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Public battles and private takeovers: Academies and the politics of educational governance

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Abstract: Introduced to the British education system under the Education Act 2002 and later enshrined in the New Labour government White Paper *Higher Standards, Better Schools for All* (DfES, 2005), the Academies policy was set up to enable designated under-performing schools to 'opt out' from the financial and managerial remit of Local Authorities (LAs) and enter into partnerships with outside sponsors. A radical piece of policy legislation, it captured New Labour's commitment to (further) private sector involvement in public sector organisation – what might be termed a neoliberal or advanced liberal approach to education reform. A consequence of this has been the expansion of school-based definitions of 'public accountability' to encompass political, business, and other interest groups, together with the enlargement of the language of accountability itself. In this paper I address the importance of rethinking conventional public/private, political/commercial divides in light of these developments and foreground the changing nature of state power in the generation and assembly of different publics.

Key words: publics, power, accountability, language, schools

Legacies and Recompositions

Launched in 2000 by the then Secretary for Education and Employment, David Blunkett, and later enshrined in the New Labour White Paper *Higher Standards, Better Schools for All* (DfES, 2005), the Academies policy was set up to extricate designated under-performing schools from the financial and managerial remit of Local Authorities (LA), thereby generating the conditions to enable state-funded schools to exercise autonomy and become self-governing (i.e. grant-maintained). Designed principally to offer 'radical and innovative challenges to tackling educational disadvantage' (DfES, 2005,

p. 29), the Academies policy was conceived by Blair's New Labour government as a 'Third Way' (Giddens, 1998) solution to education reform. 'Third Way' because it relied on a precarious balancing strategy – what Stuart Hall calls a 'double shuffle' (2005) – of pursuing cheek by jowl market principles and welfarist or social democratic values as policy levers for improving educational outcomes for children attending schools in disadvantaged areas.

Under these proposals, schools interpellated as failing to meet government-imposed targets were encouraged (or, often compelled, see Ball, 2005) to convert to academies[1] with the support an outside sponsor (usually a charity, business, faith group, university, or philanthropic entrepreneur) who would run the school subject to the approval of the Secretary of State. Initially these would-be sponsors were required to contribute only a small percentage of capital needed to run a school (an initial contribution of £500,000 with additional funded paid over a five-year period to the sum of £2 million) with matching funds of £25 to £30 million provided by central government. This captures the rise of what can be described as 'philanthrocapitalism' in British policy-making and political thought, best described by Edwards (2008, p. 28) as the 'belief that methods drawn from business can solve social problems and are superior to other methods in use in the public sector and in civil society'. Later on, this £2 million requirement was scrapped under the New Labour government (Curtis, 2009), thus enabling politically unaccountable firms and sponsors to run publicly financed schools without a mandatory donation.

Unsurprisingly, the Academies policy was not simply maintained by the Conservative government subsequent to their electoral victory on 6 May 2010 with the support of the Liberal Democrats (conjoining to make the Conservative-Liberal Democrat coalition government). It was renewed and revised – re-articulated and transcoded (Clarke et al., 2007) – to facilitate a vision of a Conservative-Liberal variant of neoliberal reform, reflected in the coalition government's promise of a 'Big Society' (Stratton, 2010). Following their electoral success, Education Secretary Michael Gove rolled out new legislation on 26 May 2010 making it possible for *all* schools (including,

[1] Types of school in England vary considerably according to funding and how they are governed. Academies, free schools, foundation and trust schools are similar in that they are jointly funded by the state and a business or charity donation, and are privately run free of local authority control. In contrast, community schools are state-funded and local authority governed, as are community and foundation specialist schools which cater for children with specific educational needs. Outside of the public sector school system are private schools. These include maintained boarding schools, which are privately managed and offer free tuition fee but charge fees for board and lodging. Finally, there are grammar schools which are privately funded and privately run.

for the first time, primary and special schools) to convert to academy status, in addition to ensuring that schools judged 'outstanding' by Ofsted (the schools inspectorate) would be fast-tracked through this process. Echoing earlier attempts by Conservative governments to systematically weaken the legitimacy and autonomy of LAs (see Education Reform Act, 1988), the new legislation also removed powers from LAs to adjudicate on decisions that could block schools who wish to become academies, thereby further eroding the LA's capacity to govern an increasingly differentiated and competitive school marketplace.

