

# Theorizing Privatization in Education: Comparing Conceptual Frameworks and the Value of the Capability Approach

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*The past decade has witnessed a notable shift in the international education policy environment, characterized by a rapid growth in private educational provision. In the context of a divisive debate on the role of the non-state sector in primary and secondary education, this paper grapples with the theoretical underpinnings of both advocacy and critique of educational privatization, paying particular attention to a rise in low-fee private schools and public-private partnerships. It is argued that three of the most commonly adopted conceptual frameworks – the neoclassical, social primary goods and rights-based approaches – each have notable shortcomings when applied to an analysis of privatization. In light of this, the overarching aim of this paper is to offer the human capability approach and to argue that it is the strongest and most appropriate framework for understanding and analyzing the complex and multi-faceted issue of private sector engagement in education.*

## **Introduction**

The past decade has witnessed a notable shift in the education policy environment, characterized by a rapid growth in private educational provision. In the Global South in particular, two forms of privatization have risen dramatically: low-fee private schools that cater to low-income families, and public-private partnerships wherein governments are financing non-state school operators via vouchers or charters. Supporters promote private provision as a reform policy to increase access, competition and thereby quality, along with relieving public sector costs (Fielden and LaRocque, 2008; Patrinos et al, 2009). On the other hand, critics have drawn attention to equity-related impacts of privatization on marginalized students, as well as the potential weakening of public school systems (Plank, 2005; Robertson et al, 2012; Härmä, 2011). In the context of this debate, in this paper I grapple with the theoretical underpinnings of both advocacy and critique of educational privatization.

I suggest that policies concerning the issue of privatization are theoretically situated in very particular conceptual approaches or frameworks. Most notable is the single most predominant framework employed to support privatization in education, which is rooted in neoclassical economics and also commonly termed neoliberal. A wealth of literature from within the field of comparative and international education (CIE) has argued against the neoclassical framework, critiquing it as not adequately capturing the equity implications of associated policies, and as unethical by subjugating the end goal of equity to efficiency. Critics have demanded the adoption of an approach that can result in more socially just and equitable systems of education (Klees, 2008; 2012; Harvey, 2005; Olssen, et al, 2004; Saad-Filho and Johnson, 2005). However, I argue that the most commonly adopted alternative frameworks for social policy – namely the social primary goods and rights-based approaches – despite offering significant responses to neoclassicism, still have notable shortcomings. In light of this, the overarching aim of this paper is to offer the human capability approach and to argue that it is the strongest and most appropriate framework for an analysis of the complex and multi-faceted issue of private

sector engagement in education, able to rigorously counter the dominance of the neoclassical approach.

This paper structurally borrows in part from Robeyns (2006), who similarly applies conceptual approaches (or “models”) to education, but pays particular attention to issues concerning gender. In this article, I first provide a brief descriptive account of recent trends in privatization in education, focusing on the rise of public-private partnerships and low-fee private schools. This is followed by descriptions of the neoclassical, rights-based, social primary goods, and human capability approaches, and their applications to privatization policies. Comparisons are then drawn between the human capability approach and each of the other frameworks. By exposing contrasts with the capability framework, attention is drawn to the shortcomings of the other approaches. Given that privatization policies often rest on the value of parental choice, throughout the paper particular attention is paid to different conceptions of the notion of choice and to what degree individual choice ought to be given primacy in social policy.

### **The context of private sector engagement in education**

Private actors are increasingly involved in various forms of K-12 school provision, financing, and policy-making. One of the most notable features of this shift is the rise in private school operators (OECD, 2010). Two forms of private sector engagement showing significant growth are public-private partnerships (PPPs) and low-fee private schools (LFPs). Although privatization happens in a multitude of other ways (including corporate and philanthropic activities, religious education, shadow schooling, etc), I focus on PPPs and LFPs in this paper due to their recent prominence in academic research (Belfield and Levin, 2005; Robertson et al., 2012; Srivastava and Walford, 2007) and in the policies of international organizations (IFC, 2010; UNICEF and ADB, 2011; World Bank, 2011; World Bank and IMF, 2011).

