Goals of RAK’s CBHE Policies**

While many policy actors in RAK higher education vary in their orientations to CBHE policymaking, there are some commonalities in their approaches to cross-border higher education, which allows for an overall profile of CBHE policymaking to emerge. The dominant themes of CBHE policymaking in RAK are those of increasing higher education choices and supporting economic development in the emirate.

This section describes the key goals of CBHE policies in RAK, in order to set the stage for the final section of the chapter which analyzes stakeholders’ perceptions of the legitimacy of CBHE policies. Because stakeholders often assess policies based on how well those policies meet their goals, it is important to first understand the goals of CBHE policies before moving into an assessment of their legitimacy.

**Increasing Higher Education Choices.**

Increasing the capacity and options for higher education is one of the primary goals of CBHE policy in RAK. The free zone regulations enacted by RAK FTZ provide an open market for higher education institutions. Institutions must file a business application and as long as they meet minimum standards, they will be granted a license to operate. Low regulation and the freedom for institutions to offer any course of study they would like reduces barriers for higher education institutions wishing to establish a campus, making RAK a desirable location to establish themselves without extensive accreditation or licensing requirements. Indeed, RAK
has less regulation than Dubai, which also has free zone regulations to bypass federal licensing and accreditation requirement, but Dubai also has its own quality review process to assess comparability with the home campus. RAK has not such quality review requirement.

In RAK, the primary concern of policy actors is to provide an array of choices for both local (Emirati nationals) and expatriate residents. For local Emiratis, IBCs and other foreign-affiliated institutions mainly provide them with additional educational choices because they already have access to higher education institutions through the federal universities. However, for expatriates in RAK, private higher education is their source of access to any higher education locally, since expatriates are not able to enroll in the federal universities. At the same time, policy actors indicated that they want to provide an array of higher education options in terms of institution types and programs, beyond offering enough seats to provide access for students. As one study participant described, “We have a big presence of the expat community already here. So in a sense it’s a natural progression to allow as well foreign institutions to come here to allow those expats to be educated.” Since the federal universities are only open to Emirati nationals, expatriate residents can only be educated in private universities. Without private universities available in RAK, expatriates interested in higher education would need to leave the emirate. The ruler of Ras Al Khaimah described in a news article that he wants to “have choices for people” residing in RAK so that they do not have to leave for study (Swan, 2012, April 8). According to this view, living in RAK should not mean that one does not have access to higher education; opening the emirate for private higher education is one means of promoting access to higher education despite its distance from the more highly populated emirates. A RAK FTZ official stated, “It also means the locals are getting more choices, as well as making [RAK] attractive internationally” (Swan, 2012, February 29). In the view of RAK FTZ, providing local higher
education options helps to make the emirate more attractive to foreign companies interested in establishing themselves in RAK by providing a potential source of training for employees and by serving as an amenity to make the emirate a more attractive place to live for employees and their families.

The concept of choice encompasses not only providing classroom seats for students living in RAK, but also to provide a diversity of academic programs and perspectives that may not be available in the local campus of the federal Higher Colleges of Technology (HCT). As the Ruler of RAK stated, “HCT has been very good but we want to have choices for people . . . [to] help fill the gaps.” (Swan, 2012, April 8). As one study participant observed, “for foreign institutions to bring their own idea, their own experience, their own wealth of knowledge . . . broadens our minds too and gives our people a greater choice.” A senior official with RAK FTZ stated, “We want all kinds of institutions so everyone has a choice, even the high school drop-outs, with vocational institutions to help get them into work” (Swan, 2012, February 29). Thus, it is seen as desirable to encourage a wide variety of higher education institutions to offer an array of programs to all sets of students.

**Supporting Economic Development.**

Closely tied to the goal of increasing higher education choices is that of supporting economic development. In RAK, this goal is served in several ways. First, CBHE is viewed as a way to develop human capital in the emirate. Secondly, higher education is viewed by some as an amenity that helps make RAK an attractive location for foreign businesses and foreign workers and their families. Lastly, a small component of higher education is oriented toward directly aiding development by generating knowledge and expertise to help RAK face its infrastructure development challenges, such as energy independence.
In RAK, CBHE contributes to the goal of training workers to fill the jobs available in the emirate. The availability of trained workers is viewed as necessary to develop and expand new and existing industries so that the emirate can become more prosperous and competitive. An official from RAK FTZ was quoted as saying, “We can't just keep bringing investments without having enough variations of universities here to really support these industries” (Swan, 2011, August 14), indicating that higher education is being looked to provide training for workers in the emirate. To that end, the expectation of policymakers is that CBHE will be oriented to the emirate’s employment marketplace. The Ruler of RAK was quoted as saying that, “Expansion in areas such as industry and tourism depends on education becoming a top priority and will be the foundation for growth” (Swan, 2012, April 8). For example, the IBC of the Vatel school of tourism operated for a time in order to provide trained workers for the local hotel industry. However, the Vatel branch campus did not endure for long, so its impact on the tourism sector was limited.

In a broader view, a foreign presence in higher education in RAK is seen as a necessary component for developing higher education that is relevant to the global economy and the global competition for industries, foreign investment, and talented workers. One study participant described that while it is important to educate and develop skills among local Emirati nationals, “Today there is competition for talent. So if a university does not allow, say, a Japanese [faculty member] to come, or a Syrian or an Egyptian or a Saudi who’s very good, I think that university will lose because students at the end of the day are not just students of a university, they are students of that professor. In the view of this study participant, cross-border movements in higher education are necessary to become competitive on a global scale.
Higher education is also viewed as an amenity to attract and retain businesses and workers. As one stakeholder described, “If you are a teacher and you want to do your masters, it would be good if you have a master’s degree here close by. This may be one of the reasons you choose to work here.” Indian branch campuses are particularly attractive institutions for expatriate families from India who are working in the region and would like to educate their children in Indian universities. The presence of Indian branch campuses provides the opportunity for the workers’ children to remain in the emirate and earn an Indian credential at the same time. As one stakeholder described, “We have a big presence of the expat community already here, so in a sense it’s a natural progression to allow as well foreign institutions to come here to allow those expats to be educated.” Thus, foreign institutions are seen as necessary amenities to attract foreign workers already in the emirate, as well as attracting and retaining workers in the emirate.

A small number of international branch campuses exist to develop the social and economic well-being of the emirate through the content of what they do. For example, the Tufts Friedman School of Nutrition offered a master’s program in nutrition from 2007 until 2013 and continues to provide education in the emirate. The goal of Tufts’ presence in the emirate was to help establish RAK as “a hub for nutrition education and health care that will serve populations in the UAE, neighboring Gulf States and South Asia” (Tufts University, 2014). Rather than directly supporting local business development, the Tufts program served human development goals in a region where health and nutrition are important social concerns. EPFL is another institution in RAK that aims to serve the emirate’s development goals by producing research and innovation to support the local manufacturing industry, in particular those areas related to energy and sustainability. EPFL’s presence is more directly tied to economics than the Tufts program in
that the research it generates is related to the manufacturing and energy concerns of the emirate. Informing such technical challenges is viewed as a way to help grow the manufacturing industry in the emirate and to help the emirate to become more self-sufficient in the production of energy.

**Perceived Legitimacy of RAK CBHE Policy**

Several elements of RAK’s CBHE policies are salient to stakeholders’ evaluations of legitimacy. Sponsorship, academic excellence, oversight, and cultural integration are critical elements of RAK’s CBHE policies that bear on both the procedural and normative elements of the policies’ legitimacy. The remainder of this chapter describes and assesses the perceptions of RAK’s higher education stakeholders along each of these dimensions and analyzes their assessments against the framework of policy legitimacy and its procedural and normative elements.

**Sponsorship**

Given RAK’s small higher education sector, there are a small number of current and former higher education institutions with several variations in their sponsorship arrangements. A small number of cross-border ventures in RAK have received government sponsorship, while most are reliant on student tuition to provide revenue to fund their operations. Many of these self-funded campuses, which typically rely on student tuition for their operating funds, have corporate business partners that underwrite the campus operations in return for a share of revenue. Regardless of the funding model used, concerns abound regarding the stability of sponsorship arrangements, which has implications for the decision norms of policy legitimacy. Among campuses receiving government support, there are concerns that expectations are sometimes not clearly communicated, making it important to understand how to maintain government support in order to preserve stability of higher education institutions and the system.
as a whole. The sometimes nebulous communications around expectations suggests that strong personal relationships with the right people in leadership positions are important factors in obtaining and maintaining funding.

At the campus level, sponsorship arrangements are often viewed as precarious. In one sense, having sponsorship from a government agency is seen as providing advantages to the campuses in those relationships. “You see partnership with government is always nice because you’re coming in and plugging into a very serious system, everything in there. You don’t have problems from cashflow. You don’t have teething problems.” While government sponsorship can help to ease start-up pains, it is not in itself enough to ensure success. As one observer commented, “You’ve got everything mastered, but government works in their own ways. They have their own objectives.” Some campuses that have received government sponsorship in RAK did not survive over the medium term, such as George Mason University and Tufts Friedman School of Nutrition. George Mason’s closure was partly attributed to a loss of funding from the government (Bardsley, 2009, May 26), indicating that a rift between the campus and its funder contributed to the IBC’s closure. One risk of unstable funding is that losing a branch campus in which the emirate has invested is a loss of the time and resources invested, “Because then to restart such a process, you need to find an institution that is willing to come, an institution that has the right vision, and that can take you there. And it’s not everywhere that you find this. The conjunction of the three is not an easy conjunction to find.” Thus, constancy of the government’s funding commitment is seen as a benefit not only to the IBC, but also to the emirate who has invested in the campus to serve certain goals it wishes to achieve. These views are emblematic of stakeholders’ concerns with the decision norms of sponsorship legitimacy – namely, the constancy of the financial support of the partner. However, shifts in funding may
also be a function of cultural mismatches in expectations for what norms should be followed in decision-making. Western expatriate stakeholders often mentioned transparency in decision-making as an important value, and they sometimes mentioned a lack of clarity in terms of how decisions were made by government funders. Thus, Western stakeholders sometimes feared the possibility of losing funding without understanding why.

It is noteworthy that following the closure of George Mason, the RAK government opted to fund its own American University of Ras Al Khaimah, rather than to enter into another sponsorship arrangement with an international branch campus. In this way, the government eliminated the difficulty of relying on an external partner to enact the government’s vision for education. Moving from sponsoring an international branch campus to developing an entirely local institution demonstrates the RAK government’s shifting views of representational legitimacy in this case. Rather than sponsoring a campus with international partners, the government developed a campus that would be more directly under its control and responsive to local needs, while at the same time benchmarking its curriculum to an American model. The AURAK campus received financial backing from the local government which it has maintained over time. “There are signs the RAK Government is working to help its new institution succeed. Builders are constructing two large halls of residence and a student centre that will contain the recreational facilities to make it a ‘real campus’ ” (Bardsley, 2009, Sep 7).

