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Globalisation, Rescaling National Education Systems and Citizenship Regimes

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Globalization shapes sovereignty. Globalization changes the internal architecture of the state (Jayasuryia, 2001: 444; 447).

Most of the scholarship on citizenship has claimed a necessary connection to the national state. The transformations that are afoot today raise questions about this proposition insofar as they significantly alter those conditions which, in the past, fed that articulation between citizenship and the national state (Sassen 2005 79).

Globalization is changing the way we argue about justice. ...For many it has ceased to be axiomatic that modern territorial state is the appropriate unit for thinking about issues of justice, and that the citizens of such states are the pertinent subjects of reference. The effect is to destabilize the previous structure of political claims-making—and therefore to change the way we argue about social justice (Fraser, 2005: 69, 71).

Introduction

Jayasuryia, Sassen and Fraser, among others, argue that the forces of globalisation have altered the nature of national sovereignty as well as the articulations between the national state and citizenship, and citizen's claims-making and social justice. This is particularly important in thinking about questions of globalisation and citizenship in relation to education - the central concern of this chapter. Until recently (and particularly in the post-War 2 period), education systems were fundamental units in state's nation-building projects. They were also critical sites for building national identity and societal cohesion, and for providing skilled and appropriately socialised labour for the economy. Most significantly, access to public education was a key site and mechanism for state redistribution, in turn legitimizing the state's post-war model of economic development. Education provision was both an object of and outcome for citizen's claims-making, particularly around questions of access and equality of opportunity. And, while there were shortfalls in national state's willingness and capacity to deliver to all of its citizens, it was nonetheless an important normative project, not least because it was both an indicator of a modern nation and enlightened state, and a central platform for political parties.

However I want to argue that four intertwined shifts have taken place since the early 1980s that de-centre the role of education systems in the re/production of post war national citizenship regimes. These are: (i) shifts in governance; (ii) the growing commodification of education; (iii) rescaling the labour of education; and, finally, (iv) the pluralizing of identities. Taken together, these have disturbed the embedded and once tightly bound categories of the national state and national citizenship. In this chapter I want to explore how these multi-scalar divisions, redistributions and transformations alter the sites, scales and basis of claims-making around education as a legally constituted institution and a normative project. For the moment, I argue, there are neither adequate framings at the global or supra-regional levels (aside from references to education as a human right or a weak if not unconstitutional mandate at scales like the EU) nor sites of legally-institutionalized power that might enable a system of claims-making that does not privilege global capital at the expense of the global citizen.

The Transformation of National State's Citizenship Regimes

"In its narrowest definition, citizenship describes the legal relationship between the individual and the polity" (Sassen, 2005: 81). Until recently, the idea of citizenship was commonly associated with the Westphalian system of nation-states, with nationality a key component. This might be referred to as nation-state based citizenship. This kind of citizenship can be contrasted with earlier forms, where citizenship was legally tied to cities and villages (Holston and Appadurai, 2003). From the 18th Century until recently, aggressive nationalism and the territorial competition of European states made the concept of nationality a question of loyalty, with the result that dual or multiple nationalities were rejected as impossible. During this period too, the national scale was the critical site for class struggle and formation, reinforced by state-produced legislation and regulation, entitlements and obligations. As a result, the national state "...came to be seen as key to ensuring the well-being of significant portions of both the working class and the bourgeoisie" (Sassen, 2005: 82).

The terms 'citizenship' and 'nationality' tend to be tied to the national state, and while each is related to the other, they nonetheless reflect different legal frameworks. While both identify the legal status of an individual, citizenship was confined largely to the national dimension (as in the right of access to state assistance), whilst nationality tended to refer to the international legal dimension of citizenship in the context of an interstate system (such as being a passport holder of a particular nation).

Legal status entailed the specifics of *who* it was that the state recognized as a citizen and the formal basis for the rights and responsibilities of that individual in relation to the state. In other words, citizenship was partly produced by those that it excluded. An undocumented migrant, though resident in a city, might have few, if any, rights of citizenship, while workers on visas who were resident in the country and paying taxes might have some, but not all, of the rights and benefits of those deemed 'citizens'.

