Soft privatisation: Mapping an emerging field of European education governance

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Abstract

This paper introduces the concept of 'soft privatisation'. Departing from a review of the literature examining the growing participation of private sector actors in the provision of public education across Europe, the paper investigates how privatisation has emerged in the context of the European Union as a phenomenon embedded in, rather than a replacement of, public education. Through analysing the creation of a European education area – and the move of European education from being a driver for economic growth to becoming an Economy in itself – the paper argues that privatisation in Europe is deeply imbricated with the network modes of public education governance characteristic of the European Union and the Bologna Process. These entanglements have implications both for the transparency and political accountability of private sector actors involved in public education.

Keywords

Soft privatization; European education; EU; soft network governance; public education; commercialisation

Introduction. Privatisation and governance in European Education

From Italy to Germany to Denmark, we are witnessing a drastic growth in the use of private sector services within public education institutions and administrations (Fredriksson 2009; Harris and Haydn 2012; Lundahl et al. 2013). Whether in the form of private research funding, outsourcing of educational functions, or certificates for teachers emerging outside formal institutional settings, the embedding of private services in public education is blurring the traditional conception of public education as a state-operated service, free from private interests (Wiborg 2013; Biesta 2015; Meier and Gasoi 2017). The emergence of private-public assemblages forming around and beyond the states is profoundly challenging how we think of educational ownership and policy-making. Converging with the configuration of a *European* education community gaining prominence up through the 2000's and 2010's in the wake of the Bologna Process, these shifts in private-public authority beg us to question how the increasing use of private services has been enabled in a European context, intricately related to the governance infrastructures of Europe, in particular the European Union. This question is, conversely, the point of departure for this paper.

With varying terminology – commercialisation, marketisation, corporatisation, privatisation – the shifts in educational planning, administration, and execution from public to private hands have become the focus of a growing body of literature over the course of the past two decades (Ball and Youdell 2008; Ball 2009; Au and Ferrare 2015). With reference to an emerging global education industry (Verger, Steiner-khamsi, and Lubienski 2016a), scholars have taken up the challenge of addressing how private foundations, tech-companies, and private schools have gained traction across various spaces. In describing and mapping the commercial interests emerging in the field of education, the bulk of these studies are predicated on a separation of state and private interests, suggesting on a purported 'tension between the common good motivations of the state and for-profit motives of the edu-businesses' (Wyatt-Smith, Lingard, and Heck 2019, 4). Less has been written, however, on *how* private sector growth emerges and is legitimized in contexts characterised by historically stronger traditions for public governance of education – such as many of the European welfare states (Esping-Andersen 1990; Loughlin and Peters 1997; Verger, Steiner-khamsi, and Lubienski 2016b;). This paper hopes to respond to this gap. Introducing the notion of 'soft privatisation', we explore the growth of private sector services within the context of the European Union as a phenomenon deeply embedded in and sensitive towards particular regional and national modes and conditions of governance. By looking at the European Union's distinctive features of outcome-oriented and coordination-based governance without government, we conceptualise the notion of soft privatisation as a particular mode of governance in which private sector participation is highly integrated in, rather than a break from, public governance of education. Soft privatisation, we suggest, describes how this embedding takes place, enabling the delegation of public operations to non-state or autonomous quasi-state agents while retaining the principally public status of institutions. Insofar as the concept addresses education governance on a European level, 'soft privatisation' serves as a cross-sectorial notion, allowing us to include both school and higher education policies and initiatives as part of our explorations.

The paper has two main goals. In the first section, we present a brief review of the existing literature on educational privatisation within a European context. Looking across 409 peer-reviewed articles spanning 1988 to 2018, the review aims to illustrate how existing research within the field of education has conceptualised privatisation, including related notions of marketisation, commercialisation, and commodification. In the second section, we introduce the development of European education governance and administration in order to illustrate the notion of 'soft privatisation', understood as an alternative form of private sector involvement in public education. Exemplified in the European education area, we go on to conceptualise soft privatisation as a phenomenon embedded in a particular mode of soft network-based governance and administration, based on standardisation and outcomes. Soft privatisation, we argue, enables the possibility to integrate and use private educational services without engaging in traditionally conceived processes of privatisation and, hereby, losing control of the educational institutions as public (Gingrich 2011; Jungblut and Vukasovic 2018). What we are witnessing in this shift, we suggest, is not so much the privatisation of previously state-led education as it is the emergence of a public infrastructure of educational governance that allows institutions, corporations, and interest groups to (per)form political-pedagogical assemblages outside the mediating auspices of sovereign governments. Soft privatisation refers to the mechanisms enabling this re-configuration of the public.

Methods and empirical material

The empirical material of our study consists of a review of privatisation research in Europe and core European policy documents, including existing studies on the relation between the EU and the Bologna Process. We use the review to gain an overview of and categorise existing research, as well as explore the common conceptions of privatisation developed in various research fields. The European policy documents and studies on the relation between the EU and the Bologna Process constitute the foundation of our analysis of European governance and, ultimately, our concept of 'soft privatisation'.