The stability of funding is also a concern for foreign campuses that have private sector business partners. Many IBCs affiliate with private businesses or entrepreneurs who handle the non-academic aspects of the campus, including facilities, security, business expenses, logistics, and sometimes administration of human resources, while the university partner is typically responsible for academics. This type of arrangement can create a dynamic where the business
partner is focused on generating profit while the higher education institution is focused on academic quality – a dynamic that can serve as a source of conflict for branch campuses. One campus that lost the support of its business partner faced the prospect of closure, but avoided that fate when a government agency provided temporary support and assistance in brokering a new business partnership to support the campus. In this instance, the campus had established enough of a stronghold in the emirate that the government considered it valuable enough to support on a temporary basis in order to keep it in RAK. Other campuses in RAK have faced a different fate, such as the branch campus of George Mason University. George Mason cited a breakdown in negotiations with their funding partner as the reason for the campus’ closure in 2009. Specific tensions cited by George Mason’s provost included funding levels and reporting structures between the campus and the funders, which appeared to have been partly tied to struggles to enroll enough students. The provost stated his view that these difficulties might have been avoided if he had made sure the campus was “well enough funded at the outset to hire a manager at [George Mason’s] end to oversee the project” (Stearns, 2009). The kinds of investments that branch campus stakeholders referenced as sources of tension with investors include space and facilities, research support, and support services for students. Several stakeholders pointed to the importance of the private investor and the higher education institution sharing a common vision, with the investor willing to put resources into achieving that vision. As one stakeholder observed, “Once an investor loses vision the university can’t help because the university doesn’t have the money. It’s usually relying itself on [the branch campus’] finances.” When investors stop sharing the university’s vision for higher education, the partnership often fails, which means a loss of funding for the higher education institution and, oftentimes, the failure of the branch campus.
Some international branch campuses established solely with private sector partners have also been able to draw in some governmental support for specific purposes, such as support for specific programs or to sustain a campus during a transition between business partners. The campuses that have been successful at obtaining such support are those that have a proven history of operating in the emirate and have demonstrated to potential funders that they offer education that is of unique value to the emirate. A commonality among all the campuses that either had some government funding or are hoping to secure some, is the time and effort they spent to build and maintain relationships with government entities, to learn about their needs and interests, and to design programs or activities that would satisfy those interests. This process of relationship-building suggests that trust and a perception of value are key components in government decisions to fund foreign campuses, but at the same time, the lack of transparency for how funding decisions get made posed a real or potential legitimacy challenge for CBHE policy among foreign stakeholders, who sought greater clarity in how to obtain government funding.

**ACADEMIC EXCELLENCE**
Throughout the emirates, the concept of academic excellence is integral to CBHE policy. Importing foreign higher education is done in large part to bring in expertise that is not available in the UAE, given its young higher education system. Thus, CBHE serves as a source of quality higher education at a level that might not otherwise be achievable. However, while rhetorical appeals are often made to the concept of academic excellence through CBHE, many question whether high quality is being achieved. The concern about offering quality higher education through CBHE is widespread, thereby indicating that stakeholders’ perceptions of quality bear on the normative legitimacy of the emirate’s CBHE policies. There is broad consensus that offering quality higher education is the right and appropriate thing to do and policies that served
to provide “substandard” higher education would not be considered legitimate. At the same time, RAK stakeholders with an interest in quality assurance acknowledge the fact that higher education institutions can serve many purposes and, accordingly, notions of quality need to be flexible. In addition to the shared normative legitimacy concerns around academic excellence, stakeholders also raised the issue of student preparation levels and the need for higher education institutions to be responsive to the preparation levels of the student body. By formulating higher education policies in ways that account for students’ preparation levels – which may not meet the standards expected by Western faculty or institutions – many stakeholders suggested that representational legitimacy would be achieved within the RAK context.

In RAK, the motivation for higher education development is to provide access to higher education for students who are place-bound in the emirate – both to retain foreign workers in the emirate and to raise the education level of Emiratis who are not able to travel for higher education. One study participant portrayed the higher education institutions in RAK as those that, “will become a solution and a choice for some [students] that would not otherwise be educated. That Ras Al Khaimah will be a good alternative for them and . . . that the education standard is of a good quality.” In this context “good quality” is not taken to mean research and scholarship associated with globally-ranked universities. Rather, it is understood as the provision of a solid education to students, who may not be highly prepared, through teaching to advance their knowledge and skills. With this approach to higher education, comes the expectation among many stakeholders to design policies and systems that effectively address the needs of the students located in RAK, in order to have representational legitimacy of its higher education development strategy.
An often-heard critique is that the institutional rankings of RAK’s private education institutions and the achievement scores of the students are indicators of poor quality higher education in the emirate. This is a critique heard elsewhere in the emirates, but is particularly salient in RAK because of its relative openness in allowing foreign higher education institutions to establish themselves. For example, the home campus of the University of Bolton has a low ranking in the UK, ranking 115 out of 119 institutions in 2014 (The Guardian, 2013). In responding to questions about Bolton’s low ranking in the UK, the institution’s deputy vice chancellor noted that the rankings were based on research, rather than on teaching, which is the primary mission of the institution (Bardsley, 2008, September 15). In the common discourse around higher education in the UAE, the concept of mission differentiation among institutions is not widely discussed. Instead, the frequent appeals to bring in excellent institutions and academics from abroad assume that being of Western origin is a marker of excellence. An executive of RAK FTZ noted that, “[RAK FTZ does] not want to bring schools that are not internationally recognized. People recognize the British curriculum as one with high standards” (Swan, 2010, Aug 31). Thus, many perceive high quality as relating to the name recognition and home-country affiliation of institutions, rather than their rankings. Introducing Western curricula through branch campuses or in local institutions is perceived as contributing to high quality because “the West has advanced tremendously in education, in science. We should use what the West has achieved . . . We have to use the textbooks published in America as references. We have to use articles published in [the West] – you can’t live in isolation . . . it’s a small world.” This quote illustrates the common perception across the UAE that Western countries are currently at the forefront of higher education and knowledge production and for the UAE to advance in that direction, the country must be open to foreign knowledge and expertise.
Given that the dominant mission of most institutions in RAK is to teach students, many of whom are first generation students and many of whom are pursuing higher education in a second language, RAK’s higher education system is largely designed to serve an access mission for students, rather than striving for research excellence. Within this context, institutions entering RAK are expected to meet basic standards to demonstrate that they are credible educational entities that will offer students a valid educational experience. One stakeholder described that, “In every country you have different tiers of universities [to] serve different needs. That’s why it’s important to do an appraisal for each university to see that it meets minimum standards.” Rather than being seen as a limitation of the system or a marker of poor quality, this stakeholder sees value in making sure that institutions meet a core set of minimum standards as the norm for higher education systems around the world. This minimum-standards approach allows the emirate to offer higher education that is appropriate to its contexts and the needs of its students.

Throughout the UAE, including RAK, the preparation and skills of the students is a much debated issue that relates to academic excellence. Higher education institutions that seek students who are prepared in English at a high level often struggle to enroll enough students. For example, when George Mason was operating in RAK, they required that students score 570 on the Test of English as a Foreign Language (TOEFL) or 6.5 on the International English Language Testing System (IELTS), which was noted as being higher than some universities in the U.S. (Bardsley, 2008, August 11). George Mason’s closure was attributed in part to its struggles to enroll enough students who could meet these entry requirements, and the failure of this campus was viewed by many as a blow to the representational legitimacy and potential of international branch campuses to effectively serve the higher education system in RAK. The
locally based American University of RAK, which succeeded the George Mason branch campus, implemented lower admission requirements for their students with the goal of generating higher enrollment (Bardsley, 2009, May 26), which are viewed by many as more appropriate requirements for RAK.

Many stakeholders note that the most highly prepared and highly motivated students often travel abroad for higher education, further underscoring the expectation of stakeholders that CBHE policy in the emirate should target the needs of those students who are represented in the emirate’s higher education sector, in order to gain representational legitimacy within the local context. For most students, their preparation “doesn’t reach the level that’s needed [and] the very good [students] receive enormous financial support to go to the best institutions elsewhere . . . They go to Stanford. They go to MIT . . . They go to all these institutions afar,” thereby limiting the pool of highly prepared students who remain in RAK.

Some private institutions adjust their admission standards to more closely match the preparation level of the students, while others offer foundation studies to provide a pathway for lesser-prepared students to meet the requirements for degree programs. While some higher education stakeholders perceive that making adjustments to admissions criteria as degrading academic quality, but many others view higher education as having a responsibility to prepare students. These variations among stakeholders of the relevant framework for academic quality indicate that stakeholders have different assumptions about the appropriate role of CBHE policy in addressing quality concerns; these varying assumptions are rooted in their views about which students are most relevant to the representational legitimacy of CBHE polices. As one stakeholder stated,

“[Universities] have to take some sort of responsibility. “If the university thinks that it’s up to the [secondary] schools to send [them] students at 6.5 [IELTS score], [they] can’t
expect that... So the only way to make people reach your standards is to be able to cultivate them. So when they come to you, you don’t close the door on them, [but you] say, ‘Hey, listen. I can give you a month. It’s going to take you three months, six months, one year, but once you’ve done that I will assure you that you’re going to reach my standard. You’ll be absorbed into my program and hence, you are then a student on that program. You’ll be a graduate.’”

In this view, it is incumbent upon higher education institutions to help prepare the students who remain in RAK in order for the policy to be considered legitimate. Indeed, throughout RAK and the UAE, foundation courses that prepare high school graduates for undergraduate study are the norm for most institutions. This is the case for independent private higher education institutions, as well as international branch campuses – even though such foundation courses are not typically offered on the home campus.

A notable exception to the general approach of providing access to higher education for all students is EPFL. EPFL is a Swiss higher education institution whose home campus produces research and technology of the highest international caliber, as evidenced by its high global ranking. EPFL’s presence in RAK is unique because rather than being focused on teaching, as is the case with other higher education institutions in the emirate, EPFL’s purpose is to engage in high caliber research that is rooted in the needs of the emirate, such as renewable energy, water and energy security, sustainable urban environment and clean technologies,” all fields that are tied to the global and local “realities of climate change, enhanced urbanization, energy demand, plus land and water use.” (EPFL, 2014). Engaging in research in these fields is intended to help RAK to further its infrastructure development, strengthen its manufacturing center, and support its energy independence.

