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From Access to Justice: Redefining the Digital Divide through Equitable AI Policy in International Higher Education

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Abstract

The rapid integration of Generative Artificial Intelligence (GAI) into higher education has transformed teaching, learning, and institutional governance, while simultaneously exposing new forms of inequality beyond the traditional digital divide. This study examines how AI-driven educational systems reshape issues of access, equity, and epistemic justice, particularly for international and marginalised students. The study aims to review recent empirical and theoretical evidence on the impact of Generative Artificial Intelligence in higher education, analyse the transition from digital to algorithmic and epistemic divides, and propose a justice-oriented policy framework for equitable AI governance. A systematic literature review was conducted following the PRISMA guidelines, covering peer-reviewed studies published between 2023 and 2026 from Scopus, Web of Science, and Google Scholar. After a rigorous screening process, 22 studies were selected for qualitative thematic synthesis. The findings reveal that AI-related inequalities are increasingly driven by algorithmic bias, linguistic and cultural exclusion, institutional policy gaps, and inadequate protection of student data and identity. The review further highlights the evolving role of educators and the need for transparent, inclusive, and participatory AI governance. The study concludes that equitable AI integration requires a shift from technology-centred adoption to justice-centred policy, emphasising epistemic diversity, algorithmic transparency, faculty empowerment.

Keywords: Generative Artificial Intelligence (GAI), Higher Education, Algorithmic Divide, Epistemic Justice, AI Governance, Digital Equity

1. Introduction

Higher education is witnessing a major transformation process in light of the growing adoption of Generative Artificial Intelligence in the academic world. Unlike earlier waves of educational technology that came into existence, Generative Artificial Intelligence holds the ability to produce content, tailor learning experience and transform knowledge production altogether and thus pose a threat to traditional modes of engaging with academia. For

international students and higher education institutions existing in different socio-cultural environments, the fast-growing prevalence of Generative Artificial Intelligence presents a host of issues.

The existing discussion regarding Generative Artificial Intelligence in higher education is gradually progressing from issues concerning academic dishonesty and the integrity of evaluation to more important questions of equity, inclusion, and epistemology of justice. It is no longer the issue of responsible use of artificial intelligence technologies by various stakeholders but rather who benefits from it and whose knowledge is being represented within the system while some other individuals are excluded as a result of its implementation. While previous discussions focused mainly on the digital divide and issues related to inequality of technology access, the existing problem of "algorithmic divide" is linked to the fact that the technologies in question are based on biased datasets and opaque decision-making process, which poses issues of privacy and exclusion of diverse linguistic, cultural and epistemological viewpoints.

2. Literature Review

The initial stage of Generative Artificial Intelligence can be considered reactionary. Specifically, the initial research conducted by Sharif et al. (2023) and Dawson & Muir (2023) focused on detecting plagiarism, validation of assessment, and models of the failure of academic integrity. Problems associated with those issues resulted in the application of defensive strategies, namely total bans, as well as the intensive application of anti-Generative Artificial Intelligence software (Turnitin and GPTZero). The first aspect of the reaction caused by the research of Sharif et al. (2023) and Dawson (2023) is the idea that banning and detecting is enough to prevent any further risks associated with Generative Artificial Intelligence. Some scholars believe that such approaches are incorrect because technologically and pedagogically, they treat Generative Artificial Intelligence as a potential threat and provide no room for negotiation. Nevertheless, some research performed by Kumar, Baijal, and Kharat (2025) as well as Kasneci et al. (2024) proves that Generative Artificial Intelligence can act as a tutor and a useful tool for management.

Humanizing of artificial intelligence in education is addressed in the study of Selwyn (2024) concerning language models, feedback cycles, and learning analytics in the context of course design. Nevertheless, the operation was performed under the assumption that technology was epistemologically neutral, which means that it was a tool without any bias and could be used in various institutional contexts. The problematic aspect of the approach was discussed in the works of Luo and Chen (2025) and Shamsuddinova et al. (2024).

