Quality assurance and the battle for legitimacy – discourses, disputes and dependencies

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Abstract

Purpose – The purpose of this paper is to address how issues of legitimacy are influencing the functioning and shaping of the field. The paper identifies key global agendas currently linked to the role of QA in the governance of higher education, the dependencies among key actors within the field and the possible directions of QA in the years to come.

Design/methodology/approach – The paper is based on existing studies on external quality assurance (EQA) and provides a meta-reflection on current trends and dynamics within the field.

Findings – The paper argues that the field of EQA is facing a rather turbulent future, both due to increasing competition from other actors that also claim ownership to issues related to quality, and from national authorities which are looking for ways to increase the efficiency and the effectiveness of how the higher education sector is governed.

Research limitations/implications – Studies on EQA need to be strongly linked to studies of governance in higher education as such a link will broaden the understanding of how the field of quality assurance is developing.

Practical implications – The paper provides some hints as to how agencies may position themselves in a more insecure future.

Originality/value – An original contribution is made by linking theories of how legitimacy is developed and shaped to the field of quality assurance.

Keywords Legitimacy, External quality assurance, Global trends

Paper type Research paper

1. Introduction

External quality assurance (EQA) can be seen as one of the most visible results of the ongoing internationalization and globalization of higher education. As part of this development, the rationale, uses and role of EQA have transformed. This paper identifies some global agendas currently linked to EQA, the interrelationships and dependencies between actors involved in the EQA process, and indicates possible directions EQA might take in the years to come. It argues that the battle for legitimacy will be a key factor determining the fate of EQA in the decades to come.

One of the success factors of EQA is related to the capability for taking on various functions and need within higher education (see Westerheijden *et al.*, 1994), including that of system effectiveness, efficiency and relevance. Hence, the popularity of EQA is not dependent on whether the higher education system is mostly public or private, it is a tool that is easily linked to a number of governance issues, for example, relating to the entrance of new providers into higher education. Furthermore, EQA has provided useful information about quality to different stakeholders in the sector, including governments and students, and EQA has played a key role in stimulating to quality improvement in education and training in general (Brennan and Shah, 2000). As such the roles EQA has fulfilled have been hugely different, ranging from strict control and efficiency purposes to more developmental and

enhancement-led purposes, and where the specific role of EQA is often related to distinct governmental traditions and policy modes in individual countries (Dill and Beerkens, 2010). In some regions and countries, EQA has played an important role as a regulative tool ensuring quality in deregulated and more market-driven systems. In other regions and countries, perhaps where institutions have already established their own systems of quality assurance, EQA has played a role more related to the development of these systems. In some regions, such as in Europe, a key ambition has been that EQA should be conducted in a way that would make regional and national differences less important, preferable to stimulate trust and mutual recognition within Europe (Westerheijden, 2007).

Given the intermediate positioning of EQA, balancing the expectations of governments and ministries, which tend to want advice on policy actions, and the expectations from higher education institutions often in need of constructive advice on how to boost quality further, it is perhaps not surprising that a key debate within QA is related to whether EQA should be improvement and accountability focused. While this issue is still important in some countries and regions, current debates about the EQA suggest that there are other issues coming on to the EQA agenda which will be more important in the years to come.

The current paper offers a reflection on the developments of current EQA systems and procedures globally, and on the critique directed at this activity. Conceptually, the paper demonstrates how legitimacy is a key issue for the functioning and role of EQA, but that such legitimacy may be obtained in different ways and forms. The key argument is that while EQA and the agencies responsible for this activity are facing a future implying potential dramatic changes in their set-up and responsibilities, the future also offers quite different scenarios as to how the tasks associated with EQA will be organized.

2. Global discourses and disputes on external quality assurance

If we understand EQA as a policy tool – an instrument for solving problems related to "quality" – certain tensions and questions tend to emerge as a consequence (Dill and Beerkens, 2010). As national authorities themselves are accountable for how public resources are used effectively, three issues can be identified as being crucial: whether EQA can be trusted as an instrument; whether EQA is efficient as a governmental tool; and, partly related to the previous issue, whether public authorities are the most relevant actors for being responsible for EQA. In the following, the three issues are discussed in more detail.