“PPPs” denotes a very broad category that covers any joining of the public and private sectors in education (Draxler, 2012). This paper focuses on PPPs in educational provision, including such mechanisms as voucher schemes, where parents receive a government-issued credit to pay for private school tuition, or fully publicly financed but privately administered schools, such as charter schools. Such PPP policies are argued to respond to low government capacity to deliver quality education by enabling a shift in the state’s function from a provider of schooling to that of a financier and regulator of private operators (Fielden and LaRoque, 2008; Patrinos et al., 2009; Roberston et al., 2012).

Similarly, over the past decade, there has been a rise in the establishment of low-fee private schools in the Global South. Such schools, which can be operated by either individuals or a larger entrepreneurial group, are fully-private (as in both privately financed and provided), and charge what is considered to be nominal fee to parents. While some low-fee schools are not-for-profit, the majority are for-profit establishments targeting low-income families (Rose, 2009; Srivastava and Walford, 2007; Tooley and Dixon, 2006). Supporters of LFPs argue that low-fee schools respond to the very low quality of public schools and can meet the demands of parents, including those living below poverty levels (see Dixon, 2013; Tooley, 2004; 2005; Tooley and Dixon, 2006). In the next section, I describe and map four theoretical frameworks onto an analysis of such forms of privatization as PPPs and LFPs.

### **The neoclassical approach**

Scholars from a variety of disciplines, including CIE, have argued that for the past three decades public policies in the Global South have been overwhelmingly underpinned by a paradigm informed by neoclassical economic assumptions. Grounded in liberal principles of

individualism and freedom of choice, neoclassical economics assumes the primacy of free-market mechanisms such as competition in order to achieve optimal efficiency, quality and accountability within services. By critiquing government capacity whilst cautioning against state-run monopolies, a neoclassical approach proposes a decrease in the state's role in services (Arndt, 1989; Alkire and Deneulin, 2010a; Harvey, 2005; Olssen, et al, 2004).

Reducing the role of the state in educational financing and provision, spurring competition in order to increase accountability, efficiency and quality, and increasing the choices of individual parents are all justifications rooted in neoclassicism, which informs policies supporting, for instance, public-private partnerships and low-fee private schools (Chan, 2007; Ladd, 2003; Menashy, 2013; Olssen, 1996; Olssen et al., 2004; Plank and Sykes, 2003). For example, in terms of LFPs, supporters argue that it is significant when "parents send their children to private unaided schools when there are free government alternatives" and that the "main advantage" private schools have over government schools is accountability (Tooley, 2004, p. 5). Similarly, PPPs are advocated because "the private sector can compete for students with the public sector. In turn, the public sector has an incentive to react to this competition by increasing the quality of the education that it provides" and "it [a PPP] can increase efficiency and choice" (Patrinos et al., 2009, p. 4).

As mentioned, a neoclassical framework has been widely critiqued as narrow and minimizing the equity implications of its prescriptions, including educational privatization (Fine and Rose, 2001; Tomasevski, 2003; Klees, 2008). Such critiques will be examined in more detail later in this paper when the neoclassical and capability frameworks are compared.

### **The rights-based approach**

A rights-based approach to education has a number of interrelated dimensions: the right of access to education, which includes free access to basic education; the right to quality education; the right to respect within education; accessible higher education; available education for those who have not completed schooling, amongst others (Grey, 2012; Jonsson, 2003; Manion and Menashy, 2013; Robeyns, 2006; UNICEF, 2008; UNESCO and UNICEF, 2007). Tomasevski restates these dimensions in the "4 As" of the right to education: available, accessible, acceptable and adaptable (2001; 2006). Education as a right has moreover been enshrined in a number of human rights treaties (UN, 1948; 1966; 1989).

Evaluating privately provided education under a rights-based approach is complex. Many proponents of education as a right consider the chief "duty bearer" of education – even over and above parents, guardians and teachers – to be the state (Tomasevski, 2003; UNICEF, 2008). Under a rights-based framework, governments are the optimal provider and financier of education. Therefore, significant inclusion of the private sector contrasts "the corresponding government responsibility" (Tomasevski, 2003, p. 69), and when education is characterized as a right, "it is clearly the responsibility of the state" (Archer, 2006, p. 7). Private participation can therefore be deemed problematic and/or arguably contradicts a rights-based approach (Manion and Menashy, 2013; Menashy, 2013).

