

## Administrative Law and Equity in Higher Education: Lessons from the Arab Region

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### Abstract

The right to higher education is an essential component of human rights and crucial for personal and societal development. In the current field of education, diversity, inclusion, and equity have become essential components. The purpose of this research was to examine the role of administrative law in promoting equity in higher education across the Arab region.

A qualitative, descriptive design using document analysis was used. Data from government reports, academic studies, and international organization were synthesized. The results indicated that several Arab countries have implemented different reforms aimed at increasing inclusivity and equity of women in education and economic activities, evident in inclusion in their notable inclusion leadership roles, participation in economic activities, and increase access to higher education. In addition, several Arab countries have streamlined the student visa application procedures, leading to notable increase in international students across different Arab universities. Different administrative law frameworks, such as diversity quotas, simplified legal procedures, and oversight bodies have significant potentials in enhancing inclusivity and equity in higher learning institutions. Based on the research results, it is recommended to ensure administrative laws

contribute to equitable education systems. These findings provide valuable insights for global higher education policymakers.

**Keywords:** Administrative law, higher education equity, gender inequality, Arab region, educational policy

دور القانون الإداري في تحقيق العدالة في التعليم العالي: دروس مستفادة من  
المنطقة العربية

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المستخلص

يُعدّ الحق في التعليم العالي مكوناً أساسياً من مكونات حقوق الإنسان، وعاملاً حاسماً في التنمية الشخصية والمجتمعية. وفي المجال التعليمي المعاصر، أصبحت قيم التنوع، والشمول، والعدالة عناصر جوهرية لا غنى عنها. لذا، هدفت هذه الدراسة إلى فحص دور القانون الإداري في تعزيز العدالة في التعليم العالي عبر المنطقة العربية. اعتمدت الدراسة على منهجية نوعية (وصفية)، حيث جرى تقييم البيانات المستمدة من التقارير الحكومية، والدراسات الأكاديمية، والمنظمات الدولية. وأظهرت النتائج أن العديد من الدول العربية قد نفذت إصلاحات متنوعة تستهدف زيادة شمولية المرأة وفعاليتها في التعليم والأنشطة الاقتصادية؛ ويتجلى ذلك بوضوح في إدماجها البارز في الأدوار القيادية، ومشاركتها في الأنشطة الاقتصادية، وزيادة فرص وصولها إلى التعليم العالي. وعلاوة على ذلك، قامت عدة دول عربية بتبسيط إجراءات طلبات تأشيرات الطلاب، مما أدى إلى زيادة ملحوظة في أعداد الطلاب الدوليين بمختلف الجامعات العربية. وتتمتع أطر القانون الإداري المختلفة بإمكانات كبيرة في تعزيز العدالة داخل مؤسسات التعليم العالي. وبناءً على نتائج البحث، أوصت الدراسة بضرورة ضمان إسهام القوانين الإدارية في بناء أنظمة تعليمية عادلة. وتقدم هذه النتائج رؤى قيمة لصناع السياسات في مجال التعليم العالي على المستوى العالمي.

**الكلمات المفتاحية:** القانون الإداري؛ العدالة في التعليم العالي؛ عدم المساواة بين الجنسين؛ المنطقة العربية؛ السياسة التعليمية

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## 1.0 Introduction

According to the United Nations Educational, Scientific and Cultural Organization (UNESCO), the right to higher education is an essential component of human rights and crucial for personal and societal development (UNESCO, 2023). Diversity, inclusion, and equity have become essential components in the field of education (Al-Kubaisi, 2024). Most of the Arab countries have recognized access to higher education as a right and have initiated different initiatives, including policy frameworks, to improve equity in higher education (UNESCO, 2023). According to Jafar and Knight (2020), Arab states are engaging in different collaborative activities and alignment efforts to improve quality assurance, joint research, and academic mobility in the region (Jafar & Knight, 2020). The increasing need for collaboration among the higher education institutions in the Arab region is compelled by the significant new developments in internationalization (Jafar & Knight, 2020). The increasing demand for higher education in Arab states has led to an increase in private institutions providing higher education (UNESCO, 2023). The increase in private institutions has led to increased opportunities for offering high-quality programs and internalization (UNESCO, 2023). Ensuring equity in higher education will lead to an increase in the level of education among the population, which in turn leads to several benefits to society in different forms, including improved public health, civic values, and increased productivity (UNESCO, 2023). In addition, enhancing access, quality, and equity in higher education is essential in ensuring fair access to opportunities and national prosperity.

