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## The influence of globalization and international standards on education

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Born as a biological being one becomes a social being while exchanging information, experience, emotions with the surrounding world. Social environment correlates with international relations. Nowadays, when common informational, communicational and economic area is being shaped as a result of globalization, earthmen seem to perceive integration as an inevitable and necessary process.

The world is being transformed into a virtual village enabling free communication of people from different parts of the world mainly due to the development of ICT.

In late 20<sup>th</sup> century political and economic changes occurred in Easter Europe, which had considerable impact on all the spheres of life and made it possible for many countries to join the European Union.

On 27 October 2011 European Parliament adopted a resolution on Ukraine's European perspective. Foreign Affairs Minister of Ukraine Kostyantyn Hryshchenko emphasized the importance of reference in the resolution to Article 49 of the Treaty on European Union, which provides for the right of each European state to apply to become a member of the European Union, and urged

the European Parliament and Council of Europe to complete the negotiations with Ukraine concerning association treaty [1].

Some scientists note that the essence of globalization is creation of facilitation mechanisms for transfer of goods, money and information aimed at simplification of resources redistribution between countries and facilitation of sustainable development. The concept of sustainable development occurred due to realization that natural resources on earth are scarce and exhaustible, while world's population is rapidly growing. In the nearest future mankind will have to solve the problem of living standards improvement and simultaneous reduction of resource use [2].

It has become general practice that the representatives of different countries of the world meet and discuss common problems at international scientific and political forums; numerous decisions are made, charters and resolutions adopted, for example Bassarat Declaration of 1999, adopted at common Conference of UNO and International Federation of Geodesists on the problems of land relations, cadastre infrastructures and sustainable development. The Declaration contains the analysis of changes that affected the development of land relations in the world during the 20<sup>th</sup> century. In early 20<sup>th</sup> century the economy of many world countries was based on agriculture, the population of cities was growing slowly, cultural life in cities was substantially different from that in villages, social life was closely connected with community, global problems were not interesting to the overwhelming majority of people, problems of extensive use of resources, such as land, water, minerals had local nature, they were mostly transferred via inheritance, marriage and was rarely traded.

By late 20<sup>th</sup> century the nature of human society had changed considerably due to rapid growth of world population, vast urbanization, transition from individual rules and patterns of behavior to the framework of legislation, emancipation and equal rights for both sexes, leveling of differences between cities and countryside, exhaustion of mineral resources, air and water pollution. The problem of sustainable development had become vital; ICT and mass media had transformed the world into a virtual village.

In the first place changes that occurred affected the ratio of personal and social interests for benefit of the latter. Due to rapid growth of population and development of technology the influence of a company or an individual on situation on the planet can be strong. As a result the society gets more rights and possibilities for introduction of limitations that concern the use of the existing resources, while the role of government's functions is becoming more and more important.

Use of international standard is often the basis of unification. The concept of international standard is often referred to in scientific literature and periodicals

as a measure of absolute value, of something that is important and necessary. The need to introduce and maintain international standard in most cases is in most cases beyond doubts and it is perceived by the society as something worthy and indispensable.

In spite of numerous attempts of many scientists to determine one way or another the nature of *international standard* (research done by Ametistova Y.M., Buromensky M.V., Butkevych V.H., Velychko D.M., Havrylova Y.A., Hadenko O.M., hrekova M.M.,Dovhert A.S., Kartashkin V.A., Kavun V.F., Krasnov Y.V, Kostiuchenko Y.M., Lukashuk I.I., Muellerson R.A., Opryshko V.F., Orzikh M.P., Todyka Y.M., Tykhomyrov Y.O are some examples of such tempts), complex analysis of the concept in the context of modern law is urgent.

The term *international standard* is extensively used in Ukrainian and European legal texts [9-11].

The word *standard* is well known to people since time immemorial. Its etymology is often connected with Old French word *estandard*, which means 'flag or another object that marked a gathering place' or Frank word *standhard*, lit. 'stand fast or firm' a compound of words similar to Gothic *standan* 'to stand' and *hardus* 'hard'. According to another theory the word derives from Old French *estendre* 'to stretch out', which, in its turn, derives from Latin *extendere* [8]. In any case the term becomes extensively used in the middle of the 12<sup>th</sup> century.

In English the word *standard* meaning 'measure unit' became widely used in late 13<sup>th</sup> century- early 14<sup>th</sup> century when England was ruled by the French. The word was most probably used as a metaphor as royal standard (flag) was a symbol of king's power, including his power to set measures and weights. This is where the meaning 'authoritative or recognized exemplar of quality or correctness' (late 15<sup>th</sup> century) derives from. The meaning 'rule, principal or means of judgment' dates back to 1650-s. The meaning 'definite level of attainment' comes into use in 1711 (for example *standard of living*) [8].

