THE SOCIAL JUSTICE IMPLICATIONS OF PRIVATISATION IN EDUCATION GOVERNANCE FRAMEWORKS: A RELATIONAL ACCOUNT

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Social justice in education…not only concerns equality in the distribution of an education service (important as fair distribution is). Social justice concerns the nature of the service itself, and the consequences for society through time (Connell, 2012: 681)

Abstract: This paper explores the social justice implications of two, 'linked', governance developments which have been instrumental in reshaping many education systems throughout the world: the 'privatising', and 'globalising' of education (Klees, Stromquist and Samoff, 2012). I argue that such education governance innovations demand an explicit engagement with social justice theories, both in themselves, and as offering an opportunity to address issues of social justice that go beyond the re/distribution of education inputs and outputs, important though these are, and which take account of the political and accountability issues raised by globalising of education governance activity. To do this I draw upon Iris Marion Young's concept of 'the basic structure' and her 'social connection model' of responsibility (Young, 2006a; Young 2006b) to develop a relational account of justice in education governance frameworks.

Keywords: Social justice, education, education governance frameworks, globalisation, relational justice

Introduction

Education governance frameworks matter for they shape the form, pattern and scope of education policies and practices, opportunities and outcomes. It therefore follows that education governance frameworks have social justice implications in that they structure, and are 'strategically selective' of (Jessop, 2005), some interests, life chances and social trajectories over others. The power and reach of education lies in the fact it is the only formal institution (aside from the family) that all individuals in societies are required to pass through. And as Connell (2012: 681) reminds us: "…schools and colleges do not just produce culture, they shape the new society that is coming into existence all around us". This, of course, makes it all the more important that as far as possible education is a 'just institution' (Rothstein, 1998).

This paper explores the social justice implications of two, 'linked', governance developments which have been instrumental in reshaping many education systems throughout the world: the 'privatising', and 'globalising' of education (Klees, Stromquist and Samoff, 2012). Current forms of privatising and globalising *in* and *of* education are connected together by a common

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political project - that of neo-liberalism. This is important in two ways. First, the 'private' in education is increasingly constituted out of market relations. This, in turn, redefines the nature of individuals, and their relationships to each other and to institutions. Second, changes in the scales from which education is governed, with growing power being concentrated in globally-influential actors and agencies, raises questions around where decisions are made, and where and how obligations and responsibilities might be negotiated and adjudicated.

I'll be arguing that such education governance innovations demand an explicit engagement with social justice theories, both in themselves, and as offering an opportunity to address issues of social justice that go beyond the re/distribution of education inputs and outputs, important though these are, and which take account of the political and accountability issues raised by globalising of education governance activity. To do this I draw upon Iris Marion Young's concept of 'the basic structure' and her 'social connection model' of responsibility (Young, 2006a; Young 2006b) to develop a relational account of justice in education governance frameworks.

The paper is developed in the following way. I begin by outlining a relational approach to social justice drawing on the work of Young. I then suggest a way of looking at education governance as a concept, and the selectivities that are promoted as a result of neo-liberalism as a political project. The final section of the paper explores the social justice implications of several different forms of privatisation in education governance frameworks as a means of illustrating what a relational account might offer.

A Relational Justice Approach

In her seminal paper on 'mapping the territory', Gewirtz sets out the basis of an engagement between education policy and social justice theories, noting that social justice in education tends to be taken as synonymous with distributional justice – that is, the fair distribution of relevant resources (Gewirtz, 1998: 470). Such distributional justice arguments underpinned the *Education For All (EFA)* campaigns launched in 1990s, and the subsequent *Millennium Development Goals(MDGs)* aimed at making education available to all of the world's children by 2015 (Global Monitoring Report, 2009**)**. The key issue here is that if social justice is viewed as primarily concerned with the distribution of opportunities of access to education, it places limits on a fuller understanding of social justice. To be clear – I am not making the argument that distributional justice is unimportant. Rather, I am making the argument that distributional accounts do not go far enough in identifying the underlying structures that produce these distributions in the first place, or with their outcomes.

Young's basic structure argument

Young's (1990, 2006a, 2006b) approach to social justice, which is attentive to the 'basic structures' which act as a set of *background conditions for social justice* in societies, is especially useful for our purposes. The idea that justice must concern itself with 'the basic structure of society' is initially attributable to the philosopher, John Rawls (see Rawls, 1971; 2005). In *Political Liberalism* (2005), Rawls defines the basic structure of a society as "…the way in which the main political and social institutions of a society fit together into one system of social cooperation, and the way they assign basic rights and duties, and regulate the division of advantages that arise through social cooperation over time……and secures what

we may call background justice" (p. 258). However, Young (2006a) argues that Rawls' insight regarding the basic structure stands in tension with his emphasis on 'distributions' (rights, liberties, income, wealth and so on), in that the latter pays too little attention to the structural aspects that produce the distributions, on the one hand, and;"…obscures important aspects of structural processes that do not fit well under the distributive framework…those concerning the social division of labour, the structures of decision-making power and processes that normalise the behaviour and attributes of persons" (Young, 2006: 91), on the other. In essence, Young's argument is that social justice cannot be confined to issues ofredistribution, and it is one that is particularly helpful when thinking about forms of privatising in education governance frameworks.

Part of her argument is that we need to think of the plurality of social structural phenomena (for example, labour markets, forms of patriarchy, institutionalised racism) rather than confine our analysis to the world of capitalist production. I agree with this. A critical theory of justice would thus be equipped to evaluate a plurality of social structures and not only the distributional alternatives they circumscribe, or that presuppose them. In her essay, 'Responsibility and Global Justice', Young outlines what she understands by structure.

> As I understand the concept, structures denote the confluence of institutional rules and interactive routines, mobilisation of resources, as well as physical structures such as buildings and roads. These constitute the historical givens in relation to which individuals act, and which are relatively stable over time. Social structures serve as background conditions for individual actions by presenting actors with options; they provide "channels" that both enable action and constrain it (Young, 2006b: 111-12).

