The SERA lecture 2016: "Jigsaw puzzle" of education policy? Nation, State and Globalised Policy Making.

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ABSTRACT

Education policy is a key devolved policy arena in which there are considerable tensions between and within institutions, within and across Scotland and the UK, and in relations with Europe. It may be assumed such tensions could increase during the process of Brexit and the implementation of the 2016 Scotland Act (Arnott 2016; Arnott and Ozga 2016). Since 2007 the SNP Scottish Government has used education as a policy area where it could blend political and civic forms of nationalism through referring 'inwards' to myths and traditions which draw on the public form of education and 'outwards' to selected European and Nordic comparisons to education's role in economic progress (Arnott and Ozga, 2010a; 2010b; Arnott, 2012, 2016). The Scottish Government has made explicit links between economic growth and social justice, with education performing a key role in policy interventions aimed at creating a 'fairer society' and alienating problems of poverty (Arnott 2016; Arnott and Ozga 2012). The lecture considers the changing context, political and constitutional, in which educational policy has developed in Scotland in recent years and reflects on possible implications for the future of governance of UK and UK territorial politics.

Keywords: *policy, Scotland, education, devolution.*

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INTRODUCTION

In this paper I will consider developments in the governing relationship of Scotland with the rest of the UK and explore how these have helped to influence education policy making in Scotland. I will also consider how we could characterise aspects of the Scottish National Party's education policy since 2007, particularly concerning the ways in which education policy has mobilised some of the resources of nationalist sentiment, while also pursuing modernising, economy-focused goals (Arnott and Ozga 2016). Economic goals of education policy

influenced policy alongside goals to reduce social inequalities and also to reduce the attainment gaps (Arnott 2016). How these goals would translate both to the content and to the implementation of policy raises questions about what may be perceived as competing agendas. Often-competing agendas have been arguably evident in education through the discursive framing of policy. These agendas made claims to national characteristics while also responding to current economic challenges and globalised influences such as the influence of 'neo liberal' approaches to policy delivery (Arnott 2016).

In the lecture I do not assess the perceived strengths and weaknesses of education policy under the SNP devolved government since 2007 but rather consider approaches to governance and governing strategies in education policy. The governing strategies of devolved administrations in Scotland since the establishment of the devolved Scottish Parliament in 1999 and approaches to education policy making are examined in a context in which policy making is becoming even more complex and even more globalised. (Lingard and Ozga 2007; Mundy et al 2016; Ozga 2011; Rizvi and Lingard, 2011). Devolved administrations in Scotland need to juggle a range of policy influences at local, regional, nation and state levels with increasing globalised pressures on public policy. Here it is argued the *narratives* of policy making have played an important role in the education policy in Scotland.

I drafted my lecture and abstract before the June 2016 EU Referendum had taken place. The decision to leave EU membership following the 2016 EU Referendum will influence the policy agenda and also the development of education policy in Scotland. The UK Government's triggering of Article 50 of the Lisbon Treaty and the formal negotiations with the EU concerning the terms of the UK exit have raised issues about uncertainty concerning future powers of UK governments and devolved administrations in the UK. For example the impact on higher education has been one of the issues which exemplified possible tensions between policy actors in the UK and the possible repercussions of leaving EU membership. Research funding and also possible implications for EU staff and students in UK universities have been raised as issues that required more clarity. Added to these debates was the Scottish Government desire to continue with 'differentiated arrangements' with the EU following the UK's exit in 2019:

> It should be noted that there is already a range of asymmetric and differentiated arrangements within the EU and single market framework (Scottish Government 2016 vi).

A key priority for the Scottish Government was ensuring that devolved administrations and legislatures would be 'fully engaged' in the negotiations for the UK to leave the EU membership (Scottish Government, 2016a; UK Government 2016)

THE 'JIGSAW PUZZLE' OF EDUCATION POLICY?

