

1. The PORTUGUESE EDUCATIONAL SYSTEM: OVERVIEW; REGULATIONS; DOCUMENTS

Educational Policy in Portugal

The Constitution of the Portuguese Republic approved in 1976, in the aftermath of the political transition from a forty-eight long period of dictatorship following the so-called Carnation Revolution occurred on the 25th April 1974, proclaimed henceforth that all citizens have the right to Education along with equal opportunities to both access to and success at school. Yet, being responsible for the democratisation of Education, the State is not entitled to guide education and culture in the scope of any philosophical, aesthetic, political or religious orientation. Education is also expected to minimise economic, social and cultural differences, stimulate democratic participation in a free society and promote mutual understanding, tolerance and spirit of community.

Nonetheless, it took 12 years to have these overall constitutional principles reflected in an Educational System Act (Law 46/86), discussed and approved by the Assembly of the Republic aiming at a “new” Education for a changing society, where the difference should not be looked at as a menace.

Considering that the educational policy is the translation of political intentions, this Law is still one of the most important sources for the analysis about the inclusion of all groups in the Portuguese educational system. Repeatedly, it claims for *“the right to the difference in the respect for the character traits and the individual projects of existence as well as in the consideration and valorisation of different knowledge and cultures”*.

Even though it is stated that the educational system shall *“contribute for the defence of a national identity and for the reinforcement of Portugal historical matrix, being aware of the cultural heritage of the Portuguese people”* (art.3., item a.), it is also underlined that this should be undertaken *“in the scope of a universal and European tradition and the growing interdependence and necessary solidarity among all peoples of the world.”* (art.3., item a.). Indeed, students’ and teachers’ international mobility has been stimulated under the aegis of European programmes, along with the growing role played by the learning of a foreign language from the primary school, or even earlier, henceforth.

Envisaging diversity / otherness is also explicitly inferred from the reference to Education in Law which shall *“guarantee the right to a just and real equality of opportunities in schooling access and success”* (art.2.2), *“promote the development of a democratic and pluralist mind in the respect for the others and their ideas, open to the dialogue and to the free exchange of opinions”* (art.2.5), and *“make citizens able to judge the social environment where they are integrated with a critical and creative view and able to engage in its ongoing transformation”* (art.2.5).

According to the latest update of the Education System Act (2009), the access to pre-school is universal from the age of 5, and compulsory schooling education ranges from 6- to 18-year-olds, organised into Basic and Secondary Education. Basic/Elementary Education comprises 9 schooling years and is divided into three consecutive cycles: first cycle, with four years (6- to 10-year-olds); second cycle, with two years (10- to 12-year-olds); and third cycle, with three years (12- to 15-year-olds). Secondary education is organised in a single cycle comprising the 10th, 11th and 12th forms aiming to consolidate and develop the knowledge acquired in Basic/Elementary Education to prepare young people both to further studies and the job market.

The access to the university or polytechnical institutions is determined by the well-known *numerus clausus* according to which a combination of secondary classifications and the mark obtained in (a) national test(s) may still jeopardise applicants’ access to higher education. Talent and vocation are subdued to the existing vacancies planned to prevent qualified unemployment. It often happens someone who dreamt to be a medical doctor to become a science teacher for example.

Regarding differences related to age, sex, gender, or ethnicity, the Portuguese Education System Act recommendations are the following: *“provide schooling a second chance for those who did not enjoy it at the appropriate age...”* (art.3., item i.), and *“provide equal opportunities for both sexes...”* (art.3., item j.), referring to a sort of *“cultural promotion”* (art.3., item i.), among others. Women’s access to education is a fact now. Women have engaged with some otherwise formerly predominantly male professions, such as

those related to fields in law, medicine and university teaching for the last decade. The creation of new universities and polytechnics have also contributed to social mobility.

The geographical dimension can also be a factor of faulty homogeneity in education. The Portuguese Constitution has acknowledged Portuguese *“regional and local asymmetrical development declaring this had to be corrected, creating the same access conditions to the benefits of education, culture and science”*. (art.3., item h.). Twenty years ago, a Portuguese citizen resident in the archipelago of Madeira had less chances of being awarded a higher Education degree than any Portuguese one living on the mainland. The creation of the University of Madeira (the youngest Portuguese University) put into practice that political intention of mitigating any geographical asymmetries.

Hence, more than describing the organisation of the Portuguese Educational System, three main ideas should be stressed:

1. Educational policy has two rarely equivalent dimensions: an official and a real one. The official dimension is the political intention written in documents, laws and regulations or conveyed in politicians' speeches; Despite much effort to collect significant data likely to provide an accurate assessment of the mismatch between intention and reality in the last decades, either by the state or by the HEIs on their own, a lot remains to be done in this regard.
2. Educational policy is always evolving. Since 1986, three updates were inserted in the Education System Act (as follows: in 1997, 2005 and 2009). A fundamental, though rather subtle change has been introduced at the very core of the law at this moment, which was quite unnoticed at the time: the main goal of education departed from the premise that any citizen's integral formation, so she/he could become a fully empowered citizen, to being the process that ensured the production of “performative citizens”. This change should not be perceived as a sheer rephrasing of the main goal of education, it rather stands for a deliberate drive towards a pragmatism founded on an essentially utilitarian view of the educational system. Currently, the *master's* degree is now mandatory, for example, for the teaching practice at all levels (kindergarten and primary teaching included), engineering, medicine and law degrees.
3. Educational policy does not only depend on the political measures written and issued by the politicians. It depends on the role of each citizen, researchers, teachers and the community. Wonderful principles can be put at risk in practice in as much as it is possible to give other meanings to bland political measures.

