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Intercultural education in Spanish schools: a first  
multicultural generation in a monocultural educative  
tradition

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*“When two texts, or two assertions, perhaps two ideas, are in contradiction, be ready to reconcile them rather than cancel one by the other; regard them as two different facets, or two successive stages, of the same reality, a reality convincingly human just because it is complex.”*

Marguerite Yourcenar



<b>CEDAW</b>	Convention for the elimination of all forms of discrimination against Women.
<b>CEE</b>	Scholar Council of Education.
<b>CERD</b>	Convention for the Elimination of Racist Discrimination.
<b>CES</b>	Economic and Social Committee.
<b>CRC</b>	Convention of the Rights of the Child.
<b>ECOSOC</b>	Economic and Social Committee.
<b>GATS</b>	General Agreement on Trade Services.
<b>ICESCRs</b>	International Covenant on Economic, Social and Cultural Rights.
<b>LOCE</b>	Organic Law of the Quality of Education.
<b>LOE</b>	Organic Law on Education.
<b>LOGSE</b>	Organic Law for the general order of educative system.
<b>OCDE</b>	Organisation for the Cooperation and Development in Europe.
<b>SC</b>	Spanish Constitution.
<b>UDHR</b>	Universal Declaration of Human Rights.
<b>UNESCO</b>	United Nations Education, Sciences and Cultural Organisation.
<b>WTO</b>	World Trade Organisation.

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## INTRODUCTION

The right to culture was promulgated within the auspices of the United Nations Educational, Scientific and Cultural Organisation (UNESCO) more than twenty years ago. The promulgation of this right had to face the challenge of defining precisely whose culture the right addressed<sup>1</sup>.

Spain was already a multicultural society before the phenomenon of immigration introduced new cultures into its territory. However this initial multiculturalism was within the sphere of occidental cultures. With respect to education, Spain's occidental multiculturalism did not present many problems regarding the question of coeducation.

Spanish multiculturalism was created in the aftermath of a long series of wars, conflicts, famines and human rights violations and has evolved from the time in which the brutalities and abuses of power went unchecked. As such, this blend of cultures is worthy of respect and is recognised as a blend of "good cultures," as their various members have been able to adapt and incorporate to civilisation and "legitimate" traditions. Yet those belonging to cultures that fight to keep alive their own customs and expressions in foreign lands, far from their families, whose monetary remittances represent their home countries' primary source of income, are not "good cultures". Could this perspective have found any defence in a consolidated democracy? Unfortunately it could and, in fact, does. While immigration has risen to 10% of the Spanish population<sup>2</sup>, keeping the numbers of socio-economic indicators above the European average, anti-immigration attitude and political initiatives are finding more legitimacy in the votes of the citizens<sup>3</sup>.

This reality is not unconnected to Spanish schools. Whereas five years ago Spanish public schools did not have any problem following the distributive criteria required by the administration, they are now raising the number of children each year in public centres. However, instead of taking the opportunity to educate the children in a multicultural atmosphere in which auto-criticism and an interaction with a global perspective is implemented in a completely natural way, native-born European Spanish parents reject this as an opportunity and instead see it as a big problem. It is the problem

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<sup>1</sup> Right to culture, Study guides, available at [www.hrea.org/learn/guides/culture](http://www.hrea.org/learn/guides/culture) (consulted on 20 June 2007).

<sup>2</sup> See Observatorio permanente de Inmigración, available at [www.mec.es](http://www.mec.es) (consulted on 17 May 2007).

<sup>3</sup> Pi V., *Los partidos "ultras" y antiinmigración tocan poder*, El país, available at [www.elpais.com](http://www.elpais.com) (consulted on 3 June 2007).

of establishing a dialogue with cultures different to ours, cultures that pertain to socially tortured peoples.



# CHAPTER 1

## THE RIGHT TO EDUCATION

### 1. DEFINING EDUCATION

The term “education” could have space in several academic areas, such as Philosophy, Sociology, Law, Politics or even Mathematics. This multifaceted nature of Education makes very complicated to reach a unique definition.

According to ERIC HOFFER, *“The central task of education is to implant a will and facility for learning; it should produce not learned but learning people. The truly human society is a learning society, where grandparents, parents, and children are students together”*<sup>4</sup>. Besides this social definition, other scholars like AYN RAND refer to the main purpose of education stating that *“is to teach a student how to live his life-by developing his mind and equipping him to deal with reality. The training he needs is theoretical, i.e., conceptual. He has to be taught to think, to understand, to integrate, to prove. He has to be taught the essentials of the knowledge discovered in the past-and he has to be equipped to acquire further knowledge by his own effort”*<sup>5</sup>.

Finally, JAUQUES DELORS states that *“education is above all an inner journey whose stages correspond to those of the continuous maturing of the personality”*<sup>6</sup>.

### 2. RIGHT TO EDUCATION IN INTERNATIONAL LAW

In spite of the fact that almost 100 million of children in the world are not enrolled in the school<sup>7</sup>, the right to education is recognised in a number of international and regional instruments.

In 1960, after the promulgation of the Universal Declaration of Human Rights (UDHR) and having been established as the main basis for a universality of a number of values such as human dignity, The Convention against Discrimination in Education came into force within the auspices of UNESCO. This text was essential in delimiting and empowering the value of the right to education in all spheres of social and economic life. Moreover it opened the scenario for the concept of free education for all,

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<sup>4</sup> See [www.ericoffer.net](http://www.ericoffer.net) (consulted on 24 February 2007).

<sup>5</sup> See [www.sixthcolumn.typepad.com/cubedseducationblog](http://www.sixthcolumn.typepad.com/cubedseducationblog) (consulted on 24 February 2007).

<sup>6</sup> Delors J., *Learning: The Treasure Within*, available at [www.unesco.org](http://www.unesco.org) (consulted on 27 February 2007).

<sup>7</sup> See [www.educacionsinfronteras.org](http://www.educacionsinfronteras.org) (consulted on 3 March 2007).

and the right to education provided one of the main challenges for both developing and developed societies<sup>8</sup>.

Furthermore, in 1989 the Convention for the Rights of the Child (CRC) introduced a new perspective of this right to the development of respect for cultural identity, language and values<sup>9</sup>. Many other treaties have been enacted in this context including the Universal Declaration of Linguistic Rights of 1996<sup>10</sup> promulgated in Barcelona as a result of a long debate among different institutions and non-governmental organisations.

Nevertheless, the most important text in the task of defining the right to education is the International Covenant on Economic Social and Cultural Rights (ICESCRs). However, having been adopted later in time, it must be read in relation to the two others main treaties which refer to this right. Those two treaties are the United Nations Charter<sup>11</sup> and The Universal Declaration of Human Rights<sup>12</sup>(UDHR).

Article 13(1)<sup>13</sup> of the ICESCRs is better developed in comparison to article 26<sup>14</sup> of the UDHR in three aspects<sup>15</sup>. Firstly, its reference to the “sense of dignity”<sup>16</sup>of the human personality reflects the evolution in the last 50 years of the concept of dignity in the human rights perspective. On the other hand, the Covenant adds a social perspective

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<sup>8</sup> The Convention against Discrimination in Education, 1960, available at [www.unesco.org/education](http://www.unesco.org/education) (consulted on 26 February 2007).

<sup>9</sup> Article 29c) of the Convention on the Rights of the Child, adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989.

<sup>10</sup> Universal Declaration of Linguistic Rights, 1996, available at [www.linguistic-declaration.org](http://www.linguistic-declaration.org) (consulted on 23 June 2007).

<sup>11</sup> United Nations Charter, signed on 26 June 1945.

<sup>12</sup> Universal Declaration of Human Rights, adopted and proclaimed by General Assembly resolution 217A of 10 December 1948.

<sup>13</sup> Article 13(1) ICESCRs: *“The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.”*

<sup>14</sup> Article 26(1) *“Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit”.*

(2) *“Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace”.*

(3) *“Parents have a prior right to choose the kind of education that shall be given to their children”.*

<sup>15</sup> General Comment 13 on the right to education (article 13) of the ICESCRs, 1999, available at [www.un.org](http://www.un.org) (consulted on 25 February 2007).

<sup>16</sup> Article 13(1) ICESCRs, adopted and opened for signature, ratification and accession by General Assembly resolution 2200A of 16 December 1966.

to this right, stating that it shall “*enable all persons to participate effectively in a free society*”<sup>17</sup>, adopting, in this sense, the approach of several scholars who defend education as a way of making electors aware of their choices and enabling therefore the full realisation of the right to participation and right to vote as a way of socialisation. Finally, the text establishes the promotion of understanding among all “ethnic” groups, as well as nations and racial and religious groups<sup>18</sup>.

The text of the Covenant provides the right to receive an education through a definition of different levels according to different ages and circumstances. Nevertheless, there are four main elements that should be respected in order to achieve the full realisation of the right, applicable without reference to any specific level. These features are the availability, accessibility, acceptability and adaptability of the right to education<sup>19</sup> and could be read in light of the General Comment number 13 on the right to education.

According to the *availability*, the educational institutions and programmes have to be available in sufficient quantity within the jurisdiction of the State party. Depending on the resources of the State party this requirement needs different material goods, such as sanitation facilities, safe drinking water or other technical and technological support.

On the other hand, *accessibility* is one of the most important elements of this right as long as it provides, generally speaking, the prohibition of discrimination with respect to access to education for everyone. Besides non-discrimination and the physical dimension, economic accessibility is the main core of this element. It refers to the affordability of education for all. In spite of the fact that international standards address the obligation of primary education to be made available “free to all”, States parties are requested to progressively introduce free secondary and higher education<sup>20</sup>.

Relating to *acceptability*, the form and the substance of the education have to be acceptable in the sense of being relevant, culturally appropriate and of good quality to the student, and in some extent to the parents.

Finally, *adaptability* means that the content and framework of the education has to be flexible so that it can adapt to the needs of changing societies and communities and respond to the needs of students within their diverse social and cultural settings.

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<sup>17</sup> *Idem.*

<sup>18</sup> *Idem.*

<sup>19</sup> General Comment 13 on the Right to Education...,cit., pp.6-7.

<sup>20</sup> Annual Report of the Special Rapporteur on the Right to Education, Tomasevski K., 2001, para. 11.

Nevertheless, the appropriate application of these values should be guided by the best interests of the student and should be analysed in the light of the particular circumstances of each student such as the situation of his/her family, his/her physical or mental capacities, or his/her cultural, ethnic or religious origins.

A distinction is also made among primary, secondary and higher education. The definition of primary education given by the General Comment 13 is based in the one given in The World Declaration on Education for All, and states that “*primary schooling is the main delivery system for basic education of children outside the family*”<sup>21</sup>. In that sense, it must be universal. However, in this stage, the question of the age of students under compulsory primary education is raised. Many of the national legislations establish that children aged six to eleven are the main subjects for this level of education but this is still controversial given the fact that if education is defined as an age-specific right, older students with the same educative necessities may be precluded from access to school. On the other hand, that primary education has to be “available free to all”<sup>22</sup>, signifies that any State party could shift the responsibility of compulsory school attendance of children to parents unless primary school is affordable.

In spite of the fact that both expressions “primary education” and “basic education” have a different meaning there is a close correspondence between them. Thus, the Economic and Social Committee (ECOSOC) states that “*primary education is the most important element of the basic education*”.

In the case of secondary education, the content is addressed more to the consolidation of the foundations for life-long learning and human development<sup>23</sup>. According to the Covenant, it must be “generally available”, which means that secondary education is not dependent on a student’s apparent capacity or ability and that it has to be distributed throughout the state in such a way that it is available on the same basis to all<sup>24</sup>. In this level of education it is especially important to bear in mind the difficulty of adaptation to different social and cultural contexts. It is extremely difficult from the psychological point of view, as well as in relation to the others students and teachers for students at the age at which they are commonly taught in secondary education institutions. This is the proper interpretation of the wording of the text when it talks about “appropriate means”.

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<sup>21</sup> General Comment 13 on the Right to Education...., cit., pp. 7-8.

<sup>22</sup> *Idem*

<sup>23</sup> *Secondary, vocational and science education*, available at [www.unesco.org](http://www.unesco.org) (27/02/07).

<sup>24</sup> Annual Report....cit., pp. 7-8.

Finally, higher education is generally interpreted by scholars as the most liberal level, as far as is not in any way compulsory or according to the wording of the article 13(2) not even available “in its different forms” as secondary education is. The ECOSOC, assigned with the task of monitoring the fulfilment of the obligations of the Covenant, has stated that that expression does not mean that higher education is more limited or that is “available” in a narrower extent<sup>25</sup>. Nevertheless, in many countries the reality of the situation supports the idea that higher education is not available for all, at least not in equal terms. The availability of higher education should also be analysed in the light of the education as a traded service<sup>26</sup>.

The 1980, consecutive economic crises led to continued decreases of public funding for education, accompanied by the introduction of school fees in primary education, which came together with calls for privatisation of education and which facilitated the exclusion of poorer students. Several campaigns by civil society complained against this phenomena and a number of claims were submitted to the Commission of Human Rights relating to the right to free education for all. Moreover, a Special Rapporteur started the dialogue with different trade organisations that have led over the years to a redefinition by these institutions of the scope and nature of education that should remain exempt from the General Agreements in Trade Services (GATS) within the World Trade Organisation (WTO)<sup>27</sup>.

In 1990s, when education was determined to be in the category of a traded service, it acquired a double legal status. The negotiations regarding education under the GATS were stopped until 2005. Nevertheless, the commitments have affirmed government’s entitlement to preserve compulsory education as a free public service and keeping higher education as the unique level of education under the GATS<sup>28</sup>.

Many children complete the school without even learning to read and write and many more children drop out without ever learning to read or write. Literacy plays an essential role in improving the lives of individuals by enabling economic security and good health. Literacy enriches societies by building human capital, fostering cultural

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<sup>25</sup> Article 13(1) ICESCRs.

<sup>26</sup> *Education, Trade in Higher Education and GATS*, in the framework of Global Forum on the International Dimension of Quality Assurance, Accreditation and the Recognition of Diplomas available at [www.unesco.org](http://www.unesco.org) (consulted on 25 February 2007).

<sup>27</sup> Annual Report...cit., p. 15.

<sup>28</sup> *Ie, trade and Education, tradededucation articles*, International Education, 2006. available at [www.ei-ie.org](http://www.ei-ie.org) (consulted on 22 February 2007).

identity and tolerance, and promoting civic participation<sup>29</sup>. The increasing global consensus about the need for all children to complete primary education prioritises education as a free public service, but refers only to the first phase of schooling, thereby implicitly negating the right to secondary and university education. This dialogue with macroeconomic actors can be seen as one of the fundamental steps taken by former Special Rapporteur KATARINA TOMASESKY evolving towards the cross-sectoral linkages whereby education should have been adapted to the economic and human rights goals and challenges that have appeared in the last decades<sup>30</sup>.

According to a human rights perspective, the former Special Rapporteur addressed the necessity of legal and institutional reform in order to create a comprehensive legal framework, which should be based on the universal nature of the right to education as a human right, encompassing all facets of education and all human rights. In spite of the fact that the universal recognition of the right to education has been a continuous process since it was promulgated in the UDHR in 1948, the absence of the above mentioned legal framework would imply that the non-recognition of other basic rights such as registration at birth or acquisition of citizenship could preclude children from exercising their right to education. On the other hand, the human rights approach enables the qualitative assessment of the right to education, as far as statistical averages camouflage indirect violations of this right along racial, ethnic or gender fault-lines<sup>31</sup>.

Concerning education as a moral value, international legal instruments together with the statements of the scholars lead to the conclusion that the right to education is not only about knowledge and skills, nor even a supportive means towards future employment, rather, it is the main tool for the personal and social development of human beings. Following the opinion of a Spanish philosopher FERNANDO SAVATER, there is “*no human being that can not be educated. The human being is always an educable being, open to the possibility of a better development through symbolic interchange with the rest of human beings*”<sup>32</sup>. Thus, education is a public good because it represents the most important form of the institutionalised socialisation of children<sup>33</sup>.

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<sup>29</sup> Lievesley D., Motivans A., *Taking Literacy seriously*, 2000, available at [www.uis.unesco.org/](http://www.uis.unesco.org/) (consulted on 25 February 2007).