In early 19<sup>th</sup> century states began to insist on introduction of a civilized standard for non-European countries to strive to meet in order to become rightful members of the world community (society) created by Europeans. It was expected that other countries would agree with the then international achievements, introduce European model of diplomatic relations and will have integrated and efficient governmental bureaucracy, that they will unify their legal systems and accept Europe's point of view, for example, on inadmissibility of polygamy? burning of a widow together with her late husband, slavery etc. [7]. In fact, it is in the nineteenth century that the word *standard* acquired its modern meaning.

In Ukrainian Encyclopedia of Law edited by Shemshuchenko Y.S. the following interpretations of the notion of *international standard* can be found:

1) international legal norms and principles that establish standardized rules of behavior of subjects of international law in various spheres of international cooperation between states; 2) documents of International Standardization Organization (ISO), establishing norms and requirements in the sphere of mass production products, intermediate products and raw materials. [17, p. 625]. In the same encyclopedia such terms as *minimal national social standard*, *minimal standard requirements of UNO on juvenile justice*, *minimal standard rules of treating the imprisoned* etc. can be found [16, pp. 706-708]. The existence of the above mentioned terms is indicative of the possibility to use *international standard* in both wide and narrow meaning and confirms the necessity of further study of the problem.

Throughout the history of mankind attempts had been made to unify accumulated experience, create an optimal legal model, a pattern of human behavior, rules of communication and interaction. It is evident that one of the most renowned international standards is the ten commandments contained in the Bible. They offer a simple algorithm of actions that will lead one to the Kingdom of God and is a simple and comprehensive model of behavior for many people.

World history knows numerous explicit manifestations of violence: wars, genocides, famines etc. The desire of human beings to be humane and the recognition of an individual as the highest social value is reflected in works of many philosophers, but it was only in the 20<sup>th</sup> century that one of the most important documents in the history of mankind was worked out and adopted. The Universal Declaration of Human Rights, proclaimed by the General Assembly of the United Nations, is the biggest achievement of legal thought. Its provisions guide individuals and state in their intentions and goals. Thus it would be correct to conclude that the Declaration is an international standard in the sphere of human rights.

Abashidze A.H. pointed out that mankind is now deeply involved in globalization and it is unavoidable and irreversible [3, p. 21]. However, even in the global world it is not enough just to declare the most important human rights. It is vital to create mechanisms that will make them work within national legal systems. British scientists Janis M., Key R., Bradley E., after thorough analysis of the efficiency of international law, noted that one of the most useful contributions of international law to international relations is the introduction of common rules that are used in two or more national legal systems [3, p. 3].

The existence of international standard of human rights is recognized by the doctrine of international law. In 1986 the General Assembly of the United Nations Organization passed a Resolution 41/120 *Setting international standards of human rights*. It is in this declaration that the meaning of human rights is explained. While working out new legal documents that concern human rights

governments must: a) coordinate with the existing list of international legal norms in the sphere of human rights, b) make these documents fundamental, take into consideration dignity and values of human beings c) be detailed and plain enough to become source of rights and duties that can be defined and realized; d) provide where it is appropriate, an efficient mechanism of realization, including systems of producing reports e) have extensive international support [14].

Another example of successful work on designing common international rules is integration in the sphere of higher education. The project aimed at creation of European Credit Transfer System (ECTC), sponsored by European Commission in 1988-1995 was quite successful and resulted in increase in cross-border academic mobility and intensification of processes leading to mutual recognition of university degrees by many European countries. Nowadays ECTS has become an instrument that enables students and academicians to choose what and where to study and to improve quality of education.

On 25 May 2005 in a Norwegian city of Bergen at the Ministerial conference of European countries Ukraine joined the Bologna Process, having committed herself to transform national higher education system according to the principles of European Higher Education Area.

The so-called Bologna process was initiated in 1988 in Bologna at the representative conference of rectors of the biggest European universities, when its participants adopted Magna Charta of European Universities. This was followed by the events that took place in 1998 in Sorbonne. During the celebration of 800-year anniversary of Sorbonne University French, German, British and Italian ministers of education signed the Joint declaration on harmonisation of the architecture of the European higher education system that is often referred to as Sorbonne Declaration. The document substantiated the need to create a special European space for higher education.

