

# The educational legislation in inclusive education in Europe: The importance of transmitting intercultural values

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**Abstract.** This research aims to know the intercultural values that are transmitted in the different laws of European Basic Education. With this goal, it tries to assess if the inclusive intercultural education is encouraged from the first legislative ladder. For this reason, a qualitative analysis was made through a system of categories intercultural values, previously validated, by the laws of Basic Education within 32 countries of the European continent. The results were analyzed by means of qualitative software Atlas. And the scores were normalized using a formula to get percentages. Within the most relevant conclusions are all the educational legislation assessed values transmitted intercultural and the most transmitted values are the intercultural primary values.

## 1 Introduction

The changes that have taken place in European society raise new educational problems. Problems are worked out differently in European classes depending on the country to which we are talking about, answering in different ways to each of the educational needs arising [10]. Among the majority of the values, we can be noted the compassion, equity, participation, tolerance, respect for diversity, realization of rights and sustainability [3 and 11]. In spite of these legislative developments are still many challenges to the European Inclusive Education must achieve these include [5]:

1. It is necessary to reach a real Inclusive Education throughout the educational system.
2. Inclusive Education must be compulsory in the whole educational system, from the General Education to the Individualized Educational Projects.
3. We need the involvement of the entire education community.
4. It is crucial to emphasize the training of teachers in secondary and higher education on the characteristics, principles and concepts of Inclusive Education.
5. It is important to have a European legislation that is not ambiguous and shorten.

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6. It is fundamental unifying European educational systems in order to promote in the same way the practice inclusive

The existence of these deficiencies, has led us to ask ourselves as a hypothesis that not all the laws of basic education in Europe transmitted intercultural values. From this point, in this research we raised the following issues: What is the country in Europe with an educational legislation in greater intercultural values are transmitted to it and therefore more effectively further the inclusive education? What is the law of basic education in which fewer intercultural values is transmitted? This study attempts to respond to these problems of research analyzing the different educational laws of different countries of the European continent. To do this, and based on the concept of inclusive education focused on values, we analyzed the intercultural values that were written in each of the laws.

## 2 Method

### 2.1 Sample

The sample is composed by the laws of Basic Education for 32 countries of the European continent (N= 32). This is a non-probabilistic sampling, in which intentionally selected the educational legislation that by language and ease allowed its analysis. Analyzing finally the laws of Basic Education in Albania, Armenia, Germany, Azerbaijan, Belarus, Belgium, Bosnia & Herzegovina, Cyprus, Croatia, Denmark, Spain, Slovakia, Estonia, Finland, France, Greece, Hungary, Iceland, Ireland, Italy, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Prague, Russia, Sweden, Turkey and United Kingdom.

Table 1 Legislation analyzed and the corresponding European country.

Country	Basic Educacional Law
Albania	The Education Act, 1995
Germany	The Basic Law of the Federal Republic of Germany (2010)
Armenia	Law of the Republic of Armenia on Education (1999)
Azerbaijan	Education Law of the Republic of Azerbaijan
Bélgium	The Belgian Constitution (2007)
Belarus	Education in Belarus (National Report of the Republic of Belarus) (2004)
Bosnia & Herzegovina	Education Reform 2007
Cyprus	A Guide to Education in Cyprus
Croatia	Mapping policies and practices for the preparation of teachers for inclusive Education in contexts of social and cultural diversity. (2010)
Denmark	Self-Governance (2008)
Spain	Ley Orgánica 8/2013, 9 de diciembre, para la mejora de la calidad educativa. (2013)
Slovakia	Educational system in Slovak Republic
Estonia	Republic of Estonia Education Act (1992)
Finland	Education Policy (2013)
France	La France á la loupe (2007)
Greece	Education Policy Advice for Greece (2011)

Table 1 continued. Legislation analyzed and the corresponding European country.