<sup>30</sup> Annual Report...cit., p. 27.

<sup>31</sup> *Idem*, pp. 27-29.

<sup>32</sup> Savater F., 2006, p. 5, available at [www.fundacionsantillana.org](http://www.fundacionsantillana.org) (consulted on 21 February 2007).

<sup>33</sup> General Comment 13 on the Right to Education...cit., p. 10.

Referring to the obligations that the right to education could entail for the States parties, International Human Rights law and international cooperation are fundamental in achieving the progressive realisation of this right, as far as neither parents nor government's responsibility could substitute the role of the human rights framework and its right-based monitoring system. However, despite the calls for progressive realisation of the right to education, the Covenant imposes on the States parties a number of immediate obligations directed to avoid discriminatory grounds, bearing in mind that different levels of responsibility are applicable to different levels of education. Likewise, the Covenant establishes a concrete obligation for the States parties that have not been able to comply with the Covenant. The wording of the article 14 of the ICESCRs was elaborated in this sense. According to this precept "*each State party which has not been able to secure compulsory primary education, free of charge, must undertake, within two years, to work out and adopt a detailed plan of action for the progressive implementation, within a reasonable number of years, to be fixed in the plan, of the principle of compulsory primary education free of charge for all*". This article reflects the fundamental role of states' actions in the full realisation of this right<sup>34</sup>.

### **3. RIGHT TO EDUCATION IN SPANISH LAW**

Spain has already signed all the International instruments that provide the right to education in a direct or indirect way<sup>35</sup>. As a state party of the ICESCRs it has three types of obligations relating to the right to education.

First, "the obligation to respect" oriented to avoid any measure by the Spanish government that could preclude the enjoyment of this right.

Second, "the obligation to protect" means that the government should adopt measures in order to prevent third parties from interfering in the enjoyment of this right.

Finally, the right to education imposes "the obligation to fulfil", which is divided in two dimensions. On the one hand, the obligation to facilitate, in the sense of taking positive measures to ensure that education is culturally appropriate for minorities, of

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<sup>34</sup> General Comment 11, Plans of Action for Primary Education, Convention Abbreviation: CESCR, E/C.12/1999/4, available at [www.unhcr.ch](http://www.unhcr.ch) (consulted on 22 February 2007).

<sup>35</sup> ICESCRs, CRC, UDHR, Convention for the elimination of all forms of discrimination against women, Convention for the elimination of racist discrimination.

special relevance in the case of all the language minorities in Spanish territory and the conflicts that could create. On the other hand, there is an obligation to provide the necessary resources to create educative means adaptable enough to the changing circumstances, such as the increasing level of cultural diversity<sup>36</sup>.

Spain, a member state of the European Union, has enacted a number of directives in order to regulate the right to education in its several dimensions within the member states of the Union. The most important educative project within the auspices of the European Union was addressed to the higher education in 1999 and is known as “The Bologna Process”<sup>37</sup>. In Spain where the tradition of the old university is strongly deep seated, this project is still in process.

Furthermore, Spain is part of the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocol number 11 which provides the right to education in its article 2. The wording of this article is similar to the Covenant in the sense that it reaffirms the rights of the parents to choose the education and teaching in conformity with their religious and philosophical convictions<sup>38</sup>. The importance of the promulgation of this right by the protocol number 11 is that any violation of the right at individual level by a member state could be brought before the European Court of Human Rights, in Strasbourg.

The right to education has a constitutional nature in the Spanish law. Nevertheless, its formulation in the organic education law has been subject to several political debates between different parties in the government since the democracy was established in 1978.

Article 27 of the Spanish Constitution (SC), provides the right to education for all (art. 27.1(a)). It guarantees the freedom to teach (art. 27.1(b)), and the liberty to create educational institutions and centres (art. 27.6) as well as the responsibility of the public powers to elaborate a general plan of education for all (art. 27.5). It provides a combination of public aid for education with the participation of parents, teachers and students in the control and management of those educational institutions provided by state funding (art. 27.7). The Constitution imposes on the public actors the promotion of the conditions and the elimination of the obstacles in order to guarantee the equal and free enjoyment of this right. It provides the compulsory and free character of the

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<sup>36</sup> General Comment 13 on the Right to Education...cit., para. 50.

<sup>37</sup> *The Bologna Process, Towards a European Higher Education Area*, Education and training, available at <http://ec.europa.eu/education/policies/educ/bologna/bologna> (consulted on 26 February 2007).

<sup>38</sup> *Human Rights in International Law*, Council of Europe Publishing, 2006, pp. 21-23.



primary education and it territorially redistributes the exercise of the competences on education. It places on the legislator the task of developing these precepts<sup>39</sup>. In the following decades, four organic laws have developed article 27 of the SC, leading to an unprecedented change in Spanish system, facilitating and promoting real improvements in the Spanish society, evolving from a transitional stage to a real democracy. Every promulgated organic law on education has had the challenge of promoting social equality through education. Nevertheless, as stated above, the historical overview of the regulation of the right to education in Spain leads to the conclusion that such a fundamental and basic democratic value is not without controversy.

The General Law on Education of 1970 promulgated under the dictatorship of General Franco established the basis for the full schooling of children until the age of 14 and extended compulsory education in times of important problems of inequalities between children of different social spheres. This process of general schooling was financed with public and private funds. However, the role of the Church relating to education in that period can not be forgotten; Catholic religious education ostensibly represented the education of quality, although characterised somewhat by elitist values, and clearly became as the alternative to the public school, mainly in the urban areas, which had at that time deteriorated by the educative system previously in force.

In 1990, after the transitional period and when the right to education had been already promulgated as a constitutional right, the “Organic law of general planning of educative system” (L.O.G.S.E.) was enacted, as a reform of the Organic Law of 1985. This law extended the compulsory education until the age of 16. In its preamble two principles are provided. On the one hand the effectiveness of compulsory and free schooling attendance from 6 to 16 years. On the other hand the promotion of the educational system. The L.O.G.S.E had permanent education as a prior principle, which had not been promulgated in the former regulations. Likewise, it provided a number of general principles such as gender equality, prohibition of any ground of discrimination, the promotion of democratic values, the relationship with the social, economic and cultural atmosphere and the respect of environment<sup>40</sup>.

Afterwards, as a consequence of a change of wind in the government a new law was promulgated in 2002. This was the Organic Law of the Quality of Education

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<sup>39</sup> Spanish Constitution, promulgated on 6 December 1978.

<sup>40</sup> See [www.mec.es/educa](http://www.mec.es/educa).

<sup>41</sup> *Idem*.

<sup>42</sup> *Idem*.

(L.O.C.E. 10/2002)<sup>41</sup>. However, as a consequence of a new change in the government in 2004, this law never came into force.

The Organic Law on Education (L.O.E.), promulgated the third of May of 2006 provided for the first time in Spain, a pre-debate process mainly addressed to the Scholar Educative Council (CEE). The challenges of the new law were submitted over nine months to different institutions in the area in order to create a comprehensive regulation, bearing in mind all the facets and demands of the different civil society actors<sup>42</sup>. The procedure through which this debate took place was a document called “*A quality education for all and between all*” (*Una educación de calidad para todos y entre todos*). This document contented fourteen chapters with an introduction, a number of proposals and a several specific questions that were understood by the Council as the priority, given the short time available<sup>43</sup>.

The preamble of the L.O.E. establishes three fundamental principles. First, the necessity to provide a quality education for all, without discrimination, at all levels of education. In this sense, the Spanish situation is still far from achieving the levels of other European countries, as the statistics regarding the early abandonment of school are still worrying. Secondly, there is a call for the coordination and collaboration of all the actors in education in order to prevent employment from becoming an alternative to education, primarily in less developed areas. This coordination is of basic importance in enhancing the success in the adapting to new social circumstances such as student cultural diversity and the challenges generated by the fact that Spain has become one of the countries with biggest migrant influx in the last decade. Finally, there is a commitment to comply with basic principles of the European Union<sup>44</sup>.

Another important aspect of the new law is designed to eliminate the obstacles to the exercise of the right to education that an exaggerate proliferation of laws can produce in the enjoyment of the education, bearing in mind that in 2000 the Spanish government finished transferring all the competences on education to different

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<sup>43</sup> Mata and Garriaga, 2005, available at [www.mec.es/cesces/revista\\_participacion\\_educativa\\_s](http://www.mec.es/cesces/revista_participacion_educativa_s) (consulted 23 June 2007).

<sup>44</sup> Organic Law 2/2006 on Education, promulgated on the 3rd of May of 2006, published on Spanish Official Bulletin (B.O.E.) nr.106, 4 May 2006, pp. 3-12.

autonomous communities<sup>45</sup>, each with the faculty to abide by the commitments of the state law according to their own particular circumstances.

This new law establishes as a general objective a flexibility of the educational system that was lacking in former laws, which facilitates the re-incorporation into the educational system of those who left school when they were still of the age of compulsory education. This is also an important aspect in the concrete case of Spain as long as the poorest areas have not yet solved the problem of early employment in non-qualified posts.

According to the content of education in itself, there are a number of new subjects and changes in their qualitative perspective. One of the most controversial aspects of this law has been the introduction of new areas such as artistic subjects or languages. However, the most debated issue has been the introduction of the subject called “Citizenship education and Human Rights” (*Educación para Ciudadanía y los derechos humanos*) which offers a space for debate and for the rethinking of the characteristics of democratic regime and its principles. Despite complaints from religious groups that considered this subject an alternative to religious education and claims from extreme groups linked to the Catholic Church that it constituted “indoctrination” the preamble of the law reinforces the traditional freedom of parents to choose the religious education of their children according to their own convictions<sup>46</sup>. Nevertheless, the Catholic Church is not alone in criticising this measure. The “movements for the Renewal of Pedagogy” have also showed their opposition to this subject<sup>47</sup>.

In spite of the good intentions that have characterised the promulgation of this area of education, many scholars, such as PALOMA CASTRO, a senior lecturer of the faculty of Education in the University of Valladolid, emphasise the fact that this subject is mainly drafted in terms of a knowledge dimension<sup>48</sup>, while the old civic education based in cross-curricular themes, was more about values.

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<sup>45</sup> *Idem*.

<sup>46</sup> *Idem*, pp. 12-13.

<sup>47</sup> Mercedes Bermejo, 2007 intervention in the conference The Intercultural Dimension of citizenship education: The North and the South in a postcolonial Europe, 4-5 June 2007.

<sup>48</sup> Paloma Castro, 2007, intervention in the conference The Intercultural Dimension of citizenship education...cit., 4-5 June 2007.

#### 4. ANEX *Box 1: The Right to Education*

<u>SPANISH CONSTITUTION, 1978</u>	-“Everyone has the right to education. Freedom of instruction is recognized” (art.27.1). -“The objective of education shall be the full development of the human personality in respect for the democratic principles of coexistence and the basic rights and liberties” (art.27.2). -“The public authorities shall inspect and standardize the educational system so as to guarantee compliance with the laws” (art.27.4).
<u>ORGANIC LAW OF GENERAL ORDER OF EDUCATIVE SYSTEM 1/1990</u>	Objectives -“The education in the respect of the fundamental rights and freedoms and in the exercise of tolerance and freedom within democratic principles of cohabitation “(Art. 1. b)
<u>ORGANIC LAW OF QUALITY OF EDUCATION 10/2002</u>	-Quality principles of the educative system. -“Equity, which guarantees an equality of qualified opportunities, for the full development of the personality through education, the respect to democratic principles and to the fundamental rights and freedoms” (Art 1a)). -“The capacity to translate values that favourites the personal freedom, the social responsibility, the cohesion and improvement of societies, and the equality of rights between men and women, that help to overpass discrimination, as well as the practice of solidarity, through the impulse of the civic participation of the students in activities of volunteering” (art. 1. b)). -“The capacity to act as compensatory element of personal and social inequalities” (art.1.c)).
<u>ORGANIC LAW IN EDUCATION 2/2006</u>	-(Article 1.a). -(Article1.b).
<u>ROYAL DECREE 1513/2006 THAT ESTABLISHES THE MINIMUM LEARNING SUBJECTS FOR PRIMARY EDUCATION</u>	-Primary education (Article 1.2). - Aims (Article 2).

#### *Box 2: The freedom of conscience and religion*

<u>SPANISH CONSTITUTION, 1978</u>	-“Public authorities guarantee the right of parents to choose according to their own convictions and moral values the religious and moral education that they want for their children” (art.27.3). - “Freedom of ideology, religion, and cult of individual and communities” (Art.16.1). -“No religion shall have a state character. The public powers shall take into account the religious beliefs of Spanish society and maintain the appropriate relations of cooperation, with the Catholic Church and other religions” (Art 16.3).
<u>ORGANIC LAW 1/1990</u>	-Freedom of conscience (Art.52.2). -“Every confessional practice will have voluntary character” (Art 52.3).
<u>ORGANIC LAW OF QUALITY OF EDUCATION 10/2002</u>	-Second additional disposition: about the area or subject of society, culture and religion. -Emphasis of the role of the Catholic church in the preamble.
<u>ORGANIC LAW IN EDUCATION 2/2006</u>	-Second additional Disposition
<u>R.DECREE 1513/2006 THAT ESTABLISHES THE MINIMUM LEARNING SUBJECTS FOR PRIMARY EDUCATION</u>	-The optional character of the subject of Religion, the role of parents in the choice and the organization of the curriculum according to the treaties with the different religious confessions (First Additional Disposition, paragr.2, 3, 4,).

### ***Box 3: Acceptance of cultural diversity***

<p><b><u>SPANISH CONSTITUTION, 1978</u></b></p>	<p>-“The other languages of Spain will also be official in each autonomous community, in accordance with their Statutes” (Art. 3.2.).</p> <p>-“The richness of the linguistic modalities of Spain is a cultural patrimony which will be the object of special respect and protection” (Art. 3.3).</p>
<p><b><u>ORGANIC LAW OF GENERAL ORDER OF EDUCATIVE SYSTEM 1/1990</u></b></p>	<p>-“The education in the respect of the linguistic and cultural pluralism of Spain” (Art. 1e)).</p> <p>-“The education for the peace, cooperation and solidarity between the towns” (Art. 1g)).</p> <p>-“The compensation of social inequalities” (Art. 63).</p>
<p><b><u>ORGANIC LAW OF QUALITY OF EDUCATION 10/2002</u></b></p>	<p>-“The state, in collaboration with the autonomous communities, will promote programmes of territorial cooperation oriented to educative objectives of general interest. These programmes will have as principal aim, depending on their different modalities, to favour the knowledge and assessment of the cultural enrichment of Spain from the part of all their students, as well as to contribute to interterritorial solidarity” (Art. 6.1).</p> <p>-“The educative administrations will promote the incorporation to the educative system of foreigner students, mainly those with ages of compulsory education. For the students who do not know the Spanish language and culture, or that have serious curricular gaps in basic knowledge, the administrations will develop specific programmes of learning in order to facilitate their integration in the correct level” (Art. 42.1).</p>
<p><b><u>ORGANIC LAW IN EDUCATION 2/2006</u></b></p>	<p>-“The education in the respect of the fundamental rights and freedoms, in the equality of rights and opportunities between men and women and in the equal treatment and non discrimination of disabled people” (art. 1b)).</p> <p>-“The education in the exercise of the tolerance and the freedom within the democratic principles of cohabitation, as well as the prevention of conflicts and their pacific resolution” (art. 1c)).</p> <p>-“The flexibility to adequate education to diversity of aptitudes, interests, expectative and necessities of students, likewise to those changes suffered by the students and by the society in general” (Art. 1e)</p> <p>-“...and of interculturality as an element of society enrichment (Art. 2g).</p> <p>-“...values and norms of coeducation, active exercise of citizenship and to respect human rights,.. pluralism of democratic society” (Art . 17a)</p> <p>-“Comprehend and respect the different cultures and differences between persons, equality of rights and opportunities of men and women and the non-discrimination of disabled persons” (Art. 17b).</p> <p>-“Is the task of public administrations to encourage the incorporation to educative system of students who, for coming from other countries or any other reason, incorporate lately to Spanish educative system. This incorporation will be guaranteed, in any case, in the age of compulsory education” (art. 78.1).</p> <p>-“Educative administrations will guarantee the fact that enrolment of lately incorporated students to Spanish educative system will be done according to their circumstances, knowledge, age and academic history, in order to be incorporated to the most adequate level to their characteristics and their previous knowledge, with pertinent assistance..”(Art. 78.2).</p>
<p><b><u>R.DECREE 1513/2006 THAT ESTABLISHES THE MINIMUM LEARNING SUBJECTS FOR PRIMARY EDUCATION</u></b></p>	<p>-“Attention to diversity: The educative intervention should contemplate as a principle the diversity of students, understood as the guarantee of the development of all of them as well as a personalized attention according to the necessities of each” (Art 13.1).</p> <p>-“The mechanism of reinforcement that should be put in practice as soon as these learning difficulties are identified as both organizational and curricular. Among these measures could be considered the assistance in the ordinary group, flexible groups or curricular adaptation” (Art 13.2).</p> <p>-“...This signifies as well to understand the features of current societies, their increasing pluralism and their evolving character, besides demonstrating the comprehension of the contribution that different cultures have done to the evolution and progress of humanity, and dispose of a common feeling of belong to the society in which we live. Definitely this competence means to show a global citizenship feeling compatible with local identity” (Anex I: Social and civic competence).</p> <p>-“To recognize the diversity as an enrichment element of the cohabitation, to show the respect for the habits and ways of life of different persons and populations” (Paragr.4. <i>Objectives of the education for the citizenship and H. R.</i>).</p> <p>-“To identify and refuse situations of injustice and discrimination, to show the sensitivity for the necessities of the most disfavoured groups and to develop solidarity behaves and contrary to the violence” (Paragr.7. <i>Object. of the education for the citizenship and H. R.</i>).</p>