Education policy making during the SNP devolved administrations especially in the first two terms blended political and civic forms of nationalism that referred

'inward' myths and traditions that drew on 'public' nature of education alongside 'outwards' referencing to selected Nordic and European nations. In the latter referencing the role education could play in economic progress was combined with 'inward' myths. Education in Scotland has since 1707 been a transmitter of Scottish national identity (Paterson 1996; 2009; McCrone 1992). Myths and narratives around education/schooling have stressed that in Scotland education should be seen as distinct from its larger neighbour England. These myths that have arguably been embedded in policy making stressed the 'public' nature of schooling. Before 1999 the administration of education policy is therefore conducted in a distinctly Scottish network of institutions (McPherson and Raab 1988). These distinct administrative arrangements predated the establishment of the Scottish Office in 1885. Following the Union of 1707 George Davie argued that "local autonomy" had continued especially in Scottish education:-

> The principle of centralisation was confined to the Parliamentary and fiscal spheres, and local autonomy remained intact not only in the church but also in the judicature, and, what is equally important, in certain fundamental institutions in which legal and clerical interests met, such as, above all the education system (Davie, 1982 p.xi)

This paper reports on themes and issues addressed as part of the SERA 2016 lecture. The lecture argues that narratives continue as an influence on education policy makers post devolution. Over the coming months and years the nature and extent of discussions between the devolved institutions and Westminster and Whitehall will be a crucial influence of education policy making in Scotland. In this increasingly uncertain policy environment was tools will policy makers utilise in education policy debates and also wider debates about the future delivery of public policy?

The lecture title alludes to the increasing complexity of education policy-making between the nation, state and globalised public policy. Following the 2016 Referendum this complexity has become arguably even more apparent. The governing strategies in education policy making by devolved administrations in Scotland will be in a policy context where wider constitutional questions about the future of the UK and its governance of asymmetrical devolution are likely to shape the policy environment. The interdependencies between post devolution policy fields are apparent. (Arnott 2012; Arnott and Ozga 2012) Reserved and devolved powers under devolution including following the 2016 Scotland Act overlap in an asymmetric policy environment within the UK. Europe under the terms of the 2016 Scotland Act remains a reserved matter to be led by Westminster and the UK Government. The devolution process within the UK was developed in political and constitutional environments which was premised on UK membership of the EU. Devolved administrations, for example, were expected to ensure that devolved legislation was compatible with EU law (Dardanelli 2006). What the potential implications of the Brexit decision could be for education policy in Scotland is likely to be a matter for debate for some years.

Questions about the future, outside of the EU, of parliamentary democracy and the UK's asymmetric structure have increasingly come to the fore in recent months. Will the repatriation of powers to the UK following the EU exit in 2019

result in further devolution within the UK? There are competing arguments across the UK and Scottish political debates on whether devolved powers where the EU currently has a policy input will after 2019 result in enhanced devolution in UK. Within the UK, what role will the UK Government, Westminster Parliament and the devolved legislatures have in agreeing possible enhancement of devolved powers? The electorate voted in Scotland and Northern Ireland for the UK to remain in the EU while England and Wales voted to leave (Wincott, Peterson and Convery 2017). For the SNP devolved government this poses questions about the knock on effect for its stance on 'independence', and also the potential role in the negotiations following the triggering of Article 50. Following the Supreme Court decision in January 2017 that the UK government was required to seek the approval of the Westminster Parliament but not that of the devolved administrations in the UK before triggering Article 50 (BBC 2017) we have entered another period of political and constitutional flux.

