

# **Introduction: Regulatory Governance of Higher Education in Latin America**

JACINT JORDANA

*Universitat Pompeu Fabra, Spain and Institut Barcelona d'Estudis Internacionals, Spain*

Since the late 1980s, the rapid expansion of universities in Latin America has created a completely new situation. Compared to the traditional elite and middle-class public universities that portrayed higher education during the past century, nowadays there is a very different configuration. A large expansion of students numbers, particularly through the creation of either not-profit or for-profit private universities, has characterized higher education transformations of most countries in the region. A combination between neoliberal political winds blowing for reducing the scope and size of the state, and rising expectations about participation in higher education, paved the way for these changes in the 1990s, in parallel to a freezing of public funding towards universities. Unfortunately, during many years Latin American governments did not react seriously, and most higher education policies remained largely unchanged, while private initiatives mushroomed in feeble regulated environments.

However, the development towards a global knowledge economy highlighted the importance of a well-educated workforce, which was progressively perceived as crucial to increasing productivity and ensuring competitiveness. In addition, occasional scandals about extremely low quality of educational delivery in these newly created private higher education institutions raised a growing concern about the role of the state in this sector. Against this backdrop, in the early 2000s various governments of different political colours started to put in practice quality assurance frameworks to regulate a burgeoning, and to some extent out-of-control, higher education sector. Therefore, in the last decades, in Latin America, as in other parts of the world (Jarvis 2014), quality assurance regimes became a ubiquitous regulatory tool

in the management of higher education policy. The introduction of these regulatory frameworks deeply transformed higher education policy-making in three ways in Latin America.

First, quality assessment mechanisms were introduced, gradually creating a new mode of governance in this sector. In general, they were initially introduced as quality standards to be adopted voluntarily as best practices by universities, driven by a bottom-up logic or through diffusion dynamics, often importing EU and European models. In a subsequent stage, these standards tended to developed protocols to set the conditions required for obtaining a degree or institutional accreditation, becoming more authoritative. Therefore, quality assurance provided tools to set standards, establish learning goals, and to incentivise best practices of higher education institutions, among other aspects (King 2007). Consequently, quality assurance emerged, from many views, as a key instrument for the governance of the higher education sector, because '[it] can be used to encourage a degree of compliance to policy requirements or to control a burgeoning private sector' (Harvey and Newton 2007: 225). In this sense, a new mode of governance, that we can identify as regulatory governance (Jordana and Levi-Faur 2005), became central in the politics of higher education in the region.

Second, it is important to highlight that, in Latin America, as worldwide, quality assurance has been strongly associated with the establishment of autonomous agencies focusing on the supervision of universities, in which politicians delegate powers to guaranty minimum levels of teaching quality (García Juanatey et al. 2020). The establishment in the 1990s of global and regional networks of quality agencies, such as the International Network for Quality Assurance Agencies in Higher Education (INQAAHE), illustrates the extension of a model of quality assurance frameworks implemented through agencies. In fact, presently most Latin American countries have already established an autonomous supervisory body in the field of higher education; only a few countries like Bolivia, Guatemala and Uruguay, are still missing such an institutional model for higher education governance. Actually, these agencies are contributing to transform how higher education governance works nowadays, having a stronger regulatory focus, becoming more pluralistic as to the involvement of relevant actors, and also more transparent regarding the assessment of higher education outputs.

Third, the introduction of new policy instruments and new regulatory institutions may not only have an impact on higher education institutions outputs but may also bring a shift in the power distribution of the actors involved, altering, in particular, the tension between public supervision of higher education deliveries and the autonomy of universities as academic institutions (Jordana 2018). In fact, despite the traditional reluctance of university actors to be steered by external forces, using command-and-control policy tools, generally quality-oriented policy instruments -often more flexible and accommodative- have become a successful strategy for governments to introduce more guidance in

the university activities from external sources (Musselin 2014). Thus, as Brennan suggested (1997), debates about quality assurance in Latin America are often debates about power and change in higher education policy, within the universities – where several stakeholders are constantly struggling to set their priorities – but also beyond the university level, at the national policy level.

