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Schools and civil society: corporate or community governance
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Abstract
School improvement depends upon mediating the cultural conditions of learning as young people journey between their parochial worlds and the public world of cosmopolitan society. Governing bodies have a crucial role in including or diminishing the representation of different cultural traditions and in enabling or frustrating the expression of voice and deliberation of differences whose resolution is central to the mediation of and responsiveness to learning needs. A recent study of governing bodies in England and Wales argues that the trend to corporatising school governance will diminish the capacity of schools to learn how they can understand cultural traditions and accommodate them in their curricula and teaching strategies. A democratic, stakeholder model remains crucial to the effective practice of governing schools. By deliberating and reconciling social and cultural differences, governance constitutes the practices for mediating particular and cosmopolitan worlds and thus the conditions for engaging young people in their learning, as well as in the preparation for citizenship in civil society.

Introduction
School governing bodies, by including diverse stakeholders, exemplify the concept of civil society as a tier of intermediary institutions between the state and the family. The significance of this relation between governance and civil society for school improvement is, however, not well understood. The paper will draw upon research[i] on school governance in England and Wales to propose that the emerging corporate form taken by governing bodies, and what this reveals about civil society, can only limit the potential for governance to enhance school improvement and student achievement. This is so, it will be argued, because education can only succeed, particularly in contexts of disadvantage, when schools are able to mediate the journey young people make between worlds, connecting the language of home and community with the language of the public space. Learning is always a bi- (or multi-) lingual experience as we learn to move between genres and codes of the tacit and particular and the explicit and universal. If learning grows out of motivation kindled by recognition then the crucial importance of governance is in constituting the cultural conditions of learning by co-constructing webs of significance which mediate home and school. When governing bodies fail to acknowledge this understanding and model themselves as corporate boards, basing membership on those with specialist knowledge to the exclusion of local voice, and emphasising efficient resource-led decision-making rather than responsive learning from their communities, then governance becomes detached from the sources of motivation and legitimacy.

The *1988 Education Reform Act* radically transformed the local governance of education in England and Wales, according school governing bodies new delegated powers for budgets and staff as well as responsibility for the strategic direction of the school in a quasi market place of parental choice. To take up these new responsibilities the earlier *1986 Education Act* had created over 350,000 volunteer citizens in England and Wales to occupy reformed governing bodies: it was the largest democratic experiment in voluntary public participation. The governing bodies were constituted on the principle of partnership between all the groups with a 'stakeholder' interest in the school: parents, teachers and support staff would be elected, while other governors would be appointed by the local authority, and drawn from the local community (including local industry and commerce). All the interests would be regarded as equal, one no more important than another. From the turn of the century, however, pressure grew to make governing bodies more efficient and business like in their practice putting at risk the original design of democratic representation in a public space that would then enable learning about the plurality of learning needs.

The argument of the paper will develop in stages. Part I reviews the essentially contested concepts of school governance and civil society and their significance for school improvement. Part II draws upon research to describe the dominant trend of corporatizing school governance and civil society that has eroded democratic practice Part III develops from the research the possibility of a new public governance of schools that enables the inclusion of civil society in support of learning communities.

Part I: Tensions in understanding school governance policy and civil society
Underlying the discourses about the governance of schools and the appropriate form of civil society have been a fundamental disagreement about intermediary institutions in the public sphere: whether they should be modelled as business in a market place or constituted as democratic public services for a community of citizens.

   1. *School governance: community or business?*
Tensions have been at the centre of school governance since its fundamental reform by the *1986 Education Act* in three dimensions: purpose and membership; the practice of governance between schools; and the structure of ownership and authority of schooling. The tension running through each of these dimensions of policy is whether school governing bodies should develop themselves as private sector businesses or as a public space re-presenting a stakeholder community.

 (i) *Purpose: voice or efficient decision?* Tension have existed about the purpose of school governance. The underlying principle of the original 1986 Reforms had been that schools would only work well when the different constituencies were provided with a space to express their voice and reach agreement about the purpose and development of the school. The governing body was to have regard for the overall strategic direction of the school, evaluating its progress, and acting as the trustee of the community, publicly accountable for national and local policies (DfEE, 1998). 'The governing body is the custodian in perpetuity of community interests and ensures that developments and changes proposed by the school are in line with community aspirations and needs.' (Barton et al, 2006)

By the turn of the century, however, questions began to be raised about the roles, responsibilities and effectiveness of governing bodies, whether the boundary between governance and management of schools was appropriately drawn, whether governing bodies were too large, and whether too much was expected of volunteers in terms of time and responsibility. These uncertainties influenced Government policy makers, although sometimes there appeared to be differences of perspective within Whitehall. The Cabinet Office in 2000 commissioned Lord Haskins to review school governance and his report (Haskins, 2001) proposed that governing bodies might be a source of bureaucracy and constraint on school leadership while overburdening lay volunteers with excessive responsibilities. A slimmer, business model allowing efficient decision-making rather than elaborate discussion was proposed as more appropriate. However, the DfEE (as it then was), responded with a consultative paper which retained a commitment to stakeholder school governance while enabling greater flexibility in the size of the governing body (*Education Act, 2002*; *Education and Inspections Act, 2006*). Nevertheless, the struggle to redirect the purpose and composition of governing bodies from a stakeholder to a business model would continue with the announcement in the *Children Plan 2007* of a national review and its preoccupation with issues of size and efficiency (DCSF, 2009; 2010).