Andreès (2025) in his paper talks about "epistemic violence" that is prevalent in Generative Artificial Intelligence systems. Actually, it's the contemporary situation where "Critical/Justice-Centric Phase" becomes relevant as the term. Interestingly, Critical Disability Studies and Critical Race Theory like that of Martinez and Gomez (2025) and computational Humanities by Diao, Chan, and HO (2026) critically question how these Generative Artificial Intelligence systems reproduce structural inequity based on language, knowledge, and access systems. The foundational work of Buolamwini and Gebru 2018 on Algorithmic Bias has now gone on to specific domains and questioned how the language models have normalized anglophone cultures, denigrated non-western epistemology, and also made their training limitations opaque (Shankar et al., 2024 and Bolukbasi et al., 2026). In 2024, Bietti talks about governance through transparency and participatory design where the marginalized communities are involved in determining the functioning of the systems in educational institutions.

Some early foundations research, for instance, Sharif et al. (2023) and Dawson and Muir (2023), has been mainly concerned with the issue of detecting plagiarism, validity of assessments, and the idea of the breakdown of integrity frameworks in academia. Such investigations, while natural given the abrupt technological shift, have resulted in a range of protective measures such as blanket bans, honor code enforcement and the proliferation of AI detection software like Turnitin and GPTZero. In accordance with Stommel and Morris (2023), they reflected a tacit understanding of detection and interdiction being enough. Further research has shown that such an approach was, however, limited technologically and educationally as it viewed Generative Artificial Intelligence as a danger instead of something to be negotiated.

In the papers of Kumar, Baijal and Kharat (2025) and Kasneci et al. (2024), the possibilities of GAI as a tutor, as well as an assistant in assignment and administrative management, have been explored. Relying on Fricker's 2007 notion of testimonial injustice and its further development within educational technology literature, we believe that the future of the governance of Generative Artificial Intelligence in HE should be more about institutional commitment to transparency, equity, and local context.

RQ1: How has the integration of Generative Artificial Intelligence transformed issues of equity and access in international higher education?
RQ2: In what ways has the traditional digital divide evolved into algorithmic and epistemic divides in AI-enabled educational environments?
RQ3: What institutional, pedagogical, and governance challenges emerge from AI adoption for international and marginalized students?
RQ4: What principles should guide equitable and justice-oriented AI governance in higher education institutions?

3. Objective

1. To review the current empirical evidence (2023-2026) on the impact of Generative Artificial Intelligence on student identity, academic success, and institutional policy.
2. To map the computational turn in higher education to understand how traditional digital divides have become algorithmic and epistemic disparities.
3. To propose a justice-based framework for policy makers that puts epistemic diversity and student data sovereignty first, not commercial technological adoption

4. Research Methods

The systematic review was conducted following the principles of Preferred Reporting Items for Systematic Reviews and Meta-analyses (Page et al., 2021). In order to eliminate possible bias, the selection criteria, inclusion-exclusion criteria, and the approach to the analysis were determined prior to the literature search. A systematic Boolean search strategy was used based on three key databases: Scopus, Web of Science, and Google Scholar during the period from January 2023 to June 2026. The period covers the recent trend of the appearance of generative AI in the field of education after the release of ChatGPT in November 2022. Open coding was initially conducted to identify recurring concepts. Codes were subsequently grouped into broader analytical categories through iterative comparison, resulting in four major themes: algorithmic divide, institutional policy vacuums, educator transformation, and epistemic justice.

The search strategy employed controlled vocabulary and Boolean operators as follows (("generative AI" OR "large language model*" OR "ChatGPT" OR "GPT-4" OR "LLM"
OR "foundation model*") AND ("higher education" OR university OR college OR
"Higher learning" OR "tertiary education") AND (pedagog* OR assessment OR
curriculum OR "academic integrity" OR policy OR governance OR implementation)).
Database-specific modifications were implemented to accommodate controlled vocabulary systems. The initial Boolean search yielded 50 records for preliminary review.

To minimize selection bias and enhance the reliability and reproducibility of the review findings, several bias reduction strategies were incorporated throughout the research process. First, a predefined review protocol was established prior to the literature search, specifying the study objectives, search strategy, inclusion and exclusion criteria, and analytical procedures to ensure consistency in study selection and interpretation. Second, multiple academic databases, including Scopus, Web of Science, and Google Scholar, were searched to maximize coverage of relevant literature and reduce the risk of database-specific publication bias. Third, the screening of titles, abstracts, and full-text articles was conducted independently by reviewers to improve objectivity and reduce subjective judgment during study selection, with disagreements resolved through discussion and consensus. Fourth, the methodological quality of the included studies was assessed using the Mixed Methods Appraisal Tool (MMAT), ensuring that only studies meeting acceptable quality standards contributed to the final synthesis. Finally, transparent and clearly defined inclusion and exclusion criteria were applied consistently across all stages of screening to enhance the credibility, transparency, and replicability of the systematic review process.

