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Resisting regulation: revealing orders of worth behind the debate over private education regulation in Peru

María Fernanda Rodríguez G.[a,b]

[a]Faculty of Education, University of Cambridge, Cambridge, UK; [b]Group for the Analysis of Development (GRADE), Lima, Peru

ABSTRACT

Although the regulation of private education has been a disputed topic in academic and policy debates, there is a lack of recognition regarding the underlying structures that inform such opposing viewpoints. Through a sociological understanding of disputes, I propose to see through the lenses of the market to understand the contested visions at play in the regulation of private education in a specific case: a debate in 2018 between private providers and the Ministry of Education that would inform the national regulation in Peru. Specifically, I analyse how private providers justify their right to select and expel students by examining the underlying higher-order principles behind their arguments, or as Boltanski and Thévenot termed them, the 'orders of worth'. The analysis provides evidence of contradictory ways of seeing education that are located in market, industrial and domestic orders of worth, which suggest a hegemonic project for private education in Peru that also holds open the possibility of challenging it by unpacking the arguments used to support it. These justifications expose the inconsistencies of an unequal educational system that has relied on private education for decades. This paper could prove useful for other countries seeking to reform the regulation of private education.

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1. Introduction

Privatisation in education is a highly polarised topic in academic and policy-making circles (Verger et al. 2019). Similarly, the extent and forms of regulating an increasingly commercialised educational sector have been contested among academics, international cooperation and national policy-making spaces. However, little attention has been given to how these opposing ideas emerge from ways of seeing that are rooted in and shaped by the structural basis and location of these institutions and the actors within them. The recognition of the underlying structures that inform the several perspectives on regulation is especially relevant now, as some countries are attempting to reform private education regulation but are facing resistance from private providers, families, and

CONTACT María Fernanda Rodríguez G. mfr32@cam.ac.uk Faculty of Education, University of Cambridge, Cambridge, UK

other institutions, whether in India (Gorur and Arnold 2020, 2022), Chile (Bellei 2016; Zancajo 2019), Belgium (Delvaux and Maroy 2009) or Peru (Balarin and Rodríguez Forthcoming).

This paper is an attempt to systematically analyse the opposition to regulation so as to reveal the underlying political projects and claims behind such arguments through the exploration of a specific case: a debate in 2018 on the regulation of private education in Peru, which private providers strongly resisted and contested. Over the last 20 years, the private education supply in Peru has dramatically increased while the Peruvian Ministry of Education (MoE) has given little attention to this growing and unregulated private sector. However, in recent years, the MoE has sought to regain governance of the sector. In 2018, a new regulation was pre-published, and the MoE convened an event involving the country's most important private school associations to gather their comments and suggestions. Private providers opposed many of the changes that the new regulation would involve and provided a series of arguments that will be the focus of this paper.

Disputes in public settings offer a privileged space for analysis, for individuals and groups present evidence to argue that their position is the most legitimate (Boltanski and Thévenot 2006; Diehl 2021). To do so, they draw from their cognitive frameworks, revealing the ways they see the world and what they value the most. Following authors such as Scott (1998), Fourcade and Healy (2016), and Robertson (2022), I propose that in order to understand the contested visions at play in the regulation of private education, we can adopt their gaze as researchers so as to grasp how they 'see' education and society. This does not mean that both the state and the market are binary nor homogenous entities, for their ways of seeing are conflicted within and across their changing boundaries. This is why I combine the 'way of seeing' framework with Boltanski and Thévenot's (2006) pragmatic sociology approach to grasp the different 'orders of worth' behind such gazes. Even though they are not directly evident in arguments, the underlying orders of worth make reference to what actors consider to be the higher common principles they value as most legitimate in a given situation. This approach could prove useful for the education field, specifically for the discussion of different viewpoints on privatisation (Diehl 2021).

Specifically, I use this theoretical framework to focus on private providers' arguments to contest and change two sections of the regulation: the selection and expulsion of students in private schools, which are linked to notions of inclusion and exclusion in private educational communities and to difficulties of economically sustaining these schools in a highly precarious educational system. How is the contestation regarding these topics argued, justified and positioned in the debate? What are the underlying 'orders of worth' and 'ways of seeing' underpinning such discourses? To this end, I analyse a novel set of video recordings of the debates that have not been analysed before.

The identification of the orders of worth behind the resistance to regulation is crucial in the current context where countries are attempting to re-regulate some of the negative consequences of market dynamics in education, especially regarding quality, inclusion and segregation. As Zancajo (2019) has noted, after three decades of pro-privatisation policies, several international institutions have recognised the importance of appropriate regulation and governance of private educational services to minimise its potential negative impacts (OECD 2017; UNESCO 2017; World Bank 2018) and global projects

aimed at the regulation of private education are emerging (Abidjan Principles 2019). However, some countries are facing resistance when attempting to increase the level of regulation of education markets, especially on inclusion and equity in private schools, amongst other changes.

Although the literature on the topic is still somewhat scarce, various authors have begun to analyse the resistance to regulation attempts, whether by private providers (Bellei 2016; Gorur and Arnold 2022), right-wing parties, families or public opinion (Delvaux and Maroy 2009; Zancajo 2019). As I will show, some of the arguments in these cases are also present in the recent debate regarding private education regulation in Peru, which speaks of the common links of opposition to these forms of regulation of the private sector, although with significant historical and contextual differences that are crucial to understanding the disputes. This paper seeks to contribute to this ongoing dialogue by identifying how actors' ways of seeing the world and their positionality inform their opinions and arguments in such a polarised debate. It highlights that the arguments at play are not neutral or technical but are based on sometimes contradicting ways of seeing education and society. Further, they are highly likely to have consequences for what is decided and implemented in schools, localities, and nations. In this case, what is being said, argued, and agreed upon would then be translated into regulation and enacted within a country. These lessons could apply to other countries attempting to regulate private education or other social sectors (such as health, transport, and so on).

The paper starts by introducing the theoretical framework and its advantages for analysing the positionality of actors and institutions in disputes regarding the regulation of private education. Next, I briefly introduce private education in Peru, the attempts to regulate it, and the methodology used in the paper. Following that, I present an analysis of the arguments for and against the topics under discussion and the orders of worth behind them. The paper concludes with a reflection on the importance of understanding the contradictory elements that compose the hegemonic discourse against regulation, how the context establishes a hierarchy of legitimation of orders of worth that limits options for reforming educational systems, and what we can learn from the Peruvian case about the reform of an educational system that relied heavily on private education than had run largely ungoverned for several decades.

2. Orders of worth and ways of seeing: underlying claims behind the gaze

In response to James Scott's (1998) famous *Seeing like a State* book, Fourcade and Healy (2016) propose an approach of *Seeing like a market*. While Scott suggests that the state's lenses simplify complex local social practices and homogenise the population in order to govern, Fourcade and Healy argue that markets classify and categorise potential buyers and, in so doing, individualise them.[1] However, despite the obvious contrasts, both gazes can lead to distinct forms of erasure of differences.

