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Education policy in Spain – a federal illusion?

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Abstract

Education and health policy are two of the public policies, which in Spain has assigned to the Autonomous Communities (AC). This transfer of powers could be considered as proof of the strong “self-rule” of the AC, which in turn shows that Spain could be classified as a federal state. In the following analysis the authors in some parts disagree with that conclusion, showing that considering the education area Spain is “heavy at the top”. Due to the state’s exclusive power to regulate the basic conditions guaranteeing the equality of all Spanish citizens, the important and final decisions are taken at the center through the framework legislation. The AC play a minor role in the legislation process, they have to adopt the center decisions. De-centralization and extension of the framework legislation are highly connected: The central state reacted with strong framework legislation to the stages of the educational decentralization process. In addition, the concentration of important framing powers within the central state does not make educational reforms more infrequent. However, such reforms are the results of a competition between the parties, and not between the AC or between the AC and the central state.¹

Introduction: the Spanish “State of Autonomies”

The degree to which Spain is a federal state continues to be an object of debate and discussion. On the one hand, the high level of autonomy or self-rule of the seventeen Spanish Autonomous Communities (*Comunidades Autónomas*, from now on: AC) supports a federal interpretation. Today, the AC are the major actors in general government spending. For Riker a federal state is to be found where “(1) two levels of government rule the same land and people, (2) each level has at least one area of action in which it is autonomous, and (3) there is some [constitutional] guarantee . . . of the autonomy of each government in its own sphere” (Riker 1964:11). According to Riker’s definition Spain could be classified as federal. Watts (2008) argues with similar arguments that Spain has structural attributes typical for a federal political system like two levels of government, constitutional distribution of legislative and executive authority and allocation of revenue resources, a Constitutional Court, which arbitrates disagreements, and institutions that can

¹ A first, different version of this paper has been presented to the EZFF – Workshop “Bildungspolitik in Föderalstaaten und der Europäischen Union im Vergleich” (Tübingen, 13-15.10.2011). The paper has been accepted for publication by the European Centre for Research on Federalism (in German, forthcoming).

ease intergovernmental cooperation. Many scholars like Burgess (2006), Rodden (2006) or Moreno (2007) use a similar approach.²

On the other hand there are numerous academics like Elazar (1987), Filippov et. (2004) or Nagel (2006a, 2006b, 2009, 2010) who doubt or refuse to define Spain as federal, because of the following institutional features: The AC are barely involved with the institutions of the central state. The Spanish upper house, the Senate, in particular, is no chamber of the ACs, as three quarters of the senators represent administrative sub-units of the central state, e.g. the 50 *provincias* which are also the electoral districts of the lower house. In addition, the *provincias* depend heavily on the centre, while eluding the AC. The AC do not have any stake in constitutional amendments nor do they have direct influence upon the election of the judges of the Spanish constitutional court. A representation of the states in the upper house and their influence over constitutional questions are usually considered important checks of the degree of federalism. Moreover, terms like federalism or federation do not appear in the Spanish constitution.

The existence of a “federal culture“ (Duchacek 1970:343) – an additional test in the taxonomy of federal states - is also contested. Spanish people defend de-centralization. About 31,6% of Spaniards wish the Autonomous Communities to have more power.³ However, is this enough for the required “federal sentiment” (Elazar 1987:192)?

The problems with the qualification of Spain are not only due to the fact that criteria for the taxonomy of federal states are under discussion, but also that there even is no ideal type of federation (Filippov et. 2004). Many authors have looked for ways to reconcile the fact that in Spain the AC possess more autonomy than member states of some recognized federations while at the same time lacking influence over the affairs of the central state. Consequently, either Spain is classified together with Italy as “state of regions”, a sub-category of federal systems but not as a federation, or Spain is assumed to be “on the way” to becoming a federal state, functioning in many areas as such (Colino 2011).

² One may take issue with some of these arguments, particularly on what “autonomy” means, how constitutional the “guarantees” for competences and resource allocations have to be, etc.

³ Answering the question, if Spanish AC should have a higher degree of autonomy, about 31,6% of Spaniards answered, that their wish a stronger autonomy for the AG, about 41,6% were content with the current situation and about 16,5 % would prefer a weaker autonomy. Moreover, 47,9% of the Spaniards see the establishment and development of the AG as positive and 26,4 % as negative, *Centro de Investigaciones Sociológicas (CIS) 2010, Barómetro Autonómico II, Estudio No. 2.829, January-March 2010.* <http://www.cis.es> (20.1.2012)

This “in-between” – position is an additional argument to analyze Spain’s educational policy and to look after its eventual federal aspects. The combination of democratic process and regional autonomy makes it susceptible to similar challenges as confronted by the formally “classical” federal states like the USA, Germany or Switzerland, also and above all in the area of education.

Education policy is in many federal systems a core competence of the member states. This is especially true of the Federal Republic of Germany, where education represents one of the few areas, which is not only supervised by the member states (*Länder*), but which also falls under their exclusive legislative jurisdiction. In contrast, areas of exclusive AC legislation are rare in Spain. In Spain’s “state of autonomies”, it is common for the central state to be responsible for the framework legislation, while the AC, depending on the degree of their competence, are able to enact laws and often, but not exclusively as in Germany, are responsible for administration. Such is also the case in the area of education, which does not hold the exceptional position it does in Germany, where educational federalism belongs among the crown jewels of the federal states.

In the following analysis the authors examine the division of the framework legislation for education between the central state and the AC in the Spanish “state of autonomies”. In a first chapter, the authors examine in detail how the Spanish state has decentralized in the area of education since the 1978 constitution, while at the same time central control was maintained and eventually re-established by using framework legislation. Despite the absence of “shared rule” actors like an upper chamber representing the AC, some forms of collaboration between administrations have been introduced. The second chapter is dedicated to questions involving the financial autonomy of the educational sector. Finally, the authors try to evaluate the extent to which political party disagreements and regional differences are shaping the Spanish educational landscape, also considering the influence of supranational actors on educational policy.

1. Distribution of Powers and Forms of Cooperation in Education Policy

1.1. Distribution of Powers between Central State and AC

1.1.1. Historical Development

The very first Spanish constitution (Cádiz 1812) defined the central state as a key player in education policy. However, during the nineteenth century, state weakness occasionally led to an “economic de-centralization” of educational powers, as the costs of the educational system were shifted to the private sector or to communities or provinces. These actors could then develop parts of the educational sector according to their own ideas (Guerra 1983). For example, the central state, remodeled after the French ideal, tried to enforce a requirement that teaching could only be done in Castilian, the language of the majority. Because the under-financed community or private schools occasionally taught in their own languages such as Catalan, Basque, or rarer, Galician, this requirement did not always hold.

After Cadiz, the process of providing education within a politically centralized framework was pushed forward in 1857 with the *Ley de Instrucción Pública* (Public Instruction Act). The law that came to be known as *Ley Moyano* was the first comprehensive regulation of the Spanish educational system. It introduced obligatory schooling for children between the ages of six and nine, tried to diminish the church’s influence upon school education, and provided a legal framework for private education. All in all, the law led to a further centralization of the educational policy.