Social structures are spaces of socially-differentiated positions, and therefore social relations, which depend on the possibilities and limitations imposed by physical structures and other resources. Individuals and institutions occupy varying positions in social space, and it is the differences between them, as well as the determinate relations between them, that define a social structure. Similarly, we can argue that education systems are complex social structures. They are spaces of socially-differentiated positions (for example, elite schools versus middle and working class schools; top class versus bottom class), which in turn present learners with options and channels that differentially enable some whilst constraining others (see Connell et al, 1982). For Young (2006b: 114), the "…injustice consists in the *way* [the basic structure] constrain[s] and enable[s], and how these constraints and enablements expand or contract individual's opportunities".

The basic structure and relationality

Young elaborates three features of the basic structure of modern societies which she argues raise issues of justice, in addition to the distribution of resources or positions. These are: (a) the social division of labour; (b) decision-making power; and (c) normativity. By *thesocial division of labour*, Young is describing who has access to what resources and how this is related to hierarchical occupational and social structures. By *decision-making power,* Young points to the fact that some people occupy positions (social, political and economic) which give them the right to make, either alone or in small groups, institutional decisions that have consequences for others. This in turn reinforces those structural processes that create and maintain privilege and disadvantage in the first place. By *normativity,* Young refers to the ways in which habits, conventions, and everyday meanings associated with persons,

including what comes to count as normal, exclude some and not others, and which produce various kinds of stigmatisations – such as 'welfare dependents' or 'dumb kids'. For Young (2006b: 114), the "…injustice consists in the *way* [the basic structure] constrain[s] and enable[s], and how these constraints and enablements expand or contract individual's opportunities". Our basic argument is that all education governance frameworks need to be scrutinised in the light of these three features.

In developing a relational account, Younghighlights the ways in which our actions produce outcomes that may be unintended, though they might well be anticipated. An example here might be the unintended outcomes of individual choices on others. In looking at the findings on school choice in the UK, for instance, research now shows that enabling and encouraging middle class parents to choose their child's school tends to produce a worse outcome for working class families whose resources and positioning in the social structure mean their capacity to influence action is limited (Gewirtz, Ball and Bowe, 1995; Ball, 2003). Presumably the 'choosing' middle class family did not set out to *intentionally* create a worse set of outcomes for other working-class families. However, the unintended but nevertheless predictable outcome for that working-class family is related to accumulated effects of similar decisions by other choosing middle class families. The social justice outcomes of these choices are evident in the literature. Allen (2008) shows that school choice policies in English secondary schools produced greater levels of stratification and inequalities without measurable efficiencies.

Social justice in a globalising world

A feature of Young's (2006b) work is to engage with the question of social justice in a more globally-connected world. For Young, processes of globalisation challenge fundamental justice questions around notions of obligation and responsibility. Obligations have historically presupposed a single political community – that of the Westphalian national state. Yet as education becomes more globalised – whether as a result of transformations in the field symbolic control over education policies (such as global rankings), of the growth of global education firms, or the increased power of international and multilateral agencies, this results in education activity extending over national territorial boundaries, posing new questions around how and where obligations and responsibilities are to be negotiated.

Young proposes a 'social connection model' of responsibility, arguing; "…all agents who contribute by their actions to the structural processes that produce injustice have responsibilities to work to remedy these injustices" (2006b: 103). She goes on to suggest that there is a need for political institutions that are "…wide enough in scope and sufficiently strong to regulate these relations to insure their fairness *follows from* the global scope of obligations of justice, rather than *grounding* those obligations" (p. 106, emphasis in original). Moreover, those who are institutionally and materially situated in ways in which they have a greater affect on the poor and vulnerable have both greater obligations and responsibilities. Global education firms, like Pearson Education, and their involvement in the Omega schools in Ghana, therefore, have greater obligations and responsibilities to ensure fairness, accountability and democracy (living wages for their teachers; no profiteering; no valorising of brand value; active engagement of wider community), precisely because of their global power, corporate interests, and influence in world forums.

We can better understand what is at stake in the 'social connection model' by looking at Young's comparison withwhat she describes as a'liability model' regarding responsibilities.

In the liability model, responsibility is legally-derived, with actions viewed as causally connected to the circumstances for which responsibility is sought. And whilst Young is not arguing that there is no place for, or case for, a liability model, *where there is structural social injustice* then a liability model is not sufficient for assigning responsibility. Take, for example, the case of low-fee schools in India and Ghana, where in both countries they are promoted by global and local education entrepreneurs (Tooley and Dixon, 2007; Tooley, 2009). Under the liability model, a family would only have a legal case if they could show some form of corruption or dishonest dealing. However, there is no reason to presume any illegal dealings here. Yet if we were to bring in a structural social justice lens, we would see a different set of social processes at work that demand a different way of thinking about obligations and responsibilities. In the case of low-fee private schools in Ghana, though promoted as 'low-fee', it has been estimated the cost of one place to these families is around 1/3 of a family's monthly salary (Lewin, 2007). From here we could argue those promoting low-fee places in private schools exploit the aspirations of the poor, whilst the entrepreneur makes a profit from a social group who is least able to afford to pay.

Governance, Neoliberalism and Education

It is now time to look closely at the idea of 'education governance' and what we mean by it. Education governance (Dale, 1996) is a more recent term coined to describe governing activity that is increasingly carried out not by government - alone, but also by non-governmental actors (Kooiman, 2003). Governance as a concept also became a way of capturing the governing activities of those multilateral, transnational and international organisations and firms who increasingly operate above and across national territorial boundaries. Applied to education, it alerts us to governing as being more than state activity. However, it not help us to understand what parts of the education enterprise are subject to what form of governing. Nor does it differentiate between different kinds of actors, or the scales on which governing might take place. This matters in education particularly from a social justice point of view for different actors will have different interests, different capacities to mobilise power, and so on. Given basic education is a human right which should to be free and accessible to all citizens, how it is funded, and by whom, matters.