### **1.1 Overview of Women Inclusion in Higher Education**

Arab countries have implemented different policy reforms aimed at ensuring equitable participation of women in economic activities and education (Sirri, 2024; Al Weshahi, 2022).

Narrowing gender disparities in education, however, has been shown to generate significant economic benefits. According to Altuzarra et al. (2021), improving women's access to education enhances human capital, boosts productivity, and accelerates economic growth. Additionally, women's education leads to broader societal benefits, such as lower fertility rates, improved child health, and higher educational attainment for future generations, creating a virtuous cycle of development (Altuzarra et al., 2021).

### **1.2 The Role of Administrative Law in Addressing Educational Inequality**

Over the recent decades, countries in the Gulf region have initiated different policy reforms aimed at advancing women rights (Sirri, 2024). Administrative law provides a framework for ensuring that government policies in education are implemented fairly and equally (Thomson, 2023). By implementing specific rules and processes, such as regular audits, transparent hiring practices, and anti-discrimination policies, governments can ensure that public institutions operate in alignment with principles of fairness and inclusion. For example, requiring diversity quotas in hiring or mandating public reporting on inclusivity metrics helps hold institutions accountable for creating equitable opportunities. The mechanisms provide a structured approach toward monitoring progress and addressing gaps in representation and fairness.

### 1.3 Purpose

The paper focuses on the role of administrative law in promoting equitable access to higher education in the Arab region. By analyzing relevant case examples, the researcher highlights the role of administrative law in addressing disparities in education. Administrative law offers structured mechanisms to ensure that public policies are designed fairly, implemented effectively and monitored consistently to foster inclusivity within education systems. The following are the objectives of the paper:

1. To provide an overview of the current state of educational equality in the Arab region, including the factors contributing to these disparities and their societal implications.
2. To examine the role of administrative law in addressing educational inequalities, focusing on its capacity to influence policies, enforce regulations, and improve accountability.
3. To analyze case studies from various Arab countries, demonstrating how administrative law has been applied to address equity challenges in higher education.
4. To propose recommendations for improving administrative frameworks, with the aim of fostering more inclusive and equitable access to education across the region.

### 1.4 Methodology

This study adopts a comparative analysis methodology to explore how administrative law addresses inequalities in higher education across the Arab region. The approach examines administrative frameworks in Bahrain, Jordan, Qatar, Saudi Arabia, and Oman, focusing on their impact on gender equity, refugee education, and systemic barriers to achieving fairness and inclusion. By

comparing these diverse contexts, the analysis identifies shared challenges and effective strategies for promoting equity in higher education.

The research relies on a qualitative, descriptive design using document analysis to gather data from government reports, academic studies, and international publications, including those from the United Nations Development Program (UNDP) and International Labor Organization (ILO). Bahrain was selected for its progressive administrative reforms in gender equity, including the Supreme Council for Women and equal opportunity initiatives. Jordan and Lebanon were chosen for their efforts to incorporate refugee education into national systems, reflecting the challenges of providing equitable access to marginalized populations.

Using thematic analysis, the study evaluates how administrative laws and policies are designed, implemented, and enforced to promote fairness and inclusivity. Comparisons are drawn to highlight the successes, limitations, and broader implications of these policies.

This comparative analysis provides a framework for understanding the role of administrative law in shaping equitable higher education systems while identifying lessons that can guide future policy development in the Arab region.

## **2.0 Results**

### **2.1 Internalization of Higher Education in the Arab Region**

The internalization of higher education promotes global citizenship, institutional leverage, and graduates' competitiveness (Yousef, 2024; AlKharouf et al., 2024). Realizing the associated benefits, the Arab states have embraced and initiated different strategies to enhance the internalization of higher learning institutions in the region. Universities in six Arab states, including

Oman, Saudi Arabia, the United Arab Emirates, Kuwait, and Bahrain have attracted a significant number of international students (Umar & Rahman, 2023). In 2023, there were more than 310,000 international students enrolled in tertiary institutions across the Gulf Cooperation Council (GCC) states (Umar & Rahman, 2023). In Dubai, international students constituted 28% of the total students enrolled in different institutions, with 34 international higher education institutions offering more than 600 programs (Government of Dubai Media Office [GDMO], 2022). In addition, there was a 3.6% increase in the enrolment of international students in Dubai in 2022 (GDMO, 2022).

