Marketisation, Choice, and Scottish Education: enhancing parent and pupil voice?

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ABSTRACT

Current educational policy in many parts of the world is dominated by the discourse of the market. Choice is seen as a lever by which quality will be enhanced through its direct effects on providers. Choice is intended to provide an exit for users but, in doing so, it is argued by policy makers that it makes user voice more effective. This paper examines the relationship between exit, voice and loyalty in public services using Scottish education as a case study where choice is constrained by both geography and political factors. We consider the implications of Le Grand's (2003, 2007) analysis of public services in terms of characterising providers as "knights" or "knaves" and users as "queens" or "pawns" and discuss the advantages and difficulties of maintaining a system of knightly providers and queenly users.

PUBLIC SERVICES POLICY BACKGROUND

On 13th December 2007 the Prime Minister, Gordon Brown addressed the House of Commons Select Committee on Liaison for the first time and was invited to discuss his vision of public sector reform. Having outlined his approach, Mr Sheerman MP responded: 'So Prime Minister, it is the same ship, it is the same course, a different captain' (Hansard 2008). So how might this ship and this course be characterised, and how, in particular, education fit within this programme of reform?

In common with other public sector service, education has been subjected to considerable reform over the past twenty years. The main features of educational reform have been consistent among countries in the developed world. Ball (2003) identifies three policy technologies, involving the market, managerialism and performativity, which together characterise a "policy epidemic" moving across the globe. The Thatcher government is credited with an early move towards marketisation of education in the UK with its emphasis on parental choice and on performativity through league tables and a vigorous regime of inspection. In some ways, New Labour has continued this policy but there have been important differences in its approach. There have been various analyses of policy in the area of public service provision since the current UK Labour government came to power. Bevir and O'Brien (2001), for example, argue that New Labour has a consistent philosophical underpinning to its public services policy which stems from an adaptation of ethical socialism to challenges from the New Right. The Third Way, they argue, constitutes a distinct approach to the delivery of public

services and the welfare state in which citizens are stakeholders and the welfare state's role is to enable them to help themselves. Others have taken a more critical view of the coherence of the New Labour vision. Power and Whitty (1999) contend that education policy is skewed towards the right and essentially represents a continuation of the neoliberal reforms carried out under the Thatcher government. However, it would appear that there are different orientations in education policy across the UK as a consequence of devolution. As Walford (2005: 8) has commented:

> For those living in Wales and Scotland, devolution has had highly significant implications. While Scotland has always had a separate educational system, devolution has allowed […] separate administrations to develop and implement distinctly different educational policies – often in direct contrast and conflict to those of the central UK government. … The differences are so great that separate contributions would be necessary to cover each of the non-English areas of the United Kingdom.

In Scotland the current Scottish National Party administration has, to date, largely followed the policy coordinates set by the previous Labour administration up until May 2007, at least with regard to The Curriculum Review (2004) and the associated Curriculum for Excellence (Arnott & Ozga 2008). It is not our intention here to provide a detailed comparison between these respective administrations. Rather, our aim is identify ways in which current Scottish educational policy appears to depart from policy imperatives characteristic of central UK government, and some of the implications of this.

Paterson (2003) argues that the neoliberal continuation of conservative education policy represents only one theme in New Labour's education policy. New Labourism is essentially a neoliberal policy which represents a continuation of Conservative policy. It focuses on the market as a control mechanism and accounts for the government's interest in private providers for public services. But there is a social democratic theme, exemplified in the UK as a whole by policies such as the New Deal, which is much more in evidence in Scotland. In contrast to England, comprehensive education continues to be the main policy strategy for secondary schooling. There are to be no City Academies in Scotland and the approach to schools that are seen to be underperforming is to avoid the "failing" label by encouraging them to become 'schools of ambition', which means that they get extra resources and more freedom of action. Schools of ambition are defined as schools which want to improve and may include schools which are already doing well, so that the stigma attached to the 'failing' label is avoided (Curtis 2005). Scotland has also avoided a national curriculum supported by legislation, preferring to produce a series of curriculum guidelines (Learning and Teaching Scotland 2007) and, more recently, advice on 'building the curriculum' (Scottish Executive 2006; 2007; Scottish Government 2008). Although these have been effectively policed by the inspection system, their guideline status is regarded as a feature which distinguishes them from the English system.