There is (and has), nonetheless, considerable variation in different nation-state's domestic laws as to who is counted a citizen and who is not, as does the definition of what it entails. This is particularly evident across Europe—despite, at present, the idea of Europe as an identifiable regional space and the notion of European citizenship. There are also marked differences across Europe as to how citizenship is articulated and how non-citizens are defined. It is possible from the discussion so far to see that "citizenship is a social construction" (Jenson, 2000: 232). That is, how citizenship is understood and practiced varies over time and in different places. Where these social constructions develop some degree of stability and coherence and are the foundation for widely understood and endorsed claims-making within a social formation, we can refer to these paradigmatic encodings as a *citizenship regime*. For Jenson, a citizenship regime can be seen as;

...the institutional arrangements, rules and understandings that guide and shape concurrent policy decisions and expenditures of states, problem definitions by states and citizens, and claims making by citizens. A citizenship regime encodes within it a paradigmatic representation of identities, of the 'national' as well as the 'model citizen', the 'second class citizen', and the non-citizen. It also encodes representations of the proper and legitimate social relations among and within these categories, as well as the borders of 'public' and 'private'. It makes, in other words, a major contribution to the definition of politics which organizes the boundaries of political debate and problem recognition in each jurisdiction (op. Cit: 232-33).

Jenson (2001: 4-5) argues that there are four elements of a citizenship regime, each element contributing to the setting of its boundaries. The first element concerns the expression of basic values about the ‘responsibility mix’; that is, defining the boundaries of state responsibilities and differentiating them from those of markets, of families and of communities. Second, through the formal recognition of particular rights (civic, political, social and cultural; individual and collective), a citizenship regime establishes the ‘boundaries of inclusion and exclusion’ of a political community. In doing so, it identifies those entitled to full citizenship status and those who, in effect, hold second-class status. Third, a citizenship regime prescribes the ‘democratic rules of the game’ for a polity. Included in these rules are access to the state, the modes of participation in civic life and public debates, and the legitimacy of specific types of claims-making. Fourth, and finally, a citizenship regime contributes to the ‘definition of nation’ in both the narrow passport sense of nationality and the more complicated notion of national identity and its geography. It therefore establishes the boundaries of belonging. What is important for my argument is that changes in the wider society generate changes in the encodings of citizenship regimes.

Globalisation, particularly processes of rescaling (Brenner, 1998, 1999), have challenged the form, content and conditions for the realization of post-war citizenship regimes and reveals the methodological nationalist assumptions in much thinking and writing about citizenship. As Urry notes, when the discourse of globalisation really took off “...exponential growth in the analyses of the global began to suggest that there was a putative global reconstruction of economic, political and cultural relationships” (Urry, 1998:2) with transformations in the nature of the state in turn transforming citizenship. Globalization also laid bare the embedded and socially constructed and produced nature of ‘citizenship’ and the ‘national state’ (Sassen, 2005: 80). Globalisation also strengthened the importance of cross border dynamics (Held et al, 1999) and enabled flows of finances, knowledge, people, images, goods and services across borders (Appadurai, 1996). Politically, the development of new supra- and sub-regional spaces, projects and politics, such as the European Union (EU) or structures of global governance, opened up opportunities for rights (political and human) to be negotiated at these different scales. For instance some indigenous nations now go directly to the UN or other international networks and forums in order to progress claims, while citizens in particular national polities may use the legal and social structures of the United Nations (UN), the International Labour Organisation (ILO) or the European Union to advance claims around labour rights, human rights, or social welfare and legal protection.

The Transformation of National Education Systems

It is tempting when looking at national education systems to draw the conclusion that while there has been a revolution in the higher education sector, not a great deal has changed in the modern schooling system since it reached its apogee in the post war period. True, schooling systems seem to be rather lumbering organisations in a world where pace and flexibility are the assumed attributes for survival. British academic David Hargreaves (2001) argues that when compared with professions like medicine, the organisation of schools and the nature of teachers’ practices are remarkably similar to those of more than a century ago.

Despite appearances, critical writers on education policy point out that changes in the education sector have transformed the social relations of schooling (cf. Ozga, 2000; Ball, 2003). What is less developed in this literature is the way multi-scalar transformations have reframed the nature of the national state-education-citizen relation. In this section I want to

focus on four interlinked processes or trends implicated in this process and draw out their implications for national citizenship.