There was a notable increase in the gross enrollment ratio into tertiary education in the Arab states from 19.2% to 344% since the turn of the century (UNESCO, 2023). Consequently, different initiatives, such as international university branches (IUBs), have been established in some Arab states to foster the internalization of higher education. Examples of these IUBs include Education City in Qatar, Dubai Knowledge Village and King Abdullah Economic City in Saudi Arabia (Umar & Rahman, 2023). These branches are preparing both local and foreign students with relevant skills required for human capital in their respective countries as well as in the region (Umar & Rahman, 2023).

## **2.2 Equity in Higher Education in Saudi Arabia**

According to the Organisation for Economic Co-operation and Development (OECD), Saudi Arabia has made significant progress in expanding access to education and has attained universal enrollment at primary and lower secondary levels (OECD, 2020). Over the past decades, the government of Saudi Arabia has actively promoted female leadership through its ambitious Vision 2030 reforms (Abdullah Dahlan, 2023). In 2020, the government spending on education in Saudi Arabia was

8% of the Gross Domestic Product (GDP), higher than that of the United States, Canada, Australia, and the United Kingdom (Umar & Rahman, 2023). Among the aims of the significant investment in education was to attract international students. The international students in Saudi Arabia comprise 4% of the total tertiary students (Saudi Press Agency, 2022). Universities in Saudi Arabia are responsible for processing visas for international students once they are admitted (Umar & Rahman, 2023). According to Mohiuddin et al. (2023), current Saudi Arabia's priorities in higher education include the development of a new modern curriculum, collaboration with foreign universities, skilled graduates, innovative research, accreditation, faculty development, and industry-based academic learning outcomes.

### **2.3 Equity in Higher Education in the United Arab Emirates**

The United Arab Emirates has shown commitment to promoting inclusive education by implementing different policy initiatives (Massouti & Alhosani, 2023). In addition, the UAE has made significant efforts to improve its educational infrastructure and attract international students. For example, the country has developed two major knowledge complexes, Dubai Knowledge Park and the Dubai International Academic City that host approximately 27 higher education institutions (Umar & Rahman, 2023). UAE offers different financial aid and options to support international students in the country. In addition, the country streamlined the process of obtaining student visas, which enables students to obtain their visas through university sponsorship throughout the study period. The country also allows the extension of the residency permit for international students after graduation to the retention of talent (Umar & Rahman, 2023).

In addition, women in the United Arab Emirates have made significant progress in higher education, constituting up to 70% of

the university graduates and 56% among those specializing in the science, engineering, technology, and mathematics fields (Ali & Aderibigbe, 2024). In addition, women's 95% literacy rate has increased their participation in leadership (Ali & Aderibigbe, 2024). For example, women hold 66% of the jobs in the public sector and 30% in leadership roles (Ali & Aderibigbe, 2024). In addition, Emirates women own more than 23000 businesses and account for up to 15% of board positions in the chamber of commerce (Ali & Aderibigbe, 2024). Government efforts, such as the equal representation of women in the Federal National Council and the establishment of the gender balance council, have promoted women's rights and equitable leadership positions (Ali & Aderibigbe, 2024).

