

# **Analytical Report on Education**

## **National Focal Point for PORTUGAL**

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para a Imigração e Minorias Étnicas, Lisboa

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## 2. List of abbreviations used in the report:

ACPOL	African Countries with Portuguese as Official Language
DEE	Department for Elementary Education
DPPA	Department for Prospective and Planning Analysis
DSE	Department for Secondary Education
EAC	Educational Area Centre
EC	European Council
ENAP	European Network Against Poverty
FBS	Foreign and Borders Service
GOCAPC	General Office for Consular Affairs and Portuguese Communities
HCIEM	High Commission for Immigration and Ethnic Minorities
IEC	Institute of Educational Communities
ILO	International Labour Organization
IREAO	International Relations and European Affairs Office
LREO	Lisbon Regional Education Office
ME	Ministry of Education
NGOs	Non-Governmental Organizations
NREO	Northern Regional Education Office
P	Parliament
UNESCO	United Nations for Education, Science and Culture Organization
1 <sup>st</sup> LEE	1 <sup>st</sup> Level of Elementary Education
2 <sup>nd</sup> LEE	2 <sup>nd</sup> Level of Elementary Education
3 <sup>rd</sup> LEE	3 <sup>rd</sup> Level of Elementary Education

### 3. Terminology

Migrants: notion that includes both emigrants and immigrants.

Minority Groups: groups which occupy in the social structure a position that concedes less power than dominant groups.

Non-migrants: this notion refers to national citizens.

'Returnees': migrants who came back from Portuguese colonies in the aftermath of their independence process.

Returned migrants: Portuguese who once have migrated and who have come back to Portugal.

### 4. Executive Summary

This report starts by clarifying its theoretical and methodological approach and, bearing in mind the complexity of the field under analysis, justifies the reasons why it combines a qualitative and quantitative approach, assuming the need to focus on a great variety of data to achieve a deeper understanding of the issue.

The report analyses the historical, political and cultural context of racism and xenophobia in Portugal by stating the national conditions that may explain a homogeneous perception of cultural diversity in the educational field; the causes of the increasing heterogeneity in educational contexts; the difficulties to communicate due to language barriers; and, finally, problems arising from 'over-qualification' of some migrants in the labour market.

Next it provides a synthesis of the legal devices at international, European and national level. It also provides data concerning the number of youths enrolled at the different levels of the educational system, refers to the measures taken by the state aimed at furthering awareness of diversity in the field of education, to the measures taken by the High Commissioner on Immigration and Ethnic Minorities, to some initiatives by the General Office for Consular Affairs and Portuguese Communities, and, finally, describes some civil society initiatives: initiatives related to 'over-qualified' migrant manpower (the case of doctors);

Racism-related trends are identified in the educational field on the basis of the interpretation of data collected and analysed. Four conclusions are advanced: 1. Violent and explicit situations of racism and xenophobia are not very frequent in educational contexts; 2. discriminatory attitudes and behaviours are frequent – often under a non-conscious form – in schools; 3. there are signs in the Portuguese social context that discriminatory and racist attitudes and behaviours are emerging very fast; and 4. insufficient attention is paid, in the field of education, to problems that are now emerging as a result of the social context under reference.

## 5. Introduction

The aim of this report is to map out the situation of minority groups residing in Portugal in the field of education and professional training.

The pertinence or topicality of this study rests upon evidence of an increasingly heterogeneous population in Portugal, which entails a correlate diversification of the population in formal or informal educational and professional training contexts. In some cases, this phenomenon generates a frame which seems propitious to discriminative or racist practices and attitudes, which affect education and professional training, among other areas.

Hence, this report will begin by sketching the social-historical framework against which the nexus between education and culture(s) should be envisaged in Portugal, by taking into account a recent change in the place the country occupies in terms of migratory trends: while remaining a country of emigration, as before, it is now on the map as a destination for immigrants from different parts of the globe, an obviously determinant factor for the growing heterogeneity of the Portuguese resident population.