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7 In 2013, EPFL was globally ranked at number 15 among higher education institutions in Engineering by Shanghai Jiao Tong (Shanghai Ranking, 2013).
In the RAK context, the specific focus of EPFL on providing the highest quality research in engineering and technical fields is made legitimate through its unique role in higher education compared to other higher education institutions in the emirate. Rather than being expected to educate local students, EPFL’s is to contribute to the infrastructure development of the emirate. Its ability to do so is what defines its legitimacy in the emirate. The role of EPFL is unique in RAK and accordingly, the legitimacy criteria that stakeholders apply to that institution’s activities in RAK differ from other institutions that have a larger teaching role. Oversight

The free zone regulations that encourage international branch campuses and other private institutions to establish themselves in RAK benefit the emirate by increasing its capacity to educate students within the emirate. However, weak emirate-level oversight creates uncertainty about the quality of some institutions and raises procedural legitimacy concerns about how RAK’s CBHE policy is structured. These concerns are heightened by the structural limitations of students’ low preparation levels as they enter higher education, which in some views create a need for strong quality assurance systems to maintain a baseline of higher education quality in the emirate, as well as to ensure that students are protected and are not receiving substandard education that will not sufficiently prepare them for employment or further education. An array of quality control processes exist at the institutional level without an overarching system for quality assurance that ensures that the interests of the emirate and the students are being served.

The procedure for campuses to set up in RAK is to submit an application for a business license to the RAK Free Trade Zone (FTZ). The application form for educational companies asks for some specific details that are not asked of other companies, such as details about facilities, the number of staff, and expected number of students. These basic application requirements indicate that there is a simple review procedure for private institutions in RAK.
without a thorough quality review or quality assurance process. As one stakeholder described, “It’s just a license. It’s a license to assist them to come here so they come to Ras Al Khaimah.” The primary criteria for approving applications is if the entity is credible and is not a sham operation that will be taking advantage of students. In particular, education licenses are reviewed to make sure that the facilities requested are sufficient for the students. These procedures are designed to ease the application process for education institutions in RAK, but the lack of substantive academic review to license programs poses legitimacy challenges for the system as a whole. While some institutions are able to sufficiently establish their legitimacy through ties with known international higher education institutions, many in the sector expressed concern that less rigorous institutions lacked legitimacy and undermined the reputation of RAK’s higher education sector as a whole. Stakeholders identified the implementation of a systematic quality review process as something that would increase the legitimacy and credibility of RAK’s higher education system.

Even though RAK’s free zone regulations mean that institutions are not required to receive CAA accreditation, institutions may pursue accreditation if they choose. The advantage of CAA accreditation is that the credentials from accredited institutions are recognized for government employment, making CAA-licensed and accredited institutions attractive to Emirati students, many of whom seek public sector jobs after graduation. CAA accreditation is described by study participants as being “an important issue” for local Emirati students. The importance of CAA licensing and accreditation is illustrated by the experience of George Mason’s branch campus whose applications increased by 25 percent when it received a license from the CAA (Bardsley, 2008, August 11). Despite the advantages of CAA accreditation, some IBC stakeholders in RAK perceive the CAA requirements to be too burdensome, citing
requirements like incorporating Islamic studies into the curriculum, which are not part of the curriculum on the home campus. As one stakeholder stated, “we want to have a curriculum that’s kind of contextual in a global situation, but we don’t want to be dictated about what to teach.” Many IBCs are concerned that the CAA would place requirements on them that would steer them too far away from the curricula on the home campus, which they perceive as undesirable because they see their role as IBCs is to deliver the home campus curriculum as closely as possible.

In many IBCs, the quality oversight that does exist largely emanates from the relationship with the home campus and this is the approach that both the campuses and RAK FTZ see as desirable. An executive of the RAK Free Trade Zone has said that the, “RAK Free Trade Zone makes sure that the academic infrastructure provider is controlled, monitored, audited and supervised by the parent university and the exams are conducted and certificated by the university directly. The university guarantees and takes responsibility for all acts of the academic infrastructure provider” (Swan, 2010, Nov 1). IBCs rely on the curricula from the home campus and in some cases bring faculty or examiners from the home campus to ensure that the education provided matches that of the home campus. For some international branch campuses, the delivery of the academic program is completely controlled by the campus in the home country, offering not only the same degree and same curricula as the home country, but using faculty from the home campus in RAK and by sending exams to the home campus for grading. One RAK stakeholder described that “all of the courses that we deliver here are exactly the same as what’s being delivered in the [home country]. It’s delivered in the same semester pattern, the same course content, the same assessment. So basically a student [at the home campus] should be studying the same material and having roughly the same study experience as one that’s out
here [in RAK].” Any changes or adjustments to the IBC curriculum will typically be reviewed or decided at the home campus. However, the limitation of this campus-based approach to managing quality is that it is inconsistent across campuses; some international branch campuses may engage in aligning their branch campus academics with the home campus, but others may not. Without a consistent policy to assure quality across all IBCs in RAK, students in some IBCs may be receiving education that is quite different and potentially inferior than what they would receive on the home campus. Campus-based quality assurance does not necessarily relate to the interests of the branch campus or its local environment and is not always binding on the international branch campus, thus indicating that the decision norms used in implementing such internal quality assurance processes are not always considered legitimate within the host country context. In describing a recent internal review of its academic programs one stakeholder stated, “Our internal validation quality assurance which is very tough [and] actually stopped us running a program. Of course, it was internal so didn’t have to listen to them, but we did.” This quote illustrates that the weakness of the internal approach to quality assurance is that it is not binding on the institution and for that reason has weak procedural legitimacy.

The quality assurance processes of a branch campus’s home country sometimes extend to the branch location. IBCs may be inspected by the home country’s quality agency that may provide recommendations for the branch campus. For example, the Birla Institute of Technology is overseen by India’s University Grants Commission, which inspects and regulates the RAK campus, “guaranteeing students a level of quality assurance otherwise absent in RAK.” (Swan, 2012, February 29).

However, affiliating a campus with a certain country is a delicate matter throughout the UAE. One concern is the overreliance on foreign affiliation as an indicator of quality, but often
without a strong formal connection with a foreign institution. For instance, throughout the country there are several local institutions that are named “American Universities,” whose names suggest that American curricula are used, or that there is American accreditation or partnerships with American universities, but these institutions have varying degrees of affiliation with U.S. higher education. From a legitimacy perspective, weak affiliations with foreign institutions in these cases call into question the legal legitimacy of this aspect of CBHE. At the federal level, the CAA is broadly concerned that “national name should not be included in an institutional title as a marketing tool” (Swan, 2012, March 14). The American University of RAK is not accredited by a U.S. agency and so, for some, it is not clear how they are an American-style institution. At one point, a former president of AURAK proposed changing the name of the institution to the University of RAK (Swan, 2012, March 14) to reflect that it is more of a local institution than an American institution. However, under recent leadership, efforts have been undertaken to strengthen the American character of the institution, including “reviv[ing] the connection with George Mason University, using it and other institutions such as California and Arizona state universities as benchmarks to improve the university’s standards and offerings, academically and socially” (Swan, 2012, March 14), and hiring Americans into academic and administrative positions. Forging stronger formal connections with U.S. higher education institutions are policy adjustments that have been made in order to strengthen the legal legitimacy of CBHE in the local RAK context.

In light of the complexities related to quality assurance, a number of higher education stakeholders in RAK would like to have a local quality council to oversee RAK higher education. The Ruler of RAK has stated his support for a local quality council, “to help the facilities plan their strategies together, to increase communication between them and ultimately
to raise standards” (Swan, 2012, April 8). Despite widespread interest among all stakeholders in such a council, none has been established yet. One stakeholder described his understanding that, “there was some talk about creating an organization that all the respective [public and private institutions] would be part of . . . to look at things on [more comprehensively] around RAK, working together and see[ing] what their needs are.” Given the widespread interest among RAK stakeholders in creating a higher education council, it is evident that stakeholders’ preferred decision norms for CBHE policy legitimacy are those that would facilitate interaction among RAK’s universities and relevant government stakeholders to strengthen the higher education sector in the emirate.

**Student Market**

The higher education stakeholders in RAK portray the emirate as a desirable location for many reasons, but nearly all recognize and encounter challenges related to RAK’s student market. The relatively low population density in RAK means that there is a small pool of students to draw from, and institutions in RAK face competition for those students from nearby emirates. One higher education stakeholder described the situation in RAK: “They have competition from the Higher Colleges of Technology and Ittihad University, and it's not far for the students to go to University City in Sharjah. It's not as much of a draw for the people from other emirates to go to RAK” (Swan, 2010, July 28). Another states, “There's a distinct disadvantage in that we're in RAK, which is away from the population. If a student is in Dubai they would prefer to study in Dubai. A student from Sharjah would prefer Sharjah” (Bardsley, 2010, January 31). These quotes illustrate the challenges presented by the low pool of potential students in RAK, as well as pointing to the difficulty in attracting students from outside the emirate who might be more attracted to one of the many institutions that are close to where they live. Among policy makers with ambitions to build RAK into a hub for higher education that
would attract students from outside the emirate, there seems to be insufficient recognition of the representational legitimacy of CBHE policy in appealing to a broad higher education audience outside of the emirate. The scale of RAK’s higher education sector is supported by the enrollment of students who are already based in the emirate and there is not a clear segment of the population outside of RAK whose interests are represented by RAK’s CBHE policy.

Some institutions address the competition for students by offering lower fees in order to be more attractive to students from other emirates. Although a small number of RAK students travel from outside the emirate, the majority of the student pool in RAK is tied to the emirate and prefer to stay close to home or are not able to travel for education. For this reason, some institutions see RAK as a desirable location because there is less competition for local students. Many stakeholders perceive the Dubai market to be saturated with too many IBCs and other private institutions and see the lower density of private institutions in RAK as an asset. One stakeholder described his institution’s reason for selecting RAK: “It was decided to be a bit different, move out, go somewhere where there is less competition and possibly things are cheaper. That could be a selling point.” Despite some initial hopes that RAK could develop itself as an education hub and attract students from outside the emirate, experience has shown that potential students are more interested in living in the highly developed emirate of Dubai rather than in Ras Al Khaimah. “[RAK is] certainly a quite nice location in the sense that you’re by the mountains, by the sea, by the desert. It’s got a lot for it in that sense. Although it’s not a happening place like Dubai. There’s not a great deal going on.” A vice president of the former George Mason branch campus attributed their campus’s difficulties enrolling students in part to the social environment available for students in RAK, stating, “There is one mall and another mall under construction. There are a couple of dance clubs for young people, but there are a lot
of outdoor activities. I think there's more perhaps for students interested in exploring the environment and outdoors, and activities related to cultural artifacts” (Bardsley, 2008, August 11). Other higher education stakeholders have described RAK as a desirable place for study because of the lack of outside distractions and felt that this would be a selling point to parents, but the idea, “has not clicked very well” (Pathak, 2011). One student described RAK as, “a silent environment. You can come and sleep, and to some extent that's good. It's nice to be here because you can have peace” (Bardsley, 2010, February 19). One stakeholder summed up their view on the location as, “It’s an interesting place. There’s a lot of potential here. Whether it will ever compete with Dubai in terms of Knowledge Village, it can’t.” Another RAK stakeholder summed up his view that Dubai is “all noisy, but here [it is a] calm and quiet environment, and you can enjoy the natural scenes here. Ras Al Khaimah is different from all other Emirates. Maybe you cannot find the same civilization in Dubai, but it can make up for many other things.” These efforts show that IBCs and private higher education institutions address the small student market in RAK by making efforts to expand the viable student pool beyond RAK’s borders. However, their limited success in enrolling non-RAK students demonstrates that the representational legitimacy of RAK’s CBHE policy is an ongoing issue that is not easily surmounted by marketing efforts.