The analysis of the Bologna declaration should be made from the point of view of its goals as it is their achievement by the countries participating in the process that reflects its success. At first six goals were declared:

- creation of a unified system of university degrees;
- transition to two-level higher education system (bachelor, master);
- introduction of European Credit Transfer System;
- development of academic mobility;
- development of European cooperation in the sphere of quality assessment within the framework of generally recognized criteria and methods, introduction of independent, decentralized mechanisms of accreditation of educational institutions and courses;
- strengthening of European dimension of higher education.

Thus, within the framework of Bologna process a unified international

standard of higher education is being shaped, which like any other standard has its characteristic features.

1. International standard is **normative**. It is general knowledge that international norm is a formally defined rule of behavior established with the consent of subjects of international law. It regulates international relations via introduction of rights and duties of the subjects and is provided for by legal mechanisms [13, p. 29]. Normative regulation in international law has its peculiarities that have been analyzed by a number of international law researchers. However, it is not a secret that implementation of international norms is often highly problematic. It is not enough to design a flawless legal provision that is recognized by some or even most of countries. Modern world knows a number of international documents that were devised and signed as a result of common efforts and goodwill of the most conscious part of the world's population. Unfortunately these cannot stop famine, wars, corruption, abuse and violence. International standards, even accepted and signed need to be implemented on the basis of day-to-day practice.

Under art. 38 of the Statute of International Court of the United Nations organizationsourcesofinternational lawareinternational treaties,international customs and traditions, general law principles that are recognized by civilized nations, court decisions and doctrines of the most qualified specialists in the sphere of public law of different nations as an additional instrument [15].

International standard shouldn't bear illusions, have abstractions and generalizations, be accurate in order to become source of rights and duties that can be clearly defined and implemented.

The specific feature of sources of international law is their being balanced, tested by time and practice. They are based on treaties or mutual recognition of obligations or on customs that are time tested or on principles that are crucial for legal doctrine. Even decisions and doctrines produced by most respected specialists in the sphere of public law, are mostly based on authoritative notions and concepts, tested by time. We have to agree with Hrekova M.M., who points out that court decisions don't have normative nature, don't establish compulsory rules of behavior, have strictly defined sphere of action and cannot be considered to be international standards. [4, p. 46]. This conclusion corresponds to p. d art. 38 of the Statute of international Court of the United Nations organization. It reads that court decisions are subsidiary means of defining legal norms [12].

In the system of higher education requirements that concern mission of education, qualifications and degrees, quality of education and students' achievements assessment are considered to be normative, that is to be international standard.

It would be naïve to declare that international sources and international standards do not differ. Only those that approach the standard of modern international perception of the world can be considered international standards. International standard is etalon when it corresponds to the existing list of international legal norms and contains all actual achievements in the sphere.

Thus, only model international legal acts deserve to be considered international standards. This concept also correlates with another characteristic feature of international standards – their **general recognition**.

Numerous examples can be found in the history of the world and history of Ukraine, when a meaningful normative legal act having high social value was adopted, but it wasn't generally recognized, which, in the end led to its nullification. The first Constitution of Ukraine, designed by Pylyp Orlyk, is worth of being compared to works of Locke, Montesquieu, Russo, which could compete in its value with the American Declaration of independence, Declaration of Human and Civil Rights, proclaimed in France, the American Bill of rights. Unfortunately for the author and for the nation Orlyk's constitution was not recognized in Ukraine.

International standard becomes truly valuable when it is generally accepted by the society. Most of European educational standards were readily accepted in are being implemented in Ukraine, e.g. European Credit Transfer System, two level system of University degrees. However, the introductions of some principles of Bologna process doesn't go smoothly slowing down educational reforms and adoption of appropriate legislation in this sphere.

International standards must be **fundamental**. They should be based on the principles of international law and regulate new relations that occur when international standards are implemented. International law has accumulated precious experience that enables nations to adopt meaningful epoch-making acts, based on human dignity and values. Humane-centered line of regulation of international legal relations is secured by the establishment of a certain level of requirements or guarantees depending on the sphere of use of international standard.

As for **implementation** of international standard, there is no established time-limits for an international norm to become international standard, that is to become an inseparable element of society's everyday practices. it takes time for an international norms to take root within national legal systems and the duration of this process differs from country to country and depends on many factors.

International standard is facilitated by the possibility to bring into play **international control and guidance**. This instrument can be used when the process of implementation of international standard doesn't go smoothly.

There is no doubt that Ukraine's system of higher education needs to undergo the process of reformation aimed at meeting international standards and becoming more competitive and attractive for foreign students.

Ministry of Science and Education, Youth and Sports has recently presented its draft of a new Act on higher education. It is declared that the bill is designed in accordance with the Program of economic reforms 2010-2014 'Prosperous society, competitive economy, efficient government' and that the provisions of the bill are based on national traditions and European experience.