My lecture relates to my research on public policy and territorial politics and governance in UK and also to research I have conducted with colleagues from education, political science, sociology, social policy and public policy over the past 20 years or so on the politics of education policy in Scotland (Arnott and Raab 2000; Arnott and Menter 2007; Arnott and Ozga 2010a; 2010b; 2016; Arnott and Munn 2009; Ranson et al 2005). The title of the lecture poses the question of how we could understand policy making against the layers of policy making of the nation, state and globalised policy: the 'jigsaw puzzle' of education policy In the late 1980s and early 1990s I was interested in relationship of territorial administration, governance and politics of public policy in Scotland - the statecraft of the UK Governments especially Conservative Governments and considered implications for the politics of education policy (Arnott 1993, 2005, 2011). That interest in the relationship between territorial politics and governance and education has continued in my research and my collaborative research with colleagues. How the decision to leave the EU following the 2016 Referendum might impact on education policy making in Scotland poses significant questions about the future governance of post Brexit Scotland and of the UK. Among the most significant will be how the repatriation of powers within the UK by the UK Government and also the Westminster Parliament will be approached. The relationship between existing devolved responsibilities and the reparations of powers following exiting the EU will influence the shape of education policy and wider public policy debates. These debates will be heavily influenced by ongoing constitutional, legal and political questions about responsibilities of devolved institutions and the UK governing and parliamentary arenas in a devolution context which had until June 2016 assumed UK membership of the EU

The implications of Brexit for education policy in Scotland and the wider issues of Scotland's position in Europe and also the UK adds what may become an increasingly contested and complex policy making environment. Uncertainty - seems to be a defining description of how public policy might develop over coming years.

TERRITORIAL GOVERNANCE, POLICY MAKING AND EDUCATION POLICY: ISSUES AND DILEMMAS

Debates about Scotland's place in the UK took another twist in constitutional and political terms following the result of the UK EU Referendum on 23rd June 2016 (McHarg and Mitchell 2017). In Scotland, 62% voted to 'remain' and 38% to 'leave' the EU, compared to 52% leave and 48% remain across the UK. Constitutional politics in the UK have developed at what appears to be a fast pace since the vote in June 2016. The resignation of David Cameron as leader of the UK Conservative and Unionist Party and as Prime Minister on 24th June 2016 following the Leave vote and the subsequent election of Theresa May as his successor added to the complexity of constitutional debates about the future of governance of the UK. The nature of how the UK might 'exit' EU membership in 2019 – 'hard' or 'soft' Brexit or perhaps 'no deal'– posed significant policy questions about the future relationship of Scotland in the UK. In May 2016 Scottish Parliament Election, the SNP won 63 seats just short of the number required to form a majority administration and formed its second minority administration. The Scottish Conservative and Unionist Party secured an additional 16 seats, with the Scottish Labour Party losing 13 seats and the Scottish Greens gaining an additional 4 seats and the Liberal Democrats securing 5 seats (Aiton *et al* 2016). In territorial politics in the UK, state-wide and nation-wide party competition appeared to be increasingly fluid. Not least shown by the varying fortunes of the SNP at UK General Elections in 2015 and 2017 Party membership of the SNP had increased dramatically over the months following the Scottish Independence Referendum vote and the party had secured a watershed vote in the 2015 UK General Election winning 56 of the 59 parliamentary seats in Scotland and becoming the third largest party in Westminster Parliament (Keen and Audickas 2017; Mitchell 2015).. However, in the June 2017 UK General Election, the SNP secured 35 seats, with both the Scottish Conservative Party and Scottish Labour Party increasing its representation in Scotland securing 13 and 7 constituencies. The 2017 UK General Election backfired on the UK Conservative and Unionist Party when it lost its working majority in the House of Commons.

    The election of the first majority SNP devolved administration in 2011, the 2014 Scottish Independence Referendum and ensuing debates of enhanced devolution during the Smith Commission fuelled debates about future of Scotland and its relationship with the UK and also with the EU (BBC 2015). However, the 2016 EU referendum result changed the nature of debates about the future of territorial governance and policy making of the UK.

Scottish Independence Referendum 2014

The Scottish Independence Referendum 2014 did not end constitutional and political debates about the future of Scotland and of its relationship to the UK. In the run up to the 2014 Referendum vote, these debates had largely been within in Scotland - apart for a few days before the vote when UK leaders of the Conservative, Labour and Liberal Democrats parties offered the 'vow' to enhance the devolved powers of the Scottish Parliament within the UK (BBC 2014a; Whitaker 2014). A few days before the Scottish Independence Referendum David Cameron in speech in Edinburgh argued that that Scottish devolution would

be enhanced if there was 'No' vote (Dearden 2014) The morning after the vote David Cameron speech on English Votes for English Laws, the consequences of devolution for English MPs and also the announcement of a Commission under Lord Smith of Kelvin to engage in cross party and wider civil society discussions on enhanced devolution changed the tenure of debates – these would arguably be led by the UK Government and the Westminster Parliament on the basis of what were perceived as UK wide constitutional and political questions raised by the asymmetrical devolution (Arnott 2015; BBC 2014b). This switched the constitutional debates on Scotland's position in the UK back to the UK Government – including the process for further possible devolution.