The level of preparation of RAK’s students also contributes to concerns about the student market in the emirate. As in Dubai, contending with the academic preparation levels of prospective students presents RAK’s higher education system with a challenge for the legitimacy of its decision norms in its admissions policies. Aiming academic standards too high typically results in small student enrollment, as there are challenges in finding enough qualified students, while aiming standards too low can result in poor academic quality that puts institutions’
reputation or accreditation at risk. Institutions seeking admissions standards that are too high often have trouble enrolling students. Institutions that are successful at enrolling students are those that adjust their admissions standards to be in line with the market and to focus their efforts on providing foundation programs to students to prepare them for further study. For example, the University of Bolton has been described as having “realistic admissions standards” that have contributed to its success in enrolling students in its RAK branch campus (Bardsley, 2010, January 31). In contrast, the short-lived George Mason campus would not adjust its admissions standards for English proficiency and was not able to find enough qualified candidates to enroll in the IBC. At EPFL, an institution for whom academic quality concerns are paramount, the RAK campus’ academic program is based on a model where students spend one year in Switzerland followed by a year in RAK to conduct applied research in energy and sustainability. In this way, EPFL’s RAK campus is able to enroll top students from around the world and bring their training and expertise to RAK to benefit the emirate, but the campus is not narrowly reliant on the student pool that is available in RAK. At the same time, the branch campus provides educational programs for RAK residents to serve as a source of education and training in the emirate. These three examples the range of approaches that individual higher education institutions in RAK take in addressing the challenge that the levels of student preparation pose for the legitimacy of its decision norms for admissions policies. In a context in which there is little emirate-level regulation of academic standards, RAK’s higher education institutions must face these challenges on an individual basis.

Given the large South Asian expatriate population throughout the UAE, Indian institutions have a large pool of students in the UAE from which to draw. Many Indian families would like their children to remain living at home while pursuing their degrees and at the same
time, they perceive an Indian degree as having value and recognition in the marketplace that the students can carry with them when they eventually return to India. Unlike other higher education institutions in the UAE which have a mixture of students of many nationalities, Indian institutions are largely populated by Indian students. Thus, recognized Indian institutions have a built-in representational legitimacy in the RAK higher education sector, as there is a relatively strong Indian student marketplace in the emirate. There is a defined and sizeable Indian segment of the prospective student pool and these students value an Indian degree for its utility in the UAE, as well as its recognition back home in India should their families return there. In RAK, the only Indian higher education institution is the Birla Institute of Technology (BIT), placing it at an advantage for attracting the local Indian student market.

**Cultural Integration**

In RAK, as in much of the UAE, there is widespread acceptance and understanding that as a young country founded in the 1970s, Emiratis did not have the skills, experience, and credentials necessary to build its higher education system and thus needed to bring in foreigners to staff its newly established universities. There was need to bring in skilled and trained higher education experts into a region that did not have that talent locally, but many higher education stakeholders predict that as more Emiratis earn doctoral degrees and have the qualifications to work in higher education, local sentiments will shift towards wanting more local staff and leaders in RAK higher education institutions. At the same time, many stakeholders view foreign leadership and staffing favorably and see it as normatively legitimate because of RAK’s history of interacting with others around the world. As one stakeholder stated, “If you look at the success of our country or Ras Al Khaimah, it [is attributable to] our ability to integrate with the rest of the world. Obviously, over the forty years, the success of our country was based on allowing expats to come and be welcome and respected in the country.” Despite this openness
and appreciation of foreigners in higher education and other sectors, cultural tensions do arise related to bringing Westerners in as experts to develop and steer domestic higher education, primarily focused on integrating Western and Emirati practices and perspectives.

One potential source of cultural conflict is the pressure many Western people and institutions face in the UAE that they should adapt their educational approaches to the local context. While locals value Western expertise and experience, the common perception is that foreign institutions and faculty “cannot do a copy and paste” of their curricula from home. Such expectations pose a dilemma for foreign institutions and foreign academics who see themselves as being brought into the UAE specifically for their Western expertise and Western approaches to education. Some local stakeholders perceive a lack of a willingness of Westerners to adapt as imposing Western values in the UAE. One stakeholder stated, “You can’t come in and impose . . . You have to be accepted [locally] and for that you have to be a little bit considerate.” In his view, if you attempt to impose foreign values too strongly, you may have some impact on local education, but that impact will be limited because you have not taken the time to learn about and respect the concerns and interests of local stakeholders.

Another stakeholder explained his view that,

“Public [higher education institutions] must attend to the local and indigenous culture because they are public, [while] private [institutions can] operate [more independently] . . . Accepting others is a universal phenomenon. Indoctrinating others is something unaccepted . . . You can teach but not preach.”

A Western academic in RAK described his view that, “One of the important issues in globalization is how to work in the country that you operate in.” Throughout RAK, foreign actors in higher education do not perceive significant conflicts related to academic freedom. The overarching theme among stakeholders is a desire to contribute to the emirate while respecting the culture, norms, and people who are hosting them. Around RAK, CBHE is perceived as being
largely respectful of the local culture and integrated with local needs. Foreign institutions in
RAK were described by stakeholders as being “engaged and [academically] anchored in the
emirate,” and “committed [to the region].” In the words of one branch campus stakeholder, “[We
are here] to share our knowledge, but also for us to learn things.”

The academic and cultural orientations of students also play into perceptions of academic
excellence, particularly for Western faculty and administrators in the UAE who bring with them
their expectations of open dialogue and critical discourse in the classroom, which has not been
the norm for many Emirati and Asian students. One Western stakeholder observed that, “[many
students] think if you pay your fees, you get the certificate. Yet there is a bit you need to do in
between . . . I think that a lot of students [are used to] being spoon fed and prepping just for the
exam, whereas the UK concept, as I’m sure is in the U.S. is to be taught to think and analyze,
and trying to get over that has been difficult.”

Institutions and people that are viewed as most successful in RAK are those that respect
local culture and root their activities in the local environment while maintaining the fundamental
character of their home country’s approach to education. One stakeholder described his view
that higher education has a responsibility to contribute to education around the world to aid
education development in all world regions.

“If there is a need for education in the Middle East and such a young population here, it is
a responsibility for every higher education institution around the world to come to this
region, to go into Africa, to go to into India. Find ways and means to get into these
countries and change the world because these are the institutions that will correct the
future generations. In a couple of years from now when we look back, it’s not the
government, it’s not business, it’s not cars, it’s not a couple of bucks. It’s not these that
bring about changes to society transformation. It is the very, very basis of education.
Otherwise you just would have the poor countries and you’d have the more forward
countries and there’s such a big gap between the two.”
Another stakeholder in RAK shared a similar view: “Geography [and] . . . geopolitics is changing. The actors, not only in higher education, but also in research, are changing. They’re evolving and mobility has become something that we cannot ignore any more . . . we cannot ignore the realities of the 21st century.” These comments reflect that RAK’s higher education stakeholders are bridging a binary understanding of cultural interactions that positions local Emirati principles against those of the other countries represented in RAK’s higher education system. Rather, the existing legitimacy norm is to express an appreciation for globalism that values global mobility and sees it as an opportunity for mutual understanding and growth. Within this context, the challenge for maintaining normative legitimacy of CBHE policy is for RAK stakeholders to identify international partners who share these values of bidirectional learning and do not seek to impose their practices and ways of thinking unilaterally.

**SUMMARY**

In sum, RAK’s CBHE policy is intended to serve RAK’s critical higher education needs. The emirate is focused on development and CBHE helps to support economic growth through human capital development as well as serving as an amenity to attract foreign companies and retain foreign workers in the emirate. CBHE is also intended to contribute to general education levels in the emirate by increasing the emirate’s capacity to educate students outside of the federal university, and at a relatively low investment from the emirate. In this regard, the emirate’s CBHE policies have been successful. However, unlike Dubai where higher education has become a vibrant economic sector in its own right, the comparatively small population in RAK limits the pool of prospective students locally and the emirate has not been successful in attracting sizeable numbers of non-local students, partly due to the perceived low attractiveness of the location and partly due to questionable quality of some higher education institutions. Thus, the growth of RAK’s higher education system is constrained.
Stakeholders in RAK perceive sponsorship and oversight to be the most critical issues that challenge the legitimacy of RAK’s CBHE policy. The need for many IBCs to partner with entrepreneurial business partners means that profit-generation is an undercurrent of many IBCs’ operations that can challenge the legitimacy of IBCs in RAK. When business partners perceive profit to be insufficient or when a concern for profit conflicts with concern for academic quality, the business relationship can fracture, leading to instability in funding and posing challenges to legitimacy of decision norms in terms of whether the business partner’s or academic partner’s expectations for legitimacy are being followed. Likewise, government sponsorship arrangements can also fracture, and contribute to the closure of a campus. The decision norms of CBHE policies are such that the factors that lead to government sponsorship of higher education institutions are not clear and are not understood by higher education stakeholders. Higher education stakeholder indicated that increased transparency of funding decisions would assist them in their operations and lead to greater predictability in planning for operations, but because these arrangements are ad hoc they are largely based on personal connections so there is unlikely to be any systematic process implemented to govern the distribution and management of funds. At the same time, such views also suggest that higher education institutions are seeking greater access to government funding for a wider array of institutions, which seems to run counter to the government’s approach of a free market system for independent higher education institutions. The value of a free market approach is that it supports private sector investment in higher education and allows for higher education development with little to no investment by the government.

