

## **WP 3 Spanish Research Summary**

### **Document Analysis at the National Level**

WP 3 aims at examining Spanish educational laws in order to interpret the concept of intercultural education from the perspective of Education for Democratic Citizenship. We will critically analyse the intercultural component in the legal texts issued by the Spanish Ministry of Education (MEC).

In the framework of the research, the analysis will be focused on the four main laws which define the present Spanish educational system, from a chronological perspective. The laws under analysis will be:

1. The Organic Act on the Right to Education (Ley Orgánica del Derecho a la Educación LODE – Ley 8/1985 de 3 de Julio de 1985)
  2. The Organic Act on the General Organization of the Education System (Ley Orgánica de Ordenación General del Sistema Educativo LOGSE – Ley 1/1990 de 3 de Octubre de 1990)
  3. The Organic Act on Quality of Education (Ley Orgánica 10/2002 de 23 de Diciembre de 2002, de Calidad de la Educación LOCE)
  4. The Organic Act of Education (Ley Orgánica 2/2006 de 3 de Mayo de 2006, de Educación LOE)
- **The Organic Act on the Right to Education** (Ley Orgánica del Derecho a la Educación LODE – Ley 8/1985 de 3 de Julio de 1985)

The aims of this law are: (1) to establish a normative that develops the principles established by the Spanish Constitution with regard to education, by the guarantee of an educative pluralism and equity; (2) to guarantee the right to a free and compulsory education; (3) to guarantee freedom of instruction.

The principles which underlie this law are: freedom, tolerance and pluralism.

The concept of *freedom* in the field of education is understood as: freedom to create teaching establishments; freedom for parents to choose teaching establishments created by the Administration; freedom of instruction for teachers; protection of freedom of conscience for students.

Another key concept found in the document is *active participation* which is understood as effective participation for all parties concerned in the educative community by the School Council.

The values which are promoted are: the respect for fundamental rights and freedoms, tolerance and freedom within the democratic principles of coexistence, the respect towards the linguistic and cultural plurality of Spain, education for peace, cooperation and solidarity among people.

- **The Organic Act on the General Organization of the Education System** (Ley Orgánica de Ordenación General del Sistema Educativo LOGSE – Ley 1/1990 de 3 de Octubre de 1990)

In the context of a democratic, pluralistic, changing Spanish society, the document highlights a *concept of education* in which knowledge and values are transmitted and performed, namely, the respect to all the rights and fundamental freedoms, democratic norms, mutual respect, and preparation for a responsible participation in different social activities.

The *aims of the document* are: (1) to extend the compulsory and free education till the age of 16; (2) to rearrange the educational system by establishing the stages of Pre-school Education (0 to 6 years old), Primary Education (6 to 12 years old), Secondary Compulsory Education (12 to 16 years old), Post-Compulsory Secondary Education, including the Baccalaureate and the middle grade of vocational training, and Upper grade vocational training.

From the nine *principles which underlie the LOGSE*, four of them refer to the intercultural dimension of Education for Democratic Citizenship, which are:

- the effective equity of rights between the sexes, the overcome of any type of discrimination, and respect to all the cultures.
- The development of creative capacities and a critical stance.
- The fostering of habits for democratic behaviour.
- The development of an active methodology which reassures the participation of pupils in the process of teaching and learning.

- **The Organic Act on Quality of Education** (Ley Orgánica 10/2002 de 23 de Diciembre de 2002, de Calidad de la Educación LOCE)

After ten years of the latter educational law (LOGSE), the Spanish educational system has been re-structured during 2003, under the conservative party. This new law is called Law on the Quality of Education (LOCE) and tries to run parallel to the socio-cultural changes that have occurred in Spain and within the European Union. The aims of the law are to achieve “an education of quality”

The *concept of education* which is developed in this document tries to fit the challenges of a new society which tends towards the universalization, with an open attitude and a capacity to take risks and creativity. It also tries to fit the challenges of the quick increase of immigrants which requires, for the educative system, new normative instruments to allow an effective integration, from a social and educative point of view, of students coming from other countries.

This law is organized around five fundamental axes that represent the bases of the reform:

- The law promotes the values of personal exigencies and effort. “The culture of the effort is a guarantee of the personal progress, since without effort there is no learning”;
- The law tries to orientate the educative system towards “results” by assessments process of the students;
- The law tries to reinforce a system of quality of opportunities for everybody, at the different educational stages. That means that the educative system must allow a flexible configuration of the curriculum in order to be adapted to the individual differences with regard to needs, interests, maturity rhythm (this flexible configuration of the curriculum leads the learners to choose options within the different subject designing what it is called “trayectorias” or itineraries);
- The law is addressed specifically towards the teachers through measures such as raising the social consideration of teachers and reinforcing the initial teacher education system;
- The law tries to promote responsibilities in schools through the development of autonomy.