A similar set of policy trends introduced by the Conservative-Liberal government seeks to further undercut the power of central authority through extending into education a new mixed economy of welfare consisting of private, voluntary and informal sectors in which state-subsidised private sector is fused with a semi-privatised state sector. This is captured through the emerging free schools programme (Murray, 2011), the centrepiece of the Conservative governments' election manifesto, which seeks to solicit interested groups (commercial and non-commercial), faith groups, academy 'chains' and even parents to set up their own schools in response to local demand and free of local authority control. Alongside this, the Minister of State for Universities and Science, David Willets, has implemented reforms to higher education funding systems (DoE, 2011) to enable universities to exercise further autonomy, to make universities more accountable to students *and* corporate stakeholders, and to raise their tuition fees to £9000. But how different is the current government from the previous 'progressive' Left-liberal governments?

Despite extending the scope and reach of the Academies policy, the Conservative-Liberal government failed to win over members of the Labour Party. Labour leader Ed Balls went on to accuse the coalition government of 'elitism' (Press Association, Guardian, 2010), namely for extending the Academies policy remit to include 'popular' or 'oversubscribed' schools, adding to further evidence of 'backdoor privatisation' of public sector education (Beckett, 2009). As Woods, Woods and Gunter (2007, p. 239) observe, one of the stated aims of New Labour's Academies programme was to 'break the cycle of underachievement in areas of social and economic deprivation'. Yet despite evidence of 'redistribution' (although New Labour themselves failed to articulate redistribution as a policy lever), the emergence of the Academies policy attests to the continuing marketisation of education: the subsuming of public and state services within the logic and flow of private capital (Hall, 2011) and the Right-liberal insistence on utilising state power for the purpose of constructing consent for what Ball (2005, p. 215) aptly describes as 'the privatisation of decision-making'. But what does elitism mean anyway?

We might recall when New Labour lumped together 'past' education systems as elitist because they ostensibly lacked choice, personalisation and diversity of provision (see DfES, 2004: Foreword; also see DfEE, 2001; DfES, 2005). New Labour thus utilised the term elitism as a rhetorical device within to articulate reform for a market-led system of public education (Clarke, Smith & Vidler, 2006). For Labour, then, to denigrate the coalition government as elitist on account of their *full* rather than *partial* commitment to the market (i.e. their pursuit of market solutions in the absence of 'democratic' objectives) only serves to reinstate the language, ontology and logic of the market as a dominant framing for policy discourse and development. This is 'capitalist realism' at its purest, a form of political paralysis that determines a priori any vision for social and democratic transformation, 'acting as a kind of invisible barrier constraining thought and action' (Fisher, 2009, p. 16).

Since the introduction of the Academies policy in 2000, however, there has been a strong presence of anti-academy feeling among British publics (Hatcher & Jones, 2006; Murray, 2011), especially among parents, teachers, school governors, headteachers, local residents, teacher trade unions, academics, education journalists, and councillors (from London to Bristol to Leeds to County Durham). The structure of feeling underpinning these protests is that academies – defined as publicly funded independent schools – possess the capacity to circumvent local democratic processes, making them a potential 'loss to the community' (Unison, 2010). Similar criticism of academies can be traced to the websites, forums and campaign and policy literature offered by the Anti Academy Alliance, the National Association of Schoolmasters Union of Women Teachers (NASUWT), the Association of Teachers and Lecturers (ATL), the National Union of Teachers (NUT), the Local Schools Network, the Campaign for State Education (CASE), the Derbyshire-based Green Party, Socialist Party, and Voice. According to Astle and Ryan (2008, p. 338), local anti-Academy campaigns are committed to a vision of 'education created and sustained by local resources, matching local need, and resting on principles of local democracy'. Against this preferred vision of education, academies are excoriated for undermining or displacing welfarist and social democratic commitments to keeping publicly provided education, well, 'public' and accountable to the parents and communities they 'serve'.