Therefore, the diffusion of formal procedures to supervise the academic offer of universities, as well as the creation of autonomous agencies in charge of managing these new processes, has become a relevant policy change in Latin America, strongly related to the public–private dispute in the sector. Accordingly, different countries have followed diverse paths, depending on how external inputs combine with specific political contexts between the state and the university in each case. Because of their economic and cultural ties, two main models may have been of guidance. First, the US system of quality assurance, an early-adopted model characterised by private accrediting bodies; and, second, the more recent European-system, a state-based model characterised by public independent bodies in charge of quality assessment.

This Special Section focus on the specific drivers of these transformations in four Latin American countries (Brazil, Chile, Mexico and Peru), paying attention on the emergence of a new mode of governance based quality assurance instruments -that we refer as a variety of regulatory governance-. The political struggles around their definition and implementation, and their impact on the different actors operating in the field, are some of the most relevant issues to inquiry. More concretely, the following questions guide most of the analysis these case studies perform: What institutional designs guided the creation of the quality assurance frameworks in each country? Which specific quality assurance instruments are used in the different cases? Or, which are the new cleavages emerging in such higher education systems of governance? Their findings show us complex policy environments, where incremental reforms and adjustments over the years coexists with more fundamental changes implemented in particular occasions, when different factors combine to open windows of opportunity. They also confirm, and detail, that these policy changes have created a completely new mode of higher education governance in Latin America in recent decades.

## **Acknowledgements**

This special section emerged in the framework of a research project on the regulation governance of higher education supported by the Ministry of Economy, Industry and Competitiveness, Spain [grant number CSO2015-68682-P]. I would like to thank A. G Juanatey and D. Sancho for their involvement

in the project and continuous discussions on the transformations of higher education regulatory governance in recent years. Previous versions of the special section papers were presented in the 36th International Congress of the Latin American Studies Association (LASA), held in Barcelona, May 23–26, 2018.

## References

- Brennan, J. (1997) 'Authority, Legitimacy and Change: The Rise of Quality Assessment in Higher Education'. *Higher Education Management* **9**(1): 7-29.
- Jarvis, Darryl S. L. (2014) 'Regulating Higher Education: Quality Assurance and Neo-Liberal Managerialism in Higher Education - A Critical Introduction'. *Policy and Society* **33**(3): 155-166.
- Jordana, J. (2018) 'Uniregov Project: A Conceptual Framework' *Institut Barcelona d'Estudis Internacionals (IBEI)* [WWW document] URL [https://www.globalreg.info/uploads/1/2/2/4/122419256/conceptual\\_framework.pdf](https://www.globalreg.info/uploads/1/2/2/4/122419256/conceptual_framework.pdf) [accessed 14 January 2020].
- Harvey, L. and Newton, J. (2007) 'Transforming Quality Evaluation: Moving on' in M. J. Rosa, B. Stensaker, and D. F. Westerheijden (eds.) *Quality Assurance in Higher Education: Trends in Regulation, Translation and Transformation*. Springer: Dordrecht, 225–246.
- García-Juanatey, A., Jordana, J., Pérez, I., and Sancho, D. (2020) 'Independence, Accountability and Responsibilities of Quality Assurance Agencies in Higher Education: European and Latin American'. *European Journal of Higher Education*, Online First. DOI: 10.1080/21568235.2020.1850309
- Jordana, J., and Levi-Faur, D. (2005) 'The Diffusion of Regulatory Capitalism in Latin America: Sectoral and National Channels in the Making of a New Order'. *Annals of the American Academy of Political and Social Science* **598**: 102–24.
- King, R. P. (2007) 'Governance and Accountability in the Higher Education Regulatory State'. *Higher Education* **53**(4), 411-430.
- Musselin, C. (2014) 'Empowerment of French Universities by Funding and Evaluation Agencies'. *Research in the Sociology of Organization* **42**: 51-76.