



CHALLENGES OF GLOBALIZATION AND QUALITY OF EDUCATION: LEGAL ASPECT

¹ **Vakhobova Marguba Abdukhamidovna**

¹ Tashkent State University of Economics, "Social, humanitarian and exact sciences" senior teacher of the department, independent researcher Tel: 94 935 55 57 yahobovama@gmail.com

Abstract: The article discusses the quality of higher education in the context of global changes, emphasizing the legal framework's focus on research relevance. It aims to explore how international trends affect higher education quality, services, and graduate demand. The study validates the interaction of global trends on academic services, identifies issues in education quality, and suggests strategies to enhance competitiveness. It highlights the importance of adhering to international quality standards and proposes developing an annual action plan aligned with risk management to improve educational programs and graduate competitiveness. Additionally, it provides insights into the challenges of implementing international standards and external quality assurance in education.

Key words: globalization, quality of education, legal assurance, accreditation.

Introduction

Education's pivotal role in global economic development within the context of globalization and legal assurance, along with human rights, is recognized as a crucial mechanism for enforcing education. Quality of education has emerged as a priority in the development of the knowledge economy. Ensuring education quality is considered vital for societal stability and sustainable growth. It is imperative for higher education institutions to focus on enhancing academic programs and the competitiveness of educational services.

The transformation of education in the Central Asian region reflects global trends, including integration into the global educational space, increased internationalization, academic mobility, and digitalization. The modern educational system is geared towards creating effective learning models aligned with global quality education trends, emphasizing transparency, IT technologies, modern knowledge assessment methods, practice-oriented approaches, and the significance of lifelong learning, student-centered education, and practical skill development.

Addressing the disconnect between graduates' training and the demands of the labor market is crucial, as it is an investment in the future. Therefore, the quality of education, particularly its legal and institutional support, should be a primary focus. The National Education Development Strategy of the Republic of Uzbekistan aims to renovate educational program content, modernize human resources, and develop the necessary skills and competencies to produce competitive graduates aligned with the demands of the economy.

International accreditation also plays a crucial role in ensuring education quality, enabling institutions to meet high standards and integrate into the global educational landscape. Therefore,

developing an effective education system in Uzbekistan that meets the economy's needs is a significant objective.

Materials and Methods

Studying quality assurance within the evolving education framework amidst global transformations has provided valuable insights into higher education development through analysis and synthesis of information. The research involved extensive monitoring to compare the operational aspects of higher education institutions and identify trends in the regional higher education system. Over the period of 2017-2022, the author conducted numerous business trips to Central Asian and European countries, engaging with senior officials from Ministries of Education and Science, university heads, professors, and actively participating in educational conferences and forums. These activities focused on discussing the impact of global changes, legal variations, national characteristics, and general trends on education quality.

The research employed observation, interviews, and surveys of university leaders, stakeholders, educators, and students, enabling comprehensive self-assessment, external expert commission findings, and ongoing annual monitoring of higher education institutions. The publication's content provides a realistic evaluation, comparative analysis, and an objective overview of quality assurance in higher education institutions across Central Asia and Europe.

Results

The authors identify several key stages in the development of the education system: Some scholars argue that the advancement of the education system is a pivotal element in enhancing a nation's competitiveness, stressing that human potential is crucial for societal development and economic growth. E.V. Ignatova underscores the role of higher education in shaping intellectual productive forces and advocates for the right to education as an inalienable human right (Pugach 2013). It took 12 years after the inclusion of education as an inalienable right in the Universal Declaration of Human Rights in 1948, with an emphasis on equality and accessibility. The concept of the quality of education was initially introduced in the 1960 Convention against Discrimination in Education. A significant turning point in the legal status of education and quality in international law occurred in 1976 with the adoption of the International Covenant on Economic, Social and Cultural Rights by the UN General Assembly in 1966. This Covenant, combined with the Convention against Discrimination in Education, converted the pre-existing declaratory principle of the right to education into a binding one for UN Member States that ratified these documents. It broadened the requirements of education as a human right, defining that education should aim at human development, enable all to be necessary participants in the free world, and justified the provision that education meets the minimum requirements set by the country. Though the term "quality of education" has not yet explicitly appeared in the text of the International Covenant, it opened initial opportunities for international and national human rights law to influence education quality. For instance, the quality attributes of education can be anchored in the Covenant as minimum requirements that a country can regulate. The introduction of the concept of educational requirements into the legal landscape has contributed to the establishment and development of an international education system, particularly a quality culture in higher education. Academic legal studies have not extensively focused on this issue despite it being a human rights issue. Educational matters have continuously been raised in various international, regional, and national documents and agreements of the highest international level. The Communiqué of the UNESCO World Conference on Higher Education in 2009 introduced paragraph no. 19, which emphasized that the quality of education necessitates the development of a quality control framework, evaluation methodology, and regulatory mechanisms to ensure it within higher education institutions. Mark Malloch Brown, at the World Education Forum in Dakar in April 2000, remarked that education has transformed from