Greater local oversight of RAK’s higher education sector is widely desired by a range of RAK’s higher education stakeholders. Higher education institutions desire opportunities to
connect with other higher education institutions and government agencies, while government stakeholders desire the opportunity to demonstrate the quality of RAK’s higher education institutions and to have a forum for communicating about quality issues. The procedural legitimacy concerns that are embedded in oversight issues are closely tied to concerns about academic quality and the reputation of RAK’s higher education system. Given constraints on the levels of academic preparation for students interested in studying in the emirate, stakeholders believe that more active oversight of higher education – particularly quality assurance measures – would strengthen the quality and reputation of higher education institutions in the emirate. Indeed, quality assurance procedures would bring RAK’s CBHE procedures more in line with Dubai and the federal system, which have quality assurance procedures in place.

The value and quality of RAK’s higher education institutions is described by local stakeholders as its rootedness in the emirate and its respect for and integration with the local community. The perception that RAK’s CBHE is aligned with the culture is a critical contributor to the perceived legitimacy of RAK’s CBHE policies. Local stakeholders commonly conveyed the view that international involvement in RAK’s CBHE sector is in keeping with the shared values of globalism and contributed to RAK’s integration with the world in all sectors, and in this way is normatively legitimate. The key caution among stakeholders is that, in order to maintain the legitimacy of CBHE policy, international parties active in RAK’s higher education system should operate collaboratively and not seek to unilaterally impose their views or practices in RAK.
Chapter 7  TOWARDS A THEORY OF CROSS-BORDER HIGHER EDUCATION POLICY LEGITIMACY

This chapter presents an overarching examination of the legitimacy of cross-border higher education policy across Dubai and Ras Al Khaimah. The purpose of the chapter is to compare common themes and distinct characteristics across the two cases and to consider how both cases together address the study’s three research questions. This chapter is structured in four parts. The first part describes the goals of the CBHE policies in Dubai and Ras Al Khaimah. The second section synthesizes higher education’s stakeholders’ assessments of the legitimacy of each element of cross-border higher education policy. These elements include sponsorship, academic excellence, oversight, student markets, and cultural integration. The third section of the chapter revisits the conceptual framework of policy legitimacy that guided the study and considers what the findings of the two-case comparison tell us about the soundness of this construct of policy legitimacy within the context of cross-border higher education policy. Finally, the last section discusses the implications of the study for CBHE policy theory and presents recommendations for practice.

DOCUMENTING THE GOALS OF CBHE POLICIES

A key part of this study has been to document the goals of CBHE policies in the UAE’s subsystems. The study’s first research question was:

*What are the goals of CBHE policies? How do these goals serve to increase the legitimacy of the higher education subsystem?*

In this section, I review the goals of the CBHE policies in Dubai and RAK and compare their similarities as well as their differences.
CBHE policies in both Dubai and RAK are designed to support the economic development of their emirates. Given the different levels of development and the maturity of the private education sectors in each emirate, CBHE supports economic development in different ways in Dubai and RAK. In Dubai, which has a more developed and larger private higher education sector that serves a larger population than RAK’s system, cross-border higher education supports the training of expatriate workers and their families who are resident in the emirate. These training opportunities help to attract international companies and other businesses that operate in the emirate and who perceive value in Western higher education standards and practices. Similar policy goals exist in RAK, but with a smaller economic sector and many fewer international companies, the role of CBHE in supporting the training needs of businesses is comparatively low. Instead, CBHE in RAK supports development by raising general education levels in the emirate and, to some extent through EPFL’s presence, generating research that supports infrastructure development.

Both emirates also have a goal of creating a market for higher education by becoming education hubs that will attract non-resident students from the other emirates and internationally. In Dubai, the goal of creating an education market that is an industry in itself has been achieved. Some international students are drawn to the emirate for study, but by all accounts from stakeholders and policymakers, Dubai’s non-resident international student population has not reached the levels hoped for by policymakers. In RAK, CBHE has not been effective in creating an education hub to attract outside students and the findings of this study suggest that given the emirate’s low level of development, it will be difficult to attract outside students through CBHE efforts alone.
In addition to supporting economic development and providing educational options for students, Dubai also has a goal of supporting the development of a knowledge economy through CBHE policy. The need to diversify the economy in many sectors is viewed in Dubai as necessary to support the emirate’s stability and continued growth. By supporting many forms of CBHE, policymakers hope to benefit from international expertise and investment in the higher education sector to produce graduates who are prepared to work in knowledge-related industries. To date, the focus on higher education’s relationship to the knowledge economy is limited to preparing graduates for employment in Dubai, rather than any substantial contributions to generating research and innovation. Many stakeholders interviewed in this study saw it necessary for the government to invest substantially in university-based research in order to drive the development of a knowledge economy in Dubai. In focusing primarily on educating students, CBHE policies were viewed as helpful but insufficient in achieving Dubai’s goal of a knowledge economy. With the primary focus on basic economic and social development, appeals to develop a knowledge economy were not a significant factor in RAK.

The private higher education sectors in Dubai and Ras Al Khaimah are both designed to provide higher education opportunities to resident expatriates who do not have access to the federal university system. Policymakers have utilized CBHE policies to create these opportunities through private sector and international investment. In both case studies, the policies have been effective in creating educational opportunities for students by increasing the numbers of private higher education institutions, including international branch campuses. The decentralized nature of higher education development and the free market approach to CBHE represented by the free zone policies has helped to diversify higher education options by allowing different actors to support higher education institutions. For example, Dubai Healthcare
City, Dubai International Financial Center, Dubai Silicon Oasis, and the RAK Investment Authority have each hosted or sponsored institutions that offer programs that support their missions. These institutions are in addition to the institutions that are set up independently and offer programs that the higher education institutions themselves view as a fit for the market.

While the goals of each emirate were analyzed separately for each case in this study, it is important to note that the cases of Dubai and Ras Al Khaimah are connected to one another as well as to the policy approaches taken to develop other sectors of the UAE. Dubai’s free zone policies for education were borrowed from the well-established and already successful free zone policies in Dubai’s business sectors. The fact that the free zone policies were already successful and considered legitimate for business development provided some legitimacy spillover when Dubai adopted the approach in the education sector. Likewise, RAK’s later adoption of free zones for education development borrowed from Dubai’s education free zone model and sought to emulate Dubai’s success, lending initial legitimacy to RAK’s free zone education policy. At the same time, within the wider context of the UAE, implementing free zones to develop private higher education options for expatriates effectively preserved the federal system for Emiratis. Thus, creating a segmented system with federal universities almost exclusively for the Emirati population and expatriate students restricted to the private higher sector likely helped to ease concerns of more traditional Emirati families who prefer to maintain Emirati cultural norms and traditions in the public sector, such as sex-segregated education. From this perspective, the private sector approach to CBHE may be assessed as legitimate by Emiratis because it helps to preserve the public sector for Emirati students only. Another possible option for education development would have been opening up the public sector for non-Emiratis. However, pursuing this option may not have been viewed as legitimate policy option because it could have
threatened the stability of that system by bringing in foreigners who might question the practices and norms of the public system.

**ASSESSED THE BASES FOR STAKEHOLDER EVALUATIONS OF CBHE POLICY LEGITIMACY**

The study’s second research question focused on how stakeholders evaluate the legitimacy of CBHE policies. The second research question was:

*How do resident higher education stakeholders evaluate the legitimacy of CBHE policies?*

This study has identified the following aspects of cross-border higher education policy as the key elements that stakeholders evaluated in their assessments of the policies’ legitimacy: sponsorship, academic excellence, oversight, student markets, and cultural integration. These elements are constructs that provide a means for analyzing different aspects of CBHE policy-making and the specific contexts that influence stakeholders’ assessments of the legitimacy of these elements. However, these elements are not always distinct and they sometimes overlap. A key point of intersection exists among the concepts of academic excellence, oversight, and student market, which is explored in closer detail later in this section.

Sponsorship refers to the financial support of the higher education sector. Both Dubai’s and RAK’s CBHE policies are strongly oriented to a free market approach to higher education development, with most higher education institutions being supported through private (non-Emirati) sources, including private entrepreneurs, foreign higher education institutions, and student tuition dollars. Just a small number of institutions in both emirates receive support from government agencies or sources connected to the royal family. These funding arrangements are made on an ad hoc basis and do not represent systematic policies for supporting CBHE. Despite the ad hoc nature of government-related funding for higher education, it is instructive to compare government-funded and privately-funded CBHE. Government-funded private higher education
institutions are notable for their purposeful role in fulfilling a specific function in the higher education sector and contributing a level of quality or a novel program offering that would not otherwise available in the emirate. For example, the comparative cases of EPFL in RAK and RIT in Dubai illustrate case of a government entity sponsoring an internationally-prestigious school of engineering to operate in the UAE to support the development of locally relevant knowledge or provide high-quality local training of engineers. Because they are not solely reliant on tuition revenue for operating budgets, these institutions are able to maintain their high level of instruction and research while serving strategic priorities in each emirate that may not otherwise be supported through the free market model. On balance the free market approach is the dominant model in CBHE policy under the assumption that market demand will drive the establishment of IBCs and other foreign-affiliated private higher education institutions. However, the existence of government and royal sponsorship of certain private higher education institutions that provide their desired education formats or programs of study. provides evidence that the free market approach does not fully satisfy the needs of the higher education markets in Dubai and RAK. Indeed, multiple stakeholders commented that the free market approach produces private higher education sectors with a glut of business degree offerings and does not provide programs in other valuable areas for national development, such as social sciences and education. While adjustments to the policies for free zones in education have not yet been made to address the imbalance of program offerings, Dubai’s commission of a study in 2012 to assess regional market demand in a wide array of fields indicates that policymakers are also concerned about the balance of program offerings. Free market approaches are not enough to serve a broad range of development needs; accordingly, over time the legitimacy conditions for CBHE policy may shift to include development beyond a narrow economic perspective.
The elements of academic excellence, oversight, and student market are closely connected in the UAE context. The realities of the student markets in both Dubai and Ras Al Khaimah are that the preparation levels of students seeking private higher education in these emirates often do not meet the levels required for admission to Western institutions. Oftentimes, the highest prepared students leave the UAE for education oversees. As well, Emirati students have an incentive to remain within the federal university system, which is free for Emiratis, rather than to pay for private institutions in the country. Given the confluence of these forces, the segment of the student market that is likely to enroll in private higher education institutions has a relatively low academic profile, which has implications for the academic excellence of higher education institutions and for the system as a whole. Lowering academic standards too far presents reputational risks for the system that can undermine CBHE policy’s normative legitimacy, which is in part based on prioritizing academic standards. At the same time, remaining steadfast in adhering to admissions standards that match those of the home campus but are too high for the local market presents legitimacy challenges for representational legitimacy in that the policies are designed to satisfy the interests of international actors, rather than serving the needs of the local student market. In both Dubai and RAK, the system bridges this divide through the heavy use of foundation programs that offer instruction to students who have graduated from secondary school but who do not meet the entry criteria for a given higher education institution. In 2013/14, 8.4 percent of higher education students in Dubai were enrolled in foundation programs and 23.2 percent in RAK (UAE MOHESR, 2014), indicating that these programs are a significant pathway to baccalaureate study for students in these emirates. Foundation programs benefit the systems by allowing institutions to maintain their desired entry criteria, while providing educational opportunities for students. However,
decisions about setting entry criteria and offering foundation programs are done at the institutional level, and not at the levels of policymakers or the technocrats who are responsible for higher education oversight.

