

The public and private in higher education: a contribution to the review of concepts^{1 2}

O público e o privado na educação superior: uma contribuição para a revisão de conceitos³

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Abstract:

In the environment of higher education, the debate about the public or private character of the institutions and their services has become relevant. The use of the words such as “public good”, “private good” and “public sphere”, among others, has started to become part of the debates in the field. However, what is in fact public and what is in fact private in higher education? Aiming to contribute to answer these questions, this article tries to reinforce the theoretical argument that higher education is not public or private, as well as to demonstrate through systematization that empirical reality of higher education complies with this proposition. Thus, we have shown that a revision of concepts on what is public and private in higher education is necessary, in order to overcome ideological bias tendencies.

Keywords: higher education, public goods, private goods, public sphere

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Resumo:

No âmbito da educação superior, o debate acerca do caráter público ou privado das instituições e seus serviços tem adquirido grande relevância. Termos como “bem público”, “bem privado” e “esfera pública”, entre outros, passaram a compor essas discussões. Mas o que de fato é público e o que de fato é privado na educação superior? Com o objetivo de contribuir para a construção de respostas a essas questões, neste trabalho buscamos reforçar a sustentação teórica de que a educação superior não é pública ou privada, bem como demonstrar, por meio de sistematização, que a realidade empírica da educação superior adere a tal proposição. Evidenciamos, desta forma, que se faz necessário revisar conceitos sobre público e privado na educação superior, de modo a superar, com isso, tendências de enviesamento ideológico.

Palavras-chave: *educação superior, bens públicos, bens privados, esfera pública*

Introduction

In recent decades, phenomena on a global scale have significantly impacted higher education. According to Altbach (2016), the twin forces of massification of national systems and the globalization of knowledge economy have driven unprecedented transformations around the world. In this context, governments of all ideological spectra have implemented system expansion policies. According to the United Nations Educational, Scientific and Cultural Organization (UNESCO), in the last 15 years the number of undergraduate enrollments has doubled worldwide, reaching at present 200 million (Unesco, 2017).

The final announcement of the second World Conference on Higher Education, held in 2009, summarized the relevance for the present moment: “At no time in history has it been more important to invest in higher education as a major force in building an inclusive and diverse knowledge society and to advance research, innovation and creativity” (Unesco, 2010, p. 1). Nowadays, knowledge has been replacing physical capital, which was the main determining factor for the organization of production in the twentieth century, and is becoming the main source of wealth creation, that is, knowledge comprises the most relevant “input” for long-term economic growth.

In this almost revolutionary context, teaching and research have come to play an even more decisive role in many dimensions, making academic organizations, and especially universities, take greater responsibility for sustaining and inducing development. According to Slaughter and Rhoades (2004), in the transition from an industrial economy to a knowledge-based economy, universities are required to move from a production regime based on the public good to what they call the “regime of academic capitalism”, which requires a pro-market behavior and commitment from the institutions themselves and from their subjects.

The new scenario that arises brings with it some disbelief regarding the configurations, structures and conditions of present higher education institutions, which is accompanied by a type of loss of identity (Collini, 2012). On the one hand, the question is whether traditional models are able to respond to the emerging needs of a university, which is open to the demands of the external context, able to respond quickly to the challenges of the practical world and to innovate in the supply of technologies to the productive sectors (Etzkowitz, Webster, Gebhardt, & Terra, 2000). On the other hand, the question is whether recent institutional models characterized by proximity with the market are able to meet the demands of the knowledge economy while preserving academic standards for the public good, such as disinterested research, collegiality and autonomy (Kezar, Chambers, & Burkhardt, 2015). In short, while being charged to maintain traditional values, institutions are also called upon to be more agile, present innovation capacity and be articulate with markets.

As a result, questions arise such as: what is the ideal institution model to cope with ongoing changes? Who should provide and finance higher education? What are the limits of state funding? To what extent should this level of education be subject to the laws of the market? In other words, the questions that are raised within the theme of public and private in higher education gain relevance. However, literature has presented a reality in which the boundaries between both terms are increasingly blurred (Jongbloed, 2015; Marginson, 2007, 2011; Slaughter & Rhoades, 2004).

"Public" and "private" are terms that make up a binomial that has become so natural in everyday life, that the terms are no longer questioned. These are categories that tend to be generally invoked in different areas of life and often reduced to the dichotomy of State (the public) and market (the private). The recurrence of this association, as well as its limits, has already been pointed out by authors such as Perry and Rainey (1988), in their study of

organizations, and by Weintraub (1997), who theoretically reconstructs the different concepts of public and private.