(ii) *Practice: neighbourhood collaboration or diversity and choice:*
Tensions about the practice of governance were embedded in legislation from the very first. While the *1986 Act* emphasised a model of community partnership between stakeholders, the *1988 Education Reform Act* required delegated school management and parents empowered as consumers against the purported control of professional providers. The 1992 White Paper *Choice and Diversity* and the enabling *Education Act 1993* encouraged diversity and competition. New Labour continued to reproduce the contradictions at the centre of school governance requiring collaboration and diversity at the same time. Stimulated by *Every Child Matters (2003a)*, the policy

agenda sought to support the learning needs of young people and their families by creating collaborative communities of practice with different groups of professional working together (cf. Extended schools (DfES, 2005b), vocational diplomas for 14-19 year olds; community cohesion provisions, DfES, 2006). This led to fundamental changes requiring collaborative governance of school clusters and localities (cf. DfES (2003b) *School Governance (Collaboration)(England) Regulations*). Partnerships, system leadership and locality governance became the focus (Fullan, 2004; Bentley and Craig, 2005). Yet, autonomy, choice and competition were also strengthened as schools were encouraged to develop their own distinctive ethos. The twin policy objectives of collaboration and competition inevitably produced tensions (Cardini, 2006; Woods et al, 2006; Stevenson, 2007).

(iii) Structure of ownership and authority: market or locality? Fundamental tensions have existed in education policy about ownership in the governance of schooling. At the same time as encouraging locality governance, policy has been leading towards greater independence of ownership. The *Five Year Strategy for Children and Learners* (2004), followed by the White Paper *Higher Standards, Better Schools for All* (2005a) and the *Education and Inspections Act, 2006*, proposed that schools and services must be 'opened up to new and different providers and ways of delivering services'. Obstacles to innovation needed to be removed and a diversity of school providers created to harness energy and talent in support of schools. Educational charities, faith groups, parent and community groups and other not-for profit providers would be brought in to run schools to enable this diversity and energy (2005 para 1.30). Every school has been expected to be free to develop a distinctive ethos and to shape its curriculum, organisation and use of resources. These decisions could be prescribed uniformly. The governance of schools in the future 'could not just be a partnership of state providers – the voluntary and community sector, business and private enterprises need to be a part of this partnership' (DfES, 2004). Trust and Academy schools have been the focus of this diversity agenda.

The governance of schools has always been seen as fulfilling a dual function, of developing the accountability of schools but also as strengthening civil society (Deem et al, 1995; Raab, 2000). Yet the tensions revealed in the discussion above about whether governance should be oriented to a local community or to market exchange has been replicated in the literature on civil society itself.

2. Intermediary institutions of civil society: market or mediation?

Developing the institutions of school governance came at a time of great concern about the need to strengthen civil society in societies where a vacuum was opening up between the state and the family due to the erosion of middle tier authorities (Keane, 1988; Cohen and Arato, 1992; Hann and Dunn, 1996). Thus the significance for theorists of conceptualising civil society as the diverse network of non-governmental intermediary institutions between the family and the state (Gellner, 1994; Mouzelis, 1995), an arbitrator between major interests preventing the state from dominating and atomising the rest of society. Walzer (2007), similarly refers to civil society as 'the space of uncoerced human association and the set of relational networks - formed for the sake of family, faith, interest and ideology – that fill the space' (p89). Whitehead (2002, p.73) helpfully conceptualises the dimensions of this 'independent sphere of voluntary association where interactions are governed by minimum principles of autonomy and mutual respect'. Relations in civil society:

- are relatively independent of both public authorities and private units of production and reproduction, that is, firms and families (*dual autonomy*);
- are capable of deliberating about and taking collective actions in defence, or promotion of their interests and passions (*collective action*);
- but do not seek to replace either state agents or private (re)producers or to accept responsibility for governing the polity as a whole (*non usurpation*)
- but do agree to act within pre-established rules of 'civil' or legal nature (*civility*).