For our purposes here, I find it useful to understand governance frameworks as comprised of combinations of: (i) *distinct forms of education activity* (funding, provision, ownership, policy, regulation); (ii) *particular kinds of entities or agents with different interests* (state, for-profit/not-for-profit market, community, household); and (iii) *differentplatforms or scales of rule* (local, sub-national, national, supranational) (cf. Dale, 1996; Robertson, Bonal and Dale, 2002; Dale, 2003; Robertson, 2009) (see Figure 1).

Insert Figure 1 about here

Yet education governance frameworks are also mediated by political projects. This means understanding the ideological bases of political projects, their conceptions of the good society, the nature of the individual, the relationship between education, society and economic development, and so on. For our purposes, this means locating concepts like 'privatisation' *inside* particular political eras and their projects in order to anchor their meanings socially and historically.

Current forms of privatising *in* and *of* education governance, and in the globalising of education as services sector, are connected by a common political project - that of neo-liberalism. Launched in the 1980s to 'roll back' states' social policies, neo-liberal political projects have changed the connection between politics and the economy. It has created competition and new markets where none existed, placed an emphasis on labour market flexibility, and asserted the superiority of individual's and their choices over social and collectivist goals (Harvey, 2005; Peck, 2010; Connell, 2012).

Neo-liberalism as an ideology thus breaks with older conceptions of the 'private' in education which characterised many education systems throughout the world - as largely institutional segregation - such as elite private; working class Catholic (Connell, 2012: 681). Now the private in education is overwhelmingly constituted out of market relations that in turn redefine the nature of individuals and their relationships to each other, to education as an institution, and to society. As Connell (2013: 3) observes:

> Education itself cannot be commodified. But something is certainly being commodifed, bought and sold in the expanded educational markets. In the field of human services, as neoliberalism has shown in other areas, to create a market you have to restrict the service in some way. In this case you have to *ration* education… What is sold, then, is a privilege – something that other people cannot get, that is no longer a privilege".

It is therefore not *just* a case of redrawing the boundary between, for instance the 'public' and the 'private' – though of course institutional segregation continues to be alive and well. Rather, meanings of fundamental categories, such as knowledge, learning, and learners, are transformed into credentials, consumption, and human capital. This is the result of the deep penetration of neo-liberalism into education; as a socio-cultural logic (Stoer and Magalhaes, 2002; Connell, 2013) and as an economic programme (Robertson et al, 2002; Verger and Robertson, 2012). Ball (2007) describes this as privatisation *in*, and *of*, education.

Finally, privatisation does not emerge in just one form, or indeed fully-formed. Its different forms also change over time and in relation to particular contexts. It is thus a *process* that involves forward and backward movement, contestation and contingency, failure and reinvention (Robertson, 2012). In short, the manifestations of privatisation are the outcomes of power and competing project. In the following section we examine a series of different manifestations of neoliberal privatisation in contemporary education governance frameworks.

Education Governance Frameworks as Basic Structures

Education is governed through policies, politics and practices. To grasp the significance of this insight for exploring education governance and social justice, we can make use of a set of 'education questions' (Dale, 2006) (see Figure 2). According to Dale, the original point of the 'education questions' was to construct a basis for the comparisons of what were very often different conceptions of 'education', as practice, outcomes, experiences, content, process, and so on. To attempt this, he set up three distinct 'moments' of what might be seen as constituting 'education' and which contribute in various ways to its outcomes, which were set as the key element. These three moments he refers to as the *moment of practice*, the *moment of policy*, and the *moment of politics*.

Insert Figure 2 about here

The key point to note in this context is that the *moment of practice* is set up in a way that assumes a range of distributions of educational experiences, starting from the question, 'who is taught what?' and then going on to link other factors affecting that distribution, such as the circumstances in which it takes place (how, where, by whom, and so on). The *moment of policy* raises issues around the relationship between policy and practice, such as 'how and by whom are these things decided?' (for example, families, the state, the community, corporations, shareholders, international agencies, and so on), but always in the recognition that not everything that occurs at the *moment of practice* is a direct consequence of and response to something that happens at the *moment of policy*. Indeed, elements of the *moment of policy* may be taken directly from the *moment of practice*. Nevertheless, it does open possible windows both on why things are as they are at the moment of practice, and how they might be changed, and what impact they may have on educational outcomes. In other words, these kinds of questions alert us to the arguments about how basic structure arguments condition social justice outcomes of the kind we have outlined in the previous section.

The *moment of politics* is fundamentally concerned with social structures, with individuals and institutions occupying varying positions in those social structures dependent upon the contexts at play (see Brenner et al, 2010). Again, this neither provides the whole of the context of the moment of policy or of practice, nor is it impervious to influences and practices at the earlier moments. The *moment of politics* is where we find the kinds of 'rules of the game' or 'paradigmatic settings' that set basic limits to what is considered possible and desirable from education. Here, the most significant and relevant shift for the analysis of social justice in education for many western societies is that the ideational underpinnings of the *moment of politics* moved from a more 'social democratic welfare state' to a competitive 'neo-liberal' one that in turn set in motion a range of privatisation tendencies. In essence these two quite different governance paradigms set the conditions for the emergence of a new set of education governance frameworks which are anchored in different understandings of the model citizen (productive citizen versus consuming individual), in the role of the state (planning versus steering), in the nature of institutional organisation (bureaucratic versus New Public Management), and in the role of the private sector in public affairs (cf. Robertson and Dale, 2000).

Finally, the outcomes of these moments of education processes takes into account not only the immediate consequences of educational practices, policies and politics for those directly involved, but also their wider personal, community, social and economic qualities. It allows us to ask such crucial questions in this context, such as: 'How far are the successes of some achieved at the expense of others?' And, what are the collective benefits of the conjunctions of the three moments?' These are key elements in explicitly considering the central issues of governance frameworks and their social justice.

In posing questions about the outcomes of education governance frameworks in social justice terms, we are highlighting the social outcomes of these frameworks for a society or societies; outcomes that might exaggerate, or ameliorate, existing patterns of division in social hierarchies, decision-making power, and forms of normativity. The 'education questions' thus enable us to address the key contexts, limits and preferences that broadly shape the social structuring of education opportunities and outcomes in particular places, and which in turn place limits upon, or enable, the materialisation of different positions in social space.