However, according to international law, it is permissible for any private actor to establish and run a school. Although the state must still monitor and regulate such schools to ensure standards and rights within education are met (Grey, 2012; ICESCR, 1966). In light of this, private providers, including LFPs, are permitted to exist, so long as government deems so.

As well, under the 1948 Universal Declaration of Human Rights, parents ought to have the freedom to choose their child's school (UN, 1948, Article 26iii). Scholars have pointed to how this sub-article in the Declaration points to the support of a system inclusive of private providers, including both PPPs and LFPs, where choice is more readily available than in a homogeneous public system (Willmore, 2004). As a result of such diverse interpretations of rights doctrines, there are some critiques associated the rights-based approach in relation to the specific issue of privatization that will be explained more fully below.

### **The social primary goods approach**

Another common framework for social policy is derived from John Rawls' theories concerning justice and social primary goods, rooted in philosophical liberalism. According to Rawls, social primary goods consist of those things all humans desire, irrespective of whatever else they desire. Such goods might be distributed or ensured by private or public institutions and reflect "what would be essential to serving our developmental and our agency interests as free and equal citizens" (Brighouse and Unterhalter, 2010, p.194). Social primary goods are deemed integral to human freedom and liberty, and Rawls gives primacy to "extensive basic liberty compatible with a similar liberty for others" (Rawls, 1971). For Rawls, moreover, a just society requires a just distribution of social primary goods, where such distribution cannot harm the least-advantaged members (2001). Rawls' theories have widely underpinned social welfare policies, including those involving educational provision and financing.

Social primary goods are essentially resources, and so are means to the ends of liberty, freedom and equality. The focus is on the attainment and possession of these resources, and not on their use, nor on the characteristics of those who use them. Included amongst these social primary goods are such liberal ideals as basic freedom of thought, movement, income, self-respect, and others that act as essential resources (Rawls, 1971; Robeyns and Brighouse, 2010; Sen, 1992).

A key tenet of liberal philosophy hinges on the value of choice, and the primacy of liberty and individualism embedded in liberal theories – including those of Rawls – would dictate that choice is of a paramount concern. In terms of educational privatization, the core of many supporters' arguments centers upon the value of school choice. Under a social primary goods approach to education, it is arguable that equality of choice is a key element, so long as some sort of education is provided – irrespective of differences of outcomes. One can extrapolate from an application of Rawls' theory that private sector participation is unproblematic so long as there is equality of freedom to choose a school and therefore access to education. It can be argued, therefore, that under a Rawlsian framework, educational choice – which underpins many privatization policies including PPPs and LFPs – ought to be supported. Later in this paper I provide a comparison between the applications of the social primary goods and capability approaches to educational privatization, highlighting some major contrasts.

### **The human capability approach**

A capability approach is explicitly normative and provides a framework for the analysis of policies based on implications for individuals' capabilities – what a person is able to do, who a person is able to be (Robeyns, 2005; 2011; Sen, 1992; 1999; 2005). A framework for capability does not focus on a person's happiness or income level. It evaluates whether or not an individual can achieve certain "functionings" that are enabled through capabilities. Capabilities are therefore opportunities, and functionings are what such opportunities allow a human being to concretely do. As an example, being literate is a functioning. The opportunity to be taught how to read is a capability. Being healthy is a functioning, whereas having access to health services is a capability. Through emphasizing our opportunities – which can also be conceived

of as freedoms – the capability approach broadly “covers all dimensions of human well-being” (Robeyns, 2005, p.96). A capability approach to development concentrates on removing obstacles to achieving those functionings an individual believes to be valuable, and so the concepts of capability, opportunity, freedom and agency are closely related. Resources, therefore, are not as important as an individual’s capability to convert these resources into functionings (Drèze and Sen, 1995; Sen, 1993; Walker, 2004).

The capability framework has been applied by scholars to education and educational policy in a number of areas, including gender equity, curriculum, disabilities and higher education (Nussbaum, 2000; Unterhalter, 2007; Robeyns, 2006; Manion, 2010; Terzi, 2008; Walker, 2006). Amartya Sen, who spearheaded the notion of human capability, has briefly examined educational provision (he discusses the characteristics of “basic educational opportunities,” arguing schooling to have a “public-good component” [1999, p. 128-129]); however, the capability approach has not been mapped onto the particular public policy debate of privatization in education. I argue that the framework would add significant value to the analysis of the divisive policy prescriptions associated with private schooling.