In the first half of the twentieth century, education in Spain experienced two profound changes. The first occurred during the dictatorship of Miguel Primo de Rivera, when royal decrees and directives were enacted which prohibited teaching in languages other than Castilian. The second took place during the short period of the Second Republic (1931-1939). At that time, the republican government tried to complement Spanish centralism with autonomous statutes for some regions with nationalist aspirations. While the republic did not recognize any nations other than the Spanish one, it did recognize the existence of languages other than Castilian, which in the educational sector was expressed mainly through the use of Catalan as a language of instruction. As a consequence of the statute of 1932, the Catalan government was assigned responsibility for educational institutions, which, however, already back then remained under the framework competence

of the state. Because of the short life span of the republic, such regulations had little time to be tested in practice. They did, however, offer political actors a model for orientation after the end of the Franco dictatorship (1936/39-1977).

Particularly in the beginning of the dictatorship, education had to be patriotic in a Spanish national sense as well as Catholic. Already during the Sixties, however, the ubiquitous forces of economic change forced decisions makers to try to adapt the educational sector to the demands of the industrial society. As a result, policy makers looked to the European Economic Community (EEC) for models of education. In the *Ley General de Educación* (General Law of Education/1970), compulsory education was extended to age 14 at the same time that general basic education and vocational training were introduced. As part of the reforms, access to universities was made easier. Because the educational sector remained under-funded, the reform could not equally encompass all sectors of society. Therefore, plans were made to emphasize not so much quality of education as its distribution within society.

After the end of Franco's dictatorship, the constitution of 1978 came into being as a result of a compromise between the reform-ready Francophile elites and the anti-Francoists, at least those who were willing to abandon their goal of a revolutionary break with the past. As a result, old regime stalwarts such as the military possessed a de facto veto, so that, for example, federalism was not at all up for debate. Similarly, the educational sector experienced a transition from, rather than a break with, the past. Nevertheless, the constitution laid the groundwork for an extensive decentralization process, which broke with the Spanish tradition. In doing so, the constitutional framers pursued three controversial and contradictory goals, namely improvement of efficiency, democratization, and the accommodation of desires for national recognition, especially in the Basque Country and Catalonia (Requejo/Nagel 2007).

Since then, the legislative framework of Spanish educational policy has – under the constitution – been determined by different framework acts, also called organic laws, which were passed in accordance with the constitution.⁴ Educational policy is directly addressed in Article 27 of the Spanish constitution, which besides making education compulsory

⁴ Organic laws help to develop the legislative framework; the lower house has to endorse them with the absolute majority of their Members (Article 81, Paragraph 2).

asserts the basic right to a free education. Article 149.1.30, additionally regulates the conditions under which academic and professional titles are acquired, exhibited and recognized and makes the establishment of the basic norms defining the rights and freedoms mentioned in Article 27 a responsibility of the state. Additional key constitutional specifications for the organic laws are the equality of all Spanish people before the law (Article 14), freedom of religious and ideological denominations (Article 16), the freedom of teaching (Article 20.1), the guarantee of professional schooling (Article 40.2) and the possibility to transfer specific powers to international organizations or institutions (Article 93). At the same time, the first additional article (*Disposición adicional primera*) of the constitution is relevant, in which the historical rights of the so-called “foral” regions (Basque Country and Navarre) are constitutionally recognized.

The distribution of powers between the central state and the AC is not directly defined in the constitution. With the exception of those few educational activities exclusively reserved to the central state (such as regulation of academic and professional titles), according to Article 149.3 most powers in the field of education can eventually be transferred to the AC, if their respective statute of autonomy (also a Spanish organic law) provides for such transfer.

A central point to understand the balance of powers in the policy field of education is the state’s exclusive power to regulate the basic conditions guaranteeing the equality of all Spanish citizens in exercising and fulfilling their constitutional rights and duties (Article 149.1.1) (Maíz et. 2010). The central state is responsible for enforcing equal opportunity in education for all Spaniards. The Constitution also empowers the central state to guarantee the right and duty of all Spaniards to speak Spanish.

1.1.2. The Legislative Framework

The Spanish central state has actively used its competences established in the constitution and passed a number of framework acts, in Spanish called *leyes orgánicas* (organic laws). The most important of them are:

- *Ley Orgánica Reguladora del Derecho a la Educación* (Act on the Right to Education/LODE/1985),
- *Ley Orgánica de Ordenación General del Sistema Educativo* (Act on the General Organisation of the Education System, LOGSE/1990),

- *Ley Orgánica de la Participación, la Evaluación y el Gobierno de los Centros Docentes* (Act on Participation, Evaluation and Administration of Educational Institutions, LOPEG/1995),
- *Ley Orgánica de Calidad de la Educación* (Act on the Quality of Education, LOCE/2002), which modified LODE and LOGSE,
- *Ley Orgánica de Educación* (Education Act, LOE/2006), which repealed the previous acts LOGSE, LOPEG and LOCE, but not LODE.

The area of university education has in Spain its own organic laws. *Ley Orgánica de Reforma Universitaria* (Act on University Reform/LRU) was passed in 1983 and established the first division of competences between the State, the Autonomous Communities, and the universities. Nowadays the universities function under the *Ley Orgánica de Universidades* (Act on Universities/LOU/2001), which has been partly modified in 2007 by *Ley Orgánica de modificación de la Ley Orgánica de Universidades* (Act modifying the Act on Universities/LOMLOU).

This long list already shows that the Spanish state has been passing a quite remarkable number of framework laws in the still short history of the Spanish democracy; the fast rhythm of the changes is due to the will of the changing governing parties to adapt the educational policy to their ideological preferences (see chapter 3).

1.1.3. State powers

The central state implements its framework legislation by its Ministry of Education (*Ministerio de Educación*) and the High Educational Inspection (*Alta Inspección del Estado*). They are responsible for: the enactment of the basic standards of education; the minimal standards of schools and other educational establishments; the establishment of the core curricula and the regulation of academic and professional titles and diplomas and the international cooperation in educational matters; the High Inspection of Schools; scholarships and subventions; the tenure and administration of public educational establishments abroad; the regulation of foreign schools in Spain; the promotion and general coordination of research and the educational statistics for State purposes.

Moreover, the central state has the tenure and administration of the Centre for the Innovation and Development of Distance Education (*CIDEAD/1992*), the National Open

University UNED (*Universidad Nacional de Educación a Distancia*), and the summer university UIMP (*Universidad Internacional Menéndez Pelayo*), which also exercises some functions of a regular university.⁵ In the case of the Autonomous Cities of Ceuta and Melilla, all educational powers are still exercised by the Ministry of Education.

In every AC, the central Ministry maintains a delegation in order to supervise the implementation and execute its inspection rights. Interest groups, in Spain, usually lobby on the level of the central state, where they can participate through different councils (*consejos*) in the educational policy. In the State School Council (*Consejo Escolar del Estado*) for example, we find Members of the civil service and representatives of the different status groups like teachers, administration staff, parents of students, and student representatives. The State School Council advises the Ministry. The unions and employers' organizations are represented within the General Council of Professional Education (*Consejo General de la Formación Profesional*), too, which forms part of the Ministry of Labor.