#### ***Box 4. Intercultural-antiracist education***

<p><b><u>SPANISH CONSTITUTION, 1978</u></b></p>	<p>-“Spaniards are equal before the law, without any discrimination for reasons of birth, race, sex, religion, opinion, or any other personal or social condition or circumstance” (Art. 14).          -“The other languages of Spain will also be official in the respective autonomous communities, in accordance with their Statutes” (Art. 3.2.).          -“The richness of the linguistic modalities of Spain is a cultural patrimony which will be the object of special respect and protection” (Art. 3.3).</p>
<p><b><u>ORGANIC LAW OF GENERAL ORDER OF EDUCATIVE SYSTEM 1/1990</u></b></p>	<p>-“The education for the peace, cooperation and solidarity between the towns” (art. 1g)).          -The compensation of social inequalities (art. 63).</p>
<p><b><u>ORGANIC LAW OF QUALITY OF EDUCATION 10/2002</u></b></p>	<p>-“The state, in collaboration with the autonomous communities, will promote programmes of territorial cooperation oriented to educative objectives of general interest. These programmes will have as principal aim, depending on their different modalities, to favourite the knowledge and assessment of the cultural enrichment of Spain from the part of all their students, as well as to contribute to interterritorial solidarity” (Art. 6.).</p>
<p><b><u>ORGANIC LAW IN EDUCATION 2/2006</u></b></p>	<p>-“The education in the respect of the fundamental rights and freedoms, in the equality of rights and opportunities between men and women and in the equal treatment and non discrimination of disabled people” (art. 1b)).          -“The education in the exercise of the tolerance and the freedom within the democratic principles of cohabitation, as well as the prevention of conflicts and their pacific resolution” (art. 1c)).          -Art. 17b)</p>
<p><b><u>R.DECREE 1513/2006 THAT ESTABLISHES THE MINIMUM LEARNING SUBJECTS FOR PRIMARY EDUCATION</u></b></p>	<p>“To develop...an attitude opposite to the violence, to any type of prejudices and to the sexist stereotypes” (Art. 3m)).          -Paragr.7. <i>Objectives of Education in H.R.</i></p>

#### 4.1. Conclusions of the Boxes

In order to have an overview of the legislative scenario referring to the phenomenon of cultural diversity in Spain, I have analysed the text of the main five laws in education since democracy was established in Spain.

These texts are: *The Spanish Constitution, 1978*<sup>49</sup>, *The Organic Law of General Order of Educative system, 1990*<sup>50</sup>, *The Organic law of the quality of Education, 2002*, *The Organic Law in Education*<sup>51</sup>, 2006 and *The royal decree that establishes the minimum learning subjects of Primary Education, 2006*<sup>52</sup>.

Due to the fact that all these texts are based on democratic and universal values their wording is very repetitive. Therefore, I have summarised extensively many important aspects and details.

Nevertheless, I have studied these laws relating to the main concepts on which I will focus my work and according to the rights promulgated in the U.D.H.R.<sup>53</sup>.

Firstly (box.1), I have identified **the right to education** in order to analyse the treatment and assessment of this right in the analysed legislations.

Secondly (box.2), I have analysed **the freedom of conscience and religion**, as far as its treatment within the wording of different legal texts, could be a good indicator to measure the degree of tolerance implemented through the educative model.

Thirdly, (box. 3) **the acceptance of cultural diversity in education**, shows us how has the Spanish model evolved and been adapted to the new realities.

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<sup>49</sup> Spanish Constitution...cit.

<sup>50</sup> Organic Law 1/1990 of General Order of Educative System, promulgated the 3rd of October of 1990, published on Spanish Official Bulletin (B.O.E.), 4 October 1990.

<sup>51</sup> Organic Law 2/2006 on Education...cit.

<sup>52</sup> Royal Decree 1513/2006 establishing the minimum learnings of Primary Education, promulgated the 7th of December of 2006, published on Spanish Official Bulletin (B.O.E.) nr. 293, 8 December 2006

<sup>53</sup> Article 26(1) of U.D.H.R., 1948: *“Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit”.*

(2) *“Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace”.*

(3) *“Parents have a prior right to choose the kind of education that shall be given to their children”.* Article 18 of U.D.H.R., 1948: *“Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance”.*

Finally, I have tried to analyse the introduction in the educative model of new forms of education in order to adapt curricular measures to the new school reality, taking as indicators the **intercultural-antiracist education** (box.4).

Generally speaking, the Spanish legislation on education has evolved from a trend of assimilation to a vague intercultural approach. Different concepts have characterised this evolution. Firstly, the Organic Law of 1990 faced the reality of cultural diversity in society through the concept of “integration”.

Secondly, the Law of 2002 of The Quality of Education, through a comprehensive approach, reinforced the open character of the educative actors in the issue of interculturality.

Finally, the current law that will be implemented in September 2007 emphasises “social cohesion” as the main effect of an intercultural education<sup>54</sup>.

The Spanish Constitution (1978) does not provide any article expressly referring to a multicultural society, as the phenomenon was not as important in quantitative terms as it is nowadays. Moreover, neither does it establish a reference to it. The wording is mainly addressed to promote the right to education for all and the freedom of conscience and religion of parents (art. 27) as far as Spain, despite its Catholic majority, is a laic state. The sole reference to diversity occurs in terms of the official character of the rest of linguistic modalities in Autonomous Communities assessing the richness of them as a cultural patrimony (art. 3.2. and 3.3).

The Organic law of 1990 (L.O.G.S.E.) is also quite limited relating to the studied issue. Furthermore the scope of the text is based on the principles of U.D.H.R. and on the international treaties that recognise the right to education such as the I.C.E.S.C.Rs (1966) as long as the value of non-discrimination, the principles of linguistic and cultural pluralism and education for peace, cooperation and solidarity between towns and communities is proclaimed (art. 1 e) and g)). This text related to intercultural education by the transversality of the curriculum, which means that any reference to citizenship education or human rights is done in all the areas of the curriculum, and is left to the humanistic skills of the teachers. The reference to interculturality was done implicitly as far as the attention to diversity was understood in the law from the perspective of student’s differences, such as social origin or different capacities, motivations and interests.

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<sup>54</sup> Paloma Castro....cit.



In the Organic Law of 2002 an important step was given referring to the new cultural scenario. The text enacted the concept of “Intercultural variety” in order to introduce in an explicit way respect for multiculturalism. Furthermore, the legislator made an active promotion of intercultural education by defining it as a way of understanding the world.

Despite all these references in the texts, the last organic law in Education that will come into force this year, is without a doubt the one that pays the most attention to the issue of cultural diversity and intercultural education. Besides the express reference to the comprehension and respect of different cultures coexisting in Spain (art. 17 b)), it is the first time that the Spanish educative model is challenged with the concept of interculturality, which is described in terms of enrichment for the whole society (art. 2 g)). Moreover, this text presents interculturality as the motor of social cohesion. The innovative character and the adaptation to some of the current circumstances of this law are also characterised by its emphasis on the equality between men and women, the protection of the environment and the respect of human rights (art. 2 e) and 17 e)).

Nevertheless, there appears to be an important gap in this law related to the indicator of intercultural-anti-racist education.

Generally speaking, the Spanish educative model does not reflect, in any of its legislation, the fundamental role of the school as the space to eliminate all racist behaviour. Even if this absence could be justified in previous legislation due to the fact that the society had not yet been subject to the proof of having to share social services and public aid with foreign population sometimes of a different race, the current law has failed in the task of every legislative action that of adapting to the circumstances and necessities of the society.

Finally, I have also analysed the Royal Decree that establishes the minimum learning subjects for primary education. As far as I want to focus my work on this level of education, the development of the current law in education by this text is very significant. Far from being a simple transcription of the law, this text introduces important issues to the study. As I have already explained one of the most relevant and commented upon aspects of this law and its related rules was the introduction of the subject of “Citizenship education and Human Rights” which has to be taught in both primary and secondary education (art. 4.2). This decree is also, according to the law, its reference to diversity. Despite the wording of its article referring to the development of all the students as a consequence of the achievement of the principle of diversity (art.

13), the text is very limited in details and one could have the feeling that there is a kind of fear of the fact of recognising an intercultural attitude as an added value for educational centres. Furthermore, the fact that educational rules have always placed immigrant students in the same group as children with disabilities or other kinds of difficulties is not clearly amended in this text or in the law. As a consequence of being lately incorporated to the Spanish system (art. 78), these students are subjects in case of needing to succeed in the curricular gap, of the “Compensatory Education,” which in my opinion is a solution that lacks the required attention to those children, forgetting that there could be cases where none of these measures is required. Nevertheless, intercultural education is still exclusively linked to immigrants, as shown by the content of the various courses addressed to teachers in the scope of interculturality<sup>55</sup>. However, it must be mentioned that the Organic law also prevents the possibility of creating courses of linguistic reinforcement for these children (art.79).

In conclusion, despite a number of improvements and strong commitments in the issue of respect to diversity and intercultural education, the legal texts are not deeply oriented to emphasise intercultural dialogue, and various aspects of the curriculum still reflect a prevailing assimilationist attitude.

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<sup>55</sup> See [www.educacionenvalores.org](http://www.educacionenvalores.org).

## CHAPTER 2

### INTERCULTURALITY AND TOLERANCE

#### 1. CONCEPTUAL DEFINITIONS OF DIFFERENT EXPRESSIONS OF CULTURAL DIVERSITY

Societies traditionally formed by individuals who share a unique culture have reacted differently to the introduction of new cultures into their community. Several examples lead us to conclude that liberal societies have not yet found a peaceful way to face this phenomenon. For instance, the myth of neutrality<sup>56</sup> is defined by KYMLICKA as the failure of modern liberal societies in the attempt to promote integration in terms of adherence to some basic moral principles, keeping their own culture and identity or the anti-multiethnic genocide of Nazism during the Second World War.

On the one hand, there are other approaches that prioritise the acceptance and integration of these new cultures in terms of respect for basic moral values as far as those nations draw the lines within which all different *societal cultures*<sup>57</sup> could peacefully live together. Generally speaking, we could use the term “multiculturalism” to describe this situation. Indeed multicultural society is a reality, beyond the terminological debates, as modern societies traditionally based on a purely occidental cultural system increasingly are faced with the challenge of rethinking the position of their moral values in their own communities. Nonetheless KYMLICKA limits the concept of multiculturalism to the issue of ethnicity and, considering that accommodating ethnic and national differences is only part of a larger struggle to make a more tolerant and inclusive democracy, he avoids any reference to other minority groups such as homosexuals or the disabled<sup>58</sup>. He considers the concept of culture to be broadly understood as the only mechanism through which societies are provided with *meaningful ways of life*<sup>59</sup>. However, how can the governments manage to guarantee the existence of those “*meaningful ways of life*” in such a culturally heterogeneous scenario?

On the other hand, we should make reference to the theory of interculturality, which can be considered the most difficult model to implement as long as it promotes

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<sup>56</sup> Kymlicka W., 1995, pp. 14-21.

<sup>57</sup> Kymlicka W., 2001, pp. 23-44.

<sup>58</sup> *Idem*, pp. 12-21.

<sup>59</sup> *Idem*, pp. 113-155.

the interchange of different values among cohabiting *societal cultures*. This position implies a dialogue between all different cultures. Nevertheless, is not the fact of dialogue which makes this challenge difficult but the requirement of developing it in equal conditions for all cultures.

In spite of the fact that the last two ideologies are more likely to be defended in liberal and democratic nations, the strength of our own identity precludes the incorporation of these models in our “own communities”. Although identity is essentially identified with the idea of intrinsically developed personality, “*the genesis of the human mind can not be determined without the dialogue with the things that our significant others (those whose opinion care us most) want to see in us*”<sup>60</sup>.

The concept of identity is usually defined by theorists together with the idea of the way in which human beings find the best form of fulfilling her/his ends in life. Being able to criticise these forms and even those ends is one of the elements of liberalised culture<sup>61</sup>. However, such an approach has traditionally been unable to reorient a community towards a real intercultural society, since fear of foreigners is too strong in the light of the risk of weakening the bounds to one’s own culture. This conception finds its reflection even in cases in which the ties of language are the same between different societal cultures that meet each other in the same nation, as is the case of Spanish society and the Latin American communities settled in the country.

Furthermore, the main mechanism through which either multicultural or intercultural theory is implemented is undoubtedly education. According to TAMIR<sup>62</sup>, those societies whose institutions are informed by a culture that people find understandable and meaningful promote transparency and real participation in public affairs. If that “culture” succeeds in the task of integrating the various cultural expressions cohabiting in the state, this participation would strengthen the sense of common belonging, facilitating mutual recognition and mutual responsibility.

Nevertheless, is in the scope of education where the debate about both terminologies is most extended. Different statements lead us to contemplate this controversy. Firstly, the definition given by BANKS of multicultural education stresses that with this form of education, the school should be transformed towards programmes and practices designed to contribute to the better academic success of minority cultures

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<sup>60</sup> Taylor C., 1992, pp. 32-37.

<sup>61</sup> *Idem.*

<sup>62</sup> *Idem.*

or ethnic groups and at the same time the students of the traditional culture of a country in the cultures and experiences of these minority groups<sup>63</sup>. Secondly, although it is along the same line of thought, multicultural education is used by Anglophone scholars of education as the opening to diversity, as long as it implies the acceptance of this diversity in a constructive form towards the solidarity between all different cultural groups, although it does not imply necessarily dialogue between cultures. Furthermore, the terminology is also used by French authors in a completely passive form, as far as they only use it to describe a social reality<sup>64</sup>.

## 2. INTERCULTURAL APPROACH IN INTERNATIONAL CONTEXT

An intercultural approach has never found a real and direct reflection in any legal treaty and it is still a controversial term among theorists. The Convention of the Protection and Promotion of the Diversity of Cultural Expressions, adopted in Paris in 2005 by the General Conference of UNESCO, is the legal text that most closely approaches the concept of interculturality. Nevertheless it only refers expressly to cultural expressions. Despite this apparently limited scope of application, the convention refers several times to the influence of these cultural expressions in areas of crucial importance such as sustainable development, eradication of poverty or the role of women in developing societies<sup>65</sup>.

Although the title of the text is quite ambiguous in the definition of the theory that will be applied in international scenario relating to the relationship and position of different cultures, the content of the convention is designed to promote an intercultural dialogue among cultures. Indeed, article 4 of the convention defines, *inter alia*, the intercultural as the “*existence and equitable interaction of diverse cultures and the possibility of generating shared cultural expressions through dialogue and mutual respect*”<sup>66</sup>. This wording is obviously limited to cultural expressions as far as intercultural ideology is still a challenge for the societies that are facing the quick and huge phenomenon of cultural globalisation. However, the role of this text in the

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<sup>63</sup> Banks J., 1991, pp. 77-79.