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Mouzelis (1995) also emphases the boundary conditions of civil society: the rule of law to protect citizens; strongly organised non-state interest groups to check abuse of power by those who control the means of administration and coercion; and balanced pluralism so that no civil society interest establishes absolute dominance.' (p226)

These accounts of civil society as the network of non-governmental intermediary institutional formation between the state and the family are valuable in their conceptual precision, yet they frequently abstract from an understanding of the historical sources of the concept and thus the tension that lies at the centre of civil society (cf. Keane, 2007). Though civil society was referred to in pre-modern Europe, its meaning then was defined by Cicero's *societas civilis*: of a legal and political order across society as a whole granting equal legal status to its members (Black, 2001), and enabling compromise between divided faiths (Keane, 2007). Hegel understood rather that it was the achievement of the modern world to create a new space of civil society. He learned from Adam Smith, and especially Adam Ferguson's *An Essay in the History of Civil Society* (1767) of the long, complex transformation the human condition, no longer natural but shaped by the growing bourgeois economy with its specialising and mechanising of labour, multiplying and diversifying 'the system of needs'. Hegel recognised the emergence of a new kind of sphere of property ownership (*burgherliche gesellschaft*) pursuing their class interests in competition with other private individuals and corporations independent of the state though regulated by law. In this account civil society had become a space of difference, atomised transactions, market exchange in an ethical life expressing self-seeking and 'measureless excess' (Hegel, *Philosophy of Right, 1820*). This understanding of civil society as the creation of the property owning bourgeoisie has, of course, its most powerful analysis in Marx. It was, for him, the stage in the development of the productive forces which allowed a distinct social organisation of civil society to emerge directly out of production and commerce (*German Ideology, 1846*).

Hegel and Marx recognised civil society as an emergent space of middle class property, labour exchange and market economy. But it was also, for Hegel, a sphere of ethical life: (political philosophy could propose norms to complement the explanations of political economy.) For some (Reidel, 1984) such norms should be interpreted as a sphere of isolated individuals pursuing their own utility and advantage in contract and market exchange. The weight of contemporary opinion, however, argues that Hegel's analysis recognised the continuity of an ethical community, *sittlichkeit*, under modern conditions of commercial society (Wallace, 1999; Pinkard, 1999; Siep, 2006). Citizens by contributing to the system of needs came to understand their mutual interconnection and recognition. In this way, Kumar (1993) proposes, civil society is a process of mediation in which the citizen learns to see herself as a member of a community and that to realise her ends she must work with and through others. Thus the determination of the common good is not a mere aggregation of particular interests, but emerges from participation in the public life of the community (Siep, 2006). Civil society in this sense, Pelczynski (1984) concludes, is an arena in which modern men and women can legitimately develop their individuality, but also learn the value of group action, social solidarity and the dependence of his welfare on others, which educate them for citizenship, and prepare him for participation in the political arena of the state.

This tension in understanding civil society, as space for citizen or bourgeois, mirrors the discussion in governing bodies about public voice on behalf of the community, or business leadership in relation to market advantage. Does this understanding of the context of civil society and the form taken by the governance of schools matter for their improvement and pupil achievement?

3. *The significance of civil society for governing school improvement*
While Earley and Creese (2003) could legitimately claim that there had been little research on the contribution of governance to school improvement, this has now been remedied with a series of major projects examining whether governing bodies make a difference.[ii] The DCSF (2008) in a review of this recent research concluded overall that the 'evidence suggests that there is a relationship between good governance and pupils' achievements, the quality of teaching, as well as the quality of leadership and management', though, it added, with variable effectiveness in areas of

disadvantage (PricewaterhouseCoopers, 2007). An important distinction needs, however, to be made in the layers which governance contributes to school improvement.

(i) Constituting the institutional conditions of performance: The focus of this body of research has been on the role of governance in securing the institutional practices and conditions of performativity and accountability. Better governance sharpens the practice of management which in turn generates improved standards of attainment. What this literature points to is the role which governing bodies can play in reinforcing the quality of institutional leadership: providing strategy, enabling scrutiny of direction and practice, offering guidance and support, and ensuring accountability. These qualities secure the authority and trust of schools as public institutions. By helping to improve the working of the institution the governing body will make more effective the environment of learning and teaching and thus the possibility of enhanced standards of educational attainment. Better governance establishes processes that generate better results.

(ii) Constituting the cultural conditions of learning. The research at Birmingham (Ranson, 2004; Ranson et al, 2005a,b) further developed the analysis of the contribution of governance to school improvement, studying schools which came to recognise the limitations of improving achievement alone through a target driven model of performativity. They came to learn through their own experience what research had begun to articulate (cf. Hasan, 2005; Moll, 2005; Wells, 1999, 2008; Lingard et al, 2008) about the interdependent nature of learning and living. Learning grows out of motivation and recognition grounded in detailed knowledge and care of individuals and thus a valuing and including of forms of life in the school. The practice of a school lies between worlds. A child cannot be effectively educated independently of her community's webs of significance on the journey into the space of public reason. This can only emerge by creating learning communities that embrace institutions, parents and neighbourhoods and practices of learning which depend upon getting governance right because in recognising the community's forms of life and symbolic orders in the public sphere governance constitutes the springs of motivation that mediate the conditions for learning.