But, after all, in the context of higher education, is public synonymous with State? If so, is legal ownership a sufficient criterion for determining the public (or not) nature of an institution? In a dichotomous look, what place would private, nevertheless nonprofit institutions occupy?

If in the area of economics the answers to these questions can be easier, in the field of education, especially the higher one, the deconstruction of generalizations requires, on the one hand, the appropriation of concepts of the economy itself and, on the other, a questioning based on political conceptions about the public and the private, whose origin lies in areas of knowledge such as philosophy or sociology. Examples of the need for such deconstruction are abundant in Brazilian reality, so much so that the property criterion is used to determine the public or private character of institutions, both in the classifications of the Anísio Teixeira National Institute for Educational Studies and Research (Inep, 2018), and in the Ministry of Education, as well as in academic production (Durham, 2003; Lucas & Lehrer, 2001).

The popular and traditional *a priori* association of the public with the State and the private with the mercantile is a simplification that can lead to a kind of "theoretical blindness", preventing the recognition of an observable reality in the empirical realm. Therefore, seeking answers to the questions posed requires a movement of alienation and, it can be said, an exercise to strip away biases rooted in people's imagination.

In this sense, based on the theory of authors such as Norberto Bobbio, Jürgen Habermas, Hannah Arendt, John Dewey and Simon Marginson, we review and analyze the understanding of public and private in higher education, as well as highlighting this understanding in empirical reality, shedding light on characteristics that are not given beforehand and that include economic and political perspectives on the subject. With this, we seek to arguably support the need for a review of concepts about the public and the private in higher education.

The general framework of the public-private distinction

In contemporary language, the word “public” can mean many different things. When referring to physical spaces such as city squares and parks, people are speaking of “public” as something that is open to everyone and commonly shared. But when they differentiate public from private concerns, people are identifying the former as issues of concern to all members of a political community, usually with some relation to government institutions. State or ruler actions are also commonly designated as public, regardless of the level of transparency of such actions. Still, the term “public” can be used as a social category, in a relatively narrow sense, to describe all those who are participating in an event or form of expression, or, in a more general sense, to characterize the collective for citizens as well as describing the set of individual views that arise in a sector of society in the form of “public opinion” (Gripsrud, Moe, Molander, & Murdock, 2010). Therefore, there is no doubt that the term “public” is polysemic and can be classified as having certain subjectivity.

Therefore, the existing interpretations of the public-private relationship are also varied, depending on the meaning to be approached and the perspective from which a distinction is proposed (Aboim, 2012; Perry & Rainey, 1988; Weintraub, 1997). According to Weintraub (1997, p. 4), “to understand what ‘public’ or ‘private’ mean within a given framework, one must know what is being contrasted (explicitly or implicitly) and on what basis the contrast is being made”.

Although there are numerous ways of conceiving and combining public and private, which makes this distinction something that is not trivial, some of the main conceptual perspectives come from the same historical root, classical Antiquity, from which two basic models of public originate. One of them comes from the

Roman Empire, from which we get the notion of sovereignty: of a centralized, unified, and omnipotent apparatus of rule which stand above society and governs it through the enactment and administration of laws. The ‘public’ power of sovereign rules over, and in principle on behalf of, a society of ‘private’ and politically passive individuals who are bearers of rights granted to them and guaranteed by the sovereign. (Weintraub, 1997, p. 11)

The other is based on the “self-governing *polis* or republic (*res publica*, literally ‘public thing’), from which we inherit a notion of politics as *citizenship*, where the individuals, in their capacity

as citizens, participate in an ongoing process of conscious collective self-determination” (Weintraub, 1997, p. 11, emphasis added by the author).

In this categorization by Weintarub (1997), two important perspectives can be inferred, associated with the historical root indicated above, the first from an economic origin and the other from a political origin.

The perspective of economic origin

Norberto Bobbio (1986) addresses what he calls the great dichotomy, that is, the dichotomy between public and private law. Related to the idea of property, it reflects the situation of a social group in which the distinction has already occurred between that which belongs to the group as such, the collectivity, and that which belongs to the individual members (p. 14). In this sense, what deals with collectivity is limited to the scope of public law, while that which deals with the individual members is limited to private law.

The great dichotomy is duplicated in others, such as the one dealing with the relationship between a society of equals and a society of unequals. Within it, the State (which is equivalent to the public institution) is the place of relationships between the unequal, since they are relations between sovereign and subjects, between rulers and the ruled, that is, between asymmetrically related subjects. On the opposite side is the natural society of natural law, or the market society of economists, which is related to a private sphere, where relations between equals take place, at least in the formal sense of the term – no matter how much the relations are between unequals from the perspective of division of labor in the economic field, they are considered to be equal in the formal aspect of the market (Bobbio, 1986).