The review is based on a literature search conducted in January 2019 and updated in August the same year. The search string applied found 409 peer-reviewed articles using the Education Resources Information Center (ERIC) ProQuest search engine. The publications included in the categorisation were taken into consideration based on the principle of saturation (Small, 2009), meaning that articles were reviewed and categorised anew until the point ‘when all of the data are accounted for in the core categories and subcategories’ (Cohen, Manion, and Morrison, 2007, 494). The review, unfortunately, included only English-language publications.

Our analysis of European governance is based on document analyses of European steering documents related to the EU and the Bologna Process, including declarations and communiqués from 1999 to 2018. The Bologna Process that followed the Bologna Declaration of 1999 is organised around biennial Ministerial Conferences, making the products of these meetings central to understand the gradual configuration of the European education area. At each conference, ministers decide about core aspects of the European Higher Education Area, including its further developments, membership commitments, and new applications. A communiqué outlining the decisions taken by the Ministers is adopted at each Ministerial Conference. Thus, these communiqués are key to understanding the ambitions and progressions of the Bologna Process, which have gradually expanded into lower levels of education as well. This expansion is anchored in the historical proximity of the structure of the Bologna Process to the EU more broadly. Hence, EU memoranda, agendas and treaties are also part of our selection of steering documents.

Theoretical perspectives on privatisation and governance

In order to pursue the two interrelated goals of this paper, theorised concepts of both privatisation and governance is needed. As we shall see, the two concepts corroborate each other in ways that are important to bear in mind when researching the links between private and public actors in education.

Privatisation: Setting the rules of the game

In brief, *privatisation* refers to ‘the shift from government provision of functions and services to provision by the private sector’ (Priest, 1988, 1). While debates over government versus private provision in societal matters can be found throughout the history of the Western world, the term privatisation ‘did not gain wide circulation in politics until the late 1970s and early 1980s’ (Starr 1989, 21), where efforts to deregulate and cut public expenditures under the Reagan-Thatcher governments in the US and England inspired policy-making across the global North (Starr 1989; Murphy et al. 1998). As Hodge (2007) notes, the market reforms initiated in this period kindled ‘a family of privatisation ideas' (3) that are, by now, well documented across the European states: selling-off public assets, promoting user choice, engaging in public-private partnerships, and contracting out public services to appointed private operators are among the most common (Harvey 2007; Alexiadou 2013; Grimaldi and Serpieri, 2013; Srnicek and Williams 2016; Carrasco and Gunter 2019). In the words of Friedrich Hayek, quoted here by Mirowski (2013), the common assumption underlying these privatisation ideas is that 'the market really does know better than any one of us what is good for ourselves and society' (53) – implying that any government-provided service will be inherently inefficient (Murphy et al. 1998).

While the motivations for shedding government services to the private sector varies greatly (Verger, Fontdevila, and Zancajo 2016), a range of strategies have been enlisted in the efforts to deregulate and demonopolise the public sectors across the European states. Following Starr's (1989) analysis of the neoliberal reform programs launched under the Reagan-Thatcher governments during the 1980's, four common strategies are commonly applied.

(1) Privatisation by attrition or austerity; cessation, cutting down public programs, or charging for services previously paid for through taxation;
(2) Sale of public infrastructure, land, buildings, etc. to private ownership;
(3) Outsourcing of government activities to private operators; also called operational privatisation;
(4) De-monopolisation of public services, i.e. deregulating of entry to activities and services.

Within the context of the European policy space, the most common 'pathway to privatization' (Murphy et al. 1998) has been to outsource public services (3). In such situations, 'the tendency is for state to retain sovereign authority through legislation and policy design, where the change for the state is to operate as the delivery regulator rather than provider of service standards' (Carrasco and Gunter 2019, 68). Rather than produce and distribute itself the services traditionally deemed necessary for society to function, this model of privatisation aligns with economist Milton Friedman's dictum that the 'government's primary role is to preserve the rules of the game by enforcing contracts, preventing coercion, and keeping markets free' (Friedman 1955, 1). Rather than privatise wholesale the ownership, responsibility, and funding for providing health care, education, electricity, and transportation to citizens, this notion of regulated markets in public services highlights that in many spaces, 'the growth of markets and networks occurs more in coordination with rather than in spite of bureaucracy' (Blom-Hansen et al. 2014, 44). Conceptually, this regulating role of the state in maintaining *allocation* is central to bear in mind when examining the introduction of pro-private reforms that aim to give precedence to diversity in services, individual preferences, and profit incentives in producing publicly financed services (Harvey 2007; Holmwood 2014). As we shall suggest below, the close ties between governmental regulation and the evolvement of such agendas play a key role in configuring the *soft* pathways to privatization that have emerged in and across the European education space. We now turn our attention to conceptualising the mechanisms that have framed this configuration.