<sup>64</sup> Leite C., 2002, pp. 146-147.

<sup>65</sup> Convention on the Protection and Promotion of the Diversity of Cultural Expressions, promulgated by general Conference of UNESCO, 20 October 2005, available at [www.unesco.org](http://www.unesco.org), (consulted on 5 February 2007).

<sup>66</sup> *Idem*.

understanding of the importance of respect and mutual recognition of other cultures in such a decisive period should not be underestimated.

The theories of interculturality and multiculturalism could be read in parallel lines against all the other approaches, as long as the two of them claim a positive perspective of the entrance of foreigners in “our world”, denouncing the simplification of other cultures as “primitives” .

Relating to intercultural education, it is not easy to find clear and concrete references in the international treaties. The main organisations that have been concerned with the problem of increasing diversity in schools are UNESCO, Organisation for the Cooperation and Development in Europe (OCDE), the European Union and The Council of Europe.

As mentioned above, the Convention promulgated by UNESCO in 2005 is the most direct and specific treaty with respect to the recognition of the reality of diversity in Europe. Education is defined in general terms in article 10 of the Convention, referring to the understanding of cultural expressions. A broad interpretation could lead us to read this article in the light of the idea of free education for all, as long as the conditions for the cooperation with other parties are provided<sup>67</sup>.

Secondly, the OCDE has developed its position towards diversity and the introduction of new cultures in schools from the period in which all its policies were concerned with the achievement of economic success and in terms of social groups such that the reform of scholastic programmes could not have been conceived without other aspects such as the relationships between school and cultural communities, or the influence of teacher fellowship in the organisation of educational institutions<sup>68</sup>.

The OECD started to face the situation not as a problem but, rather, the recognition of the enrichment of schools through cultural diversity. Emphasis must be put on this innovative perspective as far as any of the old democracies in Europe that are facing the challenge of the entrance of new cultures have still applied this active interculturality.

Thirdly, referring to the European Union, we should identify with the Rome treaty that provides the well-known four freedoms. Being in our interest in terms of freedom of movement of persons, this treaty does not make any explicit reference to education, focusing its content mainly on economic measures relating to job

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<sup>67</sup> *Idem.*

<sup>68</sup> Leite C., 2002, pp. 337-341.

opportunities. In spite of the fact that, at the beginning, the indirect reference to education within the European Union was made in terms of investment in economic success, the attempt, still in process, of building a strong European identity, led to several proposals designed to implement intercultural education policies. Along these lines the “Resolution for European Dimension in Education”<sup>69</sup> of 1988 was promulgated, which provides a number of measures oriented to the gradual introduction of this new feeling of belonging, including several programmes for teachers training in this concern. Despite attempts to build the concept of European identity in the light of respect for cultural diversity, the wording of the text should leave no doubts as to the mono or uni-cultural principles behind the initiative. According to OGAY<sup>70</sup>, although all these initiatives could be understood as acts of good faith, the focus on the difficulties that immigrants’ children encounter is far from the main concern of European Union education policies in that time. Nevertheless, as long as the free movement of workers and services was being realised in, this organisation faced the necessity of creating programmes of student exchange such as Erasmus, Leonardo, and Commet. However, these attempts have not led the policy of European Union to either an intercultural or multicultural education, as the economic aspect is still dominant in all initiatives and programmes. Moreover, the elimination of the relationships of power between all cohabiting cultures has not been faced as a main objective in education policy of the Union.

. Finally, we should not forget the role of the Council of Europe in this concern. The difference between this organisation and those previously discussed is that the Council of Europe has not had a radical change of position. The Council of Europe could be considered the main contributor to multiculturalism in education and the one that most promotes the development of intercultural pedagogy<sup>71</sup>. Its important role in the post-war period established the basis for universal and equal comprehension of human rights. Moreover, the organisation stressed the respect of the diversity of people in early times which could be identified as the factor that led it to be the one that enacts the intercultural view in education.

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<sup>69</sup> Resolution of the Council and the Ministers of Education meeting within the Council on the European dimension in education of 24 May 1988, available at <http://eur-lex.europa.eu/LexUriServ> (consulted on 23 March 2007).

<sup>70</sup> Ogay T., 1992, p. 45.

<sup>71</sup> Leite C., 2002, pp. 345-350.

However, this organisation also passed through its own evolution. In its first stage of the comprehensive approach towards a real integration of cultural diversity, it emphasised the learning of the language as the way to fully realise the participation of citizens in a multicultural society. This position can be understood in the light of a positive absence, as far as the recognition of other cultures was done in reference to another supposedly superior culture, the learning of whose language should be granted and promoted. In the position adopted in a second stage, the Council of Europe promoted the teaching of the language of origin of the immigrants settled in the member states, encouraging the recognition and extension of other aspects of these new cultures and emphasising the worth of these cultures through the promotion of the intercultural ideal<sup>72</sup>.

This organisation started to be based on the idea that culture of “others” was more of a value than a problem through which could be understood the worth of diversity and a critique of our own way of life. Furthermore, the evolution of this organisation shows important advances as it stated that “*interculturality is not only an objective but an instrument to promote equal opportunities and an optimal social integration of ethnic and social minorities,*”<sup>73</sup> encouraging at the same time the acceptance of “others” in reciprocal terms<sup>74</sup>.

According to ANTONIO PEROTTI, education must overcome the stage in which the school was seen as a translator of cultural heritage<sup>75</sup>. The global situation of education in Europe was being lead to a new stage, as far as the traditional approach of European monocultural heritage was being challenged. In the last few years, this progressive position seems to continue growing as demonstrated by a new project launched by the Steering Committee on Education in 2002, *The New Challenge of Intercultural Education: Religious Diversity and Dialogue in Europe*, whose main objective was to make intercultural and interfaith dialogue one of the major challenges of the Council of Europe. The project is addressed to decision-makers, educators and

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<sup>72</sup> *Idem.*

<sup>73</sup> *The Education and cultural development of migrants*, Project n° 7, Council of Europe, 27 February 1987, available at [www.coe.int/t/e/cultural\\_co-operation/education](http://www.coe.int/t/e/cultural_co-operation/education) (consulted on 14 March 2007).

<sup>74</sup> Leite C., 2002, pp. 345-350.

<sup>75</sup> Perotti A., 1990, p. 90.

<sup>76</sup> Leclercq J.M., 2002, available at [www.coe.int/t/e/cultural\\_co-operation/education](http://www.coe.int/t/e/cultural_co-operation/education) (consulted on 28 March 2007).



teachers, following the idea of global awareness of the organisation's policies in education among all the parties and experts in the field<sup>76</sup>.

Nevertheless, reality still seems to be far from all these good faith initiatives from international organisations. Thus, these activities could be considered a first step in the evolution toward a real respect and assessment of other cultures' worth, through a dialogue between all of them. However, the process will be apparently long and difficult, as long as a strong tradition of monocultural approach to education is deeply-rooted in modern societies, and any challenge to that cultural heritage could take a long time to be accepted.

### 3. CULTURAL DIVERSITY AND EDUCATION

In order to try to define the role that education, understood in terms of school, has in our life, it is necessary to refer to the question of the interaction between culture and education.

There are very different approaches from which we can build a definition of culture. For instance, FORQUIN relates culture and anthropology, defending the idea that culture is the way to adapt to the environment, in the sense that it guarantees subsistence and biological continuity<sup>77</sup>. Therefore, according to this approach, culture is the learning of values and rules obtained through socialisation dynamics. Nevertheless, there is another aspect in the given definition of culture in which the role of the school could be better identified. This is the incorporation of the quotidian element, provided that culture is the group of features that draws the lines of the way of living of people in a community. This position is also defended by JEAN who applies the concept of "*cultivated culture*" to "*the culture that is built and lived in all the spheres of quotidian life*"<sup>78</sup>. Therefore the school should be understood as the first common space where most quotidian aspects take place.

However, is this idea of school present in society in general and in the minds of educative actors in particular? Moreover are these concepts of culture conceptually linked to the institution of school? In order to answer the first question I will ask the opinion of some experts in the field, by interviewing them. Referring to the second

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<sup>77</sup> Forquin J.C., 1989.

<sup>78</sup> Jean G., 1990, p. 91.

question it can not be denied that culture is inside the whole ideology of any education model. Whether culture is applied together with a more conservative or progressive idea of a state it is an issue that requires further definition.

Spain, as many other countries before, such as France or Portugal, has the challenge of defining the terms in which culture should be implemented in school in particular, and in education in general. All these countries have in common the fact of having passed through periods of rejection of the recognition of other cultures. These positions could be identified with either monoculturalism, which provides a one unique culture or culture-centrism based on a cultural interpretation present in traditional models of “*consumed culture*” or “*done culture*”. These concepts refer to the idea that a culture that is merely addressed to the transmission of cultural heritage to younger generations is defined as a culture that is missing as basic principles, self-criticism, autonomy, initiative of the students, and the capacity to intervene socially as citizens. Furthermore, the idea of “*finished or done culture*” is the opposite of the scholarly culture that provides students with the instruments to be continually disposed to learn, which interchange practical knowledge of work and theoretical formation<sup>79</sup>.

Finally, we should not forget the term “acculturation” and the negative consequences that an incorrect implementation of educative policies can provoke among the students coming from other countries. This term was reviewed by a commission created by the American Anthropological Association in 1936. The commission defined the term as “*those phenomena in which groups of individuals of different cultures come in continuous and direct contact with subsequent changes in the original cultural models of the one or of both groups*”<sup>80</sup>. Thus, these changes provoke in the weakest culture the loss of self-identity and self-recognition. Moreover, in the sphere of the school it signifies that the institution is not going to bear in mind the strong relationship that links the origin and culture of belong to the students and scholarly culture. This fact will preclude the school from becoming a space where the conditions of inclusion socialise children in order to live with themselves and with others in an atmosphere of mutual enrichment and a place where the development of autonomy is promoted.

#### **4.TOLERANCE**

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<sup>79</sup> Leite C.O., 2002, p. 147.

<sup>80</sup> Opler M.E., *A summary of Jicarilla Apache Culture*, American Anthropologist, vol. 38, 1936, pp. 296-355.

In this section I will try to defend the idea that tolerance is not only an attitude of accepting difference.

Although someone could think that tolerance is a modern concept built in order to face the new phenomena of a cultural impact, such as homosexuality, different organisations of family, religious, and ethnic diversity, the ideology of tolerance has existed since the beginning of history when groups of human beings struggled for their survival. However, the increasing presence of the “difference” in modern societies, understood in terms of quotidian interaction with “others”, obliges us to redefine this ideology and its influence in the pacific life of groups and individuals<sup>81</sup>. Moreover, it leads us to wonder if tolerance is the best attitude regarding human beings with equal opportunities based on the same rights and duties according to Universal Declaration of Human Rights.

In spite of the fact that there is not a unique definition of tolerance it seems to be generally accepted that the society that practices high levels of tolerance manages to reach the peaceful cohabitation between its members of different cultures, identity, and history. Different degrees of tolerance could be accepted. For instance, the tolerance required in campaigns against the genocide of an ethnic community is radically different from one oriented to introduce gay marriages into a national legislation. Although both cases aim to accept differences in a peaceful way, only the second is doing so in a constructive form, as far as it would promote a society based on equal opportunities for all and facilitating the way of life of specific group within the larger society.

In conclusion, my analysis of tolerance would be oriented to the position that defines it as a “*functional acceptance*”, considering the difference as a necessary condition for the plain human development that will provide men and women with a sufficient range of opportunities through which make worthy their autonomy<sup>82</sup>.

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<sup>81</sup> Walzer M., 1997, pp. 16-21.

<sup>82</sup> *Idem*, pp. 23-28.

## CHAPTER 3

### CASE STUDY: SPAIN

#### 1. STUDIED POPULATION

In order to analyse the impact of the multicultural society in the enjoyment of the right to education in Spain, I am going to focus my study mainly on immigrants from Latin American countries. At the end of 2006 there were 1.064.916 “legal” foreigners from Latin America<sup>83</sup> in Spain. Generally speaking, the citizens of these countries have cultural similarities with Spanish citizens as far as the language is concerned. Moreover, an undeniable historical background links these populations with Spanish society in the light of colonial and migratory trends before America was founded.

Bearing in mind the information obtained in interviews, I will focus on the living circumstances of immigrants in Spain from Ecuador, Colombia and Peru. These three countries border one another geographically. Despite some differences, a common migratory trend links them to Spanish territory and they respectively occupy the first three positions in the ranking of the largest Latin American communities in the country. Moreover, another common feature is the type of immigration they represent, as they usually come looking for a better life without hope of going back home. In their first years they usually come without families in order to work as many hours as they can afford per day. These circumstances vary depending on the age of each individual although more than 80% is within the age of 16 to 64 years<sup>84</sup>. Nevertheless, they benefit from the familiar regrouping policies of the Spanish State in order to facilitate the entrance of their family members after they manage to settle in Spain. Referring to the specific situation of each country, each could be considered a third-world country. Ecuador has a multi-ethnic population, in which the majority is the mixed race. The white descendants of Hispanic colonialists and other European immigrants represent the 7% of the total. The rest is formed by various indigenous groups. It was with the economic and financial crisis of 1999 when migration to Spain started in Ecuador, being

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<sup>83</sup> See Observatorio permanente de Inmigración, available at [www.mec.es](http://www.mec.es) (consulted on 24 February 2007).

<sup>84</sup> *Idem*.

the second most popular destination after the United States<sup>85</sup>. According to the Central Bank of Ecuador, money sent from immigrants abroad is one of the principal income sources of the country even more than tourism. In 2001 the amount of money sent from Spain by immigrants workers represented the 15,1% of the national income<sup>86</sup>. Colombia is also a multiethnic country that has one of the Latin America's bigger migratory flows, with Spain the second destination after the United States. According to the latest updated partial data of the DANE, 3.331.107 Colombians are currently living abroad<sup>87</sup>. The distinctive feature of Colombian immigrants is that they usually maintain their cultural roots. Their reasons for migration are, in most cases, economic and based on problems pertaining to public order.

Peru is the most ethnically and racially varied country of the three. The mixed population of mostly Spanish origin, the Amerindians, represent 42% of the 11 million of inhabitants of Peru. The main reason for the increasing migratory trends of the Peruvians is, as in the case of their neighbours, economic difficulties. These three countries have a clear majority of Catholic religion, which is one of the elements that differentiates them from other immigrants in Spain such as the Moroccans for whom religion is one of the main elements of multiculturalism.

## 2. INTERCULTURALITY IDEOLOGY IN SPAIN

Despite many attempts to implement in societies the idea of the recognition of other cultures<sup>88</sup>, there is still intrinsic reluctance among members of a culture to recognise others culture and practices in identical spheres of worth. According to TAYLOR in this stage, the politics of recognition loses its sense when "*not being able to identify the worth and value of other cultures without taking as reference the worth and value of its own, as the only meaningful way of living*"<sup>89</sup>.

Spain could be considered an example of a nation-state that meets all the previously explained forms of behaviour regarding the entrance of new cultures. As a relatively new phenomenon, immigration has put Spanish government institutions in the

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<sup>85</sup> See [www.latinworld.com/sur/ecuador](http://www.latinworld.com/sur/ecuador) (consulted on 23 February 2007).

<sup>86</sup> Eguez A., *Las remesas de Inmigrantes en Ecuador tras la dolarización*, 2001, available at [www.eumed.net/cursecon/ecolat/ec](http://www.eumed.net/cursecon/ecolat/ec) (consulted on 24 February 2007).

<sup>87</sup> See Departamento Administrativo Nacional de Estadística, available at [www.dane.gov.co](http://www.dane.gov.co). (consulted on 24 February 2007).

<sup>88</sup> *Idem.*

<sup>89</sup> Taylor C., 1992, pp. 32-37.

position of choosing between the implementation of a full acceptance of these new cultures through either a multicultural or intercultural education system and a unique national culture. The last conception is promoted by some groups that do not want to incorporate constitutionally promulgated principles of respect for cultural nationalities in the educational and cultural model. Although those nationalities have a different meaning in the global circumstances of the Spanish state, their rejection is an implicit way of precluding any cultural element other than those based on extreme Spanish nationalism.