This refers to the setting up of the public-private relationship from the perspective shaped by the bias of political economy, in which the distinction between the terms studied is a distinction between politics and economics, and where there are the relations between the unequal (political sphere) and the equals (economy). Thus, according to Bobbio (1986), on the basis of the distinction between the economic sphere (the market) and the political sphere (the state), “the old distinction between the *singulorum utilitas* and the *status rei publica*, appears and with it the distinction between the private and the public spheres will appear for the first time”

(p. 17). Here, while public law deals with collectivity and is represented by the state, private law deals with the economic society, or the state of nature, according to the jus-naturalists.

This economic understanding identifies the precedence of the private over the public. This comes from the naturalization of private law by the Romans, a place which was later taken over by the classical economy. Bobbio (1986, p. 21) thus clarifies that Roman private law, widespread in the West, “acquires the right value of reason, that is, a right whose validity is now recognized regardless of the circumstances of time and nature from where it originated and which is founded on the nature of things”, a process that will later take place with the classical economy, which will be considered as the only possible economy because it discovers, reflects and describes natural relations.

At the basis of this process is John Locke’s proposition. John Locke was a classical liberal theorist who understood property as a natural and thus inviolable right, and it is up to the State to guarantee its free enjoyment (Bobbio, 1986). From this founding idea stems the claim for the maintenance of the State to its minimum, which highlights the work of Adam Smith (2003), written in the eighteenth century. In it, the author argues that economic growth results from the action of individuals and that, therefore, private initiative must be left to act free (or with little) State intervention.

The debate on public and private goods found later in the neoclassical economy (Samuelson, 1954) deals with the idea that the state must intervene insofar as it is to overcome the market failures to which the provision of certain goods is subject. When the market does not reach the necessary efficiency in the supply of some good, it must be offered by the State, which means its public provision. So the public, in this perspective, deals with the supply of goods through the State, which, as it turns out, occupies a secondary and subsidiary role, since the priority of supply is the market (in this case, understood as the private). Public goods are, therefore, goods that are subject to market failures and, for this reason, require State intervention for their provision.

In this conception, as explained by Kaul, Grunberg and Stern (1999a, 1999b), the market is recognized as the best way to produce private goods - which are those bought and sold in commerce such as shoes, rice and toys. But there are goods that the market cannot provide alone, which are part of the set of so-called public goods. The authors explain:

Public goods are recognized as having benefits that cannot easily be confined to a single “buyer” (or a set of “buyers”). Yet once they are provided, many can enjoy them for free. Street names are an example. A clean environment is another. Without a mechanism for collective action, these goods can be underproduced. (Kaul et al., 1999b, p. xx)

Thus, according to Samuelson (1954), public goods have two founding characteristics: non-rivalry in consumption and non-excludability in demand. "Non-rivalry" can be understood as the goods or service that can be consumed by any number of people without running out, and is therefore of unlimited supply, as is the case of knowledge of a mathematical theorem, for example. Non-excludability is characterized by the idea that the goods cannot be restricted to a few individual buyers, and their demand can be unlimited and thus everyone can consume them, such as social tolerance or free software, for example (Marginson, 2006).

An important notion for understanding public and private goods is that of externalities – by products generated in the provision of goods, which can be positive or negative. Kaul et al. (1999a, 1999b) shows, in this sense, that women's education generates additional benefits, such as reducing the number of children per couple, which is a positive externality. On the other hand, releasing polluting products into a river can threaten humanity and is a negative externality. Bringing up the case of access to education, they emphasize that, in addition to the unquestionable individual gains in terms of income expansion that a subject comes to have as a result of his years of study (private goods), there are additional gains that go beyond the individual sphere - these gains are the positive externalities.

The perspective of political origin

This, in turn, is defined around republican citizenship and, thus, the public-private relationship is associated with democracy and citizenship issues, surpassing the association with the state. According to Bobbio (1986), public is related to what is common, what is manifest, open to the public, and the private with the individual/personal, with what is done in secret.

The range of theoretical conceptions that informs this second model is quite wide. The starting point here is the conception developed by Hannah Arendt (2007), for whom “public” denotes two associated phenomena. In one of them, the public is related to the idea of accessibility, public access. In the other, “public” refers to the common world, that is, “the world itself, in that it is common to all of us and different from the place within it” (p. 62). The

distinction between the public and private spheres in Arendt (2007) “equals the difference between what should be displayed and what should be hidden” (p. 82). The private is also associated with the idea of deprivation, which happens when there is a loss of public space.