The first trend refers to a transformation in the *governance* of education systems in many developed and developing countries (the latter under the structural adjustment programme of the World Bank) from the early 1980's onward (Dale, 1997). These followed the 1970s economic crisis and the emergence of neo-liberalism as the ascendant ideological engine, driving and directing economic and social reform. While the scope, timing and pace of these transformations differed in each national and sub-national context, this new political project nevertheless resulted in the orchestration of a 'rolling back' (Peck and Tickell. 2005), or shift away from, a protectionist and demand-managed economy to what Cerny (1997) called 'the competition state' or Jessop (2000) referred to as the *Schumpeterian Post National Welfare Regime* (SPNWR). Key characteristics of this new regime that was 'rolled out' were the liberalization of trade, freer movement of finance capital around the globe, greater competition within the public and private spheres, increased levels of private sector activity in formerly state dominated monopolies, the privatization of risk, the withdrawal of the state from various spheres of citizenship entitlement, and the reformulation of state-citizen rights/responsibilities relation (Peck and Tickell. 2005). These processes gave way to a partial denationalising of the states (Sassen, 2005: 82).

These changes in the political economy of national life have had major consequences for the various sectors of the education system—from kindergarten to higher education. Early observers of the introduction of market mechanisms into the schooling sector tended to view these changes as the wholesale privatization and commodification of education. While this was clearly not the case in that in many instances the state was still a major funder, provider and regulator of education, nonetheless the move toward a market/choice model for the coordination of schooling radically altered the principles of universalism and citizenship that anchored education provision in the post-war period. Choice, markets, individualism and competitiveness all emerged as dominant ideas, while more and more of the various activities that comprised the 'education' services sector were unbundled and outsourced including inspection and audit, curriculum writing, research, management services, special education services and so on (Mahony, Hextall and Mentor 2004). In the UK, for instance, these developments were given considerable impetus with the introduction of the *Public Finance Initiative* (PFI) that prioritized the establishment of Public-Private Partnerships (PPPs) as the means for delivering education services. Mahony et al (ibid: 279) provide a detailed account of the complex involvement of private operators in education, particularly under the *Excellence in Cities* programme which oversaw the Education Action Zones programme, the introduction of Threshold assessment for the performance management of teachers during 2002-3, and in the work private consultancy firms – such as MORI, PricewaterhouseCoopers, K Peat Marwick Group (KPMG), in providing research, curriculum materials and training. They also point out that the private bodies often had very complicated and opaque relations both with the state and with each other, for instance where their work was construed as 'commercially sensitive'. The result was not only to keep each other in a state of ignorance on policy/programme issues they were commonly working on, but such declarations closed off the possibility for public scrutiny and therefore for public accountability.

Throughout this period, national state's higher education sectors faced significant changes in the mandate and structures of governance, leading commentators to variously name these transformations in the university as 'academic capitalism' (Slaughter and Rhoades, 2004), the 'enterprise university' (Marginson and Considine, 2000) or the 'entrepreneurial university'

(Clarke, 1998). While some dispute the extent to which these developments have created a more functional relationship between the academy and the needs of the economy (McLennan et al, 2005: 258), they nonetheless agree that the introduction of new managerialism, student fees, corporate forms of governance, single line budgeting, the multiplication of funding sources, the alignment of research with national priorities, together with massification, have placed significant pressures on the traditional concept of a university and its modes of collegial governance. Higher education institutions have also 'regionalized' and 'internationalized' their operations (Barrow, Didou-Aupetit and Mallea, 2003; Ziguras et al., 2003) as they search for new opportunities for recruiting foreign fee-paying students and raising revenues. Paradoxically, access to higher education is now regarded as an important citizenship right *and* responsibility. However the translation of rights and responsibilities into lifelong learning (as continuous self-improvement for the economy) and the knowledge economy (individuals as constant ideas and innovations generators) are framed within human capital/neo-liberal discourses.

A second, overlapping, development is the privatisation and *commodification of education*. By the late 1990s, education began to take form and mature as a global service industry, with countries, such as the USA, Canada, Australia, New Zealand and the United Kingdom, receiving significant export revenues from trade across all sectors of education (especially in New Zealand and more recently Canada), though much of this activity was predominantly in the higher education sector. Spurring on this development was the World Trade Organisation, itself created in 1995, with the specific mandate to promote free trade, and to regulate global trade (Peet, 2003). The innovative feature of the World Trade Organisation's mandate was that, for the first time, services—including education—were brought into the ambit of the global trading regime (Robertson et al, 2002). This move has been particularly controversial since services like education—despite the changes in governance—in the popular and public imagination continue to be regarded as a 'public' service and 'public infrastructure'. In other words, education still has a strong normative value in thinking about citizenship entitlements. Trade in services is estimated to be one of the most dynamic growth sectors for the developed economies and a critical means for ensuring continued growth. Based upon current WTO trade figures, trade in services accounts for 1/5th of global trade and 60-70% of GDP in the advanced OECD countries (Hartmann and Scherrer, 2003: 5). At present, while most of the services trade is in transport and tourism, observers note that this could change if domestic regulations in areas like education were to be lifted. Industry analysts have estimated the education market to be upward of US\$2 trillion (Oxfam, 2002).