One critical feature of the difference in policy between Scotland and England is a divergence in belief about the motivation of teachers and other public service workers. Blair (1999), when Prime Minister, made it clear that he regarded the public sector as less dynamic and flexible than the private sector:

> Try getting change in the public sector and the public services. I bear the scars on my back after two years in government and heaven knows what it will be like after a bit longer. People in the public sector were more rooted to the concept that 'if it has always been done this way it must always be done this way' than any group of people I have come across.

The stimulus towards greater responsiveness in public services is intended to be the choice of the user, through the operation of a quasi-market, i.e. one in which the government is the paying customer but the public have varying degrees of choice.

> Choice puts the levers in the hands of parents and patients so that they as citizens and consumers can be a driving force for improvement in their public services (Blair 2004).

The levers which choice makes available gain their effectiveness because the consumer has the opportunity for "exit" by taking their custom elsewhere. Exit places pressure on the provider by depriving them of custom but it also increases the power of the "voice" that the customer has since without the prospect of customer exit, providers have no incentive to listen to voice. The way the UK government viewed the interaction between exit and voice was made clear in a speech by the then Schools Minister, David Milliband (2005):

> Choice and voice are strengthened by the presence of each other: the threat of exit makes companies and parties listen; the ability to make your voice heard provides a tool to the consumer who does not want to change shops, or political parties, every time they are unhappy.

In direct contrast, the Scottish educational policy text Ambitious Excellent Schools (Scottish Executive 2004a: 2) re-affirmed the commitment to comprehensive education and explicitly rejected the use of choice as a mechanism for raising quality.

> No one in Scotland should be required to select a school to get the first rate education they deserve and are entitled to. Choice between schools in Scotland is no substitute for the universal excellence we seek and Scotland's communities demand.

Parental choice does exist in Scotland. It was introduced in the 1980s under the conservative government, but it is effectively restricted to parents in the more populated central belt. Policy documents, exemplified by Ambitious Excellent Schools (Scottish Executive 2004a) emphasise the availability of choice within schools rather than between them. The reason given for this difference in policy is that Scotland has too many rural schools to make choice a practical proposition (Curtis 2005). In spite of the potential for market type effects in some areas, it is clear then that education policy north and south of the border is separated by a significantly different approach to choice, with consequences for the possibilities of exit and voice available to users. The significance of these differences can be analysed by returning to the ideological and theoretical basis of different combinations of exit and voice.

EXIT AND VOICE

The significance of exit and voice and the relationship between them was first discussed in detail by Hirschman (1970). Hirschman was concerned with the puzzling fact (for conventional economics) that a state monopoly could be become less, rather than more, efficient by exposure to competition. A study of the Nigerian railway system led him to conclude that competition, in this case in the form of private road transport, had led to the exit of the more powerful and influential customers, leaving behind those with little power who were then dependent on a poorly managed publicly funded system. He observed that quality-conscious customers are likely to be more vocal than those who are constrained by economic circumstances. Those customers who exit because of concerns with quality are not necessarily the same as those who exit because of concerns with price. In the case of the Nigerian railways, the resulting interaction between exit and voice was particularly damaging for recovery because the most vocal customers were the first to exit. This led Hirschman to conclude that competition may simply deprive a state monopoly of a "precious feedback mechanism" that operates best when its customers are locked in (Hirschman 1970: 44). On the other hand, the possibility of exit gives customers a threat which makes their voice more effective if they are inclined to use it – and it is this feature of the interaction between them which has been taken up by New Labour.

Nevertheless, Hirschman makes it clear that the relationship between exit and voice is complex. An easy exit, a readily accessible choice, means that if the organisation falters in terms of quality, then quality-conscious customers will exit, depriving the organisation of valuable feedback and impeding its recovery. So while competition can help prevent some undesirable features of monopolies, such as profiteering, it can do more harm than good if it is intended to counteract mediocrity. Exit may lead to a weaker voice within an organisation, a situation which may be welcomed by managers seeking to avoid dealing with underlying problems. According to Hirschman:

> … there are many other cases where competition does not restrain monopoly as it is supposed to, but *comforts and bolsters* it by unburdening it of its more troublesome customers. As a result, one can define an important and too little noticed type of monopoly-tyranny: a limited type, an oppression of the weak by the incompetent and an exploitation of the poor by the lazy which is the more durable and stifling as it is both *unambitious and escapable* (Hirschman 1970: 59, original emphasis).

As a policy option then, choice is not unambiguously positive.