Hungary	Law LXXIX Public Education of the Republic of Hungria
Ireland	Education Act (Northern Ireland 2014)
Iceland	Compulsory School Act 2008
Italy	Decreto-legge 31 dicembre 2014 n. 192, convertito, con modificazioni, dalla legge 27 febbraio 2015, n. 11
Lithuania	Education Law (2011)
Luxembourg	Recueil de Legislation. Journal Officiel du Grand-Duché de Luxemburg (2014)
Malta	Education Act. Chapter 327
Norway	Act of July 1998 no.61 relating to Primary and Secondary Education and Training (the Education Act)
Netherlands	Education Policy in Netherlands
Poland	The System of Education in Poland (2012)
Portugal	Diário da República (1986)
Prague	Framework Educational Programme for Basic Education (2007)
Russia	General Education in Rusia
Sweden	The Education Act 2009/2010:UbU21
Turkey	Basic Education in Turkey. Background Report (2005)
UK	Education Act 2011

## 2.2 Assesment Tools

In this research we use a system of categories of values previously validated and used by Tomé [8] and Tomé & Berrocal [9] in international studies. The category system is composed of 3-dimensional (primary values, values secondary and tertiary values), 11 categories (moral and ethical values, social values, transcendental values, intellectual/non-ethical values, production values, change values, vital values, affective values, aesthetic values, values of development person and ecological values), 23 subcategories (for the good option, option by duty, social group and social position, social improvement, religious, Supreme being, cultural knowledge, instructional interest, cultural environment, property, social property, needs of fun, health and hygiene, basic needs, family relationships, friendships, relationships of couple, beauty, artistic activity, self-fulfillment, self-affirmation and personal qualities) and 78 values. Leaving the system as shown in appendix A. In the system are considered primary values to those fundamentals in intercultural education for inclusive education, intercultural secondary values to those that although they are not fundamental in intercultural education help the acquisition of primary and tertiary intercultural values those who support the acquisition of a primary value in conjunction with a secondary value.

## 2.3 Procedure

To conduct the study agreed to the laws of basic education from 32 countries of the European continent. After obtaining full English laws they were analyzed by applying the system of categories above.

## 2.4 Data analysis

The data analysis is performed by qualitative analysis software ATLAS. Ti Given that each measuring range was different in each law, the values in each will be counted and the number of frequencies in percentages are normalized using the following formula:

$$\% \text{ subcategorie} = \frac{\text{Subcategorie value} \times 100}{\text{Total values}}$$

## 2.5 Results

The following tables show the frequencies of intercultural values obtained in each of the laws of basic education evaluated.

Table 2. Frequency of categories of intercultural values in Albania, Germany, Armenia, Azerbaijan, Belarus, Belgium, Bosnia & Herzegovina, Cyprus, Croatia and Denmark.

Dimension	Categories	% Basic Educational Laws									
		Albania	Germany	Armenia	Azerbaijan	Belgium	Belarus	Bosnia & Herzegovina	Cyprus	Croatia	Denmark
Primary	Moral & ethics	65.89	20	44.23	14.29	33.34	50.69	50	17.01	37.04	58.83
	Socials	27.92	80	19.87	24.68	50	20.55	65	23.40	59.26	11.76
	Transcendentals	2.27	0	1.92	1.30	16.67	2.74	5	0	0	5.88
Secondary	Intellectuals /non ethics	0.32	0	23.07	40.92	0	10.96	25	25.53	3,70	17,64
	Productives	0.32	0	0	1.30	0	0	0	0	0	0
	To change	0	0	0	0	0	0	0	0	0	0
Tertiary	Vitals	2.92	0	6.40	3.90	0	8.22	0	23.39	0	5.88
	Affectives	0	0	5.76	1.95	0	0	0	0	0	0
	Aesthetics	0	0	1.92	1.30	0	2.74	0	4.26	0	0
	Personal development	0.32	0	4.48	10.39	0	4.11	0	6.39	0	0
	Ecologies	0	0	0	0	0	0	0	0	0	0

Table 2. Frequency of categories of intercultural values in Albania, Germany, Armenia, Azerbaijan, Belarus, Belgium, Bosnia & Herzegovina, Cyprus, Croatia and Denmark.