being the foundation upon which a country builds its success to being the very pinnacle of success. For economic prosperity, the development of human resources through education is of paramount importance, signifying that education has evolved into a global factor. The European Commission, in its address to the European Council, stressed that the focus should be on the quality of education and advocated for countries to formulate policies and strategies aimed at ensuring educational quality. It also advised the adoption of national and international measures to establish a higher education quality assurance framework. Independent accreditation bodies, operating under international standards of education quality and conducting institutional and specialized program accreditations, play a crucial role in this international educational framework.

Following Uzbekistan's accession to the Bologna Process in 2010, the higher education system developed in line with the primary educational trends of the European Higher Education Area (EHEA). By 2017, Uzbekistan had completed the shift from state attestation of higher education institutions to independent accreditation, with independence being a fundamental aspect in establishing accreditation bodies and an undeniable value in their operations. The role of international accreditation of higher education institutions as a factor of quality assurance has grown significantly, leading to an enhancement of the objectivity of assessments in accreditation processes and decision-making by independent accreditation bodies.

At present, Uzbekistan has implemented all the parameters of the Bologna Process in education, incorporating various monitoring and evaluation procedures aligned with European quality standards (ESG).

Literature review

The concept of quality assurance can be traced back to the previous century, particularly in the works of Professor W.E. Deming and the scientific articles of Dr. J.M. Juran (Juran, 1999). A broader examination of the concept of quality and classification was explored in the writings of Lee Harvey, Diana Green, and Philip B. Crosby (Harvey 1993). Meanwhile, Professor Sheldon Rothblatt, in his book "The Future Does Not Wait," delves into the impact of global trends on university development (Barnett, 2012).

The methodological foundation draws from the concepts of Bauman, Castells, Boltanski, and other scholars, incorporating ideas from the realms of creative economy, network economy, and knowledge economy. Additionally, Veblen emphasized the necessity of training in complex economic processes in his writings. The predominant trend continues to be mass higher education, supported by new educational formats such as online learning to reach a wider audience (Veblen, 1899).

To gain a deeper understanding of the interconnectedness and impact of global changes on the global educational environment and its influence on education quality, it is necessary to delve into the inception stages of the education quality category. While the quality of education was not immediately incorporated into international law and did not attract global community attention until the 1960s, the concept of quality in education has historically evolved in close correlation with the development of formal education and the progress of humanity. Modern scientific literature illuminates and describes critical periods in the evolution of perspectives on education quality. This periodization was initially proposed by V.I. Zvonnikov and subsequently refined and developed by various other authors (Zvonnikov 2009).

Discussion

Universities have historically served as paramount institutions for national progress. For instance, in the 19th century, European universities nurtured nationalist ideologies, thereby becoming the breeding grounds for nationalism in many colonized nations during the 19th and 20th

centuries. The academic community played a significant role in developing ideas that led to the establishment of modern nations. Moreover, countries utilized universities as part of their efforts to modernize. For example, Humboldt's reformed University of Berlin aimed to contribute to Germany's national resurgence, while the imperial universities established in Japan post the Meiji Restoration in 1868 served a similar purpose. Similarly, the American 'land grant' public universities were designed to foster teaching, research, and service to aid the development of the USA after the Civil War in 1865. In these instances, universities were crucial contributors to national development (Ben-David, 1977).

Furthermore, universities have been instrumental in the growth of developing countries. In Latin America, the advent of national universities post-independence from Spain contributed significantly to nation-building across the continent. These universities not only provided education to the nation but also imparted ideas on national development. In other parts of the developing world, universities have played a similar historical role as incubators of nationalistic ideas, educators of the emerging governing class, and providers of the technical expertise necessary for nation-building. National universities in many parts of the developing world continue to function as central institutions for nation-building, research, and training (Clar & Burton R. 1995) Despite the emergence of diversified academic systems in many developing countries, these state-sponsored universities remain integral to national development.

From the beginning, universities have offered practical education for prominent professions, establishing a lasting connection to the economy and societal needs. As the economy evolves, academic institutions have expanded their training to accommodate a broader array of professions. Initially focused on core fields like law, priesthood, medicine, and academia, today's universities play a crucial role in educating professionals such as business executives, engineers, architects, and social workers. Specialized institutions also cater to specific professions like teaching and military service.