From the 1950s onward, the USA had held a privileged position in the recruitment of overseas students into US universities. However, by the early 1990s new more aggressive players in this market (Australia, New Zealand, UK) had begun to erode the USA's share. For many education institutions, the foreign fee-paying market is a highly lucrative one. It is also a highly profitable business for countries. For instance, the Australian Bureau of Statistics figures show that in 2002 education service exports grew by 2.9%, while education remained the third largest export services earner, bringing in AUS\$4.1 billion each year (behind tourism [AUS\$9.3 billion] and transportation [AUS\$7.6 billion]). Currently it is Australia's 14th largest export earner and one of the most aggressive in developing its education export industry, while "...Australia has grown in trade in education services faster than any OECD country, and has one of the world's highest proportion of overseas students in education, second only to Switzerland" (Ziguras 2003: 360). Figures for the UK tell a similar story. By 2004 there were around 270,000 students studying in UK universities (both off-shore and in the UK), paying around GB£1.5bn in fees and contributing to GB£3 to the

economy.¹ In New Zealand, universities not only opened their doors to trade, but the state-funded schooling sector did as well (Dale and Robertson, 1997). As Lewis (2005) observes, the increase in number of foreign (full-fee-paying) students in New Zealand schools has been spectacular, boosted by the marketing efforts of local schools and the government. By 2001, the export of education was estimated by the New Zealand government to be worth \$NZ 1.5 billion—or 1.4% of GDP (Ministry of Education, 2001)—placing it in the top 10 export income earners (compared with \$5.8 billion for tourism).

As competition over a share of the global education services market has stepped up, key actors (governments, institutions and transnational firms) within the developed economies have intensified their interest in the way in which the domestic and international regulatory systems of the inter-state world impede the creation of a global trading system. The *General Agreement on Trade in Services (GATS)*, with particular reference to education, is intended to create the conditions for the progressive liberalization of education and creation of an industry, as well as providing investors with an assurance that their investments will be protected from excessive nationalism or the reversal of decisions over foreign direct investment (Robertson et al., 2002). As World Bank analyst, Pierre Sauve (2001: 10) argues, commercial suppliers must be able to feel confident about the conditions of their investment in the education sector, and that globally negotiated regulations are the best means to secure this.

Overall, the general thrust of the GATS is about how governments should not interfere with the education market, and should not place barriers in the way of trade in services between countries. Neither should national states regulate the behaviour of multinational corporations operating in their countries. However, as Wade notes; “Because the responsibility for affordable provision of public services is fundamental to a government’s responsibility to its citizen – to the whole idea of social compact between governments and taxpayers – the GATS agreement is intruding even further into domestic political economy” (2003: 628). In particular, he notes, “...it makes it next to impossible for developing countries to protect their own service industries from competition from well established firms in the way that virtually all of the successful developers have done in the past” (*ibid*).

A third development is the emergence of a new *functional and scalar division in the labour of education* as a result of changes in the structures and patterns of governance of the education sector, pressures to generate a competitive education sector for global economic performance, and the active role of institutions and firms in creating a globally-regulated education industry. As a result, it is increasingly difficult to talk about education institutions and systems in largely national or sub-national terms. It is also difficult to talk about the labour of education in ways that assume considerable continuity with the past. There has been a deep rupture in the rules that frame the mandate for education—in other words, what it is desirable that the system does²—as well as the structures of governance. Changes in the mandate of education not only change what counts as education (hence education is always socially-constructed and thus temporally and spatially contingent), but generates new struggles over what scales and through which networks this work should be done. The closer alignment of the mandate for education around ideas such as the competitive knowledge economy, lifelong learning, user pays, cross-border supply, are now articulated at different

¹ In 2003, UK universities had 24% of the market for overseas students in English speaking countries (BBC news, 20th April, 2004 <http://news.bbc.co.uk/1/hi/education/3640141.stm>)

² Bernstein (1996) calls this the rules of recognition; that is the ‘rules whereby the subject can orientate to the special features which distinguish the context’ (1996: 32). Most importantly, recognition rules refer to power relations.

scales (supranational) and through different networks (such as ICT firms – see Robertson, 2002).