Even though the state promises its citizens egalitarianism, the rationale behind the state's gaze implies a standardisation of 'difference', which can lead to 'blindness'[2] (Damonte 2016) and, in reality, signifies the erasure of differences, or at least the ones that are likely to matter.[3] Conversely, even though markets categorise and classify, and offer differentiated educational projects tailored to parents needs (and budgets), they also tend to homogenise populations (Stoer and Magalhães 2002) within educational communities progressively

more different from each other (Murillo and Garrido 2017). In part, this explains mechanisms such as student selection (or 'creaming') in private schools (Waslander, Pater, and van der Weide 2010). These processes imply the exclusion of 'others' and illustrate both their obliviousness to difference and their need for differentiation.[4]

The 'ways of seeing' framework allows us to grasp the logic of the state and markets, as they both need different forms of rationalisation of complexity, which can allow us to position ourselves from their gaze so as to analyse disputes regarding the private sector's regulation.[5] However, it is key to note two crucial elements. First, neither the state nor the market are homogeneous entities. The state is a heterogeneous and contingent space where different groups or social organisations fight for control (Corbridge, Srivastava, and Véron 2005; Migdal, Kohli, and Shue 1994). On the other hand, markets, while unified by a capitalist system, are heterogeneous and uneven across different places, territories and scales (Brenner, Peck and Theodore 2010). Moreover, as several scholars have argued, the boundaries between the state and the market are blurred, with market logics entering the public sphere (Ball and Youdell 2008; Mockler et al. 2020). In that sense, there will not only be one way of representing and seeing, but the state and the market may draw on different values, which may also change in different historical periods and geographies.

Boltanski and Thévenot's (2006) pragmatic sociology adds to these claims. These authors propose that in order to engage in an argument, individuals go through a process of classifying social reality and create hierarchies of what they consider legitimate and, thus, what is worthy and of value in a given situation. Whenever individuals argue (or agree), they draw on justifications that appeal to higher common principles that reference what they consider to be the common good. These common principles – or 'orders of worth', as the authors call them – are open to potential opposition and thus conflict as actors compete to legitimise their views in a given situation. Disputes are a perfect space for where these 'orders of worth' come into light. Diehl (2021) has recently used this framework to analyse how school board members in the United States justify their votes in charter schools' authorisation debates. He employs four of the six orders of worth theorised by Boltanski and Thévenot: the

Table 1. Relevant orders of worth and their conception of the common good. Source: based on Diehl (2021).

Orders of worth	Common good	Principles translated to Education
Civic order	• The collective rather than the individual • Welfare	• Democracy • Equality • Solidarity • Inclusion
Market order	• Profit • Competition - Choice	• Parents and students as clients with particular demands to be met. • School choice
Industrial order	• Efficiency • Effectiveness – Performance • Production	• Measurable and standardised quantitative outcomes • Cost-saving
Domestic order	• Loyalty • Tradition • History • Hierarchy	• Preserve and protect the family and community

civic, industrial, domestic, and market orders. As shown in Table 1, each order of worth draws on a different conceptualisation of the common good.

Combining these two frameworks – ways of seeing and orders of worth – provides analytical advantages. Firstly, in order to understand how both the state and the market act, we have to position ourselves in such a way as to see through their lenses, for their actions are informed by their structural location, historical configuration, contextual experiences and strategic and tactical interests. However, institutions (and individuals within them) draw on different justifications depending on specific contexts or situations. This is even more important considering the blurred boundaries between the state and the market.[6] In this sense, the state will not always draw on civic order justifications, nor the market only from market order ones.

The context in which arguments are made is also crucial, as different justifications used in disputes will be relational to the *enabling/constraining* spatial and historical contexts in which actors and organisations are embedded. Diehl (2021) argues this aspect is often overlooked in the pragmatic sociology approach and suggests that disputes should be analysed within specific institutional fields which 'shape the nature and the justifications used within them' (2021). This is particularly relevant in the contemporary educational field, which is increasingly shaped by neoliberal tendencies. Some authors argue that neoliberalism flattens disputes by relegating non-market orders of worth, rendering them less legitimate (Lamont 2012). Following that line, I will locate the debate in the broader context of education governance in Peru, a country with a neoliberal history, weak government institutions, and a growing deregulated private education sector.

3. A growing private education sector and the difficulties of regulating it

3.1. The private sector in education in Peru

In Peru, one out of every five students attends a private school. In Lima Metropolitana, the capital, the number increases to almost one out of every two students (Ministerio de Educación del Perú 2023). Between 1996 and 2010, private schools doubled their enrolment numbers from 14% to 30% in the context of the liberalisation of private investment in education that started in the late nineties in the country[7] (Balarin 2015; Cuenca 2013) in the context of the global trend that advanced a neoliberal regulation of social sectors. This process of privatisation is part of a 'privatisation by default' (Balarin 2015). That is, unlike contexts where privatisation has occurred through the introduction of market mechanisms 'by design' (Ball and Youdell 2008), in Peru, this growth has occurred as a result of family pressures in a context of economic growth, passivity or limited state capacity, together with a growing distrust of public education (Balarin 2015; Verger, Fontdevila, and Zancajo 2017).[8] Yet, the absence of the State can be understood as a decision, whether explicit or not (Cuenca et al. 2019). As a consequence, the expansion of education in the country in the early 2000s, especially in the growing cities, relied mostly on the private sector as the State did not meet the demand for social services for an expanding population.[9] This, as we will see further on, creates a conflict in terms of the orders of worth in attempting to regain such governance.

The provision of private education in the country is diverse in terms of infrastructure, size, number of students, organisation, pedagogical practices, and educational results. Private schools are financed by private agents, whether families, religious institutions, or companies[10] (Guadalupe et al. 2017), so their differences are in part related to the amount of resources they have access to. In 2018, Balarin et al. (2018) found that 63% of schools charge a fee of less than 200 *soles* a month (around 43 pounds), 25% cost between 200 and 400 soles, and only 12% more than 400 soles. This heterogeneity is reflected in the educational results, with better results in the higher-fee end of the spectrum (íbidem).

In this arena, a particular 'subsistence model' of low-fee private schools that barely makes enough funds to support teachers' payrolls (Balarin et al. 2019) coexists with other more consolidated schools (elite, chain model, religious, etc.), making the private education market extremely heterogeneous and segregated (Carrillo 2023). The heterogeneity also suggests different ways of seeing the state's regulation. Balarin (2015) argues that '. . . while some schools are in desperate need to be more regulated, others, at the higher quality end, reject the Ministry's interventions, which they see as erratic and messing with processes they feel they are better prepared to deal with' (16).

3.2. The regulation proposal

For decades, the MoE had mainly focused on public education, neglecting to properly regulate and supervise the growing private sector.[11] However, since 2012, the MoE has tried to regain governance over this sector and advanced a series of attempts to re-regulate it. Yet, due to a series of difficulties, such as discontinuity among authorities, difficulties in placing private education on the agenda, opposition from private providers, and so on, these attempts did not come to fruition. The regulation attempts spanned over a decade and were recently analysed by Balarin and Rodríguez (Forthcoming).

