This text reviews the various Spanish education Acts that have been passed: the General Education Act of 1970, which set up the comprehensive school system; the catastrophic LOGSE Act, which raised the secondary student failure rate in Spain to 30%; and the LOCE Act, an attempt by the Partido Popular to create a law that placed the emphasis on the personal effort, study and responsibility of students themselves. However, PSOE’s return to power has led to the hasty drafting of the LOE Act, which has eliminated quality criteria and recognition of merit, marking a return to dogmatic principles such as egalitarianism and shared responsibility, ideas that other advocates of socialism in Europe have abandoned because of their disastrous results.

I. SPANISH EDUCATION IN PERSPECTIVE
The General Education Act of 1970

In 1969 the Spanish Ministry of Education published its White Paper on Education, in which it brought together a series of figures revealing an urgent need for the country to undertake far-reaching educational reform. The reform process, which led to the General Education Act of 1970, not only sought to facilitate the access of all members of society to education, but to modernize the education system in accordance with the most ‘progressive’ pedagogical ideas circulating around Western Europe at that time.

The eight years (from 6 to 14) of General Basic Education (EGB) established in the 1970 Act already corresponded to the educational model that we would call ‘comprehensive’ today, i.e. a system in which teaching must be identical for all, taking place at the same type of educational centre and with the same kind of teachers.
The General Education Act undoubtedly represented a considerable step forward in social terms, given that it guaranteed schooling for all children until the age of 14 and, in practice, provided education to practically all children up to the age of 16. However, various defects inherent in the system had some disastrous consequences. The most important of these was the total elimination of final examinations, because of a fear of student failure, which meant that all external examinations and all official academic obstacles were removed until students reached university.

In practice, the new EGB became a form of primary education that lasted between the ages of 6 and 14. It is important to point out that the elimination of exams, as well as the extension of primary teachers’ authority over students between the ages of 12 and 14 years, had never occurred before then, and has never occurred since, in any other European country.

The 1970 Act achieved its democratizing goal. However, in the long term it produced a significant drop in knowledge levels and led to an alarming degree of relaxation in school discipline.

“The General Education Act of 1970 improved Spanish education considerably, but it also had a number of defects whose consequences were quite disastrous, such as the elimination of final examinations”

LOGSE (General Education System Planning Act)
When schools began to feel the effects of teachers becoming less tough and slackening their authority in the late 1980s, the Socialist government undertook a revolutionary reform of the teaching system, which culminated in 1990 with the General Education System Planning Act, LOGSE. According to its advocates, once a high level of basic, secondary schooling had been achieved, school should be a way of compensating for social inequalities. This could only be achieved by creating a ‘comprehensive and homogeneous’ education system for all young people, at least up until the age of 16.

LOGSE established a long period of free basic compulsory education that included two stages: Primary Education, between the ages of 6 and 12, and Compulsory Secondary Education (ESO), between the ages of 12 and 16. The possible entry of students into vocational training (FP) was delayed by two years and the post-compulsory BUP was reduced to just two years. In reality, this was the comprehensive school model introduced by the British Labour Party and imposed by law in the United Kingdom in 1976. This copy of the British system was introduced by Spain’s Socialist Party three years after Margaret Thatcher’s government decreed the advent of the National Curriculum, based on a law that sought to combat the negative effects of the comprehensive system. The essential measures introduced by Thatcher’s reform included the establishment of streaming within each yearly course and the tests and exams at the end of primary education, after the first two years of secondary education and at the end of compulsory education.

After the LOGSE was passed, the Socialist educational authorities designed a complex bureaucratic framework in order to promote its implementation. As if it were a question of dogma rather than law, it was stated that teachers must not only learn about and study the new legislation, but also ‘believe in it’.
When the Partido Popular won the general elections of 1996, LOGSE had not yet been widely introduced and only a few schools had applied the new legislation in an experimental manner. The PP was obliged to promote the introduction of a law that it had always opposed and that it considered to be entirely dogmatic.

“The Socialist government stated that teachers must not only learn about and study LOGSE, but also ‘believe in it’. As a result, 30% of students left the school system without getting even the most elementary qualification”

As might have been expected, the long period of schooling introduced under LOGSE led to a situation in which many adolescents, almost 30% in fact, left the school system without getting even the most elementary qualification, which was the Compulsory Secondary Education Certificate. Furthermore, not only did academic standards fall considerably in schools, but secondary education centres also witnessed an increasing amount of disturbance, mainly due to the explosive mixture of adolescents with different interests, abilities and hobbies.