1.1.4. Powers of the Autonomous Communities

The Autonomous Communities are responsible for the management of the education system in their respective territories, with the exclusion of those executive competences not transferred to them by the center state. However, they can only legislate on those issues that the framework legislation left open or those where the state has not exercised framework laws yet or could not find a motive to do so under the constitution. They also can legislate only, if the statute of the AC has explicitly empowered it to take over such responsibilities. Nevertheless, the quite intense activities of the Spanish legislator in this field make it rather difficult to find some fields to be covered by the AC parliaments.

⁵ Other institutions, which belong to the central state are: the Institute of Educational Technology (*Instituto de Tecnologías Educativas/IET*), which deals with the use of communication media in school, the Institute for Teacher Training, Educational Research and Innovation (*Instituto de Formación del Profesorado, Investigación e Innovación Educativa/IFIIE*), which is devoted to continuous teacher training, instruction materials, and also realizes comparative studies like Eurodyce or PISA. Also to the central state belongs the National Institute for Qualifications (*Instituto Nacional de las Cualificaciones/INCUAL*), which is responsible for defining, drawing up and updating the National Catalogue of Professional Qualifications and the corresponding Modular Catalogue of Professional Training.

In particular, the AC have the following competences in the educational area: the administrative tenure of educational institutions, the founding, construction and management of public educational institutions, the teachers and other staff. They are responsible for the licensing of the very important private schools (*centros privados*). With many of these private schools, they agree on conditions for subsidies (*centros concertados*). They may (in addition to the central state) grant and administer scholarships and grants. The AC are responsible for the everyday routine of the running of the system, they organize everyday school life and regulate the participation of the different groups hereby. They develop the school curricula inside the framework provided for by the state; this includes completing the state's regulations on the different grades, stages, and modalities of the curriculum. They decide on books and materials, and they may practice research and pedagogical experiments. Each AC has a department for technical school inspection (*Servicio de Inspección Técnica de Educación*).

1.1.5. Powers shared between state and AC level

We have already mentioned some fields where the two tiers of government have competing powers, and may cooperate or compete. Among them we find the carrying out of educational research and the continuing education for teaching staff. There is also a whole set of decisions on the different stages of the educational system (the pre-primary, the primary, the secondary and the tertiary education) that need the cooperation of the state and AC level.

Pre-primary education is organized into two cycles of three years each: the first one, up to 3 years of age; and the second one, from 3 to 6 years of age. The first cycle, which has to be paid by the parents, is not as popular as the second cycle, which is free of charge. With regard to the question of competences, the AC have autonomy to regulate the contents, organization and requirements that schools offering the first cycle must fulfill. The second cycle is regulated by the central state in some aspects like contents, assessment, organization and objectives, but the Autonomous Communities are free to decide about the remaining aspects.

Primary education is a compulsory and cost-free educational stage, which covers six academic years. It is regulated through the framework laws LOE and LODE. In order to

guarantee a common education for all Spanish students the central state established in article 6.3. LOE the minimum core curricula in terms of objectives, basic skills, contents and assessment criteria. In regards to contents, 55% of all school hours in the Autonomous Communities with a second official language and 65% in the rest are regulated by the state wide laws. The AC are free to decide about the rest.⁶ The Ministry of Education provides financial help for study material and the AC are free to add money of their own budget. According to the state framework laws, foreign languages are obligatory only after the stage of primary education, but most of the AC, on their own account, can and do introduce such lessons earlier.

The secondary education starts in the Spanish “state of autonomies” with Educación Secundaria Obligatoria (*ESO*), which covers four years. After the end of this compulsory part, students have two options considering their future education: the two-year *Bachillerato* or the intermediate vocational training (*ciclos formativos de formación profesional de grado medio*) whose duration varies between one and a half or two years. The Spanish framework laws LOE, LOCFP and LODE regulate the basic structure of the secondary education. The AC may decide on the non-ruled part of the curricula and establish rules on student assessment, repetition of courses, and many administrative questions. The central state decides about the scale of the marks, the beginning and the end of the school year and on the number of the public holidays, even if the AC can decide in some cases which public holidays they celebrate.

The post-compulsory secondary education functions under similar rules. The state decides on which modalities of the *Bachillerato* are offered, and their respective compulsory subjects are decided by the central state, but just after consultation of the AC’s. Also in the vocational training the central state dictates the minimal basic courses and the AC decide about the remaining aspects.

The tertiary education includes the university education and the advanced vocational training. They are regulated by Organic Laws LOU, LOE, LOMLOU and LOCFP, which were further developed by different Royal Decrees. Royal Decree 1892/2008 for example regulates since 2010 the conditions for access to university. The

⁶ Examples of different curricula in: UNESCO 2010: World Date on Education, 7 ed. 2010/11 (<http://www.ibe.unesco.org/>) (20.10.2011).

university entrance examination (*Prueba de Acceso a la Universidad/PAU*) is technically organized by the universities, but the AC sets the criteria on the basis of the curricula of the *Bachillerato*. Students from other AC must be treated equally due to the regulation of the so-called “Open District” (*distrito abierto*), regardless of which AC they come from and where they passed the PAU examination.

University fees (*tasa de matrícula*) are decided by the AC, but inside a very small margin, which is set by the General Conference for University Policy.⁷ The central state is responsible for the admission of curricula and their changes. Professors, universities, departments and careers are evaluated by the National Agency for Quality Evaluation and Accreditation (*Agencia Nacional de Evaluación de la Calidad y Acreditación/ANECA*). However, some evaluation functions may also be exercised by agencies run by the AC (for example, these may also evaluate, in addition to the central agency, university teachers, but only if they are no civil servants; otherwise, only the central agency can do the job).

1.1.6. Institutions and mechanisms of coordination between the different AC and between the state and the AC

Federal states often establish institutions and habits of collective coordination, including the central state or not. In the Spanish „state of the autonomies“ the cooperation between the AC and the central state has been since its dawn bilateral, and cooperation between the AC barely exists. Nonetheless after establishing the figure of the Sectoral Committees (*conferencias sectoriales*) in 1985, a Sectoral Education Committee (*conferencia sectorial de educación*) has been launched, too. The president of this committee is the Spanish Minister of Education. The heads of the Departments of Education of the various AC also assist. The President decides when the Committee sits and what is on the agenda. Decisions of that Committee follow party lines. The AC, who are not governed by one of the two big Spanish parties - PSOE (*Partido Socialista Obrero Español*) and PP (*Partido Popular*) - often defend particular positions of their territories but without much chance to prevail.

⁷ In the year 2011-2012 the matriculation fees were increased adapting to the inflation rate of 3,6%. Additionally, the AC have the possibility to increase them by up to 4%. Some AC like Catalonia used this margin, planning to reserve 25% of the additional income for new scholarships.

In the sector of the universities two institutions of cooperation should be mentioned. In year 2007 the General Conference on University Policy (*Conferencia General de Política Universitaria/CGPU*) and the University Council (*Consejo de Universidades*) replaced the Council on University Coordination (*Consejo de Coordinación Universitaria*).