If schools are to create the cultural conditions for learning for young people then governance has the vital role in providing the deliberation of learning needs that mediates the journey young people need to make between parochial and cosmopolitan worlds. If governing bodies are to fulfil this function they need to include the different traditions present in civil society in their membership and through deliberation of needs enable mutual recognition and understanding between them.

Is this, however, the trend of development in the structure and practice of school governance, or is the trajectory of change towards governance modelled as corporate business relating to a civil society understood as competitive exchange rather than representation, voice and deliberation?

Part II The corporatizing of school governance

Research suggests that the changes taking place in the governance of schools are diminishing the stakeholder tradition at the expense of the corporatizing of governance in three respects: at the level of institutional ownership and practice, at the level of the governing body membership and organisation, and at the level of inter-school partnership practice. These dimensions will be described and lead to a discussion of what this remodelling reveals about the wider governance of civil society and its implications for schools.

   1.   From state to corporate governance of schools
The nature of governing schools is being re-configured quite fundamentally in its practices, structures and cultural codes. *At the level of institutional ownership* a system of plural, **corporate** and self-governing ownership and regulation have been replacing a unitary state system of governance. A system which since 1944 placed the governance of schools in the hands of a council of locally elected people, supported by an experienced professional bureaucracy, the Local

Education Authority, with its Committee of elected councillors, is being replaced by foundation governed trusts typically led by corporate sponsors. While trust schools retain a link with their local authority, many are being taken into ownership by a corporate 'chain', which in effect replaces the LA as the middle tier education planning and development authority. These chains may also include academy schools even though these are constituted with complete autonomy from LA accountability, though under the control directly of the Secretary of State (Ranson and Crouch, 2009).

This incipient corporate takeover of public service schools is only one aspect of a much broader corporatizing of the governance of local education that has been reported principally in the research of Stephen Ball (2003, 2007, 2009), but also in the work of Mahony et al (2004); Hatcher, 2001; Whitfield, 2000). Ball (2009) describes the growth of education businesses which sell programmes of training, support and improvement to schools (as well as other educational institutions). These new educational entrepreneurs, moreover, 'mediate between policy and institutions by offering (at a price) to make policy manageable and sensible to schools and to teachers' and, one might add to their governing bodies who will sanction such commissioning. These, often private sector, businesses carry the language and practices of the private sector into the public sphere of schools, modelling them on the efficient firm. Through this 'recontextualisation of business and management language, the work of governance is pursued and contributes to changes in everyday social relations in schools...' (Ball, 2009, p. 86)

At the level of the school the pressure has grown from some school leaders as well as some in Whitehall for an **executive** board of governors or trustees to replace the democratic stakeholder model that elects parents and teachers to a governing body of representative interests. The report from the Ministerial Working Group on School Governance (DCSF, 2010) proposed improvement in efficiency could be attained by relaxing the stakeholder proportions and improving the relevant skill set of governing body members. A national leader of school governors was an advocate of the movement to model governing bodies on the private sector board (Ranson and Crouch, 2009). As the roles and responsibilities of governing bodies have increased it has become unreasonable 'to operate multi-million pound businesses on the basis of people 'helping out'.

> *What is needed is to create a business model of a board of non executive directors. My feeling is that we need to get closer to a sort of more, if you like – hierarchical style, we need to move, I suppose in a way, to a business model of a board. My view now is that it's the head teachers' responsibility to manage the school and it's the governor's prime responsibility to manage the head teacher.*

The emphasis will be on a smaller board of non executive directors, nominated and appointed, who will bring dimensions of social capital to the school, particularly the experience of running businesses, and with networks into the public sector and business worlds.

At the level of the cluster and locality, governing committees have been constituted and led by **professional partnerships** (Ranson and Crouch, 2009). Parents and school governors may be included in a joint committee but not as a controlling public interest, and they will be appointed rather than elected by the professional leaders of their schools. The contributions of governors in the partnership deliberations in some local authorities were negligible or non existent. Did this reflect their inability to cope with the new responsibilities or the organising principles of the new tier of governance? It is clear that the partnerships had been constituted to ensure that ownership rested with the professional providers rather than public representatives. The composition of the meetings numerically subordinated the voice of governors.

A more subtle structuring of power, nevertheless, was experienced in the nature and modes of deliberation and decision-making, which were often constructed as rather technical, professional matters requiring specialist knowledge. The meetings and the agenda items typically focused on making knowledgeable decisions about particular services rather than developing strategic purposes and plans that allowed the decisions to be monitored and assessed. But the functions of strategic

leadership and scrutiny are those which form the driving purpose of governing bodies. The partnership meetings were coded to require assertions of knowledge, rather than voices of enquiry and scrutiny.