2.1 Can external quality assurance be trusted?

Regardless of whether the aim of EQA has been that of improvement, accountability or a combination of the two purposes, the methods applied in EQA are relatively similar involving the collection and analysis of data, often in combination with self-evaluations and an external review. If the purpose is control, the EQA process tends to be accreditation. If the purpose is improvement oriented, audits or evaluations are typical EQA activities. However, the data used for these exercises are often not directly related to teaching and learning activities as such, but to the existence of plans, procedures, staff numbers and qualifications, the student–staff ratio, or various output data addressing employment rates for graduates, salary levels, etc. With the recent interest in learning outcomes, EQA has thus been increasingly criticized for providing assurance of the less important aspects of higher education while paying less attention to issues that matter – whether and what students learn.

Hence, while accreditation still is a dominant method in EQA in various parts of the world (Stensaker, 2011), recent developments suggest that a number of governments are in the process of re-thinking their approach to EQA, not least by trying to dig deeper into the core of the teaching and learning processes. The backdrop driving this agenda is the interest in student learning outcomes and in the effectiveness of higher education in general (Coates, 2014). While increased professionalization of higher education can be witnessed as

an important side-effect of EQA, the skills and competencies of those working with EQA are usually not considered sufficient evidence of improved student learning, or better results regarding teaching and learning (see e.g. Newton, 2002). As national qualification frameworks are spreading rapidly to different corners of the world, and while countries are investigating much in their implementation, there are signs that qualification frameworks are becoming the dominant standards in EQA arrangements (Stensaker and Sweetman, 2014). The idea is of course that learning outcomes should be used as the new standards used for assessing, evaluating and accrediting higher education institutions.

How the learning outcomes agenda will change EQA is still an open issue, and far from determined. In some countries, such as in the USA, the accreditation system has been targeted for a number of years without radical changes being implemented (Zemsky, 2011), although those having key responsibilities of the system still dispute the criticism voiced, while they at the same time also acknowledge the need for more innovation (Eaton, 2018).

For national governments, EQA can be conceived as an instrument that is invented to solve particular quality problems. These problems may be related to a variety of issues, privatization, massification, de-regulation, etc. (Dill and Beerkens, 2010). Nevertheless, whether EQA has been able to deliver with respect to solving "quality problems" is still an open issue. While there is much evidence that EQA has had an effect on the professionalization of institutions, to provide the public with more information on higher education, and that EQA has fostered a more institutional focus on quality management (Manatos *et al.*, 2015), there are fewer studies showing a clear link between EQA and improvement in teaching and learning (Stensaker, 2008). As such, the unresolved dispute is whether EQA in its current form really is a trustworthy governmental tool.

2.2 Is external quality assurance efficient?
A second discourse – at least in countries that can be characterized as having considerable experience with EQA – is related to the need to save costs and make EQA systems and procedures leaner. These political initiatives come in various ways and means but two initiatives are noticeable in several countries. The first initiative is to rethink one of the traditional characteristics of national EQA systems, the need for standardization across the system. This initial focus on standards was rather obvious as many higher education systems expanded, but is seen as less relevant when the same systems have reached the stage of maturation and even downsizing. Establishing EQA systems that can handle a more diverse higher education landscape has consequently become an important issue, especially as some institutions have started to complain about the diminishing value of being exposed to EQA activities (Rosa and Amaral, 2014). Thus, going for more "risk-based" approaches to EQA has become more widespread where the basic idea is to establish a procedure for identifying study programs or institutions with "quality risks." The original aim of a risk-based approach to EQA was related to ambitions of developing "lighter touch" EQA systems – Australia is a good example here – although this thinking currently incorporates the "risks" institutions of higher educations should face if they display performance not in accordance to expectations. The rankings of English institutions into gold, silver or bronze status following the introduction of the teaching excellence framework is one example. Other countries have tried out a range of other cost-saving alternatives where – as in England – the development of national student surveys is quite common, although also other indicator-based EQA systems are evolving (see e.g. Brenemann, 2010). Using indicators – reported by the institutions themselves – perhaps with links to funding can be quite cost-effective, and can be linked to various governmental purposes beyond EQA. The shift from a EQA orientation toward programs toward an audit approach in China can be interpreted as another example of policy initiatives aimed at making EQA more efficient (Liu, 2016a, b).

The latter example is also of relevance for another ongoing discourse – especially in Europe, but also elsewhere – regarding the importance of the "independence" of EQA. The independence of EQA was originally closely linked to the Bologna process and the notion that EQA should operate in a way that secured the autonomy from both governmental and institutional interference, paving the way for transparency and mutual recognition. However, over time, many governments have created rules and regulations that provide them substantial influence on agency activities, and in some cases transforming the agencies as such. For national governments, EQA is also a matter of efficient governance, and identifying the optimal uses of available resources, time and energy in dealing with various political issues (Dill and Beerkens, 2010). From a governmental point of view, the issue at stake is whether there are leaner and smarter instruments available.