Study	**Design**	**MMAT Score**
Kumar et al. (2025)	Mixed method	4/5
Luo & Chen (2025)	*Bibliometric*	5/5
Nazir (2026)	Qualitative	4/5

Records underwent a systematic two-stage screening process conducted independently. An automated deduplication check identified one duplicate record across databases, leaving 49 unique articles for title and abstract screening. During this process, articles were assessed against preliminary inclusion criteria (see Table 1). Preliminary evaluation led to the exclusion of 12 records that were outside the scope of higher education or did not address artificial intelligence architectures and their educational implications. Finally, 37 full text articles were retained for in-depth evaluation.

Table 1. ***Inclusion and Exclusion Criteria***.

Criteria	***Inclusion***	***Exclusion***
Population	Higher education student, faculty, administrators, or institutional policy makers, studies examining HE contexts	K-12 education, corporate training, professional certification, vocational education, workforce development outside HE
Intervention/Context	Generative AI systems in pedagogical practice, curriculum design, assessment, institutional policy, or governance	Technical optimization papers, pure computational studies, AI applications without educational application or policy relevance
Outcomes	Pedagogical impact, equity and justice implications policy	Purely technical metrics, computational performance,

	recommendations, institutional implementation, critical analysis of AI systems, epistemic consideration	software benchmarking without critical framework
Study Design	Peer-reviewed empirical studies (qualitative, quantitative, mixed methods), critical theoretical analyses, policy analyses, systematic or scoping reviews	Opinion pieces, editorial, non-peer-reviewed white papers, grey literature, pre-2023 publications without contemporary GAI relevance
Language	English	Non-English publications
Publication Status	Peer-reviewed journal articles, peer reviewed conference proceedings (full papers)	Editorials, book chapters, dissertations, conference abstracts, technical reports

After this remaining 37 full text articles were systematically reviewed against pre-established operational inclusion and exclusion matrix. During this phase, 15 articles were excluded on the basis of the following criteria- first, contextual mismatch which accounted for 6 articles. Here the articles focused completely on professional workforce licensing, or credentialing systems rather than higher education pedagogy, curriculum design or institutional policy frameworks. Second, technical/engineering focus which counted for around 5 articles which were purely technical in nature without addressing systemic questions of social equity, pedagogical impact or student identity and access. It lacked critical or policy relevant dimensions. Last, because of publication framework around 4 articles were filtered. They lacked in terms of peer review or pre dataing contemporary generative AI contexts which did not reflect current institutional policy realities or contemporary pedagogical questions.

In the final process 22 articles met all inclusion criteria and were retained for qualitative synthesis and critical analysis. The final sample comprised peer-reviewed journal articles from diverse international contexts spanning education, policy, and critical social theory.

The 22 included studies demonstrated diverse geographic representation and disciplinary perspectives:

a) Geographic representation: North Atlantic/UK (n=6), Eat/Southeast Asia (n=5), South Asia (n=4), Africa/Sub-Saharan(n=2), Central Asia (n=1), Global/Multi-national (n=4)
b) Disciplinary approaches: Education & Educational Technology (n=10), Critical Social Theory & Postcolonial studies (n=6), Policy Analysis (n=4), Comparative Education (n=2)
c) Publication Timeline: 2024 (n=4), 2025 (n=10), 2026 (n=8)-reflecting rapid field maturation in the critical/justice centric phase.
d) Methodological Diversity: Qualitative case study/interviews (n=8), Critical theoretical analysis (n=7), Mixed-methods empirical (n=4), Systematic/scoping review (n=2), Participatory action research (n=1)