When applied to evaluate a policy, the capability approach focuses on the functionings that can be achieved. Therefore, a question posed when analyzing educational privatization policies through a capability lens would center on whether such policies impact an individual’s ability to achieve functionings, and this evaluation may be dependent on context. For instance, are the abilities of some students hindered by privatization; are they less able to learn, to read, to become educated well enough to in turn achieve more functionings such as getting a job, earning an income, independence? It is crucial as well to think broadly – how does private provision impact all students, in all schools? As explained above, private sector engagement in education takes on a variety of forms that, when evaluated, must be contextualized. An arguable strength of the capability approach is that contextualization is necessary before analysis.

When applying the capability approach to the particular context of policies that permit and/or promote LFPs, attention must be paid to school fees. Fees by their nature, regardless of how low, enact a barrier for some students. Inequitable access is therefore inevitable. For those lacking the resources to access these schools, their abilities to achieve the capability of being educated in an LFP, and in turn certain functionings, are inhibited. For instance, studies from India have shown that with the rise in low-fee private schools, government schools have become the “option of last resort for the poorest and most marginalized” (Härmä, 2011, p. 156; Härmä and Rose, 2012). As an example, a recent study of LFPs in India concluded that private schooling “is unlikely to be the best means of providing education for all children in the longer term in ways that respect equity principles” (Woodhead et al, 2013, p. 73). A variety of studies from Africa echo these findings (Barrera-Osorio, 2007; Härmä and Adefisayo, 2011; Rose, 2009). Even very low-fee private schools create an additional tier of education that exacerbates already inequitable education systems. If the goal is to allow all students the capability to attain a quality education, leading to a large set of functionings that will enormously improve their well-being, in many contexts, the low fees may act as an obstacle.

PPPs can be characterized quite differently than LFPs, as schools are publicly financed despite private provision. As mentioned, PPPs are widely advocated based on the appeal and value of choice. In PPP programs, such as those involving vouchers or stipends, an environment is created where schools compete for students, and it is argued by proponents that because parents will choose the better school, this competition will lead to increased quality. However,

when assessed under a capability framework, choice in education is only valuable if it can contribute to the expansion of a person's desired functionings. This is dependent on what Sen terms *conversion factors* (1992). Conversion factors are essentially "the degree in which a person can transform a resource into a functioning" (Robeyns, 2011). Such resources can include goods or services, such as an educational choice program. Social conversion factors are socially constituted and are dependent on the society in which an individual resides, including "public policies, social norms, practices that unfairly discriminate, societal hierarchies, or power relations related to class, gender, race, or caste" (Robeyns, 2011). I argue that, depending on the context, social conversion factors impact the ways in which school choice programs, as resources, can be converted into access to a higher quality education for an individual. Choice, particularly when it is operationalized, for example in a voucher program, is a resource that can enable students to gain a number of functionings via a high quality education. If a student (and family) has a high social conversion factor, it is likely that this student can capitalize on choice policies. High social conversion factors in this context can result from social capital or membership to a dominant group, which allows easier navigation of the system and increases access to schools with either official or unofficial admission screenings. On the other hand, if one has low conversion factors, for instance the family knows fewer people in the community, does not speak the dominant language, lives in a rural setting, or belongs to a marginalized population, the ability to convert a choice program into access to a high-quality private school is lower. Therefore, in the context of school choice, those with lower social conversion factors are less likely to attain the same functionings as those with high social conversion factors, which in turn means that one group of students remains at a disadvantage.

Privatization may enable choice, but this choice is unequally distributed, favoring students with higher conversion factors, and as argued by Alkire and Deneulin: "A test of inequality is whether people's capability sets are equal or unequal" (2010b, p.31). If in many cases students cannot convert "choice" into capabilities, and inequality is only perpetuated, then it is arguable under the capability framework that choice should not be the focus of public policies in education. The capability approach would stress that policies focus on the "ends" we hope to achieve, and that is quality education for all, not some. The avenue towards this end cannot be through choice programs, because of differences between conversion factors. I argue that a capability approach would likely dictate that policies in education ought to give primacy to the improvement of public systems, where the resources provided can be converted by all students (while not assuredly to the same degree) in a more equitable way than in the context of a privatized, marketized system. However, importantly, any policy developed under the capability framework would be dependent on context.