This scenario and its evolution in the last two decades are better perceived in the aftermath of the Bologna Agreement, implemented in Portugal in 2005, henceforth following the European Higher Education Policy. Being a semi peripheral European country and presenting a network of HEIs mainly based on recently founded units, this major shift in the administrative and pedagogical paradigm has comprised a swift development in HEIs towards a more contemporary European framework. Therefore, the successive governments in Portugal have hereafter made a steady effort to comply with the Bologna Charta, among which figure the noteworthy move towards the integration of underrepresented students, also in the line of *Horizon 2000 – Work Programme 2014-2015 Europe in a changing world*, towards inclusive, innovative and reflective societies. Considering the goals explicitly stated concerning European societies after the crisis, *research should also investigate the conceptual strength of innovative, genuinely supranational approaches to identity the ones are based on values, institutions, legal procedures and discourses. The analysis should both draw on existing examples of supranational identities and identify the values and social bonds underlying them. Finally, research should consider the emergence of a transnational communicative sphere in Europe and reflect on policy and legal initiatives likely to make it possible.* (http://ec.europa.eu/research/participants/data/ref/h2020/wp/2014_2015/main/h2020-wp1415-societies_en.pdf [p. 13-Part 13]). Indeed, it is necessary to recognize that the current effort made on a national level in this respect reflects a progressive understanding of the importance of following the EU strategic stances in *real time* also considering the multiple challenges HEIs currently face.

Authors: Alcina Sousa & Gonçalo Gouveia

REFERENCES

1. **The Portuguese Educational System: Regulations; Documents & Papers**
 - **Commission Européenne (DG XXII): Éducation, Formation et Jeunesse (1996). Réformes dans l'enseignement obligatoire: 1984-1994.** Eurydice. https://liseo.france-education-international.fr/index.php?lvl=author_see&id=32215&page=1&nbr_lignes=49&l_typedoc=a&nb_p

[er_page_custom=49 / https://liseo.france-education-international.fr/index.php?lvl=author_see&id=32215&page=1&nbr_lignes=49&l_typedoc=a&nbr_p](https://liseo.france-education-international.fr/index.php?lvl=author_see&id=32215&page=1&nbr_lignes=49&l_typedoc=a&nbr_p)
[er_page_custom=49; https://eacea.ec.europa.eu/national-policies/eurydice/content/glossary-74_en](https://eacea.ec.europa.eu/national-policies/eurydice/content/glossary-74_en)

- Constituição da República Portuguesa de 1976 (Update-Constitutional Law No. 1/97, 20 September). <https://www.parlamento.pt/Legislacao/Paginas/ConstituicaoRepublicaPortuguesa.aspx>; <https://www.parlamento.pt/Legislacao/Paginas/ConstituicaoRepublicaPortuguesa.aspx>;
- D'Hainaut, L. (1980). *Educação. Dos fins aos objetivos*. Lisbon: Livraria Almedina.
- European Commission (DG XXII). (1999). *Development in the field of education at national level*. Eurydice National Units.
- Eurydice. CEDEFOP. European Commission. (1995). *Structures of the Education and Initial Training Systems in the European Union*. Luxembourg: ECSC-EC-EAEC. <https://op.europa.eu/en/publication-detail/-/publication/9839e40f-c3a4-475a-8de0-2d82ea7b2cd>
- Lei de Bases do Sistema Educativo (Law 115/97, 19 September). <https://dre.pt/dre/detalhe/lei/115-1997-653145>
- Lei de Bases do Sistema Educativo (Law 46/86, 14 October). <https://dre.pt/dre/detalhe/lei/46-1986-222418>
- Lei de Bases do Sistema Educativo (Law 49/2005, 30 August). <https://dre.pt/dre/detalhe/lei/49-2005-245336>
- Lei de Bases do Sistema Educativo (Law 85/2009, 27 August) <https://dre.pt/dre/detalhe/lei/85-2009-488826>
- Ministério da Educação. (1998). *Currículo, Programas e Aprendizagens*. DES. <https://www.dge.mec.pt/historico-documentos-curriculares>
- Monteiro, A. R. (1975). *Educação, ato político*. Lisboa: Edições O Professor.
- Sousa, J. M. & Fino, C. N. (2007). Portugal. In W. Hörner & al. (Eds.). *The Education Systems of Europe*. (pp. 607-625). Verlag: Springer. <http://www3.uma.pt/jesus Sousa/Publicacoes/Portugal.pdf>
- Sousa, J. M. (1999). The Portuguese experience. In E. Giedraitiene, & A. Rauckiene (Orgs.). *Changing Education in a Changing Society* (pp. 69-73). ATEE. Klaipeda University.
- Sousa, J. M. (1999, 9th Oct). Ensino universitário e inserção na vida ativa numa perspetiva de igualdade de oportunidades. *Tribuna da Madeira. Educação*. 24-27.
- Sousa, J. M. (2000). Education Policy in Portugal: Changes and Perspectives. *Education Policy Analysis Archives*, 8 (5). [Web site: http://epaa.asu.edu/epaa/v8n5.html](http://epaa.asu.edu/epaa/v8n5.html)
- White Paper on Education and Training-Memo/96/162. *European Commission white paper teaching and learning: Towards the learning society*. <http://www3.uma.pt/jesus Sousa/Publicacoes/14EducationpolicyinPortugal.PDF>