The CGPU is lead by the responsible minister of the central state. Other members are the Heads of the responsible Departments of the various Autonomous Communities and five persons appointed by the President. The impact of the CGPU on the Spanish university policy is high. Quite often, the frame of the Spanish University Policy and the evaluation of its implementation are decided here; the CGPU also controls the adaptation of the Spanish universities to the Bologna framework and it is the interface between university and research policies. The CGPU influences the long-term planning of university education including the financial and personal resources for the performance of the universities. In practice, it decides on the criteria for the evaluation, certification and accreditation tasks, the rules for cooperation between universities and companies, and the regulations for gender equality on the campus. The CPGU was discussing a Royal Decree on regulating the establishment, evaluation and possible de-certification of universities, when the new government of Mariano Rajoy took over the helm and the project was abandoned. The financial costs of their evaluation would have to be paid by the universities; but the majority of the experts would be appointed by the central state. AC like Catalonia were anxious about encroachment on their powers.

In contrast to the CPGU, in the University Council there are no members of the AC. However, it is also presided over by the minister of the responsible department of the central state. The Council consists mainly of university rectors, however, there are also some members appointed by the minister himself.

Cooperation between the central state and the AC was not always successful. Educational grants are an example for such a failure. The state framework can be found in the Article 27 and Article 149.1.30 of the Spanish constitution (Martí/Grau 2011). The Basque Country got the competence over educational grants within its 1979 statute. Other AC like Catalonia had the powers to manage such programs mentioned in their statute (in this case, 1979), but the concrete transfer of this power had to face some problems, and has not taken place yet. Theoretically competences should be transferred after the adoption of a

statute, but de facto the powers are first handed over when both levels of government finished the bargaining over the costs of the exercising the powers. The central state increases the financial transfers to the AC after this agreement. In the Catalan case, disagreement on the costs prevailed.

Meanwhile, the state passed framework laws and decrees that have established a central system of scholarships (Organic Laws LOU und LOMLOU and the corresponding decree 1721/2007). However, the AC have to pay their share of these programs, even if they barely have influence on it. The Spanish Supreme Court declared these practices as constitutional, however, it emphasized that the central state should not use them in order to undermine the repartition of powers as established in the Constitution and the statutes. Therefore, the decisions 188/2001 and 212/2005 of the Constitutional Court have confirmed that the management of scholarship programs as far as they are linked to the territory of the AC should really be handed over to Catalonia. But as long as there is no agreement over the administration costs, the state has rejected to do so. Currently, Catalonia runs the Spanish scholarship programs on its own costs on the basis of a year-to-year agreement between the administrations, to ensure not losing the competences, which should be legally in its hands for years.

Some AC like Catalonia complain that their students have a far under proportional chance to get student scholarships from the state. Students who benefit from these programs also receive an additional 420 €month when taking part in the Erasmus program. However, AC are free to pay additional subsidies to Erasmus students, and while Andalusia pays 600-800 €out of its own budget, Catalonia only pays 200 €and only to those who need it.⁸

1.1.7. Local powers

The municipal and local level has few possibilities to influence education policy. In Spain laws of the central state regulate the powers, electoral rules and the administrative structures of that level. In the area of education the framework laws LODE and LOE do not regard local corporations as education authorities, but they recognize the ability of local

⁸ According to El Periódico de Catalunya, 6.11.2011.

corporations to assist the State administration and the Autonomous Communities in the field of education.

The municipalities are responsible for obtaining of sites for building schools as well as for the conservation; maintenance and security of the kindergartens and primary schools, the enforcement of compulsory education through local police, and many municipalities offer additional activities in the cultural field or in sports. Moreover, municipalities participate in the self-administration of the schools. State and AC may delegate some of their tasks to the local level.

One of the current controversial issues is the question of school meals for needy pupils and students. The AC pay this service, which is managed by the local authorities. Due to the persisting economic crisis that practice is under debate; in Barcelona, for example, the number of needy students applying for this subsidy grows while the AC has not increased its funding.⁹

After analysing the framework legislation and the distribution of powers between the central state and the AC it may be concluded that the education policies of Spain is “heavy at the top”. The important and final decisions are taken at the center through the framework legislation of organic laws and their corresponding royal decrees, in a wide interpretation of the constitutional mandate to guarantee the equality of all Spanish citizens.

1.2. The Dynamic of Decentralization and Re-centralization

At the beginning of the Spanish democratization process, it was decidedly uncertain whether all of Spain would be decentralized or whether (as in the Second Republic) only a few territories, in particular the “historically autonomous” ones (Catalonia, the Basque Country and Galicia), would receive a statute of autonomy. The constitution also left this question initially open. It could have facilitated a very asymmetrical decentralization, during which the territories could have selected various paths towards autonomy (or none). In practice, and in line with the second transitional article of the constitution (*Disposición Transitoria Segunda*), the first to receive their statutes were indeed the “historical” AC,

⁹ LA VANGUARDIA 29.9.2011.

Catalonia, Basque Country and Galicia. These statutes provided for the exercise of powers in relation to non - university education¹⁰, obviously excluding those that had been constitutionally reserved to the central state. After the first pacts of autonomy were signed, Andalusia, by decision of a popular vote, put itself on a par with the historical AC, as well as the Canary Islands and the Community of Valencia, which could count on the help of the central state according to Article 150.2 of the constitution. All these AC set out on the so-called “fast path” toward autonomy. In 1990, Navarre followed by invoking the first additional article concerning chartered (“foral”) communities.

In the other AC, the field of education continued to be governed by the department of education of the central state at Madrid. In the meantime, all these regions (called “MEC territories” after the abbreviation of the name of the department) have obtained, at a slower pace, the same jurisdictional powers making use of Article 148.2 of the constitution. They were able to gain educational powers after the pact between the PSOE and PP, Spain’s main parties, expanded the autonomy statutes to include these new responsibilities.¹¹

The re-symmetrisation of educational powers, agreed upon by the PSOE and the PP, was achieved by framework laws passed between 1994 and 2000 (see table 1), on the one hand, and uplifting of the competences of the non-national AC, on the other hand. As a result, the educational powers of the historical AC and of the newly created AC came, to a great extent, to resemble each other. Differences between the minority nations or minority nationalities and recently created AC have rarely existed in those areas since then. Today, only the Spanish enclaves in North Africa Ceuta and Melilla remain as “MEC territories”.

¹⁰ The decentralization in the university sector only started in 1985, when the first powers were transferred to the AC. Since then the number of universities has been steadily growing. In 1975 there were only 28 universities in Spain, in 2012, 78. Germany (with about two times Spain’s population) had 56 universities in 2011.

¹¹ Some authors like *Bonal et. (2005)* claim, that in the bilateral negotiations between the central state and the AC, the central state gave priority to the educational reform (LOGSE) and put the decentralization process on the waiting line. Moreover, also the discussions about the funding of the regional educational administration brought same delay. Fact is that the Spanish decentralization consists of transfers of powers and funds, the costs of the execution of the powers being bargained in long negotiations. Very often the AC got powers, whose real costs were higher than estimated. Until today, powers that according to the 1979 statutes for the Basque Country and Catalonia belong to these territories have not yet been transferred, because is no agreement between the central state and the corresponding AC.