2.3 Who should conduct external quality assurance?
The two former discourses then pave the way for the third big debate witnessed in EQA – the question concerning ownership and responsibility. In many countries, EQA started out and still is a national responsibility (Stensaker and Harvey, 2011). Thus, the public ownership of EQA and the public engagement in this activity is still considerable in most countries. However, as information addressing "quality issues" tends to be produced by a larger number of stakeholders in higher education, and where this information is attracting considerable interest, it may become more difficult, alternatively, quite attractive, for governments to argue for public responsibility for EQA. There are several drivers behind this development. One driver is found in the many national and global rankings that have appeared in the higher education sector providing the public with easy accessible and user-friendly consumer information about the best, and the not so good study programs and institutions. Another driver is the development of a global market for EQA, where quality assurance agencies increasingly are allowed to, and sometimes even invited into other countries to conduct evaluations. In Europe, a number of countries (e.g. Austria) have opened up for institutions to select their own EQA agency. As many of the "new" actors in this emerging market are private or non-public agencies, this change can be seen as a form of "privatization" of EQA, where national governments no longer see this activity as a public responsibility. A related driver that can be identified is linked to ideology, and the need for governments to reduce public spending, allowing for more "user involvement," or demonstrating political potency (Westerheijden *et al.*, 2014).

For the EQA community, this development is also an issue about the role of expertise and professionalism as more user-driven approaches are more inclined to give weight to dimensions addressing consumer satisfaction. As quality is a relative construct, voicing opinions about quality then also becomes a democratic issue where everyone should have a say, and where all voices should be given equal weight. Hence, the increasingly heated dispute is whether EQA necessarily has to be a governmental responsibility, and why this activity should not be left to the market altogether.

3. Perspectives on legitimacy and external quality assurance
All the discourses addressed in the previous section are more or less related to the legitimacy of EQA. While the legitimacy of EQA in the past was often linked to its legal mandate where legitimacy rested on some sort of governmental backing, or at least acceptance, the changing landscape of higher education brings in other dimensions of legitimacy, i.e., the validity of the methods and data collected as part of EQA, the efficiency of the current EQA system, and the issue of who should be responsible for conducting EQA. While issues related to the legitimacy of EQA have been part of the discussions surrounding this activity since its initiation, there is still a limited understanding of how and in what way

legitimacy is related to EQA. In this section, three different perspectives of legitimacy are outlined offering insights as to the future positioning of EQA in higher education.

Deephouse and Suchman (2008, p. 50) defined legitimacy as cultural support for a given organization or a practice in its environment, and that the existence, functioning and actions taken are desirable and appropriate. As such, legitimacy is a relational concept – a product of an interaction between two or more actors. Still, legitimacy is normally seen as something that is given – not taken – and is in general controlled by the environment although organizations may attempt to manipulate or influence the perceptions of the environment (Scherer *et al.*, 2013).

However, Suchman (1995) has in an influential article also suggested that the concept of legitimacy is multidimensional and that it is based on pragmatic, moral and cognitive assumptions and expectations. In the pragmatic form, legitimacy is obtained by the actual knowledge the environment has about an organization or a specific practice. This form of legitimacy tends to be historically determined and a result of established practices and organizational behavior that fosters trust in the society. To put it simply, to achieve pragmatic legitimacy EQA needs to adopt to established governance routines and practices. Since actual knowledge is dependent of some kind of involvement or engagement with the organization or the practice, pragmatic legitimacy tends to emerge within specific and rather limited geographically areas. For EQA, a challenge might be that national practices and routines may not always be in line with regional and emerging global standards.

Moral legitimacy is based on other assumptions, not related to proven outcomes or results, but rather on stated ambitions or socially accepted roles in society (Marginson, 2011). In many countries and societies, the church and the police enjoy this form of legitimacy taking on roles that are seen to be contributing to the public good and that are accepted as important for the functioning of the society. Moral legitimacy may be embedded in particular contexts as social norms and values can differ from country to country, for example, if higher education is seen as a way to foster economic growth, prosperity, etc. However, it is also possible to identify some emerging global norms related to transparency, fighting corruption and poverty, etc., that are becoming more influential. The UN's sustainable development goals, where "quality education" is one important priority, is perhaps one example of how moral legitimacy could be enhanced within EQA.