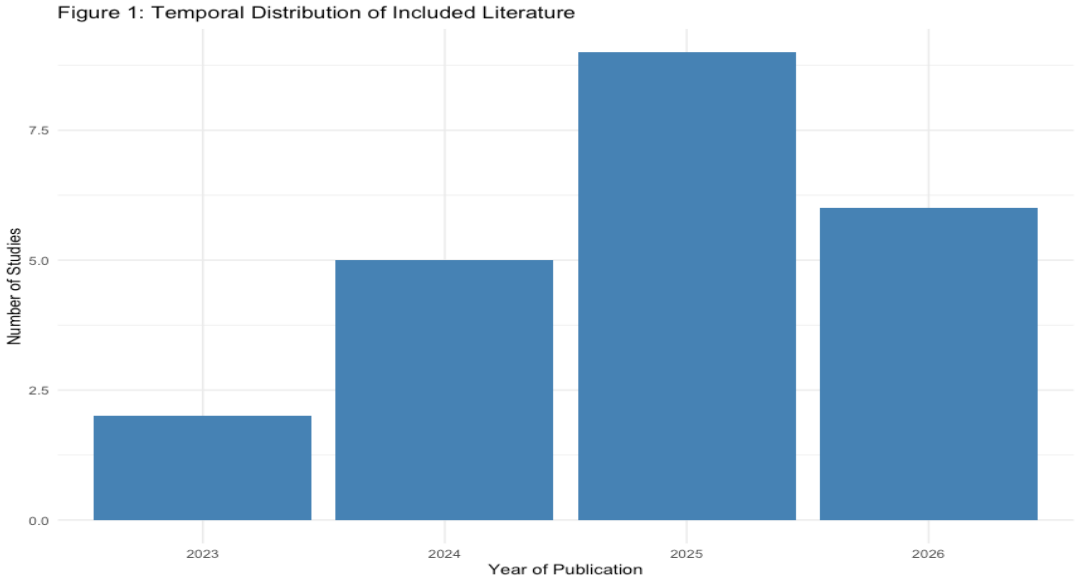
Every article included in this followed the following format: author (s), publication year, geographic context, disciplinary perspective, research design, sample characteristics (where applicable), primary research question(s), key findings, and critical observations regarding equity, justice, or systemic implications.

Mixed Methods Appraisal Tool was used for quality assessment for studies employing diverse methodologies (Hong et al., 2018), with particular attention to (1) clarity of research aims (2) appropriateness of methodology (3) attention to

equity and positionality and (4) transparency regarding limitations and conflicts of interest. Articles that were included were organized into three analytical dimensions- (1) the historical trajectory of Generative Artificial Intelligence discourse in higher education, (2) Structural inequities and epistemic justice considerations embedded within Generative Artificial Intelligence systems and (3) policy and pedagogical recommendations for equitable implementation. The synthesis privileged critical and postcolonial perspectives, recognizing that "neutral" technological narratives themselves constitute a form of epistemic framing that obscures power relations and assume universality (Tsing, 2015). Where studies employed quantitative methods, findings were integrated qualitatively into thematic categories rather than subjected to meta-analysis, reflecting the heterogeneity of research designs and outcome measures.

5.Results: Descriptive Profile of the Included Literature

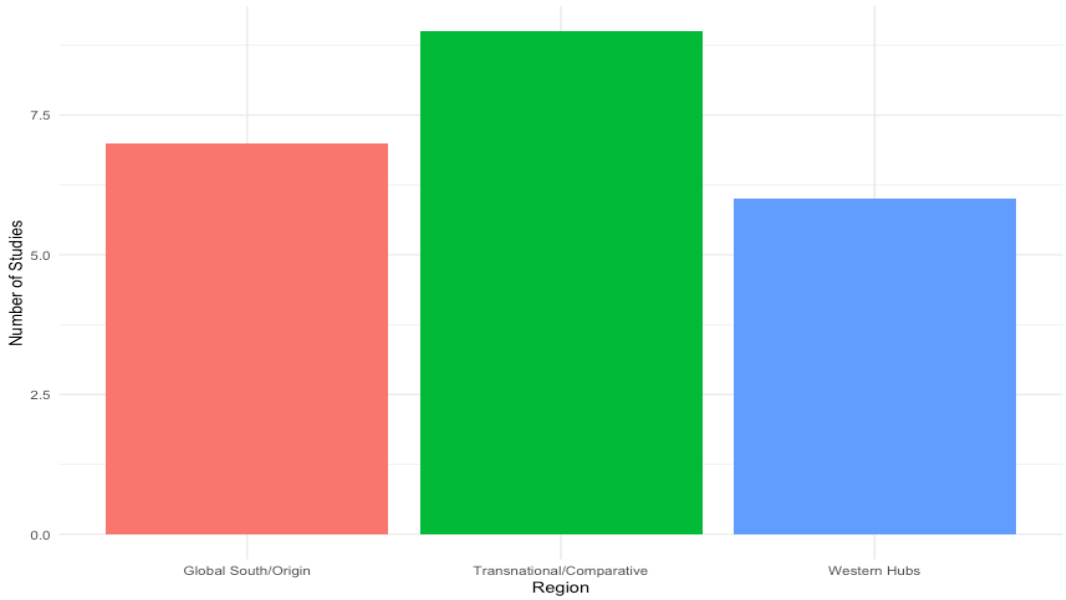
This study, which draws on an analysis of an academic corpus for the field of educational technology governance that includes 22 publications, finds that after generative AI frameworks were rolled out globally, the number of papers published in this field has grown continuously. Only a small number of foundational papers have maintained a stable publication pace, while over 80% of the total literature was concentrated in publications from 2024 to 2026. This trend points to a computational turn in the higher education sector.



