1. Introduction

INTRODUCTION

There are many attractive logics to a partnership between the public and private sectors. From an historical sense, it is time to move past old debates around which sector is more efficient or which works most assiduously towards society's best interests. Philosophically, it is also human nature to want 'the best of both worlds' and work towards the ideal of achieving this. From a public policy perspective, the general concept of partnerships cannot be disputed and it is seen as refreshing, innovative and full of potential. Strategically, it is inevitable that modern governments deal more closely within networks of knowledge workers to solve increasingly complex policy problems. And tactically, when economies are stumbling and faith in free markets is battered, governments providing partnership opportunities to assist the business sector and involve civil society just seems like common sense.

But is there a deeper partnership quandary, here, building on an old question of political science? What is the relationship between politics (and the public sector) on the one hand and the market (including private businesses in a wide range of shapes and forms) on the other? Fundamental questions exist, not only concerning the profound roles and values of the two sectors, but the nature of any public–private relationship itself. Important too is the relative power of each side in this relationship and the effects such power might have on policy efficacy. So, what theoretical models and ideas are most helpful in understanding the relationship? How have our ideas as to the roles of each changed over time? How does the notion of Public–Private Partnership (PPP) fit into modern capitalist systems? And what does our learning thus far imply for the future evolution of PPP?

This chapter is situated at the nexus of three literatures: public administration literature dealing with the public sector and its role and values; theoretical ideas from political science on the relationship between politics and markets; and more recent public policy phenomena of PPPs. It is structured as follows: the following three sections (sections two to four) provide a context in which these three literatures can be brought together. This enables a range of primary theoretical underpinnings to be mapped in order to describe the basis of the enduring relationship between governments and businesses. We then articulate

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the breadth of PPP meanings and discuss the adoption of PPPs as a popular public policy for the provision of public infrastructure. Section six then investigates the extent to which a particular political-market logic exists for the adoption of PPP policies in the context of leading jurisdictions such as the UK, Australia and Canada, and presents a new taxonomy conceptualizing this. The last few sections of the chapter then discuss the development of the PPP phenomenon over the last three decades, highlighting a taxonomy based on Kingdon's multiple streams theory and articulating particular characteristics influencing the policy path across several countries. We argue in this chapter that the empirical evidence on the undue influence of business over political decision-making is not one-sided and that the arena is still hotly contested. We also suggest that the policy logic of PPPs may be dependent on the relative maturity of governance systems, the relative maturity of PPP markets, and the political and public management environments in question.

IN THE BEGINNING, THERE WERE TWO SECTORS

One central aim of this book is to speak across the disciplines engaged in infrastructure PPP discussions. We unashamedly want to take a pluralist approach and learn more about the PPP phenomenon from a broader range of disciplinary perspectives rather than scurry deeper down one specific technical burrow such as construction engineering or project finance, for instance. One of the most influential social scientists of the twentieth century, Herb Simon, remarked that 'I am a great believer in pluralism in science. Any direction you proceed in has a very high *a priori* probability of being wrong; so it is good if other people are exploring in other directions – perhaps one of them will be on the right track' (Egidi 1992, 21).

So, what ought to be our starting point here? We begin by contemplating fundamental matters. At the heart of the PPP debates lies the question of what the public sector is, and what the private sector is – including what values dominate each sector and what each sector fundamentally seeks to achieve. Each plays a different societal role, and each has its own logic. It is worthwhile reflecting briefly on such matters before we get into more difficult terrain and discuss issues of partnership – whatever that might mean.

Parsons (1995) explains that there is a sphere of life which is not private (or purely personal) but which is held in common. And this 'public' dimension requires 'common action'. It is certainly an enduring theme going back to the beginnings of civilization, although exactly what should be public or what should be private is no easy question. We might also ask what the relationship is or should be between the two, and to what degree ought public decision-making be undertaken differently to private decision-making? These

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questions go to the heart of what makes something ‘public’, rather than private, and even today, they are not necessarily easy to solve.

The role of government is to make decisions in the common interest. The fundamental reason that they exist is to meet our societal objectives and ‘do good’ in the eyes of citizens. Of course, we each have our own personal idea on just what this means, and the practical reality is that we can do little more than simply expect governments to act on the basis of the policy mandate given to them by voters at democratic elections. On the other hand, the role of the private sector is to make a profit. In other words, their role is to generate returns for private owners of capital. But again, we probably each have our own opinions as to the exact manner in which this is achieved, and the degree to which profit making also brings with it social and environmental responsibilities. But at a minimum, these two roles are clearly different. Whilst the role of the private sector role is focused narrowly on market profitability, the role of the public sector is broader and more contested.

What is the logic of each sector, and what dominant values accompany each? Pollitt (1993, 155) suggests that the logic of each sector and the accompanying values are very different. The private sector is clearly founded on a market logic. It is about choices made at particular prices, where customers seek to be satisfied and they are sovereign. Firms make decisions which are closed for private action. Competition and demand are the instruments which keep markets alive, and if individuals are not happy they ‘exit’ that market. The public sector, on the other hand, is founded on a search for justice and equity based on the need for resources, according to Pollitt. It is about collective choices in the polity, with citizens as sovereign. Governments make decisions which are open for public action. Collective action is the instrument which keeps the polity alive and if individuals are not happy, they use their voice to engage and call for change.

Having said this, there is of course much common ground between the operational workings of both sectors, and values can be common to both. While some values are primary and dominant in their influence, others are more supportive, as Windholz and Hodge (2012)[1] suggest in their analysis of values in the context of regulation. So, what values dominate in the work of each sector? Not surprisingly, they suggest that the work of the private sector has primary values such as efficiency, competition, innovation, individualism and choice. The values which they see as primary for the public sector, however, include justice, fairness, equity, social cohesion and trust. The other side of the coin in their argument is that each sector has a set of relevant accompanying ‘secondary values’ which mirrors the opposing sector’s primary values. In other words, the private sector can be driven to a lesser degree by values such as justice and fairness, whilst the public sector can be driven to a lesser degree by

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efficiency, innovation and competition. These secondary (supporting) values assist each sector to remain legitimate.

Building on this observation, others such as Taggert (1997) emphasize that some particular values are important in the arena of public law, including accountability, transparency (or openness), participation, rationality and fairness. It is not the point to search for one set of agreed public (or private) values here. We ought simply to acknowledge that whilst there is no doubt overlap, and that all public values are socially constructed and may mean different things in different contexts, there are nevertheless different values which dominate each sector. One sector is there on the basis of a market logic, and the other on the logic of the 'polis', which, to Aristotle, was 'the highest form of human association' (Parsons 1995, 4). And of course, we rightly expect efficiency and legal behaviour from both of them.

Alongside discussions about values there has also been strong and sometimes bitter debate about the relative performance of both sectors. At stake has been the claim that the private sector is inherently more efficient than the public sector. After all, it is kept in check by market forces, and poorly run companies go broke. Private firms are, in other words, accountable to markets. In governments, it is political priorities and a political logic (rather than financial or economic logic) which dominates. The driving force behind public institutions is the democratic mandate governments have earned from voters, and public institutions survive on political and social usefulness as well as issues of economy and efficiency.

With these clear differences between the two sectors, perhaps it is a wonder that we might contemplate any partnership at all between them?[2] Both the public and private sectors have long histories, and from this simple conceptualization they seem worlds apart. Indeed, any meaningful partnership might fundamentally be regarded as little more than an ideal.

The boundaries between what has historically been regarded as public and what has been private have themselves certainly shifted.[3] Indeed, what has been intensely private at one time in history has later been defined just as strongly as intensely public. Historically, what happened if a person was injured at work was a private matter. This changed once laws were introduced to compensate the injured workers and their families. Family violence matters at one time in history were also regarded as private (and labelled the 'battered wife syndrome') until the media took up the story and encouraged the community to insist that this matter was one we shared in common and ought be on the public policy agenda in Parliaments around the world. Even today, there is no universally defined list of services which belong in the public sector because of their inherent 'public-ness'. Over the past thirty years, governments have progressively reduced the direct provision of services ranging from the supply of electricity and gas through to banking and air travel. As Braithwaite et al.

