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Educational Policy Formation in Loosely Coupled Systems: Some Salient Features of Guatemala's Public and Private School Sectors

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Abstract

The purpose of this article is to analyze the formulation and implementation of educational policy processes in relation to private schools in Guatemala. Specifically, how bilingual education is defined and implemented in the private education sector in Guatemala City where the largest number of privately run establishments exist. Given the great deficits in the provision of educational coverage in the public sector, there has been an explosive expansion of private institutions which have very different levels of quality. Through an analysis of the administrative processes within the Guatemalan Government in general and its Education Ministry in particular as well as of the governance arrangements existing in the private school sector, an overall view of the curricular and policy decisions taken by private schools in the formulation and implementation of bilingual

education is presented. This study was based on a sample of six private schools which cater to higher income segments of Guatemala City's student population. Some of the relevant findings of this study include, the existence of a situation of quasi autonomous institutional functioning of the private sector, extreme differentials in the quality of services provided, inadequate levels of teacher and school administrator's training as well as lack of cooperation between public and private sector schools.

Introduction

Many researchers of Education are familiar with Guatemala's multilingual and multicultural traits. That is to say, the presence of large Maya and Spanish speaking populations plus the smaller Garífuna and Xinca linguistic groups. Much less is known, however, about the internal dynamics of Guatemala's educational system particularly in relation to the formulation and implementation of bilingual education policy in privately run schools. In a country of some 10 million inhabitants and a landmass about the size of Switzerland, there are some 22 indigenous languages spoken by half of the population. Nevertheless, this rich cultural diversity is strikingly absent from the school curricula in the private schools (England 1998, Artiles 1995). One goal of this article is to investigate the process of bilingual curriculum formulation and implementation in order to understand the sociolinguistic choices made at the school level. Another goal is to analyze the internal governance processes within the country's education apparatus and their relation to the salient bilingual education curricular and linguistic arrangements deployed by those schools which are privately run.

To accomplish these goals, this article is divided in five sections. First, a sociopolitical overview of the conditions where the education system evolved is given. Secondly, a review of the legislative process within the Guatemalan State is presented including the general legislative framework in relation to educational policy. This refers to the interactions between the main lawmaking body, the National Congress and the Presidential or Executive level of decision making. The third point consists of a description of the Guatemalan government's administrative mechanisms. Such description is given in order to understand the flow of decision making processes within the bureaucratic structures.

This segment also addresses the role played by the Ministry of Education or MINEDUC from an administrative standpoint in the shaping and execution of educational policies and the differential outcomes that Ministerial decisions have for private education institutions. The fourth aspect of this research deals with research design issues such as methodology, fieldwork conditions and the establishments selected for this study. The fifth point is an analysis of the salient characteristics of private bilingual education institutions that cater to higher income population in Guatemala City including their governance, financial, curricular and parental involvement aspects. Lastly, the appropriate conclusions are presented.

For purposes of this analysis, private institutions of education (known as *Colegios Privados* in Guatemala) are defined as those which are for the most part organizationally and financially self-sustaining. Furthermore, the term bilingual

education is used to denote schools in which most of the learning activities are conducted in two languages. To this author's knowledge, not a single private school which caters to the middle and higher income segments of the population in Guatemala City defines bilingualism as the inclusion of Maya languages in its curriculum alongside Spanish. For these establishments, bilingual education is regarded as the teaching of Spanish in addition to another European language, generally English.

Private schools located outside of Guatemala City were not analyzed as part of this research due to the fact that the overwhelming majority of establishments of this kind are located there: Guatemala City concentrates over 80% of all private schools in the country (Revista Cronica 1997, Revista Proceso 1998). Lastly, the analysis is centered around schools that cater to the Primary and Secondary Levels. The latter is further divided into Lower Secondary and Higher Secondary or Vocational Track students.

That is to say, those between 7 and 17 years old. The majority of enrolments take place within this age band. While some initiatives are being implemented in terms of bilingual education in Indigenous Maya languages particularly in rural areas, (Enge & Chesterfield, 1996), such initiatives are still in their early stages and cannot be compared with the practices reviewed here.

Sociopolitical overview

We live in a blind, repressive society with brutal coercion and instinctive passion rather than reason as its guiding principles. In our social environment injustice and lack of respect are the norm while a Neanderthal contempt for ideas dominates us all. (Note 1)

You needn't kill everyone to complete the job...[During the 1980's] We instituted Civil Affairs which provides development for 70% of the population while we kill 30%. (Note 2)

Politically, Guatemala, is organized on a republican system with an Executive or Presidential branch, the Legislative or Congressional arm and the judiciary. Both Executive and Legislative branches are elected simultaneously for a period of four years. By law, the Executive is forbidden from seeking re-election.

Congress is made up of some sixty deputies from all 22 Departments who are also elected to a four-year term. There are no term limitations for deputies. As the legislative branch, Congress either passes laws proposed by its members or by the President who can veto any laws passed. With the exception of the short-lived Serrano government (1990-1993), there has never been a congressional majority made up of deputies from a party different than that which controls the Presidency. Therefore, a Presidential veto is never reversed. This form of government with different political parties alternating in the exercise of power via the electoral process is relatively new. Nevertheless, as recently as 1993, the inability to govern from a divided powers perspective was illustrated during J. Serrano's Presidency, when antagonism between Congress and the Executive resulted in an attempt by the Executive to abolish Congress and to impose rule by decree, Caudillo style. The attempt to shut down Congress failed and Serrano was forced to flee the

country.