In this paper I map the historical and political context that has given rise to these conditions of possibility before outlining public perceptions of the uneasiness between academies and local efforts to preserve elements of public welfarism and a democratic, participatory citizenry. I then move on to an analysis of the notion of 'public accountability' which appears to

stand at the heart of these debates. Drawing on West, Mattei and Roberts' (2011) proposed framework for analysing accountability in education, I outline the broad range of accountability measures schools are forced to comply with as a result of the commodification of education (Wilkins, 2012). With these perspectives and ideas in view, I then demonstrate the slipperiness and unevenness that surrounds the concept and practice of public accountability, drawing attention to the multiplicity of interest groups, both commercial and non-commercial, that now haunt and colonise the language, mediation and performance of school-based forms of accountability. I conclude with a discussion on how this adds to our knowledge of the potential deleterious impact of academies and free schools on local democratic processes, together with an examination of the usefulness of the notion of public deployed in anti-academy rhetoric and its overall aim to overcome private trends in public education organisation.

'Economics is the Method. The Object is to Change the Soul'.[2]

Since the neoliberal revolution in education in the 1980s, British governments have wasted no time in extending and disseminating new public management and consumerist discourses to all education institutions, culminating in the creation of a market-led education system (Ball, 2008; Keat & Abercrombie, 1991). From primary and secondary schools offering education for 5- to 16-year-olds to further education and higher education institutions providing post-compulsory education for young and adult learners, the field of education is continually undergoing transformation as schools, colleges and universities are forced to adopt business practices of self-regulation, innovation, flexibility, efficiency and competition, thereby making themselves intelligible to the corporate world and malleable to the task of offering 'value-for-money' services. Through unprecedented forms of policy development and reorganisation over the last 30 years, successive British governments have worked tirelessly to inscribe market values into these institutions and the mechanisms and practices which govern them. Such forms of educational governance owe their dominance to the creative and rhetorical flourish of sustained and ongoing attempts by neoconservative – and more recently, so-called 'progressive' centre-left governments – to discredit and de-legitimate the post-war social-democratic settlement and its associated language of equality and fairness.

[2] Margaret Thatcher speaking in 1979. Speech quoted in Sunday Times, London, 7 May 1988

New Labour's displacement of politics in favour of administration ('what matters is what works' mantra), for example, captures how these business practices have become inscribed in policy discourse and sedimented into the 'habitus' of political common sense. For Jessop (1993), these trends signal a broader transition from the old Keynesian Welfare State (KWS) to a Schumpeterian Workfare State (SWS), characterised by tendencies relating to the shift in Western economies from Fordist to post-Fordist or neoliberal regimes of accumulation. Building on this analysis, Harvey mobilises the term 'restoration' to demonstrate how post-Fordism (defined by the deregulation of capital and labour, the causalisation and outsourcing of the workforce, and the disintegration of working patterns, trade union bargaining powers and centralised authority) constitutes a '*political* project to re-establish the conditions for capital accumulation and to restore the power of the economic elites' (1995, p. 19). Others characterise this shift in terms of the dissolution of the post-war social-democratic settlement (Hall, 2011; Massey, 2011) and the replacement of Keynesian welfare economic policy with a new political and economic settlement resting on principles of supply-side economics, the trickle-down theory of public prosperity and public choice theory (Jonathan, 1997).