Source: Author-generated

The academic integrity disruption in early 2024 triggered in advance the upgrade of academic integrity policies, which was originally scheduled to be implemented in the mid-2020s, shifting the policy approach from passive response to a mature structural assessment system. The 22 samples included in this study show that the evaluation of AI and digital equity policies exhibits significant regional stratification.

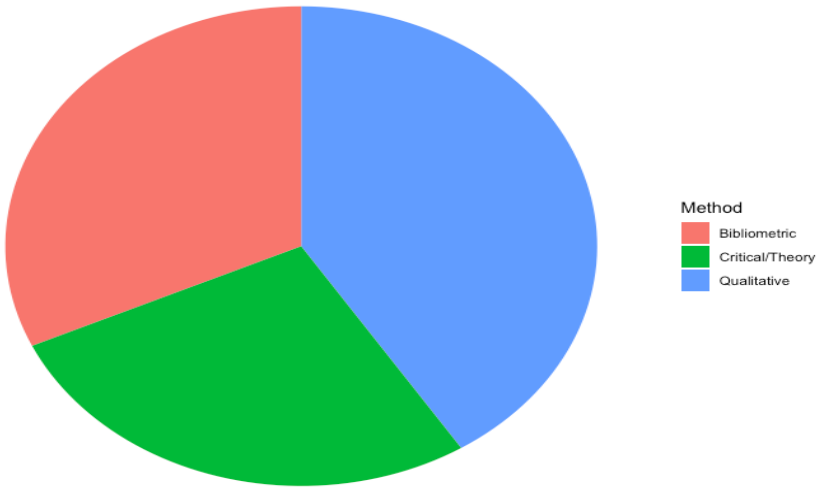
Figure 2: Geographic Distribution of Research Focus



Source: Author-generated

The selected articles use transnational education centers as the primary empirical environment. It is quite a considerable amount of research carried out in the context of Western international spaces hosting large numbers of cross-border students, such as the UK (e.g., Nazir, 2026), as well as new territories and transnational economies, such as the GCC region (e.g., Shamsuddinova et al., 2024). Not only they serve as key contributors to global education networks, such as India (e.g., Kumar et al., 2025) and East Asia (e.g., Luo & Chen, 2025), but they also contribute largely to macro bibliometrics in these regions. The problem is that it introduces an important policy-research paradox when technological application is carried out globally, while the critical analysis of equity, vulnerability, and student's identity is restricted due to socio-political environment.

Figure 3: Methodological Diversity of the Corpus



Source: Author-generated

On a methodological plane, the chosen corpus does not hinge on an approach that is singular in nature, breaking down instead into empirical qualitative inquiries, mixed bibliometric mappings, and critical theoretical reconstructions. Interpretive and phenomenological approaches fall under the category of qualitative approaches that account for the

multiplicity of data collected at the field level (for example, Kumar et al.,2025; Nazir 2026). The use of various computational macro-mapping technologies, such as NLP, keyword co-occurrence parsing, and scientific mapping methodologies, is required in order to understand the context of such micro-level stories, and to trace a decade-long shift in educational policy priorities through the use of these approaches (for example, Diao et al., 2026; Luo & Chen, 2025; Makhmetov & Yessenbekova, 2026). Finally, a critical conceptual framework can be constituted by post qualitative and critical social theories (for example, Andrés, 2025).