#### **2.4 Equity in Higher Education in Qatar**

In Qatar, the percentage of international students enrolled in tertiary institutions in 2019 was approximately 44% (Umar & Rahman, 2023). Within nine years (2012 to 2021), the number of international students in Qatar increased from 7,254 to 15,392 (Umar & Rahman, 2023). Similarly, the population of international students in Dubai significantly increased from 54,162 to 215, 972 over the same period (Umar & Rahman, 2023). In Qatar and the United Arab Emirates, the percentage of total tertiary enrollment rate of international students is 38% and 70% respectively (Umar & Rahman, 2023). Through its renowned Education City Complex, which hosts several American University branches, Qatar focuses on attracting international students (Umar & Rahman, 2023). According to Umar and Rahman (2023), Qatar not only offers world-class educational standards at the United States' university branches but also provides students with financial support, which is typically challenging to obtain within the United States. In addition, some

institution in Qatar, such as Qatar University and Hamad Bin Khalifa University provides scholarships to international students, exempting them from paying tuition and housing fees and offering them monthly stipends (Umar & Rahman, 2023). Besides university scholarships, other private higher learning institutions in Qatar provide grants and financial aid to international students (Umar & Rahman, 2023).

Policy reforms in the country have also increased the mobility of inbound students in Qatar. For example, according to Qatar immigration policies, university that admits international students are responsible for securing their country visas (Umar & Rahman, 2023). Additionally, universities are responsible for processing the residence permit for admitted international students for one year (Umar & Rahman, 2023). Qatar Foundation allows graduating international students to extend their residency permit for up to one year after graduation to help them transition to labor (Umar & Rahman, 2023). These initiatives and policy reforms highlight Qatar's efforts to enhance equity in higher education among international students.

### **2.5 Equity in Higher Education in Oman**

Globally, there is an increasing trend in enrollment in higher education. There was an increase in global higher education enrollment among individuals aged between 18 and 24 years from 19% in 2000 to 38% in 2018 (UNESCO, 2023). A similar trend is observed in Oman with a notable increase in the enrollment of students in higher education. In 2009, there were only 1.9% of international students in Oman, which increased to 2.7% in 2018 (Yenigun & Al Maani, 2022). Higher education in Oman is free and accessible to all high school graduates (UNESCO, 2023). Notably, the Oman government provides scholarships for students enrolled in programs abroad (UNESCO, 2023). In Oman, students

from far and rural areas enrolled in government universities and colleges are provided with accommodation or monthly stipends for accommodation and living expenses (UNESCO, 2023). In 2011, Oman had only one public university and several technical colleges (UNESCO, 2023). However, there are more than 30 higher learning institutions currently in Oman (Umar & Rahman, 2023).

Oman has initiated different policy reforms to enhance equity in higher education. For example, the state has extended visas to more than 103 countries for short trips to Oman. In addition, Universities in Oman take the responsibility of issuing visas to international students once they are admitted (Umar & Rahman, 2023). In addition, the Omani Program for Cultural and Scientific Cooperation initiative aims to attract international students by orienting them to the local culture (Yenigun & Al Maani, 2022). Also, Oman established International Cultural Centers in different countries to promote cultural and educational relationships with different countries, providing opportunities for international students in the country (Yenigun & Al Maani, 2022). The country also has favorable policies for students with disabilities, including the right to enjoy pre-emptive and preventive measures and medical care offered by the government to facilitate transportation, mobility, education, and training (UNESCO, 2021).

Recent reforms have ensured the protection of women's rights, including equal educational opportunities. The government of Oman provides women with equal education opportunities, which has eliminated the gender gap in educational attainment (Al-Abri, 2021). In addition, Oman women held authoritative positions in government, media, and business (United States Department of State, 2022). Women are entitled to paid maternity leave and

equal pay. Oman government is the largest employer of women and observes different regulations to ensure women have equal rights as men (International Labor Organization, 2024). Collectively, these efforts have enhanced inclusivity, fairness, and equity in access to higher education in Oman.

### **3.0 The Significance of Equity in Education**

Equity in education is vital for individual and societal advancement, ensuring all learners have access to quality education regardless of gender, socioeconomic status, or location (Tate & Warschauer, 2022). In addition, Jurado de los Santos et al. (2020) emphasize that equity is integral to quality education, fostering intellectual, emotional, and social growth while ensuring equal opportunities. The education community has an important role in meeting the different needs of students and encouraging inclusion in the Arab region. Fair access to education benefits communities and nations, as demonstrated by global examples that also hold relevance for the Arab region.

### **3.1 Role of Administrative Law in Promoting Equity**

Achieving equity in higher education across the Arab region depends on the role of administrative law because it provides the foundation for creating, implementing, and enforcing policies that promote fairness and inclusion. It is crucial for shaping policies, ensuring accountability, and resolving disputes.