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(2007) commented, they have reduced their direct involvement in these areas, have continued to cross-subsidize those who are in need, and have increased their regulatory role to ensure that traditional 'essential services' continue to be provided in a fair and efficient way.

We have in reality, though, been mixing the work of the two sectors for centuries, as Wettenhall (2005; 2010), Bovaird (2004; 2010) and de Vries (2013) have commented in their work. So it is hardly surprising that we continue to view the mixing of public and private endeavours as somehow natural. And given the belief that the delivery of public sector services can be improved, it is also a logical step to seek such improvements by getting the best that the public sector can deliver in conjunction with the best the private sector can offer. In concept, it ought to be possible for communities to achieve both a degree of market efficiency (from the private sector) as well as 'bring about a social state in some sense higher than what emerges from market ordering', as Morgan and Yeung (2007, 29) put it (through the public sector). In other words, we continue to search for the best of both worlds.

Perhaps we could begin by simply first acknowledging that the PPP topic and the search for the best of both sectors is an inherently political one. To deny this is naïve. It is not surprising that the best way of marrying up relations between the two sectors has been intensely contested for centuries. And it remains so today. And when we say 'political', here, it is in the positive sense of the word. As Flinders (2012, 41) said, politics has been a 'great and civilising human activity', despite it also looking muddled and messy, and the constant cries that it is today in crisis. As Mullin (2012, 1) commented, it is paradoxical that citizens in many countries 'see no connection between the great social gains of the 20th century – pensions, free secondary education and health care, sick pay, redundancy pay, the minimum wage, protection from unfair dismissal – and the political process that brought them about'. And it is a pity that while citizens are demonstrably better off materially as well as better educated, there remains a 'brittle cynicism about the activities of politicians'[4] and we as a society seem to have 'managed to manufacture … stunning levels of ignorance, stupidity and indifference' to politics (Mullin, 2012, 1).

Another influential book over the past few years has been *The Logic of Discipline* by Alisdair Roberts (2010). This was our inspiration – and our book title was unashamedly adopted from his 'Logic' thesis. His was a book of broad sweeping ideas and arguments. It excited us immensely and thus our book was borne. We have not quite adopted the same theme of 'discipline' or 'independence', but have weaved together our own rationale as to just why PPPs have progressively become the 'talk of the global town' despite the technical chatter, the serious academic disputation and the doubts over the various technical arguments put up by the global consultocracy. To our minds, the PPP

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ideal and its various conceptions in practice have met the political need of the moment. Political success has ensured longevity, pure and simple.

GOVERNMENT AND BUSINESS: AN ENDURING CONTEST OF LOGIC

There is little doubt that we have progressed through a time in which major philosophical battles have raged around the role of the state compared to the role of the private sector. There has certainly been ‘a triumph of capitalism’ compared to centrally planned economic systems, but the real lessons were not those of the populist ideological rhetoric; they were rather more subtle. Studies of international privatization reforms, such as Hodge (2000) revealed that the ownership issue did not turn out in practice to be the primary question. Strong regulation mattered more than ownership, as did the broader matter of governing with integrity. Indeed, getting the regulatory regime right itself was probably a more crucial defining upfront task than simply changing ownership from the public to the private sector. We also learnt that markets and essential service excellence did not exist naturally – both required clear regulatory structures and solid government decision-making (Hodge 2000; Dagdeviren 2009). Moreover, even after the privatization reforms had been instituted, citizens have continued internationally to view governments as answerable for essential services such as electricity and urban transport, despite any claims by Ministers that operational problems rested with new private owners. The arena of some policy debates shifted, but responsibility for public service provision has inevitably and rightly been seen as landing at the Minister’s doorstep.

Perhaps the strongest lesson, though one not often sufficiently acknowledged, is that strong government and strong private sector are both needed, rather than one dominating the other. Mintzberg (1996, 75) put it nicely two decades ago when he said ‘the so called triumph of capitalism over communism in the 1980s was not so much of a triumph of the free market idea over government, but “the triumph of balance”. Not markets in preference to government, but the need for both.’ As Herb Simon (1998, 11) said, ‘retaining a proper balance between the private and public foci of power … must be a major consideration in the design of our social institutions’. Clearly, a strong democratic society needs a dispersal of power, not one dominated by private business interests (to run government), or powerful governments (to corrupt democratic processes). Of course, there are many varieties of capitalism (see for example Hall and Soskice 2011), but the lesson here is clear: we have moved from a time of believing it was either public or private to a time when we acknowledge that we need both. Philosophically, we have moved from ‘public versus private’ to ‘public and private’.[5]

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Coen et al. (2010a, 4) put it in terms of our ideas of what the economy should look like – saying that:

> [I]n the post-war period the dominant economic model was that of the mixed economy, a market economy with substantial government involvement …. This was succeeded by a period in which the market was seen as the preferred logic of economic activity [and neo-liberalism began its] long march …. The role of the state did not diminish as much as was sometimes claimed, but it was seen more as the servant of the market and of business than its controller.

In a post-Global Financial Crisis (GFC) context, it is therefore difficult to believe, as Coen et al. (2010a) comment that the new era of business–government relations will continue to be business as usual. But we might also reflect that although vague calls to 'democratize finance' have been made (Engelen et al. 2011, 17),[6] there is equally no single viable alternative to vibrant market capitalism on the horizon.

What has continued since the GFC, though, is the rather resilient contemporary mode of capitalism – neoliberalism, in the view of Cahill and Konings (2017). They chart its rise across multiple countries from the mid-1970s onwards and its appeal to a wide range of political persuasions. Indeed, as Cahill and Konings (2017, 66) put it, 'neoliberal finance has evinced a remarkable capacity to pick itself up and keep going'. The battlefield of ideas for alternatives to fully-fledged neoliberalism has also continued across the US and Europe.

THE ENDURING RELATIONSHIP BETWEEN GOVERNMENT AND BUSINESS

Getting governments to serve the needs of citizens has always been a profound challenge. Having said this, it is also clear that the relationship between business and government is 'undeniably important', as Coen et al. (2010a, 1) put it. Both are major forces in the lives of citizens and they are locked inextricably together. 'At a fundamental level, [too,] the exercise of power by business has implications for democracy. Some would see it as a threat to democracy, while others would regard successful free market economy as a precondition for the existence of democracy.' Clearly, we all want an effective relationship between the two, so that economic goals such as growth and employment can be achieved as well as tackling social and environmental goals effectively (Coen et al. 2010b).

But there is also a symbiosis here. On the one hand, 'markets are not naturally occurring phenomena; they need to be embedded in a structure of laws and rules. Without such a framework, markets cannot function and deliver net welfare gains' (Coen et al. 2010a, 1). On the other hand, government is

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in many ways dependent on a vibrant and growing private sector to generate wealth and prosperity for citizens.

So what theoretical underpinnings from the fields of political science and political economy might be used to inform our understanding of the role and influence of business on government and vice versa? And how do these ideas intersect with the knowledge we have gained over the past two decades on PPPs? We now want to tackle these two questions. In doing so, the aim is to inform public policy debates around PPPs so that the phenomenon is better understood and so PPP can be governed well in the medium and long term.