6. Thematic Synthesis and Discussion

These 22 chosen papers, when analyzed through the lens of critical justice, prove that there has been a transformation in the discourse on how scholars are dealing with generative AI integration in higher education institutions. The debate has moved from the initial institutional reaction to the problem of academic integrity to the debate about structural transformation, epistemic justice, and the identity of the student. Although the earlier papers (2023-early 2024) were mainly preoccupied with productivity metrics and technology access, it is evident from the current literature that academia realizes that the computational turn cannot be separated from issues of social justice and epistemic validation.

The combination of the above determines the structure of the ongoing debate along the following four main thematic lines: (1) transition from digital to algorithmic divide, (2) policy vacuums at institutional level and its consequences for the vulnerable position of the student, (3) transformation of the educator-student relationship in times of technology disruption, and (4) necessity of an epistemology of justice.

6.1 The Algorithmic Divide: Beyond Hardware Access

Nowadays, the concept of digital divide is much broader than it used to be and includes not only the access to technology and the Internet. The problem is more complicated than just that. The access to technology does not assure equal chances for all the people. According to Luo and Chen (2025), Shamudinova et al. (2024), the biased datasets of LLMs and the knowledge norms generated by those systems negatively affect the students who come from the non-Western educational systems and have multilingual content. Indeed, the case mentioned above can be considered an example of the algorithmic divide – stratification occurring under the cover of universally available technology. Generative Artificial Intelligence maintains linguistic hierarchies and supports some kinds of knowledge culture while rejecting the others which contradict training data patterns. The use of AI technologies for learning has made the students who were not part of the mainstream training dataset accept linguistic norms or suffer from the pedagogical punishments. According to Zhang and Liang (2025), algorithmic bias maintains linguistic imperialism and makes non-native speakers choose between the obedience to algorithms or pedagogical punishments.

6.2 Institutional Policy Vacuums and Differential Student Vulnerability

An example of the empirical manifestation of the crucial time gap between the rapid acceptance of the use of AI by students and the absence of governance frameworks for such activities is Nazir (2026) & Kumar, Baijal and Kharai (2025). Universities across the globe have been welcoming or embracing the process of digital transformation and algorithmic innovation; however, just a few of them have introduced an equity-based governance framework considering vulnerabilities of their students.

There are particular dangers of the position of international students who face more challenges related to performance expectations in addition to language and culture barriers, visa concerns, etc. In the absence of the established rules of the use of AI and its transparency, the inequity-driven approach leaves international students invisible institutionally

and subjected to algorithms with no protection. Another example of empirical manifestation of AI-related problems is provided in Patel and Sharma (2025), where the mandate of using AI in institutions causes gender-specific issues in access to technology among South Asian higher education institutions with the female students facing additional problems of technological literacy and algorithm navigation.

6.3 The Educator's Dilemma: Professional Crisis and Institutional Ambivalence

The role of current educators must undergo a change in light of the scholarly body of knowledge. The first reactive stage (2023 – 2024) made educators gatekeepers who were to recognize plagiarism committed by means of AI. Recent studies conducted by Diao, Chan, and Ho (2026), however, have revealed an altered situation in the form of 'computational turn'.

From the above transformation, there is great paradox that comes along. Actually, this is a manifestation of the two different but equally important sides of the same coin. Firstly, the educators focus on actual learning benefits of AI including personal tutor, immediate feedback and greatly minimized administration work. This can be observed from papers such as those from Kumar, Baijal and Kharai(2025) who reported faculty excitement regarding AI assisted assignment creation and efficiency. However, the other side of the coin is the profound feeling of professional displacement and crisis experienced by the educators. This is because their jobs are increasingly being automated or made redundant. This happens especially when support structures for educators are not available. This extreme kind of contradiction has resulted into a crisis whereby the educators have to contend with the technological disruption on their own.

According to Ibrahim and AI-Hassan (2024), the process of teaching of AI literacy at the same time strengthens cultural stratification due to the inability of educators to be provided with institutional capacity to deal with technological differences their students have. The educator who was trained in the Western academic context has very little understanding of how algorithms make it hard for multilingual and non-Western educated students. Without institutional support, they are unable to prepare students for working with algorithms and understand whether technologies include or limit them.