For the most part of its existence as an independent State, the country has been ruled by a series of strong men or Caudillos. The Caudillo is a persistent feature of Guatemala's sociopolitical landscape. Since Independence from Spain in 1821, with brief respites of democratically elected governments, Caudillos have been the standard feature of Guatemala's Presidential system of government. between 1837 and 1944, four Caudillos ruled the country during 76 years:

José Rafael Carrera 1837-1865
Justo Rufino Barrios 1871-1885
Manuel Estrada Cabrera 1898-1920 and
Jorge Ubico 1931-1944.

Between 1944 and 1954 two democratically elected governments headed by Juan José Arévalo and Jacobo Arbenz respectively, introduced fundamental changes at many levels of society. Expropriation of lands belonging to the United Fruit Company put the governments of Guatemala and the United States on a collision course. In 1954, an invasion force organized by the Central Intelligence Agency entered the country. The Army refused to fight it off and soon thereafter, President Arbenz went into exile never to return (Immerman 1982, Gleisejesses 1991). The subsequent counterrevolutionary regime proceeded to roll back many of the reformist measures of the previous decade. Civil and political freedoms were repressed also. Between 1954 and 1985 all but one of the governments were headed by military men. These governments created and maintained a vacuum in the political center by killing or forcing into exile, leaders not only of left-wing groups and guerrilla sympathizers but of moderate center-right parties, university professors, rural and urban labor union organizers, teachers, business leaders, healthcare workers, artists, intellectuals and Clergy along with anyone else who might be perceived as an emerging civilian leader (Aguilera Peralta 1980, Albizures 1980, Chomsky 1991, Frundt 1987, Levenson 1989).

From 1960 onwards, as leftist Guerrillas began to mount a series of armed operations, the levels of government-sponsored terrorism rose dramatically, culminating in the scorched earth policies of the period 1980-1984 (Falla 1994, Handy, 1992, Lebot, 1992,). Numerous teachers were murdered as part of this policy of extermination. The Army and paramilitary groups targeted them as potential leaders or guerrilla sympathizers (CEH, 1999). By 1990, the entire country was under military control with military detachments and bases in 20 of the country's 22 Departments (Smith,1990). At the height of the carnage, some 25 percent of the country's population was displaced and tens of thousands were killed or disappeared. In areas where the policy of extermination of civilian populations reached its logical conclusion, up to 80 percent of the population was displaced. Ninety percent of the Human Rights violations documented between 1960 and 1996 are directly imputable to the Guatemalan State and its agents (army, police and paramilitary Death Squads). Some 7% were committed by leftist Guerrillas while the remainder 3% cannot be attributed to either party (REMHI, 1998).

Despite relatively stable levels of economic growth during the period 1950-1980, no long term re-investment policies in education or health were developed. Thus, socioeconomic prosperity remained confined to a small segment of the population

(Barry & Preusch 1986, CEPAL 1984, Demyck 1983). As early as 1978, a World Bank study had identified the single most important factor in Guatemala's weak performance in several key economic and social indicators: The lack of a well developed education system.

For example [...] Korea's industrial investment during the period 1965-1973 was only three times that of Guatemala, but its industry provided employment to 965,000 people, fifteen times more than did Guatemalan industry.

Critical to the success of Korea's development strategy was the highly developed education system which produced a literate population able to acquire industrial skills quickly. Guatemala's education system needs to be upgraded markedly if the country is to reduce unemployment through the development of industry. In these fields Guatemala's efforts are still far from adequate (p. 16).

As Ibarra de Calix (1997) found twenty years later, the educational system continues to be the Achilles Tendon in all efforts to modernize the national economy:

Two of the factors which greatly reduce Guatemala's workforce competitiveness are the lack of skilled workers and the low level of training among the general population. [...] Should these trends continue in terms of quality and overall training levels, the country will not be able to overcome its underdevelopment thereby preempting society as a whole from benefitting of the technological advances and transfer of new technologies produced elsewhere. (p. 318). (Note 3)

The resulting cycle of underemployment and under educational achievement has exacerbated the levels of socioeconomic inequalities: Guatemala's Income Distribution disparities are the greatest in the Western Hemisphere second only to Brazil's (CEPAL, 1997).

The legislative framework

All citizens have a right and an obligation to receive education at the Pre-Primary, Primary, Lower and Higher Secondary levels within the age limits established by law. (Note 4)

Some laws are made by God and those are untouchable. Some laws are made by men and those can be argued about. Then there are laws made for Guatemalans. Them laws are like hot cinders; good to keep the rich man's house warm but never enough to bring light to a poor man's ranch. (Note 5)

The passing of legislation is a lengthy and convoluted process with lots of procedural delays and wrangling over the most minute drafting technicalities, the formal elements of law clearly having precedence over their actual significance. Hence, only those legislative items which top the presidential agenda receive appropriate attention and are dealt with within a reasonable time frame. Thus, it can take several months or even years for those legislative items not pushed by the President to be passed.

Educational regulations must undergo several layers of legislative approvals before coming into force. The first such layer is Congressional approval. According to Guatemala's legal system, all administrative changes and policies enacted by government departments must be approved by Congress. Such approval usually takes between two or three years depending on the priority given to the changes by the Executive. Because of these lengthy procedural delays, Ministries and sometimes the quasi-ministerial agencies issue binding regulations known as *Acuerdos Ministeriales* [Ministerial Decrees]. The President can also issue binding regulations; in this case they are known as [*Acuerdos Gubernativos* [Executive Decrees]]. All these types of regulatory acts have the same legal force as laws passed by Congress. In addition, all of these different types of Decrees are issued with or without Congressional approval nor oversight thereof. Such parceling of public policy results in a panoply of intricate and oftentimes contradictory sets of regulations set up by different levels of government