2. *The changing governance of civil society*

These changes in the governance of schools exemplify a wider transformation in the governance of civil society from a local, public to a corporate civil society.

(i) Local, public civil society

The post-war world sought to constitute a political order of democractic civil society based upon the public values of justice and equality of opportunity designed to ameliorate class disadvantage and class division. Public goods were conceived as requiring collective choice and action. Hence, a unitary framework of central and local governance constituted the significance of cohesive *systems* of administrative planning (the LEA) and institutional organisation (the comprehensive school).

Social democratic governance, although constituted by legislation and central administrative guidance, emphasised the authority of local government (over place) and schools (in their communities). A key organizing principle of governing civil society in this period was the importance of specialist knowledge in delivering public services at the level of the local (education) authority and at the school: it became known as 'the age of professionalism'. Nevertheless, the schools were part of a local authority which was governed by a democratrically elected council, and the councillors typically sat on the governing bodies of the schools in their constituencies. When in 1986, the Conservative Government reformed school governing bodies, they strengthened their democratic base by including elected parent representatives to become members of a body that involved all the stakeholders to become trustees of the long term future of the school. It was a professional order governed and accountable to democractic, public authority at the level of the authority and the school.

Orienting the local education service and the experience of learning, providing much of the motivation, would be the significance of place, being inspired by its history as well as its distinctive cultural and social traditions. An education has always been an unfolding of and qualifying of potential, but it has equally been a preparation for citizenship, for taking up a position in and contributing to the life and work of the civic community. Not all will seek, or be able to serve as volunteers in the governance of forums, bodies and councils but those who do will bring to their participation wise voices based on knowledge of local cultures that have shaped the upbringing of children and without an understanding of which formal education will remain detached and distant from their needs and unable to engage or motivate young people.

The mode of authority informing local, civic governance is judgement about the public good, the good of all, formed by the people of a locality. Public goods and decisions acquire legitimacy when they are based on collective, public agreement and are accountable to the public. Because public goods require public consent, it is rational to develop institutional arrangements and establish practices of participation and deliberation that enable learning about the expressed needs and wishes of families and communities. The judgement of the people is regarded as an essential and valued contribution to the process of deliberation and public choices to be made. The mode of rationality proposes that when governance is responsive to the voice of people from a locality taking into account their expressed needs, they are likely to feel engaged and to participate in the life of the school or the community. Governance, so the rationale would have it, is more likely to succeed in its purposes when it includes and deliberates with, rather than subordinates, its publics. The cultural code of public governance of civil society is thus accountable participation and practice.

(ii) Corporate civil society

An influential theory of governance in recent years (Rhodes, 1997) argued that it was the 'hollowing out of the state', that characterized the distinctive changes to the nature of governance.

A strong state was replaced by quangos and hierarchical governance transmuted into networked governance. Actually the twenty years that have unfolded since the publication of Rhodes' book have witnessed an extraordinary strengthening of the state in its power of central regulation. Markets have been administered spaces. Where Rhodes' image has interpretive potential, however, is in the idea that it is democratic public governance that has been hollowed out from the practices of the state.

While the local model of civil society expressed the authority of universal purposes, the corporate model celebrates diversity of *particular* interests and ethos. The self-governing trusts will be driven by the personal ambitions of a charitable sponsor, or the particular belief systems of diverse faiths, or the private interests of business combines. The trusts will build up chains of schools and other educational agencies not based on place or locality but on affiliation to the informing ethos. The argument for ethos rather than place can be that commitment and motivation are the driving spirit in the learning process for young people and if a particular association can bring to school the necessary passion about learning this will communicate itself to children and young people and generate the springs of motivation on which learning depends. Such commitments, it would be argued, will bring greater benefits than the traditions of professional vocation. It can also be proposed that in a mobile society place and locality will no longer form the inspiration for young people growing up as they are likely to migrate from place to place as their families search follow opportunities in the labour market.

The emphasis upon a particular informing ethos for corporate schools and civil society will tend to entail practices of charismatic leadership. The director of the trust will embody the inspiring transformational leadership implied in an ethos driven organization seeking to overcome the purported failures of the national and local state partnership tradition of schooling. The non executive directors will be nominated and chosen for the specific benefits of social capital that will accrue to the corporate trust, and the headteachers will also be chosen for their affiliation to the corporate brand and their charismatic, transformational leadership of their schools.