From government to governance

As noted above, the promotion of private sector involvement is intricately linked to the introduction of reform programs that aim to decentralise the traditionally hierarchical delivery of public services mandated from above and effectuated by practitioners below (Wilson 1887; Moe 2012). At the same time, the increasing use of private services is closely connected to the introduction of governing modes enabling governing at a distance, operating across state borders despite a lack of formal judicial competency. In recent years, this shift has been framed conceptually through a distinction between government and governance. The concept of governance has been thoroughly fleshed out and substantiated through recent studies on network governance (Rhodes 2007; Torfing and Marcussen 2007; Klijn 2008; Klijn and Koppenjan 2012; Bach et al. 2016; Brøgger 2019; 2018a). In this paper, we apply the concept to describe how new modes of "soft," network-based steering mechanisms increasingly seem to constitute the conditions for the European education space. After briefly delineating the notion of governance, we will outline the logics of these mechanisms.

Although governance is related to government, the notion of governance is characterised by its lack of formal authorities such as legal powers. Being backed by shared goals that become operational through networks rather than regulatory demands, governance relies on interdependency and self-enrollment (Rosenau 1992; Rhodes 2007; Brøgger 2019). In this sense, governance includes government institutions, but is at the same time a more encompassing phenomenon, comprising the horizontal interactions by which various public (and sometimes also private) actors of government coordinate their interdependencies in order to implement public policies (Clausen and Brøgger n.d.; Klijn an Koppenjan 2012). Governance, in short, refers to the self-regulation of these actors within networks; so-called 'networking' (Sørensen and Torfing 2005; Hwang and Moon 2009; Klijn and Koppenjan 2012). However, since governance also refers to strategies of government aimed at initiating and facilitating network processes, the concept also comprises so-called 'network management' or 'meta-governance', which refers to the 'governance of (self-)governance', such as in the case of the EU and, in particular, the role of the European Commission in the Bologna Process (Sørensen and Torfing 2005; Klijn and Koppenjan 2012; Dakowska 2019).

In sum, the absence of the rule of law distinguishes soft network governance from the hierarchical parliamentary steering chain, as it expands the nature of governance to include not only the force of law, but also the force of persuasion designed to bring about major reforms without compromising national latitude. In this sense, governance is a system of rule that uses mobilising techniques such as comparisons, measurements and monitoring of implementation and progression of established goals, which capacitates the governing of outcomes across distances (Rosenau 1992; Miller and Rose 2008; Lawn 2011; Pasias and Roussakis 2012). As we will elaborate further in the section following the review, European education governance is characterised by this type of *soft network governance*, operationalised perhaps most visibly through the Open Method of Coordination (OMC). As we shall suggest, the OMC in many ways makes way for a European (self-)coordination between private sector services, markets and bureaucracy, allowing both the European Commission and the European member states an allocative role while expanding private sector and, as a corollary, commercial participation in "public" education.

A review of privatisation research in Europe

Research into private sector participation in the sphere of public education has been a relatively peripheral phenomenon in the majority of the European states. Aside from operational aspects– sale of school equipment, materials, and teaching materials – the idea of education *businesses* and *products* have been limited almost exclusively to studies conducted in the United Kingdom and Sweden, both of which have longer histories of deregulation and commercialisation in public education governance (Sahlgren 2011; Rönnberg 2015). Following the growing focus on privatisation in the fields of economics, sociology, and political science noted above, the first mentions of privatisation in European education research began appearing in the late 1980's (Green 2006a; Dovemark et al. 2018). However, it was not until the early 2000's that the bulk of studies on privatisation in education began to surface. Around this time, a growing body of scholars began to examine how the predominantly Anglo-Saxon market and public administration reforms of the 1980's and 1990's sifted into other sociopolitical spaces, including the Balkans, Scandinavia (with Sweden as the exception), and the Southern European states (Grimaldi and Serpieri 2013). The underlying administrative characteristics of this wave of reforms have, by now, become well established: a general mistrust to the state and state-developed monopolies in school provision, an openness to a more dynamic market involvement in educational administration, and a widespread belief in the value of giving precedence to parental and student preferences through choice-based reforms and individually oriented educational programs (Apple 2001; Harvey 2007).

Based on a review of the existing literature on the topic, the table below illustrates an overview of how the study of privatisation has developed and evolved across the European education area. The table categorises the research into four main strands of privatisation research in Europe: Subjectivities, networks, actors, and policy research. As the focus of this paper is on privatisation within publicly allocated and financed education, research on self-funded private schools has been omitted, albeit publications in this field certainly inform many of the pieces and reflections drawn forth below (Koinzer, Nikolai, and Waldow 2017).

Departing from the proliferation of deregulatory reforms in the 1980’s and 1990’s, the majority of the papers identified in the review centre around questioning the introduction of competition and choice-based policies into national systems of public education (Coldron, Cripps, and Shipton 2010; Lundahl et al. 2013; Schofield et al. 2013; Wiborg 2013; Pratt 2016) . Borrowing tools and concepts from critical policy analyses and governmentality research (Miller and Rose 2008), the main focus of these publications is on ‘education reforms characterised by spending cuts, forms of deregulation, liberalisation and commercialisation, outsourcing and the introduction of new providers of school services’ (Alexiadou 2013, 415). Many of these papers reflect an ‘outside-in’ model of reform-based change, tracking the emergence of market-like discourses and phenomena in public education reforms, including notions of ‘quasi-markets’, ‘education marketplaces’, and ‘business-like’ public administrations (Glennerster 1991; Noden 2000; Richardson 2013; Bates and Godoń 2017). The outside-in model of privatization appears predominantly in the two strands of research characterized in **Table 1** as ‘Privatisation in education policies’ and ‘Privatising identities & institutions’.