The result of the 2016 EU Referendum raises issues about territorial governance of the asymmetric UK. The issues intensified as the UK Government entered the process of negotiating leaving the EU. In January 2017 a Supreme Court decision required that the UK Government seek Westminster approval from the UK Parliament for triggering Article 50 of the Lisbon Treaty. The devolved Scottish Government argued that the Scottish Parliament and other devolved legislatures should also vote on a Legislative Consent Motion in relation to the UK government proposals for triggering Article 50. The decision of the Supreme Court in January 2017 that the UK Government was required to seek the approval of the Westminster Parliament before triggering Article 50 was significant not just constitutionally, but also for the practical politics between devolved legislatures and administrations as well as intergovernmental relations within the UK. The Supreme Court ruled that the terms of UK constitutional relations with devolved authorities did not require the UK government to seek their approval for triggering Article 50. Devolved competences, in a context of an unwritten constitution, raise significant issues for constitutional mechanisms in the territorial governance of the UK.

The SNP devolved administration alluded to Cameron's position during the Scottish Independence Referendum that Scotland should be regarded as an equal partner in UK (Scottish Government 2016a). The First Minister's Nicola Sturgeon also established the Standing Council on Europe in July 2016 to provide advice to the Scottish Government about Scotland's future relationship with the EU (Scottish Government, 2016b). Maintaining membership of the Single Market was identified as one of the immediate priorities by the Scottish Government. Sturgeon announced in March 2017 that if Scotland leaves the single market a second independence referendum could be called before Brexit in 2019. The interface between the 'four freedoms' for the EU (freedom of movement of goods, people, services and capital) following Brexit and policy-making within the UK including education policy has raised a number issues for the knock effects on education policy including 'the freedom of movement' of workers across the EU and also potential effects on the recruitment of international students.

How will the UK leave the EU? Questions about implications for public policy and also democratic legitimacy in Scotland have been raised by political parties in Scotland. It seems clear that Brexit will have significant implications for devolution including education policy but we are less clear on potential implications for what will be an increasingly complex policy environment. Devolution within the UK has been developed when EU membership arguably

enabled the devolved nations, especially Scotland, to pursue distinct policy agendas compared to England (Keating 2005). Constitutionally, the exit from EU could lead to the Scottish Parliament receiving competences which have been repatriated from the EU, in addition to enhanced competences devolved in the 2016 Scotland Act. Another possibility is that Scotland retains a 'close' relationship with the EU. However, implications for reserved matters poses more constitutional and political questions about this possibility - e.g. security, immigration, non-devolved social policy, economic powers and also the result of Brexit negotiations with the EU in 2019.

The consequences of Brexit for devolved policy-making including education are very far from clear. Some political debates have considered whether Brexit could lead to centralisation of powers in Westminster and the UK government following EU exit. Tensions already evident in the Brexit process and devolution following exit –'hard' or 'soft' - issues look set to continue. Will there be further devolution of EU competences or will they be transferred to the UK Government/Westminster? For the SNP Government an alternative scenario for Scotland's future relationship with the EU remains Scottish independence. The possible calling and timing a second Scottish Independence Referendum became, if anything, more uncertain following the result of the 2017 UK General Election.

Policy Narratives and Policy-Making in Scotland

In reflecting on current debates about the governance of education policy in Scotland and in the UK, we should consider how the re-spatialization of education policy (global, European, state and national) has influenced education policy. It has been used as a governing strategy at the level of sub state government by the Scottish Governments in devolved education policy since 2007. Repercussions of Brexit make the considerations of the impact of re-spatialization of public policy in the analysis of devolved education policy making even more significant. Layers of policy making between local, regional, national and state levels should be viewed through the prism of comparative policy making where the nature and variations of increasingly globalized trends maybe apparent. Here policy narratives have played a significant role in education policy making in Scotland. Narratives have been crucial to education policy making in Scotland including during the devolved SNP government since 2007.