Arendt (2007) points out that, in modernity, the social sphere emerged, which eventually compromised the differentiation between public and private. This is because, for her, the rise of the social coincides with the transformation of issues related to private needs - including private property - into a public concern. This transformation puts the policy focusing on private needs and interests rather than on the public good, at risk.

Analyzing this, Jürgen Habermas (1995) diagnoses that, facing a process of depoliticization of public spaces, the State starts to gain an autonomous life. For the author, “it would be necessary to revitalize the sphere of public opinion to the point where a regenerated citizenship could (re)usurp, in the form of decentralized self-management, the bureaucratically autonomous power of the State” (Habermas, 1995, p. 46).

Habermas is the theorist of the public sphere, the realm of life in which public opinion is formed, whose access is open to all. The members of this sphere are the citizens, who “behave as public as long as, spontaneously that is, there is the guarantee that they can meet, associate, express and publish their opinions freely, discussing issues of common interest” (Habermas, 2012, p. 218). It is within the public sphere that the public is set up and, being the holder of public opinion, endow it with the principle of publicity, that is, of making public that which deals with the collective, which is a precondition for democratic control.

This idea of Habermas' "public" was theoretically influenced by Arendt, as well as John Dewey, who argued in favor of public deliberation as a premise for building the common good. Dewey (1927a) was concerned about the genuinely democratic processes and, in this sense, understood that democracy was not limited to rituals and government agencies, but was “the idea of community life itself” (p. 5).

In his conception of democracy, Dewey (1927a) operates on the idea of public opinion and understands that advertising - in the sense of making things public and known - is fundamental for the subjects in a democratic society to be able to engage and build a common opinion. An organized audience comes into existence inasmuch as there is publicity.

In his understanding of the relationship between public and private, Dewey bases himself on the supposition that human actions can have consequences that affect others besides those directly involved, that is, indirect consequences. This is the case, for example, of a conversation between two people. If the results of this conversation are limited to both, it is a private activity. But if, on the other hand, this conversation between two people has consequences beyond them, affecting the well being of a community, a public issue can be acknowledged. For the author, it is in this practical relationship that the origin of the distinction between public and private lies. Thus, the boundary between the two “must be set based on the extent and scope of the consequences of actions that are so important that they need control, whether by inhibition or promotion” (Dewey, 1927b, p. 10).

The public thus refers to the idea of public control, that is, the control performed by the affected public. This concept underlies the origin of the state, that is, “when indirect consequences are recognized and there is an effort to regulate them, something resembling a State comes into existence” (Dewey, 1927b, p. 8). However, it is observed that the State here is not understood in itself, that is, as an instance that has gained its own autonomous life, as criticized by Arendt and Habermas, but rather as the place of expression of citizenship, as the catalyst of public interests, which also has nothing to do with the issue of legal ownership as in the case of the economic perspective. Understanding that public matters are in some way subject to State control does not necessarily mean that the State is responsible for carrying out these actions, and in this sense it is not a matter of legal ownership.

Another significant concept that structures the political perspective of the public-private relationship is that of the public good (in the singular), understood by the bias of the common good. The public good “can be understood in a broader sense, and is infused with normative overtones. In this sense, a public good is often collective in its provision and considered a ‘good thing’ for society as a whole”. (East, Stokes, & Walker, 2014, p. 1618). The debate over the idea of public good goes back to antiquity and, involving the notion of the common good, contrasts with private gain. The common good is linked to processes of collective action, since these exist only as a result of shared and solidary actions. What matters, then, is not only the results of collective action, as in the case of the economic concept of public goods, but also the relationship itself, the collective process (Deneulin & Townsend, 2007).

Chart 1 - Table - summary of public and private concepts: economic perspective and political perspective

PUBLIC-PRIVATE RELATIONSHIP		
	Characteristics of the Public	Private Features
Economic Perspective	<ul style="list-style-type: none"> - State Jurisdiction - Government - Public right - Public goods 	<ul style="list-style-type: none"> - Private Jurisdiction - Market - Private Law - Private goods
Political Perspective	<ul style="list-style-type: none"> - Political Community - Accessible, transparent, manifest - Republican values and citizenship - Publicity - Public sphere - Public good/common good 	<ul style="list-style-type: none"> - House - Secret, hidden - Individuality and privacy - Family life - No indirect consequences - Individual gain

Source: systematization of the authors based on Weintraub (1997), Arendt (2007), Habermas (1995, 1997, 2012), Dewey (1927a, 1927b), Samuelson (1954), Bobbio (1986) and Deneulin and Townsend (2007).