The debates that took place in 2018 happened in the midst of this larger and longer attempt to pass a new regulation. Public officers argued that such regulation was needed because of the legal confusion and regulatory gaps surrounding the governance of private education. Furthermore, it aimed to safeguard the 'right to education' of students attending a growing sector of low-fee-private schools that did not comply with minimal standards of quality and security and the so-called 'informal' private schools that did not have the legal permissions to function. According to Balarin and Rodríguez (Forthcoming), the enactment of loose regulations that opened education to the market in the late nineties led to a period when specific 'market failures' were patched through targeted regulations, such as undesired practices in the collection of school fees, in school enrolments, in textbooks sales, etc. As the authors argue, 'while the regulatory patches temporarily solved these issues, they did not address systemic flaws, and in the long run, they created a dysfunctional system where many norms duplicated or contradicted each other while many normative vacuums remained untouched' (12). The reform attempts sought to change this faulty and 'patched up' regulation.

For the first time since the beginning of the attempts in 2012, the MoE released a draft of the regulation in 2018. By law, this regulation had to be consulted with the population for a period of one month. The proposal consisted of around 83 articles and aimed to address several areas that were either poorly regulated or not regulated in the previous norms. The proposal was comprehensive and ambitious, as it sought to reform not one

but several aspects of an ungoverned private education sector at once. These included (i) essential conditions that every private school should meet regarding infrastructure, resources, the national curriculum, teaching staff, and so on; (ii) administrative procedures such as the opening or closure of private schools; (iii) requirements and responsibilities of the school principal and owners; (iv) school management and economic regime; (v) students' access and continuity in private schools, (vi) parents' participation; (v) rules for supervision and accountability, and penalties for non-compliance.

The enforcement of basic conditions that private schools needed to comply with to ensure the right to education and the safety of students was a crucial point in the proposal (Balarin and Rodríguez Forthcoming). These conditions sought to transform the private education system and would apply to all private schools. Those who failed to follow the regulations would receive fines and, eventually, could be closed. As I mentioned, to address private providers' resistance to previous regulation attempts, the MoE opted for a strategy of engaging with the private sector and convened them to a series of roundtables to gather their comments on the regulation, which is the focus of this paper.

However, although this regulating endeavour pursued changes in the re-regulation of private education, these had to be made without contravening the current Law on Private Education and the Law for the Promotion of Private Education, which, as mentioned, already deregulated certain elements of this sector, and allowed profit-making. This is because the MoE is responsible for regulating norms at the level of regulatory decrees and not for legislating, which is the responsibility of Congress, a key detail for understanding how some arguments used in the roundtables called the 'umbrella' of the already established Peruvian legal architecture. This places as central the *enabling/constraining* contexts for regulatory reform and specifically how certain legal structures uphold a 'juridical cast to economic institutions, placing these institutions beyond politics' (Jayasuriya 2001, 444).

3.3. The selection and expulsion of students in private schoools

In this paper, my focus will be on two specific topics under debate: (i) the admission/selection of students in private schools and (ii) the mechanisms to enforce parents' payments, including students' expulsion. The selection of these topics responds to how these are linked to broader views on educational justice, inclusion/exclusion of students and the nature of private institutions. Moreover, these excerpts of the regulation were highly contested.

The new regulation proposed an article (Article 56) within Section VI, '*Access and continuity in private schools*' that read: (i) private schools may not conduct assessments of students as part of their admission process at the preschool and first-grade levels (56.1) and that (ii) these regulations will sanction any discrimination in denying or conditioning enrolment, access and/or permanence of students in private schools (56.2).[12] This sought to be in line with the requirements in public schools, where any form of selection or discrimination in enrolment, access and/or permanence is prohibited.[13] This rule has already existed for private schools since 2012, but the regulation sought to enforce it and propose sanctions for noncompliance. The articles were categorised as a 'minor infringement' in the case of 56.1 and 'a very serious infringement' in the case of 56.2, each of them with corresponding fines.

On the other hand, under the new regulation, the MoE proposed that each school should enter into a contract with parents to define the rules and consequences of their agreement (Article 58[14]). In case of non-compliance with the contract, schools could deny enrollment for the following year with prior notice. This was a mechanism to both legitimise the conditioning of enrollment and to keep parents informed on the agreement. Additionally, and only for transfers between private schools, the previous school could issue a document that accredits the families' status regarding their payments to the school (what became known as a 'Certificate of non-debt') (Article 58.3). The new school could decline enrollment without it, although it was not mandatory. The objective was to pressure parents to pay the fees without compromising the possibility of transferring schools.

Let us recall that independent private schools in Peru rely mostly on tuition fees paid by families in a country where 71.2% of the economically active population has informal employment (Instituto Nacional de Estadística e Informática 2024). In recent years, private schools have reported a significant increase in the number of parents who are unable to pay school fees, with as many as 30% of their school population.[15] This issue, known as '*morosidad*', and the ways in which private schools could enforce payments from parents, have been at the centre of debate on private education regulation over the years. Two methods that were previously allowed – retaining bi-monthly report cards during the year and transcripts at the end of the year to prevent transfers – were prohibited in 2018 by the MoE, which claimed they endangered the right to educational continuity. However, private providers called for these practices to be reinstated, as they argued would reduce the number of parents who fail to pay fees.

Even though private providers agreed with the contract proposal (Article 58), they claimed it was not enough to battle *morosidad* and the economic restrictions they faced. They argued they needed stronger mechanisms to ensure payments throughout the school year. Thus, they suggested a solution – force transfers at any point of the school year after two months of unpaid fees – and used a series of arguments to position this as legitimate.

4. Methodology

To understand the contrasting ways of seeing and orders of worth in the debate over the regulation, I analysed the video recordings of the encounters between state representatives and private providers that took place in the last months of 2018. This is a unique dataset that has not been analysed before, and that provides an entry point to the 'backstage' of policy-making disputes. The entirety of the regulation was discussed in six roundtables of around two to three hours each. For the two sections under analysis for this paper, the video corpus reviewed consisted of five hours of recordings.

Over 20 representatives from private school associations and organisations involved in educational debates were invited to the meetings. The MoE selected these based on their previous interactions regarding the attempts at regulation and their presence and relevance in public debate and policy. In order to represent the heterogeneity of private provision, the MoE included representatives from the growing low-fee private school sector, as well as elite, religious, and corporate-chain private schools. Some of these representatives extended the invitation to other organisations that did not have a direct link to the MoE, especially from regions outside of Lima.[16] The MoE also invited different offices within the MoE and other public institutions involved with private

education, such as the National Institute for the Defense of Competition and Protection of Intellectual Property (Indecopi) and the National Ombudsman Office. In general, each round table had around 40 participants from these different organisations. The MoE produced daily reports that they shared with the participants, but no official public report was made.