We can now turn to considering a common form of privatising in education governance frameworks; where the moment of policy has been infiltrated by the introduction of market-like features - such as individual choice and competitive markets as the means to generate efficient and effective education institutions. What is being privatised here is the idea that the individual, rather than society/state, is responsible for both decisions and the outcomes of decisions. The choice/competition/markets governance framework emerged following the triumph by *themoment of* politicswith its neo-liberal principles over more 'collectivist' conceptions of the nature of society. In this framework, competition—between children, schools, employers, parents, and (especially private) education providers, also becomes the central driver of the system in order to deliver efficiencies.

The relational justice consequences of these shifts are clear and involve all three of the basic structures we elaborated above. In one way, they emerged from the move against what was often seen—and abhorred—in the literature of the New Public Management—as 'provider capture' (Lauder, 1991; Dale and Jesson, 1992) to empowering the 'consumers' of education, which many argue has come to enable 'consumer capture'. These consequences are then mediated through the mechanism of '(parental) choice'[1], where a new normative category - the good parent as the choosing parent – is created (Brown, 2006). These opportunities are clearly distributed on class, gender, ethnic and disability bases, though from the perspective of those enabling such differentials, they may alternatively be seen as rewards for 'good parents', justified by their demonstrable 'deservingness'.

In another way, and as Young (2006a) has pointed out, the structure of a very wide range of possible opportunities, and perhaps particularly of those associated with labour markets, is not in any sense a given, but is itself to a considerable extent a consequence of the decisions and processes of the 'basic structures'—which we have aligned with the second and third moments of the 'education questions'. It involves, for instance, the construction of the relationship between the public and the private, between paid work and free domestic and care labour, and of how 'work' is to be rewarded financially and to what level, and how, by whom, and under what conditions such outcomes are determined. And here we have to recognize that such income differentials are not directly related to, and hence not determined (only) by, the knowledge, skills and competence demands of particular jobs. There are, for instance, practically no jobs for which only one person is qualified. Educational credentials may be necessary conditions of attaining to particular levels of employment and reward, but they are clearly not sufficient. One consequence of this is that their determination and distribution becomes a matter of legitimate concern for those concerned with the relationship between education and social justice.

One of the more obvious consequences of the kinds of competition for the scarce benefits and rewards that such lack of direct relationship between the demands of the labour market—at all levels—and the (over)supply of necessary, but not sufficient attributes, qualifications,[2] and

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[1] It is worth noting here significant differences between the goals of such extensions of choice in England and the USA. In England, the clear intention was to create market competition in education, while in the case of the USA, extending the opportunities of the privileged to the less privileged was more important (see Dale, 1997).

[2] And here is it important to note that very few educational qualifications—apart from those directly vocationally oriented, which are increasingly few, can be seen as, literally, 'qualifications. Rather, they are better seen as 'credentials' that attest to the achievement of particular levels of educational performance. One consequence of this 'proxy' status of educational credentials is to reinforce their significance, and the competition to translate them into valorisable goods, especially perhaps in the case of positional goods. Thus, in competitive labour markets, educational qualifications become a key currency, quite distinct from any intrinsic value they may possess, and quite distinct from their possible contribution to either individual 'capacity –building' qualities they may—or could—possess, and quite lacking in any contribution—indeed, offering a negative contribution, as a result of their competitive and divisive core—to the achievement of broader societal goals.

so on, is the creation of fierce competition at several levels and across multiple terrains, and the consequent need to regulate that competition—for central to those consequences is that competition necessarily produces losers as well as winners; losers and winners indeed have an internal relationship. As Brighouse and Swift (2006, 475) point out, while it is not necessarily the same people who emerge as winners and losers in every competition, though the likeliest outcome of the different sets of competitive contest is that the same people do tend to end up at the bottom.

Nevertheless, there are specific consequences that follow from the quantification of whatever quality, attribute, or achievement, between schools, children, Universities, etc, is at issue. Quantification enables ranking, and it is positions in rankings that come to dominate and be regarded as decisive. In addition, it is necessary to be aware of forms of competition 'rigging'around influences over markets (Brown 2000:637). Rigging is way in which middle class families attempt to gain a competitive edge. In the kinds of issues we are considering in this paper around the governance and valuation ofaccess to scarce educational opportunities and outputs, the forms and media of such rigging become crucial in the distribution and realisation of educational opportunities.Wu (2012), for instance,shows the different ways in which middle-class Chinese families seek to rig access to the 'best schools' by gaining cultural capital through extracurricular enrichment activities, exercising more social capital through existing 'guanxi' networks and using their economic capital to pay large sums for choice fees. These practices of course do not mean that they do not occur in non-neo-liberal educational regimes. However, neo-liberalism's emphasis on competition and individualism not only encourages and exaggerates such tendencies, it naturalises these behaviours and attributes it to good parenting. One notable feature of such rigging is that it very largely is able to evade the scrutiny of basic services—even supposing a will to carry out such scrutiny. It represents a key element of social injustice in the current education governance framework, but tends to be overshadowed by the interest shown in the effects of ranking rather than the new ways in which powerful decisions, new forms of normativity and the social division of labour are recalibrated. It represents another obstacle placed in the way of social justice in education by the creation of competitive relations—resulting in formal rankings—of educational credentials.

This takes us to another key aspect of the ways that social justice issues are exacerbated through this form of privatisation. It concerns the relationship between educational outcomes, and the economic and social locations to which they provide access. One key medium through which this may occur is the status of educational credentials as positional goods. Briefly, positional goods are those goods whose value derives from their scarcity. Thus, if everyone had a PhD, its value would be very greatly reduced. As Brighouse and Swift (2006: 472) put it, positional goods have "…the property that one's relative place in the distribution of the good affects one's absolute position with respect to its value..(so that)..the very fact that one is worse off than others with respect to a positional good means that one is worse off, in some respect, than one would be if that good were distributed equally". More than this, positional goods themselves have a highly significant instrumental and competitive aspect.