One of the factors which Hirschman regards as critical is the operation of loyalty. Where exit is possible, voice may be used as an alternative if customers feel they have influence and if they have some kind of commitment to the organisation. In this way, loyalty may hold exit at bay and may activate voice, an option which may be particularly effective in respect of the most quality-conscious customers. But loyalty may be overdone and may be used by organisations to suppress voice. Managers may actually welcome the exit of their most vocal customers, and they also have an incentive to manage the voice of those who remain; one way of doing this is to appeal to loyalty. However, that even the most loyal member can exit is a key part of bargaining power; if voice is to be at its most

effective, the threat of exit has to be credible. Loyalty is significant to the operation of exit but exit gives loyal users a more effective voice.

Although Hirschman's analysis was made in relation to any organisation providing goods or services, he goes on to consider the interactions of exit, voice and loyalty specifically in relation to public services. There are several complicating features of public service provision which suggest that loyalty is more complex than might be the case with purchasing goods such as soap powder. Public goods, including education, are consumed by everyone, so that in one sense there is no exit. Parents can send their children to a private school but they cannot escape the consequences of standards of public education in their community. In this case, Hirschman argues, full exit is impossible. Parents who move their children to another school remain as consumers of the public education system and still have an interest in the quality of public education. In regard to schools, there is plenty of evidence to show that exit of the most quality-conscious parents can have negative effects (e.g. Edwards *et al.* 1989).

Hirschman concludes that there is no stable prescriptive mix of exit and voice for any organisation because each recovery mechanism is itself subject to forces of decay. Managers may learn to adapt to their customers' behaviour and will try to strip them of weapons they might use to alter the organisation. Voice can be managed rather than attended to by, for example, treating it simply as "letting off steam" rather than a source of user feedback. Exit of difficult customers may be encouraged to decrease the impact of voice. In the context of the current discussion, where, in Scottish education, exit is limited, voice becomes crucial. This can be effective in particular types of organisation where loyalty is a key value, such as families, where voice is nurtured and exit is usually unthinkable. But whatever the combination of exit and voice, it is Hirschman's view that their operation should never be routinised nor taken for granted.

KNIGHTS, KNAVES, QUEENS AND PAWNS

A more recent analysis of the arguments underlying the commitment to choice in public services has been made by Le Grand (2003; 2007). Le Grand was a policy advisor to the government and has, according to The Guardian, been highly influential in shaping their approach to public service policy (Meek 2005). Essentially, his argument is that the post-war welfare state assumed that public services workers were motivated by altruism and the desire to contribute to the common good - they were "knights". It also assumed that provision would be standardised so that recipients of public services would have little choice – they were "pawns". According to Le Grand, there are two problems with this approach. First, the assumption that providers would be knights may be mistaken – they may be "knaves", motivated by self-interest. Secondly, treating people as pawns deprives them of agency and this is ethically indefensible. Consumers should have power over their own destiny and this means that they need choices – they should be "queens". Markets or quasi-markets have the effect of treating the users as queens but the providers as knaves because they tie the latter's rewards to their performance. Le Grand argues that regarding providers as knaves is safer than treating them as knights because, if they turn out to be knaves, they will exploit the trust which is placed in them in their own self-interest.

Such a system will not be damaging for the knight who, motivated altruistically, does well under the market system by providing the best service for users. But it ensures that the behaviour of knaves will be controlled by the way that rewards are tied to performance.

The attribution of motivation in this fashion is oversimplified, as Le Grand admits, but it rather neatly encompasses a number of fundamental ideological arguments about what does or should motivate people. Le Grand represents the interaction between providers and users on a diagram in which the motives of the one are along one axis and the agency of the other is along the other (see Figure 1, opposite). The old welfare state system is located in the SW quadrant where users are pawns and providers are knights. Neoliberal and market-led policies are located in the NE quadrant with providers treated as knaves and users as queens. Accepting the limitations of the representation, the diagram nevertheless provides a useful template for thinking about motivation and public services. It is our intention to show that Le Grand's interpretation can be both extended and challenged by examining the nature of the two unoccupied quadrants. The SE quadrant, we argue, does not remain unoccupied, and, in fact, represents a particular threat in which underlying motivation becomes crucial. But, in addition, the NW quadrant offers the possibility of thinking differently in regard to public services in countries, such as Scotland, which do not rely on the market to the same extent.