Cognitive legitimacy is based on yet another set of assumptions, often related to taken-for-granted ideas about rationality and functionality. The key difference between moral and cognitive legitimacy is that while moral legitimacy is mainly based on ethical norms, cognitive legitimacy is mainly created by what is socially acceptable or fashionable (Hazelkorn, 2015). In higher education, one could argue that the spread of the "world-class universities" idea (Salmi, 2009) is an example of how cognitive legitimacy might influence the society. As indicated through the idea of world-class universities, cognitive legitimacy is based on fluid assumptions, easily transportable from one region to another.

The three forms of legitimacy are not mutual exclusive (Scherer *et al.*, 2013), and it can be argued that the generic legitimacy of any organization or practice is higher if all three forms are accounted for. However, the different forms of legitimacy may also suggest that EQA may base its legitimacy on differentiated arguments, at the same time as EQA also may be vulnerable to critique if some aspects of legitimacy are ignored. In general, it can be argued that EQA in many countries has gained pragmatic and moral legitimacy, either as a result of historical practices that have proven sustainable over time, or as a result of EQA actors being established by governments enjoying through public regulation and recognition.

While it could be argued that the emergence of EQA as a global phenomenon is partly related to cognitive and fashionable ideas about the importance of assuring quality in particular ways and modes, EQA can also be said to be challenged by a new set of fashionable ideas that might challenges the foundations of which EQA was originally based.

As legitimacy essentially emerges out of mutual interactions between a focal organization or practice and the larger environment, future legitimacy is then highly dependent on the relationships – or put somewhat differently – the dependencies that may emerge between the different stakeholders involved in EQA.

4. Current and future dependencies in EQA

Historically, many EQA agencies were established in an era where improvement and enhancement were high on the agenda, and a substantial amount of the agencies have remained loyal to this purpose despite the changes noticed above (Shah and Nair, 2013). The question one may ask is whether the governments that once established quality assurance agencies will continue to keep enhancement high on their agenda? Here, the jury is still out, and one should be careful portraying developments in EQA in a global convergence perspective, although elements of convergence in approached indeed are observable (Stensaker, 2011). One should also be careful in portraying the development in deterministic ways as the history has shown that the EQA community can mobilize agency and defend their interests if challenged (Zemsky, 2011; Gornitzka and Stensaker, 2014). To cater for a future with different pathways opening up, this paper will provide three different scenarios of what the future of EQA may imply, also suggesting the possible dependencies that might emerge in each of the pathways identified.

Scenario 1 is based on the historical flexibility demonstrated by EQA agencies which have enabled them to adapt to the dynamics within higher education. Thus, this scenario is less about radical change, and more oriented toward incremental adjustments of current practices. However, for EQA to develop in a more incremental way, mostly allowing existing practices to be continued, EQA is highly dependent on their political legitimacy and their relationship to their funders and regulators. The three forms of legitimacy provide some hints as to the factors realizing this scenario as moral (upholding the inherent values of higher education), pragmatic (delivering outcomes relevant to the political agendas) or cognitive (conducting EQA in the latest fashion) strategies may all be of relevance. Somewhat paradoxically, it may well be that cognitive legitimacy – i.e., operating in globally acceptable ways – could be a very viable strategy for the EQA community as a response to a potential loss of pragmatic legitimacy (public critique of whether EQA can be trusted). In Europe, there is evidence that European Standards and Guidelines are "disciplining" signatory countries of the Bologna process and that too much diversity from these standards and guidelines become difficult to defend by law makers and national governments (Bollaert, 2014). Sweden is an example of a country which tried to challenge these emerging European "rules" but which adapted back into the fold again in a relative short time frame (Gornitzka and Stensaker, 2014). However, in this scenario, dependency is not only between QA agencies and their funders and regulators, but also toward other agencies and to the whole EQA community. For cognitive legitimacy to be developed continued internationalization and enhanced globalization of the EQA "industry" is a necessity. An implication is that agencies also need to be more engaged in and adaptable to generic trends in EQA.