With regard to oversight, higher education stakeholders in RAK and Dubai agree that CBHE policy should incorporate some oversight of academic quality. The free zone approach is viewed as being procedurally legitimate and is valued for its role in loosening regulations to facilitate the establishment of international branch campuses and other private higher education institutions. At the same time, stakeholders recognize that free zone policies without sufficient regulation have attracted sub-standard education providers, which violates conditions for normative legitimacy and necessitate some oversight to ensure that a baseline of quality education is being delivered. Dubai has implemented a quality assurance system that aims to balance the regulatory flexibility of the free zone CBHE policy with the academic quality concerns that need to be addressed to maintain normative legitimacy. The KHDA’s oversight policy strikes this balance by reviewing IBCs to ensure that the programs and instruction they are offering in Dubai are comparable to what is offered on the home campus. This system aims to balance the needs of Dubai stakeholders to have accountability for IBC quality and the needs of the home campus to adhere to their model of education without contending with significant local requirements. In contrast, RAK has no significant quality review process for its IBCs and this remains a legitimacy concern among higher education stakeholders in the emirate.

Given the variety of nationalities active in teaching and leading in the UAE’s higher education institutions, concerns about cultural integration are present in evaluations of CBHE policy legitimacy. In the UAE’s private sector, stakeholders value the presence of actors from overseas and view their presence as a legitimate approach to developing the nation’s higher
education sector. With little homegrown expertise at the time that the higher education system began its development in the 1970s, staffing UAE higher education institutions with Emiratis was not a realistic option, as there were few Emiratis who were doctorally-prepared and qualified to work in higher education. As the public and private sectors have grown, individuals from outside the UAE have driven the development of the UAE’s higher education system. Within this context, local higher education stakeholders assign normative legitimacy to the practice of using individuals from abroad to staff and develop private sector higher education. They see value in bringing in what some stakeholders characterize as the “best and the brightest” from around the world and in employing the expertise of academics and institutional leaders with experience in recognized and reputable Western higher education institutions. In the view of these stakeholders, such an approach supports the UAE’s education development and contributes to integrating the UAE with the global economy and international educational networks. Indeed, the values of globalism and internationalism are widespread and valued throughout the UAE in many sectors – likely tied to the reliance on expatriate workers and the international trade that has driven the UAE’s development from an undeveloped Bedouin nation just a generation ago to an international hub for shipping, finance, tourism, and education, among others.

While international and global values have strong legitimacy in the UAE, there are also concerns about how foreigners regard and interact with local culture, values, and societal and business practices. With respect to CBHE, this concern is manifested in stakeholders’ discussions about the need to adapt curricula and teaching approaches to the local environment. In both Dubai and RAK, stakeholders noted that curricula and teaching practices should not be imported and delivered in the UAE context without some adaptation and consideration of its relevance to the local environment. For some, but not all, Western academics in the study, this
was a point of contention. Some Western academics noted their difficulties in teaching student populations who do not have the experience of classroom dialogue and debate and instead prefer rote instruction and delivery of the class content. For some professors for whom this was an issue, their assessment was that it was the students’ responsibility to adapt, rather than theirs. However, this was not a universal view and many other Western academics and administrators expressed the view that in order to be legitimate in the local context, CBHE must adapt somewhat to the local context and be purposeful in making contributions to local research, business, or community development. Indeed, the principle of representational legitimacy indicates that for policies to be considered legitimate, they must represent the interests and views of those to whom the policy applies. As the primary product of teaching-oriented institutions, students’ needs and interests hold extra weight in considering whose needs are most salient in determining the conditions for legitimacy, making their interests a key factor in assessing the legitimacy of CBHE policy.

**Assessing the Framework of Policy Legitimacy for CBHE**

The study’s final research question focused on analyzing how stakeholders’ evaluations of policy legitimacy in the cases of Dubai and RAK connected with existing theories of policy legitimacy. The third research question was:

*How do the findings of this study on legitimacy in a non-democratic environment resonate with existing policy legitimacy theories?*

The framework of policy legitimacy that was outlined in Chapter Two served as a model to guide data collection and analysis for this study. In this section, I revisit the model of policy legitimacy and its expected application in the UAE context to evaluate its fit to the cases of Dubai and Ras Al Khaimah, based on the findings of the study.
In considering how the framework of policy legitimacy would apply in the UAE context, an overarching theme in Chapter Two was the distinction between formal and informal policy making processes. Much of the theory upon which this study’s policy legitimacy framework was constructed emanates from Western sources in democratic countries where formal policy making approaches are dominant and viewed as legitimate. In the UAE, I posited that policy making would be less formalized than the policy legitimacy framework emphasized, and instead would rely on informal processes based on personal connections and ad hoc arrangements. The study found that formal and informal policy approaches co-exist, with formal approaches dominant in most cases, with informal approaches taken in only a small number of cases or with policies that were not central to the core concerns of the stakeholders in the study. Throughout this section, I describe the nature of formal and informal policy making as it applies to certain elements of policy legitimacy theory.

Procedural legitimacy includes elements of legality, decision norms, and representation. Legality entails the degree to which policymakers follow the formal rules for policy enactment. Within the UAE context, it was expected that formal rules would exist in some cases, but these rules would contend with informal policy processes. The findings of this study support the proposition that formal rules would conflict with informal policy-making processes. In the case of Dubai, there were noted conflicts between the KHDA’s regulatory role in overseeing Dubai’s higher education sector and the federal government’s role in overseeing higher education through the CAA. Dubai’s free zone policies were designed to circumvent CAA oversight and ease the development of private higher education institutions; they are considered by higher education stakeholders to have legal legitimacy in that they follow the formal rules for policy making, but there are still conflicts and sometimes confusion in the roles and lines of authority of the CAA.
and KHDA. For example, some Dubai stakeholders discussed receiving requests for data from the CAA as part of the agency’s nationwide effort to collect comprehensive higher education data. It was unclear to them whether they should respond to this request given the KHDA’s more direct role in overseeing their institutions. Another example reflects the relationship between the KHDA and CAA policies on the recognition of degrees issued by Dubai’s free zone institutions. With the exception of Dubai institutions that had independently sought and received CAA accreditation, degrees from Dubai’s free zone institutions are not recognized for the purposes of government employment, effectively limiting the attractiveness of Dubai’s higher education institutions for Emiratis, many of whom work in the public sector. After lobbying efforts on the part of KHDA, in 2012 Law 21 was announced, which stated that the Dubai government would recognize Dubai degrees for public sector employment. While this law applies only to Dubai government and not to the federal government, this example illustrates the efforts the KHDA has made to overcome effective limitations on their student pool caused by the federal government’s policies on degree recognition. Despite the legal legitimacy of the CBHE policies instituted by the Dubai government, which has decision making authority in implementing free zone policies for education, the decision norms in the UAE are such that the CAA and federal government are still able to assert some control over Dubai’s system by exerting their authority to refuse to recognize Dubai free zone degrees for public employment. This conflict suggests that in the eyes of the federal government, some aspect of Dubai’s CBHE policy does not represent federal government interests, illustrating the role of representational legitimacy in CBHE policy. CBHE policy represents the interests of the Dubai expat community, but has failed to meet the interests of Emirati students who want recognized degrees, as well as the interests of the federal
government, which continues to exert the authority they are able in order to limit the role of Dubai’s CBHE.

In Ras Al Khaimah, concerns with legal legitimacy were raised in connection with sponsorship. Stakeholders observed some institutions receiving some government sponsorship even though it was not part of the formal legal framework for higher education in the emirate. Stakeholders without existing sponsorship arrangements wanted to understand how they might be able to obtain government funding, but the processes seemed unclear. Indeed, in Dubai and RAK there are no clearly defined processes for applying for or distributing higher education funding; any such arrangements are developed on an ad hoc basis and are typically initiated through personal connections rather than through formalized policies. In both systems, government or royal funding falls outside the scope of formal CBHE policies, but the fact that these systems have arisen out of informal arrangements between foreign-affiliated private higher education institutions and government entities or royal family members, indicates that these informal funding practices fill a needed function that formal CBHE policies do not address. However, at the same time, many CBHE stakeholders would assign higher legitimacy to these funding practices if they were formalized and transparent.

Another element of procedural legitimacy relates to decision norms, which reflect the degree to which policymakers adhere to the accepted informal practices for policy-making. In the UAE it was expected that personal connections would be prioritized over formal procedures, while the study found that formal and informal processes co-existed formal processes in CBHE policy were dominant. The aforementioned example of government funding practices in RAK provides one example of how this is the case, and similar government sponsorship of a small number of Dubai institutions also grow out of ad hoc arrangements based on personal
connections. However, despite the expectation that personal connections would be prioritized over formal procedures, the CBHE policy-making processes in Dubai and RAK are largely formalized. Free zone policies are designed to be inclusive and stakeholders found them to be equally applied to all higher education institutions. These formal procedures meet the legitimacy expectations of the many foreign actors in the UAE’s higher education sector, which helps to increase the legitimacy of the sector from their perspective. In the same vein, Western actors were the most critical of the informal aspects of the Dubai’s and RAK’s CBHE policies, indicating that informal processes tarnish the overall legitimacy of CBHE policy, but do not undermine it entirely.