Thus, based on literature, it is possible to say that the theoretical understanding of the public-private relationship may be different, depending on the perspective adopted. As shown in Table 1, a set of views can characterize the perspectives of economic origin and the perspectives of political origin. Briefly, the economic perspective, from the public dimension point of view, involves aspects of state jurisdiction; government; public law and public goods; and from the private dimension point of view encompasses the Market; private law; and goods. The political perspective, in turn, contemplates, in the public dimension: the political community; that which is transparent; the public sphere; and the common good; and, in the private dimension: family life; the individual; privacy; and individual gain.

Limits of traditional understanding of public and private in higher education

Faced with such a theoretical distinction in literature, it is then necessary to ask: what, in fact, public means and what private means in the context of higher education? What are public goods and private goods generated by academic institutions? In seeking to answer such questions, one tends at first to differentiate the use of terms, mainly through legal property, with definitions influenced by experience and culture. In this distinction, State-owned institutions are classified as public and, in some places, such as Brazil, are still associated with being cost free, i.e. State funding. Non-state institutions, on the other hand, whether for-profit or non-profit, tend to be indistinctly recognized as private and, frequently are associated with the market and monthly fees.

However, with a brief look at the experiences of organizing national higher education systems in a few countries, it is clear that the public-private binomial does not fit into a framework restricted to the criterion of ownership and financing. In the United Kingdom, for example, although they do not belong to the State, universities are considered public. In South Korea and the United States, in contrast, there are state-owned higher education institutions, which nonetheless have a funding structure that operates through student fees. That is, in these two countries it is possible to find the State, but it is dissociated from being free, even in the case of institutions administratively linked (legal status) to the State. In Brazil, many non-state institutions serve State-funded students, such as the scholarship recipients of the University for All (ProUni) at private institutions whether they are profit and non-profit institutions.

Higher education researcher Simon Marginson (2006, 2007, 2011) challenges the dualism between public, state-associated; and private, market-associated; demonstrating that in the real world such a division is less solid than it appears. In this sense, the author points out the limits of the focus on the economic perspective criterion of legal property by resorting to some examples, such as: in several countries of the world, the State has been the inducer of commercialization processes through its higher education policies; while privately owned institutions produce public goods, State-owned institutions produce private goods; in some countries, State universities charge higher fees than those charged by private universities (Marginson, 2006).

Examining current public-private associations with, for example, State and non-state legal ownership and with market and non-market activity, Marginson argues that they create a series of analytical and empirical problems in the fields of higher education. He thus reflects that although the importance of the criterion of legal ownership is not disregarded, the most relevant is “the *social and cultural character of the outcome or ‘goods’ produced by higher education institutions: the effects of these institutions in teaching/learning, research, certification of graduates, community and national service*” (Marginson, 2007, p. 309-310, emphasis added).

From this point, comes the premise that it is not productive to take the public or the private as natural, fixed, and universal attributes of systems and institutions. Moreover, the author understands that “The work of higher education can be public and/or private; and manifest itself either as individual or collective benefits”. (Marginson, 2007, p. 310). The traditional look, which naturalizes and universalizes, becomes a problem as it “blinds us to the complex mixing of public and private qualities that takes place in actual institutions, and higher education systems” (Marginson, 2007, p. 310), which, nevertheless, are empirically identifiable.

After that, Marginson proposes that instead of taking the public and the private as two sides of the same coin, these should be understood as heterogeneous qualities that have some interdependence. This is because, unlike the traditional dual framing, which believes that the more higher education is private, the less public it is, or the opposite, that in real public and private life they are not a single homogeneous set and, therefore, their composition does not necessarily result in a zero sum. The author also notes that a limiting factor in the approach to public goods by neoclassical economists, such as Samuelson (1954), is the existence of an anti-historical definition of goods, as it works from a perspective that naturalizes them as being intrinsically public or private, from supposedly unchanging and inherent characteristics. For Marginson (2018, p. 225), “It is right in relation to sunlight which is always a public good. [It is wrong] when the character of the good is shaped by politics or social arrangements, and can be either public or private, as happens in higher education” as this would disregard the variable and contextual character that is inherent to this good.

Similarly, the author points to the limits of what he calls the “traditional reference,” which he calls the statist perspective of political philosophy, for which a State-owned institution is taken as an *a priori* public institution, the results of which are, in advance, considered public, and vice versa for privately owned institutions. Marginson, then, in criticizing *a priori* analyses,

which disregard the variable and contextual character of education, proposes considering them potentially rivalry or non-rivalry and potentially exclusionary or non-exclusionary, which is politically influenced.

