Many English universities have overseas campuses and are also exchanging students and staff internationally. An understanding by educators of the national diversity of views on the values underlying higher education, legal studies and other disciplines is required. The survey conducted in 2012 served as a pilot for a proposed research that will explore student (and staff) perceptions of the underlying purpose(s) of higher education within a comparative framework. It examined reactions to official policy statements on university education in law departments in England, South Africa and Mauritius through structured and open ended questions. The survey was conducted amongst law students in universities (similar standing in the three jurisdictions).

South Africa was selected as an initial country for comparative study since it has a mature university system which is the subject of public debate about its direction in a transitional society. Mauritius, hosting students from Africa and offering an English higher education validated by the UK (ASAB), forms an interesting example of the globalisation of higher education. The research will contribute to an appreciation of historical, constitutional, and cultural dimensions in according purpose to the study of law in a globalised higher education system.

### Ideal of a liberal education

**Public/private good(s)**
- Higher education institutions are more or less public and private according to the policy and funding configuration chosen for them. In turn that configuration always rests on one or another philosophical position. (Strehlow 2010) "Higher education and public good: more or less public..."

**Public good**
- Democratic.
- Openness.
- Social criticism.

**Liberal higher education**
- Euro-focused.
- Training for a certain kind of citizenship.
- Individualist, rationalist, belief in progress.

### Neo-liberal ‘functionalism’


1. Section 18A: Education
   - Every person has the right:
     - to a basic education, including adult basic education; and
     - to further education, which the state, through reasonable measures, do not discriminate on the basis of race; gender, religion, political or other opinion, national or ethnic origin, colour, culture, language, or any other status.
   - The state shall further ensure that:
     - education is free, irrespective of ability to pay, for elementary education and, in the case of secondary education, such education as is necessary to provide access to higher education; and
     - the state ensures that there is access to a system of public and private higher education, which is accessible and which provides for continuing education.

2. Section 18B: Higher education
   - The state shall ensure that:
     - there is accessible and equitable access to higher education; and
     - higher education is accessible and equitable, and includes continuing education, research and development.

3. Section 18C: Fundraising
   - The state shall ensure that:
     - universities and other public institutions of higher education are not prohibited from raising funds from the private sector.

4. Section 18D: University autonomy
   - The state shall ensure that:
     - universities and other public institutions of higher education are autonomous in their own affairs, subject to the law.

### The Survey

104 Respondents

**Q1: Universities should be funded by central government.**
- Agreed 82%, Disagree 18%

**Q2: Universities should help develop the economy.**
- Agree 82%, Disagree 18%

**Q3: It is still worth graduating from university even though graduate job opportunities are very limited.**
- Agree 91%, Disagree 9%

**Q4: Universities should be independent of the state.**
- Agree 55%, Disagree 34%, Neutral 11%

**Q5: Universities should prepare students for employment.**
- Agree 65%, Disagree 35%

**Q6: Universities should be prepared to be critical of powerful elements in society.**
- Agree 62%, Disagree 38%

**Q7: Being at a university has opened my mind to different ways of looking at the world.**
- Agree 35%, Disagree 65%

### Conceptual Framework

Globally, those values which highlight how universities express national culture, the public good and citizenship responsibilities face challenges from those prioritizing contributions to individual career advancement. The conceptual framework of the study was drawn from research in both higher education and legal studies. Sources include Barnett’s emphasis on the importance of the ethical task of university teaching in promoting human and global leadership (see Barnett R imagining the University, 2013). The legal scholar Maharg has argued that, although the liberal ideal of the university stage of legal education might appear predeterminate (see Bradley A, Conventions, above and references). The liberal view is that the state, through reasonable measures, should not discriminate on the basis of race; gender, religion, political or other opinion, national or ethnic origin, colour, culture, language, or any other status. (Margaret R, Transforming legal education, 2007)

### Tentative conclusion

- Strong support for liberal ideal of a university is evident across the sample, with little deviation across campuses/counties.
- The state and universities and liberal legal education:
  - Foster understanding by educators of the national diversity of views on the values underlying higher education, legal studies and other disciplines is required. The survey conducted in 2012 served as a pilot for a proposed research that will explore student (and staff) perceptions of the underlying purpose(s) of higher education within a comparative framework. It examined reactions to official policy statements on university education in law departments in England, South Africa and Mauritius through structured and open ended questions. The survey was conducted amongst law students in universities (similar standing in the three jurisdictions).
- South Africa was selected as an initial country for comparative study since it has a mature university system which is the subject of public debate about its direction in a transitional society. Mauritius, hosting students from Africa and offering an English higher education validated by the UK (ASAB), forms an interesting example of the globalisation of higher education. The research will contribute to an appreciation of historical, constitutional, and cultural dimensions in according purpose to the study of law in a globalised higher education system.