Dimension	Categories	% Basic Educational Laws									
		Albania	Germany	Armenia	Azerbaijan	Belgium	Belarus	Bosnia & Herzegovina	Cyprus	Croatia	Denmark
Primary	Moral & ethics	65.89	20	44.23	14.29	33.34	50.69	50	17.01	37.04	58.83
	Socials	27.92	80	19.87	24.68	50	20.55	65	23.40	59.26	11.76
	Transcendentals	2.27	0	1.92	1.30	16.67	2.74	5	0	0	5.88
Secondary	Intellectuals /non ethics	0.32	0	23.07	40.92	0	10.96	25	25.53	3.70	17.64
	Productives To change	0.32	0	0	1.30	0	0	0	0	0	0
	Vitals	2.92	0	6.40	3.90	0	8.22	0	23.39	0	5.88
Tertiary	Affectives	0	0	5.76	1.95	0	0	0	0	0	0
	Aesthetics	0	0	1.92	1.30	0	2.74	0	4.26	0	0
	Personal development	0.32	0	4.48	10.39	0	4.11	0	6.39	0	0
	Ecologics	0	0	0	0	0	0	0	0	0	0

Table 3. Frequency of categories of intercultural values in Spain, Estonia, Finland, France, Greece, Hungary, Iceland, Ireland and Italy.

Dimension	Categories	% Basic Educational Laws									
		Spain	Slovakia	Estonia	Finland	France	Greece	Hungary	Ireland	Iceland	Italy
Primary	Moral & ethics	58.49	0	63.65	42.86	0	59.13	50	80	71.43	62.45
	Socials	20.75	40	15.91	57.15	25	27.25	50	20	8.04	18.20
	Transcendentals	1.88	0	0	0	0	0	0	0	0.89	1.50
Secondary	Intellectuals /non ethics	5.66	0	9.10	0	75	2.27	0	0	6.25	4.69
	Productives Change	1.88	0	0	0	0	2.27	0	0	0	2.30
	Vitals	0	40	4.55	0	0	6.82	0	0	10.72	0
Tertiary	Affectives	0	0	0	0	0	0	0	0	0	0
	Aesthetics	0	0	0	0	0	0	0	0	1.79	0
	Personal development	11.32	20	6.81	0	0	2.27	0	0	0.89	10.86
	Ecologicos	0	0	0	0	0	0	0	0	0	0

Table 4. Frequency of categories of intercultural values in Lithuania, Luxembourg, Malta, Norway, Netherlands, Poland, Portugal, Prague, Russia, Sweden, Turkey and United Kingdom.

Categories	% Basic Educational Laws											
	Lithua nia	Luxemb ourg	Mal ta	Norw ay	Netherdl ands	Pola nd	Portu gal	Prag ue	Rus sia	Swed en	Turk ey	U K
Moral & ethics	64.44	14.29	95.65	33.33	50	0	11.90	2.04	0	20	23.81	30
Socials	15.55	21.43	1.45	8.33	16.66	33.33	35.70	18.12	0	80	33.33	45
Trascende ntals	6.66	10.71	0	50	0	0	0	1.17	0	0	0	25
Intellectual s/non ethics	0	25	0	8.33	33.33	50	35.71	23.68	100	0	14.28	0
Productiv es	4.44	0	0	0	0	0	0	0	0	0	9.52	0
Change	0	0	0	0	0	0	0	0	0	0	0	0

Table 4 continued. Frequency of categories of intercultural values in Lithuania, Luxembourg, Malta, Norway, Netherlands, Poland, Portugal, Prague, Russia, Sweden, Turkey and United Kingdom.

Categori es	% Basic Educational Laws											
	Lithua nia	Luxemb ourg	Mal ta	Norw ay	Netherdl ands	Pola nd	Portu gal	Prag ue	Russ ia	Swed en	Turk ey	U K
Vitals	6.66	3.57	0	0	0	0	0	24.56	0	0	9.52	0
Affectiv es	0	10.71	0	0	0	0	0	4,38	0	0	4.76	0
Aestheti cs	0	10.71	1.45	0	0	16.66	7.14	15.79	0	0		0
Personal develop ment	2.22	3.57	1.45	0	0	0	9.52	10.23	0	0	4.76	0
Ecologic s	0	0	0	0	0	0	0	0	0	0	0	0