The distinctive characteristic of the corporate civil society is membership of an association, a club. Gellner (1994) described this form of civil society governance as 'modular', or 'capillary', because the parts have no necessary order and can be assembled randomly. The unifying authority of public purpose, is replaced by the disparate authority of charitable or corporate purpose. These voluntary amalgamations are contingent upon affiliation or acquisition rather than the necessary association with place. By implication, therefore, it can also leave to chance the kind of education that children and young people will receive, depending on the contingent distribution of institutional trusts and chains available in a locality. A key distinction between local and corporate civil society is thus the status of arbitrariness. Does randomness matter, or does the purpose and organization of education require forms of necessity?

Sir Peter Newsam (2005) has argued that this randomness is significant for the governance of education in civil society. The movement towards a system of self-governing chains and schools is taking the governance of education back to the pre 1902 dispensation:

> *Education provision and maintenance of secondary education has been until recently the responsibility of locally elected people. Now this responsibility is effectively removed: they are to become commissioners of education services. Into the vacuum have stepped the unelected …*

> *Can the removal of local democratic involvement in secondary education be regarded as progress? Historically it looks more like a reversion to the confused mixture of local agencies with conflicting aims and responsibilities to which the Balfour Act of 1902, despite formidable opposition, managed to bring a now vanishing degree of coherence.' (Sir Peter Newsam, Times Educational Supplement, 7.10.05)*

While the present trend appears to be in thrall to the dominant neo-liberal orthodoxy, that the model of corporate business provides the best model for school governance, there are other schools and authorities which are striving to create and sustain forms of governance of school and civil society as collaborative learning communities. What are the purposes, practices and structures of this new community governance of schools?

Part III   Towards community governance for schools in remaking civil society

Arendt (1958, 1961) proposes that it is the condition of human plurality that requires the creation of a public sphere of citizens to deliberate differences of opinion and value in order to reach shared understanding about their common concerns in civil society. Only such a public space can protect citizens against their vulnerability in the face of an uncertain and contingent world. It is the space which enables and sustains their freedom. For Arendt (1963), constituting a public sphere can provide the opportunity for a new beginning, a *constitutio libertatas*, a foundation that supports the speech and action that expresses their political freedom.

In the field of school governance there have been glimpses of a new beginning, constituting a framework of public spaces that might allow the expression of different values and purposes than the neo-liberal corporate orthodoxy that has dominated the governing of schools and civil society. Below I outline the way a few local authorities are striving to reconfigure their practices and structures of school and community governance.

Purpose: public voice to mediate worlds
The unfolding argument proposes that learning grows out of motivation which depends upon recognising and valuing the distinctive qualities of each and the cultural traditions they embody. If learning expresses a journey between worlds, the challenge for the school is to create a learning community that mediates local and cosmopolitan in its pedagogic practices. This configuration of the school and its communities, by interconnecting the symbolic orders of each, creates the conditions for relevance, motivation and learning. Excellent teachers have always sought, as a defining principle of their individual practice, to relate activities within their classroom to the interests of the child. But the argument being developed here proposes that this configuration is a strategic and systemic task for the school as a whole institution and for schools together in relation to the wider learning community they serve.

Understanding this interdependence of learning and living leads to a conclusion that it is the function of governance to constitute the structures of mutual recognition within and between the school and its communities. The professional specialist will have a vital role to play in judging the appropriate learning materials that will forge the connection of meaning between cultures. But the task of creating the learning community to include worlds of difference, cannot only be the responsibility of the knowledgeable specialist. It is, principally, a function of governance to recognise the different forms of life in the public sphere and, in so doing, constitute the springs of motivation and the conditions of learning. Realising achievement depends on governance as the condition for recognition and motivation.

The purpose of the governance of learning is thus twofold. The first is to constitute the public goods of educating all children and young people to develop their potential so as to contribute fully to the communities in which they will live and work. In so doing, governance constitutes what it is to be a citizen. Because an education is about the unfolding of a life, rather than the induction of a skill-set, decisions about the purpose and content of an education are likely to reflect differences of belief and become the subject of contestation and debate. An essential and related purpose of the governance of schooling, therefore, is to constitute the spaces and processes that enable the relevant interests and voices to deliberate the purposes of learning and capability formation. This dialogue cannot be a technical task of calculation, but will need to be governed by the principles of public discussion – the giving and taking of reasons – that can resolve differences and secure public agreement. This process should include not only those directly involved in a school, such as parents

and teachers, but take into account the interests of the wider communities across civil society, because all will be affected by the public good of educating every child.

Practice: participation and deliberation to develop capability
The evidence that governing bodies can make a difference to school improvement was important but only focused the gaze on the variation in good governance. Have volunteer citizens the capability to govern a major public institution such as a (large secondary) school? Can amateurs such as 'ordinary' parents rule over a professional community? This problematises what is to count as capability, and which capabilities count. If schools are to be responsible for managing themselves – their finances, land and staff – they have indeed many of the dimensions of a business in the private sector. They will need governors, as well as professional leaders, with the capability to understand and make decisions about resources and infrastructure that will necessarily influence their primary purposes of educating young people. Many heads and governing bodies have sought in recent years to strengthen their capacity to provide the leadership of these business aspects of their institutions by including members with appropriate expertise. They have endeavoured to accumulate *social capital* by appointing governors who bring their networks of information, knowledge and resource contacts to enrich the practice of a school.