Thus, considering that higher education is by nature neither public nor private, the author argues that what is produced in this field, regardless of the ownership of institutions, is a variable composition between public goods and private goods. This composition “is determined by public policy, institutional manager leaders, and the day-to-day practices of personnel”. (Marginson, 2007, p. 315). Therefore, in one institution both types of good will be produced. And the levels of public and private goods within the composition vary from institution to institution, making up key elements that ultimately differentiate them from each other.

Finally, recognizing the shortcomings of traditional reading as well as the limited range of isolated conceptions, Simon Marginson (2018) proposes a synthesis for the apprehension of the public and the private in higher education, based on a combination of an economic perspective and another of political origin about the relationship. Its proposal for complementarity is due to the recognition of the limits that reside in each perspective when taken in isolation. According to him, the economic perspective is effective for apprehending goods at the individual level, but the same is not true for collective goods; in the same way, it is more adequate for the understanding of the end activities of education, where it is more difficult to use for the analysis of the activities, including the way education is conducted at the institutions. The perspective of political origin on the other hand, is competent to deal with collective goods and the public good - understood in a normative sense, as “common good” - but tends to suffer from a certain inaccuracy for some types of analysis, such as those that seek to measure results.

The two perspectives are generally taken separately, but in practice they are intertwined, “and each contributes to understanding the dynamics of public and private, each fills a gap in the other, and each provides a critical reflexivity for interrogating the other” (Marginson, 2018, p. 230). Thus, it is suggested that the public dimension of higher education may be better clarified when the two definitions are drawn together, in a composition that is essentially interdisciplinary.

The public-private composition in higher education

Given the above, it is possible to analyze the public and private in higher education from a broader framework, being able to grasp the heterogeneity of nuances that are present in the reality of systems and institutions nowadays. To do so, it is necessary to consider the presence of both the perspective of both economic and political origin of terms, in different empirical situations of processes and outcomes in the context of State and non-state institutions.

Thus, considering the literature review carried out, the economic perspective can be seen in the results of higher education, such as generation of public goods and positive externalities. The political perspective, in turn, is demonstrated in the institutional commitment to the public good (understood as the common good), comprising the conception of university and the existence (or not) of a proposal of involvement with the needs of society. This perspective is also associated with the way institutions conduct their work internally and with a wider audience, considering the existence (or not) of democratic and participatory directions and the interactions that are established with society as a whole, operating with the idea of public sphere.

In this sense, by mapping the goods produced in higher education from the economic perspective, the benefits of individual status obtained by students are the main private goods generated through education. There are few places in prestigious institutions or courses that give students unique status and opportunity, thus forming the so-called “positional good”. In terms of private benefits, higher education can provide each individual with access to higher paid Jobs; social recognition; comparative advantages; and even a better quality life and health. The production of such status and the consequent individual gain of students may occur, however, regardless of the institution's legal ownership criteria.

The knowledge produced in higher education institutions through research is perhaps the best-known public good generated in this area. According to Stiglitz (1999), however, when knowledge is commercially submitted - which leads to the adoption of patent policies and other ways of keeping it secret for a longer time - it may become a private good. The prioritization of commercial research, a trend observed in the knowledge economy with an emphasis on technology transfer processes to the productive sector, can be observed in various academic institutions. An example of this is the articulation with private companies through the creation of technology parks, a practice that has been adopted by State and non-state institutions.

Similarly, positive externalities, that is, social and collective gains from education, are also goods produced by academic institutions regardless of legal ownership. When citizens are more educated, they tend to be more participative, autonomous and creative (Cabrito, 2004). Also noteworthy are the public gains, such as the reduction of crime and government spending on the social assistance system (McMahon, 2009). Higher education is also related to the formation of positive attitudes and social norms, such as with regard to democracy (Shafiq, 2010) and lower tolerance for corruption (Truex, 2011).

McCowan and Schendel (2015, p. 29) point out, among the public benefits of higher education, “the indirect influence of attributes acquired by graduates (for example, the positive influence of a doctor or teacher on their patients and students)”, the social benefits arising from advances in research, in addition to the “role played by universities as guardians and promoters of cultural heritage”. Thus, from an economic point of view, education, regardless of the type of institution in which it develops, generates public goods that can be classified as positive social externalities.

Other studies, stemming from the theory of human capital (Becker 1965; Schultz 1961 cited by McCowan and Schendel 2015), indicate associations between the expansion of higher education, whether State or non-state, and increased productivity and economic growth. For example, in societies where there are more graduates, there is also a higher tax collection that will be paid over lifetime by citizens with a higher level of education and a higher income level, generating what may be termed as “positive economic externality”.

Based on these empirical examples, it is worth remembering Marginson (2007) when he states that what is produced by higher education in terms of public or private goods is more determined by the aims of an institution than by its legal status. However, the author acknowledges that State-owned institutions are more likely to produce public goods than others. He further analyzes that the more higher education moves toward economic markets, the more the role of private goods, in relation to the public ones, strengthens, and that the market forces tend to increase non-rivalry and excludability.