**LOCE (Educational Quality Act)**

When the PP won the general elections in 2000 with an absolute majority, it embarked on the task of designing a new Education Act. The Educational Quality Act (LOCE) was passed in December 2002 and maintained the school system largely as it was, whilst introducing certain measures into compulsory secondary education aimed at addressing the most serious problems that the LOGSE had created. The most important measures included the following:

- Students who failed three or more subjects were required to repeat the year, although they had the opportunity of passing failed subjects at a September examination.
- Different educational pathways were established as of the third year of compulsory secondary education (3rd year of ESO).
- Students of 15 years of age were given the option of completing the compulsory secondary education cycle by beginning vocational initiation programmes.
- Teachers were authorized to deny students over the age of 16 the right to remain in school centres in exceptional cases.
- Education authorities were given greater decision-making powers when it came to choosing school heads.
- State schools were offered the opportunity to introduce ‘curricular specialization’.

The LOCE established the minimum percentage of basic education provision that corresponded to the State Government: 55% in the case of regions with their own language and 65% in the case of the other regions. Furthermore, the LOCE restored the value of instruction, study and personal effort.

These ‘corrective measures’ that the PP sought to apply to a system that was cracking up all over, were not at all to the liking of the LOGSE ‘believers’ because, they claimed, it turned an ‘integrating’ system into a different ‘segregating’ system. This explains why, as soon as the PSOE won the elections on 14 March 2004, Rodríguez Zapatero announced the suspension of the Educational Quality Act.

Although certain LOCE articles were applied throughout the academic year 2003/04, the organization of the teaching system as such required subsequent reg-
ulatory development that made it difficult to introduce the law before the year 2004/05. Furthermore, the LOCE established a maximum period of five years for it to be entirely implemented. On 28 May 2004, the Ministry of Education published a Royal Decree establishing a new calendar for implementing the LOCE, which delayed the introduction of the new teaching principles until the year 2006/07. The new Minister for Education, María Jesús San Segundo, was thus given two years to design a new Education Act.

“Among other aspects, the Educational Quality Act (LOCE) designed by the PP restored the value of instruction, study and personal effort. This explains why, as soon as PSOE won the elections, Zapatero announced the suspension of the Act”

Instead of resorting to such irregular methods, the Socialist Government could have followed the example of the British Labour Party which, upon assuming the reins of government in 1997, not only maintained the measures introduced under the National Curriculum but, adopting the recommendations of studies that showed that falling academic results were caused by ‘more than questionable teaching dogmas’, decided to change their own education policy. Tony Blair presented his electoral programme for the year 2001 with a series of declarations that represented a serious blow to the ‘progressive education’ theorists of the 20th century: ‘In spite of the idealism that accompanied the creation of comprehensive schools, only a minority of students have achieved acceptable results. The time has come to put an end to the comprehensive model which has failed so many schoolchildren for 35 years’.

LOE (Education Act)
On 22 July, the Spanish government approved a draft for a new Education Act (LOE). Spain’s Socialists, incapable of accepting the obvious failure of the comprehensive model, have prepared a law that will shore up the current educational model and the LOGSE principles by preventing the reforms due to be introduced under the LOCE from being implemented. Although it is not clearly stated, we can guess that, in the eyes of the Left, the greatest sin of the Educational Quality Act was to ignore the sacred dogma of equity. In this respect, the authors of the new law have stated categorically that ‘there can be no quality without equity’.

For the current Government, equity has a double meaning. First, it means distributing ‘difficult’ students in an ‘equitable’ manner between the State system and the State-assisted private system; and secondly, it means preventing any evaluation of the academic merit of students throughout the compulsory education stage. Furthermore, the Left does not look kindly on the idea of encouraging personal effort, because it is considered to be an expression of capitalist neo-liberalism. According to the LOE, the effort must be made ‘by society as a whole’, not by individuals.