Table 1: Year of the transfer of powers in the educational area (AC only non-university education)

Velocity	Autonomous Community	Real Decreto	Date of transfer/law	
„Fast Path“	Basque Country	R.D. 2808/1980, 26. August	1/1981	
	Catalonia	R.D. 2809/1980, 3. October	1/1981	
	Galicia	R.D. 1763/1982, 24. July	7/1982	
	Andalusia	R.D. 3936/1982, 29. December	1/1983	
	Canary Islands	R.D. 2091/1983, 28. July	7/1983	
	Valencian Community	R.D. 2093/1983, 28. July	7/1983	
	“Reaction” by the central state	LRU(Act on University Reform)		1983
		LODE(Act on the Right to Education)		1985
		LOGSE(Act on the General Organization of the Education System)		1990
		Navarre	R.D. 1070/1990, 31. August	9/1990
LOPEG (Act on Participation, Evaluation and Administration of Educational Institutions)		1995		
“Slow Path“	Balearic Islands	R.D. 1876/1997, 12. December	1/1998	
	La Rioja	R.D. 1826/1998, 28. August	1/1999	
	Aragon	R.D. 1982/1998, 18. September	1/1999	
	Cantabria	R.D. 2671/1998, 11. December	1/1999	
	Madrid	R.D. 926/1999, 28. Mai	7/1999	
	Murcia	R.D. 938/1999, 4. July	7/1999	
	Castile and Leon	R.D. 1340/1999, 31. July	1/2000	
	Extremadura	R.D. 1801/1999, 26. November	1/2000	
	Castile - La Mancha	R.D. 1844/1999, 3. December	1/2000	
	Asturias	R.D. 2081/1999, 30. December	1/2000	
“Reaction” by the central state	LOU(Act on Universities)		2001	
	LOCE(Act on the Quality of Education)		2002	
	LOE(Education Act)		2006	
	LOMLOU(Act modifying the Act on Universities)		2007	

Source: Own elaboration

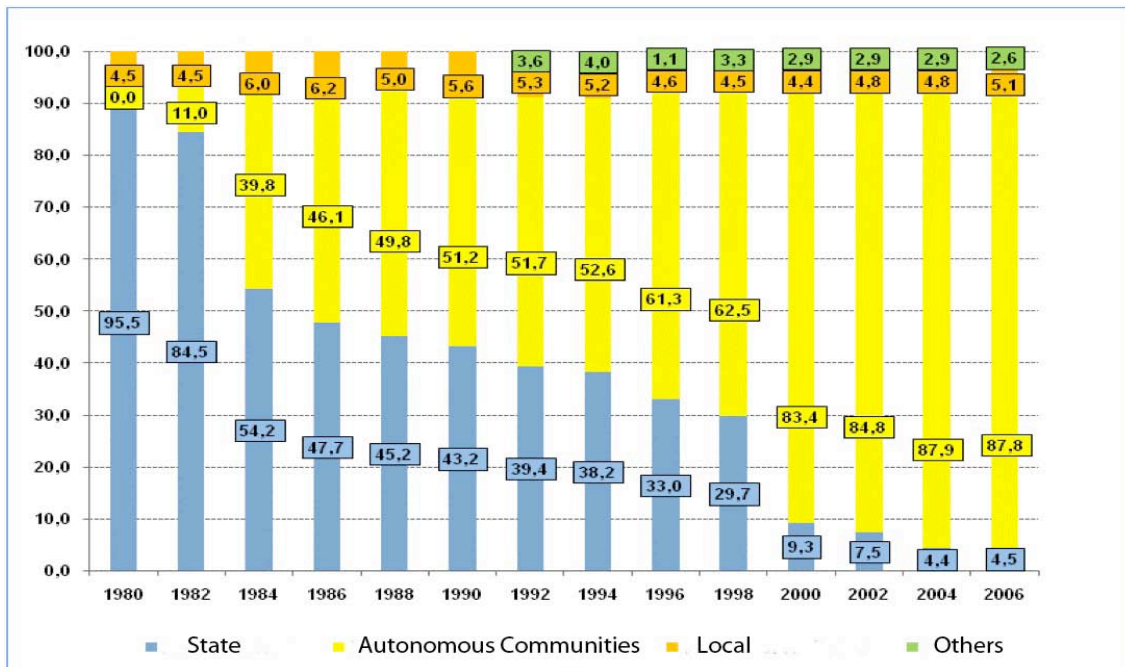
Considering the date on which the framework laws were passed, de-centralization and extension of the framework legislation appear as two sides of the same coin of reestablishing symmetry in the distribution of powers in the Spanish educational system. The central state “reacted” with framework legislation not only to the “fast path” but also to the “slow path” of the generalized decentralization of the educational policies.

2. Division of Resources in the “State of Autonomies”

The Spanish educational sector is largely financed with public funds, which are made available from the national educational department, the ministries (“consejerías”) of the AC, as well as local agencies. These actors finance public educational institutions (*centros públicos*), fellowships and other forms of financial aid for pupils and students. At the same time, they also fund a part of the costs of those private schools that are *centros concertados*. In the area of secondary education (ESO), we find over 55 % of all schools and 66% of all pupils in *centros públicos* (Eurodyce 2009/2010).¹² In 2008, the rate of public expenditure for education as percentage of GDP was 4.5%; the private sector made up for 0.6% of the GDP. The private sector thus counted for 12.9% of total educational expenditure, which remained under the OECD average of 16.5% (OECD 2011). While, in 1980, the central state bore 95.5% of educational costs, in the course of decentralization its contribution sank considerably. In 1984, at a time when the Spanish state was still largely composed of “*MEC territory*”, it chipped in 54.2% of total expenditures. With the completion of the resymmetrisation and decentralization in 2000, the proportion of central state expenditure had fallen to under 10%, with the figure leveling off to fewer than 5% in the years 2004 - 2006 (see table 2/ Morales Sequera 2010).

¹² The AC finance the teachers and general organization of the *centros públicos*, the buildings are provided by the municipalities. In *centros concertados*, governing bodies must comprise at least the headmaster, the School Council and the Teachers’ Assembly. The school authorities take the decisions about staff and general organization. Totally private schools enjoy autonomy to structure their organization and as such may establish the governing and participatory bodies which they deem fit. In the Basque Country over 50% of the pupils attend *centros concertados*, in Navarre, Catalonia and the Balearic Islands about 35%, in Andalusia, the Canary Islands and Castile-La Mancha fewer than 20%. The parents with higher income tend to send their children to a *centro concertado* or a *centro privado*. But there are also other factors, which influence that decision. Religion (many private schools are catholic) and particular national traditions (the Basque Country and Catalonia have private schools founded by anti-francoist movements, sometimes as cooperatives) play a role, too.