Coen et al. (2010a, 4) remark that whilst many disciplines have contributed to the study of business–government interactions and relations, 'work within different disciplines has not been well integrated. Each captures a bit of the reality'. They explain that four primary debates have raged in political science (9–12):

1. Almost four decades ago, Lindblom (1977) published seminal ideas and argued that 'markets constituted a prison that robbed democratic governments of effective choice' (Coen et al. 2010b, 9). Because business controlled investments and could choose to invest elsewhere, business did not need to directly coerce or pressure governments. The economic welfare of voters (and thus the chance for politicians to be re-elected) 'were dependent on pleasing business'. Put another way, governments ruled, but with the permission of business as the primary determinant. The power of businesses and of markets was therefore the central point in this first debate.[7]
2. The extent to which business does in reality enjoy an unfair advantage in politics has been at the heart of the second debate. The pluralist vision of government decision-making (see for example Dahl 1958) makes the point that power is widely distributed and spread over numerous competing interests and ideas. Under this logic, Lindblom's philosophical concerns are simplistic and overblown.
3. Suboptimal public policy has been the third focus of debates. This has included debates around the capture of government agencies by corporations (originally by political scientists in the 1950s–1960s and then 'rediscovered' by economists in the 1980s–1990s). The Washington Consensus and its message that economic success is achieved through minimizing the size and influence of government was one conclusion often taken from this debate.
4. Statists have argued the 'mirror image' of the first debate – that the state itself continues to be the 'fundamental determinant' in the government–business relationship. Legal frameworks for trading, rights and duties of market players and indeed, good governance systems continue to be a

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necessary precondition for economic development. Moreover, states can and do steer and promote economic growth. A recent example is found in Mazzucato's (2014) approach focusing on 'The Entrepreneurial State'.

Political scientists have therefore been interested in how businesses behave, how states behave, and the relative influence wielded by both. Indeed, perhaps the classic question for the political scientist weaving its way through most of the above questions has been the relative power of government and business in their relationship.[8] As Coen et al. (2010b, 24) ask rather pointedly, 'Is business dominated and controlled by the state or are states dominated and controlled by businesses?'

There is a wealth of literature debating these matters over decades. Structuralists, on the one hand, hold 'that there is a fundamental dependence of the state on business' (Coen et al. 2010b, 25), and that states have little choice but to attract and retain business investment, as Lindblom said historically. His idea that business essentially had a 'structural' power over government was certainly a challenge to the simplistic accounts of the 1960s and 1970s arguing that business was simply one more pressure group among many. In one sense, there is an innate appeal in Lindblom's idea, and certainly much support for it amongst the populist literature. Beetham (2011, 4) for instance, summarizes Lindblom's position as saying that:

> [I]n a market economy, economic activity is not directly under the control of government, but depends upon private business decisions for investment, production and the delivery of employment and services. This means that a government's goals for the economy, which lie at the heart of all government policy, can only be met *indirectly*, through securing conditions favourable to business, and giving priority to its interests.

The high number of lobbyists and level of campaign contributions certainly both suggest that business is well resourced to influence political decision-making.[9] Likewise, Shaffer (2010, 65), in thinking about the role of law, comments that 'there often exists an "unspoken deference of administrations, legislatures, and the courts to the needs of business" (Lindblom 1977, 179; Galanter 2006, 1399)'. Marsh and Akram (2013, 2–3) further comment that for Lindblom, '*the* major role of government is to encourage businessmen to invest and produce'… and that 'the structural position of business in the economy gives it a veto over government policy decisions in areas of economic, industrial and industrial relations policy'. Lindblom himself put it rather bluntly when he wrote originally that 'the large private corporation fits oddly into democratic theory and vision. Indeed, it does not fit' (cited in Menninger 1985, 206).

Having said this, the empirical evidence in support of Lindblom's position is not all one way. His comments are opposed by the pluralists (Vogel 1983; Dahl

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1958) who see business as one of many interest groups, all vying for influence and power. Again, there is a degree of simple appeal to this logic. The power of business is to a degree constrained by other interests and by government itself (an argument even Lindblom acknowledged). Public interest groups, too, have often also been deft at influencing policy as well (Coen et al. 2010b). Again, though, this has been contested ground for a long time.

Interestingly, there has been a resurgence and a renewed debate around the ideas of Lindblom in recent times (see for example Marsh and Akram 2013). It is still true to say that the extent to which business resourcing may have had a disproportionate effect on policy making in reality remains strongly contested. We also ought to note that whilst business is clearly not just another interest group, the above 'structuralist' approach remains difficult to pin down: the size and nature of businesses varies tremendously, as does the nature of states. So, whilst we might agree that 'capitalism was indeed a more effective way of allocating resources in an economy' after the 1980s, we also learned that there was 'no such thing as a singular mode of capitalist organization' (Hancke 2010, 123) and no such thing as a singular capitalist state. In this light, 'it is unlikely, therefore, that there can be a single theory of the relationship between business and the state. Both business and the state differ too much and can be understood as variables, not constants' (Coen et al. 2010b, 26). And in the age of globalized capital, too, markets, as well as governments, rule in a sense. If we learn from regulatory scholars such as Freiberg (2010; 2017), government legislation and markets are two of six general ways to influence our behaviour and the behaviour of firms.[10]

Another lens on the way to understand the relationship between the state and business has been the work of Hall and Soskice (2001) focusing on the role of the state in particular. The resulting 'varieties of capitalism' (VoC) literature posits that different types of capitalist systems exist, and these can be best understood in terms of institutional complementarities, so that the constituent parts of different markets (labour relations, corporate governance, training systems and inter-firm relations) reinforce each other. Coordinated market economies are seen as consisting of non-market relations, credible commitments for companies and collaboration. Liberal market economies, on the other hand, see arms-length formal contracting, and competitive relations. These ideas have been criticized on several grounds. Hancke (2010, 127) also develops these ideas and suggests a refined typology to describe four varieties of capitalism:

1. Liberal Market Economies (LMEs: UK, Baltics).
2. Coordinated Market Economies (CMEs: Germany, Slovenia).
3. Compensating State (Italy, Spain, some emerging economies).
4. Etatisme (France per 1990s).

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The interesting observation here is Hancke's overall argument that this redefinition better shows that the state plays an important role everywhere, but in different ways. He argues that:

> In some forms of capitalism the state is a central actor in the sense that it provides both a framework for business activities and a means for pursuing them. In other forms of capitalism, the state is less a promoter of economic activity than a compensator for coordination deficits and provider of political consensus and legitimacy. In still others, the state allows markets to operate within a broad set of regulatory frameworks and refrains from direct interference. (Hancke 2010, 140)

The centrality of the state is the important point here, albeit that a diversity of approaches exists. Moreover, as Hancke (2010, 141) points out, 'making sense of that diversity, which appears to be with us for the long haul, despite the pervasive influence of neo-liberal ideas and cross border institutional and policy borrowing, may well be the most important contribution that VoC has made to the study of business–government relations'.

We might also reflect that rather than think about the state, we could theorize from the position of the firm as well. Hart (2010) does just this from the perspective of political science, and notes that it is possible to view the firm from three quite different perspectives: as a personality (as has been the most common traditional approach, assuming a rational calculating machine); as a nexus of contracts; or as a bundle of routines. Each idea clearly focuses our attention in different directions.

Where does all this leave us? We might comment first, that the state and governments everywhere have an important role to play in contemporary advanced capitalism, as Hancke (2010) says. In other words, the state remains crucial to society today. There is equally, though, a deeply held suspicion that 'neoliberalism has *both* enhanced the structural power enjoyed by large corporations with respect to state policy *and* opened up more areas of policy to direct corporate influence' (Cahill and Konings 2017, 105). We suspect that corporations have been brought more directly 'into the policy making apparatuses of the state' (Cahill and Konings 2017, 107) and logically also suspect they have 'metamorphosed from making demands on government bodies to actually making policy in areas such as energy policy and social policy' (Cahill and Konings 2017, 108).[11]

And yet on a theoretical level, we need to acknowledge that there is still no particular dominant intellectual model for understanding government–market relations. As Crouch (2010, 148) put it:

> [P]olitical theory has never satisfactorily resolved the ambiguities presented by the political role of the firm in a capitalist economy and democratic polity. On the one hand the rules of the free market require a mutual separation of economy and

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> polity; on the other, the individuals who constitute the leadership of firms enjoy the democratic rights of citizens to work for their political interests.[12]

We may even see more case studies such as the remarkable political rise of privileged business figures such as Donald Trump to US President. His political power was paradoxically leveraged off the powerful protest vote of white middle class US citizens all railing against the injuries that several decades of neoliberalism itself had produced! (Cahill and Konings 2017, 144). Being more optimistic, though, perhaps the modern era of media-dominated politics will also continue to bring such business–politics conflicts out into the open and ensure that personal financial and democratic societal tensions are more visible and more widely debated. And despite the fact that we know corporations 'are profoundly political, yet undemocratic',[13] we also know that the future of neoliberalism is open-ended and still to be written. In this light, relationships between government and business, as well as relationships between citizens and government, will remain profoundly important.