‘Equity’ and ‘shared responsibility’ are the founding principles of the future LOE. Given that it is ‘the system’ that must assume responsibility for failure at school, it is not students themselves who must make the effort to learn and pass their subjects, but schools and education authorities that must go to almost unbelievable lengths to facilitate their success. As a result, the new law abolishes September re-takes, introduces restrictions governing students who must repeat the year and establishes ‘curricular diversification programmes’, i.e. à la carte curricula.
II. EQUITY AND THE LEFT

In the eyes of the Spanish Left, the purpose of schooling is to compensate for social inequalities, and this, they claim, can only be achieved if the education system is homogeneous and comprehensive until adulthood. Given that the LOCE sought to introduce various measures breaking this sense of homogeneity, the main objective of the LOE is, quite simply, to prevent this from happening. Thus:

- September exams are abolished for the first, second and third years of compulsory secondary education (1st, 2nd 3rd of ESO). Students with more than three failed subjects must repeat the year or pass onto the next one with exams pending, but without the chance of studying the subject again.
- We return to a system in which students progress to a higher year almost automatically, with only two year-repeats being permitted throughout the compulsory education stage ESO.
- As of the third year of ESO, the educational itineraries of compulsory secondary education are abolished.
- Students are cannot begin vocational training courses before the age of 16.
- No student can be excluded from the education system before he has completed ESO or reached the age of 18.
- The education authorities have no authority regarding the selection of school heads.
- Schools may not implement ‘curricular specialization’ (this is regarded by ‘progressives’ as an excuse to create different categories of schools).

Furthermore, when it comes to establishing State authority over the minimum content of school curricula, the new law returns to the dangerous wording contained in the LOGSE, which permits each Spanish region to draw up its own studies programme.

“In the eyes of the Socialist government, equity means, above all, preventing any evaluation of the academic merit of students. According to the LOE, the effort must be made by society as a whole, not by individuals”

However, the most surprising aspect of the LOE is that just when it has become obvious that we must restore the educational value of discipline, effort and high achievement both in Spain and abroad, the Socialists continue to address current problems with measures inspired by what has been called ‘the angelic pupil’ approach, the main cause of the ills that currently affect State schools in general. The solutions proposed can only be explained by the Government’s sectarian and demagogic approach.

One example of what the Spanish Left understand by equity can be observed in the Government’s interpretation of the results of the international evaluation known as the PISA 2003 Study, in which, in the words of the Ministry for Education and Science, Spain achieved a ‘poor ranking in terms of quality but a high ranking in equity’.

INECSE (the National Institute for Evaluation And Quality in the Education System), the body attached to the Ministry of Education and Science that managed Spain’s participation in PISA, was fairly satisfied with the results of the study, given that although Spain is still lacking in terms of excellence, the country ‘is very well situated in terms of equity’ and this is due, according to the experts at INECSE, to the comprehensive and integrative nature of the Spanish education system and the

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absence of pathways at school: ‘Countries with segregative education systems and training pathways - Belgium, Germany, and Switzerland - produce a wider range of results, whilst countries with a more integrative and comprehensive system, such as Spain, tend to present a narrower range.’

However, if we compare the results achieved by Belgium and its segregative system with those of Spain, which is so proud of its integrative system, we can see that Belgium achieved 529 points, whilst Spain achieved only 485; Belgium was ranked eighth among the participating countries, whilst Spain was ranked twenty-sixth. Furthermore, almost half of Belgian schoolchildren managed to solve mathematical problems of high or medium-high difficulty, whilst only 25% of Spanish schoolchildren managed to do so. The percentage of Spanish schoolchildren who were poor or very poor at mathematics came to 23%, whilst in the Belgian system the figure was only 16%.

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There is no apparent reason, therefore, for the Ministry of Education to be so satisfied. However much it may seek to demonstrate that the excellence-equity ratio is better in countries with a comprehensive and integrative system than in those with ‘segregative education systems with training pathways’, the PISA Report indicates precisely the opposite.

The Double Network of Schools and Immigrant Schooling
One of the consequences of the LOGSE has been an increase in demand for places at State-assisted schools, centres that are privately owned but sustained with State funds. Compared to State schools, these centres, perhaps partly because they have been able to recover the traditional values that the Left continues to renounce, are proving to be less costly to run and more attractive to a large section of society.

This situation is of great concern to the Left, since it knows that the comprehensiveness of the school system will only triumph if it is imposed on everyone and if nobody can escape from it. On the one hand, the Socialist government wants to abolish this ‘double network of schools’, which brings the failure of its ‘egalitarian utopia’ into stark relief. On the other hand, it fears –and it is right to fear– that abolishing State-assisted private schools would provoke the outrage of a vast section of society that considers these centres to be their source of salvation. This is the reason why the Ministry of Education and Science is so ambiguous when explaining its position on State-assisted private education. The LOE states that ‘schooling for students with specific educational support needs’ shall respect the proportions laid down by the educational authorities. These students are largely the children of immigrants, which is why we must revise the much-vaunted idea that immigrants send their children almost exclusively to State schools.