Figure 1. The interaction between motivation and agency. Adapted from Le Grand (2003)
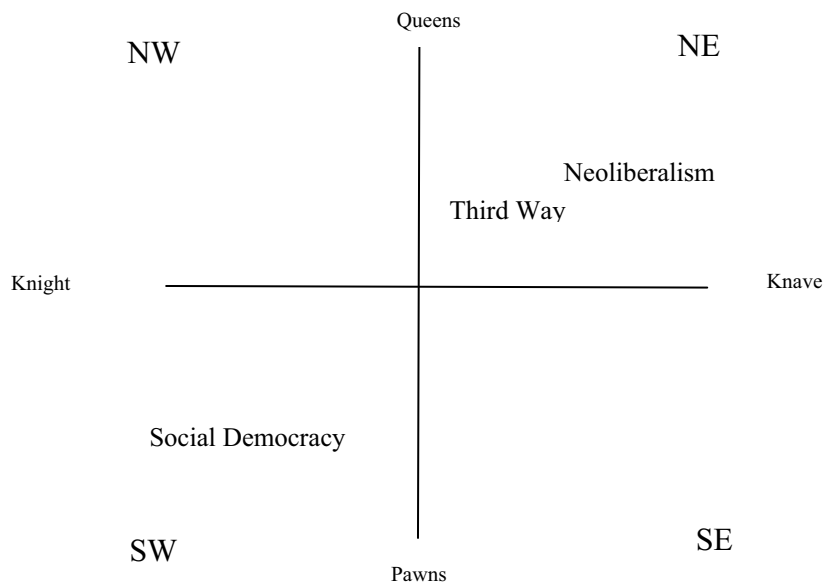
THE EASTERN SIDE

Many of the original arguments about the nature of public services were made by Richard Titmuss (1970) in relation to the supply of blood for the health services in the UK and the USA. Although Le Grand argues that it is mistaken to argue from something as particular as blood donation to public services in general, one of the interesting things about blood donation is that, in many ways, it has similar symbolic resonances to education. Starr's (1999: 193) history of blood donation vividly illustrates the ideological battles over the classification of blood as either a commercial commodity or something ethically removed from this category and which, many doctors argued, should be a community resource rather than something from which to profit.

Part of Titmuss's critique was that the commercialisation of blood donation acted to move blood resources from the poor to the rich since poor people were more likely to sell their blood. Starr (1999: 189) describes the donors for some of the for-profit blood donation centres as "an underclass, desperate and down on their luck" and relates how the commercialisation of blood donation resulted in blood centres coming to form "part of the weary landscape of America's skid rows, with winos and drug addicts lingering outside". Le Grand suggests arguments of this nature are incomplete since they ignore the flow of money in the opposite direction, although he concedes that the notion of the poor selling blood to the rich may be morally offensive. Furthermore, he suggests that it could not be argued that such individuals as these were made worse off by the transaction: "Indeed in their own estimation at least, they [the poor] were likely to be better off: otherwise they would not have undertaken the transaction" (Le Grand 2003: 42). These quotations exemplify the ideological divide which separates liberals, with their concerns about the nanny state, from a social democratic position which would consider the protection of the vulnerable from transactions which might damage them further. But there is also a problem with the way in which the market ensured quality since, in the case of blood, a further consideration was that bought blood was associated with hugely increased risks of hepatitis (Starr 1999: 220). It is hard to see an argument that users were being treated as queens in this context. Starr (1999: 229) concludes that the commercialisation of blood donation in the USA up to the 1970s represented a failure of capitalism.

> In mobilising blood, a community resource, the free market had failed to provide products that were adequate, accessible, or, most important, safe.

There are further grounds for being considerably more circumspect about the Eastern sectors of the quadrant than Le Grand allows. Part of his argument is that the market is a civilising and ethical influence on humanity because it encourages mutuality of respect, equity and altruism (Le Grand, 2003: 166). It is not clear how altruism is manifest in a system designed to be driven by self-interest and it is by no means certain that market-oriented providers would remain in the NE sector. One characteristic of the system which is not highlighted by Le Grand is that, because provider behaviour is externally rather than internally regulated, there is a constant "southwards pressure". The users' queen status is held only through their power as consumers. There is no ethical obstacle, if the providers can gain the power advantage, to prevent users

becoming pawns, particularly if powerful corporations become involved in public service provision. Two popular accounts of what is described as "corporate rudeness" (Truss 2005; Penny 2005) suggest that there is a wide public perception of corporate indifference to consumers. Truss argues that corporations hide their contempt for customers behind an illusion of choice and autonomy. The title of Penny's book, *Your Call is Important to Us: The Truth about Bullshit*, neatly sums up the thrust of her critique. Penny argues that corporations go further than the cynical treatment of user voice by constantly seeking to control users through PR and advertising.