Since the restoration of democracy, most governments have been headed by members of the same political parties in both the Executive and Legislative branches. As a result, all major educational policy initiatives are initiated by the Executive. The inability to govern from a divided powers perspective was illustrated during J. Serrano's Presidency in 1993, when antagonism between Congress and the Executive resulted in an attempt by the Executive to abolish Congress and to impose rule by decree, *Caudillo* style. The attempt to shut down Congress failed and Serrano was forced to flee the country. In short, educational policies are generally imposed on the educational system top-down fashion with little or no input from the affected parties. Once new legislation is approved, Congress must then issue specific regulations which spell out in great detail the scope and limitations of the acts that can be performed under the new laws. Again, the passing of the specific regulations can take a long time unless it is high on the Executive's agenda. As a result, although Guatemala had several major educational reform initiatives over the last two decades, the actual functioning of the Ministry of Education is still governed by the regulations dating back to 1977. Therefore, administrative and policy changes required to bring MINED's internal organization in line with the legislative changes passed by Congress never took place (Galo de Lara, 1997).

To compensate for the absence of appropriate regulations, a full panoply of ad-hoc Ministerial Decrees has been enacted over the years. In addition, numerous Executive Decrees have also been issued in an equally haphazard fashion and with no apparent policy direction nor long term objectives.

Both of these deal with every conceivable action such as setting up of new interministerial agencies, execution of educational reforms, licences to operate private schools and even to day-to-day administrative matters. Their exact number is unknown. As of 1998, there was no centralized legal database or catalog of existing laws or newly approved ones.

It was estimated that some 15 thousand pieces of legislation and other 30 thousand Decrees from different levels were neither registered in a database nor properly catalogued (Larra, 1998). These legal entanglements are partly responsible for the considerable delays and institutional weaknesses noted in many

aspects of the internal operations at MINED.

Administrative processes in Guatemala's government

Administratively, the country is divided in 22 Departments and some 325 municipalities. Mayors are the only locally elected authorities. They are elected to periods of two to four years depending on the size of their municipality. In addition, there are Departmental Governors who are directly appointed by the Executive. Neither municipal authorities nor Governors have any decision-making input in the educational policy process at the national level. Rural areas participation in national policy making processes is further constrained by the legal and administrative operational definitions which date back to 1938 and remain unchanged (United Nations, 1999).

The national government is organized in a myriad of administrative units of varying size and competencies, oftentimes with high degrees of duplication. At the top there are the Ministers who are appointed by the Executive. These individuals are almost always appointed to their positions as a result of their loyalty to the President rather than by their professional suitability for the post. Underneath the ministerial echelons there are Deputy Ministers [Vice-Ministros in Spanish]. They are in charge of day to day operations of their departments. Again, loyalty to the person who appointed them rather than competency or the fulfilment of organizational priorities is the main criterion for appointment to the position. This is a feature of public administration in Pre-Modern States known as the Loyalty Principle (Ruano, 1999). Simply stated, the Loyalty Principle posits that regular bureaucratic channels which support organizational control mechanisms, lines of accountability and policy implementation are bypassed in favor of decision making processes based almost entirely in the pre-eminence of personal ties to the individual from whom appointees derive their power base. In this type of Pre-Modern administrative arrangement, people are not expected to work for the objectives of the bureaucracy but for the person who appointed them (Ruano 1999 p. 2ff).

A third level of administration is composed by the Directors General who oversee specific agencies within a Ministry. Each Ministry has many agencies which operate in a quasi-autonomous manner and are known as Direcciones Generales [General Directorates].

These Directorates and Sub-Directorates have branches throughout the nation where further atomization of public policy has been identified by previous research (Dignard 1987, Galvez-Borrel 1996, Dunkerley 1988,). Other administrative shortcomings observed include critical shortages of qualified managers, high turnover, excessive duplication, inadequate taxation rates and feeble fiscal accountability procedures, lack of clear hiring and promotion criteria, nepotism, constant shifts in administrative and public policy priorities, weak enforcement capabilities and corruption (Brewer-Carias 1979, Clark 2000, El Periodico 1998, Heyman 1995, Handy 1991, International Monetary Fund 1995, United Nations 1998). Other government agencies with quasi-ministerial characteristics include the Taxation Administration Authority, the Judiciary, National Housing Administration and dozens of others.

All ministries follow a similar organizational pattern except the Ministry of Defense which has its own internal arrangements and for all practical purposes is only accountable to the military High Command (Black 1985, Goldman 1999, McClintock 1985, Nairns & Simon 1986 Ruano 1997). (Note 6) Furthermore, within this organizational pattern, numerous instances of Loose Coupling (Churchill et al.1979, Gamoran & Dreben 1986) are observed. That is to say, patterns of administrative behavior whereby managers and employees are mostly concerned with the operational survival of the units under their control rather than the overall functioning of the Civil Service. This results in further diffusion of lines of accountability at all levels of the government. The specific consequences of these regulatory arrangements for the implementation of bilingual curricula in private schools are also analyzed in this research.

MINED's structure and role in the education system

The defining characteristics of the education sector are inequity, low coverage and low quality (Note 7) .

In principle, the Ministry of Education or MINED is responsible for educational policy, including planning and coordination as well as curriculum design and quality assurance for both public and private education. MINED supervises all levels of instruction [kindergarten, primary, lower and higher secondary] except Higher Education which is self governing due to Constitutional Mandates which grant Self-Government or *Autonomía Universitaria* to the University. MINED is Guatemala's largest government department in terms of its number of employees, overtaking Defense and Public Health Ministries. Following the organizational pattern found elsewhere in the Guatemalan government, MINED is composed of a myriad of Departments, General Directorates and autonomous units all of them functioning with high degrees of loose-coupling. According to a World Bank study (1995), some 1,400 agencies, units or departments were found to be under the nominal control of MINED. Many of these units had been created to oversee specific projects or multilateral agreements and continued to exist long after their original purpose had ceased to exist. Between 1980 and 1990, the number of teachers remained unchanged while administrative personnel increased by 15 percent (UNESCO, 1991).