Importantly, too, what this brief sojourn does remind us is that we ought to resist the temptation to assume that the relative power of business is a simple matter or that the evidence is clear and one way. In other words, the jury ought to be more hesitant and resist playing the ideological card first and then looking for the evidence to support our opinion.

How can ideas from political science on the relationship between governments and business help us to better understand PPPs? And what, then, does this suggest for the future of PPP? It is to these matters that we now turn.

THE CONTESTED PPP CONCEPT AND THE LONG-TERM INFRASTRUCTURE CONTRACT

The matter of just what constitutes a partnership is itself hugely contested. The phrase has been applied to many different arrangements around the globe. So, how does the topic of long-term infrastructure contract (LTIC) PPPs fit in with this domain of interest? Some argue that long-term contracts for infrastructure may be logically labelled PPPs. Indeed this language is now common globally. Opposing this, others argue that such long-term contracts are simply a principal–agent relationship and have nothing to do with partnering at all. Construction engineers and project finance professionals in the field question just what the fuss is all about. They comment simply that a PPP is 'just a contract' and a way of getting public infrastructure delivered under the rule of law.

International organizations often refer to LTICs when they refer to PPPs, and since it is the form of PPP that we most discuss in the present book, it might be worthwhile highlighting its general features. The World Bank, in its

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guide to PPPs, acknowledges that there is no universally agreed upon definition, but that the signifier has some key elements to it:

> A long-term contract between a private party and a government entity, for providing a public asset or a service, in which the private party bears significant risk and management responsibility and remuneration is linked to performance. (PPP Knowledge Lab, PPP Reference guide, 2018)

While it is more usual to talk about risk sharing, and also to suggest that 'long-term' can include 20–30 year contracts, this definition encompasses some of the elements that are often associated with the LTIC-form of PPP. A similar definition is found by the European Investment Bank's PPP Centre (2018):

> A public–private partnerships (PPP) is an arrangement between a public authority and a private partner designed to deliver a public infrastructure project and service under a long-term contract. Under this contract, the private partner bears significant risks and management responsibilities. The public authority makes performance-based payments (e.g. for the availability of a road) or grants the private partner a right to generate revenues the provision of the service (e.g. tolls from users of a bridge). Private finance is usually involved in a PPP. (European PPP Expertise Centre 2018)

The European PPP Expertise Centre adds to the end of its definition that 'when properly prepared, PPP projects can provide significant benefits to the public sector as well as to the project users', but as we shall see later in this book, this is a matter for debate and examining the available evidence more closely.

Our experience is that the phenomenon of PPPs is certainly a large one. We view PPPs as several families of different possible arrangements,[14] one of which is their application to the field of providing public infrastructure (Hodge and Greve 2007). Equally, however, the family of infrastructure delivery also itself constitutes a huge variety of different options. Traditionally, we have viewed LTICs as covering a continuum of possibilities ranging from a public emphasis at one extreme to a private emphasis at the other. The OECD (2008) has likewise also viewed PPPs somewhere in the middle of the continuum between purely public and purely private. Which sector completes each of the many project delivery tasks,[15] the extent of finance from each sector,[16] the project to be delivered, how risks are allocated between parties, the strength of incentives for performance, as well as issues of transparency, and the fabric to be applied to accountability and governance matters are all fundamental dimensions here. It has also been doubted whether so called 'leading PPP jurisdictions' such as Canada and Australia themselves have a single national PPP model (see for example Hodge and Greve 2015). Differing proportions of capital from the public and private sectors abound and the extent of risk trans-

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fers differs wildly. There are probably as many different ways of structuring infrastructure delivery arrangements as there are of writing legal contracts.[17]

Academic guidance here has also not been particularly complimentary either. Donahue and Zeckhauser (2011, 259) for instance come from a public management and economics perspective, and do not use the phrase 'public–private partnership' at all. They warn simply that it is a 'conceptual swamp' covering 'a perniciously broad category' of delegation arrangements and relationships. Likewise, Cooper (2003, 47), coming from law, reminds us that in the late twentieth century there was in essence a move towards governing, not through 'mechanisms of authority', but by negotiated contract agreements: to his mind, 'the centre of gravity of governance [had moved] a significant way towards contract', and 'this move from authority to contract ha[d] not attracted the attention it deserves'. Yet despite this, he also remarks that 'partnerships are a kind of no-mans-land, a realm between political power and economic markets in which neither set of rules applies precisely or consistently'!

In the middle of this disputed territory, too, we witness financiers, bankers, construction companies and consultants all attempting to sell governments their own versions of what a PPP 'is' and which version works best. And yet the reality is that various types of long-term infrastructure contract arrangements have clearly been adopted across space and time.

The ambiguity here seems overwhelming. How can we interpret this? Different disciplines seem equally convinced that their own definition of PPP is best. And different jurisdictions around the world are thoroughly convinced that their particular way of delivering PPPs is 'the right way', and that others arguing differently simply don't understand. Is there an essential difference in understanding here which cannot be bridged? No.

The key to this puzzle comes through one influential contribution to political theory put forward by Gallie (1955). He introduced the notion of an 'essentially contested concept' (Waldron 1994, 529). His point was that an 'essentially contested concept' was not simply a concept which was controversial; it had more important attributes. The meaning of the concept itself was fundamentally disputed. So, for example, we contest many of the characteristics which we believe are required for a democracy. And we will continue to do so. Its 'contestedness is part of the very meaning of the expression' as Waldron said (1994, 529). In other words, it is part of the essence of the concept to be contested. Waldron (1994, 529–530) gives another example in the concept of 'freedom', commenting that:

> [A]nyone who says that 'freedom', for example, has a perfectly clear meaning and that he cannot see why so many people get it wrong, shows that he himself does not understand the most striking rule for the use of 'freedom' in the modern world –

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> namely, that it is a verbal arena in which we fight out our disagreements about the nature of human agency and autonomy.

Or in the words of Waldron (2002, 160), Gallie's 'idea was that someone who does not realize that *democracy*, for example, or *art*, are sites of contestation really doesn't understand the concepts he is invoking'. To Gallie, then, there were indeed certain words which were tied to the 'existence of a controversy (or range of controversies) rather than to the existence of a consensus' (Waldron 1994, 530). Thus, in Waldron's (1994, 530) words, 'disagreement is in some sense indispensable to the usefulness of the term'. Rival conceptions can therefore always be put forward, but the reality is that 'it is a debate in which it is impossible to imagine anyone having the last word' (Waldron 1994, 531). Certain terms are indeed important not despite their contested-ness but because of it. We all want the 'Rule of Law', yet its meaning remains fundamentally contested.[18] And no one would deny that continuing to debate what the 'Rule of Law' *really is* strengthens rather than impoverishes our understanding of it. The same applies to the meaning of 'Art'. Likewise, no one would seriously suggest that we ought to stop debating what democracy *really is* by artificially specifying some global meaning.

A second crucial insight borrowed from legal philosophy was from the subsequent writings of Dworkin (1972). He argued that there is a difference between a concept (such as fairness, for instance) and its conception (or instantiation): the first, said Dworkin, was an appeal to the concept where the ideal was invoked (with implicitly universal agreement); the second was the laying down of a conception where the means of achieving is being specified. Or in his words, 'When I appeal to fairness I pose a moral issue; when I lay down my conception of fairness I try to answer it' (Dworkin 1972, 28).