Minister of Science and Education, Youth and Sports of Ukraine Dmytro Tabachnyk in his report singled out the following ideas of the bill:

1. Greater autonomy for higher educational institutions in their academic and financial practices. This idea is considered to be one of the basic principles of government's policy in the sphere of higher education.
2. Reduction of the number administrative institutions that control the activities of higher educational institutions
3. Adaptation of the structure of higher education system of Ukraine to the requirements of the European Area of Higher Education, that will simplify the procedure of recognition of university degrees and scientific titles, facilitate academic mobility, enable lifelong learning. Tree-level degree system (bachelor-master-doctor of philosophy) will be introduced while traditional system that presupposed the existence of junior specialist degree and doctor of sciences title will be retained. Students who study for their master degree and those who do their research work in order to become doctors of philosophy will have more time for preparation of their final papers and dissertations.
4. The system of classification of higher educational institutions will be changes, which will contribute to optimization and improvement of quality of education. There will be four types of post-school educational institutions – university, academy, college, professional college.
5. External Independent Assessment of school-leavers will be regulated by the Act, while before it was introduced and functioned on the basis of ministerial resolutions.
6. Innovative constituent of the activities of universities will be facilitated, organizational and legal aspects of innovations implementation will be clearly defined. Universities will have the right to found commercial companies with their partners or by themselves.
7. Higher Educational Institutions will be more independent financially, they will have more rights that concern their property, including land.

Though the arguments of the minister seem to be persuasive, there are some well-founded doubts that his reform can be efficient. One of the most debatable

problems is the number of higher educational institutions in Ukraine. According to State Statistics Committee, there are 861 such institutions in the country, including 198 universities, 58 academies, 110 institutes, 1 conservatory, 231 college, 136 technical colleges, 127 professional colleges. In Spain (population is 46 million) 1.5 million students study at 60 universities, in the United Kingdom of Great Britain and Northern Ireland (population is 62 million) 3 million students study at 166 universities and colleges, in France (64 million) 2.3 million students study at about 100 higher educational establishments [18]. The above mentioned data demonstrate that higher educational institutions in Ukraine are much more numerous than they usually are worldwide. Thus it would really be appropriate to reduce the quantity of universities and simultaneously improve the quality of education. This can be done by simultaneous merger of educational institutions and their acquiring more rights and academic and financial freedoms. Decision-making shouldn't be concentrated in hand of one person while the constituents of the system are fully dependable. Delegation of powers in the system of higher education will make it more flexible.

European Universities have steady democratic tradition, they have been autonomous throughout their history in their academic activities and finances. Ukraine has yet a long way to go to achieve these standards.

In ISO standards 9000.2000 quality is defined as the total of characteristics of an object that concern its ability to satisfy established and expected needs. Traditionally quality of education is considered as a many-facet notion that includes:

- quality of values and norms;
- qualities of conditions, quality of the process of educating
- quality of training.

International standard of education quality will enable universities all over the world to achieve better results in training their students. The basic elements of quality management in the sphere of higher education are:

- appropriate supply with human resources;
- appropriate requirements for students;
- appropriate attestation system for students
- development of indicators for educational and methodological support of the process of training
- determining the characteristics of training and laboratory basis;
- development of characteristics of training technologies (including individual work of students);
- collecting information storages and library funds
- development of other special conditions.

Thus if quality of education is appropriate it will satisfy established and expected needs. Such education can be provided by modern educational

institutions that meet international standards. it is hard to establish such an institution in a society where political goals and values change frequently A university should be more than just a provider of knowledge and information, its mission is much wider nowadays.

According to Glion Declaration of 1998 an educational institution is the storage of information and knowledge, professional skills, the executor of scientific research. it shouldn't just teach and form world outlook. it is the provider of values, on which knowledge is based, moral obligations that underlie professional skills and means that enable theoretic and empiric research. To shape such an institution it is necessary to take into consideration integration processes occurring in the world and preserve national traditions and priorities, to establish the procedure of constant information and technology exchange, to develop cross-border academic mobility that will enrich cultural experience.

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## **Abstract**

*Global changes occurring in knowledge society bring up a number of problems that are common for all countries of the world. The effects of globalization have been discussed by international organizations; numerous resolutions have been adopted responding the challenges in different spheres of life. Intensification of economic and cultural cooperation and integration requires working out of international standards and rules regulating complex relations between nations, including the realm of education. Global ever-changing labor sets up new demands and challenges to universities worldwide. The author considers the problem of definition of international standards and their application in the sphere of education.*