At the same time, other Ministries such as Agriculture, Health and Defense maintain educational facilities of their own and, in the case of Defense, they are in charge of training for large numbers of conscripted soldiers in non-military occupations inside military installations. All these expenditures and resources deployed are outside the control of MINED or its oversight.

There is also a large number of Spanish language schools which cater to foreigners. These schools are under the control of the Guatemalan Institute of Tourism which issues licences authorizing the functioning of such facilities.

There is a sharp division of tasks between MINED's administrative employees and teachers. The latter have little or no input in any administrative and procedural matters nor is their input sought when drafting educational reform initiatives which are always prepared by administrative personnel with the assistance of

international agencies or consultants.

Moreover, duplication and compartmentalization of the simplest tasks can reach extraordinary proportions, forcing even the simplest administrative decisions to go through a number of steps and procedures. For instance, it takes up to two years after graduation for a student to receive her post-high school or vocational track graduation diploma, such is the number of signatures and approvals required. As no clear lines of authority are defined, and given the patron-client relations established between different individuals within MINED, diffuse decision-making is constantly exercised. In practice this means that nobody can or wants to assume responsibility for anything that is not clearly outlined in a legal procedure. Simple decisions take months to be made -if at all. Many of these individuals report directly to the Minister who is perceived as the final decision-maker. This perception is not groundless; he or someone acting on his authority is required to sign and approve every single appointment and promotion at all levels. These micro management traits result in lower level employees fearing for reprisals from their superiors should the approval of the latter not be obtained before making a decision however simple it may be. These restrictive practices result on reduced level of institutional accountability while increasing the isolation between MINED's agencies. Passive resistance becomes the behavior of choice for those whose livelihood depends on the existence of their unit in isolation from all the others. As one MINED employee put it, "I can feed the Minister three kinds of information: false information, misleading information and the truth. None can force me to give him what he wants." All these characteristics tend to reinforce the public's perception of MINED as a non-responsive, closed institution with little or no regard for their concerns.

Hierarchically speaking, MINED is essentially a top-down structure consisting of four strata. At the top level we find the Minister and about ten or so associates who are recruited by him on the basis of loyalty and -only secondarily- ability. Some of these individuals are not classified as regular civil service personnel. Instead, they are known as Advisors (*Asesores*) to the Minister while others are appointed as technical and administrative Deputy Ministers.

This group advises and shapes the general orientation of the Ministry in accordance with the Minister's priorities. Those at the top level regard all levels below them as unmanageable dead weight "unless you work with a group of like-minded technocrats or bring in your own people from outside, it is very hard to get anything done at MINED" (Galo de Lara, personal communication). The interests of the top echelon are fully political, tied as they are to the fortunes of the Minister who brought them on board. Their time in office is unpredictable, ranging from a few months to four years as all new Ministers bring in their own group of advisors and no government carries on the educational policies of previous ones.

Below the Minister and Deputy-Minister levels, all Departments are staffed by civil servants. The third level is occupied by the Directors General at the national level. As a result of administrative regionalization in the mid-1980's, further departmental directorships were created. There are some twenty units headed by a Director General. The units in charge of primary and secondary/vocational education are the *Dirección general de educación primaria* and the *Dirección general de educación media* respectively.

The fourth level in the administrative chain is the Supervisor. They are the only operational link between private schools and the MINED bureaucracy. In 1999, there were some 55 supervisors in charge of overseeing all of the elementary and secondary schools in Guatemala City. (Note 8) The figure given in the text was compiled by the author from interviews during fieldwork throughout Guatemala City.. Their main task is to enforce ministerial policies and regulations at the school level for they constitute the only direct link between MINED and school principals in the private and public schools. Each supervisor is in charge of a school district (*distrito escolar*) which is simply a group of schools treated as a unit due to geographical proximity. There are approximately 93 districts in Guatemala City. The number of schools within each district varies widely depending on its size, some covering 30 schools while others covering 50 or more. Supervisors are usually former school teachers with no additional pedagogical nor administrative training and whose oversight functions entail large amounts of time spent on revising paperwork submitted by the schools under their charge. Those individuals who are promoted to the Supervisor's position receive no salary increases nor any other type of incentives to further their professionalization. Over the last three decades few if any training programs or mechanisms specifically aimed at improving the long-term performance and/or qualifications of Supervisors' have been set up by MINED. MINED does not allocate any additional resources to carry out the supervisor's duties. As a result, in many areas of the country, it is common for private schools to contribute with some of his/her expenses, for instance, office space, stationary supplies and clerical support. Several school districts hire secretarial help and donate office space for supervisors. In other instances, such support extended to "salary supplements". In a chronically underfunded Ministry, this is hardly surprising. Even less so, given the regularity of complaints from teachers about late or no payment of their salaries (Siglo XXI, 1999).