### **The Human Capability Approach in Comparison**

#### *Capability versus the neoclassical approach*

As discussed, policies based on a neoclassical model support private sector engagement in part because of the elements of choice and competition. Such policies, however, focus on the means, and often engender outcomes, or ends, that are inequitable. While it is possible that low-fee private schools open doors to some poorer or marginalized students, it is unlikely that the poorest of the poor can gain access. As mentioned earlier, LFPs create an additional tier of schooling that puts the most marginalized students at a further disadvantage. For-profit schools that are both financed and administered privately can then be critiqued as exclusive and inequitable (Brighouse, 2004). Under a capability framework, a marketized system that focuses on individual choice and competition as a means to economic prosperity and development emphasize the wrong elements of education policy, where primacy should be given not to the

means, but the ends – equitable capabilities and thereby functionings that result from a given policy.

Privatization of education is moreover part of a bigger neoclassically-driven project to enhance economic growth through the development of human capital. As Unterhalter puts it: "...what is important for human capital theorists is to understand the economy as a system that will support growth... the human development and capability approach place the quality of human life – and not economic growth – at the centre of its concerns" (2010, p.213). An educational system that is marketized and allows for choice and privatization may contribute to economic growth whilst conceiving of students as key contributors to human capital. But the students within this system, particularly those with lower conversion factors, can still be capability deprived (Alkire and Deneulin, 2010a). Neoclassical approaches to education policy emphasize not the end result of human capability, equality and well-being, but instead focus on the means towards economic growth and in particular efficient human capital development. Privatization policies often exemplify this focus.

#### *Capability versus the rights-based approach*

Sen does not advocate that a definitive list of capabilities be developed, partly because of a "difficulty in seeing how the exact lists and weights would be chosen without appropriate specification of the context of their use" (2005, p.157). Sen's resistance to listing capabilities due to problems of contextualization is partially responsive to problematic features of the human rights framework. Critiques have been made concerning the human rights claim to universality (Brown 1999; Donnelly 2003; Freeman 2002; Sen 2005). Because human rights are essentially universalizing principles, critics have questioned the implications of asserting a list of decontextualized overarching values for all people. The capability approach does not fall prey to this critique, for the capabilities which individuals ought to be afforded are dependent upon the functionings he or she desires to achieve, not on some pre-designed set of rights. For instance, under a rights-based approach, those who interpret education as a government responsibility – and not that of the private sector – arguably do so universally. Universalized ideals around educational provision moreover tend to consider private actors as a single group. But the private sector is characterized by a multitude of providers, including for-profit, non-profit or religious schools, to name but a few. The right-based approach, as a universalizing legal doctrine, therefore is potentially too rigid a framework to apply to policies around privatization. A capability approach offers a framework for analysis of educational policies that allows contextualization before prescriptions are presented.

Somewhat paradoxically, along with the rigidity of rights-based approaches, scholars have drawn attention to the vagueness of human rights, and some of the contradictions and criticisms rights declarations engender. As Sen states: "despite the tremendous appeal of the idea of human rights, it is also seen by many as being intellectually frail – lacking in foundation and perhaps even in coherence and cogency. The remarkable co-existence of stirring appeal and deep conceptual skepticism" (2005, p.151). Sen proposes that the capability approach embraces much of the aspirational tone of human rights ("The concepts of human rights and human capabilities have something of a common motivation" 2005, p.152), but they differ because capability theory does not suffer from the same ambiguities and potential inconsistencies.

For instance, as described above, the rights-based framework prescribes two very different legal obligations concerning private engagement in education. Some interpret the 1948 Declaration of Human Rights to support public education, and forcefully critique private schools (see Tomasevski, 2003; 2006), while others interpret the Declaration to advocate strongly for school

choice and private providers. As Willmore states: “The Universal Declaration of Human Rights also guarantees parents the ‘right to choose the kind of education that shall be given to their children’ [Article 26iii]. This right is violated in virtually every country on earth...” (Willmore, 2004, p.18). Therefore, the rights-based framework can be adopted to either support or reject privatization policies. This ambiguity unfortunately indicates that a rights-based approach has limited applicability to the evaluation of educational privatization policies. By allowing for contextualization and avoiding some of the contradictory legalistic language embedded in rights declarations, the capability approach does not suffer from the critiques levied against a rights-based approach.