> They are valued, in part, instrumentally, as means to other goods, and their value as means to the achievement of those goods is determined not by how much one has absolutely but by how much one has relative to relevant others…(so that) insofar as goods are positional, relative amount determines absolute value…(while) the mere fact that some have more worsens the absolute position

of those who have less...(and this) unequal distribution has adverse effects on those who have less for reasons that are independent of any competitive advantage that they bestow (e. g., material well being insofar as it affects happiness, health, self respect or social inclusion ' (ibid, 475, 477).

Brighouse and Swift go on to point out further consequences of the significance of positional goods in that:

> …any good, the positional distribution of which affects people's chances of succeeding in the competition for other goods is properly conceived as having a competitively positional aspect….(and) research into the mechanisms that combine to produce inequalities in mobility chances between children born to unequally advantaged parents suggest that there are many such goods' (p. 479).

The scarcity of positional goods inevitably leads to problems over their distribution, and this leads equally inevitably to competition to both access them oneself, and deny access to others. And as Connell (2013: 4) notes: "…for commodification to work in the area of a basic social process such as education, exclusion is vital. There need to be visible losers, if parents are to be persuaded to pay for their children to become winners". More than this, "…the losing has to be legitimated, it has to be made credible and not appear a matter of unfair discrimination or bad luck" (ibid). Testing and standards becomes the perfect tool for suggesting transparency and objectivity.

And it is here that social connection model adds acrucial domain to the question of social justice, for it highlights the chains of interactions and asymmetrical outcomes that have triggered rigging practices in the first place. It would bring into question choice policies that exacerbate these behaviours, and highlight the obligations and responsibilities we have toward each other to work toward implementing an alternative governance framework that lightens the loading on competition as a governing strategy.

There are policy levers that might be used to mitigate the worst excesses of these privatisation tendencies. The state, for example, might put into place mechanisms, such as in India, with 25% of places in private schools (including elite private schools) going to the very poor (Walford, 2013). Or, it could place limits on the fees schools can charge so that they do not act as a mechanism of selection and stigmatisation. Or indeed it might bring into public view the significant amount of the privatisation of formal education occurring through what is known in the academic literature as 'shadow schooling' (Bray, 2011).

Shadow schooling refers to fee-paying tutoring in academic subjects such as mathematics, languages and science. In other words, it mimics the curriculum of mainstream schooling system. Bray's work has revealed the extent and scale of shadow schooling around the world. As Bray (2011: 13) notes: "In several EU Member countries, tutoring has become a major enterprise. The household equivalent figures for Cyprus and Greece are especially notable, because they are equivalent to approximately 17% and 20% respectively of the government expenditure on primary and secondary education". Similarly in a recent report on Asia published by the Asia Development Bank, Bray (2012) describes a landscape across the Asian region – from China to Bangladesh, where private tutoring represents a major family investment in education.

These developments, of course, raise a whole raft of issues with regard to education

governance and social justice. To begin, it is dependent on funding from households. However, clearly not all households are able to invest in the same way. Is it because teachers are not doing their job well enough, which is what some parents believe? (see Bray. 2011) There is little doubt that shadow schooling is being driven by the aspirations and anxieties of parents about their child's schooling, educational performance and future. However as Silova and Brehm (2012) show, this is only one possible explanation. In Cambodia, teachers deliberately use the shadow schooling, or 'private' - beyond the formal schooling - space, to complete their teaching of the formal curriculum for a fee, making it both an exclusive space (those who can pay), but a necessary space (for those who can't pay), to complete the curriculum. The causes for these teachers' behaviours are complex, but at least one fundamental cause is the meagre salaries paid to Cambodian teachers.

Here Young's basic structure arguments help us see the ways in which education itself mediates the basic structure in that it is selective of those who can pay, and those who can't. In terms of the social division of labour, for instance, teachers (mostly female) command very poor salaries, and are forced to be dependent on other sources of income to generate a living wage. The capacity of those students to enter the private economy of shadow schooling is also dependent on economic resources, in turn reproducing the basic structure of Cambodian society. Students unable to find the daily fees to complete their formal curriculum are in turn stigmatised. A social connection model would encourage us not to see teachers as exploiters of students, but as workers caught in a set of circumstances that have emerged from the basic structuring of that society. A way forward, of course, would be for the Cambodian government, related aid agencies and civil society to recognise this state of affairs and to demand/assume responsibility for proper labour laws, government regulation, and so on, rather than ignore the structuring causes.

A rather different form of privatisation in education governance frameworks is what is known as Public Private Partnerships (PPPs) (Robertson et al, 2012). Whilst PPPs can and do mean quite different things, depending on which actors and what activity is involved in the partnership, the most common form, and the one that we examine here are contractual arrangements between the state and the market (both for-profit and not-for profit firms and organisations) to deliver a diverse range of education activity: direct provision of schooling, new buildings and other infrastructures, policy development, school administration services, and research. The World Bank promotes PPPs to advance the use of education vouchers (Patrinos et al, 2009). Vouchers are funds allocated to parents to enable school choice.

Proponents of PPPs argue that governments can achieve their social goals more effectively through the use of the private sector and private providers (based on assumptions of competition, efficiency, and flexibility). Lubienski and Lubienski (2006), however, report on a major study of Charter Schools in the United State and show that when demographic data (social class, race, gender) is take into account, Charter Schools actually perform less well rather then better.

Proponents also insist that as long as governments can design contracts and regulate those contracts sufficient to bind the contractor into delivering to that specification, then it should not matter who is the provider of the service. In reality, however, it has proven very difficult to so fully specify contracts and regulations in the area of education so as to make them robust legal contracts. For this reason the OECD (2008) has urged caution in the use of PPPs in such complex social areas like education.

One major issue is in being able to specify the contract sufficiently so that it can define what it means by 'quality provision' as the basis of accountability for public funds. Most contracts that involve provision tend to use a proxy for quality, such as student attainment. However, this tends to lead to strategies such as 'creaming' where, providers seek to control their student intake to ensure they meet the quality/attainment criteria (Waslander et al, 2010). The accountability component of the contract tends to reward providers who have more able students. Given the link between social class and conceptions of 'ability', this reinforces the social division of labour in similar ways to choice policies outlined above.