As Bakan (2005) points out in his analysis of corporate capitalism, the dominant goal for corporations is to increase shareholder value. He argues that corporations are constitutionally amoral since their fundamental concern with profit leads them to treat other considerations, such as corporate social responsibility, regulation, ethics and the law as secondary and subject to a cost benefit analysis. So, although they may treat users as queens, this is driven simply by a concern with profit (as Le Grand would allow), rather than any ethical consideration for the rights of the user. Their power, in this age of globalisation, allows them to manipulate users through advertising and to influence government through lobbying. Staggering large investments in lobbying are made by US corporations, and although they are characterised by the corporations themselves as being designed to promote the public good, it is by no means clear that corporate interests align with social and democratic ones (Bakan 2005: 107). In these cases, users are being treated superficially as queens while the underlying motivation and manipulation is to regard them as pawns. Apple (2001), for example, cites the American case of Channel One, which has contracted with schools to guarantee that their pupils will watch mandatory advertisements as a return on the provision of satellite TV. As he notes, since attendance at school is compulsory, these pupils are effectively sold as commodities to those corporations who buy advertising from Channel One.

Accepting the arguments for market-led public services diminishes the role of motivation for providers. As Bakan (2005: 118) puts it:

> Self-interest and materialistic desire are parts of who we are, but not all. To base a social and economic system on these traits is dangerously fundamentalist. At a more practical level, privatization is flawed for its reliance on for-profit corporations to deliver the public good. Unlike public institutions, whose only legitimate mandate is to serve the public good, corporations are legally required always to put their own interests above everyone else's.

Public services such as health and education have a strong ethical component which Ouchi (1979) characterises as inimical to control by market or bureaucratic mechanisms. Ouchi argues that the processes involved are so complex and immeasurable that the only way to ensure quality is to focus on selection and training and then to ensure that the workforce remains committed to the goals of the organisation. The resulting organisation is essentially a trust network in which commitment to the public good, rather than profit, is central. Neoliberal governments throughout the world have shown little patience with notions of over-complexity and have lost little time in performatising professional tasks through the development of standards and competences. The fact that they

routinely performatise commitment, typically by adding it to a list of competences, suggests that even they are not ready to concede that public services should be driven purely by self-interest.

THE NORTH WEST QUADRANT

Scotland's evident suspicion of the eastern side of the diagram seems well advised, but in order to place its current policy on the diagram, we need to examine how it regards the motivation of the providers and the agency of the users. During the 90s, although the market was not a significant plank of education policy, Scottish schools were heavily constrained by the use of a self-evaluative document produced by Her Majesty's Inspectorate (HMI, now Her Majesty's Inspectorate of Education, HMIE). The whole inspection system was based on an interpretation of best evaluative practice devised by HMIE themselves, in the form of a set of quality indicators and an evaluative methodology which was published by HMIE under the title, *How Good is Our School?* (HGIOS, Scottish Office Education and Industry Department 1996). Given that HMIE use a methodology based on HGIOS during their inspections, the pressure for schools to use it is considerable. Whilst the publication of inspection reports might be presented as a method of informing market choice, in practice, as we have pointed out, choice is only available in certain locations. Furthermore, such a methodology, backed as it is by inspection, does not exemplify the trust network identified by Ouchi (1979) and, on the face of it, it seems to cast teachers in a knavish light. As Ouchi points out, use of close surveillance of professional workers tends to undermine their motivation. However, HMIE have now moved to a system described as proportionate inspection, intended to exemplify a lighter touch and which aims to support professional initiative (HMIE 2008). This represents a move from the situation in 2001 when, in an indirect reference to the inhibition of professional autonomy, the then First Minister, Jack McConnell, made it clear that he regarded HMI as a possible brake on the development of diversity of educational provision when he acknowledged that there was a perception that HMI had been 'a force for uniformity' (Munro 2001).