Higher education's vocational role has become universal, combining applied training with a foundation in relevant academic disciplines. Universities serve as key creative hubs, where professors actively engage in society as commentators, experts, or analysts. They contribute to public discourse through opinion pieces, television appearances, and government consultations, showcasing their expertise on topics ranging from science to social issues.

Academics, as the largest community of experts, play vital roles in interpreting and disseminating knowledge for a wide audience. Beyond teaching and research, they participate in societal debates, often contributing to government decisions or engaging in political activism. Historically, academics have been involved in social and political movements, influencing events like European revolutions and Latin American reform movements.

Students also contribute to intellectual, social, and political life beyond campuses. Student activist movements, historically and globally, have sparked political conflict and led to reform or revolution. Universities foster an environment of ideas, freedom, and debate that encourages student activism and social engagement. Academic institutions, often sponsoring journals and media outlets, contribute to intellectual life, education, and the richness of ideas in society. Non-profit universities, with guarantees of academic freedom, uniquely provide autonomy for individuals and groups to participate in intellectual creativity, dialogue, and analysis.

Academic institutions function within a worldwide context, bridging local communities with global science and scholarship. Serving as vital connections to the international scientific community, universities possess the intellectual and scientific infrastructure necessary for this role. Professors actively participate in global research, engaging in exchange programs, hosting

international staff and students, collaborative research projects, and various other activities, making universities key contributors to the constant international exchange of ideas and knowledge.

In developing countries, universities play a central role in connecting with global science, scholarship, and intellectual life. Despite challenges, particularly in regions like Africa with limited internet infrastructure, universities often emerge as the best-connected institutions. Academic communities commonly use international languages of science, and many academics in developing countries have pursued studies abroad.

This paper's discussed issues have universal relevance, but developing countries face additional hurdles in establishing effective university systems. Historical factors such as colonialism and the Western orientation of contemporary universities hinder the creation of successful institutions. Colonial authorities restricted higher education expansion, resulting in small, weak, and limited institutions mainly designed for colonial administration training.

Developing countries experience more intensive and later massification of academic systems than industrialized nations. The pressure to expand, coupled with financial constraints, poses challenges for providing qualified staff and adequate campus facilities. Governments often struggle with financing expansion, contributing to problems such as overcrowded institutions, draconian enrolment procedures, and declining overall education quality in the developing world.

The financial crisis has fueled the growth of private higher education, particularly in developing and middle-income countries. While private sectors expand access, they often operate for profit, focusing on narrow goals and limited curricula. Despite significant access expansion in many countries, issues of equity persist. Students in less-established academic institutions may receive questionable education, face challenges completing degrees, and encounter mismatched degrees with the job market, leading to educated unemployment in some cases. The quality of graduates and the economy's inability to absorb degree holders contribute to these challenges. For instance, the Indian prime minister has voiced concerns about the low quality of graduates from many undergraduate colleges affecting their employability.

Conclusion

In conclusion, this comprehensive exploration underscores the critical interplay between global forces, legal frameworks, and the quality of education. The article delves into the evolution of education, recognizing its pivotal role in national development and human rights. It scrutinizes the historical context, acknowledging the transformative impact of universities as key contributors to societal progress.

The study extends its focus to the challenges faced by developing countries, emphasizing the repercussions of historical legacies such as colonialism. The massification of academic systems, financial constraints, and the subsequent rise of private higher education further complicate the pursuit of quality education. The paper stresses the persistent issues of equity, mismatched degrees, and the quality of graduates in the evolving landscape of education.

Uzbekistan's journey within the Bologna Process serves as a pertinent case study, reflecting the dynamic changes and challenges encountered in aligning with global educational standards. The shift from state attestation to independent accreditation underscores the commitment to enhancing education quality, aligning with European benchmarks.

The research methodology, drawing on extensive engagement with education stakeholders, ensures a nuanced understanding of the multifaceted challenges and opportunities in the evolving educational landscape. The study's emphasis on international accreditation as a vital component aligns with global efforts to establish robust quality assurance mechanisms.

As the world continues to grapple with the complexities of educational transformation, the article advocates for a holistic approach. It underscores the need for adherence to international

quality standards, risk management strategies, and annual action plans to continually enhance educational programs and graduate competitiveness.

In essence, this article calls for a collective commitment to navigating the challenges posed by globalization, legal frameworks, and quality assurance in education. It accentuates the imperative role of education in shaping not only individual destinies but also the trajectory of nations on the global stage.

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