Theoretically, the Directorates of Primary and Secondary Education oversee all private schools. In practice, however, not even the Directors General of the Primary and of the Secondary Divisions can agree on a common agenda to harmonize those aspects of the policy process which affect both these divisions even though all supervisors in Guatemala City are required to oversee both primary and secondary schools within their individual districts. Thus, it is not uncommon to find children and teachers without schools; schools unable to have facilities of their own, while empty buildings await those who were supposed to occupy them; empty installations bereft of basic equipment or textbooks and poorly trained personnel; these are some of the consequences of MINED's organizational configuration which were identified by a UNESCO study in 1980. Sixteen years later, another study (Ruano de Flores, 1997) found that the problems identified in 1980 had become even worse. The most recent manifestation of this administrative inconsistency took place during the failed attempt to incorporate students from the senior year in vocational career tracks into the national literacy campaign. The campaign was coordinated not through MINED but through the National Directorate for Literacy and the Presidential Secretariat for Social Affairs, an office traditionally used as an executive branch outlet to give visibility to the President's wife through charity projects. Needless to say, the decision to incorporate the students had been taken without consulting schools, parents nor the students concerned. As word began to spread out that students would be required to give up part or all of their senior year of studies to participate in the literacy campaign, widespread protests

erupted throughout Guatemala. In the resulting fiasco, the government was forced to back down and had to redefine the entire scope of the literacy campaign (Prensa Libre, 2001).

Lastly, MINED has very limited research and development capabilities. MINED does not foster any long term cooperation initiatives between public and private schools at either the Departmental or National level. Research comparing curricular, administrative or financial aspects of private and public education in Guatemala is virtually non-existent (Ruano, 2002). There are no formal mechanisms to allow private and public schools to exchange information on best practices, sharing of facilities such as libraries, information technology or teacher professional development programs.

Researching Education in Guatemala: Fieldwork, methodological and sampling issues

The majority of fieldwork was undertaken between 1997 and 1999 as part of a Doctoral Dissertation. Subsequent observations and follow up interviews took place in 2001 through a University Research Grant. Some of the schools observed follow the standard Guatemalan Academic Calendar from January through October while others use the North American one from September through June. While the original fieldwork included observations, interviews and statistical analysis of some 40 private and public schools throughout the City, the findings presented here are based on work carried out in six private establishments which shared similar characteristics as follows:

Between 700 and 1000 students total enrolment more or less evenly divided between Primary and Secondary Divisions (between 7 and 17 years old).

Fully Bilingual Curriculum from first grade Elementary to Senior year Secondary where English is the Second Language taught and Spanish the primary one.

Total financial autonomy from public funding sources. Fully funded from student fees and other types of private contributions.

Fully self-governing through a Board of Trustees or as a family run and owned institution.

Non denominational.

During fieldwork preliminary open ended questionnaires were administered to both teaching and administrative staff in order to get baseline data on teaching assignments, administrative tasks and student performance indicators. Further data was obtained through focus groups with parents, students and administrative and ancillary staff. Data on Governance arrangements was obtained via interviews with key decision makers in the schools. Documentary cross checking was carried out through examination of schools records, Ministry of Education documentation (when available) and related materials. Nevertheless, the research effort faced clear and at times severe restrictions. Some of the most important involve

categorical refusals on the part of most schools to go on record as to financial and governance aspects. Not a single school from which data was obtained in this study would allow its name or the identities of its Officials to be named. Only exceptionally was the researcher allowed to make copies of school records. With rare exceptions no interviews were taped and no participants in focus groups or individual interviews could be named or implied if such implication could lead to their identification. Other restrictions involved agreements made between the researcher and the schools so as to prevent sharing of Curricular and pedagogical practices with other schools.

Some of the arguments given by school officials regarding the restrictions imposed are related to security concerns; Guatemala City is regarded as one of the most violent regions in the world (World Bank 1997, Buvinic, Morrison, & Shifter 1999) sharing top murder and kidnaping rankings in a list where one can find cities such as Bogota (Colombia), San Salvador (El Salvador) and Johannesburg (South Africa). Evidently, some of the students enrolled in these schools are prime targets for extortion and kidnapping and their security becomes a basic concern at the schools they attend. Other rationales given are related to economic considerations, as in the case of restrictions imposed on the sharing of Curricular and pedagogical practices with other schools. Such practices are regarded as “trade secrets” by the schools. Hence their reluctance to have those practices known by other schools regarded as competitors in a market segment that is very small due to the extreme socioeconomic stratification noted previously. Based on these limitations, the data and analysis thereof is presented in a composite-type fashion from which an overall picture emerges. That is to say, the data is integrated into a general framework from which analytical categories can be discerned and conclusions drawn. For instance, rather than focusing on specific financial or governance arrangements of individual schools, an overall analysis is presented.

Lastly, where it is necessary to refer to the larger context of private education in Guatemala, the analysis presented is based on the baseline data obtained throughout fieldwork. Due to the scarcity of previous research in this area, much of the data was generated and is presented in a systematic fashion for the first time.

Private bilingual education: organizational and governance aspects

Look, what do you think this is? An American Indian Reservation or something? Our students' parents want their kids to learn English, not Mayan languages. (Note 9)

In terms of ownership arrangements, elite bilingual private schools in Guatemala City can be divided in three large categories. First there are those who are run as family businesses by members of a family. In this model, certain administrative tasks are delegated to a Principal or School Coordinator while the owners retain overall control in all other aspects including, textbook selection, hiring and firing of teachers, performance assessments, academic and other fees charged to students as well overall curricular orientation. Members of the owning family usually hold positions such as teachers, counselors, librarians or accountants for the school.

The second category is made up of establishments that are run by a Board of

Governors (Consejo Directivo). This board is usually made up of parents and other individuals who have contributed financially to the setting up of the school and can in fact be construed as shareholders with overall control of the school's activities. Usually, the board hires a Principal and other administrative staff upon whom many of the day to day functions are delegated.

The third category is made up of those schools which are controlled by religious or denominational entities. Historically, the majority of denominational schools are from Evangelical and Catholic denominations (Rose & Brouwer, 1990). In recent years, the Church of Latter Day Saints or Mormons has set up schooling facilities for its members throughout Guatemala. In the case of Church owned establishments, overall control is retained by the religious entity with limited or no input from non-Church participants. All of the schools where data collection took place for this study were non-denominational. As a general rule, denominational schools are quite difficult to gain access to due to a number of factors such as mistrust towards outside researchers, lack of interest in educational practices not approved by their superiors and an overall climate of defensiveness on the part of school officials. A very small segment of the privately run schools is made up of so-called bi-national schools. These were set up by German, French and United States immigrants and expatriates resident in Guatemala.