This is not meant to suggest that the turn to the economy is new for education. Since their inception education systems have had a key role in producing labour for the economy. However, what is new are the multiplicity of scales at which these debates, policies and programmes are taking place (for instance in the Lisbon Declaration by the European Commission in 2000 and the Bologna Process within the European Union – see Dale, 2003; Singapore's Global Schoolhouse Strategy – see Olds and Thrift 2005; rise of personalized learning in the UK – see Robertson 2005) as well as closer control of the production of learners and workers through the development and monitoring of multi-scalar competencies and systems of benchmarking (for instance, national league tables, EU benchmarking, global PISA scores). The emergence of supra-national or regional structures, such as the European Union (EU), Asia-Pacific Economic Co-operation (APEC), the North American Free Trade Agreement (NAFTA) and MERCOSUR (Dale and Robertson, 2002), together with inter-regional strategies such as Asia-Europe Meeting (ASEM) (Robertson 2006), are also key sites for the promoting of economic interests at a multiplicity of scales with education a key vehicle.

An array of old and newer actors are now present at all these scales, all engaged in promoting these developments. This includes institutions such as the World Bank, the OECD, UNESCO and the UN, all with an invigorated interest in promoting global solutions; transnational firms such as Microsoft, IBM, Cisco Systems, Sylvan Learning Systems, keen to promote digital learning technologies and new virtual approaches to learning across new spaces (Robertson, 2002); and international accountancy and management consultants provide much of the research and programme development direction for many national systems of education. The development or shaping of education policy, programmes and practices is no longer the privileged space of national actors. Education policymaking and provision is increasingly distributed over a wider range of scales, in turn opening up new spaces for claims-making while closing down or competing with others.

A fourth and final development concerns the production of *identity(s)*. While this is part of a wider set of social and political shifts, it has had an important effect on education systems as a particular kind of site for identity production. More broadly, the critique of modernity and objectivism, and the insistence on theoretical approaches to understanding the social—where knowledge and identities are situated, partial and dynamic (Smith, 2002: 318)—have given rise to new ways of thinking about the social, about identities, and about subjectivities. Production and class politics is no longer the only exclusive lens for understanding social identities. Within the academy, studies of difference—race, gender, class, age, sexuality, and so on—have come to dominate the social sciences. And while, as Fraser argues, the project of cultural transformation has been integral to new social movements, including feminists, the cultural project has “tended to decouple the project of political-economic transformation and distributive justice” (2005: 299).

The dominance of neo-liberal ideas has had a profound impact on social relationships and the social; policies that promote markets and choice are more likely to produce subjects and new forms of identification that reinforce individualism over collectivism. Similarly, market-based discourses and structures in the education sector will tend to select those individuals and groups whose repertoires enable them to engage with the market (Ball, 2003). On the political front, and as a result of forces at a multiplicity of scales, larger hegemonic identity formations, such as ‘Great Britain’, have dissolved, opening up the terrain for new kinds of

identity claims—in this case by the Welsh, Scottish and Irish. Similarly, in New Zealand, the indigenous Maori population have strategically operated on the spaces opened up following the dissolution of the post-war welfare state to assert their own project—‘Maori sovereignty’ and Maori identity through new structures of political representation and Maori immersion schools, New political projects, such as the creation of the European Union, are also being advanced by the new structures of the EU (European Commission, Council and Parliament). In this latter case, education systems located at the national, as well as a parallel sector of education at the regional (European scale), are explicitly charged with the creation of the European citizen (Dale and Robertson, 2006).

In some cases, identity claims have turned on cultural particularity rather than principles of universalism, for example, that young women from the French North African community should have the right to wear the ‘foulard’ (veil) in schools, or that groups have access to state funding to establish schools which protect and promote their cultural and political interests. Thus, while equal citizenship is central to the modern institution of citizenship, these developments suggest that *the basis* of contemporary claims-making as to what constitutes equality is shifting in the direction of cultural claims rather than political-economic.