Yet although 'business' is an inescapable dimension of the work of a school, it is not its principal rationale. It is a means to their primary purpose of enabling learning and expanding capability. These are public goods, activities and achievements that are of value to all in society: when the potential of an individual child flourishes, all benefit. It is because these goods of education are universal, as well as individual, that schools have been regarded as such a significant *public* service. Teachers, school leaders, and professional specialists will be needed to advise formal deliberation within the forums of governance about the forms of learning that a school should develop, taking into account national policies and research.

Nevertheless, an education is not in the end a technical activity about procedure but has to take into account considerations about the kinds of lives families and communities believe it is appropriate for their young people to lead and the capabilities they ought to possess. Discussions about the ends of learning cannot be separated from the purposes of living, the *making* of lives, and these considerations are social, cultural and political in nature rather than technical procedures. This is so because an education is a journey between worlds – parochial and cosmopolitan civil society – and the challenge for the governance of a school, as well as for teachers is to mediate these worlds, if young people are to become engaged in learning and commit themselves to developing their potential. The practice of organising and governing education, therefore, does not depend just on *techne* (technical knowledge) but on *phronesis* (wise judgement about the purposes and practices that will unfold the potential and capabilities of lives).

The analysis here suggests that the arenas of governance may need to include different kinds of knowledge, generalists as well as specialists, but shaping and governing the deliberations should be an understanding of the universal goods that a public service should be providing and be accountable for. The qualities that are indispensable to forming judgements about the purposes and practices of learning will be provided by the wisdom of reflective citizens who will bring critical understanding about the qualities required to make the journey between worlds. This background understanding of the cultural conditions of learning will enable them to ask the questions that bring the necessary scrutiny to professional practice: the engagement of young people in learning will be in proportion to the capacity of schools to listen and respond sympathetically to the voices of the communities in civil society.

This argument underlines the case for the continuing relevance of the stakeholder model of including the different voices in a deliberation of the purposes of learning. At best the model needs amending to respond to aspects of change, rather than being redundant because its fundamental principles are no longer appropriate.

Structure: configuring spaces for learning communities
Recent research on school governance identified a small number of authorities which, having experimented with new forms of cluster and locality governance, sought to move beyond experiment to establish a coherent system of school, community and local governance. The principles for such a framework of governance sought to accommodate and reconcile the tensions that presently frustrated the practice of good governance of civil society. The Authorities wanted the emerging community governance to be multi-layered and include: executive and scrutiny functions; specialist and civic knowledge; difference and deliberation; professional and citizen membership.

(i) The level of the school and neighbourhood cluster:

The cultural transformation of schooling lies in expanding the object of learning from the child in an 'enclosed' school classroom to the wider learning community of the family and neighbourhood. All the schools and centres in a neighbourhood cluster take on responsibility for care and learning of all the young people and families in the community. The challenge is to engage and involve those families in the value of learning that can enhance their capabilities and life chances. Assuming this responsibility of care is not a substitute for pursuing the highest standards of attainment but a condition for realizing them. Elaborating such a learning community can only be formed through cooperation with children, young people and families whose voices are crucial to shaping the purpose of expert knowledge. Forums will be required to allow a neighbourhood strategy and provision to be deliberated and planned. Many local authorities have been working with schools, centres and communities to develop these cooperative practices at the level of the cluster.

The momentum for reform may be slowest at this level because of the reluctance of some schools to cede authority to a federated governing body. A twin track approach of slow and accelerated reform may be necessary. But the model to which practice should develop is that of partnership governance. When a cluster is ready to strengthen its collaborative practice they will constitute a federation board that integrates the governing bodies of local schools and centres. The board's membership will include representatives of each school as well as the primary care trust. The work of the board will be supported by a community Advisory Council of parents and community interests that will deliberate the learning needs of the community and to scrutinize the work of the board. Each school will form an executive sub-committee of the cluster board.

(ii) The level of localities

If the community cluster is to be supported with all the extended learning activity envisaged in *Every Child Matters*, then this will require planning and coordination at the level of 'the locality', above the cluster and below the Authority. For many local authorities, the locality is a third or a quarter of the authority, perhaps 100,000 people. The number and complexity of voluntary services and agencies offering services to schools and centres needs to be negotiated and managed efficiently, preventing duplication and avoiding market manipulation. The local knowledge and intensity of networking required suggests a point of negotiation and leverage below the local authority, yet above the school community. Furthermore, if clusters are not to become ghettos of learning, then localities provide a space within which young people can move not only in search of specialized courses, but in order to extend their learning about different social and cultural traditions so that they learn to become capable members of a cosmopolitan civic society.