I must state that during the debates, I worked as a Public Officer in the MoE and participated in the round tables mentioned. Although my role was minor, acknowledging my positionality and my 'way of seeing' from that standpoint across the research process is crucial. My role in the 'backstage' of the case study provided me with 'tacit knowledge' (Guba and Lincoln 1982) that made it easier to classify the points of conflict and provide context to the arguments. However, it also presented challenges as my own perspective influenced how I categorised and interpreted them. Following authors such as Fook (1999) and Berger (2015), I have reflected on this as part of the research process, worried it would bias my analysis and interpretation of the data, and come to understand that there is no such thing as unbiased research. Not acknowledging my positionality and own way of seeing, therefore, would be hypocritical.

I came to realise that I chose a theoretical framework that would allow me to position myself from the markets' lenses in order to understand how and why they positioned certain arguments and claims that bewildered me during my role in the MoE. In fact, this theoretical stance challenged the initial interpretations I had of the debate. As I will explain in the paper, it allowed me to understand how private providers' and state officers' arguments come from specific standpoints and positionality within an already complex and precarious system.

The debate was recorded by the MoE in the framework of the national regulatory consultation process. Participants in the meetings gave their consent to being recorded as part of the transparency of public debate. Formal access to the archives of the video recordings and consent for their use for research purposes was given to the author by the Ministerio de Educación del Perú (2023) under the National Transparency and Access to Public Information Law. To preserve the anonymity of the attendees at the roundtables, the references will be made to the type of institution to which they belong but not to their personal information. In addition, the study will not reproduce any quotation that may reveal their identity.

To identify the underlying orders of worth, I located and coded the arguments for and against the two articles in question, paying attention to what each actor said in the video. The process involved transcription, codification, and analysis of the recordings in Spanish, which were then translated into English.[17] Next, I focused on the discursive strategies to advance or block arguments to understand how the raised points were argued, justified and positioned. I analysed what was presented as *equivalent* and what was represented as *different* during the debates. Laclau and Mouffe (2001) argue that 'the simultaneous working of these two different logics – a logic of "difference" which creates differences and divisions; and a logic of "equivalence" which creates equivalences in "subverting" existing differences and divisions' (Fairclough and Fairclough 2013, 298). In this sense, what actors classify as equivalent and different can reveal their underlying orders of worth. Moreover, which equivalences and differences are more commonly used and re-scaled reveals which are more legitimate or accepted. This discursive reorganisation of social processes of classification builds on constructing hegemonic projects.

Another important element was to identify the 'claims to action', that is, what is proposed instead of the points they disagree upon (Fairclough and Fairclough 2013), as well as the use of proofs or evidence called to sustain arguments, which also refer to the orders of worth at work (Boltanski and Thévenot 2006). Finally, because of the nature of the recorded debate, there was the possibility of noting silences as a valid response rather than the absence of it (Bourdieu 1979). Thus, moments of silence were crucial to understanding which arguments were accepted and which were not, at least during the round tables.

5. Ways of seeing education: orders of worth in the private education debate

5.1. Arguments against and for students' selection in private schools

Private providers argued that prohibiting student selection involved state interference in their autonomy, which limited the development of their curricular proposals and their particular educational needs. This argument has been predominant in public debate when trying to confront this rule since 2012 (Balarin 2015). Another important argument was that due to having more applicants than vacancies, schools should have specific criteria to decide which students they admit. The MoE, Indecopi, and the National Ombudsman Office supported the prohibition of student selection under a civic order of worth approach. Most of the interventions against prohibiting students' selection, particularly the ban on student evaluations, were from elite, international, religious, and corporate-chain private schools.

When looking at these arguments, we find some interesting criteria behind the claims for selection. For instance, some private providers argued that selection is necessary for certain school projects to operate effectively and efficiently. These providers claimed that students without the necessary backgrounds may not be able to keep up with the school's proposal. This argument is aligned with an industrial order of worth that values efficiency over inclusion. Moreover, by seeing students in a social vacuum, this logic fails to recognise that their abilities are embedded in a network of social class and racial relations. This logic also reveals an idea of education not as transformative, where every student can progressively learn, but where students need certain prior conditions to reach a specific educational goal. Let us recall that the prohibition for evaluation only applied to students in the preschool and first-grade levels.

However, this is not only on the school's side. Private providers' arguments are also relational to parents' demands and to the system in which they are embedded. Families also select schools depending on their socio-economic backgrounds in a process of positional competition. If education, schools, and their pedagogical projects are commodified and turned into products offered to segments of the market, parents may also complain if the school is not offering what they are promised. Moreover, schools are also constrained by forms of competition regarding national standardised testing and so on. Interestingly, this was not an argument during the debate.

On the other hand, several arguments aligned with a domestic order of worth, which values tradition within these enclosed communities and is aligned with the notion of homogenous communities discussed before:

> 'What happens if I am Catholic and I want my child to study in an Evangelical school? Will I then complain to the Evangelical school that they are not giving him what I want? Is this also taken as discrimination?'. (Association of Religious Schools 1. Translation by author[18])

On this point, the notion of freedom of choice (or school choice) was put forward. Specifically, how private schools have the freedom to provide a specific educational project and how parents have the freedom to choose an educational project with specific characteristics. However, this freedom is framed as limited to the selection of the school and disappears afterwards. From this point of view, if you choose a private school with one specific pedagogical proposal that requires certain characteristics from the students, then you must abide by what the school demands regarding those characteristics.

What is interesting is that student *selection* in these terms was defended as being different from *discrimination*, and private providers argued the regulation should clarify this distinction (claim to action). While they acknowledged the importance of prohibiting discrimination by establishing a logic of difference (selecting is not discriminating), they positioned the argument in a different sphere that does not clash with the civic order of worth raised by the MoE and the National Ombudsman Office, which ended up blocking any contra-arguments on that line. Therefore, even though there were compelling arguments on why safeguarding students from discrimination was important and established in the law, these arguments were no longer useful to contradict the previous one:

> "(. . .) the point I made has nothing to do with discrimination in the sense in which we agree on this issue (. . .) The student who applies to a school has certain requirements (. . .). This may be the issue of language, for example,[19] (. . .) When you're taking an exam and, suddenly, your language skills don't match with what your school requires (. . .) then, just as it is not acceptable for schools, in general, to enrol students below the requirements established in the regulations (. . .) they must also put something similar in private schools (. . .) that they can have the students' requirements they chose or establish a priority that doesn't discriminate because I must always have a tool to be able to decide". (Association of Elite Private Schools 1)

Finally, another set of arguments referred to the possibility of not renewing the enrollment or expelling students whose parents failed to pay schools' monthly fees. Private providers also positioned this idea as one opposed to discrimination based on socioeconomic status, arguing that it responded to a different order, a market one: an economic contract concluded between the school and the family. This line of argument is explored in the next section.

5.2. Arguments against and for private schools' possibility to expel students whose parents fail to pay the fees

Delayed payments were presented as a threat to private schools' ability to invest in improving the quality of education, paying teachers, upgrading infrastructure, and implementing new technologies. Additionally, it was highlighted that an increasing number of private schools offer students an option for education, and most of them are small and low-cost. Therefore, delayed or lack of payments exacerbate the problem for a significant number of vulnerable students and their right to education.