Table 2. Public funding of educational institutions (State, Autonomous Communities, Local)



Source: *Morales Sequera (2010); Uriel et. (1997) and Ministerio de Educación (1995).*

The basic principle of self-financing as established by Article 156 of the Spanish constitution has led to numerous conflicts between the central state and the AC. While the AC are burdened with the major part of expenses, they lack sufficient means of self-generated income. Dependent on money transfers from the state and unable to resolve budgetary shortfalls by raising taxes, the AC can, at best, seek out the financial help of banks. The only exceptions are the so-called chartered (“foral”) AC, the Basque Country and Navarre.¹³ In the other AC, the amount of national money transfers is an object of significant contention. The redistribution outcomes of the Spanish public finance system provoke major criticism on the part of some AC, such as the Balearic Islands, Catalonia, and Valencia. Amongst other things, Catalonia complains about a “fiscal deficit” in the amount of 8.3% of its GDP between its contributions to the national budget and the amount it receives back from Madrid.¹⁴

¹³ The Basque Country and Navarre have their own tax administration (*concierto economico*). In these cases it is the central state, who has to wait for the money transfers that have previously been agreed upon.

¹⁴ For that reason there are complaints, that the public schools in the poor Extremadura are better equipped with computers and other materials than in richer Catalonia. Such an “over-leveling” obviously is a relative disadvantage for those pupils from richer AC that attend public schools.

However, the governments of the AC decide on the portion of the financial funds from the central state that is assigned to the educational sector. They can grant the educational system more or less political priority and, of course, they also decide on how funding is distributed within the educational system, for example, between primary schools, secondary schools, vocational training institutions, and universities, or also between public and private schools. Even if the main features of education are the same across the 17 AC, their educational policies certainly differ (Trillo 2004 and Pérez/Morales Sequera 2006).

Between 2000 and 2008, Spanish educational expenditures in total have climbed from 27,406.9 billion Euros to 50,880.4 billion Euros, which constitutes an increase of over 85%. This significant increase has mainly been caused by demographic factors and should be considered in relation to educational expenditures as a proportion of annual budgets. Since 2000, this proportion has remained more or less just over 11%. Since 2000, educational expenditures have climbed only from 4.35% to 4.62% of GDP (INE 2011). Of 50,880.4 billion Euros, 68.8% were spent for non-university and 20.38% for university education (Ministerio de Educación 2011b). Considering public and private expenditures together, education in Spain cost 5.1% of GDP in 2008, which still places Spain under the OECD average of 6.1% (OECD 2011).

Just as educational expenditures in the Spanish “state of autonomies” seemed to be slowly catching up with other countries, Spain was hit by the current financial and economic crisis. Since some AC are much more heavily indebted than the central state, they have had to tighten their belts, with the impact being felt first and foremost in the education and health sectors. The one exception was the government of Andalusia, which, in expectation of its 2012 elections, expanded its budget again. During this period of cutbacks, individual AC set different priorities, depending on financial leverage (burden of debt), party political orientation, or asymmetrical financial autonomy (Basque Country and Navarre).¹⁵

¹⁵ The first financial cuts were the reduction of the weekly classes, hire stop, decrease of the salary of professors and administration staff, increase of their work load, increase of the university fees, stop of investment, stop or reduction of financial support for needy pupils (school meals and transport), reduction of the early morning and late afternoon day-care, which allowed parents to arrange for combining job and family.

3. Regional Differences and Political Party Disagreements

3.1. Educational Policy Cleavages in the Spanish “State of Autonomies”

Since the transition to democracy, the Spanish educational system has not been shaped solely by socio-economic struggles over distribution but also by conflicts over religious, linguistic-cultural and national identity issues (see table 3). Ingrained in Spanish history, such conflicts have both shaped, and been shaped by, the Spanish state. Resolution of some of these conflicts has been more or less successfully channeled through institutions and mechanisms of the autonomous state.

Issues of religious difference have on the one hand been molded by the Catholic Church and, on the other hand, by the central state that acted – especially under socialist governments - by adherence to the French model. Already since the nineteenth century, the religious and social differences of Spanish society were leading to a split of the educational landscape into a public and a private sector. The national cleavages have been based on the tensions between the Castilian power center in Madrid, on the one hand, and the peripheral minority nations including Basque Country and Catalonia, on the other.

Table 3: Main Educational Policy Cleavages in Spain

Conflict	
Religion	Church vs. state (Religion, religious symbols in schools and universities, coeducation in some private schools)
Class	Questions about admission and funding of public schools (<i>centros publicos</i>) or subsidized or non-subsidized private schools (<i>centros concertados</i> or <i>privados</i>). This questions are not only expressing a class conflict; they also affect religious schools (for example Opus Dei – schools in Navarre and other AC) and schools which were organized in resistance to the Franco dictatorship by private actors or cooperatives, in order to protect oppressed languages and cultures as far as possible (for example the <i>ikastola</i> -movement in the Basque Country)
Language	Castilian vs. “regional” or minority languages (as objects of teaching, but also as class and school administration language – for example “immersion” in Catalonia). The Spanish constitution only recognizes one language, Spanish/Castilian, as compulsory for all Spanish citizens, while some Statutes of Autonomy also recognize the co-officially use of other languages. Under these conditions, for example, the parental right to drop Catalan as class and school administration

	language of their children is highly controversial.
National status	Conflicts over the recognition of the national character of some AC, questions of self-rule and whether this includes the right for national self-determination, and about financial autonomy, above all in Catalonia, also affect the educational system, as the Spanish constitution recognizes only one nation, Spain, reserving for others the status of “nationalities and regions”.
“State of Autonomies”	Central state – Autonomous Communities

Source: Own elaboration

All of these conflicts are mirrored in the Spanish party landscape. To put it simply, the socialist PSOE supports non-religious and public schools while the sometimes conservative, sometimes economically liberal PP tends to defend the church and the private schools associated to it, including the schools of the laymen order *Opus Dei*. However, even as the PSOE stands officially for a federalized Spain, when in power, it has de facto never tried to assert this. After initially criticizing the constitution because of decentralization, the PP now stands for the “state of autonomies”, but voices within the party – as also in the PSOE - increasingly demand a far-reaching homogenization or even a direct return of jurisdictional powers and resources to the central state. Catalan socialists (PSC-PSOE) have campaigned for an extension of autonomy and defended the Catalan language laws including the “immersion” of the pupils. In relation to national questions, the Basque socialists are more inclined to seek cooperation with the PP, which in the Basque country supports the leading socialist minority government. The PSOE and the PP have also repeatedly pact on the central state level but only on matters of autonomy (on more convergence of the jurisdictional powers of the AC).

Since a formal grand coalition in Spain and in all the AC with the exception of the Basque country is unthinkable at this time, smaller parties, with representation in some AC, have a chance to assert their interests, namely when their votes are needed by a minority government in Madrid. Parties claiming to defend particular minority nations like the *Esquerra Republicana de Catalunya*, *Bloque Nacionalista Gallego*, *Partido Nacionalista Vasco* (PNV) or the party coalition *Convergencia i Unió* (CiU) in Catalonia (here mentioned in order of their importance) are more easy to situate in terms of the linguistic and national conflicts. However, the PNV and CiU (above all, *Unió*) are also Christian

democratic parties, defending Religious Education and private schools (with national as well as catholic background). Linguistic and nationalist conflicts have a political effect on the politics in Madrid usually when “non state-wide parties” like the PNV and the CiU are able to govern in their respective AC.