Therefore, if education could promote an assessment of these new and different cultures and their expression in Spanish public life, it would facilitate their coexistence, and at the same time preclude any culture from the fear of suppression, as long as each culture could be able to develop its own full realisation through the self-criticism enabled by their knowledge of other cultures and identities.

Taking Banks' theory as a starting point to introduce these ideas in the Spanish schools, multiculturalism should be considered as a social reality rather than an objective. It should not be forgotten that the challenge is the reciprocal incorporation of different cultures into the system as a whole and doing so in a way that facilitates dialogue between all groups and avoids the systematic assimilation that has been shown to provoke a rejection of other cultures, especially in the case of students introduced to the state education system at a later, more difficult age.

### **3. NEW CULTURES IN SPAIN: THE HOSTAGE OF THE SOCIETY**

Although those concepts of a unique culture are linked to the past in terms of state policy, there are still many groups in Spain that support these racist and xenophobia ideologies, including the so-called "ultra-radical groups" and other spheres of the civil society.

Nevertheless, Spain as a member state of all the above-mentioned organisations, was guided by the introduction of questions of multiculturalism and interculturality in the policies of these organisations. This new era provokes in Spanish educational policy a change towards a phase of assimilation. This approach assesses the reality of coexisting cultures understood in terms of the hegemony of one of them. Furthermore, assimilationist ideology is always respectful to cultural diversity and provides all the necessary instruments to members of new cultures in order to facilitate their

incorporation into what is seen as the dominant culture<sup>90</sup>. However, rather than becoming a real support for the development and recognition of these cultures, this process leads to another scope of study in which diverse cultures get involved in the risk of suffering acculturation.

In the specific case of Spain, the reality in society is a situation in which every scholarly tradition is addressed to a unique assessment and recognition of the hegemonic culture.

Furthermore, the multicultural society that Spain has become is quite particular, and the proliferation of cultures is not measured in terms of groups in the sense of communities. Cultural diversity is mainly linked in Spain to immigrant populations, provided that national minorities are included in the Constitution and regulated through a number of national laws as part of the shared culture. Although the phenomenon of immigration is usually addressed towards “immigrant communities,” these groups do not look for the recognition of the State in terms of collective rights.

Despite the amount of state aid that these groups receive due to the difficulties immigrants have incorporating into a society with different ways of living and where in some cases they are not recognised as citizens, their claims are not based on the recognition of rights in order to ensure the survival of their traditions, rather they are to ensure their own survival. Therefore, in this case of Spanish multiculturalism, the object of tolerance is the individual instead of groups of individuals with shared values and culture.

Furthermore, this fact leads us to the conclusion that these individuals can easily choose among a number of possibilities, as far as the group to which they pertain is not in any sense coercive of their actions or choices. For instance, they could affiliate themselves to associations of immigrants that claim for the respect of their customs and cultural traditions or they could abandon these associations following the will to not pertain to any differentiated group in the public sphere. The third possibility is the well-known attitude of assimilation.

The last choice is the one promoted by the Spanish government as long as its policies in several areas but mainly in education have not changed towards an active intercultural approach. Nevertheless, the main issue is whether these individuals recognize themselves as real citizens, whether they see themselves as having the same

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<sup>90</sup> Esteve J.M, 1991, p. 133.

status in terms of rights and duties as the national citizens. As long as they hesitate about their position in the new society, the concept of tolerance as an attitude to be followed by the state and its members is understood as a relationship of power.

This subjective approach of the difference could be analysed in the light of the idea of new cultural racism as stated by GIROUX. This author criticises the traditional view of the difference and advocates its study through its effects or expression in quotidian life<sup>91</sup>. One of the possible effects that can be identified is the previously explained idea that the immigrant could have of himself or herself when they incorporate into a new society. According to GIROUX, “a representative pedagogy and representation policies should go further not only to promote a comprehension of the others and of one but in order to create institutional conditions, policies and necessary discourses through which the privileges (to the hegemonic cultural tradition) are not only merely exposed or eliminated but they are consciously turned reciprocal”<sup>92</sup>. This proposal could be analysed in the light of the reality of Spain, where the racist discourse towards immigrants is so deeply rooted in society that it requires a radical transformation of institutional conditions and mainly of the educative model in order to bring tolerant attitudes to society, not only in terms of respect but also promoting the eradication of any racist behaviour through the natural incorporation of immigrants into every area of quotidian life. Unfortunately, as we have analysed in the first chapter, education reforms by the Spanish ministry of Education are still based on the attitude of comprehension, which precludes a real transformation of relationships of power<sup>93</sup>.

The educative model and institutions in Spain are traditionally addressed to build minimum standards of tolerance through a graphic description of intolerance<sup>94</sup>. As far as this model lacks the idea of “functional acceptance”, it provokes discrimination of members of new societies and cultures in the public sphere and hostility from members of traditional culture is legitimised<sup>95</sup>. Thus, these groups of individuals are forced to apply for the worst jobs and they suffer difficulties in housing and a lack of awareness of the necessary scholastic requirements for their children.

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<sup>91</sup> Giroux H., 1993, p. 99.

<sup>92</sup> *Idem*, p. 122.

<sup>93</sup> Leite C., 2002, pp. 155-157.

<sup>94</sup> *Idem*, pp. 45-49.

<sup>95</sup> Walzer M., 1998, p. 69.



Racism in Spain is closely linked to class. Therefore, the curricular development of anti-racist education requires an analysis of economic and social structures<sup>96</sup>. The specific study of migratory flows in Spain leads us to conclude that, in numerical terms, racism is not based on differences in race, language or even history, as the biggest group of immigrants comes from Latin America. The difference can mainly be identified as new ways of life, different beliefs and different idea of the family. In spite of the fact that the present work is addressed to a study of Spanish multicultural society, we should not forget that this problem can be seen from different perspectives. Thus, racist attitudes exercised by Spanish nationals towards immigrants mostly coming from Latin America could be diagnosed more correctly as a social problem, avoiding the reduction of social conflicts to cultural matters.

Referring to the economic and social consequences of those attitudes, I agree with WALZER when he argues that “*the invisible poverty produces less risk but bigger misery, it contributes to a radical non-recognition and to a non-reflexive, automatic discrimination*”<sup>97</sup>. The role that immigrants play in Spanish society is identified with the type of immigration that they represent. Focusing this paper on immigrants from Latin America who are recognised as the ones that will seek employment that neither Spanish nationals nor members of other cultures, such as Moroccans, are willing or able to do. Whether the rejection of these jobs by Spanish nationals can be seen as a sign of prosperity could be analysed in the light of conduct of tolerance regarding the historical background of this country. Furthermore, although it is a positive data the fact that the great majority of Spanish youth, mainly in urban areas, is better prepared and educated in order to exercise qualified employments, there is not any kind of empathy but discriminatory and injurious discourse towards the persons that substitute them in non-qualified jobs.

I have mentioned historical background in order to show how members of a new generation can forget their own history in what could even signify intolerance towards their own ancestors.

Without delving too deeply into the historical details of migratory flows, the degree of tolerance that Spanish society today exercises towards Latin American immigrants is similar to the one that they received fifty years ago in a parallel situation. According to those who practice this racist behaviour, as long as their entrance in the

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<sup>96</sup> Leite C., 2002, p. 157.

<sup>97</sup> Walzer M., 1998, p. 71.

society is tolerated they are provided with equal opportunities despite unequal treatment. Certain societies, in this case Spanish, could take the position that immigrants as a group, and even as subject pertaining to rights are not at the same level or class as “nationals”, as long as their culture is “poor culture” based in values of poverty. Thus, this unequal treatment makes these citizens “invisible”, because even if they are not subjected to ill treatment, expulsion or expatriation, they suffer a natural discrimination in the sense that in every area of public life, despite being considered useful for the economic development of the state, they are continuously denied and suffer degradation in their everyday life. Even if the nationals consider themselves tolerant as far as they permit immigrants to be incorporated to social life, their will to maintain them as “invisibles” makes this practice intolerant<sup>98</sup>.

However, it would be unfair to charge the governmental institutions with this unequal treatment as it is public institutions, mainly through local delegations in each region and Autonomous Communities, which promote policies oriented to facilitate the incorporation of these individuals in the society. Moreover, these policies could become in some cases sources of conflict between nationals and immigrants, provided that some of public aid is explicitly limited to immigrants.

In conclusion, the role of the school as the most important institution responsible in the reproduction of the regime of tolerance is undoubted, provided that racist discourse has reached the highest level of socialisation, internalised among citizens as well as at lower degree, in the policies of the state<sup>99</sup>. In spite of the fact that the school establishes the minimum standards so as to recognise an equal value of these cultures<sup>100</sup>, an educative model has failed to develop instruments not only to make these individuals “visible” in the eyes of the nationals, but to emphasise the important role that the embrace of their culture and ways of life has for their children. An appropriate education model should be the way through which the children are taught to be individual citizens of a pluralist and tolerant society, which tolerates the free election of their own identity and cultural belonging<sup>101</sup>. In spite of the fact that in most of cases those decisions are already made by parents, there is an added value to society in the incorporation of these new cultures.

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<sup>98</sup> *Idem*.

<sup>99</sup> *Idem*, pp. 83-92.

<sup>100</sup> See references to cultural diversity in the L.O.E 2/2006 and in the Real Decree 1513/2006 in the establishment of minimum teaching standards in primary education.

<sup>101</sup> Walzer M., 1992, p. 86.

Nevertheless, we could see a positive trend in the recent laws promulgated by the Ministry of Education, as analysed in previous part of this work, in which diversity and positive understanding of cohabitation with other cultures in the school is provided. However the challenge of intercultural dialogue is not in any way faced with the promulgation in State laws of these ideologies as long as reality informs us of attitudes of assimilation and even acculturation.

The effect of this value of diversity will be seen in future generations and society as a whole will be enriched by this new reality, as long as the state is able to reorient the new socialisation of intercultural education in all spheres of public life.

## **4. THE INTERVIEWS**

### 4.1. The interview as a method of research

As far as the main objective of this work is to analyse the current scenario of the educative model in Spain referring to the specific situation of multiculturalism in the school system, current scholarly work focuses primarily upon philosophical aspects, often too theoretical for use in describing real circumstances. Therefore, I chose the interview as the way of obtaining deeper knowledge, not only about the application of education policies, but also in order to analyse real data about ideologies or opinions of the situation.<sup>102</sup> In the present case I have not followed strictly the methodology suggested by M. ANGEL SANTOS when he states that the best form of having good knowledge of a specific situation and its consequences is to ask to those immersed in the area of study to allow “constructive analyses and [the possibility of] being more democratic as long as the interview permits the participation of the subjects in an open manner.”<sup>103</sup> This becomes especially difficult when children are one of the subjects as the Law of Juridical Protection of the Minor<sup>104</sup> imposes severe conditions regarding any professional approach or interaction. I have not only designed a number of specific

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<sup>102</sup> Lessard M., 1994, p. 160.

<sup>103</sup> Santos M.A., 1993, p. 89.

<sup>104</sup> Ley Orgánica de Protección jurídica del menor 1/1996, B.O.E. 17th of January, 1996.

questions before the interview. I also drafted guidelines to be used during the interview in order to orient it according to the essential topics.<sup>105</sup>

However, so as to obtain an interview “oriented to the information”,<sup>106</sup> which means an interview directed by the subject from whom is elicited an opinion, I asked the questions based on my draft in such a way as to allow the person who was giving his or her opinion to put forward other perspectives and areas of discussion different from those provided in the question itself.

#### 4.2. A brief introduction of the interviewed

During the month of April 2007, I started to interview education experts. The interviews were designed to bring a practical and real perspective to the theoretical part of this work. As I based my work in the Spanish state all those interviewed are Spanish and resident in Spain, and each holds a different professional position related to the institution of the school.

I interviewed people from four different education centres in three different autonomous communities in order to adapt the conclusions to the specific situation of each region according to the actual multicultural reality. The four schools are: Pablo Picasso Public School of Primary Education of Laredo, in the Autonomous Community of Cantabria; Escolapios School a “*concertate*” school which receives public aid; Cervantes Public School of Primary Education in the Autonomous Community of the Basque Country; and finally the Institute Isabel la Católica of Secondary Education in the Autonomous Community of Madrid.

With respect to the professional skills of each interviewed person, I selected two headmasters, a professor and three expert professors in areas of intercultural education and linguistic compensation. The first person interviewed was HILARIO GONZALEZ FERNANDEZ. He is the headmaster of the small Pablo Picasso school in Laredo. He has held this post for more than 10 years and he also participates once each month in the meetings of centres of the area of Cantabria where opinions about new legislation and new practices within the institution of the school are exchanged.

Secondly, I spoke with MAITE SETIEN VIÑAS, who is responsible for interculturality at the same centre. In spite of the fact that this centre is not yet facing the

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<sup>105</sup> Lüdke J. and André M., 1986, pp. 36-39.

<sup>106</sup> Powney J. and Watts M., 1987, p. 162.

phenomenon of multiculturalism in the same manner as other communities such as Madrid, Barcelona or the Basque Country, due to the fact that the Autonomous Community is very small and its economic and labour circumstances do not make it attractive for a large immigrant population, she is already dealing with few cases of Chinese students.

Thirdly, I had an interview with BORJA MARTINEZ GUTIERREZ. He is responsible for the compensation classroom in Escolapios centre in Bilbao (Basque Country). Although this centre has a private character and is in the category of *concertate* centres, because they receive public funds they have the obligation to host children can not be enrolled in public centres for a variety of circumstances, including as their age. This is the situation that occurs between this centre and Cervantes School, which is geographically situated very nearby. Cervantes School limits their education for children until the age of twelve. Therefore Escolapios School has usually to host many of the children who reach the age of twelve in Cervantes public school, and is this professor who has to face the problems of curricular gap that the majority of these children face.

In Bilbao I also interviewed the headmaster of Cervantes school who is responsible for the linguistic compensation classroom. This small centre has been noted in the last seven years for having more than 50% of their students coming from foreign countries or having born in Spain yet belonging to different cultures, with the majority being of Latin American origin.

Finally, I interviewed CARMEN NUÑEZ, in the city of Madrid in one of the Secondary Education Institutes situated in the centre of the city. This professional has herself seen the evolution that educational institutions have undergone since the introduction of new cultures, as Madrid is the Spanish city that hosts the largest immigrant population.

It should be made clear that while the analysis has focused primarily upon the immigrant population when discussing multiculturalism in the classroom, I also focus my study on children from other different cultures who were born in Spain.

#### 4.3. The answers

***1. - Do you consider that school reflects the multicultural society that Spain is nowadays?***

The people whom I interviewed unanimously agree that schools clearly reflect multicultural society, because education in Spain is compulsory and free between the ages of six and sixteen. However, in the analysed cases, there is a new phenomenon. Depending on the region, certain schools have almost no children from other cultures. For instance, this is the case in the one of visited schools in Laredo (Cantabria), where, given that is a small town, services for the entrance of immigrants is a rare case. Additionally, the case of a private school is very different and subjected to the special features of the educative model of the Basque country. In this bilingual region, there are many difficulties in organising a linguistic model that is divided in three models. For instance, model A, a monolingual model in Spanish, model B, a mixed programme both in Basque and in Spanish, and model C, a monolingual model in Basque with the exception of subjects such as English or Spanish. Social and political reasons have led in the region to a gradual disappearance of model A. This fact has provoked a status quo in which the new reality of multiculturalism is more significant in those schools that have model A than those that do not, and has in some cases created a ghetto effect, gradually prevented by the Administration. According to the headmaster of the public school “Colegio Público Cervantes” the late reaction or incapacity of the administration in dealing with this reality has resulting in the fact that this school no longer really reflects neighbourhood in which is situated but instead assumes higher responsibilities to great for the nature and size of the centre.

***2.- To which extent are the Spanish schools recognising the phenomenon of immigration as a way of giving to children values of tolerance? Is this new situation reflected in any aspect of the curriculum?***

It seems to be up to the initiative of each professor to introduce the phenomenon of immigration into the subject that they are teaching. According to BORJA FERNANDEZ, professor of the compensatory room of the religious school “Colegio Escolapios”, professors today are too focused on programmes and deadlines to finish their materials. In his opinion, “it would be desirable to give a more important role to this issue, provided that is a social reality.” In conclusion, at this time, in expectation of the application of the new law (LOE), the treatment of immigration in schools is strictly defined as a cross-curricular issue.