There are two orders of worth that coexist in this line of thinking. Although the claims to enforce payments (such as forcing a transfer in the middle of the school year or retaining educational certificates) align towards a market order of worth, through this argument, delayed payments are directly equated to a threat towards a civic order argument, that is the importance of quality education, especially for the most vulnerable. This follows a logic of equivalence in which a solution that responds to a market order of worth would solve a problem that responds to a civic one.

However, another important set of arguments builds on safeguarding revenues through educational investments. Private schools were presented as having the right to charge for the service that they provide as they 'need to recover their investments'.[20] This was presented as common sense ('it is logical', 'it is very clear'). In addition, private schools, especially low-fee private schools, were equated to entrepreneurships, in which private school owners, 'with much sacrifice, had invested and jeopardised their future for their enterprises'. Moreover, private schools were then compared to enterprises in other social sectors that provide public services considered essential, such as health, electricity, or water, and that are privatised in the country. Consider the following quotes:

> The education sector is the only sector that works for free (Association of Private Schools from Region 6)

> "(. . .) one cannot go against the child's superior interest, but I ask (. . .) when you make your laws, do you think the same when a child goes to a hospital? In a clinic (. . .) the child is stabilised. Once he's stabilised, he is sent to hospital. Because if he doesn't have money, you can't treat him. And this clinic, it's private, is not affected. The same goes for public services. If you stop paying for electricity or water, in two months, they cut you off, no matter that there may be a baby with asthma or bronchitis, etcetera. It doesn't matter. What about educational services? Oh, marvellous, the State has made public schools that do not infringe on the best interests of the child (. . .)" (Association of Private Schools from Region 3).

Here, private providers are invoking the Peruvian 'legal architecture' that protects economic rights in other sectors. If public services, such as health, have rules to enforce payment, why should schools follow different rules? The law is then used as proof to advance such arguments in the educational field. In so doing, it creates a hierarchy of legitimisation of a market order of worth. Moreover, two rights are presented as equal: the right of enterprises and students' right to education:

> One cannot pretend to make the right to education prevail by trampling over private's right to work, over the enterprise, over entrepreneurs (. . .) we are building a country because we are providing jobs. (Association of Private Schools from Region 5)

On the other hand, another line of arguments specifically tackles parents who do not pay the fees and that allowing *morosidad* is teaching a lack of values among students, for they learn that they do not have to follow their duties and responsibilities. These responsibilities are, specifically, equated to: 'culture of duty', 'culture of payment', or the opposite: 'culture of corruption', 'mentality of cheating', 'being shameless', and 'not respecting the rights of others'. Again, an argument from a market order of worth (disrupting the educational service or retaining transcripts) leads to a civic order of worth (teaching values).

The argument that *morosidad* creates a culture of impunity and corruption resides in another logic of equivalence: that parents who do not pay their fees are irresponsible. Even though some private providers mention certain parents have trouble paying because of layoffs or financial problems – and some of them link with the structural problems in the country, such as informality in employment – that indication is followed by an emphasis that this is not most cases. In general, private providers equated the lack of payment to irresponsibility.[21] While it may be true that some parents could be playing the system, the reported high recurrence of the issue indicates a wider phenomenon. By placing the blame on parents in this way, it individualises a structural problem. Furthermore, this aligns with a domestic order of worth, as parents are portrayed as the opposite of exemplary and responsible customers who pay their fees on time. Finally, this argument is reinforced by another that highlights the limits of school choice: even though parents have a right to choose their child's school, *'they cannot just choose anything'* and would have to choose according to their socioeconomic possibilities.

After these arguments, a solution that might sound initially astonishing – such as suspending the educational service due to non-payment – is then presented as normal. The idea is further positioned with two more arguments: (i) that the state offers free schooling for parents who cannot pay for a private school, and (ii) that it is the responsibility of parents and the state, and not of private schools, to safeguard students' education. In that line, they argued that the suspension of the educational service due to lack of payment would be accompanied by a strategy to secure a vacancy in the nearest public school.

Despite attempts at dialogue, there was little consensus between State officers and private providers regarding the controversial aspects of the regulation, as they ultimately refer to opposing orders of worth. Although the project did not pass as expected in 2018, several 'windows of opportunity' in 2021 allowed an updated version to become law along with regulation.[22] The final regulations still prohibit selective admissions in the early years of school and the expulsion of students during the school year due to non-payment, despite the arguments made against them. However, the future of these regulations remains uncertain due to the lack of consensus evident in these debates, implementation issues, changes in the agenda of the MoE, and lobbying by private providers and right-wing parties.[23]

Hence, the aspects analysed remain disputed issues, especially the latter. In fact, one of the latest attempts to change the regulation in Congress seeks to reinstate the expulsion of students who do not pay the fees, amongst other changes. Further, a member of Congress recently proposed public subsidies for private schools in the form of a voucher system similar to the Chilean model, which the Minister of Education supported to address the funding challenges private schools face.[24] This proposal sparked a public debate on the challenges of a precarious, unequal and segregated educational system and the difficulties in regulating private education.

6. Conclusions: locating orders of worth in particular contexts and through actors' gazes

Private providers are among the main groups resisting reforms in the regulation of privatisation processes in various countries (Balarin and Rodríguez Forthcoming; Bellei

2016; Delvaux and Maroy 2009; Gorur and Arnold 2020, 2022; Zancajo 2019). In this paper, I examine how these actors oppose the regulation of private education in Peru and present a methodology to comprehend the dispute from their positionality and way of seeing. This approach contributes to avenues for analysing such resistance by revealing the underlying higher principles considered the most legitimate and valuable when discussing private education.

The analysis shows that the arguments against the regulation are neither neutral nor technical and reveal how the actors involved in its governance and provision have contradictory ways of seeing what is most valuable in education and school communities. Private providers put forward arguments that reveal market, industrial, and domestic orders of worth to justify their claims to action as legitimate. In the case of student selection, the justifications are rooted in industrial and domestic orders, where efficiency and tradition of specific school projects within enclosed educational communities are highly valued. Conversely, in the case of expulsions due to non-payment, an order of worth that gives primacy to the market is prevalent, while private schools are equated to enterprises and parents to clients. The hegemonic discourse reveals a complex interplay of different orders of worth, often without mutual recognition, leading to several contradictions. For instance, market order justifications coexist with civic order arguments despite the contradictions in their respective definitions of the common good. Hence, private providers argue that expelling students who fail to pay fees is a valid solution that would safeguard quality education or the right to education for vulnerable students.