Table 1: A review of the literature on privatisation in public education, European education research journals, 1988-2018.

	Actors and market studies	**Privatisation in education policies**	**Networks of privatisation**	**Privatising identities & institutions**
Keywords	Commercial activities, hidden commercialization, liberalization, market mechanisms (how do markets work)	Marketisation, business-like state, destatisation, neoliberalism, quasi-markets, decentralisation, deregulation, choice-	Public-private networks and partneships, market-based technologies, shifting alliances, corporate time-space, polycentricity	Audit culture, educational triage, pedagogical identities, individualism, and personalization, ableism, self-stylisation, binarisation

		agendas, competition, social justice		of identities, corporasation and emotional capitalism, market-orientations
Theoretical/ Methodological Standpoints	Rational choice, Varieties of Capitalism, market models, market making	Governmentality, policy archeologies, welfare regimes, imaginaries, policy paradigms, policy borrowing, truth regimes	ANT, SNA, network ethnographies, multi-sited ethnographies, topologies, governmentality	Feminist sociologies, post-structuralism, critical race theory, standpoint theory, affect theory

Echoing what Ball and Youdell refer to as processes of endogenous privatization, studies in these strands tend to frame privatization as ‘the importing of ideas, techniques and practices from the private sector in order to make the public sector more like businesses and more business-like’ (Ball and Youdell 2008, 9). Whether focusing on the ‘market-oriented teacher’ (Fredriksson 2009), the construction of students as ‘children of the market’ (Keddie 2016), or the ‘private’ in privatisation (Carrasco and Gunter 2019), what seems characteristic across these strands is an interest in investigating how actors are ‘incited to behave as competitive strategists’ (Wilkins 2012, 765).

Looking at the two remaining strands – ‘Actors and market studies’ and ‘’Networks of privatisation’ – a smaller number of scholars have recently taken up the task of disclosing and analysing the networks, alliances, and spaces nurturing private sector involvement within and across the borders of the European nation states (Grimaldi and Serpieri 2013; Junemann and Ball 2013; Au and Ferrare 2015). Many of these studies depart from the methodological aspirations of *network ethnography*, which seeks to understand how public policies are increasingly embedded in transnational and corporate ‘networks, partnerships and many other forms of collaboration across sectoral and organizational boundaries’ (Williams 2002, 103). Located at the intersection of philanthropist foundations, corporations, public administration representatives, and transnational organisations such as the Organisation for Economic Cooperation and Development (OECD) and the World Bank, the majority of studies in these strand problematise the lack of democratic accountability that tends to follow with the opening of the public administration towards private sector collaborations (Au and Ferrare 2015; Wiborg and Larsen 2017). Some studies within these strands focus more explicitly on either quantitative or qualitative studies of the external (‘exogenous’) agents that have grown in both scale and scope over the past decades, including studies of corporations such as Knewton, Google, and Pearson (Williamson 2017; Verger, Fontdevila, and Zancajo 2016). This latter bulk of studies are characterised by their orientation outward towards the assembly and characteristics of those that have, as developers, consultants, and programmers, become increasingly involved in the everyday life of public schooling across Europe (Ball 2009).

Privatisation and the many faces of public administration

While not exhaustive, the four strands of privatisation research present a broad overview of how privatisation has been conceptualised and developed thus far. The review illustrates a predominance of papers centered on discursive changes noted in the reformatory climate or 'imaginaries' within national education systems, enabling at the same time the emergence of an education industry shaping the purpose and practices of education with commercial interests (Whitty and Power 2000; Verger, Fontdevila, and Zancajo 2016). This focus is echoed in the policies and identities strands, questioning how 'managerialism, a performative culture, emphasis on the standardisation of practices, measurement of observable learning outcomes, accountability measures, heightened surveillance through inspection regimes and greater accountability' (Evans and Davies 2015, 12) have entered into national education systems around Europe. As highlighted in the discussion of actor and market studies and networks of privatisation, the second group of studies tends to focus instead on examining how the involvement of external actors in education itself 'reconfigures *relations between* the state, markets and education, affecting governance, organisation, design, purposes and goals of education' (Evans and Davies 2015, 12).