Understanding the relationship between public and private based on an economic perspective, albeit adequate for understanding the outcomes of higher education, presents

limits⁴ in terms of understanding, for example, the choices and decisions about what will be treated as public or private; of the institutional aims; and also the way higher education is conducted internally. In this sense, Marginson (2011) points out that, in political debates, public goods, as conceived by Samuelson, are open to dispute in terms of content and value. In the author's words, “the fact that knowledge, in the technical economic sense, is a global public good does not exhaust questions of content and value, such as ‘whose public good?’ and ‘in whose interests?’”. (p. 417). The search for answers to this kind of questioning can be broader when one uses public-private notions that come from a political perspective, coming from areas of knowledge such as philosophy or sociology. This is the case of the concepts of public good (in the singular); of public sphere; and of public as that which affects the collectivity, which were addressed, not only by Marginson, but also by Walker and McLean (2013) and Pusser (2012).

From a political perspective, the notion of the public good, of normative order, emphasizes the benefits and collective activities of higher education, being related to the common good. The theorizing developed by Walker and others on the concept of public good professionalism enables a more accurate proximity with the meaning of public good in higher education. To achieve this concept, East et al. (2014) discusses the role of the university in promoting public good and understands that the training of professionals can be a specific contribution of the university to this. Considering public good as an objective of higher education, Walker and McLean (2013) relate it to the social commitment of academic institutions, that is, their commitment to the general interests of the society to which they belong.

Supported by the theory of human development and capabilities of Amartya Sen and Martha Nussbaum (1993), public good professionalism is about the contribution made by universities regarding the formation transferred by the public good. This means that “the university, if it is serving public good, should be equipping graduates to advance social justice” (East et al., 2014, p. 1620). In their research, Walker and McLean (2013) sought, on the one hand, to identify the capabilities that should be considered indispensable for professionals

⁴ The UNESCO Document (2016) *Rethinking Education: Towards a Global Common Good?* points out that “the transfer of an essentially economic notion to the field of education has always been somewhat problematic” (p. 84). Among other things, it argues that the use of the conception of economic bias in education may lead to the misinterpretation that public goods should be provided by the public sector. At the same time, as a more instrumental concept of order, “human well-being is framed in an individualistic socioeconomic theory” (Unesco, 2016, p. 84).

guided towards public good and, on the other hand, to understand how university education could contribute to their development.

They emphasize that professionals guided towards public good are those who: recognize the full dignity of every human being; act for social transformation and reduction of injustice; make informed, reflective and imaginative professional judgments; and work with others to expand the comprehensive capacities of people living in poverty. Training for the public good can of course be developed in both State and non-state institutions.

Still within the political perspective, in the sense of the daily practice of the institutions and their involvement with the society which they are part of, comes the concept of the public sphere. Thus, Marginson (2006) suggests looking at the following question: to what extent do universities conduct their work publicly? On the one hand, this public form regards the relationships that are established within the institution, but, on the other, it extends its communication with a wider public, beyond it, considering the interactions between both academic work and the larger public discourse as well as between academia and policy makers. From this, there are two ways of conceiving the public dimension of the institution: in the first, internal, one must evaluate to what extent it provides room for criticism, or how widespread criticism is in institutional practice; in the second form, the university is understood as being part of a broader communicative civil order that comprises the different social sectors and interacts with the government and the market without, however, becoming them (Marginson, 2011).

Regarding the former, it can be highlighted, for example, that transparency; internal democracy; and openness to criticism; usually present in State institutions, can also occur in non-state institutions, when they have collegiate management structures and implement processes of self-assessment based on a formative and participatory nature. In the second form, it can be said that the relationship of an institution with the community and its establishment as part of a wider public sphere is a reality that is independent from the legal format, becoming, for example, a distinctive mark of State and private traditional non-profit institutions (while present in their institutional aims) and, at the same time, being poorly identified in private commercial institutions, which can also be explained by their aims.

Identifying the conditions to create and preserve a public sphere through higher education, Pusser (2012) highlights that it is necessary to recognize four essential forces that

shape the contemporary university: the State; the Market; the institutions themselves; and the efforts of the social actors. The author thus suggests understanding to what extent each of these four forces shape higher education in order to help or restrict the establishment of the university as a public sphere. The hypothesis of overvaluation of market interests, to the detriment of the other three forces shaping the university, may be in the different forms of institutional ownership - in spite of the recognition that this will always be stronger in private market institutions, many of which are publicly traded on the stock exchange, so that the notion of the public sphere in them tends to be precarious or even null.