Indeed, public choice theory served as an important reference for New Right critiques of public services in the 1980s and the promotion of neoliberal discourses. During this time the Regan administration in the US and the Thatcher government in the UK utilised public choice theory as a political tool for legitimating and naturalising 'monetarism' (Friedman, 1970) as a policy device for governing welfare state planning and spending. Monetarism in essence champions the doctrine of laissez-faire economics which positions the market as the preferred mechanism through which all public and private institutional arrangements and transactions should be mediated (Olssen, Codd & O'Neill, 2004). And this links up with public choice doctrines where the assumption is that state-employed professionals, despite working in public and non-commercial organisations, sometimes seek to maximise their self-interest and therefore make decisions akin to consumers in the marketplace (Dunleavy, 1991). This in turn served as a framing for constructing public services in negative terms as dominated by 'producer interests' rather than the interests of individual service users (Clarke, 2005), resulting in strong criticism of the bureau-professionalism of state welfare as inappropriate and inefficient to the task of coordinating welfare structures, relationships, cultures and organisational forms.

For Clarke and Newman (1997), the culmination of these trends effected a transformation in welfare, governance and its social relations, to the extent that public services went on to operate within the remit of a managerial-

ist culture of flexibility, efficiency, cost-effectiveness, value-for-money and economic competiveness. These changes in governing can be traced to the way in which the decision-making powers of central and local government were shifted from the legislative (e.g. the parliamentary assembly, the site through which laws are passed, amended and repealed) to the executive, namely the individual managers of public services (Flinders, 2002).

Alongside these developments, citizens have been summoned in the role of consumers of welfare services (active, responsible, self-governing, discriminating, informed, and so forth) with the expectation that welfare providers will improve their services through appealing to citizens as consumers with values and tastes which can be surveyed and provided for with rational detachment (Le Grand, 2007). Consistent with the character of early Anglophone liberalism (of the transcendental subject posited by Kant and the theory of self-originating sources of valid claims proposed by Rawls, see Jonathan, 1997), these trends champion the moral and ontological primacy of the subject and its 'rational centre', namely the idea that citizens share the ability (as consumers) to calibrate their behaviour on the basis of a set of narrow calculating norms and principles (Dunleavy, 1991). At the same time, these policy trends presuppose and demand individuals and groups who behave and look upon themselves as part of wider networks of socialisation. As in the case of New Labour, these networks were imagined and summoned through discourses and practices of community (Newman, 2001). Community, however, is a deeply contested concept (both in political and 'social' terms) since it carries the potential to obscure internal divisions and distinctions and gloss over social contradictions and forms of resistance (Clarke, 2009). Moreover, with the expansion of roles for the voluntary and private sector as 'community stakeholders' (an issue I will turn to briefly), these developments have the potential to crowd out and displace local voices (Ball, 2005). Thus, as Zizek (2009, p. 76) explains, 'Liberalism is, in its very notion, "parasitic", relying as it does on a presupposed network of communal values that it undermines in the course of its own development'.

This emphasis on the axiomatic character of the self-interested, self-maximising subject, coupled with the introduction of a mixed economy of welfare with expanded roles for the private, voluntary and informal sectors, in turn has contributed to the collapse of public/private, citizen/consumer, and professional/managerial binaries (Needham, 2003), together with the gradual displacement of welfarist discourses and commitments to equality of opportunity and democratic participation and social transformation (Gewirtz, 2002). As Ball (2005, p. 216) observes, 'Progressive modernisation and its powerful and suasive and radical discourse both celebrates *and* excludes or residualises older narratives of policy radicalism which are

based on ideas like participation, community, sociality and civic responsibility'.