Across all four strands, the majority of studies are based on or inspired by empirical and analytical findings grounded in the UK, Sweden, Australia and New Zealand, and the USA. Aside from the particular case of Sweden, these spaces are broadly characterised by educational policies oriented towards individualistic values, modest universal transfers and benefits, and pro-market structures promoting de-monopolisation and deregulation (Bellah et al. 1985; Hall and Soskice 2001; Thelen 2004). Akin to the arguments presented by scholars associated with the 'new institutionalism' approach in the social sciences, the vast predominance of studies centered within these sociopolitical spaces should remind us of 'the need for a more careful examination of the ideological and conceptual interpretation of administrative reforms' (Loughlin and Peters 1997, 44), such as those proposed by Friedman and Hayek. This is especially necessary in spaces witnessing growth in the private sector for education that, for different historical and cultural reasons, may not share the anti-statist tendencies of the more liberal welfare models of the state (Jackson and Deeg 2008; Lundahl et al. 2013). As illustrated eloquently by Loughlin and Peters, the tendency to homogenise reform processes tends to overlook, for example, how reforms based in the UK have been 'adopted in the Netherlands without much of the anti-statist ideology' (44), changing those same reform's implications from what was, in the UK, based on a wish to devolve power from the state. Whether we view these contextual translations and shifts through the lens of political regions or welfare regimes (Esping-Andersen 1990), it seems worthwhile to question how a phenomenon such as private sector influence and growth in education is adopted and translated in and through different coordinative practices and administrative systems. Focusing on the European education space, these are some of the questions and *mechanisms* of privatisation that we hope to shed light on and discuss through the notion of ‘soft privatisation’.

Soft governance: The rise of the Open Method of Coordination in Europe

As noted above, any examination of the growth of private sector actors in the European education area is intricately linked to the shift from sovereign governments towards ‘complex assemblages of states, actors, circuits of expertise, enterprises, international organizations, etc. concurring to the formation of contemporary education policy’ (Landri 2018, 243). As a corollary, the following section will attempt to summarise the context of this shift in a specifically European context.

In brief, the development towards what later became the introduction of new modes of soft network governance in Europe dates back to the 1980’s. In this decade, the central institutions of the European Union took important steps towards coordinating economic policies, liberalising trade and promoting competitiveness. The highpoint of this movement towards coordination ensued in 1986, where the European Economic Community (precursor to the European Community and, later, the EU) adopted The Single European Act, committing the member countries to a timetable for a single European market. What became known as the *Single Market* was later launched as part of the Maastricht Treaty (also known as the Treaty on European Union), signed in 1992 and entering into force in 1993 (European Commission 1992).

As noted in the Maastricht Treaty, the central ambition motivating the introduction of the Single Market was to abolish obstacles to the free movement of goods, persons, services and capital between member states (European Commission 1992, article 3). In addition, the Maastricht Treaty formally introduced the so-called subsidiarity principle, an organizing principle of decentralization in the European Union. In areas in which the European Union does not have exclusive (legal) competence, the principle of subsidiarity defines the circumstances in which it would be preferable for action to be taken by the Union, rather than the Member States. In short, the principle of subsidiarity thus governs the exercise of the EU’s competences and ensures that powers are exercised as close to the citizen as possible. According to the Maastricht Treaty, the principle of subsidiarity states that ‘only if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member states and can therefore, by reason of the scale or effects of the proposed action, be better achieved by the Community' (European Commission 1992, article 3b). Later, the Treaty of Lisbon (2017) would divide the EU competences into three main categories: exclusive competences, shared competences, and supporting competences. Along with areas such as culture and tourism, education fell under 'supporting competences', which means that the EU can only intervene to support or coordinate the action of EU countries.

Anchored in the principle of subsidiarity as an area in which the EU holds only supporting competence, education thus became a policy area principally governed by nation states (European Commission 1992, article 126). Meanwhile, in connection to the ambitions of a Single Market, this formal absence of EU-'rule of law' stood in contrast to the Maastricht Treaty's call for mutual recognition of diplomas, certificates, and other evidence of formal qualifications (European Commission 1992, article 57) – since free movement of persons and services depended on the ability to recognise qualifications across European borders. As such, the European Commission saw the Single Market as a major driver of promoting competitiveness and growth in the EU, and the mutual recognition of qualifications was a crucial aspect of this endeavor. The implications of this paradox were clear: in order to realise the Single Market and ensure the economic growth of the EU, transnational education reform was needed. However, the EU could not regulate education as a policy area through law. Hence, the 1990's became the decade in which (higher) education reform was established as voluntary intergovernmental collaboration outside the EU – but with the European Commission as a key player. In many ways, the Commission exercised (and still exercises) its role as 'network manager' within the field of higher education through the Bologna Process initiated in 1999[1].