***3.- Are the professors receiving any type of specific education in order to be more prepared to face the new multicultural society?***

Generally speaking I conclude that thus far, professors have not received any kind of specific education in compulsory means in order to adapt to the new reality. However, the study demonstrates, case after case, that the administration provides schools with students with special necessities, provided that they fill a set of specific requirements, with a number of both human and technical resources,. Despite regional differences, given that education is a shared competence by the Autonomous Communities and the State, there are already some schools that have incorporated different professionals in order to adapt and in some cases prevent the conflicts in the school as a consequence of the entrance of new cultures. For instance, I spoke with MAYTE SETIEN VIÑAS, the official responsible for interculturality in the public school “Colegio Pablo Picasso” from Laredo. As she confirmed, she was given three weeks of training in order to be prepared for the entrance of new cultures in the school. This course was free, funded by the regional administration “*Consejería de educación de Cantabria*”. She argued that much of the content of that preparatory course was focused on immigration, but oriented mainly towards the prevention of prejudices by professors towards this phenomenon. Secondly, there is also the “*profesor de refuerzo lingüístico*”, professor for linguistic compensation, for those schools in which the number of children who does not know the official language is more than five. (This data depends on the specific regional administration). For instance, the public school “Colegio Publico Cervantes” applied for a human resource for the task of teaching immigrant children the Basque language. In the case of this school, disadvantages regarding Spanish language do not exist because the majority of students come from Latin America, thus the emphasis must be put on the Basque language. Nevertheless, the availability of human resources, at least in the case of the Basque country, is not guaranteed, which means that even in very extreme situations, it is the authority representing the school who has to apply for this aid and the fulfilment of the requirements must be proven. According to AGURTZANE VIOTA, who is responsible for linguistic compensation of this centre, the administration provides a number of courses in order to educate the professors, however, these serve mainly as a space where they interchange their experiences. These

courses are not compulsory and the procedure is to recommend that the headmaster of the centre encouragement their professors to attend. There are usually organised at the beginning of each academic year, and once each month there is support session with other professionals in order to deal with the most difficult issues regarding the incorporation of new children. In conclusion, the administration provides the centres with specific courses for the education of their professors in values and human rights issues. However, these courses are not compulsory and there are a number of requirements, depending on the autonomous community, that each school must fill in order to have the possibility of attending to the courses without paying a fee. A similar issue is the availability of human resources, for which requirements are harder and the incorporation of the specific human resource sometimes takes too much time. This is the opinion of the headmaster of “Colegio Público Cervantes”, CONCHI ORCASITAS.

***4.- Would you be able to identify any conflict created in this school as a consequence of cultural diversity? Has the school foreseen any specific mechanism in order to face or even avoid these conflicts?***

There is a unique answer to this question, as none of those interviewed could identify any conflict between children as being a consequence of cultural diversity. As stated by BORJA FERNANDEZ, the conflicts provoke by these children are no different from those created in the school as a consequence of other circumstances. In his opinion, as in the opinion of HILARIO FERNANDEZ and MAYTE SETIEN, children are more tolerant than adults. She argued that in primary education children suffer a kind of excitement with the arrival of children from different cultures. In her opinion they very much like the idea of already having knowledge about things relating to the school and being able to teach what they know to their new peers. In this context, the initiative of “Colegio Público Cervantes”, when a new child enters in the school, was explained to me. AGURTZANE VIÑAS, introduced me the figure of *the ambassador*. This initiative means that when a child from another culture or an immigrant child enters the school, a student already in the school must remain with him or her until the new students gets used to the habits and rules. Nevertheless, in the context of “Colegio Público Cervantes”, this idea was only made regarding immigrant children, as far as a situation in which a new indigenous Spanish child enters in the school in model A, this would be totally unusual. BORJA FERNANDEZ shows us the case of a Venezuelan girl who entered



school at age sixteen, after having spent only fifteen days in Spain and after having spent one academic year without being educated. BORJA FERNANDEZ told us that at the beginning this Venezuelan girl felt lonely and that she expressed her desire to go to another school in another city where she knew more immigrant student. Nevertheless, with the aid of her professor and two other classmates she started to feel better and to find new friends. In BORJA's opinion this situation is not a consequence of a specific cultural difference but a normal attitude that any child would suffer in the same circumstances. In the opinion of MAYTE SETIEN from "Colegio Pablo Picasso", children do not know anything about racism, cultural differences or minorities. Nevertheless, she pointed out that this is her personal view bearing in mind that she works in primary education where children are very young.

***5.- Today, there are many activities addressed within the school to promote human rights protection and education for peace in a pedagogical way. Is this enough to lead children to feel like citizens of the world, understood as making them aware of the reality of the world in which we live?***

All answers similarly defended the legitimacy of these activities in that most cases are growing more and more within the institution of the school. However, HILARIO FERNANDEZ and MAYTE SETIEN are very sceptical about the idea of the school as the main instrument to promote values of tolerance. Although both agree that school is a second home for children and that the work that they do is basic in the education of human beings, they hesitate regarding the power of the institution of the school over long-term periods. They emphasise that in their school everything is done under the main idea of educating citizens. However, they think that the strength of the social media is in some cases too strong. Specifically regarding immigration, they think that the attitude of individual families is very important. On the other hand, BORJA FERNANDEZ, from "Colegio Escolapios", and CONCHI ORCASITAS, from "Colegio Público Cervantes", think that these activities are not sufficient even if they manage to make children sensitive to these realities. They argued that these activities are normally forgotten by children or only related to specific days. In the three centres, except "Colegio Escolapios", activities have been organised to give to immigrant children the opportunity to talk about their countries and about their customs. In "Colegio Escolapios" there are many activities during the academic year oriented to make their

students sensitive to issues of poverty. However, although immigration is not specifically addressed, there are many references to it. According to BORJA FERNANDEZ, the school should more deeply examine this phenomenon. In conclusion, in spite of the fact that these activities are seen as positive actions by the professors, all agree that is not enough. Referring to the concept of citizens of the world, BORJA FERNANDEZ thinks that this task has not been achieved by the current educative model. According to CARMEN NUÑEZ, from the Institute of secondary education “Isabel la Católica”, children are tremendously uninformed about the news of the world. She stated that their students do not know anything about the situation of the world nowadays. Moreover, she told us that the students that she teaches from different Latin American countries are completely unaware of things that are happening in their own countries.

***6.- Do children from different cultures have any kind of different treatment in terms of curriculum or language learning? Does the school provide activities in order to host these children when different treatment is required?***

As the majority of children from other cultures are coming from Latin America, this question related to language learning received a negative answer from all of the interviewed professors, except in regions with two official languages, such as Basque country. Regarding the curricula, it was commonly agreed that, generally speaking, these immigrant children enter the schools at lower levels in comparison with native children. CARMEN NUÑEZ thinks that the reason for this gap, in curricular terms, could be the fact that they come from the poorest areas of their own countries. Nevertheless, she emphasises the quality of their Spanish. In spite of the fact that the administration obliges the authority of the schools to respect the concordance between age and course-year, BORJA FERNANDEZ told us about a case of one student that the school decided to put in a lower course than that determined as correct according to his age, because the curricular gap was too great. However, only in “Colegio Público Cervantes” is there any kind of specific programme in order to assist these children upon their arrival. In most cases they argued that these activities are done in a natural way and focused mainly on the role of the professor dealing directly with the new student, who is usually called “tutor”. The plan of “Colegio Público Cervantes” is mainly addressed in the same terms, as it introduces the idea of informing the other students about the arrival of a new child and is usually followed by a brief introduction of the country of the child. However, all

the schools deal with these situations generally in the same way, giving much importance to the role of the professor that is going to be with the student day by day. In conclusion, all agree that it must be a spontaneous attitude that welcomes the arrival of a child from a different culture, provided that children do not need to label anybody as different to incorporate them to their own world.

***7.- Would you be able to assess to what extent the Spanish society in general and the educational institutions in particular, perceives multiculturalism as a problem for which the school is responsible for addressing as an element of personal and social enrichment?***

According to the headmaster responsible for interculturality of the public school “Pablo Picasso”, the change referred to in the question is a very long process with which the school has little to do. Both agree that families are usually very resistant to big changes within the classroom and MAYTE SETIEN has the opinion that the school as an institution should not put a number of measures oriented to deal with this new phenomenon under the approval of parents. In the view of HILARIO FERNANDEZ, these concepts of education in values and human rights in the school have existed since the introduction of the “*escuela libre de enseñanza*” in the Republican period. However, he thinks that these theoretical ideas are insufficient to advance the school in a good way. He opts for the introduction of more technological advances and trust in the capacity of the school without forgetting the difficulties that it has to encounter. Secondly, the headmaster of “Colegio Público Cervantes” thinks that if the school as an institution is not being properly adapted to this new reality, this is somehow as a consequence of the fact that the administration is still unprepared for this phenomenon. In her opinion there are still many attitudes in the administration, such as the distribution of children among public schools, that demonstrate that the education authorities are not prepared for what is coming in the future. She thinks that children should be distributed according to their residence and the conditions of the school at the moment of arrival. Nevertheless she argues that as children’s families are not very stable, resources are postponed and decisions are less immediate than they should be. Thirdly, according to BORJA FERNANDEZ, even if society in general is changing towards a positive view of immigration, this change is very slow within the school. He thinks that these children adapt to us but that we continue without knowing anything about them. In the centres

that we visited the majority of children from different cultures were Latin Americans, which, in the opinion of BORJA FERNANDEZ and CARMEN NUÑEZ, makes the integration of these children easier.

#### 4.4. Conclusions of the interviews

According to the information gained in the interviews, I have drawn different conclusions.

Firstly, referring to the specific territorial division of Spain into Autonomous communities, the impact of the intercultural education programmes is very different from one region to another, depending on the number of different cultures present in the schools of each area. As each community has the faculty to develop the competence of education according to its own necessities, there is not a homogeneous scenario in this aspect.

Relating to the specific case of bilingual communities in Spain, the risk of the creation of ghettos is more likely, as a consequence of several factors. On the one hand, the co official character of the second language in these communities leaves very few public centres with a Spanish monolingual model. Moreover, even in private or public funding centres the choice of the monolingual model is unlikely as long as their study programmes must fulfil minimum requirements from the administration. The territorial policies make these requirements very strict in the aspect of the second official language, as far as during the dictatorship their public use was forbidden. Thus, it is in the young democratic era of Spain these languages had the opportunity to recover their status. This is the reason that justifies the deference by the governments in all policies related to their promotion and respect.

On the other hand, foreign cultures present in Spain, as a consequence of their mobility, do not usually have the will to incorporate their children into an educative system that obliges them to learn a new language and a new culture. They do not usually know about the cultural and linguistic richness of different regions. It is only when that they decide to settle in a specific region that they start to have a more open view of this diversity. Nevertheless, bearing in mind that the majority of cultures present in Spain are Spanish speaking, the difficulty of learning a new language is clearly opposed to the easier conditions that imply for them the fact of having to adapt to a curriculum in their same language.

Nonetheless, these choices also depend on the region and the regional language, as long as most of the official languages apart from Spanish have similar linguistic rules being derived from Latin. For instance, the Catalan and the Galician are quite similar to Spanish, especially to Spanish speakers. However, there is an exception. This is the case of the Basque language, which does not have Latin roots and is considered an extremely difficult language to learn. Thus, the Basque ombudsman has advertised in his report of 2006 the necessity of facing these linguistic inequalities in the centres with a major number of diversity elements through measures of positive discrimination<sup>107</sup>. These measures would be mainly focused on a larger number of human resources in order to lead to specific programmes of attention to diversity.

Secondly, the inclusion of the phenomenon of immigration in curricular programmes is done in the Spanish school to the same degree as many others cross-curricular issues, such as xenophobia, racism, gender issues or environmental protection. However, the recognition of this reality as a way of translating values of tolerance, is basically left to subjects such as religion or ethics, and in the future the well-known subject of “Citizenship Education and Human Rights” (*Educación para la ciudadanía y los Derechos Humanos*).

Whether the content of curricular programmes is well distributed and translated through the only tool of textbooks is a much criticised question among professional teachers. Furthermore, the increasing security and psychological stability problems of teachers of primary, but mainly secondary education have provoked discouragement among teachers. A recent questionnaire states that the 6% of the teachers in Spain feel a lack of motivation<sup>108</sup>.

These circumstances do not facilitate the introduction of new methods of teaching by teachers or school centres’ framework out of the following of a text book. This is the reason why many non-state educative movements such as Movements for the Renewal of Pedagogy and teachers at individual level have penalised the inclusion of this new subject of “Citizenship education and Human Rights”. They think that “*to reduce the citizenship education to a simple subject can empty of content the construction of democratic models in the educative centre*”. According to these movements in order to create those democratic models “*it is necessary the implication*

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<sup>107</sup> Informe Extraordinario Ararteko 2001, p. 168, available at [www.ararteko.net/webs/iextras](http://www.ararteko.net/webs/iextras) (consulted on 24 May 2007).

<sup>108</sup> Trabajadores de la enseñanza, FETE-UGT, nr.79 March- April 2007, p. 4.

of all the areas and the community education”. They add that “*citizenship education can not be left, reduced and limited to a form of a simple subject*”<sup>109</sup>. Moreover, the strict following of a text book in all subjects makes very difficult in the teachers the introduction of transversal contents. The transversality means that these values and knowledge are present in all the areas and subjects taught in the centre. This method was the one used by the schools and teachers until the introduction of the subject of Civic education by the L.O.G.S.E. (1990) and the “Citizenship education” by the L.O.E. (2006).

Nevertheless, from the information given in the interviews we could conclude that the introduction of the phenomenon of immigration is not always well received by immigrant children. In many cases they have experienced traumatic circumstances and they do not want to share these situations with their classmates. Moreover they usually know what an immigrant is supposed to be in Spanish society and they do not feel comfortable with the idea of making their personal history public.

In some cases the assistance of different associations, such as S.O.S. Racismo and others would be desirable in order to face the lack of capacity of the educative community to deal with these difficult circumstances within the school. However, this context can be radically different depending on the number of immigrants in the centre and on their own cultural attitudes.

I could identify among all the visited centres three different types of centres. Firstly, there are centres where cultural diversity does not support a multicultural reality at all, in which children from other cultures are a minority. In these cases, children tend to assimilate and integrate as soon as possible. In most cases these children are coming from immigrant families and refuse their own roots and culture, as a consequence of the reaction of the majority to the phenomenon of immigration.

Secondly, there are those centres with a number of foreign children, large enough to create “*compensatory rooms*” where these children tend to unify and make their own groups. They usually have curricular gaps that oblige them to remain in these compensatory programmes for an extended period of time.

In this context, two hypotheses could be identified. On the one hand, the fact that they tend to assimilationist behaviour could lead us to think that it is not only the institutional method of integrating new cultures which provokes their isolation in certain

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<sup>109</sup> C.M., *Los movimientos de renovación pedagógica sugieren que la Educación para la ciudadanía no sea asignatura*, 11 december 2006, El País, available at [www.elpais.com](http://www.elpais.com) (consulted on 20 May 2007).

spheres of the society. On the other hand, in spite of the fact that they tend to unify, normally they also experience a kind of auto-denial to their cultural customs, which could be recognised as a lack of an active position towards interculturality. If a dialogue between all present cultures would be given in equal conditions they would be proud of keeping some of their identity elements.

Finally, there are centres where, as a consequence of political measures in favour of a respect of a minority language or a co-official one, all the children of the Spanish model are from foreign cultures, both immigrant children and children whose families are nomads, who are not interested in learning the regional language. This is the case of the public school “Colegio Público Cervantes” in Bilbao where more than 60% of children in the A model are immigrant children. Even though the headmaster of the centre does not identify it as a ghetto, the report of the Basque Ombudsman<sup>110</sup> advising about the risk of the creation of ghettos in Spanish public schools was addressed to this kind of situation<sup>111</sup>.