Couched in the language of New Right critiques of public services with its appeals to the superiority of markets, the mantra of adaptive flexibility and the enterprising culture of public-private partnerships, the emergence of academies can be read as distinct reflections of, or developments from, the radical programme of economic and institutional reform initiated by the 1980s Conservative government and later re-articulated by the New Labour governments (Gunter, 2010). Indeed, the use of private companies and private sponsorship for the delivery of education systems echoes the earlier introduction of charity-sponsored City Technology Colleges (CTC) by the Conservative government in 1986 (Whitty, Edwards & Gewirtz, 1993). Certainly, too, the culture and ethos of academies reflect the entrepreneurial spirit of these seismic shifts in policy discourse development. Woods, Woods and Gunter (2007), for example, demonstrate how the ethos and curriculum focus of academies tend to be structured with values and principles of enterprise and entrepreneurialism at their centre, with business and enterprise comprising the most popular specialism (52%) of the 58 academies they examined. 'The spirit of business enterprise is central to the cultural messages inherent in the way some academies are conceived to be working', they observe, 'and frame their 'output' in terms of the core purposes of the organisation' (2007, p. 248). Students, too, are encouraged to think and behave accordingly as neoliberal subjects (Wilkins, 2011).

Using the lexicon of Italian Marxist Antonio Gramsci, we might characterise the neoliberal revolution in education in terms of a 'war of position' in which the state, through aggressive displacement of one political settlement in favour of another, attempts to reorganise public perceptions and understandings about welfare, citizenship and rights and what these practices entail for those who the state seeks to govern. For example, within neoliberal definitions of citizenship individuals are required to fulfil certain duties and responsibilities in order that they might become the kinds of citizens presupposed by neoliberal capitalism – namely, citizens who militate against complacency, revere competitiveness, tolerate precarity and evince flexibility. Rights, therefore, are no longer unconditional entitlements. Here the fulfilment of obligations is defined as a condition for receiving particular rewards with the intention of inducing the active enlistment of individuals into responsible agents (Dwyer, 1998) and tightening the entitlement and the behaviour and moral outlook of citizens (Deacon, 1994). This is different to, say, a socio-liberal definition of citizenship where citizens are expected 'to enjoy a minimum level of rights (economic security, care, protection against various risks and so on)' (Johansson & Hvinden, 2005, p. 106). In this way,

neoliberalised education is as much as about enabling and facilitating the self-governing of individuals as it is about governing individuals per se.

In order to better understand how local people respond to these structural adjustments, policy developments and relations to the self, I now turn to a brief discussion of the structure of feeling underpinning local anti-academy protests and explicate some of the core issues they address. In particular, I aim to make an original contribution to these debates through examining the notion of public and its importance as a form of evaluation, rhetoric and argument for anti-academy protesters aiming to overturn the 'privatisation' of schools. At the same time, I aim to problematise the notion of public contained within these arguments and draw attention to its slipperiness and unevenness with the intention of exploring its usefulness for the language of anti-academy rhetoric and protest.

The Story so far...

While the literature on academies acquires momentum and scope (Armstrong, Bunting & Larsen, 2009; Astle & Ryan, 2008; Ball, 2005; Beckett, 2007, 2009; Hatcher & Jones, 2006; Gunter, 2010; Woods, Woods & Gunter, 2007), the evidence so far is mixed, with research emerging which both supports and undermines government assertions concerning the overall efficacy of academies over comparable LA-controlled (e.g. community) schools. In particular, there is little evidence to demonstrate the accountability gains (or losses) for school governors and parents. This might be due to the fact that academies are still in their infancy, born to a New Labour government; are 'shape-shifters' (Beckett, 2010, p. xx) with no overarching philosophy guiding the bulk of academies (Wilby, 2009); or simply because more data needs to be collected to show the relations between schools and the parents and communities they 'serve' (Ball, 2005). There is, however, strong evidence to suggest that academies have the potential to operate as inequality-producing mechanisms in the delivery of education services.