Still, reflecting higher education based on the concept of the public as that which affects a collectivity, one can resort to Dewey when distinguishing it as something recognized as a matter of common interest and therefore subject to state control. Such control, in this case, concerns the public in the political sense, in a reality that focuses on both state and non-state institutions.

In this context, it is worth mentioning literature that has been guiding a growing reality in world higher education, marked by the adoption of market behaviors by state institutions and their academic staff, which occurs by means of various mechanisms, such as national inductive policies; the adoption of corporate management; and, especially, the approach to the productive sector in commercial research; which generates additional income in a context of shrinking State funding. On this topic, Slaughter and Rhoades (2004) work with the idea of “academic capitalism in the new economy”, while Mouwen (2000) and Jongbloed (2015), in turn, address the hybrid character that institutions take on in a blurring scenario of the borders between state, market and university.

Table 2 - Elements of public and private composition that can be found in State-owned and non-state-owned higher education institutions

Economic		Political	
<i>Public</i>	<i>Private</i>	<i>Public</i>	<i>Private</i>
Social positive externalities	Positional good	<i>Public good</i> <i>professionalism</i>	Valorization of market interests
Economic positive externalities	Commercial research	Collegiate management State control Relationship with the community	Academic capitalism

As can be seen, both types of State and non-state institutions are structured from a hybrid combination of public and private dimension elements (Table 2), so that the intensity or level of one or the other will depend on the context of each institution. As stated by Marginson (2007), the public-private binomial is subject to the broader policies; the purposes and institutional management; and the daily practice of the academic community. Thus, some institutions have a greater tendency to develop more public than private processes and outcomes. This may be the case, for example, of State institutions as well as private non-market institutions (such as non-profit institutions), when their institutional objectives are aligned with social responsibility and academic values. On the other hand, as the institutional aims are drivers, it is possible to analyze that in the private commercial institutions, which consider profit as an aim, the notions of public sphere and collectivity, as well as the collegiate management or the commitment to the formation for the public good, will be put in second place, because such conceptions do not provide profitability - on the contrary, they threaten it.

However, as shown so far, none of the dimensions, either public or private, are confined to a specific type of institution only because of its legal ownership. Elements such as positive externalities (public goods) and positional goods (private goods) from an economic perspective, for example, are present in all higher education institutions. Similarly, from the political perspective, there is a near universalization of State regulation, as well as the appreciation of market interests that shape behaviors of the academic community. Thus, it is a reality that supports the broader theoretical understanding that involves the issue of public and private in higher education. Therefore, based on the theoretical framework and the empirical evidence presented, it is plausible to state that the public and the private, in the context of higher education, are dimensions that coexist in the form of a variable composition.

Conclusion

The rooting of preconceived ideas, in terms of public and private in the ill-considered daily life of society, makes the task of performing towards strangeness, complicated (and risky). But it is this very rooting that makes such a task necessary, as everything that becomes part of the routine tends to be settled as a kind of “natural landscape” and, because it was not thought through, can lead to blind spots that undermine further analysis.

This article sought to perform this strangeness movement, through a construction that theoretically reviews the concepts that involve the public-private binomial. The use of “concepts” in the plural derives from the understanding that there are different ways of understanding such a binomial, which, arising from distinct discursive universes, had varied developments in the theoretical field. Thus, the starting point was the necessary understanding of the polysemy of existing conceptions.

Thus, it became plausible to systematize and highlight two important perspectives to understand the public-private relationship. The former, of economic origin, is associated to the boundaries between public and private law and, from the neoclassical economy, is robust to understand the “results”, that is, of the goods that are produced. The other perspective operates around republican citizenship and, thus, the public-private relationship is taken from a perspective called political, associated with the issues of democracy and citizenship. Here, public and private understanding is more associated with processes.

In the scope of higher education, however, neither perspective alone seems to be sufficient. The concrete reality of higher education does not fit within a supposed formula that reduces the sense of public and private to the scopes of State and market, respectively. When you do that, you are actually using a predominantly economic perspective that can even fuel “ideological blindness”.

As shown in this paper - notwithstanding the recognition of variability in the composition between the public and private dimensions - regardless of whether higher education institutions are State-owned or not, both generate individual and collective gains, both can develop teaching and research not only for common good but also for utilitarian interests, and both may employ democratic management practices and academic values. Therefore, in order to move towards better and more appropriate educational policies, it is necessary, first of

all, to review concepts and recognize that it is more productive to think of higher education as “public and private” at the same time, in the form of hybrid models, and not as “public or private” in an exclusive way.

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