Transforming National Citizenship Regimes

So far I have been arguing that the new structures and processes of governance, commoditization, rescaling and identification have created the conditions for a transformation of post-war national education systems. These developments have important effects on citizenship regimes at multiple scales, in large part because of the key role of education, legally and normatively, in the production of citizenship and social justice claims. In short, the de-nationalization of the state and education are creating the conditions for the de-nationalization of citizenship. More than this, I will argue that the nature of citizenship regimes are changing, (i) through processes of rescaling; (ii) through transformations in the very nature of state sovereignty—from political sovereignty to economic sovereignty; and (iii) that economic sovereignty is fundamentally neo-liberal.

To begin, it is evident that as a result of rescaling (global, national, local) citizenship regimes are being realized at a multiplicity of scales and it is no longer exclusively the provenance of the national. However, rather than suggest that there has been a decline in state’s national sovereignty, as analysts tend to suggest, Jayasuryia (2001) offers an insightful analysis on the transformation of state sovereignty at the national level. As he argues, pushing to the forefront the transformation of state sovereignty rather than its decline

...forces us to acknowledge the way in which the changing architecture of power both globally and within the state serves to rupture and fragment the institutions and processes of governance; from this perspective, globalization is as much an internally as an externally driven process (2001: 442).

In other words, some of the most important consequences of globalisation are to be felt *within* the boundaries and domains of the domestic institutions of the national state. What Jayasuryia particularly has in mind here is the dispersion and dissolution of powers of governing into institutions in civil society as well as the economy as a result of the move from government to governance (as a result of public-private-partnerships, quangos, outsourcing and so on). This speaks to Jenson’s (2001) first element of a citizenship regime; the nature of the boundaries around the responsibility mix between the state, market, community and family. Any mix reflects a particular set of authoritative values about social

and political life. New boundaries around the responsibility mix which disperse greater power and responsibility to the market rather than the state in the coordination of public goods and services not only signals the dominance of economism, *but it results in “...a form of economic constitutionalism that gives a juridical cast to economic institutions, placing these institutions beyond politics”* (Jayasuryia, 2001: 443). Jayasuryia argues not only is sovereignty transformed, but the very nature of these governance changes results in a transition from political constitutionalism to a kind of economic constitutionalism (ibid: 443). Put another way, in contracting out public education services to the private sector and community this not only constructs them as economic relationships, but it also depoliticizes them. Mahony et al's (2003) research referred to earlier, on the way private contractors in the education sector in the UK claim commercial sensitivity and block public scrutiny, is a good example here.

There is good evidence that economic constitutionalism is not confined to the national level. The WTO/GATS processes, by transforming education into a global service sector and industry and locating its governance in regulations that protect global investors and profits rather than citizens and knowledge, constitutionalises economic over political interests at the global scale. Stephen Gill (2003) refers to this as neo-liberal constitutionalism—signaling *not only that the transformation in sovereignty is economic, but that it is a particular way of thinking about economic relations; one informed by neo-liberalism*. Thus, the legal instruments of the global and regional institutions, such as the WTO, NAFTA and FTAA, are not only removed and insulated from popular scrutiny or democratic accountability within the political realm, but they are instruments that will work in favor of neo-liberal agents and their projects, and indeed promote, neo-liberalism over and above other models of economic development (Gill, 2003: 132). Similarly, I would argue, neo-liberal economic constitutionalism operates at the national scale, in large part because of the dialectical relation between scales. The neo-liberal economic constitutionalism of education at the local, national and global scales, transforms the public good nature of education into a private economic one. If the GATS agreement is realized, national states may well face legal challenges in claiming education as a public good and one that should be regulated by the state and not the market. For example, if a provider of education services were to set up an education establishment and teach using curriculum materials that were viewed as culturally unacceptable, nation states would not have the capacity to enforce its own regulatory framework over and above that of the global provider. Rather, the role of national states would be to ensure that the interests of those trading in education services are protected.