The fact is that rather than from ‘insufficient equity’ regarding the distribution of students, the most damaging effect on State schools originates from the educational dogmas that prevent teachers from responding in a common-sense manner to
the numerous and sometimes grave problems that arise from conflictive adolescent environments. Private ownership of State-assisted schools and competition among them when it comes to attracting students have meant that these centres have gradually adopted measures that manage to alleviate, to some extent, the negative effects of the LOGSE.

School is essential when it comes to promoting the integration of immigrants. However, a long-term homogeneous schooling system in which personal effort is overlooked is clearly prejudicial, as well as being rather unattractive to those who have left their homeland and families to seek a better future in our country.

III. THE POLITICAL OUTLOOK
In little more than ten years, Spanish society has seen four different Education Acts come and go: the General Education Act of 1970, which was in force until 1996; the LOGSE in 1990, which has been repealed but is still being applied; the LOCE in 2002, which is a kind of ghost law that is supposed to be in force but has never been applied, and now the LOE.

The Left has always considered the school system to be a revolutionary instrument for bringing about social change. That is why it insists on establishing an egalitarian system that will eliminate the intellectual elites that every country needs, and on condemning several generations of Spaniards to mediocrity. Given that it cannot express its true intentions, the Left uses a good-natured and demagogic rhetoric that deceives society and is rather difficult to combat. When faced with a Government that employs exactly this kind of approach and conceals its dangerous intentions with a polished and good-natured veneer, it is very important that the Partido Popular should clearly and thoroughly explain what the founding principles of its education policy are, given that these principles would be adopted by any individual with a little common sense who preserves the slightest independence of thought.

The first of these principles is the right of all parents to be able to choose the education they would like their children to receive, because their responsibility to educate their children comes before that of the State. Freedom of choice will exist if there is a diverse range of educational options. And this diversity should be fostered within both the private and the State education sectors.

Second, it is essential that the system should offer quality education, which means well-trained teachers, a harmonious climate in schools, responsible management teams and good administration and management. The appropriate resources are also required, of course, to train and educate the future members of an open and democratic society. In this respect, it is important that results should be evaluated and that these evaluations should apply to every student at every centre.

Finally, and contrary to what the Socialists believe, school should be a place for training responsible individuals who are in charge of their own lives and aware that they belong to a wider society, rather than being an instrument for social transformation. School should treat all individuals the same and offer all members of society the same opportunities. This has nothing to do with the kind of egalitarianism preached by the Socialists, which seeks to offer exactly the same education to all, without demanding any effort from any student, whilst overlooking the needs of the naturally inclined or students who show the greatest interest in studying.
School should facilitate all children’s access to culture and knowledge. What is more, it should be borne in mind that a school that fails to teach and demand any effort from its students when it comes to learning, is always most detrimental to those students who have the fewest resources, because in the case of these students only school can offer them a better future.

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**The Essential Knowledge and Skills Test**

In early April 2005, the Head of the Madrid Regional Government announced that children in the sixth year of primary education (6th of Primaria) would sit a test to check whether they had acquired the knowledge and skills considered to be essential in order to successfully embark on the Compulsory Secondary Education stage. The month and a half that elapsed between the announcement and the test itself was accompanied by endless protests on the part of the Left. It was stated that the test was nothing more than a surprise exam, that the Regional Education Department harboured a secret agenda, that testing students at the end of the primary education stage was not the opportune moment, that children would be traumatized, that the test would sow confusion in the heart of families, and that the measure corresponded to political rather than educational strategies.

In addition to discovering the level achieved by schoolchildren by the end of the primary education cycle, the test was meant to help establish the minimum knowledge levels required, to provide guidance to teachers, to inform parents about how their children were faring at school and to provide schools and the education authorities with a useful tool for evaluating any educational project or scheme to improve school performance.

The test, which was called the Essential Knowledge and Skills Test (CDI), took place on 10 May 2005, without any unusual circumstances, at 1,160 schools throughout the Madrid Region.

The results obtained in the test revealed that almost 30% of schoolchildren in the Madrid Region completed their primary education cycle without achieving the essential level of knowledge required to embark on the secondary stage. In view of the simplicity of the test, this is extremely worrying and provides more than sufficient reason to declare, as Tony Blair did, that the comprehensive model is failing a large number of schoolchildren.