However, there are other issues at work with contracting in the area of provision. Research suggests that the private contractor's incentive to reduce costs will tend to over-ride issues of quality, so that issues of 'quality shading' emerge. Lacireno-Paquet et al (2002) found that for-profit charter schools tended to "crop off" services to students who were difficult to educate, thus minimising their costs so as to maximise quality gains. And it is here that profit as a driving motivation (both necessary and inevitable when private providers are involved) will tend to override concerns for education quality in all of its complexity (reducing teacher salaries; staffing ratios, non-unionised labour, and so on). In other words, contracts introduce a new range of incentives (profit margins/tendency to standardise/monopolies) into education provision that generate major social justice questions around power, decision-making and normalisation.

However arguably the most significant social justice outcome of PPPs as a means of education governance has been to open up a public sector to private interests and to profit-making (Robertson and Verger, 2012). Those who have benefited most from PPPs have been the global management and consulting firms who have large investments in all aspects of education – from provision to research and policy (Saint-Martin, 1998; Ball, 2009, 2012). As Ball (2007) notes regarding the UK: "The 'reform' of the public service sector is a massive new profit opportunity for business… the outsourcing of education services is worth at least £1.5 billion a year…" (p. 39-40). And indeed, their activities are not confined to the UK, but rather stretch into other national settings. In the UK, PPPs have become a highly profitable means of extracting value from what were once public service sectors. Now education is viewed as its own services sector, open to, and for, business.

How can we regulate the private sector when its own logics (bottom line; profits) sit at odds with the logic of public authority and accountability? How, where and by whom, are decisions about education taken (corporate boardroom/stock exchange?) which make them open to public scrutiny and contestation? Culter et al (1999: 5) calls this the rise of 'private authority'; that is, when an individual or organisation has decision-making power over a particular issue that sits beyond national spaces for public debate. What is the role of the state in these developments (complicit? contesting?) and where are the public spaces and policy tools to ensure that societal interests are protected? In Young's terms, the capacity for the corporate world to shape education policy problems globally, and determine their solutions in ways that benefit themselves and their shareholders, represents a major shift in public accountability, and in calibrations of education and social justice. Young's social connection model points to the need to develop an ethic of both obligation and responsibility amongst powerful actors for ensuring fairness, no exploitation, and for deliberately eschewing the creation of new forms of inclusion and exclusion.

Conclusions

My argument has been that in order to get a fuller and more nuanced understanding of privatisation tendencies in education governance frameworks, and the implications for social justice, we need both to develop a more comprehensive account of their effects on the nature and distribution of educational outputs, and to go beyond the distributional processes. In short, we need to also consider their relational effects, and especially wider issues of obligation and responsibility.

By linking Young's 'basic structure' to the 'education questions', I have sought to direct attention to the complex relationships between educational politics, policy and practice and the outcomes that these produce. Each of these moments, of course, offers different ways of intervening in education governance. A focus on the outcomes, rather than the outputs, of education (which have been taken in most of the literature on social justice and education as in themselves providing forms of social justice),offers an adequate conception of the relationship between education and social justice.

Rather than attending only on the outputs of those processes, I pointed to the need to examine governance frameworks in themselves, as independent elements in the mal-distribution of those outputs. This means of course that education governance frameworks demand contextualised analyses in that the meanings of any of the categories (actors, activities, scales), the relations between them, and nature of the political projects underpinning their governing work, are the outcomes of past histories and present struggles (Gewirtz, 2006).

Again following Young, we argued that those arrangements frame the pattern of possible distributions of educational outputs. In particular, they restrict and even crowd out, the possibilities of voices speaking on behalf of social justice conceived in other than equity of distribution and opportunity terms. They have come to 'naturalise' a major element of a dominant form of privatisation; that of market-based allocations of educational opportunities and outcomes, with no concern for, or even recognition of, the fact that markets alone, being inherently competitive, and 'rely(ing) for their efficiency on individuals seeking their own advantage' (Brighouse 2004, 624), are incapable of providing socially-just outcomes, or even outputs.

Current manifestations of the private in contemporary educational governance arrangements derive fundamentally from the wider politics of neo-liberalism, which frame and orient education policy. The 'more market, less state' mantra of neo-liberalism means that education policy has become increasingly strongly influenced, in many areas (it is far from confined to the provision of schooling) by narrow understandings humans (as human capital) (Nussbaum, 2010). The main interest of private firms in education is—necessarily, and quite properly—in making a profit, and in order to do this they need to provide effective and efficient services, whose value is recognized by their paymasters, the state. However, that does not change or reduce, but rather adds to, competitiveness over the production of educational outputs, which itself constitutes threats to social justice.

Young also points to the relational aspect of social justice as beingalmost more important as the distributional, for the latter follows from the former and not the other way around. A fundamental issue of relational justice is that it is not just a matter of who gets what, but how those unequal distributions come about, through what structures, processes, what bodies, what norms and practices, at whose responsibility, and in whose interest. Through what discourses, practices and institutions are the rich and the poor, the deserving and the

undeserving constituted? Most importantly, what part does an education governance framework play in this, and what alternatives might we examine and promote as a way forward.

I conclude with Raewyn Connell's (2012: 682) insightful thoughts on education and social justice. "Just relations involve mutual responsibility, and a just society contains dense webs of mutual responsibility, especially shared responsibility for children…Just education can be regarded as a system designed to make this responsibility effective". My own view is that we (all) also have a responsibility to think through these issues and to begin a global conversation that challenges the limitations of privatisation as a means of education governance.

References

Allen, R. (2008) *Choice-based Secondary School Admissions in England: Social Stratification and the Distribution of Educational Outcomes*, London: Institute of Education, Unpublished PhD Thesis.

Ball, S. (2003) *Class Strategies and the Education Market*. London and New York: Routledge.

Ball, S.J. (2007) *Education plc: Understanding Private Sector Participation in Public Sector Education*. New York: Routledge.