The theoretical and methodological framework for this study may be cursorily characterised as a critical reading of both quantitative and qualitative data, by taking into stock and interpreting a host of elements: a synthesis of legislation in force between 1999 and 2002; measures put forward by the HCIEM between 1999 and 2002; minority students enrolment rates; measures set to deal with problems resulting from the diversification of the student and educational population; problems in teaching Portuguese to non-native speakers; recognition of academic and professional qualifications of migrant workers.

It is worth noting that difficulties felt in the collection of data strongly affected this document, insofar as during its elaboration we were systematically faced with an absence of collected and/or treated data (in most cases scattered and fragmented) on enrolments, success/failure and drop out, not to mention the fact that when these were available they were not, as a rule, up to date. Those we have managed to gather were provided officiously, because they are presently being treated.

Further on, we shall present the data we were able to assemble, alongside their analysis. These include those which concern measures aimed at attending to problems resulting from the inadequacy of educational policies with regard to the clear diversification of socio-cultural groups, and those which point to a tendency to explicit and implicit forms of racism in the educational sector. Finally, the report attempts to read the data in the light of a conceptual framework whose main tenets we have tried to spell out and substantiate as clearly as possible.

## 6. Theoretical and methodological options

Considering that in the educational field, even more than on the level of social or work-related coexistence, many of the instances of discrimination (which occur for the most part in the teaching act itself) do not have its roots in conscious choices by those who practice them; also considering that certain far-reaching measures pass over the issue of diversity and are not (and can not) be legitimated explicitly; bearing also in mind the enormous complexity and heterogeneity of factors in play in the discrimination of minority groups in the field of education; finally, considering the (revealing) absence of official data on many of the problems we are trying to bring into focus here, we thought it better to:

- collect as thoroughly as possible data related to:
  - legislation in print;
  - Work Group reports on the issues here addressed, some of which have a very limited circulation (good cases in point are the HCIEM 2002 report, DBE's Report/Synthesis 1999/2000 on the "Characterisation of students with Portuguese as second language");
  - Personal contacts with entities which tackle problems related to the issues we are here attempting to scrutinise (for instance, HCIEM, Jesuit Service for Refugees, *Entreculturas*, Association *Olho Vivo*, Romani Association, DPPA of the ME);
  - Data on enrolments (total and minorities) – only available officially until 1998. Some more up to date data are currently being treated and we were officiously given access to them by DPPA and NREO;
  - Analyses carried out in former studies on this issue (Cortesão, et al 2000; Cortesão, et al 2001; Cortesão, et al 2002):
  - Media;
- Gather, analyse and cross all qualitative and quantitative data available so as to gain a wider and deeper understanding of the issues we are concerned with;
- 
- Read and discuss critically the collected data, seeking to articulate between types of information and unfold the meaning and implications of both situations and the measures that aim to respond to them;

The fact that complexity and ambiguity are forever inextricable from any attempt to interpret discriminatory, xenophobic or even racist practices in the field of education and training, as well as from the range of attitudes and opinions we may adopt towards these phenomena, makes it particularly important to spell out this study's theoretical frame. Indeed, both the nature of the data gathered in this type of study and their analysis and interpretation are influenced by the theoretical, methodological, even ideological, tenets of those who produce it.

Thus, we should start by positing that:

- the phenomena of discrimination, xenophobia and racism date from long ago but have recently gained new contours and grown in intensity;
- these phenomena are linked with a multiplicity of factors, namely historical and economical, but also with political interests, ideological or religious options. Hence, they cannot be interpreted outside of their specific context (Wallerstein 1990);
- given the complexity of the situations brought under scrutiny in this study, it may prove advantageous to analyse it on three different dimensions. Thus, we should take into account the characteristics of the *migrants' host society* (degree and type of structuration, decomposition, social movements, reduction of the labour market, redistribution problems, loss of status, racially-grounded inferiorisation, etc.); of the *State* (its policies, which, to higher or lower degree, consecrate principles of equality and redistribution; national identity, imbued to a greater or lesser extent with racist tensions or, on the contrary, to universal values) (Wiewiorka 1994). As to the occurrence of this type of problems in the field of education and professional training, one should consider the complexity of translation and the impact of the structural spaces that hold the greater power (as, for instance, world, market and production spaces) have upon the educational space (Santos 1995; Cortesão 2001);
- with Callewert, we admit that:

“The field of education can be placed within the scope of the field of power, composed of the remaining powers. To be more precise, it can be placed in the sub-space of cultural production. However, this sub-space of cultural domination has a subordinate position with regards to the dominant or superior position, held by the political and economic powers” (Callewert 1998).