The appropriate tier for governing the diverse agencies and services to develop the practices of partnership and inter-agency coordination, planning and distribution is the locality. A Partnership Board is proposed to include the variety of public, private and voluntary interests, and will focus on preparing the strategic plan for the locality. This Board might be quite large, in some local authorities perhaps 50-70 members. The Board would need to elect a smaller steering committee to organise the routine business of the Board.

(iii) The level of the Authority

What has become evident during the unfolding development of clusters and localities is that the support of the local authority is indispensable. Strategic planning and development will be needed to assess the diversity of needs and to ensure the distribution of resources that meets all those needs. If it is acknowledged that there is no neutral, technical education that can be detached from the perspectives of different lifeworlds, then politics is an inescapable reality of the public sphere. Indeed, as we discussed above, an essential role of governing civil society is to ensure that differences are voiced, deliberated, and mediated. The central function of a local authority is to govern the local political deliberation about the purposes and content of education, through processes that ensure public reason so that the shape of local education as a whole is agreed and is believed to be fair and just. The role of the local authority is to build coalitions that create the climate for, and thus legitimate, change. If the indispensable role of the local authority in the emerging layered system of school and community governance is to be acknowledged and reinforced its authority and powers need concomitantly to be clarified and strengthened. The local council as the democratic centre of local services needs to be restored to its principal role in leading the public sphere of civil society.

V Conclusion

The paper on school governance in England and Wales began with the proposition that the form taken by the governance of civil society matters for school improvement and pupil achievement. Improvement depends upon mediating the cultural conditions of learning as young people journey between their parochial worlds and the public world of cosmopolitan society. Governing bodies have a crucial role in including or diminishing the representation of different cultural traditions and in enabling or frustrating the expression of voice and deliberation of differences whose resolution is central to the mediation of and responsiveness to learning needs. The recent trends in the corporatising of school governance, replicating that of the wider civil society will diminish the capacity of schools to learn how they can understand cultural traditions and accommodate them in their curricula and teaching strategies in the sophisticated way that the research of Hasan (in Australia), Lingard (Australia), Moll (in South America) and Wells (in England and the USA) proposes. The pedagogic practices which they describe presuppose appropriate forms of governing school and civil society that provide the conditions for the cultural mediation of learning. A stakeholder model, therefore, remains crucial to the effective practice of governing schools. By deliberating and reconciling social and cultural differences, governance constitutes the practices for mediating particular and cosmopolitan worlds and thus the conditions for engaging young people in their learning, as well as in the preparation for citizenship in civil society.

What do we learn from these questions that need to be taken into account in further developing the practices and organising of school governance? First, that governance matters because: it strengthens the practices which secure institutional performance; it mediates the social and cultural conditions that engage young people in their learning; and it constitutes the practices of participation and deliberation which secure that mediation. Second, the participation of volunteer citizens matters because practical wisdom is as, or more, important than technical expertise or networks of social capital. Finally, the object of governance should include the community as well as the individual institution. The purpose of governance is to develop the public goods of learning and citizenship, and to mediate differences so as to secure public agreement about those goods of educational opportunity. A public education cannot be left to chance and contingency, nor to the interested decisions of a corporate club or association. It is the responsibility of civil society as a whole.

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Notes
1. This paper draws in particular upon the papers produced from my research programme on school governance: see footnote 1.
2. I am grateful for helpful comments on this paper from Stephen Ball, Bob Lingard, John Stewart and the anonymous reviewer.

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[i] This paper draws on the research on school governance I have been developing for over a decade. I am grateful for the generous support of a number of sponsoring bodies and to colleagues for excellent research collaboration. The projects have been: **ESRC** Democracy and Participation Programme (2000-2003) on 'the participation of volunteer citizens in school governance in England, Northern Ireland, Scotland and Wales' (Ranson 2004; Ranson et al, 2005a) with Dr. Margaret Arnott, Mrs Penny McKeown, Dr. Jane Martin and Dr. Penny Smith. **Wales Assembly Government** (2002-2005), 'School governance in Wales', (Ranson et al, 2005b) with Professor Catherine Farrell, Dr. Nick Peim and Dr Penny Smith. **CfBT Education Trust** (2006-2009), 'Towards a new governance of schools in the remaking of civil society in England', (Ranson with Professor Colin Crouch, 2009).

[ii] In recent years, the Universities of Birmingham (Ranson, 2004; Ranson et al 2005a,b) Manchester (Dean et al., 2007) and Bath (Balarin et al., 2008), Warwick (Ranson and Crouch, 2009) and now NFER (Lord et al, 2009) have each undertaken significant programmes of research in an attempt to assess the effectiveness of governing bodies.