Ball. S. (2009) Privatising education, privatising policy, privatising educational research: network governance and the 'competition state', *Journal of Education Policy*, 24 (1), pp. 83-99.

Ball, S. (2012) *Global Education Inc*. London and New York, Routledge.

Bray, M. (2011) *The Challenge of Shadow Education: Private Tutoring and its Implications for Policymakers in the European Union*, Report to NESSE, Brussels: European Commission.

Bray, M. (2012) *Shadow Education: Private Supplementary Tutoring and its Implications for Policymakers in Asia*, Manila: Asia Development Bank.

Brighouse, H. (2004) What's wrong with privatising schools, *J. of Philosophy of Education*, 38 (4), pp. 617-631.

Brighouse, H. and Swift, A. (2006) Equality, priority and positional goods, *Ethics,* 116 (3), pp. 471-97.

Brenner, N., Peck, J and Theodore, N (2010) Variegated neoliberalism: geographies, modalities, pathways. *Global Networks* 10, 2, 1-41

Brown, P. (2000) The globalisation of positional competition, *Sociology*, 34 (4), pp. 633-53.

Brown, P. (2006) The opportunity trap, in H. Lauder, P. Brown, J-A Dillabough and A. H. Halsey (eds.) *Education, Globalization and Social Change*, Oxford: Oxford University Press.

Connell, R. (2012) Just education, *Journal of Education Policy*, 27 (5), pp. 681-83.

Connell, R. (2013) Why do market 'reforms' persistently increase inequality, Discourse: *Studies in the Cultural Politics of Education*, DOI: 10.1080/01596306.2013.770253

Cutler, A.C. Hauflter, V. and Porter, T. (1999) *Private Authority and International Affairs,* New York: State University of New York Press.

Dale, R. (1996) The State and the Governance of Education: An Analysis of the Restructuring of the State-Education Relation. In A. Halsey, P. Brown, H. Lauder, and A. Stuart Wells (eds). *Education, Culture, Economy and Society*, Oxford*:* OUP.

Dale, R., (1997) Education markets and school choice, *British Journal of Sociology of Education*, 18 (3), pp. 451-468.

Dale R, (2003) *The Lisbon Declaration, the Reconceptualisation of Governance and the Reconfiguration of European Educational Space Paper,* presented to RAPPE seminar Governance, Regulation and Equity in European Education Systems, Institute of Education, London University, 20 March.

Dale, R. (2006) From comparison to translation: extending the research imagination, *Globalisation, Societies and Education*, 4 (2), pp. 179-192.

Dale, R. and Jesson, J. (1993) Mainstreaming education: a review of the State Services Commission, *Annual Review of Education*, 2, pp. 7-34.

Gewirtz, S. (1998) Conceptualising social justice in education: mapping the territory, *J. of Education Policy*, 13 (4), pp. 469-84.

Gewirtz, S. (2006) Toward a contextualised analysis of social justice in education. *Educational Philosophy and Theory*, 38 (1), pp. 69-81.

Gewirtz, S. Ball, S. and Bowe, R. (1995) Markets*, Choice and Equity in Education*, Basingstoke: Open University Press.

Global Monitoring Report (2009) *Overcoming Inequality: Why Governance Matters*, Paris: UNESCO.

Harvey, D. (2005). *A Brief History of Neoliberalism*, Oxford University Press: Oxford.

Jessop, B. (2005) Critical realism and the Strategic-Relational Approach, *New Formations*, 56, pp. 40-53,

Klees, S., Stromquist, N. and J. Samoff, J., (eds) *A Critical Review of The World Banks Education Strategy 2020*, Rotterdam: Sense Publishers.

Kooiman, J. (2003) *Governing as Governance*, New York: Sage.

Lauder, H. (1991) Education, democracy and the economy, *British J. Sociology of Education*, 12 (4), pp.

Lacireno-Paquet, N. Holyoke, T. Moser, M., and Henig, J. (2002) Creaming versus cropping: charter schools, enrolment practices in response to market incentives, *Educational Evaluation and Policy Analysis*, 24 (2), pp. 145-158.

Lewin, K. (2007) The limits to growth of non-government private schooling in sub-Saharan Africa, in P. Srivastava and G. Walford (eds.) *Private Schooling in Economically Less Developed Countries*, Oxford: Symposium Books.

Lubienski, C. and Lubienski, S. (2006) *Charter, Private, Public Schools and Academic Achievement: New Evidence form NAEP Mathematics Data*, National Centre for the Study of Privatisation, New York.

Nussbaum, M. (2010) *Not for Profit: Why Democracy Needs the Humanities*, Princeton and Oxford: Princeton University Press.

OECD (2008) *Public-Private Partnerships: in Pursuit of Risk Sharing and Value for Money*, Paris: OECD.

Patrinos, H. Barrera-Osorio, F and Guaqueta, J. (2009) *The Role and Impact of Public Private Partnerships in Education,* Washington: The World Bank.
Peck, J. (2010) *Constructions of Neoliberal Reason*, Oxford: Oxford University Press.

Rawls, J. (1971) *A Theory of Justice*, Boston: President and Fellows of Harvard College.

Rawls, J. (2005) *Political Liberalism,* New York: Columbia University Press.

Robertson, S.L. (2012) The Strange Non-Death of Neoliberal Privatisation in the World Bank's Education Strategy 2020", *Forthcoming, in S. Klees, N. Stromquist and J. Samoff (eds) *A Critical Review of The World Banks Education Strategy 2020*, Rotterdam: Sense Publishers

Robertson, S. and Dale, R. (2000) Competitive contractualism: a new social settlement in New Zealand education, in D, Coulby, R. Cowan and C. Jones, (eds.) *Education in Times of Transition, World Yearbook of Education 2000*, London and Stirling: Kogan Page.

Robertson, S.L. Bonal, X. and Dale, R. (2002). GATS and the Education Service Industry, *Comparative Education Review,* Vol 46 (4), pp. 472-497

Robertson, S. and Verger, A. (2012) Governing education though Public Private Partnerships, in S. Robertson, K. Mundy, A. Verger and F. Menashy, (eds). *Public Private Partnerships in Education: New Actors and New Modes of Governance*, Cheltenham: Edward Elgar.