In modern times from 2000s, administrative law serves as the mechanism through which public policies—such as those promoting equitable access to education—are implemented (Carelli & Peters, 2024). Administrative law involves significant decisions by street-level administrators, such as educators and policymakers, who interpret and enforce these policies (Rosenbloom & Abdel-Moneim, 2020). The decisions of the administrators directly influence how laws designed to enhance

access and equity in higher education are applied (Rosenbloom & Abdel-Moneim, 2020). Good governance principles, such as inclusivity and accountability, are crucial for the effective application of administrative law in higher education (Abdelaziz, 2024).

Administrative law can be critical in mandating accountability and inclusivity, ensuring that educational institutions provide equal opportunities to all learners. Al-Naser and Hamdan (2021) argue that participation and fairness enhance both the effectiveness and legitimacy of governance. For higher education, this means developing policies that reduce gender gaps in access and ensuring that administrative frameworks are inclusive of all demographics. Administrative law, therefore, serves as both a governance tool and a mechanism to promote justice and equity in education among all demographics such as gender, persons with special needs, and international students. By upholding fairness and participation, it can break down barriers and build a more inclusive higher education system across the Arab region.

### **3.2 Administrative Laws Impact on Inequalities in Higher Education in Arab Countries**

Administrative law has a critical role in addressing inequalities in higher education across the Arab region by impacting policies that promote inclusion, fairness, and accountability.

There are some countries in the Arab region in which administrative reforms have been effective. First, In Bahrain, administrative reforms significantly contributed to reducing gender disparities in higher education (Hamadeh et al., 2022). The establishment of the Supreme Council for Women (SCW) in 2001 and the creation of equal opportunity units in 2014 across government ministries were crucial in empowering women. The actions resulted in an increase in the percentage of Bahraini

female graduates to 63% by 2021, up from 56.8% in 2010. Workforce participation among Bahraini women also rose, highlighting the broader effects of policies guided by administrative frameworks (Hamadeh et al., 2022). Bahrain's top ranking in the Global Gender Gap Report 2018 for women's secondary and higher education indicators highlights the success of administrative measures in reducing educational disparities (UN Women, 2019).

The second example of administrative law addressing educational inequalities lies in refugee education. By 2016, countries like Jordan, Lebanon, and others had formally incorporated refugee education into their national systems through partnerships with UNHCR and other agencies (AlKharouf et al., 2024). The changes reflect how coordinated legal and policy efforts can extend educational opportunities to marginalized populations, including refugees, ensuring they are not excluded from national development plans (AlKharouf et al., 2024).

#### **4.0 Recommendations**

To promote equal access to higher education in the Arab region, government officials should prioritize the enforcement of administrative laws to ensure policies handling educational disparities are consistently applied. Establishing independent bodies to handle these policies will promote accountability and transparency. Also, expanding gender-sensitive policies, such as Bahrain's equal opportunity units, is essential to addressing disparities in admissions, scholarships, and leadership within educational institutions. Refugee education also requires integration into national systems through partnerships with organizations like the United Nations High Commissioner for Refugees (UNHCR), ensuring refugees have access to national curricula and language programs. In addition, Increasing funding

through giving of scholarships and subsidies, will further address gaps in educational access. The measures can promote fairness, inclusivity, and sustainable progress across the region. Additionally, future researchers should conduct empirical studies examining quantitative impact of administrative laws on Arab countries.

## **5.0 Conclusion**

Administrative law has a crucial role in addressing inequalities in higher education across the Arab region. Most countries in the Arab region have implemented different initiatives aimed at increasing equity in higher education. Effective implementation and enforcement of inclusive policies can help dismantle systemic barriers and create an equitable education system. Success stories, such as Bahrain's achievements in gender equity, highlight the transformative power of administrative frameworks. Similarly, the inclusion of refugees in national education systems demonstrates the potential of coordinated efforts to address marginalized populations. However, achieving lasting progress requires sustained commitment, stronger enforcement mechanisms, and collaboration among governments, international organizations, and communities. By prioritizing equity in education, Arab countries can empower individuals, strengthen societies, and contribute to sustainable development for future generations.

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