#### *Capability versus the social primary goods approach*

As described, the social primary goods approach focuses upon means, or resources. Included amongst these social primary goods is the general concept of individual freedom and liberal notions of individual choice. From this, freedom of choice – as a resource with which one might attain an education – can be argued to be amongst the social primary goods. Rawls’ theory could therefore be easily adopted to advocate for private sector engagement, for private providers increase the scope and variety of school choices.

From the capability perspective, however, a Rawlsian-informed framework has some drawbacks. For instance, Sen argues that a person’s resources do not indicate whether or not he or she is able to capitalize on these resources and translate them into functionings, due to differences in conversion factors (Sen, 1997; 1999). Equality therefore cannot be adequately evaluated through the social primary goods approach. As Sen explains: “To judge equality... in the space of primary goods amounts to giving priority to the *means* of freedom over any assessment of the *extents* of freedom, and this can be a drawback in many contexts. The practical importance of the divergence can be very great indeed in dealing with inequalities related to gender, location, and class, and also to general variations in inherited characteristics” (1992, p.8-9). He furthermore states: “The capability perspective allows us to take into account the parametric variability in the relation between the means, on the one hand, and the actual opportunities, on the other” (Sen, 2005, p.153), showing the superiority of the capability approach over and above the social primary goods framework.

For example, a voucher can be defined as a means, a resource with which a parent can choose and pay private school tuition with public funds. But simply evaluating this single resource is not adequate for understanding whether or not this voucher can contribute to the student’s well-being. For instance, studies have shown that voucher systems can create enormous inequities within education systems, where parents with more social capital – higher conversion factors – can more readily navigate such systems and manage to gain access to better quality schools for their children (Carnoy and McEwan, 2003; Lara et al., 2009; Molnar, 2001). It can be argued that a social primary goods approach would give primacy to choice, and therefore PPPs. A capability approach, however, differs by emphasizing the equity implications of such programs.

Choice, moreover, is a concept that should not be confused with agency, or opportunity. In a variety of policies advocating private provision, individual choice is presented as a good in itself. The capability framework, however, “recognizes that the goal is not to expand the number of choices – it is to expand the quality of human life” (Alkire and Deneulin, 2010b, p.34). The capability approach furthermore evaluates equality based on people’s capability sets (Alkire and Deneulin, 2010b; Sen, 1980; 1992; 1999; 2005). If human well-being were to be assessed based on a person’s choices, then all must have equality of choice. However, in the

case of, for instance, low-fee private schools, only those families with means to pay the fees are able to enjoy this choice.

It is of course plausible that freedom of choice in education might not be readily defined as a social primary good, but as shown, this conceptualization is certainly plausible and therefore up for debate. The ambiguity would then be problematic in attempting to apply this framework, indicating another shortcoming of a social primary goods approach to assessing privatization.

### **Conclusion**

The rise in private provision of education, in such forms as PPPs and LFPs, has engendered a concurrent rise in criticisms. Such critiques oftentimes concentrate on the dominant neoclassical theoretical underpinnings to education policies which support privatization, calling for a more socially just framework. I propose, however, that the alternative approaches that are most commonly employed to counter the neoclassical framework are each limited and inadequate. In light of this argument, in this paper I have endeavored to demonstrate that the human capability approach ought to be embraced and adopted more readily when examining issues and policies concerning educational privatization. A capability framework allows for greater contextualization and avoids major ambiguities that characterize the rights-based approach. As well, unlike the social primary goods approach, under a capability framing the notion of choice within education is less important than the outcomes that education policies engender. I argue that the capability approach offers a more refined critique of the neoclassical framework than other theories commonly invoked by scholars and policy-makers within CIE, one that can be contextually applied and lead towards greater equity.

As a new development agenda is determined within the post-2015 context, it is imperative to be cognizant of the new and significant rise in private educational providers throughout the Global South. Moreover, international education policies – including those either advocating or disputing increased privatization – are inevitably informed by theoretical frameworks which, as I have argued, can have critical implications for equity. A better understanding of such frameworks, including both their strengths and shortcomings, is therefore timely and crucial.

### **Notes**

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