Other developments also indicate a move towards regarding teachers as more knightly than knavish. The quality of the teaching profession has been addressed by the McCrone report, published in 2000 (McCrone 2000), which recommended sweeping changes to teachers' pay and conditions. These involved a significant pay rise and the revision of the promotion structure, allowing, for example, an experienced classroom teacher to gain both pay and status through the development of a Chartered Teacher career route. This latter might be regarded as an incentive to discourage knavishness but it is not currently tied to a change in responsibilities or role, nor is it related to the market-effectiveness of the practitioner. It is, instead, linked to a series of qualifications which combine academic and professional requirements. Although there have been discussions about how best to make use of the increased skills of these teachers, they are almost all centred on the notion of allowing them to exercise more professional autonomy. Aside from the Chartered Teachers, all teachers benefited from

significant pay rises as a result of the McCrone settlement. Scottish teachers are, it would seem, to be regarded predominantly as knights.

One of the complexities associated with schools as institutions is that there is no single category of user. Clearly pupils fall within this category, but so too do parents, as do the voices of the wider community given the wider implications of the school system outlined above. It seems clear that Scottish policy makers do not wish to see pupils and their parent treated as pawns. The report on the integration of children's services, entitled *For Scotland's Children* (Scottish Executive 2001a: 42), has this to say on children's agency:

> In the best of recent research and in the good professional practice identified in this report there is a developing view of the child as an active agent in their world and a commitment to empowerment as a key in any change or recovery process.

This view was endorsed in 2004, when the Scottish Executive published a children's charter which includes among the "messages" from young people "speak with us", "listen to us", "take us seriously", "involve us" (Scottish Executive 2004b: 2). The review of the Scottish curriculum, referred to previously, states that there should be "greater choice and opportunity, earlier, for young people" (The Curriculum Review Group 2004: 4). It goes on to suggest that the goal of Scottish education should be to produce children who are "successful learners, confident individuals, responsible citizens and effective contributors" (The Curriculum Review Group 2004: 12). It would be hard to conclude that these intentions meant that pupils were to be treated as pawns. Successful, confident, responsible and effective individuals must surely have some agency. Parents' agency has also been addressed by the introduction of the Parents' Involvement Act that was passed in 2006. In the forward to the consultation document which was entitled *Making the difference – improving parents' involvement in schools*, the then Minister for Education and Young People described its aspiration as developing "stronger, more inclusive and effective parental involvement in all aspects of education" (Scottish Executive 2005: 1). Users, it appears, are to be queens, which places Scotland in the NW quadrant of the diagram. If this is the case, then consideration needs to be given to how the system can allow both knightly providers and queenly users, a state of affairs not considered by Le Grand.

Giving users the status of queens, with possibilities for exit constrained, means that voice must become considerably more significant. In spite of Hirschman's emphasis on the importance of exit, he suggests that a no exit option might be a superior solution in certain circumstances. This could be the case if, as we have seen, exit is ineffective in acting as a recuperative mechanism but leads to the loss of quality-conscious vocal customers. But if users are locked into the organisation, voice becomes a major focus of the maintenance of effectiveness. Hirschman (1970: 55). considers the nature of voice for locked in users to be "a very large subject indeed". He points out that developing voice in these circumstances will involve the articulation and aggregation of opinions and interests. But it does offer an alternative to market control of public services, both in Scotland and in other countries where commitment to the neoliberal experiment is faltering.

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PARENTAL VOICE

Whilst parental voice has been a significant part of the agenda for change in Scottish education since devolution, research suggests that there are significant obstacles to overcome if they are to acquire "queen" status. The commitment to parental involvement is evident in policy initiatives such as The New Community Schools pilot, started in 1998, which included in its aims the empowerment of parents (The Scottish Office 1998), although the evaluation of the scheme (Sammons *et al.* 2003) concluded that more needed to be done in this area. There were indications, however, that in the small number of cases where parents were engaged in dialogue about their children's education, there was a subsequent increase in engagement and confidence. In addition, some Scottish local authorities and schools are starting to make significant use of home-school liaison personnel. The Scottish Schools (Parental Involvement) Act 2006, referred to earlier, represents a national commitment to improving the way in which parents interact with and contribute to schools. However, its underlying rationale is one of school improvement which assumes that this can be best achieved by signing up parents to the school's project. Although its proposals are based on a survey of parents' views commissioned by the Scottish Executive (Russell & Granville 2005), the survey report made no reference to the extensive literature on parental involvement in education. The intention of the act is to improve communication with parents and to extend arrangements for parental representation through Parent Councils, making them more inclusive, although the mechanism for this varies from school to school. Parental involvement is not problematised in relation to the role of the school, which itself is seen as non-problematic and one to which all parents should be prepared to sign up.