These justifications cannot be understood without considering the *enabling/constraining* legal, cultural, and political contexts in which actors position their claims, which is crucial for understanding regulatory reform and resistance. The Peruvian state has largely commercialised social sectors, including education, health, and transport, creating a hierarchy of orders of worth that private providers call to in education. Even though the sector is still contested (*'the education sector is the only sector that works for free'*), following these arguments, there is a risk of further commercialisation considering the current conditions in which it operates. In fact, the contradictions in discourse reveal further contradictions on how this educational system has been sustained over time. Arguments regarding expulsions and the economic sustainability of private schools must be understood in the context where private education is an aspiration for most families but unaffordable for many[25] and where the large majority of schools are low-fee, with many barely making enough funds to support teachers' payrolls (Balarin et al. 2019). In an educational system that has relied on the market for its expansion and existence for several decades, such arguments are presented as sound and as the *only* solution to its inconsistencies. However, while proposed solutions from both private providers and the state attempt to address the contradictions of such a system, they are restricted by its limitations, hindering the potential for reform options beyond these limits. In any case, discursive contradictions also reveal an educational system that is deeply inconsistent and precarious and that sustains (and is sustained by) inequality.

In part, this explains why private providers presented several proposals that responded to market or industrial orders of worth as a means to achieve goals that align with a civic order. In a context in which the state has historically declined public responsibility for decades, the challenges of reforming the regulation of private education are both ideational and material for a civic order of worth to sustain itself under such constraints.

While private providers also need 'to frame their ideas in a way that is sound within the broader ideational environment' (Verger 2012, 112), their arguments are positioned within a system where public education has been insufficient for a growing population and where the state has relied on private education to broaden access, particularly in urban areas. This phenomenon is not unique to Peru, as similar arguments can be observed in other contexts.[26]

However, while the context may create a space for these justifications to exist, contradictions in discourse also reveal the limitations of a market-order solution to ensure the right to education for *all* students. While private providers argue that private education protects students' right to education, they also clearly outline the limits of that responsibility when discussing students who are not selected or those who are expelled because they do not pay the fees: it is public education that is ultimately called to protect rights and equality. This highlights one of the major proposals that accompany the regulation suggestions of projects such as Abidjan Principles (2019): the regulation of private education must be accompanied by the strengthening of public education. It is important, however, to also pay attention to how public education may reproduce inequalities within, as an idealised notion of the 'public' may hide historical forms of exclusion (Gerrard 2015).[27]

The justifications reveal that it is extremely difficult for states to regain governance of sectors that they have left unattended for decades, particularly in cases of 'default privatisation' where systems have operated under their own rules, with specific orders of worth guiding them. In their analysis of the Indian case, Gorur and Arnold (2020) consider how regulatory reforms attempt to position new 'modes of ordering' society in spaces where other modes prevail and reflect on the possibility of their coexistence. I argue that such a possibility requires a compromise and assessment of which order of worth should prevail when a contradiction arises. Recognising that arguments and claims represent orders of worth beyond technical or neutral policy solutions is a crucial first step, and this also involves discussing the goals and future of education, as well as the roles of the public and private sectors. These aspects are sometimes overlooked in the policy-making process and in the regulation of private education. However, from the markets' perspective, it is also true that educational systems require necessary material conditions for regulatory changes, especially in contexts in which states have not met the demand for social services and lack the social legitimacy to enforce new orders of worth to guide society.

Resistance to regulation, then, is also a consequence of deregulation. However, the different cases of resistance also show that something is changing locally and globally regarding the regulation of private education. Future research needs to delve into the new directions these paths will take and the changes they will bring about. Examining these disputes from the perspective of the major actors confronting them allows us to reveal the underlying contradictions, political projects, and claims behind such arguments while acknowledging that broader structural relationships influence their claims. This is essential for gaining a deeper understanding of the issues related to regulatory resistance.

Notes

1. This process is particularly remarkable in the context of digital technologies and the capacity to generate large amounts of data.

2. This can render the state unable to 'read' and deal with social diversity or alternative visions of sociability in diverse territories (Damonte 2016).
3. For example, how the state has historically homogenised and standardised public mass schooling through language, curriculum and school culture, not accounting for students' social, racial, ethnic, gendered and sexual differences. For studies on this approach, see Knoester and Parkison, 2017.
4. These processes are largely contextual and territorial and, in that sense, dependent on the local hierarchy of schools and population (Waslander, Pater, and van der Weide 2010). Moreover, segmentation is relational, and is also largely attributed to the families (Adnett and Davies 2002; Ball 2002; Saporito 2003).
5. This approach can also help us understand how various configurations are constructed over time. For example, Robertson (2022) examines the politics of sight and size in global university rankings and suggests seeing through the eyes of rankers so as to grasp how universities are being recalibrated and transformed into global enterprises.
6. Analysing the orders of worth allows us to grasp the intertwined nature of the state and the market by tracing how market logics may be present in the state's way of seeing, or, as I explain further on, how the market may draw on civic orders of worth.
7. This law was enacted during Alberto Fujimori's government through the 'Law for the Promotion of Investment in Education' (DL No. 882) or, in Spanish, Ley de Promoción de la Inversión en la Educación. The name itself is quite revealing.
8. It is important to mention that in Peru, there is a established perception among public opinion, families and students that private education is always the best option (Carrillo, Salazar, and Leandro 2019; Cuenca 2013; Ramírez and Román 2018; Uccelli and Garcia 2016). This occurs in the context of a historical precarity of public education.
9. This was not the case only with education, but also with transport, health, and so on.
10. In this paper, I focus on private schools that are directly managed by private providers, or so called 'independent private schools'. Other forms of privatisation of education, such as privatisation in and of education (Ball and Youdell 2008) like public-private associations and the process of privatisation within public spheres are not included in the analysis.
11. As a result, the 'National Institute for the Defense of Competition and Protection of Intellectual Property' (Indecopi), which protects consumer rights, filled this gap. Indecopi receives numerous complaints from parents whose children attend private schools and has taken on the role of supervising and sanctioning schools that fail to comply with regulations.
12. Ministerio de Educación, RM-613-2018-MINEDU.
13. This does not mean, however, that forms of selection do not happen in practice in public schools.
14. Ministerio de Educación, RM-613-2018-MINEDU.
15. These numbers were reported by private providers in the roundtables and media. However, so far there are no published investigations to corroborate this figure.
16. Most private providers were from Lima, but there were several some from other regions of the country, such as Ancash, La Libertad, Arequipa and Callao.
17. This posed challenges in trying not to distort the discourse the less possible during the translation.
18. All the participants' quotes reproduced in this paper have been translated from Spanish by the author.
19. By this, they refer to English, or other foreign languages in bilingual schools.
20. Association of Elite Private Schools 1.
21. Some private providers drew on examples from parents from their schools and argued that they would rather pay for holidays, or credit-card debts, etc: *'(. . .) Parents are not paying us right now, not because they don't have it (the money), but because they don't want to, because they prefer to pay the credit card where there is a penalty, right? (. . .) because they know that if they don't pay the school, nothing happens' (Association of Elite Private Schools 1).*
22. Decreto Supremo Nº 005–2021-MINEDU.