As suggested in the aim to reform qualifications and promote mobilities, the Single Market and the related request of mutual recognition laid the foundation for a new mode of governance based on coordination and voluntary self-adjustment rather than hard law. With the Lisbon Agenda in 2000, this new mode of monitored coordination between EU member states was codified as the *Open Method of Coordination* (OMC) (European Council 2000, article 7). Since the initiation of the Lisbon agenda, European education policy has been governed by this new policy formation. As an intergovernmental mode of governance, the OMC differs from the established mode of EU decision-

[1] The fact that the Bologna ambitions were born as part of a larger EU agenda is also reflected in the memorandum from the European Commission under Jacques Delors in 1991 on Higher Education in Europe. The memorandum shows that higher education had become part of the European Community's 'broader agenda on economic and social coherence' (Huisman & Van der Wende, 2004, p. 350). The memorandum was embedded in the Commission's ambition to ensure that higher education was designed to accommodate the economic needs of Europe and help the internal market to function (Brøgger 2016, 2019; European Commission, 1991).

making, the so-called Community Method (CM). The CM is characterized by binding legislation initiated by the Commission (the Commission's right of initiative), enacted by the Council and the Parliament (a widespread use of majority voting in the Council, including concurrence or dismissal by the Parliament) and enforced by the Court of Justice. However, the role of the Commission is fundamentally different under OMC than the traditional CM. Under OMC, the Commission's role shifts from its right to take the initiative to its right to evaluate and monitor (Gornitzka 2005; Brøgger 2019; 2016; Dakowska 2019). To enable this mode of (self)governance, the OMC incorporates benchmarking, monitoring, and standardisation technologies as part of its governance structure, mechanisms that also became part of the monitored coordination of the aforementioned Bologna Process. As a corollary to the absence of a legal center of authority or *hard* law, the OMC is therefore constituted by an incentive-based governance, designed to enable voluntary co-option and make agents *want* what they *have* to do (Brøgger, 2016). This type of network-based soft governance can, in this sense, be conceived as a way to make education governable without the use of government – and thus without compromising the sovereignty of European nation states (Brøgger, 2018b).

In sum, the creation of the Single Market and the concomitant emphasis on the economic role of education was indicative of a shift in European governance of education that accelerated throughout the 1990s (Kohler-Koch and Eising 1999). This shift gained even more speed after the turn of the century. A central aspect of this acceleration was the increasing imbrication of education, as indicated already under Jaqcues Delors, to a common European agenda on economic cohesion and growth, including an ambition to create a European internal (labour) market protecting Europe in the global market economy. Due to the concomitant need for mutual recognition of qualifications that could move across borders, the growing emphasis on education as a tool to enhance the competitiveness of Europe galvanised the creation of governance infrastructures that could circumvent the apparent inability to govern education within the context of nation states protected by the principle of subsidiarity. Anchored perhaps most evidently in the Open Method of Coordination (OMC), the resulting mechanisms of this process pivoted around a particular form of voluntary and coordinated collaboration – mechanisms that are today especially apparent in higher education, but has also sifted down to lower levels of education as well. More recently, the European ambitions to harmonise education across borders have only been amplified further, as suggested in the recent 'Towards a European Education Area by 2025'. Here, as an echo of Delors' ambitions, the goal is to realise a vision of Europe in which 'learning, studying and doing research is not hampered by borders' (European Commission 2017, 1) – much like any other product flowing across the borders of the single market.

From economic driver to economy – towards soft privatisation in Europe

As we have suggested above, a dominant theme in the past decades' configuration of European education governance has been the question of national sovereignty in the face of an increasing Europeanisation and economisation of the education area (Green 2006b; Walkenhorst 2008). Under auspices of the shared commitment across the European member states to 'strengthen structured co-operation in support of the development of human capital and ensure a regular monitoring process' (European Council 2004, 22), the abovementioned schism between *principally* non-binding European agendas and state administrations continues to vibrate in the underground of European education governance. This schism has been especially apparent in the Nordic and Central European states, which are broadly characterised by higher levels of trust and decentral authority distributed across public administrative levels and functions (Loughlin and Peters 1997). In these settings and in the European context more broadly, the notion of 'soft network governance' appears as valuable in conceptualising how, despite the barriers of various state-level administrative traditions as well as the principle of subsidiarity, a variation of mechanisms and technologies such as benchmarking, sharing of best practices, and scorecards have succeeded in instigating transformations of states towards the common European aims (Brøgger 2019).

Yet the technologies of soft governance have done, and continue to do, more than secure alignment on the basis of supposedly neutral standards. This point is intricately linked to the imbrication of education to the economic competitiveness of the European Union. Indeed, as several researchers have documented over the past decades, the Europeanisation of education played a central role in enabling a broader marketisation and commodification of educational outcomes, by turning the student into a performative consumer of borderless qualifications and, particularly in the case of higher education, credit points (Naidoo 2003; Naidoo and Jamieson 2005; Naidoo, Shankar, and Veer 2011). Following this logic, we suggest here that the European reform processes emphasising labor market- and consumer-orientation in education have, at the same time, paved the way for an explosive growth in private sector actors, complementing the Europeanisation of education with tools, platforms, and services to enable the all-important choice and flexibility of students and institutions. This notion has important implications for how we think of privatisation and commercialisation in educational research. Rather than the European educational systems going from public to private, the ensuing European education reforms initiated up through the 1980's and 1990's had *already created the nation state as well as the student as consumers long before the educational commodities, such as private quality assurance or private teaching aid, were introduced.* Already structured as something to be traded – in accordance with the governance goals and infrastructures supporting the internal market through the OMC - private sector growth in European education has in this sense been enabled without compromising national latitude and the idea of principally sovereign states. From the 1980's to the 2010's, this enablement is seen in the move of European education from being a driver for economic growth to becoming an Economy in itself, changing from a supporting role for the EU's internal market into a commodity itself, something to be traded. This imbrication of private sector growth with European network governance suggests a different motif of privatisation than the purported 'tension between the common good motivations of the state and for-profit motives of the edu-businesses' found in research on private sector actors in Anglo-Saxon contexts (Wyatt-Smith, Lingard, and Heck 2019, 4)