Conflicts of language and nationality overlap in the cases of the three language-based minority nations and are especially virulent in the case of Catalonia. In order to avoid the segregation of pupils according to their mother tongue and in order to guarantee that at least after schooling all adolescents are in command of both official languages, Catalonia introduced immersion (“*immersió*”) in 1983 on the basis of the autonomous statute of 1979. Immersion requires that the Catalan language be the language of instruction in all courses except Spanish. This regulation at least approximately assures that the Catalan language be mastered by graduation. For children of parents who want to avoid this, requests for exemption can be made (eighteen such requests were made in the school year 2008-9).

The Council of Europe has positively evaluated this immersion policy on various occasions (for example in 2005). In 1994, it withstood an appeal in the Spanish constitutional court filed by an attorney belonging to the extreme right. To an attempt made in 2006 by the Spanish government to expand the weekly lessons in Spanish by decree, the Catalan legislature responded in 2009 with a school law that affirmed the prior arrangement. However, the Spanish constitutional court has recently called the Immersion into question again by sentence STV 31/2010 passed to curtail the new statute from 2006. Since then, the Spanish Supreme Court (as the last resort of jurisdiction) has underlined in multiple sentences on individual cases that the Castilian language ought to be the language of school administration and instruction, and that it considered the teaching of one subject, Castilian, not to be enough to fulfill this requirement. Most Catalan parties, including the socialists and the greens, with the exceptions of PP and the *Ciutadans*-Group which defend Castilian, still consider the immersion as justified, the more so as the knowledge of Catalan is declining and the knowledge of Spanish of the Catalan graduates – according to numbers released by the Spanish government department - is not behind pupils in other AC.¹⁶ The conflict continues.

¹⁶ Good overview of this highly controversial conflict in LA VANGUARDIA: 3., 4. and 5.9.2011.

3.2. Conflicts over Framework Legislation: Some Examples

Most conflicts discussed above manifest themselves during the debates over Framework Legislation. A change in government in Madrid regularly means new framework legislation to provide guidelines for the educational system. Since democratization, not a single educational law has been passed with the two major parties in agreement. All eleven organic laws (also including the three laws concerning higher education) were passed against the votes of the main opposition party, which also regularly muster significant societal opposition to these laws, manifested in mass demonstrations.

Most organic laws concerning questions of education were passed under PSOE governments. The disputes over LOGSE, which was passed by the socialist government of 1990, are still well remembered today. The reduction of Religious Education and the introduction of the subject of Ethics as an alternative were especially controversial. The extension of the time of obligatory comprehensive education in primary schools and the ESO was defended with the argument that in such a way all pupils would study together longer and equal opportunity would be enhanced. This also provoked criticism, while the division of the educational landscape into public and private schools (which also may be considered a hindrance to equal opportunity) itself was not placed in question.

With its own framework laws LOU (2001) and LOCE (2002), the PP tried to steer the educational system in the direction desired by the party and its voters. With LOCE the second Aznar government did not limit itself to setting up general principles for the establishment of criteria of educational quality, but reduced the powers of the Autonomous Communities in educational area setting statewide education rules. The laws furthered national-conservative objectives like strengthening Castilian as classroom and administrative language, introducing compulsory religious education or the intensification of a common history syllabus. Some scholars interpreted this as an attack against the cultural and linguistic pluralism of Spain (Máiz and Losada 2005).

However, the transfer of power to the Zapatero government halted its implementation. The PSOE revised large parts of the law and in 2006 passed a new educational framework law, the LOE. On the one hand, Citizenship Education was introduced. On the other hand, Religious Education was still offered but was not compulsory.

The LOE also encountered rejection from the largest opposition party, in this case the PP, while other parties like the CiU abstained from voting during the law's passage. Also in contention – especially in Catalonia – was the formula for determining the proportion of school curricula to be overseen by the Spanish state. The figures settled on were 55% in AC with a second official language and 65% in the other AC.

In higher education, there were fewer disputes between the two major parties. The first distribution of powers occurred in 1983 via the LOU. Back then, the González government tried to break up university structures that have been set in place during Franco's rule.

Despite the concession of some autonomy to universities, the central state retained jurisdiction in three central areas: 1) Exclusive responsibility for academic titles, as specified in the constitution, including control over the contents of the study programs. Practically speaking, this means that every change, even a change of just one required or elective course in a study program (undergraduate or graduate) has to be approved by Madrid. Furthermore, 2), the central state remains responsible for the employment conditions and categories and a large part of salary determination for lecturers and professors, as well as 3) for the capacity of the universities. The universities, whose autonomy remains quite limited, currently receive their financial resources primarily from the AC, but according to the fore mentioned rules. By contrast, a large part of their duties are defined by the central state.

In 2001, the second Aznar government passed the LOU. This law introduced, among other things, a complex system of “national habilitation” for university teachers. With this reform, the central state further enhanced its authority over university personal policy, thereby restricting the powers of the AC and limiting the autonomy of the universities. As compensation and in response to pressure from the CiU in Catalonia, the category of “employed professor” with an unlimited contract was created. Because their evaluation could be conducted both by the central agency, ANECA, as well as by the AC agencies (where they exist) and because the salaries of these professors were subject to normal wage negotiations, this change enhanced, albeit in a minor way, the autonomy of the AC. Especially among the CiU politicians around the responsible minister Mas-Colell,

the hope was that this new category would mark a first step toward a more performance-based academic landscape.

However, the succeeding socialist governments in Madrid and Barcelona turned the wheel again in the direction of civil servant appointments. Offered the choice of announcing a position either as a civil servant post or as an employee position, universities have opted more for the civil service career path, since the expenses of these teaching posts are less costly for them. Besides, the LOMLOU passed by the PSOE government in 2007 abolished the “national habilitation”, replacing it by an “accreditation”.

These examples show that educational reforms in the Spanish “state of autonomies” are both numerous and highly dependent on party’s electoral fortunes. And this ping-pong game between the two big parties seems to go on. One of the first reforms announced by the new Spanish Prime Minister Mariano Rajoy (PP), was a profound educational reform.

Concluding Remarks

The educational sector in Spain typifies relations between the state and the AC. The Spanish “state of autonomies” is “heavy at the top”; the framework is established at the center where the AC play a minor role. For that reason, to claim that the assignment of the educational policy to the AC could be seen as a criterion to classify Spain as federal can be considered a “federal illusion”. The authors found the following reasons. First, the state’s exclusive power to regulate the basic conditions guaranteeing the equality of all Spanish citizens pushed also in the educational area extensive framework legislation. Second, considering the date on which the organic laws were passed, the extension of the framework legislation and the generalizing of the same decentralized powers for all AC appear as two sides of the same coin of convergence in the Spanish educational system. The central state reacted with framework laws not only to the first stage (“fast path”) but also to the second stage (“slow path”) of the decentralization process. Moreover, the concentration of important framing powers with the central state does not make educational reforms more infrequent. Such reforms are the results of a competition but rather than a federal competition between the AC and the central state, we found that the relevant actors were the Spanish political parties. However, AC with nationalist aspirations such as Catalonia

and the Basque Country still try to use their autonomy for a “nation-building” of their own, against Spanish nationalism. While a satisfying agreement on recognizing the minority nations has not been reached, neither the central state nor the minority-national powers have been able to win a final victory. One conclusion that can be reached on consideration of this dynamic is that the influence of the periphery always tends to be minor when peripheral votes are not needed by the ruling party at the center.