The binational schools tend to follow the curricular arrangements of the countries they are associated with, granting exit diplomas comparable to those of schools in the home country. Their clientele is made up of wealthy Guatemalan families children of expatriate workers and descendants of immigrants.

In terms of organizational arrangements there is also variability. While the establishments dealt with in this study have a multi-layered organizational pattern composed of teachers, principals and administrative support staff, the vast majority of private schools have a simple structure comprised of teachers and a principal who can also be the school's owner. Affordable private education usually consists "of large numbers of students crammed into matchbox-sized classrooms with school facilities and teachers not worthy of the name" (Fernández García, 1998, p. 4). A standard private school is usually a reconditioned home with a small courtyard and few -if any- pedagogical aids. It must be remembered that, with limited public investment in education in previous decades, demographic pressure forced many lower-income families to enrol their children in these private institutions which were the only ones they could afford and are still preferable -in their view- to many public schools (Galindo, Personal communication).

Supervision of private schools takes place on paper only. This means that they are required to present large amounts of forms and documentation attesting to the schools' program content, teaching staff and facilities. Nevertheless, supervisors will seldom visit a school to verify the validity of the claims made. Once a school is registered its licence to operate is granted through a Ministerial Decree in some instances while other schools are authorized under an Executive Decree. It is unclear why some establishments were authorized to operate under different types of Decrees. Nevertheless, such licenses must be re-validated on an annual basis.

This means that Supervisors spend a great amount of time dealing with the paperwork generated by private schools when renewing their licenses.

Curricular organization and teaching aspects

In terms of Curriculum formulation, the Education Law requires a threshold of compliance with the basic curricula which is comprised of Mathematics, Spanish Language, Social Studies and Biology whenever they are taught in Spanish. Any other activities, subjects and programs of study delivered beyond the basic curricula and delivered in languages other than Spanish are considered to be optional and are neither subject to administrative nor academic oversight. Overall compliance with the basic curricula is enforced by MINED supervisors. As has been noted earlier in this section, Supervisors have very limited enforcement capabilities to bear upon the very institutions which oftentimes supply them with basic office equipment and "salary supplements". As a result there is virtually no way of enforcing compliance with basic curricular content. Furthermore, private schools are at complete liberty to set up their own admissions standards which can include entrance examinations, financial screening and personal interviews with both parents and prospective students. Results of examinations are never made public and there is no mechanism to compare performance across schools. There are no nation-wide standardized tests, process indicators nor any other recognized input or output indicators used with enough consistency to allow for proper assessments of the private education sector to be carried out. This is an institutional weakness which is present in various degrees throughout Latin America (Birdsall & Sabot 1996, Dignard 1986, Lowden 1996, Otis 1997, Savedoff 1998, Silva 1996, Vos 1996).

Generally speaking, Private institutions have an almost unlimited discretion in curriculum design and teachable subjects so long as schools claim that part or all of their instruction takes place in a foreign language. For example, almost all private schools claim to offer one or more bilingual -mostly English/Spanish- vocational tracks. Because English is considered to be an additional subject it is usually off limits to ministerial oversight. Thus, most private schools' advertisements profess to be "fully bilingual" meaning English-Spanish. In relation to the establishments analyzed for this study, the preferred approach is to set up a situation of parallel bilingualism whereby a certain number of subjects is taught entirely in English alongside their Spanish counterparts. The main curricular and governance consequence of such arrangement is that a school is effectively split in two separate areas along linguistic lines. Thus, there is a Principal in charge of the English language segment while another runs the Spanish one. Little or no coordination was observed to exist between both segments.

Hiring and firing of teachers takes place at the discretion of the school's owner with no right to appeal by the teacher. None of the schools researched by the author throughout Guatemala City have seniority nor tenure provisions for their teaching staff. Thus, teaching salaries remain stagnant or accrue only small increases over the span of many years of service. Retirement plans or Pension Funds for private school teachers are virtually unheard of. There are no legal avenues to counter these arbitrary practices as the working conditions and contracts set forth by private schools are not regulated by MINED but by the Ministry of Labor. There is no professional organization to represent private school teachers nationwide and no initiatives to improve their professional standing and working conditions have ever been undertaken by MINED or other stakeholders.

Working conditions for most teachers are difficult. As salaries are low, it is not unusual to find teachers who work in two or even three different jobs to make ends meet. This is a critical factor behind low teaching standards and poor student performance. It is also a phenomenon found in many developing countries (Farrell & Oliveira, 1993). Even the elite bilingual schools studied spend little or no resources for professional development. Not a single private school visited during fieldwork offers financial incentives or time off support for teachers who wish to further their training at the university level. Similarly to their public sector counterparts, private school teachers need no additional training nor credentials to become principals at either the Primary or Secondary level (AMEU 1998, Fadul 1997). Likewise, pay scales, in-service training and additional support mechanisms for teachers are left entirely at the discretion of the establishment's owner whose ultimate decision-making authority is never questioned. As pointed out previously, school owners are rarely qualified school administrators. "My father gave me my *Colegio* as a wedding present" said the owner of a school interviewed by the author. During fieldwork, this author observed how principals almost invariably deferred to the establishments' owners opinion even in areas which were clearly Curricular in nature.