Research carried out in the rest of the UK suggests that using parental voice in an effective way is unlikely to be straightforward. Crozier (1998; 1999) shows that the voice of parents is not evenly distributed; as Hirschman would predict, some parents are more vocal than others. The most vocal parents in Crozier's study were middle class and shared the values and culture of the teachers and the school. Generally speaking, however, working class parents felt dissociated from the school and the teachers and teachers tended to regard working class parents as problematic because of their perceived low aspirations and lack of responsiveness. The dissonance in values meant that teachers developed a deficit view of these parents and assumed that they were simply not interested in education. But the evidence also showed that working class parents strongly supported their children's education by, for example, encouraging their participation - but not by relating to the school.

In Scotland, as elsewhere in the UK, social class remains a significant predictor of academic achievement (Croxford 2001). Working class parents and their children are less likely to succeed than those whose socioeconomic status (SES) is higher. Croxford suggests that where a school is in a deprived area, children suffer from the double disadvantage of their SES and the difficulty of raising expectations in such a context. This disadvantage is likely to be compounded by the lack of sensitivity to parental voice described by Crozier. Furthermore, recent memories of corporal punishment may well affect the perceptions of parents who, as pupils, had their voice suppressed by administration of the "tawse" or belt. Gow

and McPherson's (1980: 51) memorable study of school leavers showed the resentment that this generated as the following view of a former pupil makes clear:

> … secondary school was the worsed (sic) because of the way the teachers acted towards you. To them you were shit and they pushed you around a lot. When I got the belt it did not cure me it made me want to get my own back on them. Even now I want to go back and punch the bastards one on the mouth.

It is unlikely that this pupil went on to be a parent sympathetic to the goals of schooling. Thus making parental representative bodies inclusive, as the Parent Involvement Act suggests, is not going to be easy.

These studies suggest that the Scottish approach may well find it difficult to succeed in involving what the commissioned parental survey (Russell & Granville 2005) described as the silent majority. This might be because the involvement is not conceived of as a means of obtaining Hirschman's precious feedback mechanism but as enlisting parents to support schools in delivering a largely non-negotiable educational package. To this extent, there have been mixed messages emanating from the Scottish Executive / Government, since there have been some real efforts to get wider involvement in debate about the future of education in Scotland. In 2002, for example, a national debate on education was launched in which 20,000 people took part in discussions about the future of education in Scotland. Whether such consultations will succeed in engaging and maintaining the interests of so-called silent majority of parents remains to be seen.

PUPIL VOICE

Pupil voice is equally important but also problematic in many ways. The importance of pupils' voices is underlined by the fact that their personal rights of exit are curtailed by law. A pupil exercising his/her personal choice of exit from school is a truant. In spite of this, pupil voice is not often a loud one in conventional schooling, however ironic that might seem to hard-pressed teachers. In addition to the imperative of voice indicated by Hirschman's theory, the Standards in Scotland Schools, etc. Act 2000, in line with Article 12 of the UNCRC, requires schools to develop mechanisms to consult pupils on the day-to-day life of the school. This legislation places a duty on schools to develop pupil participation and active citizenship in the school setting and as part of schools' development planning process. The Joint Action Plan, *Better Behaviour – Better Learning* (Scottish Executive 2001b), requires schools to review, introduce or amend opportunities for pupil participation in decision-making. It has also been argued that making pupil voice more significant will lead to school improvement. Rudduck and Flutter (2000) observe that it is strange that pupils have not normally been seen as consumers worth consulting. They suggest that, on school improvement grounds, talking to pupils would give an important perspective on what they call the conditions for learning. Pupils are characterised as "expert witnesses" who have a well-developed knowledge of factors which influence their learning, a knowledge which they often use to avoid engagement. However, there are obstacles to the effective deployment of pupil voice and they recognise that

teachers in challenging schools may find the prospect of increasing the influence of pupil voice somewhat daunting (Rudduck & Flutter 2003: 131).