The risk of the creation of ghettos in public schools is the one of the biggest problems that must be faced as a consequence of the increasing migratory trends in Spain. Many European and national institutions such as the European Observatory for Racism and Xenophobia<sup>112</sup> and the Economic and Social Committee (CES), a consultative organ of the central government, have advised in their reports about the negative consequence of a lack of consensus in the distributive policies among different administrations and organs. The responsibility is in the hands of local and regional education administrations. “*Scholar ghettos*” would imply an indirect violation of the obligations regarding the right to education provided by international mechanisms in the homogeneous scholar scenario. As AGUADO states “*the homogeneity is always a deliberative action of ordering, classifying and controlling (politically, socially, psychologically or through education)*”<sup>113</sup>. Therefore, homogeneity in the classroom would imply the lack of a proper scenario in which to translate the main moral and

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<sup>110</sup> Informe Extraordinario Ararteko...cit., p. 96.

<sup>111</sup> Informe Anual 2005 – Resumen – Observatorio Europeo del Racismo y la Xenofobia, p. 14, available at <http://eumc.eu.int/eumc> (consulted on 2 April 2007).

<sup>112</sup> *Idem.*

<sup>113</sup> Aguado T., 2007, p. 45.

democratic values. The elimination of this risk has to be done primarily through a correct distributive policy in the educative centres.

Whether the current distributive criteria should be altered in order to adjust to new circumstances is a difficult question. The current criteria are mainly parent's choices, the proximity to the centre, the income tax of the parents, the age of the applicant child, and the presence of direct relatives in the same centres, such as parents or brothers and sisters. However, here again arises the heterogeneous nature of the Spanish system that does not limit their educational choices to public and private centres, but has a third type of centres called "concertate centres" that despite their private nature in the organisational scope, are public funded in partial terms. Whether the reform of these distributive policies should not be limited to public schools is one of the most highlighted questions by non-state educative actors and public institutions such as the Basque Ombudsman and the CES.

This Committee has raised concern about the increasing concentration of foreign students in public centres. The data show that at state level 81.6% of foreign students are enrolled in public centres and these numbers are higher in the case of some autonomous communities such as Murcia and Castilla la Mancha where the foreign students reach the 90% of the total in public schools<sup>114</sup>.

In the Basque country the Ombudsman has presented a recommendation to the Basque government in order to adopt a system of quotas for the distribution of immigrant, disabled and gypsy children among both public and concertate schools. In the opinion of this institution, the increasing entrance of immigrant children in the community makes it necessary to adopt positive measures. The argument given in the report is that both kinds of centres are financed by public funds, while 68% of immigrant children are concentrated in public centres. However, the government seems to disagree with the proposals of the quotas, as they think that is detrimental to the rights of parents to choose the education centre for their children.

In spite of the fact that the solution of quotas has several legitimacy problems for a democratic society, the increasing phenomenon requires some kind of positive measures in order to reorganise that educative system towards a space where every child, from any culture and with any type of customs has a position from which to both learn and teach the others.

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<sup>114</sup> Memoria Anual del CES, 2006, p. 483, available at [www.ces.es](http://www.ces.es) (consulted on 8 June 2007).



Referring to the practical difficulties that children face coming from foreign countries or other cultures different from the Spanish tradition it is important to focus on the curricular gap that these children usually have. Generally speaking, all the educative administrations follow the same rule in relation to the level that these children have to occupy when they are lately incorporated to the academic year. The general rule is that they have to be in the level that corresponds to them according to their age. However, when the curricular gap is large enough, they have to attend “*compensatory classes*”. These classes are designed to provide the support required for any kind specific area or subject needed to fill any particular curricular gap experienced by these children. In schools where the number of children that do not know the Spanish language is big enough, these compensatory classes could have a complement in “*linguistic reinforcement*” courses. This is most common in the south of Spain, both in Andalucía and Murcia, where the number of immigrant children coming from the Maghreb is larger than those from Latin Americans. However, in the rest of the country these “*linguistic reinforcement*” courses, in the case of the Spanish language, are within the scope of the “*compensatory classes*”.

In general terms I would not agree with the implementation of this kind of programmes, as from the theoretical perspective they could stigmatise these children even before of them the opportunity to learn. However in a measured way, keeping these classes only for a limited portion of the scholastic schedule and providing these students with the fundamental tools for socialisation within the major group, I consider in light of some of the examples given by the interviewed that they could have a very positive effect on these students.

For instance, the case of the Venezuelan girl referred by the professor of compensatory classroom in Colegio Escolapios, given proof of the potential benefits of these kinds of measures. Nevertheless, the differences between autonomous communities are also critical in this issue. For instance, each autonomous community has a different name to designate these kinds of compensatory programmes, such as *Programmes of shared scholarisation*, *Specific groups of educative compensation* or *Unities of adapted Curriculum*. Furthermore, these programmes are oriented to different ages in each community. Thus, while in the Community of Madrid there are three types of programmes for different ages, in Castilla La Mancha these classes are

addressed to students under sixteen years old and in the Basque Country and Catalonia to those between the ages of fourteen and sixteen years old<sup>115</sup>.

Nevertheless, it seems to me in the light of the declarations taken from the interviews, that these programmes are organised *ad hoc* by the headmasters and teachers of the centres according to the specific circumstances that can be imposed with the changes in the society and bearing in mind the specific nature and traditions of each centre. While in some cases the support of an independent professional is required for the administration, a scenario of more coordination would be desirable for educative professionals and of non-educative institutions, such as the Minor Defensor, Social Services or the Ombudsman. This would facilitate not only higher quality programmes for children with specific needs but a multidisciplinary perspective because education is the motor of the current and the future society.

Finally, referring to the evolution of the educational community towards a real intercultural attitude in schools, the case study shows us that this interculturality is not still a reality as far as the enthusiastic embrace of new cultures is not achieved in terms of the enrichment of the whole society. In spite of the fact that in most cases children coming from foreign countries with different cultures are willing to integrate in the traditional culture of Spain as a reflection of Occidental culture, the system and the attitude of individuals around the educative community in general does not generally encourage them to keep and respect their own cultural traditions.

As some of the interviewed have stated, even if there are still some features of their own culture that are deeply rooted, most of them forget their own country quite early on and in most of the cases do not want to go back. In conclusion all of them agree that these children adapt themselves to the majority and to the monocultural education given in the school.

It must be highlighted that all the interviews have been done in centres where the majority of children with different cultures come from Latin America. This fact could facilitate the assimilationist attitude of these children. Nonetheless, as some of the interviewed have emphasised, we can not forget that Latin America is a huge area where each country has each own traditions and cultural roofs. Despite their similarities, these children from different countries in Latin America have different customs and traditions that their parents and families try to keep after they arrive to Spain.

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<sup>115</sup> Trabajadores de la enseñanza...cit., p. 12.

The case of children from the Maghreb is quite different, as a religious element plays a fundamental role in their way of life. In spite of the fact that the Spanish society is more and more open to other religious practices, these cultures are still considered to be in a second class stage and are inevitably linked to a specific social and economic class.

## **GENERAL CONCLUSIONS**

Bearing in mind all the perspectives and theories analysed in this work there is, from a pragmatic point of view, the necessity to emphasise that Spanish multicultural society is not a theoretical concept but a social reality beyond the debate among scholars. Whether this reality is naturally accepted is a new question, as in the case of Spain, the entrance of new cultures is a quite recent phenomenon. Furthermore, the fact that this acceptance is intimately related to education is difficult to assimilate both by the government and society in general. Nonetheless, there exists among educative actors a kind of anxiety about the language in the sense of terminology that is used by policy makers to describe this reality. Therefore there are two direct consequences of this context. The first effect is the lack of an institutional framework within the projects done in the context of intercultural education. Secondly, there is a lack of dialogue between different educative actors.

Referring to the first consequence, it must be highlighted that the specific situation of the Spanish territorial division prompts a decentralised system which is also applied in the case of the competence of education. As has been explained throughout this work, the competence of education is a state competence and therefore it is based in state law. However, the autonomous communities have the faculty and obligation to develop that law according to their own particularities, although there are some statements that are common for all territory.

The Educative Administrations in most cases exercise an informal and indirect supervision of the activities done in the area of intercultural education. As there is not a strong and clear regulation about what does this term means or the way of implementing it, the teaching professionals and the headmasters of the schools have to choose the proper opportunities by themselves. In this context, many projects of intercultural education such as those oriented towards implementing bilingual programmes or specific campaigns facilitating the respect of the gypsy costumes in daily school life

have been elaborated. Although these programmes could be in some circumstances financed by the administration, there is not a real will for monitoring and reporting their benefits for the whole educative community.

The way in which the administration regulates the education of teachers in order to adapt their skills to the new reality and the new measures proposed both by national and international legislations could be criticised along the same lines. However, according to the Minister of Education the current organic law is<sup>116</sup> “*the one that biggest relevance gives to the teachers, to their professional task and to their social recognition*”. She stated in a recent meeting that the education of teachers “*will incorporate all the resources that we consider necessary to face the necessities of current society*”. Among these are oriented those oriented to facilitate the long-life learning, according to European mandates. Moreover, the new regulation will favourite the mobility of the teachers and will incorporate foreign teachers into the Spanish education system, according to the mechanisms adopted within European education system.

The question of whether teachers should be educated in a formal way in order to adapt their professional skills to the new scenario in the classrooms is not resolved among scholars. As a matter of fact, public courses for citizenship education and human rights addressed to teachers are not compulsory, but up to the headmasters of the schools. Neither the teachers are nowadays obliged to follow this kind of courses. Moreover, these courses are mainly oriented to the issue of immigration which can be understood as a weak position towards a real intercultural education.

If the intercultural programmes are exclusively or mainly focused on the immigrant population, the element of dialogue between all the cultures in equal terms would loses legitimacy. However, there is incredible networking in the area of intercultural education available for everybody but specifically designed for teachers. In many cases this is the most used method by the teachers in order to be updated about the possibilities in this field, not only in the Spanish area but also at the European and international level.

Even though these projects are designed by non-state actors, the public administration is normally present in an indirect form appearing as partner of the project through any of their departments and sections. This is the case of the “*Inter Project*”<sup>117</sup>,

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<sup>116</sup> Cabrera M., Comunidad Escolar Año XXV, nr. 811, 6 June 2007.

<sup>117</sup> See Inter Project, available at <http://inter.up.pt/inter.php?item=project> (consulted on 27 May 2007).

promoted by the Spanish Distance University (Uned) and many other actors from the university field. In spite of the fact that the Ministry of Education is not directly present as a partner in this mission, the Superior Council of Scientific Investigations (CSIC) is. At the European level there are a number of projects oriented to implement and monitor the intercultural ideas in the methods of the school teachers. For instance, the *A Classroom for Difference* programme is another project created at European level through the coordination of CEJI (Centre Européen Juif d'Information) and national partners. This programme is an anti-prejudice diversity training programme designed for teachers, administrators and other staff members in the school community<sup>118</sup>.

Nevertheless, currently, there are number of good and effective proposals, but to a limited scope and there is the absence of a real institutional guide.

Relating to the second consequence, there are two dimensions within this conclusion. On the one hand, there is the national level, within which I could consider the dialogue between teachers and the educative administration. On the other hand is the European level that would include not only administration but also policy makers, and represents of the European civil society, specifically in the field of education.

According to the current law on education (L.O.E 2/2006), the first level was somehow fulfilled in the approval procedure of this text, as it was the first time that the opinion of civil and social actors was demanded in an open process. However, as has been concluded from the interviews, there is not a coordinated dialogue between teachers and the educative administration. Referring to the specific issue of intercultural education, all the activities done in this area seem to have either one promoter or another but in most cases they lack the desirable coordination.

I consider that there is a big distance between the objectives followed by institutional actors from the theoretical point of view and the ones aimed for by the teachers and other non-state educative movements in daily school life.

## **RECOMMENDATIONS**

From a legal point of view.

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<sup>118</sup> *A classroom of Difference*, Project of Schools for inclusive societies, CEJI, 2007.

At International and European level, several projects born with the support of European Union and the UNESCO should have to continue working to augment the scope of their networking both to national institutions and to the school community specifically to the teachers.

At the national level legal recommendations in this work are going to be addressed both to regional and state legislator.

Firstly, referring to the recommendations that affect the general organisation of the educative system and its priorities, a legal review should be raised to the parliament in order to establish concrete rules for the distribution of children in the schools, both in public and concertate centres. This measure should avoid the risk of the creation of “*scholar ghettos*” in public schools, as a consequence of massive enrolment of children from different cultures and origins. The proposed law should not be limited to those autonomous communities that are more affected by the massive entrance of immigrants but extended to all autonomous communities in order to implement this pluralistic tendency in the education system at a general level. Furthermore, this measure should be complemented with a review of the distributive criteria, attending primarily to indicators of social justice.

At the level of the autonomous communities, this proposal must be followed by measures of positive discrimination towards those centres that, as a consequence of specific characteristics such as the localisation or structural features, include higher proportions of children recently introduced into the Spanish education system. This positive discrimination should be addressed towards the assignation of resources. The procedure could be described by a number of criteria so as to classify the centres that as a consequence of specific realities promote a larger amount of intercultural education projects. However, these independent projects should always complement those promoted by educative administrations in official procedures.

Secondly, a more accurate system for teacher’s education should be designed. Currently, the profession of teacher in public school is organised through a system of the public offer of jobs, in identical terms as judges, tax inspectors and other civil servant posts in the public administration. This system provides the procedure of a list of taxed conditions and equal opportunities to all the candidates in written and oral exams. Each level of education has its own conditions and procedures. Nevertheless, as is the case with every other civil servant, once that they pass their exam and can access to a post they can never be removed. In spite of the fact that the system provides a

number of courses and obligations for teachers over the long life of their public contract, reality shows several cases of experienced teachers discouraged and old-fashioned in their teaching methods. Furthermore, society has tremendously changed in the last decades with respect to the scholar scenario, which provokes the collapse of many professionals that entered the school under different social conditions.

Therefore, I consider that the system should be modified both in order to renew the motivation and the wills of teachers and to adapt education professionals to the multicultural reality. For the first objective I think that new merits should be assessed in order to promote the best quality exercise of the profession by teachers in all stages of the career. Thus, a dynamic and frequent observatory task should be exercised by educative inspectors, so as to avoid the permanency in teaching of those professionals that do not show the required skills and motivation for such an essential task, and obliging them to receive the assistance of renewal courses and initiatives. For the aim of adapting teachers to the multicultural society that the school reflects, two positions can be adopted. On the one hand the one defended by a group of teachers and scholars that provides that intercultural education should continue being an amount of transversal contents present in all the areas and subjects. In this case the education of teachers is more oriented to the promotion of initiatives of new teaching methods and practices within the classroom. On the other hand, there is the position that defends the formal education of teachers in areas such as Citizenship Education and Human Rights. This is already being implemented by the Ministry of Education and Sciences. However, these courses are not compulsory but up to the decision of each teacher or, in some cases, the headmaster of the centre.

I consider that general courses should be implemented and made compulsory for teachers in all the areas that pertain to the sphere of the human being as I understand the role of the teacher as something more than a simple translator of content. These courses would also renew the personal motivation of each professional enabling an attitude open to the permanent long-life study provided by the L.O.E. as one of its main objectives. Nevertheless, I think that the old methodology of transversal contents should not be put out of the school as long as the activities and explanations done in this context, with a reflect in quotidian life the formation of personal identity. In conclusion, again a collaborative trend between both positions is desirable. In relation to the subject of Citizenship Education and Human Rights, I consider that it requires constructive participation from educational centres and from the teachers. From my point of view

there should be promoted from the administrative organs the particular initiatives of the centres in order to improve and design the methods on which the teaching of this subject will be based. If the educational centres through their headmasters and teachers feel the power and autonomy in the process of designing the teaching methods of this subject, a higher degree of motivation would be implemented among the school community and the real aims in this area would be achieved.

Thirdly, an institutional framework must be created for the initiatives born in the light of intercultural education. In this context the so-called coordination must be implemented between education administrations and education centres. This coordination should not be drafted as a group of non-binding measures in the area of good intentions, but to some degree should have legal support in order to institutionalise the communication between the legislator and the professionals of education in the legislative task of promulgating rules that fill the gaps that affect the scholastic life.