Financing the autonomy of private schools

Due to constantly increasing demand for educational services, private schools became an important provider of educational facilities. According to article 73 of the Constitution, all private educational establishments are exempt from payment of all taxes on all their activities. This exemption extends to school supplies and materials, tuition fees and ancillary fees as well as to infrastructure. In the case of schools looked at in this study the range of fees varies between three and five-thousand dollars a year. Thus, total tax exemptions amount to millions of dollars. It is important to point out that private schools receive no direct funding from the government. Therefore, each of them must meet its financial needs through registration and ancillary fees charged directly to students. There is no publicly funded system to support attendance of children from lower income background whose parents wish them to attend private schools

Demographic pressures during the 1970's and 1980's coupled with declining government investment in the construction of new schools created an ever increasing demand for privately-run facilities. The growth in private education has not been matched by national regulations on the quality and type of instruction offered. As a result, schools tend to focus more on their economic viability rather than their academic performance. This is true of the vast majority of establishments and probably more so of the elite bilingual schools whose only claim to superior academic standards lies in the prestige levels they project to society. In other words, brand name recognition reinforced by perceptions of economic success of the families of attending students have more weight in a decision to choose a school over their competitors. Many parents in focus groups were particularly explicit on their motivations in selecting individual establishments. In the families researched in this study, such selection is usually made by the mother as opposed to the father. Among the rationales given one can find:

"That's where I went to school, therefore, that's where my children will

go.”

“I heard from other mothers that this school has a good reputation.”

“I know the Principal of this school. She’s very good.”

“The school is in the neighborhood. You know, one less security risk to be worried about.”

“I want my children to learn good English and math. This school is one of the best in preparing kids to go to universities in the United States and succeeding in those academic environments.”

“Most of the families of my children’s friends have sent their kids here. It’s a way of keeping things in the family so to speak.”

To a certain extent, attendance at these elite establishments reinforces and reproduces the social networks which are necessary to maintain one’s own position in the social hierarchy. In a social environment such as Guatemala’s where socioeconomic advancement prospects are conditioned by the Loyalty Principle rather than by individual talent, educational criteria take a back seat to socioeconomic status considerations. It is not surprising then that, with some exceptions, most parents did not seem to be interested in having nationwide educational standards that could allow them to compare schools based on clear performance indicators.

“We know just which schools would come on top of any classification anyhow. So, no, I don’t see a need to classify them” said a confident upper class parent when asked about educational standards. While it can be argued that subsidizing private education via tax exemptions is necessary and even desirable in light of the large coverage and quality deficits extant throughout the country, it can also be argued that some or all of these deficits would not have arisen had the government been able to generate enough revenue via general taxation revenues to finance the quantity and quality of additional public schools. Guatemala’s overall tax collection rates are among the lowest in the Americas (World Bank, 1995). Moreover, a great deal of resources was spent for military purposes particularly during the period 1980-1995. The resulting diversion of resources away from educational activities have turned MINED into a chronically underfunded Ministry with no hope of reversing this trend in the foreseeable future. Five years after the end of Civil War, Military expenditure still consumes substantial portions of the country’s budget.

In addition to tax breaks, private schools obtain substantial revenues from several activities. The most widely used are:

- Entrance examinations (*Exámenes de admisión*)
- School supplies lists (*Listas de útiles escolares*)
- Registration bonuses
- Fundraising events.

These sources of income will be discussed in turn.

Entrance examinations. The majority of private schools conduct entrance

examinations at the beginning of the school year. These tests are not standardized or regulated by MINED in any way. As is the case in most private school decisions, the criteria used for grading these tests are not made public nor are their results subject to appeal. Essentially, each school decides what it is going to test and how much students must pay to sit the examinations. In practice, entrance examinations fees operate as a preliminary financial screening device for parents: if they cannot afford to pay the entrance examinations fees to begin with, then their children are not suitable for attendance at that school. Usually, the higher the cost of school fees, the higher the cost of the entrance examinations. The examination itself is used as a negative selection device in that it reflects the school's own curricular standards thereby preempting access by students who were not exposed to such prior knowledge.

School supplies lists. At the beginning of the school year, each private school decides which school supplies are to be purchased by the students. Most of those supplies can only be found at the school store or from suppliers approved by it. Each student is expected to follow the lists' requirements to the letter. Lists are outrageously detailed and are viewed by both parents and teachers as an outward sign of the school's academic standard. In most cases, schools buy new textbooks and other materials and lease them to students during the school year. The same materials are leased for several years. Through such leasing schemes, the school recuperates the costs of materials several times over. Periodically, MINED threatens to impose fines and other sanctions on schools whose lists are deemed utterly extravagant in pedagogical and financial terms. Nevertheless, it appears that no such action has ever been taken.

Registration bonuses. Registration bonuses are set amounts which parents are required to pay upon first registration of their children. A number of justifications are given for this charge, among them, infrastructure expansion, decreased enrollments, increased enrollments or some other unexpected contingency. It is worth noting that teachers' salary increases is not among the reasons for requesting these bonuses. The amount payable appears to be completely arbitrary and to depend exclusively on the schools' authorities. One parent described the bonus as a "dowry payment we make so that the school will find my child acceptable, so to speak." Under the current legal framework parents have very limited ability to challenge decisions made by private schools.

Fundraising events. Fund-raising events are activities organized by schools to generate income for a variety of reasons. Again, they are decided upon by the school with little or no input from parents. Many schools simply ask of students a certain amount for "Fundraising activities" for the school year, in addition to the bonuses discussed previously. Since few if any private schools release yearly financial reports, it is impossible to know the actual destination of these and any other "contributions" demanded from students.