A Scottish case study (Allan *et al.* 2005) gives some indications of how pupil voice might be enhanced by regarding a school as a network of participants across the different spaces which constitute the child's experience. What is interesting about this study is that the desire to deal seriously with children's rights led to an approach which involved a variety of participants in schooling, including the parents, the community policeman, support staff and the janitor. However, the authors caution that:

> Taking children's rights seriously is therefore a risky process since many of the conventional and deep-seated assumptions about pupil–teacher relationships may be challenged in the process. New uncertainties are created because familiar ways of drawing lines become subject to question and renegotiation. (Allan *et al.* 2005: 10)

Hirschman's warnings about the way in which organisations adapt to contain and manage voice are especially pertinent to pupils. Rudduck and Flutter (2001) point out that school councils are often seen as a way of containing voice rather than as an opportunity for constructive consultation. Agendas tend to focus on what they describe as the "charmed circle of lockers, dinners and uniforms" (Rudduck & Flutter 2001: 83). The "precious feedback" which the expert witness status of pupils affords, is not used to its full potential.

USING VOICE

Prior to events associated with the 2008 financial and economic crisis there was evidence that the global march of the neoliberal approach to public policy had faltered; what effects this will have apropos policy in the longer term remains uncertain. New Zealand, for example, once in the vanguard of radical global and neoliberal policy, abandoned the system which left its standard of living stagnant, its economy in decline and its population dropping through emigration (Saul 2005: 221). A number of countries in Latin America have also rejected the neoliberal experiment in view of its social consequences (Rosen & Hershberg 2006). That said, the neoliberal critiques of public services and their role in the welfare state are not without some foundation and we should remind ourselves that criticism of professions has also come from other parts of the political spectrum. Illich's critique, for example, has been largely submerged by the dominance of the neoliberal voice but his analysis should give pause for thought before a move back to the pre-1980 position is considered (Illich *et al.* 1977). Voice can provide a counter to overweening and paternalistic professionalism but its role in a non-market-based system has to be more than simply one of co-operation and support.

While the importance of parent and pupil voice has been recognised in the Scottish context, we would argue that their full potential rests on a clearer understanding of their roles. Rather than simply enlisting parents and pupils to act as support to the education system as it stands, their role in providing a mechanism for providing vital feedback needs to be acknowledged. If there is to be a real move out of the SW sector the analysis given above would suggest that further strategies are necessary to enable a more queenly status for both parents

and pupils. These would need to bring about a fundamental re-positioning of the relationship between providers and users and the power relations which govern their interaction. This may require, for example, an exploration of Fougère's (2004) notion of a third space around the interface between cultures, a requirement which can be extremely demanding on all sides. Fougère also considers the role of Wenger's (1998) concept of brokering, and concludes that a third party, a professional mediator, may be useful in making the interface more constructive. It may be necessary to consider such a role in order to enlist the voice of the silent majority of parents and to make pupil voice more effective.

There are good reasons for treating providers as knights. Although Le Grand argues that regarding them as knaves does them no damage, he considers this in the light of incentives rather than the realities of inspection, performativity and surveillance. There is evidence that such invasive accountability does damage teachers (Jeffrey & Wood 1996). A study of the early professional learning of teachers shows that in their first year of teaching, the majority are highly motivated by personal and ethical concerns with pupils' wellbeing and progress (McNally *et al.* 2005). Nevertheless, it is equally clear that not all teachers maintain knightly characteristics throughout their careers. Taking user voice seriously, by emphasising their queen status, provides a possibility of a direct accountability which might counteract any such tendencies. There are other good reasons for treating users as queens. Apart from the contradictions inherent in a system which aspires to produce successful confident learners while constraining their agency during the process, the skewed distribution of parental voice presents both ethical and practical problems. If the ambition of recent policy documents is to be realised, Scotland requires novel ways of designing the curriculum, motivating pupils and involving a range of participants in education.

Whatever its limitations, Le Grand's analysis does offer a tool for thinking about the way in which education systems can move beyond the neoliberal experiment. Developing user voice to provide precious feedback rather than simply to support the status quo would have implications for all participants in schooling and would allow a fresh look to be taken at such issues as accountability, which might become more local and direct than is possible under the current inspection system. Hirschman warns us that we should not be looking for a stable solution and this implies that voice should be continuously reviewed and renewed to maintain the system in the NW quadrant. It is also important to take seriously his judgement of the "largeness" of the subject. But failure to take user voice seriously would mean that Scottish education remains largely in the SW sector. While there is much to recommend a policy which maintains ethical and principled expectations for its teachers, it should also provide similar opportunities and expectations for its users.

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