From the twelve *principles which underlie the LOCE*, four of them refer to Education for Democratic Citizenship:

- a) Equity, which guarantees quality for equal opportunities, for the full development of the personality through education, in the respect for democratic principles and fundamental rights and freedoms:
- b) Capacity to transmit values that favour personal freedom, social responsibility, cohesion and improvement of societies, and equity between the sexes, which help to overcome any type of discrimination, as well as the practice of solidarity, through the promotion of a civic participation of students in voluntary activities.
- c) Capacity to act, as a compensating element, in personal and social inequalities;
- d) Participation in different sectors of the educative community, promoting the necessary atmosphere of coexistence. (LOCE, 2002: 45192).

➤ **The Organic Act of Education** (Ley Orgánica 2/2006 de 3 de Mayo de 2006, de Educación LOE)

The former law was approved but not implemented due to a change of the political party at the government that presented a new project of the education law. So, in 2006, the LOE was approved by the socialist party. It will start its implementation in September 2007.

The principles which underlie this law referring to the intercultural dimension of Education for Democratic Citizenship:

- Education is the best way to foster a democratic coexistence.
- Education guarantees a democratic, responsible, free and critic citizenship.
- A new educational system is necessary to attend student's diversity.
- The belonging to the European Union needs certain convergence in the educational systems looking for shared educative objectives.
- It is needed to promote an active citizenship, with equal opportunities and social cohesion.
- It is needed to foster a lifelong learning in order students to develop values for achieving a democratic citizenship, a common life and social cohesion.

- It is a law that tries to develop values that enrich personal freedom, responsibility, democratic citizenship, solidarity, tolerance, respect, justice.
- It wants to prepare students to be good citizens, participating in the social, economic and cultural life with a critic and responsible attitude.
- Respect is promoted for plurilingualism and pluriculturality. Interculturality must be seen as a valuable element in society.

A new subject is created: **Citizenship Education**. This subject is offered in some courses of Primary Education, Secondary Education and Post-secondary Education. The purpose of this subject is to offer students a reflection, analysis and study area about the characteristics and operation way of a democratic society. It is basically structured around contents, although it keeps its transversal dimension.

#### **Intercultural education projects:**

The Ministry of Education of Spain carries out specific intercultural programs (<http://www.mec.es/educa>) such as:

- Program of Attention to the Immigrant: to favour the incorporation of immigrants to the Spanish educative system and to develop specific learning programmes to facilitate integration (by teaching Spanish and Cultural aspects of Spain).
- Program of Education for the Gypsy Community with strategies such as: (1) to create didactic material on the gypsy culture; (2) to develop a framework on intercultural mediation with the gypsy community; (3) to develop special courses in initial teacher education.
- Greco Program (Global Program of Regulation and Coordination of Immigrants in Spain): the program is structured around four basic actions: (1) global and coordinated design of immigration as a desired phenomena for Spain in the framework of the European Union; (2) integration of immigrants who live in Spain and who contribute actively to the growth of our country; (3) regulation of immigration to guarantee the coexistence in the Spanish society; (4) to maintain a system of protection to refugees.

Two measures have been aimed to the Ministry of Education: (1) specific educative attention to immigrants students in order to facilitate their educative and social integration; (2) promotion of values in the educative system to fight against racism and xenophobia.

## Critical analysis

The analysis of policy documents in the Spanish context reveals that:

1. The principles of freedom, equity and pluralism are on the bases of the educational system;
2. The concept of “democracy” is at the core of the different documents, with the purpose of developing in students habits for democratic behaviour and preparing them for an active participation in social life. This concept is one of the most developed.
3. The development of values, such as tolerance, solidarity, cooperation, appear in the curricula for the different educational stages is justified by the presence of “attitudinal contents” as part of the curriculum
4. The concept of intercultural dimension is developed in the subject of “Foreign Languages” (LOCE) but closely linked to communication in the sense that students will be able to communicate successfully in intercultural situations. The terms “intercultural competence” or “intercultural dimension” does not appear in the analysed documents. The only terms used are “intercultural encounters” (LOCE) which ratifies the importance given to communication and “intercultural variety” (LOE), understood within the context of a multicultural society and where communication is the key in order to allow the interchange of cultural patterns and the way of perceiving the world. We have found that the concept of mediation does not appear in the context of interculturality, however, it does exist the role of “intercultural mediator” for teachers who are in schools with a high percentage of immigrants. In fact, programmes such as Education for the Gypsy Community ask for a special initial teacher education for those “intercultural mediators”.
5. The concept of “citizenship” is linked to “European citizenship” which reveals the State worries for developing in students a conscious of belonging to the European Union.
6. In spite of the presence of these concepts in some way, there are no specific actions to promote any of them. Actually, it is cognitive oriented (with a special attention to the transmission of knowledge) but not action oriented (with no practical implementation strategies).