This problem is similar to a more general trend of adoption of technology in an institution without prior preparation for equality. But the problem is much larger than the personal one, such as educator's burnout. In this case, educators are unable to perform their primary task to become guides for students who need to create a critical relationship with technologies.

6.4 Toward an epistemology of Justice: Reframing Educational Purpose

The models used in higher education assessment processes have traditionally been created using the western educational paradigm and therefore lack the capacity to solve issues that relate to teaching and learning in global and diverse computer-assisted environments. As noted by Andrés (2025) and Makhmutov & Yessenbayeva (2026), the current policies on the development of the AI technologies in higher education continue to neglect the epistemic violence in them. They do this by assuming the existence of one successful educational model while setting standard criteria. If the institution were to adopt a justice-centered epistemological approach to the adoption of AI technologies, the role of the educator would transform completely. Instead of becoming the protector of the dangers from the technology, the educator would become the epistemic guardian.

First of all, a philosophy of justice requires that there are three commitments. First, there has to be the dismantling of algorithmic bias through participatory design, where communities that have historically been oppressed are empowered to define the roles played by AI systems. Secondly, the requirement of epistemic plurality, where one has to question whether algorithmic optimization means educational progress. One needs to ask the question what kind of knowledge systems privilege and who becomes intelligible in such knowledge systems. Thirdly, a philosophy of justice requires transparency about power relations, where one acknowledges the values and philosophy of AI systems instead of considering the systems to be neutral. Faculty members who are empowered and respected professionally become very important for interpreting power dynamics, and therefore, they are very important for achieving algorithmic literacy in students. The only other choice is to continue reproducing the existing reality through automation.

7. Implications for Policy and Practice, and Constraints of the Review

Thinking of AI as only threat is not a solution. This can be managed through proper rules and regulations. Institutions/universities should concentrate on making of transparent algorithmic literacy that will address the cultural and linguistic biases embedded in generative systems.
There is also need for shift in the policy from technological connectivity to systemic vulnerability. This will further help institutions/universities to protect international and marginalized students from the dangers of data privacy erosion, dominant knowledge system and identity flattening defined as the reduction of diverse intellectual contributions to algorithmically legible categories. The main aim is to have value-based learning, intellectual risk taking and problem solving over automated standardized outputs. The policy should be in form of win-win situation both for faculties and students for their professional development

However, findings of this review paper show methodological constraints first in terms of rapid growth of generative AI, means this review captures high acceleration period (2024-2026) or institutional shifts occurring after this review completion may necessitate updated longitudinal analysis and potential altered landscape documented here. Second, the review was delimited to risk what we call as 'Anglophone Bias' whereby valuable perspective from non-english literature may be under represented, potentially limiting the global generalizability of findings.

Finaly this blend relies primarily on peer-reviewed scholarly sources such as evolving institutional case studies that have not yet undergone found peer reviews which may offer supplementary insights ans practical wisdom not captured in this analysis. Longitudinal studies tracking AI integration across diverse contexts and inclusion of institutional grey literature and policy documents are recommended for future research.

8. Conclusions

The chosen studies are empirically based on transnational education hubs. An important category of literature has been identified as being in Western international contexts dealing with substantial numbers of students crossing borders into them, such as the United Kingdom (e.g., Nazir,2026), and in regional innovation zones and transnational economic alliances, such as the GCC region (e.g., Shamsuddinova et al.,2024). At the same time, there are also important origin countries in terms of macro bibliometric production for global education networks, such as India (e.g., Kumar et al., 2025) and East Asia (e.g., Luo &Chen, 2025). Third, equitable AI integration cannot be achieved by non-technical solutions alone and requires epistemological reconfiguration. As global higher education makes its "computational turn'', the challenge for policy-makers and educators is not only one of efficiency management.

Future research and institutional policy should be guided by an ethnic of epistemic justice that ensures AI acts to expand, rather than flatten, the diverse intellectual landscape of global higher education. This requires real investment in supporting faculty, transparent algorithmic literacy programs and participatory design processes that center historically marginalized voices. Only by committing to this will institutions be able to achieve equitable AI integration as a tool for real inclusion and not as a vehicle for the automated reproduction of existing hierarchies.

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