This points us, finally, to the *soft* element of privatisation which is, we argue, endemic to the soft network governance of the European education space. In the same way as the supranational education governance of the EU does not compromise national sovereignty, the emerging growth of private sector actors does not compromise the European states. Complementing the abovementioned conception of privatisation as a phenomenon in tension with the sovereignty of states, the notion of soft privatisation thus offers us a perspective through which to perceive how the growth of markets appears, at least in the context of the European Union, to occur *in coordination* with governance. The involvement of private sector services, in this sense, becomes an element that is integral to and embedded within public administration of education, allowing states to maintain a managing and allocative role while opening up for private and commercially oriented actors to provide the services needed in the infrastructure. In the following section, we will briefly flush out what this form of privatisation may look like through two examples connected to core areas of European education governance: Quality assurance and outcome management.

Quality assurance at the borders of the European states

One of the ways in which the aforementioned modes of soft governance are being operationalised is through mobilising technologies such as quality assurance procedures - also known as accreditation. In brief, accreditation is a process of validation in which universities, colleges, business or professional higher education institutions are internally and externally evaluated. For institutions of higher education in many countries, accreditation is a mandatory precondition for attaining public funding. In this sense, accreditation processes function as an external quality assurance of educational institutions, evidently placing it as an effectual mechanism through which the European Higher Education Area (EHEA), following the Bologna Process, have sought to incentivise nation states to coopt themselves into shared goals and quality measures (Brøgger 2019; Gornitzka and Stensaker 2014; Saarinen and Ala-Vähälä 2007).

Already during the first years of the Bologna Process, the national ministers of education in Europe agreed that the EHEA was in need of a more systematic approach to quality assurance and streamlining of quality criteria (Bologna Communiqués 2003). Around the same time, the ministers called upon the *European Association for Quality Assurance in Higher Education* (ENQA) to develop an agreed set of standards, procedures and guidelines for quality assurance in the EHEA. The Standards and guidelines (the so-called ESG) were adopted by the Ministers responsible for higher education in 2005, and revised in 2015. Following the adoption of the ESG, the ministers attending the London ministerial meeting in 2007 later approved a European register of quality assurance agencies, opening up possibilities to choose between various agencies (echoing Starr's 4th category of privatisation, *demonopolisation*). The European Quality Assurance Register (EQAR) was established in 2008 and operationalised by the so-called E4 group (ENQA, EURASHE, ESU and EUA).

Following the logic of soft privatisation, the accreditation procedures of ENQA seem to have enabled the emergence of an accreditation market, materialising through the EQAR register (Brøgger & Karseth forthcoming). Still in its nascent stage, the market does not yet seem to be fully actualised, but many countries are already allowed through national legislation to include and recognise EQAR-registered foreign agencies in domestic accreditation procedures (Schmidt 2017). In addition, some countries already supplement state-based accreditation with external private initiatives, such as in the case of business schools making use of the American accreditation agency, *The Association to Advance Collegiate Schools of Business* (AACSB). In this way, the development of ENQA and EQAR can be interpreted as steps towards realising a European 'market' for external quality assurance, in which nation states and higher education institutions are free to choose a quality assurance provider from their own country or another European country offering EQAR-registered agencies, all anchored in a common European infrastructure. Present legal adjustments and political ambitions of public deregulation support the claim that an accreditation market may very well be a plausible future scenario, mirroring a type of new de-monopolisation of public services which operates by de-regulating the access to external agencies (partially mirroring Starr's 4th privatisation process, albeit in a more controlled setting). However, in a European context, the emergence of an accreditation market, including the possible outsourcing of quality assurance, does not appear to emerge as a traditional form of private sector involvement. Rather, in connection with the arguments presented above, it seems that the emerging field of European accreditation has introduced a new quasi state-driven model of soft privatisation in quality assurance, embedded in the soft governance model of the OMC. In this situation, institutions may be allowed to make use of an external EQAR-registered quality assurance agency, while the decision-making remains couched in the national public sectors through various forms of accreditation councils, making decisions that are based on accreditation reports made by (private) accreditation agencies. In sum, it becomes possible to integrate modes of soft privatisation as part of both supranational and national governance at once, becoming integral to public governance – and not something replacing it.

Outcome management at the borders of the European states

Along with the introduction of quality assurance procedures, a central aspect of the abovementioned reform processes sweeping across Europe the past decades has been to make both education and research increasingly output-based. Following in the wake of the Bologna ambitions to secure mobile and comparable qualifications, these reforms have transformed higher education and research from input-based an content-driven to output-based and objectives-driven (Brøgger 2019).This transformation has entailed an extensive production of devices designed to compare, measure and monitor implementation and progression of established goals.