As outlined above, academies to not operate under the financial and managerial remit of LAs, but instead private school legislation set up by a sponsor who retains ownership of the school estate (Becket, 2007). This in turn guarantees the sponsor freedom to explore new pedagogical approaches and organisational structures, including the flexibility to determine pay and work conditions for teachers; to alter the admissions criteria for selecting in (and selecting out) students; and to restructure the curriculum and timetabling (Curtis, 2009). This raises problems around fairness and access in the case of student admissions where there are concerns that academies might cherry pick and cream skim the best and brightest, in effect excluding learn-

ers from socially disadvantage groups or learners with special education needs (SEN). As Millar (2010) observes in the *Guardian*, there is 'uncertainty over how, as independent schools, they will be bound to SEN rules that are obligatory for state maintained schools'. In addition to this, there are concerns around local accountability. Academies are permitted to appoint rather than elect their board of governors, with one LEA governor and one governor elected by parents. This means that academies can choose to avoid entering into consultation agreements with parents, teachers, support staff and the local community when making key decisions about how the school should be run.

Fundamentally, the literature on academies undercuts government claims that academies contribute significantly to raising educational achievement (Astle & Ryan, 2008). There is lack of evidence to support government assertions that academies achieve well above the national average for standards in academic achievement (DoE, 2010), for example. Machin and Wilson (2008, p. 8) suggest that 'changes in GCSE performance in academies relative to matched schools are statistically indistinguishable from one another.' Evidence also indicates that fewer children on free school meals are admitted to academies compared to LA-controlled schools. According to the National Audit Office report *The Academies Programme* (2010, p. 25), 'The proportion of such pupils attending academies between 2002-03 and 2009-10 has fallen from 45.3 to 27.8%'. Coupled with this is evidence to suggest that the 'gap in attainment between more disadvantaged pupils and others has grown wider in academies than in comparable maintained schools' (ibid, p. 6). In contrast, a report by PricewaterhouseCoopers LLP commissioned by the then Department for Children, Schools and Families (DCSF) argues that 'pupil performance has improved in academies, and often at a rate that is greater than the national average and other comparison schools' (Armstrong, Bunting & Larsen 2009, p. 124). The scale of this progress was not identified by the authors as uniform across all academies, however, with success in terms of intake and attainment differing dramatically between academies. The suggestion here, then, is that there is no overall 'Academy effect' but that standards are relative to individual institutions (Armstrong, Bunting & Larsen, 2009).

What is missing from these accounts is a consideration of how, with the expansion of roles for voluntary and private sectors as 'community stakeholders' in the governing of academies, conventional social democratic notions of public mutate (or become 'hollowed out') under the encroachment of political, commercial and other interest groups. In what follows I explore the implications of this mutation for thinking about anti-academy language and protest, and the usefulness of the term public as a lever for waging anti-

privatisation battles with the government. In particular, I offer proposals on how, given the complexity of these arrangements, education researchers might begin to think about mapping their effects on parents and schools.

Rethinking Public versus Private

For anti-academy organisations and protestors, the act of assigning responsibility to politically unaccountable managers and private agencies to deliver education services means that academies potentially operate through 'a governance model where the link with the local community can be virtually nonexistent' (Mansell, 2010). This is echoed and redeemed by the Anti Academy Alliance – a broad based campaign supported by parents, governors, teachers, trade unions, academics and others against the creation of academies and trust schools – who calls for the return of publicly financed independent schools to local democratic control. Similarly, the National Union of Teachers (NUT) – the largest union for teachers employed in the state sector – demand the return of academies to maintained (i.e. LA-controlled) status and to be made locally accountable (NUT, 2007), while the Campaign for State Education (CASE) – a non-profit organisation in favour of non-selective, LA-controlled schools – argue that since academies fall outside the remit of LA control there is no guarantee that the interests of the local community will be met. At the heart of these protests, then, is a rejection of the ways in which academies operate outside and in contradistinction to conventional principles and practices of public welfarism and democratic socialism (as opposed to 'market socialism'). In other words, those processes which ostensibly ensure state-funded services are made accountable to the individuals and groups they are meant to serve.