In relation to the previous recommendation, I should turn to the position of the students in the organisation of the education system. I think that a higher participation of students is required not only in the school but in the desirable dialogue between educative administrations and the scholastic centres. In spite of the fact that I do not consider the participation of the families in decisions that affect issues such as intercultural education to be fundamental, I think that a controlled participation of students would encourage them towards a higher understanding of public life. Furthermore, these kinds of initiatives would be very effective in the task of making children aware of the world's reality, as long as once interest in social affairs is achieved is easier to make them empathetic to real economic and social circumstances in the international community, taking profit from their capacity to absorb all kinds of information. There is no doubt that this proposal is addressed to older students in secondary education. However, the fact of seeing their equals in the decision making procedure, no matter at what level, would facilitate the empathic attitude towards a change in their social behaviours.

Finally, I would suggest to the Spanish Ministry of Education the incorporation into their programmes and legislations of an intercultural perspective with regard to European directives and to the objectives promulgated by the Council of Europe, being aware of the fact that this institution is one of the first European organisations to orient several project and initiatives to the intercultural education context. This intercultural perspective shall not be limited to education but extended also to immigration policies.



In spite of the fact that these regulations are very difficult for governments to adopt as far as economic indicators are involved, they should facilitate and promote the participation of immigrants in the public sphere, enabling natural integration in the institutional system, which would facilitate the incorporation of this intercultural perspective.

#### From a non-legal point of view

Several actions and projects have been done within the educative community in order to promote intercultural education. However, these actions seem to lack the correct diffusion and communication with the other actors. Furthermore, one of the difficulties with this diffusion is the anxiety provoked among the educative community by the lack of consensus in the language used to define the current situation of diversity in the school. In spite of the fact that, even among scholars, the terms multiculturalism and interculturality provoke several debates, it is necessary to not hesitate in the use of the most active and challenging theory of interculturality.

In the opinion of CESAR BIRZEA<sup>119</sup>, “*the concept of intercultural education does not exist in the scope of the classroom but is a pragmatic approach*”. In order to make teachers and educative actors aware of the importance of the attitude to be followed in this context within the school and towards students, it must be a clear exposition of ideas and concepts by the legislator and by the administrations, mainly when the controversy arises from such a philosophically debated concept. The reluctance of teachers and headmasters to develop an opinion about these concepts leaves no doubt of this terminological confusion. The importance of the language used also affects the way in which each actor assesses the phenomenon and the attitude to be adopted in order to achieve the aim of intercultural dialogue. Moreover, the discourse used by the legislator through one language or another has several implications in the degree of institutionalisation of the actions and projects designed to promote respect between cultures. Thus, the current context of isolated actions within different scopes would require the guiding voice of the law and governmental policies in order to achieve more global effects.

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<sup>119</sup> Birzea C., intervention in the concluding session of the conference The Intercultural Dimension of citizenship education: The North and the South in a postcolonial Europe, 04-05 June 2007.

The aim of these kinds of intercultural programmes should be the progressive and natural internalisation of an intercultural attitude by all students and by society in general, in order to move towards an enthusiastic acceptance of others and the elimination of the fear of other cultural practices present today in our society. In the latest municipal elections on the 27 of May 2007, parties with strong anti-immigration commitments in their electoral programmes increased their number of votes in many regions<sup>120</sup>. As long as this intercultural attitude is presented to us as a personal choice and a personal way of life, “racist and xenophobic behaviour” will persist in our society. In spite of the fact that I consider the actions of non-state actors as fundamental and effective in this issue as those of public institutions, the role of the legislator is essential in order to achieve changes in social behaviour.

Nevertheless, a social sensibility and the implication of social agents must be promoted from the public institutions. Bearing in mind the feeling of distrust that provokes in the society the measures promoted by the government through the politicians, a real coordination of social agents, media, non-state actors and the educative community would be desirable. In order to give these actors the adequate tools for the transmission of intercultural values and the respect for the immigrant community, a coordinated policy must be designed by governmental institutions. Nonetheless, it makes no sense to decouple the school from the economic and social reality both at the national and international levels. School must be the first tool through which make children become aware of world’s reality. Therefore, a world perspective curriculum and transversal contents should be introduced in the educational system.

Referring to the educative community, the efforts made in the formulation of intercultural education projects, such as that bilingual project with the partnership of the Council of Europe done in one school in a poor neighbourhood in Valladolid<sup>121</sup> or many other intercultural actions, must be continued. Each decision adopted in the centre is essential for the treatment given to cultural diversity. Much racist behaviour is obviated in the school under the idea that there are actions that can not be avoided by education. Thus, this solution leads to their perpetuation, translating the message that it is not something important for the real objectives and outcomes of the school<sup>122</sup>. In these

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<sup>120</sup> Pi V., *Los partidos “ultras” y antiinmigración tocan poder...*cit.

<sup>121</sup> Victoria Bardón, intervention in the International Panel with Basic and Secondary school educators in the conference The Intercultural Dimension of citizenship education: The North and the South in a postcolonial Europe, 04-05 June 2007.

<sup>122</sup> Aguado T., 2007, p. 151.

cases, the personal efforts of teachers and headmasters of the centres has been essential to achieve the followed objectives. Furthermore, in a strict academic context, a specific coordination is required between centres of the same area and different educative levels in order to control the possible consequences of the arrival of children with specific necessities to higher levels where the risk of cultural dislocation is larger. Moreover, the influence of the social media is much stronger in secondary than in primary education.

In relation to possible conflicts aroused in school as a consequence of a cultural clash, two positions can be defended and promoted. On the one hand, the most extreme position defends the prohibition of any culturally related behaviour or manifestation within the space of the school. This approach has a terminological impediment because cultural features are used in communication, in the interactions of quotidian life and, in consequence of daily life in the school<sup>123</sup>. On the other hand there is the position that allowing the publicity of cultural and religious practices, limits the promotion of determined practices. Bearing in mind the measures taken in France with the prohibition of any religious references in the public sphere of the school, I consider that we should not go so far, but establish a real and strong system that would automatically eliminate the proliferation of any practice in opposition to universal commitments in the respect of human rights.

Finally, it is unclear which influences the other more, a lack of intercultural education that would otherwise make society aware and empathetic towards the multicultural reality of today's Spain or a lack of sensibility regarding a population that risked their lives (and those of their children) to achieve a dream that has never arrived.

However, a change in the behaviours of each individual towards this reality is my recommendation for the whole of society. For those who still develop their personality by profiting from the cultural richness of our society and having the opportunity to growing in a self-critical way, the evolution of the education system will improve that aim. For those who still think that sexist and racist Spanish traditional culture is higher than any other culture, not only a fair migratory and inclusion policy but an enthusiastic acceptance of the entrance of new cultural traditions and their coeducation within the receiving society, should help in understanding that there are no better cultures or traditions. Cultural diversity must be promoted not as a problem but as an opportunity.

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<sup>123</sup> Goffman, 1985, p. 45.

## Bibliography

### **Books and Articles**

Aguado T., *Diversidad cultural y logros de los estudiantes en educación obligatoria*, Grupo INTER de Investigación en educación Intercultural, 2007.

Banks. J., *La educación multicultural*, in Enciclopedia Internacional de la Educación, vol.7, Barcelona, Vivens-Vives-Mec, 1991.

Calvo Buezas T., *La escuela ante la inmigración y el racismo*, Madrid, Ed. Popular, 2003.

De Blas P., *El debate de la L.O.E. en el Consejo Escolar de Estado*, Ministerio de Educación y Ciencia, Número 0, 2005.

Delors J., *Educação um tesoro a descobrir*, Relatório para a UNESCO da Comissão Internacional sobre Educação para o século XXI, Ed. ASA.

Eguez, A., *Las remesas de emigrantes en Ecuador tras la dolarización*, Observatorio de la Economía Latinoamericana, 2001.

Esteve, J.M., *Mudanças Sociais e Função Docente*, Oporto, Porto Editora, 1991.

Fitoussi J.P. and Rosanvallon P., *Le nouvel âge des inégalités*, Ed. Seuil-essais, 1996.

Forquin, J.C., *Ecole et culture. Le point de vue des sociologues britanniques*, Bruxelles, Ed. Be Boeck Université, 1989.

Giroux H., *Living dangerously. Multiculturalism and the politics of difference*, New York, Peter Lang, 1993.

Goffman E., *A Representação do Eu na Vida Cotidiana*, Ed. Vozes, 1985.

Jean G., *Cultura pessoal e acção pedagógica*, Oporto, Edições ASA, 1990.

Kymlicka W., *La citoyenneté multiculturelle, une théorie libérale du droit des minorités*, Canada, Ed. La découverte, 1995.

Kymlicka W., *Can Liberal Pluralism be Exported? Western Political Theory and Ethnic Relations in Eastern Europe*, Ed. Oxford University Press, 2001.

Leclercq J.M., *The lessons of thirty years of European co-operation for intercultural education*. Steering Committee for Education, Council of Europe, Strasbourg, 2002.

Leite C., *O Currículo e o Multiculturalismo no Sistema Educativo Portugues*, Lisboa, Fundação Calouste Gulbekian e Ministerio Da Ciencia e da Tecnologia, 2002.

Lessard M., Gollete, H. G. and Boutin, G. *Investigação qualitativa. Fundamentos e práticas*, Lisboa, Instituto Piaget, 1994.

Lievesley D. and Motivans A., *Taking literacy seriously*, Paris, UIS, 2000.

Lüdke, J. and André, M., *Pesquisa em Educação: Abordagens Qualitativas*, S.Paulo, EPU, 1986.

Martiniello M. and Rea A., *Affirmative Action, Des discourse, des politiques et des pratiques en débat*, Louvain la Neuve, Academia Bruylant, 2003.

Mata y Garriaga M., *Participación y Educación*, revista del Consejo Escolar del Estado, Ministerio de Educación y Ciencia, Número 0, 2005.

Maurin E., *L'égalité des possibles*, *La nouvelle société française*, Ed. La republicue des idees, senil, 2002.

Mercedes Cabrera, *La formación inicial y permanente de maestros y profesores*, COMUNIDAD ESCOLAR Año XXV, número 811 6 de junio de 2007.

Ogay T., *De l'éducation des enfants de migrants a l'éducation interculturelle. Les activités des organisations internationales: Conseil de l'Europe, Communauté Européenne OCDE, UNESCO*, Berne, Office Federal de l'Education et Science, 1992.

Perotti A., *L'éducation dans les sociétés pluriculturelles en Europe*, Migrations société, 1990.

Powney, J. and Watts, M. *Interviewing in educational research*, London, Routledge and Kegan Paul, 1987.

Rodrigues D., *Educação e Diferença, Valores e Práticas para uma Educação Inclusiva*, 7 Coleção Educação Especial, Porto Editora, 2001.

Santos Guerra M.A., *Hacer visible lo cotidiano. Teoría y práctica de la evaluación cualitativa de los centro escolares*, Madrid: ed: Akal, 2ªed, 1993.

Taylor C., *Multiculturalism and The politics of Recognition*, New Yersey, Princetown University Press, 1992.

Trabajadores de la Enseñanza, *Una atención excepcional para los "objetores escolares"*, número 79, Fete-UGT, 2007.

*Trade liberalisation and Universal Access to Education Services*, Note prepared by Education International for the United Nations Conference on Trade and Development (UNCTAD)'s "Expert meeting on Universal Access to Services" held in Geneva, Switzerland, 14-16 November 2006.

Walzer A., *Tratado sobre la Tolerancia*, Ed. Paidós Estado y Sociedad, 1997.

## Documents

A Classroom of Difference, Schools for inclusive societies, CEJI, The European Union against Racism, A world of difference Institute, Brussels, 2007.

Annual Report of the Special Rapporteur on the right to education, Katarina Tomasevski, Submitted pursuant to Commission on Human Rights resolution 2001/29, Economic and Social Council, 7 January 2002.

Constitution of Spain, 26 December 1978.

Convention against Discrimination in Education, UNESCO, Paris, 14 December 1960.

Convention on the promotion and protection of the Diversity of Cultural Expressions, United Nations Educational, Scientific and Cultural Organization, adopted by the general Conference of UNESCO at its 33<sup>rd</sup> Session, 2005.

The Education and cultural development of migrants, Project n° 7, Council of Europe, 1987.

General Comment 13 on The Right to Education (article 13 of the International Covenant on Economic, Social and Cultural Rights), 8 December 1999.

Informe anual sobre la situación del racismo y la Xenofobia en los Estados Miembros de la UE, Resumen, EUMC, 2006.

International Covenant on Economic, Social and Cultural Rights, 16 December 1966.

La respuesta a las necesidades educativas especiales en la CAPV, Informe Extraordinario 2001, Institución de Ararteko, Defensor del Pueblo de la Comunidad Autónoma Vasca.

Ley Orgánica 1/1990 de Ordenación General del Sistema Educativo, 3 October 1990.

Ley Orgánica 2/2006 de Educación, 3 May 2006.

Memoria Anual sobre la situación Socioeconómica y laboral 2005, Consejo Económico y Social, colección memorias número 13, Madrid, June 2006.

Plans of action for primary education (art.14), General Comments, Economic and Social Council, 10 May 1999.

Real Decreto 1513/2006 por el que se establecen las enseñanzas mínimas de la Educación Primaria, 7 December 2006.

Resolution of the Council and the Ministers of Education meeting within the Council on the European dimension in education of 24 May 1988.

United Nations Charter, 24 October 1945.

Universal Declaration of Human Rights, 10 December 1948.

Universal Declaration on Linguistic Rights, Barcelona, 9 June 1996.

### **Interviews and Conferences**

International Conference, The Intercultural Dimension of Citizenship Education: The North and The South in a postcolonial Europe, Fundação Calouste Gulbekian, Lisbon 4/5 June 2007.

#### Interventions:

Paloma Castro, INTERACT, University of Valladolid.

International Panel with basic and secondary school educators.

Mercedes Bermejo, Primary School Teacher(Spain).

Victoria Bardón, primary Education Teacher(Spain).

Concluding Session.

Cesar Birzea, Ph.D. in Psychology(Romania).

Aprender a viver em conjunto, uma Utopia necesaria. Dez anos após o relatório da Comissão Internacional sobre a Educação para o Século XXI. Educação: Um tesouro a Descobrir, Fundação Calouste Gulbekian, Lisbon 21 June 2007.

#### Interviews:

Gonzalez Fernandez Hilario, headmaster of Pablo Picasso school, Laredo, Spain, 17 April 2007.

Núñez Carmen, secondary education teacher of Instituto Isabel la Católica secondary education centre, Madrid, Spain, 23 April 2007.

Martinez Gutierrez Borja, responsible of compensation classroom, Escolapios school, Bilbao, Spain, 18 April 2007.

Orcasitas Conchi, headmaster of Cervantes school, Bilbao, Spain, 18 April 2007.

Setien Viñas Mayte, responsible of interculturality of Pablo Picasso school, Laredo, Spain, 17 April 2007.

Viota Agurtzane, responsible of linguistic reinforcement classroom, Cervantes school, Bilbao, Spain 18 April 2007.

### **Websites**

Council of Europe, [www.coe.int](http://www.coe.int) (consulted on 14 March 2007).

Departamento Administrativo Nacional de Estadística [www.dane.gov.co](http://www.dane.gov.co) (consulted on 24 February 2007).

Ecuador [www.latinworld.com/sur/ecuador](http://www.latinworld.com/sur/ecuador) (consulted on 23 February 2007).

Educación sin Fronteras, <http://www.educacionsinfronteras.org/> (consulted on 11 March 2007).

Educación en valores, <http://www.educacionenvalores.org/> (consulted on 26 February 2007).

El país, <http://www.elpais.com/> (consulted on 14 February 2007).

Inter Project, <http://inter.up.pt/inter.php?item=summary> (consulted on 4 June 2007).

Observatorio permanente de Inmigración, [www.mec.es](http://www.mec.es) (consulted on 23 February 2007).

UNESCO, [www.unesco.org](http://www.unesco.org) (consulted on 21 February 2007).

United Nations, [www.un.org](http://www.un.org) (consulted on 21 February 2007).

Wikipedia, [http://en.wikipedia.org/wiki/Main\\_Page](http://en.wikipedia.org/wiki/Main_Page) (consulted on 3 March 2007).