Representational legitimacy pertains to the degree to which policies represent the interests of the groups or individuals to which the policies pertain. Representational legitimacy may be indicated through formal mechanisms that recognize the authority of specific individuals or provide mechanisms for stakeholders to deliver feedback on policies. The degree to which policies represent the views of technical experts and interest groups also contribute to representational legitimacy, as does the resemblance of policy actors to the individuals they represent. In the UAE context, it was expected that people in positions of authority and with valid credentials, as well as those with technical expertise, would be recognized as those with policy making authority. It was also expected that policy feedback would be obtained through informal channels rather than through elections or other formal mechanisms, as would the participation of interest groups or individuals acting on behalf of a group. Lastly, because of the high representation of expatriates in the UAE’s higher education sector, it was expected that CBHE policy actors would not resemble Emirati nationals.
This study finds that individuals with Western educational credentials and experience in Western higher education institutions are recognized as having the technical expertise to advise on and create CBHE policy, and indeed, many of the individuals in positions of authority have such experience, including many Emiratis who hold CBHE policy-making authority. Because the UAE’s higher education institutions are so strongly modeled after Western higher education systems, Western educational credentials and experience among policymakers provide representational legitimacy for the system. While CBHE policymakers reflect a mix of Emiratis, other Arabs, and Westerners, the diversity in the composition of the policymakers reflects the diversity of actors in the higher education systems and thus provides representational legitimacy for CBHE policy-making. Another component of representational legitimacy that emerged in the study was in Dubai where debates over whether to base oversight processes on local emanating from the UAE’s higher education sector or to base oversight on higher education regulators in campuses’ home countries were resolved by implementing a validation model of IBC oversight that verified equivalency with the home campus. Based on these examples, one of the study’s conclusions is that representational legitimacy has less to do with the identities of the individuals responsible for making or implementing CBHE policy and has more to do with the degree to which CBHE policy reflects the interests of individuals in the system and incorporates the perspectives and approaches of the foreign higher education institutions that operate in the UAE. Indeed, the success of the system over time relies on balancing the interests of actors from all over the world to attract the to the UAE’s higher education system and to maintain their involvement.

With regard to feedback and group participation, the findings of this study support the proposition that opportunities for policy feedback and the participation of interest groups operate
through informal channels more than through formal mechanisms. Stakeholders who were interviewed indicated a range of involvement in providing input or feedback on CBHE policy. While some stakeholders indicated that they were aware events and other opportunities to interact with CBHE policymakers, others noted a lack of opportunities to make meaningful connections with policymakers or to contribute feedback that could result in systematic change. Three categories emerged in their responses: 1) those who indicated their awareness of events, such as higher education forums, to bring higher education staff in contact with leaders and policymakers, but when pressed had not actually participated in these opportunities; 2) those who had provided input or feedback directly to policy makers, typically at the invitation of people in authority; and 3) those who expressed the view that opportunities for feedback were weak, ineffective, or they were unaware of such opportunities, including both those who had and had not participated in feedback opportunities.

Normative legitimacy relates to the social acceptance of a policy within a given social system. In the UAE context, high levels of diversity among higher education stakeholders and policymakers was expected to complicate normative legitimacy by raising questions about which groups’ legitimacy conditions would serve as the standard by which normative legitimacy could be assessed. The study found that the vast majority of higher education stakeholders overcame rootedness in their own home higher education system by adhering to a globalist or internationalist perspective on the appropriate operations of a higher education institution or higher education system. Within the highly diverse and international country of the UAE, this internationalist perspective had the greatest salience for assessments of legitimacy.

In sum, the policy legitimacy framework proposed in the study was found to apply to the cases of Dubai and RAK, with less adaptation than expected to account for informal policy
making processes. Formal policies for CBHE are dominant and the informal processes that exist were characterized by study participants as a minor component of CBHE policy in the two cases. The strength of the formal approach to CBHE policy in Dubai and RAK is that it serves the interests and expectations of the many Western actors and organizations that are active in the UAE’s higher education sector. Without strong formal CBHE policies, it is conceivable that foreign – and in particular Western – involvement in Dubai and RAK higher education would be less than it is currently and the two systems would not have developed to their current size and scope. In addition to the formal/informal policy distinctions, the study finds that the concepts of representational and normative legitimacy are more multi-layered than anticipated, due to the presence of multiple actors from many countries. Both representational and normative legitimacy were found to be based on how well CBHE policy incorporates the perspectives and interests of multiple stakeholders from a diverse group of countries, rather than being based on the concerns of a small group of people within the local context.

**Implications for CBHE Policy and Recommendations**

This study has endeavored to understand how resident higher education stakeholders in Dubai and Ras Al Khaimah evaluate the legitimacy of the CBHE policies implemented in their higher education systems, with an ultimate goal of assessing how well existing theories of policy legitimacy fit the case of cross-border higher education. With cross-border movements on the rise in higher education around the world, the local legitimacy of policies allowing foreign involvement in domestic higher education systems is important and has implications for the success of the policies as well as the development of domestic higher education in host countries.

The cases of Dubai and Ras Al Khaimah suggest that the model of policy legitimacy used in this study largely fits these two cases and are relevant to the phenomenon of cross-border higher education. Policy legitimacy’s procedural elements of legality, decision norms, and
representation, as well as normative legitimacy, were found to be salient to local stakeholders’ evaluations of CBHE policy legitimacy, but the role each of these elements plays varies depending on which aspect of CBHE policy is being examined. Table 7.1 summarizes key takeaways of stakeholders’ evaluations of legitimacy of each aspect of CBHE policy.

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<tr>
<th>Table 7-1. Stakeholder Evaluations of CBHE Policy Legitimacy</th>
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<tr>
<td><strong>Procedural Legitimacy</strong></td>
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<tr>
<td><strong>Legality</strong></td>
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<td><strong>Sponsorship</strong></td>
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<td><strong>Academic Excellence</strong></td>
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<td><strong>Oversight</strong></td>
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<td><strong>Student Market</strong></td>
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### Procedural Legitimacy

<table>
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<tr>
<th>Cultural Integration</th>
<th>Legality</th>
<th>Decision Norms</th>
<th>Representation</th>
<th>Normative Legitimacy</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>- Formal CBHE policies support international actors operating according to the standards and practices of their home countries.</td>
<td>- International norms are accepted as part of CBHE, but there is a need for international actors to adapt curricula and practices to local contexts.</td>
<td>- Use of international individuals and institutions to develop HE is viewed as valid and aligns with the population of the UAE &amp; the historical and current reliance on expatriates to drive development.</td>
<td>- Widespread local support for globalism/internationalism supports the legitimacy of CBHE policy</td>
</tr>
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</table>

### Recommendations

In analyzing the commonalities across the stakeholders’ assessments of cross-border education policy, several insights emerged related to the process of CBHE policymaking in the UAE. These insights apply broadly across the CBHE policy process and cut across many elements in the framework. Three key themes emerged as overarching concerns related to the theory of CBHE policy legitimacy: transparency of policy-making; strategy and coordination of CBHE; and reliance on cross-cultural partnerships. These themes are described below, along with recommendations for CBHE policies that grow out of each theme.

**Transparency of Policy-making.** Many non-Emiratis working in UAE higher education do not understand the dynamics of local policy-making and do not have easy access to policymakers. Indeed, their status as temporary guest workers in the UAE means that they are not afforded the same rights or political power as Emirati citizens. For example, the majilis system that provides Emiratis direct access to their leaders is not generally open to expatriates, although some may be invited to attend to speak to leaders on specific issues. Even in cases where guest workers have political rights, they have low political power in the host country and typically have little input or influence in the trade policies that enable them to become guest
workers or in the policies that govern their day to day work (Garcia, 2006) They felt that policy changes were often unanticipated and they often did not understand the rationale for those changes or know their source. This was a particularly salient issue when changes emanated from entities with high levels of local (Emirati) control. Non-Emiratis felt that they did not have insight on or access to CBHE policy debates, nor were they aware of how they could provide input into these decisions. For stakeholders who wished to share their technical expertise or views on CBHE policy, they mostly felt they had little input into the policy process and did not have access to CBHE policymakers. Those who reported having such access were largely due to personal connections or invitations to provide feedback and were not a function of a systematic approach to broad-scale input from individuals in the higher education system. One recommendation to alleviate this concern about the transparency of policy-making, is to create a systematic process for seeking broad-scale input or commentary on proposed policy changes, thereby formalizing the feedback process. A consultative political process does exist for Emiratis who have direct access to their leaders through the majilis, but non-Emiratis do not have regular access to leaders through these venues. Opening up CBHE policies to commentary from a broad swathe of professionals and other higher education stakeholders would likely strengthen stakeholders’ assessment of policy legitimacy by improving the representation of stakeholders to whom the policies apply.

**Strategy & Coordination of Cross-Border Higher Education.** Foreign actors perceive insufficient coordination and strategy driving local cross-border higher education policy. Because of the importance of foreign actors in driving the development of the private higher education sectors in Dubai and RAK, they are a unique subset of CBHE stakeholders whose assessments bear on the legitimacy of the UAE’s CBHE policies. The free market
approach in CBHE policy has provided an open field for private higher education institutions to establish operations and offer programs and curricular approaches as they see fit. While stakeholders see this policy approach as successful in growing the private higher education sector, particularly in Dubai, they also perceive that this approach has led to a heavy dominance of business programs and that these program offerings have reached their saturation point. There is a need for more purposeful planning and strategizing at the policy level in order to manage the development of the sector and to diversify program offerings in a wide array of fields. Dubai has begun such a process and stakeholder interviews support that these steps are necessary to maintain the continued relevance of the higher education system. Such planning activity is a type of delayed regulation (Levy, 2006; 2011) that is common in the development trajectories of private higher education, whereby laissez faire attitudes on the part of governments are replaced by concerns about how to regulate the sector once it reaches a critical mass.

Reliance on Cross-Cultural Partnerships. Across the interviews conducted for both case studies, stakeholders shared their observations that successful cross-border higher education depends on strong cross-cultural partnerships with bidirectional collaboration. There was widespread agreement that international actors who expect to apply their higher education models and practices in the UAE without adaptation are not successful. While Dubai’s process of IBC quality assurance is designed as an equivalency model that allows the branch campus to maintain the character and quality of its home campus, this model does allow IBCs to adapt somewhat to the local environment, such as adapting course materials to reflect relevant local perspectives or creating some curricula offerings that are unique to Dubai. In one example, Cass Business School’s branch campus in Dubai offers a concentration in Islamic finance as part of its MBA program and this concentration is not offered on the home campus. The current CBHE
policies in Dubai and RAK support international actors who seek to apply their higher education models in the UAE and view this as a favorable approach because it allows the UAE to benefit from strong expertise and practices from other locales. This approach is evidenced in Dubai’s approach to quality assurance that is based on home campus standards without any requirement for local adaptation. While stakeholders agree with international involvement in UAE higher education, their comments suggest that more could be done at the policy level to ensure that international actors are prepared to understand and adapt to the local market. This could be achieved by providing consultation with foreign higher education institutions operating in Dubai and RAK and requiring that they submit plans for adapting their practices or curriculum to the local markets, while still maintaining the core approaches of their home country higher education systems.