Notwithstanding, we can further acknowledge the possibility, in education, of pinpointing “some aspects in which it comes close to possessing traits similar to those held by structural fields” (Cortesão 2001). This feature of the theoretical framework reinforces the (previously stressed) necessity to take into account, in all analyses, of the social, political and economic context in which the phenomena addressed here take place, and to attempt to identify possible intervention spaces;

- it is well known that education is a process that generally leads to social reproduction, by holding on to those procedures which grant the greatest chances of success to dominant groups, though strongly conditioning the progression of minority student groups in the educational system (Bourdieu and Passeron 1970). So, it is easy to see why phenomena such as school success/failure, school dropout, widening of access to education and measures set to promote education and training among minority groups, can be considered indicators of a concern or, on the contrary, an indifference towards diversity – in other words, of more or less discriminatory or racist mechanisms.

## 7. Reference to available (and unavailable) data on problems related to diversity in education

### 7.1. HISTORICAL, POLITICAL AND CULTURAL CONTEXT OF THE ISSUES IN FOCUS

As we hope that has become clear in section 3, one of the aspects we should cast an eye over so as to get a good bearing of the issue of discrimination is to do with a constellation of specific traits that configures and underpins national identity (cf. Wiewiorka 1994). More than others, the Portuguese case seems to demand that this be brought into focus.

Indeed, in a study published in 2002, it was stated under the heading “the most recent myth on the homogeneity of Portuguese society”:

If one bears in mind that for generations Portuguese have been socialised within the idea of a common and unitary identity (a construct with regards to which the “colonies” were in some ways subsumed, put out of mind or, at least, insufficiently discussed), it becomes easy to understand – when more recently, in the light of a certain number of issues which came to the surface within the “Empire”, it emerged as a necessary political strategy to cement this “homogeneity myth” (this time extended to the colonial territories) – why this idea easily became entrenched in the self-conception of the Portuguese inhabiting the continent” (Cortês et al 2002: 20).

Further on, it was added:

“Through a range of processes, in which one should highlight the role of education, a mirror was held up to the Portuguese people, presenting them with an image of a united nation-state, ideally populated by committed individuals, holding fast to their heritage, submissive, tolerant and hard-working – a reflection they were expected – indeed invited - to recognise themselves in. Hence it must not have been arduous for a group of people from different social strata, from either rural or urban milieus, farmers or fishermen, educated or not, from the continent or from the isles, even for some of those residing in the colonies, to see and recognise themselves in that image, i.e. that configuration of the stereotypical ‘Portuguese’.”

When the Overseas Territory Organic Law was promulgated in 1953 (a law that legislated over the relations with the Overseas Territory – or simply ‘Overseas’ (in Portuguese: *Ultramar*), a concept that was created to substitute the term ‘Colonies’) – one could say it was a further step in the explicit assertion of the untainted homogeneity of the Portuguese population the state then hoped to put across.

This process of ‘inverted interculturality’ – the intentional numbing of the awareness of differences (cf. Stoer, 1999) – was progressively being consolidated.

This progressive numbing gave rise to a “culturally colour-blind people” (cf. Cortês 1998), nowadays so widespread and blatant across a host of situations in Portuguese life. In effect – to give but a few examples – doctors, teachers, nurses, social workers, all of them professionals dealing with an ever more heterogeneous group of people on a daily basis, generally perceive and deal with the latter with

homogenising eyes. It is this point of view, this gaze, which we characterise as ‘culturally colour-blind’, because of its insensitivity or heedlessness to the rainbow of colours the beholder is faced with and because it looks upon people in terms of what is or is not acceptable, judging them against the stereotype of the ‘standard Portuguese’.” (cf. Cortesão, et al. 2000).