23. For a detailed analysis of the political economy of the attempts, see Balarin and Rodríguez (forthcoming).
24. Oré (2023, April 25) 'Vouchers educativos: esto dice el proyecto de ley que busca beneficiar a estudiantes de escuelas privadas'. *Infobae*. https://www.infobae.com/peru/2023/04/25/vouchers-educativos-esto-dice-el-proyecto-de-ley-que-busca-beneficiar-a-estudiantes-de-escuelas-privadas/.
25. In their qualitative study of student mobility in Lima, Rodríguez and Saavedra (2020) followed the trajectory of students who transferred schools. They found students who were switching between public and private schools for economic reasons. For instance, one student changed schools nine times in eleven years, moving back and forth between public and private in search of a better education his family could not sustain over time.
26. In India, Gorur and Arnold (2020) call 'moral arguments' those in which the potential closure for failing to meet the new regulations is presented as a deprivation for disadvantaged families of access to their schools of choice. In Chile, such an argument was that the state depends on private schools to guarantee the right to education and diversity in the educational system (Bellei 2016).
27. Another worthy-note contradiction is that while private providers ask for less regulation when it comes to selecting students, they require more regulation to protect their economic stability. This exposes a discrepancy of a prevalent argument against regulation present in Peruvian public debate (Balarin 2015) and other countries (Bellei 2016; Gorur and Arnold 2020): regulations are over-controlling and interfere with private providers' autonomy and freedom. However, this shows that while private providers call for less state interference as a major argument against regulation, they also demand a specific form of state interference. This detail is crucial for dismantling the 'illusion of free markets' (Harcourt 2011) and could prove useful when negotiating regulatory reforms that use these arguments.

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ORCID

María Fernanda Rodríguez G. http://orcid.org/0000-0002-1961-741X

References

Abidjan Principles. 2019. "Guiding Principles on the Human Rights Obligations of States to Provide Public Education and to Regulate Private Involvement in Education (The Abidjan Principles)." *International Human Rights Law Review* 8 (1): 117–148. https://doi.org/10.1163/22131035-00801004.

Adnett, N., and P. Davies. 2002. "Education as a Positional Good: Implications for Market-Based Reforms of State Schooling." *British Journal of Educational Studies* 50 (2): 189–205. https://doi.org/10.1111/1467-8527.00197.

Balarin, M. 2015. "The Default Privatization of Peruvian Education and the Rise of Low-Fee Private Schools: Better or Worse Opportunities for the Poor?" 65;: PRIDI. ESP Working Paper Series, 32.

Balarin, M., C. Fontdevila, P. Marius, and M. F. Rodríguez. 2019. "Educating on a Budget: The Subsistence Model of Low-Fee Private Schooling in Peru." *Education Policy Analysis Archives* 27: 132. https://doi.org/10.14507/epaa.27.4328.

Balarin, M., J. Kitmang, H. Ñopo, and M. F. Rodríguez. 2018. *Mercado privado, consecuencias públicas. Los servicios educativos de provisión privada en el Perú*. Lima: GRADE. https://repositorio.grade.org.pe/bitstream/handle/20.500.12820/488/GRADEdi89.pdf?sequence=1&isAllowed=y.

Balarin, M., and M. F. Rodríguez. Forthcoming. "The Crisis and the Market: Regulating Peru's Ungoverned Private Education Market." In *Research Handbook on Education Privatization and Marketization*, edited by A. Zancajo, C. Fontdevila, H. Jabbar, and A. Verger. Edward Elgar.

Ball, S. 2002. *Class Strategies and the Education Market: The Middle Classes and Social Advantage*. London: Routledge.

Ball, S. J., and D. Youdell. 2008. "Hidden Privatisation in Public Education." Brussels: Education International. Accessed July 30, 2024. https://www.ei-ie.org/en/item/25671:hidden-privatisation-in-public-education.

Bellei, C. 2016. "Dificultades y resistencias de una reforma para des-mercantilizar la educación." *Revista de Sociología de La Educación-RASE* 9 (2): 232–247. https://doi.org/10.7203/RASE.9.2.8417.

Berger, R. 2015. "Now I See It, Now I don't: Researcher's Position and Reflexivity in Qualitative Research." *Qualitative Research* 15 (2): 219–234. https://doi.org/10.1177/1468794112468475.

Boltanski, L., and L. Thévenot. 2006. *On Justification: Economies of Worth*. Princeton: Princeton University Press. https://doi.org/10.1515/9781400827145.

Bourdieu, P. 1979. "Public Opinion Does Not Exist." In *Communication and Class Struggle*, edited by A. Mattelart and S. Siegelaub, 124–130. Bagnolet, France: International General.

Brenner, Neil, Jamie Peck, and Nik. Theodore. 2010. "Variegated Neoliberalization: Geographies, Modalities, Pathways." *Global Networks* 10 (2): 182–222.

Carrillo, S., and F. J. Murillo. 2023. "Contribución de la educación no estatal a la segregación escolar en el Perú." *Apuntes* 50 (93): 213–234.

Carrillo, S., V. Salazar, and S. Leandro. 2019. "Jóvenes y educación en Lima Metropolitana y Callao." In *Instituto de Estudios Peruanos*, Instituto de Estudios Peruanos. https://repositorio.iep.org.pe/handle/IEP/1160.

Corbridge, S., M. Srivastava, and R. Véron. 2005. *Seeing the State: Governance and Governmentality in India*. Cambridge: Cambridge University Press.

Cuenca, R. 2013. "La escuela pública en Lima Metropolitana. ¿Una institución en extinción?" *Revista Peruana de Investigación Educativa* 5 (5): 73–98. https://doi.org/10.34236/rpie.v5i5.34.

Cuenca, R., S. Oré, L. R. A. y León, L. R. A. y León, S. Oré, and R. Cuenca. 2019. "ITINERARIOS DE LA EDUCACIÓN PRIVADA EN PERÚ." *Educação & Sociedade* 40:40. https://doi.org/10.1590/es0101-73302019192469.