The juggling of global economic, social and cultural interests with territorial interests in education poses issues for policy makers and also when assessing the importance of narratives to education policy making in Scotland. How national policy-making in Scotland responds to global agendas of policy change and also the extent of divergence from education policy in England raises questions about the motivations of policy making. Tensions as mentioned earlier are arguably evident between the narratives underpinning education policy in Scotland. As globalized policy influences in education have become increasing evident over recent years such international competitiveness and modernization, these globalized policy narratives sit alongside narratives which stress the need for education policy to maintain national integrity and quality. This was especially evident in post 1945 social democracy period when policy community in Scotland

reflected this in debates about education (especially schooling) provision (McPherson and Raab 1988; Paterson 2009). These resources have help to shape narratives of policy making and governance by SNP devolved administrations (Arnott 2016; Arnott and Ozga 2012; 2016).

Stories and narratives of the past are very significant to contemporary governance and politics in Scotland and in education policy making. In 1999 when Winnie Ewing, the SNP MSP presided over the opening the Scottish Parliament in Edinburgh she alluded to prior constitutional position of the Scottish nation:

> 'These are words I have always wanted to say or hear someone else the SP adjourned on the 25th day of March in the year 1707 is here reconvened"

This statement is an acknowledgement of national identity but it also gives a clue to some of the complexity which surrounds the governance of Scotland from the late twentieth century, when the devolved Scottish Parliament was established, to today with constitutional and political issues following the decision for the UK to leave EU membership. The nation and national identity have been a common feature of political discourse – how we understand both has been and remains contested. It is within this contested terrain influences on the education policy making agenda in Scotland could be viewed.

I want to highlight two areas of policy complexity influencing policy narratives which have particular significance for education policy since 1999 and also to the governing approach of the devolved SNP administration's approach since 2007 The first (a) relates to nature of legislative devolution in the UK as a process not an event (Jeffrey 2015). The second (b) relates to nature of Unionism since the 1980s. Both of these factors could arguably be relevant to education policy making following the June 2016 vote and the subsequent UK General election in 2017 where the Conservative and Unionist Party lost its majority status in the Westminster and sought a 'confidence and supply' agreement with Democratic Unionist Party to retain a working majority in the Westminster Parliament.

a) Legislative devolution as a process

The asymmetrical nature of devolution and the ongoing devolution process in the UK highlight that constitutional questions about Scotland's position in the UK have been an ongoing narratives that have shaped policy-making debates in Scotland. In the 1970s when devolution occupied the UK political agenda, the proposed legislation of the devolved Scottish Assembly was drafted to list those areas which would be devolved to Scottish Assembly (Bogdanor 1979). If not mentioned in the legislation it was assumed that the matter would be reserved. The assumption was reversed by the 1998 Act: if not mentioned in that legislation the competency would be devolved. The absence of a written constitution alongside the growing impact of globalization has produced a policy environment where clearly defined jurisdictions might appear to be more often than expected. Education in Scotland has to be seen within this context. The wider implications of this argument are that devolved administrations now face an increasingly interdependent world where notions of sovereignty and legitimacy continue to feature in policy

narratives. This is the context in which the political parties supporting Scottish independence have framed narratives about the future of governance of Scotland and also Scotland's position in the UK and also the EU.