Concluding remarks

Research to understand the differential impact of educational policy and curriculum formulation in private institutions in Guatemala is at best very limited. There are neither formal nor institutional mechanisms to allow private and public schools to exchange information on best practices, sharing of facilities such as libraries,

information technology or staff development programs. No initiatives to promote cooperation between the two sectors have been implemented. Despite their stated goal of focusing on quality and the improvement of academic standards, no comparative assessments between private schools exist. Thus, parents have no way of comparing test scores, repetitions and dropout rates or costs per student across establishments. Rodolfo Bianchi, former President of the Association of Private Schools could not offer an explanation as to why such comparisons were unavailable (Personal communication).

In the absence of any common guidelines for quality assessment, national standardized testing procedures and teaching performance indicators, ability to pay becomes the only criteria separating the different types of private schools. A school's perceived quality is thus inextricably linked to its costs. Ability to pay as the sole criterion to measure for quality also results in academic tracking systems which mirror those of society at large. Only those children from higher income families can afford to attend the same schools attended by their parents. The rest of the student population must rely on the assurances of each individual school as to its educational standards.

Bilingualism in the elite schools is regarded by all parties concerned as primarily the attainment of English language skills at a level which meets parental expectations of social mobility or the preservation of social standing. Other languages, particularly Indigenous ones, need not apply. There is no discussion of the role played by Maya, Xinca or Garifuna languages in the educational reality of the country (Ruano 2001, AVANCSO 1998). Thus, Guatemalan elite bilingual schools tend to reflect the different realities Guatemalans are forced to live in. On the one hand a world of entrenched privilege and dependency on foreign markets which make the survival of exclusionary sociopolitical arrangements possible. On the other, a world of great destitution and inequality which is also endowed with great cultural diversity and resilience.

In terms of financial arrangements, private schools are exempt from all taxation duties. Furthermore, creative accounting practices and other devices insure that financial records remain virtually immune to government scrutiny. At the same time, no private institution in Guatemala City receives direct funding from the government and there is no system to support attendance of children from lower income backgrounds whose parents wish them to attend private schools. In addition, many institutions raise funds through different measures such as obligatory purchases of school uniforms, exorbitant graduation fees, entrance examination payments and ancillary fees. Others purchase textbooks which they then rent out to students for several years at handsome margins. Still others require students to pay hefty entrance fees, the so-called Bonuses (bonos in Spanish). Few if any higher income schools have ever been charged under the provisions of the education law for these abuses (Vásquez, 1998). Though not justifiable, these measures are partly the result of the extremely low priority accorded to education by the Guatemalan government. In the ensuing climate of survival of the financially fittest, private schools have little choice but to make use of such practices.

As for the formulation and implementation of curricula, the lack of clear administrative and legal guidelines allows private schools to decouple themselves from most decision making and policy-formulation processes emanating from the

government. For purely ideological reasons, (private schools' perceived conservatism and pro-business stance, attendance by higher social strata, differential fees charged), the Guatemalan government simply assumes that private schools are of better quality than public ones. This insures little scrutiny from both MINED's authorities and the public at large. This perception is also shared by all major international development agencies who usually do not include the private sector initiatives in their overall designs of educational reform packages. Few explanations are offered as to why private schools should neither participate nor be asked for their input in the educational policy process. This exclusion from the policy process is very difficult to understand given that there are five times more private schools than public ones serving the 12-17 age group and that virtually all pre-primary establishments are private (Rodas Martini, 1998).

For almost 40 years, Guatemalans were engaged in a brutal Civil War that essentially originated in the socioeconomic chasm which separates the haves from the have nots. After decades of military stalemate, the conflict ended in 1996, nevertheless, without resolving the outstanding social, economic and political issues which originated it in the first place. With the war over, Guatemalans must now decide whether to pursue social change through the avenues of the democratic electoral process and through increased participation in the national life. In this sense, true and meaningful educational reform is one of the key instruments in the attainment of a more equitable and prosperous outlook for future generations.

Whether Guatemalans are prepared to leave behind the disheartening premises of the present educational system and replace them with alternatives that hold more promise for the future is a question only time can answer.

Notes

1. Press Editorial in *Diario el Gráfico* newspaper (1977) by widely respected journalist and center right politician Jorge Carpio Nicolle. Mr. Carpio Nicolle was murdered in 1993. His assassination bore all the hallmarks of Army Death Squads operations. To this day, the identity of his killers remains unknown.
2. Former Guatemalan Defense Minister General Hector Gramajo quoted in *NACLA Report on the Americas* (July, 1995). Vol XXV: p.2.
3. Unless otherwise noted, all translations are the author's responsibility.
4. Article 74th of Guatemala's Constitution.
5. Remarks made by a rural teacher in the Eastern Department of Chiquimula on Guatemala's Constitutional provisions which make attendance to school compulsory for all children aged 7-17.
6. The Guatemalan Army's obsession with social control and political repression is still a central element to understand the current socioeconomic outlook. Several years after the end of the Civil War the Army's network of political terrorism headed by the nefarious Military Intelligence Services or G-2, along with several other agencies, remains remarkably intact.

7. World Bank: (1995). Guatemala, basic education strategy: equity and efficiency in education. *Latin America and the Caribbean regional office report No. 13304-GU*. Washington, DC: Author, p. I.
8. Even the exact number of supervisors is not clear. MINED's comptroller' office gave a total of 58, while the Supervisor's office said there were 50 with the rest being retained as auxiliaries or for some unspecified reason.
9. Remarks made by a Vice-Principal during an interview with the author in Guatemala City during fieldwork in 1999.

Personal Communications:

Interviews with Mr. R. Bianchi and Ms. L. Galindo, former President of the Association of Private Schools and School Principal, respectively. Both interviews took place during fieldwork in Guatemala (1998-2001). M.C. Galo de Lara, former Deputy Minister of Education also provided the author with much useful information on the organization of MINED.

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