Democratic conceptions of public – the public sector, public service management, public administration, public service ethos, public service orientation, the public interest, and so forth – have undergone a major (some may even say irreversible) reformulation since the 1980s with the advent of private sector involvement in public sector organisation (Ball, 2008; Clarke & Newman, 1997; Gewirtz, 2002; Needham, 2003). On this account, the intersecting dynamics of public and private domains (i.e. how sites of public and private interaction articulate and combine with each other to produce new configurations of power and practices of the self, see Wilkins, 2010) need to be better emphasised in context of these debates. Any appeal to conventional formulations of public which signify the 'decommodification' of the individual's relationship with the community (Esping-Andersen, 1990) runs the risk of evoking romanticised, even 'golden age', versions of the public sector and elements of an naive utopianism. In other words, it is important

to avoid denouncing academies on the sole basis that they symbolise and facilitate the 'privatisation' of schooling. These are the pitfalls of a sterile moralism which current and ensuing centre-left governments, caught up in the seduction of capitalist realism, are unlikely to concede to. In fact, such denunciations are likely to reinforce these trends, as Fisher (2009, p. 28) demonstrates: 'the problem is that any opposition to flexibility and decentralization risks being self-defeating, since calls for inflexibility and centralization are, to say the least, not likely to be very galvanizing'.

In their discussion of school-based forms of accountability, West, Mattei and Roberts (2011) demonstrate how schools are forced to comply with a broad range of accountability measures as a result of the commodification and marketisation of British education since the 1980s, including market, legal, hierarchical, contractual, network, participative and professional. Participative accountability, in particular, registers the unique position academies and free schools are likely to find themselves in as a result of their 'independence' from LAs but not their sponsors. As West, Mattei and Roberts (2011, p. 53) explain,

> [Participative accountability] comprises a number of different dimensions. Schools are accountable to parents for the individual child's progress via dialogue between parents and teachers; to community stakeholders (business, community organisations, other statutory bodies) who may participate in school initiatives; and to other stakeholders via school governing bodies.

Forced to negotiate and mediate the contrasting and sometimes conflicting claims flowing from parents, school governors, teachers, the local community, and business, political and other interest groups, academies and free schools are essentially hybrid organisations situated within, between and across public and private realms. As Clarke and Newman argue (1997, p. 127).

The public, then, is positioned in a field of multiple relationships with the state through which it is constituted in a range of different ways. The public sector no longer has a monopoly of interactions with the public. There are many potential interactions, involving a variety of organisations, which resist being reduced to a simple distinction between public and private.

One of the ways in which academies and free schools therefore might be reworked to acquiesce the needs and expectations of local people – and therefore satisfy some of the demands set out by anti-academy organisations and protestors – could be through generating more concrete and sophisticated understandings of how these school-based definitions of participative

accountability (and concomitant meanings of cooperation and governance) are being managed within newly configured relations between academies and parents, governing bodies and community stakeholders. Who these accountability measures are aimed at and what kinds of assumptions they entail about those to be held accountable also need to better conceptualised, both within the academic and government literature on academies. The free schools programme has been criticised for pandering to the educational aspirations of middle-class parents and teachers. Geographical data on the first wave of free schools announced by the coalition government in August 2011 suggest that a high concentration of free schools are being built in areas dominated by middle-class households, for example (Vasagar & Shepherd, 2011). This raises important and hitherto unexplored questions around the impact of socio-economic, policy and organisational factors on the structure of school-based forms of participative accountability and, above all else, children's educational experiences.

If we adopt a view of policy as something which is dynamic and situated, and which evolves in tandem with locally defined conditions and possibilities (Ball, 2008), then exploring how school-based definitions of participative accountability is translated through school-level policies, community voices, and local authority policy and structures is essential to future education research around academies and free schools. This is because academies and free schools operate within a context of devolved management, and thus it is essential that researchers grapple with the ways in which power is dispersed, filtered and often guarded against in the context different community settings and within and through the formation and interpenetration of class-, commercial- and local-based publics. Existing research on parental involvement in school-based initiatives, for example, suggests that parents from lower socio-economic and minority ethnic backgrounds often feel excluded or misunderstood by schools (Crozier, 2000; Crozier & Davies, 2005; Reay & Mirza, 2005). Schools therefore can be viewed as microcosms of politics and culture that function in the production, distribution and regulation of power. Understanding what kinds of imaginary publics come to be symbolised, culturally, commercially and institutionally, through schools is therefore important to the task of demonstrating how differently governed schools can be shown to be in some way inconsistent or untenable in offering accountable, equitable and socially just forms of schooling.