We are now in the era of governance – where steering through indirect means rather than direct hierarchical control is arguably increasingly evident in education policy (Clarke 2009; Ball and Junemann 2012). The interdependency with actors beyond the Scottish Parliament to implement policy has been evident in post devolution education policy making, For example in 2007 this is evidenced by the emphasis on outcomes based policy making by the devolved SNP administration. Seeking economic prosperity to achieve 'wealthier and fairer, healthier, safer and stronger, smarter and greener Scotland' was the key driver of the narrative (Arnott and Ozga 2016). This was referenced across different policy areas with wealth, fairness and economic growth defined as 'public' good.

b) The nature of Unionism in the UK

Until the 1970s when the rise of devolution issue could be explained by the electoral performance of the SNP in Westminster elections of 1974 – the narrative of devolution from the late 1980s was centered on the reaction to Thatcherism and its brand of Unionism in Scotland, not the performance of the SNP (Arnott 2011; Arnott and MacDonald 2012). Understanding current educational discourses in Scotland requires an examination of the Thatcher period and also the nature of 'Unionism' advanced by the Thatcherites and also the continuing influence of Thatcherite legacy on educational policy debates. Under the Thatcher governments, Thatcherites advocated that the Union and also the Scottish Office would assimilate Scottish and British agendas – education would feature prominently in these debates. The politicization of national identity during and following the Thatcher period continues to shape Scottish politics and political debate (Brown, McCrone, Paterson 1998). At the heart of this politicization of national identity lay tensions between different forms of sovereignty – in the context of growing electoral divergence between Scotland and England in the 1980s we saw a version of unionism with assimilationist characteristics based upon parliamentary sovereignty at odds with popular sovereignty. In 1988 the Claim of Right document signed by civic and political Scotland lays claim to past narratives from Scottish history to question the legitimacy of Westminster government. In the Scottish Independence Referendum in 2014, and with the decision to leave the EU following the result of the 2016 EU referendum, we are witnessing contested political and constitutional narratives on legitimacy, accountability and sovereignty in relation to Scotland's position in the UK.

The interdependencies between policy areas, and also the inter-connectedness of the policy agendas, present issues and challenges for education policy makers in Scotland. As we look at possible implications of Brexit on educational policy in Scotland – both policy narratives – devolution as a process and also unionism briefly explored above highlight that policy process in the UK and also devolved Scotland are not settled. The development of education policy is within a context where relationships within the asymmetric UK are likely to be tense and complex (Arnott & Ozga, 2016). As Dale argued education was seen to be a way to 'define, replicate and ensure the national distinctiveness' of

nation states (Dale, 2006 p. 373). Education continues to feature in the 'unsettled' nature of debates about the constitutional future of the UK:

> "Through *inward referencing*, implicit characteristics of the education system and the nation are mobilised (especially those that promote Scottish education as fair, equitable and socially just) and through *outward referencing* (to Europe and the Scandinavian and Baltic nations in particular) Scotland is repositioned and realigned in a global, competitive policyscape." (Arnott and Ozga, 2016; 253)

The SNP administration arguably has been aware of possible tensions from competing influences of education policy development: globalized pressures for economic performance and also modernization while maintaining narratives of national integrity and quality (Arnott 2016). That arguably led to tensions between what may be perceived as a 'social democratic' agenda with approaches to policy delivery perceived as more 'neo-liberal'. The 'public' nature of education including higher education has been a thread through policy debates since 2007. Since the end of 2014 under Nicola Sturgeon as First Minister we have seen as new phase in education policy. Under Sturgeon, education policy has seen more explicit connections between social justice and economic growth – education is seen as having key role in policy interventions to address problems of poverty such as the Attainment Scotland Fund. Sturgeon has also stated that closing the attainment gap would be a key goal under her term of First Minister:

> My aim – to put it bluntly – is to close the attainment gap completely. It will not be done overnight – I accept that. But it must be done. After all, its existence is more than just an economic and social challenge for us all. It is a moral challenge. Indeed, I would argue that it goes to the very heart of who we are and how we see ourselves as a nation (Sturgeon, 2015a).

SUMMING UP

Policy-making in education is in a fast changing constitutional and political context and this context will throw up more questions than answers. Crucial questions may include how the *narratives* discussed above may play out in these ongoing debates about education policy making It may be that these narratives will continue as an influence on policy makers through some of the uncertainties and unforeseeable change approaching as the Brexit negotiations with the EU continue and also later with the exit of UK from EU membership.

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