FUTURE RESEARCH

This study reveals several areas for further research. One area that warrants further study is the potential tradeoffs between the elements of legitimacy. A given policy may be considered legitimate along certain dimensions of legitimacy, and at the same time weaken other elements of legitimacy. The issue of CBHE sponsorship offers an example. In the cases of Dubai and Ras Al Khaimah, ad hoc government sponsorship of select international branch campuses and other private higher education institutions is generally accepted by higher education stakeholders as a legitimate form of funding institutions. At the same time, the existence of these ad hoc government sponsorship arrangements weakens the legitimacy of the free market approach to education development, by indicating that the free zone approach is not sufficient to fully develop the higher education system in desired ways. Furthermore, the ad hoc process of government sponsorship is not formalized or transparent, which stands in contrast to free zone policies that are accepted as clear, understandable, and stable. More research to understand the
dynamics of these kinds of tradeoffs among legitimacy elements would deepen and strengthen the model of policy legitimacy.

An additional area for further study is to better understand the relationship between the legitimacy of higher education institutions and the legitimacy of higher education policies. This study has identified a relationship between the two, with policies able to gain legitimacy when the institutions in a higher education system are considered legitimate. As well, institutions can gain legitimacy when the policies that govern them are considered legitimate. Additional research into the directionality of these legitimacy sharing effects would help to shed light on how legitimacy spillovers operate between the institutional and policy domains, as well as how those spillover effects bear on CBHE policy legitimacy.

**SUMMARY**

This study has presented a framework of policy legitimacy and examined its applicability to the cases of cross-border higher education in Dubai and Ras Al Khaimah. The study focused on three areas: documenting the goals of CBHE policies in each higher education system; analyzing how resident stakeholders in the UAE assess the legitimacy of CBHE policies; and refining the theory of policy legitimacy to be applicable to the non-democratic, non-Western context of the UAE.

With respect to CBHE policy goals, the key themes that emerged were supporting economic development of the emirate and providing educational options for students. Due to the limitations of the federal university system being accessible only to Emirati nationals and the large expatriate populations throughout the UAE, the focus of higher education development in Dubai and RAK has been the private higher education sector. Policies that facilitate the establishment of IBCs and other private higher education institutions – often with international affiliations – draw on CBHE to attract international actors to build up the higher education
system and to serve the demand for higher education among in ways that are not available through the federal universities.

While stakeholders expressed a range of views on the legitimacy of the elements of cross-border higher education, a key finding was that achieving quality higher education using CBHE poses a challenge for CBHE legitimacy because foreign standards and educational practices do not always align with the needs and realities of local education markets. Adopting foreign higher education standards to achieve high quality is not seen as legitimate in itself. Rather, local higher education stakeholders view some local adaptation of foreign standards as necessary to achieve CBHE legitimacy.

The theory of policy legitimacy proposed by the study was found largely to hold in the cases of Dubai and RAK. Contrary to the study’s expectations, informal policy making processes play a fairly limited role in CBHE policy making in Dubai and RAK. Instead, formal processes were found to be the norm.

The representational legitimacy of CBHE policies was found to be based on how well the policies served the interests of local stakeholders, rather than the degree to which stakeholder groups were involved in policy making. Local higher education stakeholders espouse values of internationalism which serve to bridge potential conflicts of cultural integration of actors and practices from many countries. Lastly, while stakeholders expressed concerns about weak feedback loops to policy makers, these concerns were not strong enough to undermine the legitimacy of the CBHE policies.
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APPENDIX A: RECRUITMENT LETTER FOR INTERVIEW SUBJECTS

Dear XXXXX:

Greetings. I am a doctoral candidate in Educational Administration and Policy Studies at the State University of New York at Albany. I am currently conducting research for my dissertation entitled “Legitimacy of Cross-Border Higher Education in the United Arab Emirates”. This project is supported in part by a scholarship from the Sheikh Saud Bin Saqr Al Qasimi Foundation for Policy Research. The study investigates local actors’ perceptions of the use of foreign higher education in the United Arab Emirates to help determine how the legitimacy of cross-border higher education policies relates to their success.

I am familiar with [EMIRATE’S] use of foreign higher education in developing the local higher education system. Given your knowledge of higher education in [EMIRATE NAME], I would like to meet with you to discuss the emirate’s use of foreign higher education. I am happy to meet with you or others at a time that is mutually convenient. The meeting is expected to last about one hour.

I look forward to hearing from you.

Sincerely,

Christine A. Farrugia

Doctoral Candidate & Research Associate
Educational Administration & Policy Studies
State University of New York at Albany

Sheikh Saud Bin Saqr Al Qasimi Foundation for Policy Research
APPENDIX B: INFORMED CONSENT DOCUMENT

Dear Study Participant:

You are invited to participate in a research study entitled “Legitimacy of Cross-Border Higher Education in the United Arab Emirates”. This study is being conducted by Christine Farrugia, Ed.M, M.A., a doctoral candidate in Educational Administration & Policy Studies at the State University of New York at Albany. The faculty advisor for this project is Jason Lane, Ph.D., Assistant Professor of Educational Administration & Policy Studies at the State University of New York at Albany.

The purpose of this study is to understand how policies to import foreign higher education serve local needs in the United Arab Emirates. This study is not expected to provide any direct benefit to you. However, this study is expected to provide information that may help to improve the effectiveness of higher education development policies in the United Arab Emirates.

If you elect to participate in this study, you will be asked to participate in one or two interviews lasting 1 hour each. Additionally, you may be asked to respond via email or telephone to a few short questions or clarifications following your interview. Answering these questions should take approximately 15 minutes. The total duration of your participation in this study will range from 1 hour to 2 hours and 15 minutes.

I do not anticipate any risk in your participation other than you may become uncomfortable answering some of the questions. You have the right to decline to answer any of the questions posed by the researcher. Your participation in this project is voluntary. Even after you agree to participate in the research or sign the informed consent document, you may decide to leave the study at any time without penalty or loss of benefits to which you may otherwise have been entitled. I will retain and analyze the information you have provided up until the point you have left the study unless you request that your data be excluded from any analysis and/or destroyed. If you wish to withdraw from the study during the interview, please inform me verbally during the interview. If you wish to withdraw from the study at any point after the interview, please send an email to farrugia.christine@gmail.com.

To ensure confidentiality, this study will not identify you or your organization by name without your express consent. No personally identifying information will be used in any reports (e.g., gender, age, professional status), but the general nature of your organization may be stated briefly (e.g., “business organization”, “university”, “government organization”). All information obtained in this study is strictly confidential unless disclosure is required by United States law. In addition, the Institutional Review Board and University or U.S. government officials responsible for monitoring this study may inspect these records.

You will be asked for permission to record this interview. Audio recordings will be archived for a period of at least six years and may be used in future studies. You may still participate in this study even if you are not willing to have the interview recorded. All electronic files associated with this study will be stored on my personal computer in password protected files. The files will be deleted from my hard drive when no longer needed. Any handwritten notes will be kept in locked files in my home or office and will be shredded upon disposal.
Contact Information:

You will be offered a copy of this form to keep. If you have any questions about this study, please contact the Principal Investigator:

Christine Farrugia, Ed.M., M.A.
Doctoral Candidate
Educational Administration & Policy Studies
State University of New York at Albany
(914) 512-1798
farrugia.christine@gmail.com

You may also contact the Faculty Advisor and Co-Principal Investigator:

Jason Lane, Ph.D.
Assistant Professor
Educational Administration & Policy Studies
State University of New York at Albany
(518) 442-5095
Jlane@albany.edu

Your Rights as a Research Participant:

If you have questions concerning your rights as a research participant, you may contact the University at Albany, Office of Regulatory Research Compliance at 518.442-9050 (if outside the 518 area code – 800-365-9139) or via email at orrc@albany.edu.

I have read, or been informed of, the information about this study. I hereby consent to participate in the study.

________________________________________________  ______________
Signature                                           Date

Please sign below if you are willing to have this interview audio recorded. You may still participate in this study if you are not willing to have the interview recorded.

________________________________________________
Signature                                           Date
APPENDIX C: INTERVIEW PROTOCOLS

ORIGINAL INTERVIEW PROTOCOLS

Original Interview Protocol for Higher Education Stakeholders
1. Describe your organization’s relationship to foreign higher education.
2. What do you expect foreign higher education to contribute to your organization? What do you expect it to contribute to the local higher education system?
3. How has your organization benefited from foreign higher education?
4. What forms of foreign higher education have been most helpful in your organization? In your higher education system?
5. What are the limitations of using foreign higher education in your organization? In your higher education system?
6. How can foreign higher education be used more effectively in your organization? In your higher education system?

Original Interview Protocol for Policy Makers
1. Describe the use of foreign higher education in your higher education system.
2. What motivated the decision to make use of foreign higher education in your higher education system?
3. What do you expect foreign higher education to contribute to your higher education system?
4. How has foreign higher education helped your higher education system?
5. What forms of foreign higher education have been most helpful in your higher education system?
6. What challenges have you encountered in using foreign higher education in your higher education system?
7. How can foreign higher education be used more effectively in your higher education system?

REVISED INTERVIEW PROTOCOLS

Revised Interview Protocol for Higher Education Stakeholders
1. Describe your organization’s relationship to cross-border higher education policy. What CBHE policies apply to your organization? OR What policies most significantly impact your organization?
2. In your words, how would you describe the goals of the CBHE policy? What is the motivation behind the CBHE policy?
3. How well does the CBHE policy meet the needs of your organization? What are the benefits of the policy? Drawbacks?
4. Who creates the policies that apply to/affect your organization? How much input do you/your organization have into the CBHE policy? How does your feedback get to the policymakers? Are the policymakers responsive to your feedback?
5. What do you expect CBHE policies to contribute to your organization? To your local community?
   a. As it stands now, do the goals of the CBHE policy in your higher education system match your expectations for foreign higher education?
6. Who benefits from the CBHE policies? Who does not benefit?
7. Who is responsible for implementing CBHE policy?
8. What are the challenges or limitations of using CBHE in your higher education system?
9. What would you like to see in the future regarding CBHE policies in your higher education system? How could existing policies be made more effective?

Revised Interview Protocol for Policy Makers

1. Describe the cross-border higher education policy in your higher education system. What policies exist? Which are most significant?
2. What are the goals of the CBHE policy? What do you expect CBHE policy to contribute to your higher education system? What motivated the decision to enact a CBHE policy in your higher education system?
3. Who are the intended beneficiaries of CBHE policies? Who is not supposed to benefit?
4. Who creates the CBHE policies? Do policymakers seek input from others? How do policymakers solicit and respond to stakeholder feedback?
5. How has the cross-border higher education policy helped your higher education system? What forms of cross-border higher education have been most helpful?
6. Who is responsible for implementing CBHE policy? Does the implementation of CBHE match the policies’ goals?
7. What challenges or limitations exist in using foreign higher education in your higher education system?
8. How could existing cross-border higher education policies be made more effective in your higher education system?
9. What are the future plans for using cross-border higher education in your higher education system?
APPENDIX D: HIGHER EDUCATION INSTITUTIONS IN DUBAI AND RAS AL KHAIMAH

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