Damonte, G. 2016. "The "Blind" State: Government Quest for Formalization and Conflict with Small-Scale Miners in the Peruvian Amazon." *Antipode* 48 (4): 956–976.
Delvaux, B., and C. Maroy. 2009. *Débat sur la régulation des inscriptions scolaires en Belgique francophone: Où se situent les désaccords ?* https://shs.hal.science/halshs-00561602.
Diehl, D. K. 2021. "Charter School Authorizations as Disputes: How School Board Members Justify Their Votes in a Neoliberal Context1." *Sociological Forum* 36 (1): 70–91. https://doi.org/10.1111/socf.12669.
Fairclough, I., and N. Fairclough. 2013. "Argument, Deliberation, Dialectic and the Nature of the Political: A CDA Perspective." *Political Studies Review* 11 (3): 336–344. https://doi.org/10.1111/1478-9302.12025.
Fook, J. 1999. "Reflexivity as Method." *Annual Review of Health Social Science* 9 (1): 11–20. https://doi.org/10.5172/hesr.1999.9.1.11.
Fourcade, M., and K. Healy. 2016. "Seeing Like a Market." *Socio-Economic Review* 15 (1): 9–29. https://doi.org/10.1093/ser/mww033.
Gerrard, J. 2015. "Public Education in Neoliberal Times: Memory and Desire." *Journal of Education Policy* 30 (6): 855–868. https://doi.org/10.1080/02680939.2015.1044568.
Gorur, R., and B. Arnold. 2020. "Hybrid Models of Delivery: State Mandated Public-Private Partnerships in India." In *Privatisation and Commercialisation in Public Education: How the Public Nature of Schooling is Changing*. Routledge. https://www.taylorfrancis.com/chapters/edit/10.4324/9780429330025-7/hybrid-models-delivery-radhika-gorur-ben-arnold.
Gorur, R., and B. Arnold. 2022. "Regulating Private Sector Schooling in the Global South: The Case of India." *Compare: A Journal of Comparative and International Education* 52 (3): 345–361. https://doi.org/10.1080/03057925.2020.1766947.
Guadalupe, C., J. León, J. Rodríguez, and S. Vargas. 2017. *Estado de la educación en el Perú: Análisis y perspectivas de la educación básica*. https://repositorio.minedu.gob.pe/handle/20.500.12799/5692.
Guba, E. G., and Y. S. Lincoln. 1982. "Epistemological and Methodological Bases of Naturalistic Inquiry." *Educational Communication and Technology* 30 (4): 233–252. JSTOR.https://doi.org/10.1007/BF02765185.
Harcourt, B. 2011. *The Illusion of Free Markets: Punishment and the Myth of Natural Order*. Cambridge, MA: Harvard University Press.
Instituto Nacional de Estadística e Informática. 2024. *Perú: Comportamiento de los Indicadores del Mercado Laboral a Nivel Nacional y en 26 Ciudades*. Primer trimestre 2024. Lima: INEI. https://cdn.www.gob.pe/uploads/document/file/6350623/5575916-peru-comportamiento-de-los-indicadores-del-mercado-laboral-a-nivel-nacional-y-26-ciudades-primer-trimestre-2024.pdf.
Jayasuriya, K. 2001. "Globalization, Sovereignty, and the Rule of Law: From Political to Economic Constitutionalism?" *PRAXIS International* 8 (4): 442–460. https://doi.org/10.1111/1467-8675.00252.
Knoester, M., and P. Parkison. 2017. "Seeing Like a State: How Educational Policy Misreads What is Important in Schools." *Educational Studies* 53 (3): 247–262. https://doi.org/10.1080/00131946.2017.1297302.
Laclau, E., and C. Mouffe. 2001. *Hegemony and Socialist Strategy: Towards a Radical Democratic Politics*. 2nd ed. London: Verso.
Lamont, M. 2012. "Toward a Comparative Sociology of Valuation and Evaluation." *Annual Review of Sociology* 38 (1): 201–221. https://doi.org/10.1146/annurev-soc-070308-120022.
Migdal, J., A. Kohli, and V. Shue. 1994. *State Power and Social Forces: Domination and Transformation in the Third World*. Cambridge University Press. https://doi.org/10.1017/CBO9781139174268.
Ministerio de Educación del Perú. 2023. "Students' Enrolment—Magnitudes." *Estadística de La Calidad Educativa (ESCALE)*. http://escale.minedu.gob.pe/magnitudes.
Mockler, N., A. Hogan, B. Lingard, M. Rahimi, and G. Thompson. 2020. "Explaining Publicness: A Typology for Understanding the Provision of Schooling in Contemporary Times." In *Privatisation and Commercialisation in Public Education*, edited by Anna Hogan and Greg Thompson, 198–211. London: Routledge.

Murillo, F. J., and C. M. Garrido. 2017. "Segregación social en las escuelas públicas y privadas en América Latina." *Educação & Sociedade* 38 (140): 727–750. https://doi.org/10.1590/es0101-73302017167714.

OECD. 2017. *School Choice and School Vouchers: An OECD Perspective*. Paris, France: OECD Publishing.

Ramírez, A., and A. Román. 2018. *¿El mito sigue vivo? Privatización y diferenciación social en la educación peruana*. Lima: Instituto de Estudios Peruanos.

Robertson, S. L. 2022. "V-Charged: Powering Up the World-Class University as a Global Actor." *Globalisation, Societies & Education* 20 (4): 423–434. https://doi.org/10.1080/14767724.2022.2065970.

Rodríguez, M. F., and M. Saavedra. 2020. "Moviéndose de una decepción a otra: Los jóvenes que cambian de escuelas en contextos urbano-vulnerables de Lima Metropolitana." *Revista Peruana de Investigación Educativa* 12 (12): 217–242. https://doi.org/10.34236/rpie.v12i12.146.

Saporito, S. 2003. "Private Choices, Public Consequences: Magnet School Choice and Segregation by Race and Poverty." *Social Problems* 50 (2): 181–203. https://doi.org/10.1525/sp.2003.50.2.181.

Scott, J. C. 1998. *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed*. New Haven: Yale University Press.

Stoer, S. R., and A. M. Magalhães. 2002. "The Reconfiguration of the Modern Social Contract: New Forms of Citizenship and Education." *European Educational Research Journal* 1 (4): 692–704. https://doi.org/10.2304/eerj.2002.1.4.7.

Uccelli, F., and M. Garcia. 2016. *Solo zapatillas de marca: Jóvenes limeños y los límites de la inclusión desde el mercado*. Lima: IEP, Instituto de Estudios Peruanos.

UNESCO. 2017. "Global Education Monitoring Report 2017/18." In *Accountability in education: meeting our commitments*. Paris: UNESCO.

Verger, A. 2012. "Framing and Selling Global Education Policy: The Promotion of Public–Private Partnerships for Education in Low-Income Contexts." *Journal of Education Policy* 27 (1): 109–130.

Verger, A., C. Fontdevila, R. Rogan, and T. Gurney. 2019. "Manufacturing an Illusory Consensus? A Bibliometric Analysis of the International Debate on Education Privatisation." *International Journal of Educational Development* 64:81–95. https://doi.org/10.1016/j.ijedudev.2017.12.011.

Verger, A., C. Fontdevila, and A. Zancajo. 2017. "Multiple Paths Towards Education Privatization in a Globalizing World: A Cultural Political Economy Review." *Journal of Education Policy* 32 (6): 757–787. https://doi.org/10.1080/02680939.2017.1318453.

Waslander, S., C. Pater, and M. van der Weide. 2010. "Markets in Education: An Analytical Review of Empirical Research on Market Mechanisms in Education." (OECD Education Working Papers). OECD. https://doi.org/10.1787/5km4pskmkr27-en.

World Bank. 2018. World Development Report 2018: Learning to Realize Education Promise. Washington, DC: International Bank for Reconstruction and Development/The World Bank.

Zancajo, A. 2019. "Drivers and Hurdles to the Regulation of Education Markets: The Political Economy of Chilean Reform." Working Paper 239. National Center for the Study of Privatization in Education. http://ncspe.tc.columbia.edu/working-papers/WP239.pdf.