Now, returning to PPPs, when we use the phrase 'PPP' we are in essence making an appeal to the notion of collaboration. And when we lay down our own local definition of PPP, we are trying to answer exactly what we mean by collaboration.[19] PPP is indeed an essentially contested concept.[20]

PPP AS INFRASTRUCTURE POLICY

Notwithstanding the varying outcomes achieved, PPP project arrangements (whether concession agreements or the more fashionable private finance deals) seem to have been applied throughout history, with toll roads and their modern day geographic spread ranging across the globe from Albania[21] and Australia,[22] to China,[23] the United Kingdom,[24] and Zambia.[25] So, disputing what qualifies as a PPP and what does not is a futile exercise. Clearly many types of different LTIC PPP arrangements are possible and many different types are being adopted across the globe. PPP based on the UK practice of bundling contracts

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and using private finance under a long-term deal is more a brand than a scientific technique; more of a label than a method; and more of a phenomenon (Hodge and Greve 2013) which has multiple meanings, than something having a single truth or being the 'one best way'.[26]

The debate rages on in the PPP literature on whether PPPs are connecting the two spheres of public and private, or whether they will forever be separate and any attempt by getting the state closer to the private sector is a stealth form of privatization. A few leading examples from the PPP literature can be referenced:

1. Donald F. Kettl's (1993) seminal work on 'Sharing Power' stated that PPPs had indeed existed for many years and were a key feature of modern day governance and major policy initiatives.
2. Donahue and Zeckhauser's (2011) work on 'Collaborative Governance', whilst deflecting the use of the word 'partnership', examined embedded collaborations between public and private actors in the pursuit of common projects and 'shared discretion'.
3. International organizations, like the OECD (2008), see governments around the world using PPPs in pursuit of value for money and risk sharing. Again, it is not to say that a PPP is the only show in town, but organizations like these argue that the public and private sectors are becoming increasingly intertwined.

Getting closer contractually can be extremely complicated and fraught with challenges as Brown et al.'s (2013) case study of the Deepwater program of the US Coast Guard shows so vividly. Alford and O'Flynn (2012) also saw a tighter relationship and sought to map out how governments partner or manage external providers. From a more recent 'military complex'-related argument, Weiss (2014) has discussed the close collaboration between organizations of public and private in what she calls the *National Security State*.

More sceptical voices on the idea that the public sector and private sector have mutual interests can also been heard in the following debates:

1. Flinders (2010, 120–121) talked about 'a splintered logic' and how 'the values and principles on which PPPs are based and promoted are at odds with those traditionally found within the political and public sphere'. Flinders sees the baseline logic of a PPP as accepting the supremacy of the market, focusing on economic efficiency and outputs.
2. Roberts (2010, 97) in his book on 'The Logic of Discipline' analyses what he calls 'the era of liberalization' which he daringly dates from 1979–1980 to 2007–2008 with the advent of the GFC. Roberts dedicates a whole chapter of his book to the analysis of LTIC PPPs. He sees the period of liberalization being as one with inflated prices on infrastructure

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> and one where a 'new class of global corporations focused exclusively on infrastructure provision' came to light (Roberts 2010, 120). He argues that investors and operators 'formed a powerful lobby for private provision of infrastructure'. Roberts also views LTIC PPPs as being different from previous infrastructure projects: 'LTICs differed from conventional government contracts in several ways. The deals often ran for several decades, were highly complex, and put private operators in charge of activities that were once thought to be at the core of the public sector' (Roberts 2010, 122).

Given this complexity and diversity over the meaning of LTIC PPPs, the construction of a space in which we can discuss 'PPP policy' might seem even more difficult. So, how might we understand the 'PPP policy space'?

To begin with, we need to accept that the PPP policy concept is a rather porous idea in which governments adopt a PPP policy, and yet may well mean quite different things by this. In other words, the meaning of PPP is likely to be different both across countries and even within countries. This having been said, perhaps we could turn to earlier ideas about policy and how public policies are developed and implemented in order to better understand the relationships between PPP policy, politics and markets.

POLICY DEVELOPMENT AND IMPLEMENTATION

Discussions on policy making have a long history, and our desire for 'rational' policy is longstanding. In 1957, Herb Simon saw rational policy as important, but commented that we need a middle ground between the extremes of economics (with a 'preposterously omniscient rationality', along with perfect knowledge, infinite processing power and infinite choice options) and social psychology (with people 'driven by passions, instincts and subconscious feelings and anxieties' (Parsons 1995, 275).[27] He argued that our analysis should 'accommodate both intellect and affect' (Simon 1957, 200). In other words, policy analysts ought to view human behaviour not as 'irrational', but more in terms of its 'bounded rationality'.

Charles Lindblom on the other hand was immediately hostile to Simon's idea that rational analytical techniques could somehow supplant the need for political agreement and consensus. To him, decision-making did not conform to any neat set of steps and knowledge and technology would always struggle to help define goals and select successful policy options. Lindblom (1959, 81) challenged this rational blueprint idea and argued that 'successive limited comparisons' with existing programs and policies were the foundation for real world policy decision-making. To him, people were probably limited to thinking about policy options which differed to a relatively small degree from

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those policies presently in effect, so that policy making proceeded by way of 'muddling through' as he put it in the title of his paper. His notion was that 'muddling through' not only proceeded by incremental change and through mutual adjustment and negotiation, but importantly, it was not systematic, was not theoretically driven and yet was superior to a 'futile attempt at superhuman comprehensiveness' (Lindblom 1959, 88).

Moreover, the test of a good decision to him was agreement and process rather than goal attainment or meeting objectives. Lindblom's writing was therefore fundamentally about power, politics and knowledge, as Parsons (2002) noted. And whilst we like to think of modern governments and businesses as beyond 'muddling' nowadays, the reality is that Lindblom made what has been termed 'the single most important contribution to the formation of a theory of the policy-making process' (Parsons 1995, 22). He attempted to join up conceptions of rational logic, with its various professional and intellectual values and ideals, to the real world of political logic and its democratic values and ideals.[28]

Victor Hugo observed that there is nothing more powerful than an idea whose time has come. A profound observation of human nature, this notion has had longstanding resonance. And perhaps it also has application to PPP policy today? John Kingdon (1984) and Zaharidias (2014) further studied the development and implementation of public policy, and how it was that some ideas had their time and rose to prominence whilst others were neglected and dissolved away. Interviewing 247 officials in 23 US case studies, Kingdon saw policy development and implementation as comprising three streams:

1. **The Problem Stream**: the problems, upon which, for one reason or other, government's attention is fixed (rather than those which are ignored), accompanied by various measurements, events and symbols and attracting feedback.
2. **The Policy (Solutions) Stream**: here, ideas are seen as floating around, at times colliding with each other and combining. And whilst some ideas die, others are selected and assisted by policy entrepreneurs who help ideas survive and become a feasible part of the government's agenda.
3. **The Political Stream**: Operating quite separately from the other two streams, the political stream determines the status of the agenda item. This in turn depends on the national mood (public opinion), organized political forces (parties/local politics, pressure groups), government (personnel and jurisdiction) and consensus building (bargaining and bandwagons).

Kingdon's insight was that at critical times, the political, policy and problem streams all come together and 'couple'. In other words, a problem is recognized by government, a solution is developed and available in the policy

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community, and it is the right time in the political environment for a policy change to occur in the absence of severe constraints. This confluence was termed a 'policy window' (Kingdon 1984).[29] The metaphor Kingdon adopted, and one that became famous amongst policy analysts, was that of a space flight launch window.

What was important here, though, was not simply the picturesque imagery. Kingdon's model,[30] like the earlier ideas of Lindblom, provided a stark contrast to the assumption of a simple linear logic in the policy development process. It also placed in context the important role of ideas. To Kingdon, policy ideas mattered, but not necessarily in the way that many professionals had assumed. His model emphasized that ideas were crucial to policy development, but equally so was ambiguity along with the non-structured and chaotic nature of policy development. He viewed organizations in terms of loose collections of ideas and rather anarchical, so that opportunism, fortuitousness and serendipity flourished. He observed, for instance, that 'solutions search for problems' rather than the other way around, and observed as many cases where this had occurred as cases where a more linear sequential logic had existed (Parsons 1995, 193).