The Formation and Assembly of Publics

In this paper I have outlined the historical and political conditions that have helped to facilitate and maintain aspects of private takeover in educa-

tion; in essence, the neoliberal revolution in public schooling. Focusing on academies and free schools as markers for the continuing fortification of this historic bloc, I have traced the antecedents of the current political settlement to the 'radical' revisionist texts of the 1980s neoconservative policy documents and political thought (Jonathan, 1997). When analysed alongside policies and practices of choice, personalisation, decentralisation and diversity of provision – the hallmarks of British education policy over the last three decades – academies and free schools can be understood to constitute developments in the continuing marketisation and commodification of public services and public service users. These elements combine and complement each other in ways that work to restructure, outpace and render 'unrealistic', 'unproductive' or 'too costly' traditional social democratic commitments to equality of opportunity and access and citizen participation and transformation (Gewirtz, 2002). A corollary of this has been the weakening of the old institutional embodiments of a social democratic public (Clarke & Newman, 1997), the diminishing role of elected government (Lowe, 2005) and the reduction of the powers typically enjoyed by local government (Jones, 2003).

In tandem with these analyses I have traced the complexities that tend to inhere around arguments concerning the formation of publics. Through focusing on the types of language, evaluation and arguments offered by non-government organisations and groups who position themselves against academies, I have explored the importance of the notion of the public in these framings. However, rather than offer a straightforward comparison of public (good) versus private (bad), I have structured my analysis in a way that complicates this binary and which aims to open up discussions on the kinds of nuances, dynamics and competing pressures practitioners, policy makers and public service users inevitably confront and negotiate in the context of academies and free schools. It is precisely because welfare services and the responsibilities and orientations of welfare users are becoming increasingly mediated and constrained at the intersection of public and private domains (of business values *and* public sector values, of consumer orientations *and* citizen orientations, of political principles *and* commercial principles, of community-regarding impulses *and* self-regarding impulses, and so forth) (Clarke et al., 2007; Reay et al., 2008; Wilkins, 2010) that future education research will need to attend to these complexities in their devolved, organisational, socio-economic driven contexts. This, too, I argue, has implications for anti-academy language and rhetoric.

To achieve the kinds of 'cooperative' forms of governance between schools and parents that anti-academy organisations are proposing, we need to rethink the language through which resistance is currently being formulated

and articulated. While I am not proposing we dispense with the term public entirely – in fact, the idea of the public is politically necessary to give resistance force and content – I do think it is important to trace how neoliberalism is articulated both as a private *and* public political project. In doing so, we might begin to formulate alternatives which work to incorporate some of those possibilities while at the same time mitigating their potential negative effects. An important insight generated through policy sociology, public or applied anthropology and cultural studies approaches, for example, is the idea that policy discourses and practices do not translate directly and uniformly to particular national, institutional, socio-economic and geopolitical contexts (Peck, 2004), but which are intrinsic to the formation and assembly of a plurality of publics. Rather, here, neoliberalism can be understood as something which is dynamic and situated, as well as productive and enabling. Moving beyond dichotomies of public/private and political/commercial demands taking neoliberal trends seriously as colonizing strategies involving innovation, experimentation and contestation rather than the rolling out of a stable or coherent programme of reform (Larner, Le Heron & Lewis, 2007; Ong, 2006). In this view, it is important to map how academies and free schools intend to organise themselves to meet on-going encounters, engagements and contingencies which are locally defined and to explore what these relationships mean for ensuring accountability and fairness in education.

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