Robertson, S., Mundy, K. Verger, A. and Menashy, F. (eds) (2012) *Public Private Partnerships in Education: New Actors and New Modes of Governance*, Cheltenham: Edward Elgar.

Rothstein, B. (1998) *Just Institutions Matter: Moral and Political Logic of the Universal Welfare State*, Cambridge: Cambridge University Press.

Saint-Martin, D., (1998). The New Managerialism and the Policy Influence of Consultants in Government: An Historical-Institutionalist Analysis of Britain, Canada and France. *Governance: An International Journal of Policy and Administration*, 11 (3), pp.319-356.

Silova, I. and Brehm, W. (2012) *The shifting boundaries of teacher professionalism: education privaization(s) in the post socialist education space*, [http: www.periglobal.org last accessed 29th March, 2013].

Stoer, S. and Magalhaes, A. (2002) The reconfiguration of the modern social contract: new forms of citizenship and education, *European Educational Research Journal,* 1 (4), pp. 693-7-4.

Tooley, J. and Dixon, H. (2007) Private education for low-income families: results from a global research project, in P. Srivastava and G. Walford (eds.) *Private Schooling in Economically Less Developed Countries*, Oxford: Symposium Books.

Tooley, J. (2009) *A Beautiful Tree*, Washington: Cato Institute.

Young, I. M. (2000) *Inclusion and Democracy*, Oxford: Oxford University Press.

Young, I. M. (2006a) Taking the basic structure seriously, *Perspectives in Politics*, 4 (1), pp. 91-97.

Young, I. M. (2006b) Responsibility and global justice: a social connection model, *Social Philosophy and Policy Foundation*, pp. 102-130.

Walford, G., (2013) *State support for private schooling in India: Will a new form of the Assisted Places Scheme promote social justice*, Paper presented to CIES, New Orleans, USA, 10-14th March.

Waslander, S. Pater, C. and van de Weide, M. (2010) *An analytical review of empirical research on market mechanisms in education*, Paris: OECD.

Wu, X. (2011) *The Power of Market Mechanism in School Choice in Three Junior Middle Schools in Nanning: a case study*, Doctor of Education dissertation, University of Bath. UK.
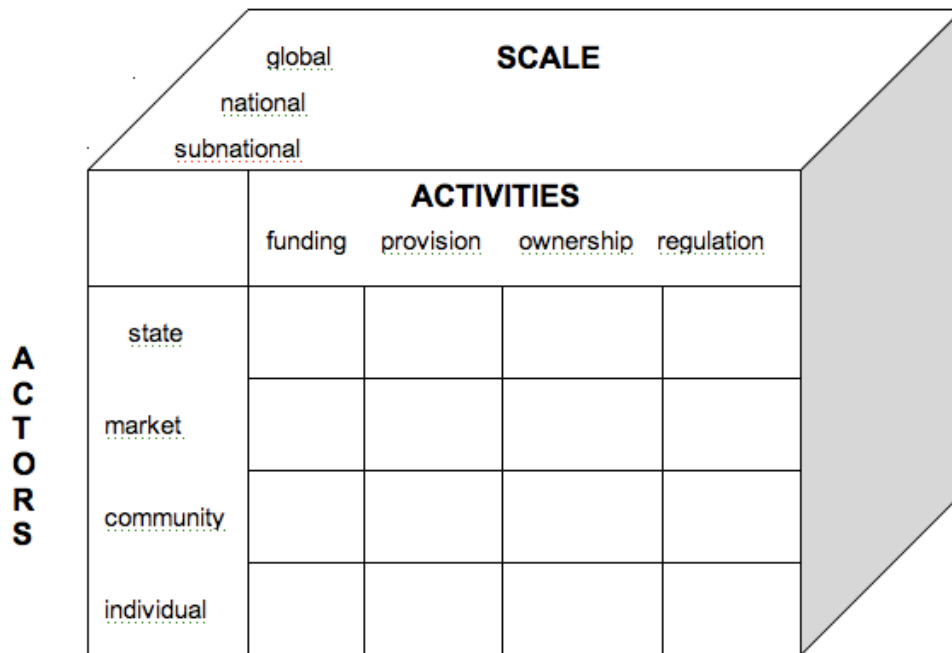
Figure 1: Education Governance

LEVEL	EDUCATION QUESTIONS
Moment ofEducational Practice	Who is taught, (or learns through processes explicitly designed to foster learning), what, how and why, when, where, by/from whom, under what immediate circumstances and broader conditions, and with what results? How, by whom and for what purposes is this evaluated?
Moment ofEducation Politics	How, in pursuit of what manifest and latent social, economic, political and educational purposes; under what pattern of coordination of education governance; by whom; and following what (sectoral and cultural) path dependencies, are these things problematised decided, administered, managed?
Moment ofthe Politics of Education	Issues of 'social contract' (how does education contribute to it?) (values of modernity +core problems) Logic of intervention (how is education's contribution to be delivered?) (grammar of schooling+ national focus What forms are taken by the 'architecture of education'? In what ways are the core problems of capitalism (accumulation, social order and legitimation) reflected in the mandate, capacity and governance of education? How and at what scales are contradictions between the solutions addressed? How are the boundaries of the 'education sector' defined and how do they overlap with and relate to other sectors? How is the education sector related to the citizenship and gender regimes? How, at what scale and in what sectoral configurations does education contribute to the extra-economic embedding/stabilisation of accumulation? What is the nature of intra- and inter-scalar and intra- and inter-sectoral relations (contradiction, cooperation, mutual indifference?) What functional, scalar and sectoral divisions of labour of educational governance are in place?
Moment ofOutcomes	What are the individual, emotional, private, public, social, economic, collective and community outcomes of 'education', at each scalar level? What are their consequences for equity, individual and collective capability, democracy and social justice?

Figure 2: Education Questions (Dale, 2006)