Bibliography:

Bonal, Xavier/Rambla, Xavier/Calderón, Eduardo/Pros, Núria 2005: La descentralización educativa en España. Una mirada comparativa a los sistemas escolares de las Comunidades Autónomas. Barcelona.

Burgess, Michael 2006: Comparative Federalism. London.

Centro de Investigaciones Sociológicas (CIS) 2010: Barómetro Autonómico II, Estudio No. 2.829, Januar-März 2010. <http://www.cis.es> (20. October 2011)

Colino, César 2011: What now for the Autonomic State? Muddling through growing tensions amidst the aftermath of the Court's Ruling and the painful fiscal crisis, in: *Europäisches Zentrum für Föderalismus-Forschung Tübingen (Hrsg.): Jahrbuch des Föderalismus 2011. Föderalismus, Subsidiarität und Regionen in Europa*, Baden-Baden, pp. 309-322.

Duchacek, Ivo D. 1970: Comparative federalism: The territorial dimension of politics. New York.

Elazar, Daniel J. 1987: Exploring federalism. Tuscaloosa.

European Commission/Eurydice 2009/10: Estructuras de los sistemas educativos y de formación en Europa. España.

Filippov, Mikhail; Ordeshook, Peter C.; Vitalievna Shvetsova, Olga 2004: Designing Federalism. A Theory of Self-Sustainable Institutions. Cambridge.

Guerra López, Luis 1983: La distribución de competencias entre estado y comunidades autónomas en materia de educación, in: *Revista Española de Derecho Constitucional*, Jg.3, Nr.7, pp. 293-333.

Instituto Nacional de Estadística (INE). <http://www.ine.es> (2.11.2011)

Máiz, Ramon; Caamaño, Francisco and Azpitarte, Miguel 2010: The Hidden Counterpoint of Spanish Federalism: Recentralization and Resymmetrization in Spain (1978–2008), *Regional & Federal Studies*, 20:1, pp. 63-82.

Máiz, Ramon and Losada, Anton 2005: Devolution and Involution: Educational Policies in Spain (1996–2004), *Regional and Federal Studies*, Vol.15, No.4, pp. 437–451.

Martí i Torres, Roser/Grau i Corominas, Encarnació 2011: L'evolució del règim general de foment de l'estudi en els sistema educatiu espanyol i el traspàs de les beques i dels ajuts a la Generalitat de Catalunya, *REAF* 13, pp. 287-340.

Ministerio de Educación 2011a: Datos y Cifras del Sistema Universitario Español. Curso 2010/2011

<http://www.educacion.gob.es/dctm/ministerio/educacion/universidades/estadisticas-informes/novedades/2011-datos-cifras-10-uv.pdf?documentId=0901e72b809384a4>
(28.10.2011)

Ministerio de Educación 2011b: Las cifras de la educación en España. Curso 2008-2009 (Edición 2011), <http://www.educacion.gob.es/horizontales/estadisticas/indicadores-publicaciones-sintesis/cifras-educacion-espana/2011.html> (28.11.2011)

Ministerio de Educación 1995: Las cifras de la Educación en España.

Morales Sequera, Susana 2010: La Descentralización de la Educación no Universitaria en España: Efectos sobre la convergencia regional desde la perspectiva del gasto público”, PhD-Thesis, Madrid.

Moreno, Luis 2007: Federalization in Multinational Spain, in: M. Burgess and J. Pinder (eds.), *Multinational Federations*. London: Routledge, pp.142–189.

Nagel, Klaus-Jürgen 2010: Spanien – Auf dem Weg zur Föderation?, in: *Jürgen Dieringer/Roland Sturm (Hrsg.): Regional Governance in EU-Staaten*, Opladen/Farmington Hills, pp. 149-170.

Nagel, Klaus-Jürgen 2010: Der Autonomiestaat – ist das Ende der Fahnenstange erreicht?, *Europäisches Zentrum für Föderalismus-Forschung Tübingen (Hrsg.): Jahrbuch des Föderalismus 2010. Föderalismus, Subsidiarität und Regionen in Europa*, Baden-Baden, pp. 287-305.

Nagel, Klaus-Jürgen 2006: Auf dem Weg zu einer föderalen Ordnung? Der Fall Spanien, *Bernhard Vogel/Rudolf Hrbek/ Thomas Fischer (Hrsg.): Halbzeitbilanz – die Arbeitsergebnisse der deutschen Bundesstaatskommission im europäischen Vergleich*, Baden-Baden, pp. 183-201.

Nagel, Klaus-Jürgen 2006: Autonomiestatute und/oder/statt Föderalismus? Zum Stand der Reform des spanischen ‚Staates der Autonomen‘, in: *Europäisches Zentrum für Föderalismus-Forschung Tübingen (Hrsg.): Jahrbuch des Föderalismus 2006. Föderalismus, Subsidiarität und Regionen in Europa*, pp. 395-408.

OECD. Education at a Glance 2007-2011. <http://www.oecd.org> (2.11.2011)

Pérez Esparrells, Carmen/Morales Sequera, Susana 2006: La descentralización del gasto público en educación en España. Un análisis por Comunidades Autónomas, provincia 015, Jan-Juni 2006, Mérida, Venezuela, Universidad de los Andes, pp. 11-40.

Requejo, Ferran/Nagel, Klaus-Jürgen 2007: El debate sobre la relación entre centro y Autonomías en España, *Bernecker, Walther L./Maihold, Günther (Hrsg.): España: del consenso a la polarización. Cambios en la democracia española*, Madrid/Frankfurt, pp. 265-295.

Riker, William H. 1964: *Federalism: Origin, Operation, Significance.* Boston.

Rodden, Jonathan A. 2006: *Hamilton's Paradox. The Promise and Peril of Fiscal Federalism.* Cambridge.

Trillo del Pozo, David 2004: El impacto de la descentralización sobre la política educativa, IX Congreso Internacional del CLAD sobre la Reforma del Estado y de la Administración Pública, Madrid, España, 2-5 Nov. 2004.

UNESCO 2010: *World Data on Education, España.* <http://www.ibe.unesco.org> (1.10.2011)

Uriel, Ezequiel/Moltó, María Luisa/Pérez, Francisco/Aldás, Joaquín/Cucarella, Vicent, 1997: *Las cuentas de la educación en España y sus comunidades autónomas. 1980-1992,* Madrid.

Watts, Ronald L. 2008: *Comparing Federal Systems,* 3rd ed. Kingston.

Newspapers:

El Periódico de Catalunya, 6.11.2011

La Vanguardia, 3., 4. and 5.9.2011 and 29.9.2011