PPP POLICY, POLITICS AND MARKETS

Overall, then, Kingdon's model therefore attempted to explain non-incremental policy change and added an important new dimension to Lindblom's notion of incrementalism. So, are these ideas relevant to how PPP policies are adopted today? We believe they are. Kingdon's idea of a policy window, though, would need to be applied to both the world of politics and governments as well as the world of markets and firms. In other words, LTIC PPPs may be capable of providing solutions to both dimensions. This idea is shown in Figure 1.1.[31]

This space is an attempt to characterize the couplings and interdependencies for LTIC PPP policy to date.

1. The political dimension encompasses:
    a. The strength on which a government has focused its attention to a problem for which TLIC PPP policy could be seen as providing a solution;
    b. The clarity and availability of the LTIC PPP policy idea (whatever LTIC PPP arrangement is envisaged);
    c. The status on the political agenda;
    d. Coupling of three streams for *public policy window*.
2. The market dimension encompasses:

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a. The strength with which the business sector has focused its attention to a problem for which TLIC PPP policy could be seen as providing a solution;
b. The availability and capacity to provide the LTIC PPP policy idea (however LTIC PPP is envisaged);
c. The status of the item on the business sector agenda;
d. Coupling of three streams for *private policy window*.

The following section will briefly discuss some countries that could fit into this categorization. The UK has had a developed political approach to PPPs for years and also a highly developed market for PPPs (high political strength/ capacity and high market strength/capacity). Australia and especially the state of Victoria were early pioneers in the PPP game. Many of the provinces in Canada, for example, British Columbia, followed suit in the early 2000s. France is also a case of having an interventionist government actively creating a market for PPPs in recent years. These are shown in section A of Figure 1.1.

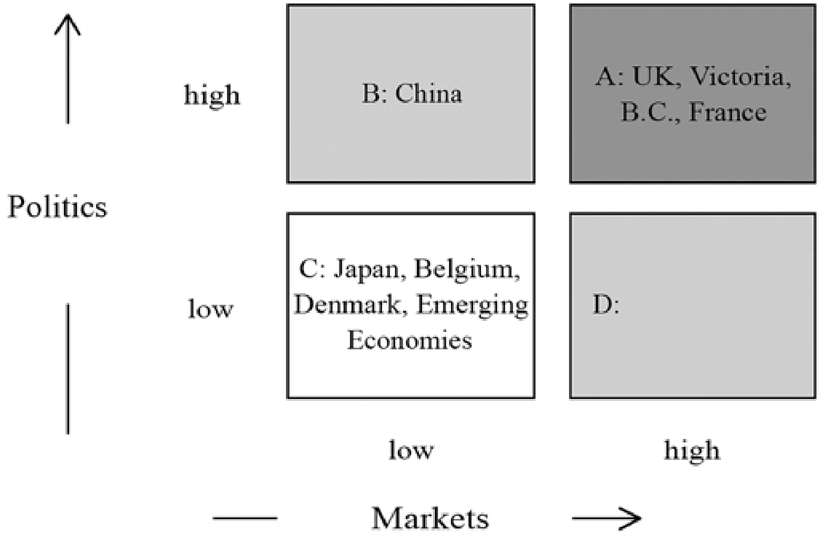

Figure 1.1 Interdependency space for LTIC PPPs

Another category belongs to countries where there might be a political development, and where governments are beginning to create PPP markets, but where the markets for PPPs are not yet fully developed (high political

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strength/low market strength). China may be a case in point in this category, as shown in section B.

A third category (section D in Figure 1.1) concerns the countries where there is increasing market activity, but where governments have only started to focus on PPP policy in a more systematic manner. One example here might be parts of the United States of America where the business sector is willing to invest in infrastructure, but governments are less keen. To discern other examples of countries in this category, further scrutiny of country PPP characteristics is needed.

A fourth category (section C in Figure 1.1) consists of countries where there is still relatively limited market activity and where governments have not adopted a full-scale PPP policy yet (low politics/low market). The Scandinavian countries belong to this group. Countries like Denmark do not have a coherent and systematic PPP policy, and no dedicated PPP unit. There are only a handful of projects (around 38) that have been procured. Sweden also has a low number of PPPs (the new Karolinska hospital is an exception), and Norway is just beginning to get interested in PPP.

One issue is the PPP agenda in a single jurisdiction or country. Another issue concerns multiple jurisdictions (or a federal system of multiple states) along with international developments where PPP policies are promoted across a number of countries. The OECD (see for example OECD 2012) has issued reports on PPPs as well as recommendations for the governance of PPPs in OECD countries. The OECD has also helped the ASEAN (2014) countries adopt new PPP principles in March 2014. In the European Union (2014), too, the ambitious Juncker Plan named after the newly appointed EU Commission Chairman Jean-Claude Juncker, sets as its policy to attract private sector capital to large public sector infrastructure projects. The Juncker Plan was announced in late 2014 (European Commission 2014), and the Council of Ministers adopted the Juncker Plan in 2015. The European Commission adopted the legislative proposal on 13 January 2015. Member states endorsed the proposal on 10 March 2015. On 25 May 2015, the EU legislators entered a political agreement for a European Fund for Strategic Investments. The European Parliament voted in committee on 24 May 2015, and the Parliament's plenary approved the plan on 24 June 2015. The Juncker Plan aimed for PPP projects on a grand European scale, mobilizing EUR €315 billion in new investments in infrastructure. The Juncker Plan had three components. First, a European Fund for Strategic Investments, which provides a EU guarantee to mobilize private investment through the European Commission working together with the European Investment Bank. Second, there is a European Investment Hub and a European Investment Project Portal, which was also established through the European Investment Bank. And finally, the European Union has worked to remove regulatory barriers to new investments. A further example here

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could potentially be that of the US, but the US example is complicated. Only a handful of states have shown real and dedicated interest in PPPs, namely Florida, Virginia and California (Martin and Lawther 2014) and around 33 states have adopted PPP legislation (Geddes and Waagner 2013). But the federal government is starting to get interested in PPPs (*New York Times*, 17 February 2015), confirmed by the recent Trump administration 2018 Infrastructure Plan (Trump, 2018).

THE ENDURING LOGIC OF PPP

The ‘enduring logic’ idea in this chapter is that a PPP becomes an accepted policy when it satisfies the demands of both the political realm and the market realm. So, for example, the UK’s high historical political priority agenda item was the need for a construction program outside the Public Sector Borrowing Requirement, whilst the combined market attention (through the Confederation of British Industries) and a dominant financial sector in London provided a window for both public policy and private policy development. Moving forward, it remains a broad and adaptable phenomenon. It is both an ideal as well as a broad array of conceptions in practice. We commented earlier that neoliberal finance had shown a remarkable resilience and an ability for constant reinvention of itself. PPP, likewise, has an innate capacity to reinvent itself and continue meeting the demands of both the political and business environments even in quite turbulent political and market conditions. It is LTIC arrangements and the ambiguity of the PPP phenomenon, though, that triumph, rather than a particular favoured child of the PPP family, such as the British Private Finance Initiative (PFI) version of arrangement.

We might make one observation of the performance characteristics of most LTICs. LTICs can assist political leaders in many ways. This form of infrastructure delivery largely depoliticizes infrastructure politics and political decision-making, and where it does not, it still helps political decision-making anyway! Let us explain.

LTIC PPPs play an important role in depoliticizing infrastructure decisions and implementation. They help governments to deliver more infrastructure. Willems et al. (2016, 6) define the notion of depoliticization, explaining that, ‘depoliticization describes the displacement of decision-making away from elected politicians as well as the exercise of power by many other non-state actors’. They argue that whilst PPPs are portrayed as a new and neutral procurement method, ‘the complexity and technicality of both PPP projects and contracts withhold a broad political and public debate from taking place’. Bureaucratically, too, PPPs (whatever the local version is!) are portrayed under ‘the robust logic of TINA’ – in other words, there is no alternative (Willems et al. 2016, 7). Willems et al. see PPPs as being a strong example

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of the three faces of depoliticization: consultocracy; yield bias; and long-term complex contracting. Fundamentally, however, what is important here is to acknowledge that 'depoliticization, in all its forms, represents a dangerous illusion. It is the denial of politics while continuing politics by other means' (Willems et al. 2016, 9, citing Flinders 2012).