Scenario 2 describes a future where the state dramatically alters the ways in which quality issues in higher education are handled, and where the forms of EQA as they are conducted today are shifted toward a more radical form of output orientation. In this scenario, learning outcomes, student satisfaction, graduation rates and employability are the (only) issues that matter, and where academic expertise and the internal standards of disciplines and professions are downplayed. In some countries where current ambitions are to link funding of higher education and quality assurance more closely (Denmark is an example here), such links may radically shift attention away from the traditional purposes of EQA, and imply a quite different role for the quality assurance agencies. In Europe, the

new standards and guidelines for European quality assurance (ESG) which were implemented in 2015 emphasized student-centered learning, teaching and assessment to a much larger degree than in the original ESGs, and can be seen as an example of a development much in line with Scenario 2. However, as higher education institutions most likely will object to be exposed to pure outcome-based assessments and evaluations, likely dependencies may be established between the EQA community and the higher education sector. This interdependence between EQA and higher education institutions could be legitimated in different ways, including the ability to innovate EQA procedures and demonstrating the continuing relevance of EQA, or focusing more on the moral forms of legitimacy and highlighting the inherent values and norms of higher education and the need to balance social, cultural and economic purposes of higher education.

Scenario 3 is based on the idea that increased competition and de-regulation of the entire EQA "market" will force agencies into a much more competitive situation – both within and across national borders. In a situation where higher education institutions are potentially allowed to choose their evaluators, a different dependency toward higher education institutions develops – that toward the "paying customer" – and how well quality assurance agencies can satisfy the aims and ambitions of those that pay for the services provided. As aims and ambitions of higher education institutions most likely will differ considerably, the services provided by the EQA agencies will have to adapt accordingly where new tasks and activities may have to be undertaken by quality assurance agencies. As McDougald and Greenwood (2012) have shown regarding how the financial audit industry was transformed when it was deregulated, new tasks such as consultancy will most likely have to be developed as part of the agency portfolio. This is a situation which in some countries – Germany is an example – is already somewhat of a reality. For some agencies, the competition may well imply a radical change of tasks performed as the traditional EQA activity will be more dependent on the credentials of the agencies involved in the process. As status, reputation and other symbolic credentials most likely will decide the winners and losers of the competition, new dependencies may also be developed between the agencies and other stakeholders in the market that may be of importance in developing distinct EQA profiles. Are we to see strategic alliances between student interest organizations and quality assurance agencies? Between agencies and global ranking providers? Such alliances might be based on all the identified forms of legitimacy offering EQA services relating to "sustainability issues" (moral) on the one side and distinct "quality brands" (cognitive) on the other. For the EQA community, this scenario might have dramatic changes with respect to issues such as staffing, marketing, communication and branding. The scenario may also suggest the introduction of new ethical dilemmas for agencies balancing traditional objective evaluation and accreditation activities on the one side and more subjective consultancy activities on the other. In the long run, the competitive situation can even become more dramatic, causing the closing down or the merging of agencies creating a market for EQA consisting of a very limited number of players globally (again equaling the development in the financial audit industry, see McDougald and Greenwood, 2012).

5. Conclusion

The scenarios sketched are most likely to appear in some hybrid forms, and where different countries and regions might end up with special configurations where path-dependency most likely will also play a key role in the future EQA systems developed. However, the points to be made here are that regardless of the scenario, the past legally based legitimacy of EQA – embedded in national regulations and laws – should not be taken for granted. Furthermore, other forms of legitimacy – moral, pragmatic or cognitive forms – may be very important assets in EQA in the years to come.

As suggested in this reflective paper, the future is very much in the making and in many countries EQA is almost constantly under transformation, not least by political regime

shifts (Westerheijden *et al.*, 2014). While some of the scenarios may be interpreted as quite gloomy – at least from an agency point of view – the situation illustrates the current dynamics of higher education. As underlined by drawing attention to possible dependencies between EQA and the many stakeholders of and in higher education, the EQA field is facing a period of uncertainty where a range of possible alliances may be created and where issues of legitimacy may play a crucial role in the outcomes achieved.

In an era where the need to be "strategic" often pops up as a key issue, the current scenarios may create both confusion and uncertainty. If the future of EQA is up for grabs, with quite diverse pathways in the horizon, EQA agencies face some difficult choices, where their destiny is often beyond their control. While the scenarios offered in this paper hint at several options for building alliances and achieving legitimacy in the future, the closing message is perhaps that agencies able to combine and build pragmatic, moral and cognitive forms of legitimacy not only will be more likely to survive, they will as a consequence also better cater for the diverse needs directed at EQA in the future.

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