During the past decade, a range of so-called Research Information Management Systems, also known as RIMS or CRIS, have emerged as a new and increasingly unavoidable service category for educational institutions involved in research. In short, RIMS are integrated online systems which allow institutions to manage research-related outputs such as grants, publications and awards. The systems are provided by global information analytics businesses - such as Elsevier and Thomson-Reuters – and have in short time been implemented at universities worldwide. According to euroCRIS, an international not-for-profit association sponsored by 4science, Cineca, Elsevier and Thomson-Reuters, Elsevier's PURE system is one of the world's leading RIMS – currently used by 102 universities worldwide. Much like PURE, the majority of the RIMS follow The Common European Research Information Format (CERIF), a conceptual model for data management co-developed by the European Commission and 'recommended by the European Union to its Member States' (European Commission n.d.). Spanning information repositories to comparable research catalogues to be used for funding, the basic function of the interoperable software systems is to aggregate the university's research information from numerous sources and, in this way, generate data based on which strategic decisions in the organization can be made.

The use of data as a mode of governance in the RIMS is closely connected to the notion of soft governance discussed above**.** As previously suggested, this mode of governance is all about managing incentives, and is part of a powerful system of mobilizing technologies based on what is recognized as data, as well as the enactment of data such as scorecards, barometers, and graphs. These technologies, such as PURE, often consist of monitoring and comparative instruments, designed to oversee and comparing performances, outputs, and progression. As such, they implicate not only the possibility for external monitoring from management, but also an internal monitoring to the extent that part of these processes consist of making people co-opt themselves into the governing of others and of themselves, enticing peer- and self-monitoring (Staunæs and Brøgger 2017). Across Europe, these digital technologies, along with their standards, codes and algorithmic procedures are increasingly being inserted into the administrative infrastructure of the university, making universities dependent on services that are at once imbricated in a public infrastructure of educational governance, at once provided by commercial actors with interests of their own. Much as in the area of accreditation, this dependence seems to install a certain vulnerability into the heart of the educational institutions that seek to sustain their place in the European education area, contracting core aspects of the university's infrastructure and management to private providers. This embedding of private services in the heart of the public university exemplifies well the mechanisms of soft privatisation suggested in this article.

Concluding remarks

In this paper, we have sought to draw forth the increasingly blurred boundaries between public governance and private interests that have emerged in the European education space. As illustrated in the case of higher education accreditation, the use of cross-institutional bench marking, measurements, testing, and extensive standardisation technologies have provided the necessary leash for tendering local services to private sector actors, enabling privatisation to occur as a *soft* process. Against the notion of privatisation as a movement of ownership or responsibility away from the purportedly withering state, we suggest that this soft notion of privatisation is endemic to the rise of soft network governance in the European education space, working past the limits of the principle of subsidiarity by orchestrating a highly 'governed' privatisation process. What we see, in effect, are situations in which 'more market, more rules, and more hierarchy can come at the same time' (Blom-Hansen et al. 2014, 44), in the sense that private sector involvement has at once been incentivised and regulated by establishing an infrastructure in which private services are embedded in the public sector's programs and standardised outcomes. Much as the practices of soft governance have developed out of the limitations imposed on the European Union's competences, we suggest that this form of governed private sector involvement has been become effectual through European policies targeting convergence in educational goals, not content – such as the implementation of common learning standards in compliance with the European quality standards for higher education. We have illustrated the implications of these effects in the cases of the European Accreditation area and the installation of Research Information Management Systems based on aligning research outputs with a common standard.

While the European Union has been instrumental in framing and developing the infrastructures that have come to characterise this mode of *soft* privatisation, it will be a task for further empirical studies to investigate the links between governance and private sector involvement in different contexts and levels. Above all, we propose soft privatisation as an invitation to examine private sector participation in education not only in transfers of authority from public ('common interests') to private ('commercial interests'), but in the creation of novel governance infrastructures that blur the boundaries of the distinction between private and public actors in the first place. Such processes of blurring, which effectively seem to displace both political and pedagogical power and authority, appear both in the systematic inclusion of interest groups in the governing of the EU, the European Higher Education Area, and the European Education Area's infrastructures targeting schools, or the establishing of meta-organisations such as ENQA and EQAR in the area of accreditation. Looking ahead, further examinations of private sector participation in public networks of (European) education governance should be used to question, for example, how local institutions and corporate actors with different positionalities and power-relations in the field are enabled to partake in the emerging networks of cross-border accreditation and private instructional offers. Which states, corporations, and local educational institutions will benefit most from an open, network governance infrastructure that presupposes the ability to choose between providers? Above all, these and other concerns raised in the conceptualisation of soft privatisation should serve as forewarnings of the blurred zones that are currently re-configuring common conceptions of responsibility, transparency, and democracy in European education and beyond.

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