Far from being academic whinging, this issue of 'depoliticization' matters. It is not necessarily new, with Schmitt (1929) apparently warning of its dangers long ago (Willems et al. 2016, 8). But as Flinders and Wood (2014, 1) argue, depoliticization is possibly 'the dominant model of statecraft in the 21st century' (cited in Willems et al. 2016, 8).

The other side of this coin, however, is equally interesting. The LTIC tool does play an important role in helping elected representatives get the matter of infrastructure onto the public agenda and promoting discussion of infrastructure renewal to the Cabinet table. In other words, LTICs also play a politicization role which helps governments govern and grab hold momentarily of the agenda. We have long argued that PPPs help to raise the profile of infrastructure projects and put schools, roads and hospital investment back onto the public's agenda. We still affirm today this strength of LTIC PPPs. This type of arrangement is also helpful politically as it focuses attention not onto matters of priorities, planning and initial project choices, but on project delivery, Value for Money (VfM) and completion timing. In other words, the use of LTICs helps shape the decision architecture offered to citizens by governments after the government has made a decision to provide a project or group of projects. This is most helpful politically in setting the agenda going forward and framing public discussion.

Above these observations about the adoption of LTICs as a political tool, however, sits a larger argument. The main argument for the enduring logic of PPP is that the challenges facing both government and the private sector are becoming greater so that any one country or sector cannot meet them alone. Collaboration is needed to solve pressing issues. This is seen most evidently in the Juncker Plan in the European Union, which targets PPP projects on a bigger scale than seen before in Europe. Europe needs to engage the private sector in investing in business and infrastructure projects, and the EU will share some of the risks that are associated with the investments.

A further argument is that private sector solutions become institutionalized in public policy making so that it is difficult to foresee a situation where a government could, in a sense, just 'go it alone' and seek solutions for itself. Some countries are attempting to do this, for example in Denmark, but the know-how and capital from the private sector is increasingly needed in countries like that as well. Another argument is that some of these projects are actually achieving results. The big Karonlinska hospital project in Stockholm, Sweden is a case in point where a private sector company is establishing an 'innovation hub' as

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part of the PPP which would not have happened otherwise. So in combination: the challenges, the institutionalized processes, the results and the politically useful LTIC tools are bringing the public sector and the private sector closer to each other.

CONCLUSIONS

This chapter has examined notions of both the public and private sectors from first principles. It has also looked at the relationship between government and business in theoretical terms, including recent empirical experiences with public–private partnerships, especially in the form of the Long-Term Infrastructure Contract. The chapter then discussed the debates in the political science literature on business and politics before turning to the more specialized literature on public–private partnerships. It seems evident that there are 'great debates' throughout the decades about what is private and what is public, but a stage now has been reached where researchers and practitioners are also discussing 'public + private' instead of 'public versus private'. The debate is not over yet as the discussion of the PPP literature showed. Some researchers still see a splintered logic where a PPP is an expression of markets and outputs, and as a trend towards a new lobby of global corporations that together with investors are forming a new pro-business lobby for infrastructure projects. The government, in this view, has trouble defending itself towards innovative, but risky projects being suggested by the private sector. Other researchers see a closer and ever more tightly knitted relationship between government and business in order to meet cross border challenges. Many policy challenges, in this particular view, are simply too big to allow for a single government or a single business organization to handle. Collaborating and partnering are seen as attractive practices here. Timing of when governments get together with businesses are seen as crucial, and the chapter therefore suggested the perspective of both a 'public policy window' for PPPs and 'a private policy window' opening up, building on Kingdon's earlier multiple streams theoretical approach.

Briefly reviewing some of the known country experiences, the chapter suggested that jurisdictions like the UK, the state of Victoria in Australia, and the province of British Columbia in Canada had witnessed both open public policy windows and private policy windows while in jurisdictions like those in the Scandinavian countries the situation was the opposite. Acknowledging the increasingly international character of the PPP debate, this chapter suggested lastly that international public policy windows and international private policy windows also could open up. The efforts of the OECD to track the PPP experiences in the OECD countries and in Asia, as well as the current European Union's strategy of the Juncker Plan and the US government's plans to attract

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private investment to public infrastructure were seen as suggested evidence in this respect. The argument for an 'enduring logic of interdependency' is nurtured by the strong logic that PPP is itself a grand concept (with which few would disagree) as well as a huge array of different local conceptions in practice. It is also nurtured by the logic that many current and future policy challenges are simply too big to be handled by a single government organization or a single business organization alone. Collaboration and partnerships are needed. Whether this enduring logic will become institutionalized to a substantial degree can be assessed by examining how public policy windows and private policy windows open towards a PPP policy solution.

NOTES

1. The analysis of Windholz and Hodge (2012) originally applied to the work of regulators in the fields of economic and social policy, but equally has relevance more broadly to comparisons between the economic (private) sector and social (public) sector.
2. Our discussion of the public and private sectors thus far has unashamedly been rather centred on the common conception of a Western liberal democracy. At the risk of being Western-centric, though, we ought to be reminded that our assumptions as to just what constitutes the 'public sector' and the 'private sector', and the degree to which these are separate sectors, are just that – assumptions. They need to be confirmed empirically to fundamentally help us understand different countries. Likewise, whilst it may be true that countries all talk about their own public and private sectors, our assumptions as to what constitutes government, what constitutes the private sector, and what the respective roles of government and business should be can differ vastly across cultures. Biygautane et al. (2016) outline how young jurisdictions such as, for example, the Gulf cooperation states of Kuwait, Saudi Arabia and Qatar, have built modern public sector institutions. However, they are also built on traditional tribal social-political systems. The result is that government is essentially hereditary with members of the ruling family occupying key public and private positions, with political legitimacy gained through the 'support of prominent families and latent rival tribes' (Biygautane et al. 2016, 103). The private sector, on the other hand, is 'dominated by elite merchant classes and family businesses' who are 'reliant on government spending and contracts'. In other words, the public sector is dominated by members of the ruling families rather than being neutral and offering 'free and fearless advice', and the private sector is dominated by the elite merchant families rather than being a market of competing entrepreneurial businesses.
3. Of course the boundaries between the public and private sectors have never, in reality, been particularly well defined or clear. Scholars have long referred to the blurring of sector boundaries rather than to their clarity. Moreover, boundaries continue to be further blurred today through the use of legal and regulatory tools. When governments adopt private law tools, such as contracts for public infrastructure, and when businesses (or governments) employ regulatory tools, such as codes of conduct or certifications assuring particular standards are met in

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commercial activities, they all contribute to a continued blurring of these sector boundaries.

4. Flinders' assessment of this decline in trust is that 'the nature of political rule has altered in ways that have generally made the business of government more difficult' (Flinders 2014, 3). He argues that there is an increasing gap between citizens and what they expect of governments on the one hand, and political leaders and what they are able to achieve on the other. It is this expectations gap that explains much of our disappointment in democracy. Citizens assume our standard of living will increase forever, whilst the electorate possesses both a growing sense of entitlement yet a diminishing sense of responsibility. This leaves politicians to deliver a message that we are unlikely to want to hear. (Of course, many other explanations are also influential: unrealistic expectations from voters; political leaders consistently shooting themselves in the foot through Parliamentary expense scandals or conflicts of interest that corrupt democratic processes; and a voracious 24-hour news cycle demanded by a 'feral and destructive media'.) Politicians are not perfect human beings, and democratic politics is not a perfect system. But the reality is also that future governments may well be more constrained than they have ever been historically, and the task of governing and changing policy directions more tricky than ever.
5. Having said that, our personal belief as to the best balance required between economic and social interests, as well as our belief for or against greater government action or greater private sector action, usually remains strongly held.
6. Analyses of the causes and solutions to the GFC differ. Engelen et al. (2011) observed the detachment of our regulators and central bankers from democratic political processes in the mid-2000s (a period which they labelled The Great Complacence) and concluded through their UK lens that technocrats were good servants but bad masters. Looking forward, they commented that 'we are all adrift without a compass', and saw the necessary reforms not as a series of high priority technical fixes, but as requiring more fundamental reforms which aim to democratize finance and reconfigure systems of party finance to reduce the appetite of politicians for corporate money. Cioffi (2011, 658) also detailed the sorry story leading up to the GFC as well as the post-crisis politics of reform. In his words, 'saved by the vast infusions of public funds and asset guarantees, the bailout expanded the size and political power of the largest financial institutions, and they have fought to shape regulatory reform when they could not kill it'. His conclusion as to what had been learned from the crisis was both sobering and blunt: 'Neoliberal finance capitalism has mutated into an inversion of the liberal market ideal. American finance capitalism now embodies a fusion of public and private power corrosive to democratic governance and posing a demonstrable threat to economic stability' (Cioffi 2011, 659).
7. Crouch (2010, 155) put it nicely when he said that 'Lindblom based his analysis, not so much on the implications of the size of individual firms, as on the absolute dependence of governments for their popularity and legitimacy on economic success, and their perception that they depended for that success on the business community. Governments were therefore likely to listen intently and uncritically to whatever that community said it wanted from public policy.'
8. There has also been considerable interest in how states structure markets and structure relationships between market actors and its citizens, and the variety of ways to accomplish this. In addition, there has been interest in how states steer