The transformation of education through commoditizing and rescaling has direct implications for rights of citizenship. However, these processes are deeply contradictory in the education sector. On the one hand, they have been constructed in consumer terms; as information in the marketplace to facilitate choices about which education provider to choose in the global or regional marketplace. The only ‘right’ that can be protected by states is the right to choose, not the content or quality of what is chosen, or that choosers have equal choice opportunities. As Ball (2003) and others demonstrate, middle and ruling class families are able to strategize and realize choices in ways that working class families are not. On the other hand, the right to education has been promoted by national states and is recognised in several international instruments (see Article 13, para 2 of the ICESCR). To achieve full realization of this right: (a) primary education should be compulsory and available free to all; (b) secondary education in its different forms shall be made available and accessible to all, in particular by the progressive introduction of free education, and (c) higher education in its different forms shall be made equally accessible to all, in particular by the progressive introduction of free education. To ensure this, states must ensure availability,

accessibility, acceptability and adaptability (High Commissioner Human Rights (2002: 17). It will therefore be interesting to see whether groups, organisations or social movements will use these rights to overrule processes of neo-liberal economic constitutionalism of education taking place at the global and the national scales. As things currently stand the paradox is that "...if a child does not get the education he/she is entitled to according to the *Convention of the Human Rights of the Child* (articles 28 and 29), there is no way to force a national government to meet its commitments. However, if a company trading in education services loses its right to trade in a particular country, the country where the company is based will have, according to the WTO rules, the right to compensation. Rules concerning trade seem to be much stronger in international law than rules concerning human rights (Fredriksson, 2004: 422).

Finally, transformations in education affect identity construction/production, particularly national identity. As I have argued, displacements from the national scale downward have resulted in a range of new identity projects being mobilized in sub-national spaces. If we take Wales and Scotland in the UK as examples, this has spawned a renewed interest in language studies, and also resulted in the generation of new curriculum initiatives. At the national level, in countries like Canada where global and supra-regional processes have threatened national sovereignty and autonomy, this has resulted in the reaffirmation of the distinctive features of the Canadian state (public services such as education and health – see Dale and Robertson, 2002). This in turn has contributed to national identity making through defining what is to be included in a conception of being Canadian. This had led to the development of new organisations, such as the Council of Canadians, and the Canadian Centre for Policy Alternatives, committed to outlining the basis for protecting a notion of the Canadian national identity, public services and a public ethic. The production of new scales, such as the EU, has also resulted in the promotion of the idea of European citizenship and a European dimension amongst its member countries. At the more global level, the question to be posed is how these processes might mediate ideas of citizenship and identity production. International Non-Government Organisations, such as Oxfam, have citizenship development projects as part of their portfolio of education activities. Similarly, transnational firms like Microsoft promote strong images of an inter-connected digital world. Numerous other examples could be offered here. Taken together, they suggest a myriad of new identity projects under way at multiple scales that are diluting the strength and the hegemonic status of national identity projects.

Concluding Remarks

In this chapter I have argued that four intertwined shifts have taken place since the early 1980s which challenge the role of education systems in the re/production of post war national citizenship regimes: (i) shifts in governance; (ii) the growing commoditization of education; (iii) rescaling the labour of education; and (iv) pluralizing identities. Taken together, I argue that these developments have disturbed the embedded and once tightly bound categories of the national state and national citizenship leading to a de-nationalization of citizenship. However, what I have also argued is that though there is a pluralizing of identities and processes of identity production, citizenship regimes have become dominated by neo-liberal economic constitutionalism. This depoliticizes sectors like education and its role in social reproduction. However, for the moment there are neither adequate framings for claims-making at the global or supra-regional levels (aside from ideas like global cosmopolitanism, references to education as a human right, a weak if not unconstitutional mandate for education at scales like the EU). Nor are there sites of legally-institutionalized power that might enable a system of claims-making that does not privilege global capital at

the expense of the citizen. And, while Sassen (2005) is confident there has been an opening up of citizenship and thus possibilities for claims-making through unraveling the nationality-citizenship relation, I would argue that we need a careful multi-scalar analysis to understand the extent to which the post-war nationality-citizenship relation has unraveled in ways and directions that we are happy about. This calls for more research. Fraser goes so far as to call for new transnational politics of representation (2005), arguing that claims-making is still largely located in nation-states. However, given that there has been a distribution of the labour of education across scales, moving claims-making upward to the transnational scale simply relocates the space for claims-making. Rather, I would argue that what needs to be developed is *a multi-scalar chain of spaces for claims-making* shaped by a strong sense of social justice and a remixing of the boundaries around state, market, family and individual in order to move it away from excessive economism and the poverty of neo-liberalism. This offers a more robust platform for citizenship and education equality and would provide both the content and the impetus for such a programme of education.

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