As seen in table 1 the law of Basic Education in Azerbaijan is that the more types of intercultural transmits values, being the category of values intellectual/ not the most ethical transmitted with 40, 92% and the category of transcendental values, aesthetic and productive the least transmitted with the 1.30 %. On the other hand, are the laws of basic education in Germany, France, Hungary, Ireland and Sweden, stating in its legislation only two categories of intercultural values (Table 2, 3 and 4). German law transmits the category of moral and ethical values (20 %) and the category of social values (80 %). The French legislation transmits the category of social values (25%) and the category of securities intellectuals/no ethical (75 %). Hungary is transmitted in the category of moral and ethical values (50 %) and the category of social values (50 %). In the Irish educational legislation is transmitted the category of moral and ethical values (80 %) and the category of social values (20 %). And in Sweden is transmitted the category of moral and ethical values (20 %) and the category of social values (80%).

## 2.6 Discussion

In this study we reject the hypothesis in which it raised that not all the laws of basic education European intercultural are transmitting values and therefore not all the laws are promoting inclusive education. As we can see in the results, all the laws passed any of the categories of cultural values. Considering this critical to the implementation in the

European Basic Education of Inclusive Education. An education that is responsive to each and every one of the students who are in your classroom [1] including in this student body to immigrant students or those who belong to other ethnic groups, races or religions. But what the educational legislation transmit intercultural values, is sufficient to implement inclusive intercultural education in a country? If we see the results, countries such as UK or Finland where Inclusive Education are models to follow (Soriano, 2011), is not where most categories of intercultural values are transmitted. Which makes us think that in the implementation of measures of inclusive education intercultural primary other variables such as economic resources, teacher training, the awareness of the need for inclusive education etc... not considered in this research. Another important aspect to consider in the research is that we have only analyzed the intercultural values. In the inclusive education although these values are important, also consist of other, doing this investigation will be insufficient to determine which strongly are the European countries that encourage more effectively in their inclusive education legislation.

### 3 Conclusion

The main findings obtained in this research were:

- All the European countries transmitted on its basic education legislation intercultural values that promote inclusive education.
- Educational legislation that more category of intercultural values transmitted is Azerbaijan.
- The educational legislation that less categories of intercultural transmitted values correspond to the countries of Germany, France, Hungary, Ireland and Sweden.
- None of the legislation passed the category evaluated ecological values corresponding to the tertiary intercultural.
- The primary intercultural values (moral values, social and momentous) are the most transmitted by most countries.

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Category system intercultural values [8 and 9]

Dimension	Category	Subcategory	value	
Primary intercultural values	Moral and ethical values	The option for the common good	Charity, goodness, generosity, help	
		The option for the duties	Commitment, honesty, obedience, exemplify	
	Social values	Social group Social position	Equality, identity, community Job, social status, self-realization, professionalism.	
		Social improvement	Cooperation, respect, solidarity	
	Transcendental values	Religious	Faith, compassion, tolerance.	
		The greatest good	Hope, projection.	
Secondary intercultural values	Intercultural values/not ethics	Cultural knowledge	Truth, science, creativity.	
		Educational interest	Ratio, thinking, logic, study.	
		Cultural environment	Norms, tradition.	
		Material assets	Usefulness, efficiency, efficacy.	
Tertiary intercultural values	Productive values	Social commodities	Appreciation, estimation, attention.	
		Life values	Basic needs Leisure needs Human health and hygiene Family relationship	Satisfaction, vitality. Delight, joy Health, well-being, cleaning Calmness, social acceptance, confidence.
	Affective values	Friend relationship	Comprehension, love, empathy, friendship.	
		Partnership Beauty	Hope, loyalty, sexuality Harmony, balance, clarity, tidy	
	Aesthetic values	Artistic activity	Expression, originality, ability	
		Personal development	Self-realization	Autonomy, self-reliance, independence
			Self-assertion	Freedom, choice, decision. Sympathy, perseverance, diligence, gratitude, kindness, humility, simplicity, poverty, honesty, patience, nobility, prudence, maturity, bravery,
	Personal attributes	Personal attributes	experience, calm, Intelligence, optimism, sweetness.	