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economies and take on a directive role (Coen et al. 2010b), as they have done to varying degrees throughout history.

9. Coen (2010, 286) for example, notes that 'like their cousins in Washington, business interests make up the largest percentage of political actors in Brussels – representing approximately 66 per cent of the 1,800 recognized interest groups in the EU (Greenwood 2007)'. Moreover, they argue that 'lobbying is big business in the EU with an estimated 30–60 billion Euros spent on funding approximately 20,000 lobbyists in Brussels each year'.
10. Looking at how governments regulate, for instance, Freiberg (2010; 2017) lists six different 'pure' modes. And each mode typically has dozens of different tools within it. He argues that states may act through economic tools (by making markets, or influencing markets through taxing, quotas or pricing); through transactional tools (where, for instance, governments influence behaviour through contract or grant conditions for minimum wages); through authorizing tools (of registration, licensing, permission, accreditation or litigation); through informational tools (such as product labelling or disclosing interest rates for example); through structural tools (of physical design, or processes such as our 'pay as you go' tax arrangements) or through the more traditional and familiar legal tools (where laws, rules and regulations are made).
11. Moreover, this will continue if Cahill and Konings (2017, 108) are right when they quote Crouch in saying that 'political and economic elites will do everything they can to maintain neoliberalism …. They have benefitted so much from the inequalities of wealth and power that the system has produced.'
12. Crouch goes further (2010, 148) and adds pointedly that 'they must therefore be expected to try and mobilize the resources of their firms in order to advance those interests'.
13. Bakan (2010), cover note of Soederberg (2010).
14. See also Weihe (2005) for an alternative set of PPP 'approaches' including: local regeneration, policy, infrastructure, governance and development. Interestingly, the idea that PPP means multiple things across disciplines was confirmed in a bibliometric analysis of the intellectual structure of global PPP scholarship. Marsilio et al. (2011, 776) concluded explicitly that 'there is no core PPP concept'. Likewise, Hodge (2014, 1) independently went as far as to say that in a scientific sense 'there is no such thing as "the" PPP model'.
15. LTIC-type PPP projects involve planning, designing, financing, building, maintaining, operating, and paying for a facility (de Bettignies and Ross 2010).
16. In jurisdictions such as Victoria, Australia, governments have branded a specific set of infrastructure delivery arrangements using private finance after 2000 as PPP. This differs from the reality of PPP projects in Canada, for example, where most projects have a significant degree of public finance. And both of these brandings contrast the use of the PPP terminology in the People's Republic of China, where most Chinese PPPs have finance from government banks. To Western analysts, these projects would be regarded as 'public–public' partnerships, but the PPP label has enabled the government to signal new directions in terms of institutional, contractual, professional and project delivery arrangements for China.
17. This took a considerable time into the global PPP experience to be acknowledged, however. The UK National Audit Office (2009, 6) noted that whilst its review had concentrated mainly 'on the widely used PPP model called the Private Finance Initiative (PFI) … there are also hundreds of other types of PPPs …'

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18. What is the rule of law asked Waldron (2002, 138–139)? It is, on the surface, a ‘loaded term’, ‘an empty slogan’ and ‘part of the ruling class chatter’! More importantly, it certainly has a history of intellectual contestation. Waldron’s analysis of the US Florida Presidential Election (Gore versus Bush) controversy was revealing. He looked at the many ways in which the rule of law was invoked throughout the Florida debates. In his words, ‘they involved *wholesale*, not just retail disagreement about what the Rule of Law required’ (Waldron 2002, 145). He outlined disagreement on four grounds: the exercise of official discretion by partisan actors; the governance of discretion by vague or indeterminate standards; the parties’ recourse to litigation; and the role of the courts in resolving substantive disputes. In each of these four areas, there were some who thought the practice in question was the epitome of the rule of law, and some who thought it was the antithesis of the rule of law. This showed democracy to indeed be an essentially contested concept in the state of Florida. Clearly, it is even more contested if we were naïve enough to assume a single meaning to the rule of law across different countries across the globe.
19. In this light, let us re-consider the often-made comment that a PPP is ‘just a contract’ under the rule of law. This comment fails to acknowledge that the rule of law is an essentially contested concept, and that contracts themselves are hugely contingent on the socio-legal meaning carried in the agreement. This meaning can differ wildly from country to country.
20. Koop and Lodge (2017, 105) also argue that whilst a broad conception may be shared across a field, ‘this does not imply that the field is conceptually confused’. Adopting the logic used in their analysis (of regulation), PPP could logically be interpreted as a field in which there is a shared appeal to the partnership ideal, but also a field with different disciplinary and interdisciplinary research agendas.
21. They have, according to Wolf Theiss (2013) been mostly hydro power plant concessions.
22. Infrastructure Australia (2018) reports that some 135 PPP projects have either been completed or are under contact. http://infrastructureaustralia.gov.au/policy-publications/public-private-partnerships/ (accessed 19 July 2018).
23. Liu and Yamamoto (2009) report many concession agreements along with other PPPs such as the Beijing subway number 4 noted by Hodge and Greve (2013).
24. The gov.uk website reports that ‘PPPs have delivered £56 billion of private sector capital investment in over 700 UK infrastructure projects’. https://www.gov.uk/government/collections/public-private-partnerships (accessed 19 July 2018).
25. Zambia Development Agency (2014) reports that a shopping development complex had been signed up as PPP since 2009, but that several concession agreements had been entered into prior to this. Most of these concessions had not lived up to expectations, however. For further information see: http://www.zda.org.zm/?q=content/public-private-partnership-ppp-projects (accessed 19 July 2018).
26. One recent instance exemplifies this point, where one presenter at an international PPP conference analysed a database of some 553 PPPs ‘completed in the United States’, whilst another delegate referenced work suggesting that there were, in fact, only 17 ‘true’ PPPs completed in the whole of the US! (Martin 2016).
27. This section draws heavily on the encyclopaedic work of Parsons (1995) who cites the work of Simon (1957) and Lindblom (1959).
28. See also Stone (2002) on this point. She sees the two logics of ‘the market’ and ‘the polis’ as quite distinct.

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29. Kingdon argued that policy windows might either be predictable, like the budget cycle, or unpredictable.
30. The seminal ideas of Cohen et al. (1972) were adopted as a foundation for Kingdon's work. These earlier ideas used the colourful but messy image of a 'garbage can' into which tricky public policy problems are thrown as the basis for the real world policy dynamics.
31. This figure shows politics and markets as two orthogonal dimensions to assist our analytical purpose and is similar to many others. Barry Bozeman's (1987, 95) early 'public-ness' grid is one example of this. His figure emphasizes the influence coming through economic authority and the influence coming from political authority. See also Vuori and Kylanen (2015).

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