This stereotype thus stands for anything deemed ‘normal’, hence accepted, while difference is penalised, because it disturbs and disquiets social and professional routines (cf. Cortesão and Pacheco 1991, Stoer and Cortesão 1996)” (Cortesão et al, 2002: 21-22).

Furthermore, as would be expected, this numbness that rebukes and victimises difference may have serious consequences on decisions taken in the educational field. Above all, it should be regarded as an increasingly important issue inasmuch as:

- the recent consolidation of “massified education” led to a school built in accordance with white urban middle class values and thought out for white urban middle class students, in stark contrast with – mainly due to the present compulsory character of basic education - an increasingly wide and heterogeneous population in its social, economical, cultural, even ethnic traits features;
- the progressive diversification of Portuguese society translates into a corresponding heterogeneity of the school or trainee population, clearly reflected in the latest data from the ME<sup>1</sup>. (see Table 1).

**Table 1**  
**Migrant students in the Portuguese Educational System – 1999/2000 school year**

	Pre-school	1 <sup>st</sup> level	2 <sup>nd</sup> level	3 <sup>rd</sup> level	Sec. Educ	TOTAL
<b>Regular</b>	11 115	36 730	14 056	19 065	6 661	87 627
<b>Recurrent</b>	-	2 839	1 503	4 232	5 528	14 102
<b>Total</b>	11 115	39 569	15 559	23 297	12 189	101 729

(source: DPPA)

This figure (101 729) corresponds to children and youngsters belonging to a range of groups: returned migrants, Roma<sup>2</sup>, Angolans, Brazilians, Capeverdians, Guineans, Indians/Pakistanese, Macaese, Mozambicans, Sãotomese, Timorese, EU nationals and others (Russians, Canadians, Americans, Zairese, Bulgarians, Moroccans, Australians, Congolese, etc.). These groups, of course, make up for very dissimilar percentages and their incidence varies a great deal across different parts of the country. While the latest available data point to the existence of 16 529 Angolans (16,2% of the total of non-Portuguese students in the Portuguese Educational System), the Timorese are no more than 467 and only one registration was found of students from, for instance, Mali, Kuwait or Bermudas. If one considers the total of students enrolled in the above-mentioned education levels (1 760 954)<sup>3</sup>, the number of non-Portuguese is already significant (5,8 %). As to the unequal distribution of these groups throughout the country, one could highlight the difference between the number of non-Portuguese children and youngsters

<sup>1</sup> Unpublished data, provided by DPPA and ME.

<sup>2</sup> Roma are assumed by DPPA as ‘migrants’.

<sup>3</sup> Data published by IREAO, ME in 2001.

in the region supervised by the Northern Regional Education Office (15 851) and those in the region supervised by the Lisbon Regional Education Office (41 528) – the latter includes almost half of the total.

Data relative to superior education are not included because there is no official record of them.

Indeed, one should not forget that Portugal, as said above, is a country historically marked by successive emigration waves (mostly to Brazil, USA, Canada, Australia and, more recently, to a range of European countries), and therefore one whose population was unaccustomed to living side by side, in their own “turf”, with the “different-other” and that it became a destination for successive waves of migrants, the first one composed of the so-called “returnees” – migrants who came back from the Portuguese colonies in the aftermath of their independence – followed by immigrants from the ACPOs, then from Brazil and Western Europe and, more recently, from Eastern Europe and Asia (even if it remains a country with considerable emigration rates).

Due to often, but not always, unselfconscious policies and attitudes as well as measures whose rationale was more or less made evident, it was often the case where situations were generated that made it difficult to apply constitutional rules (articles 13, 15, 22, 57 and 74 of the Constitution of Portuguese Republic) regarding equal and universal access to education.

What is more, the recent arrival of Eastern European immigrants, many of which hold college degrees, triggered off new social problems which impact on the field of education and training. Among these one should stress:

- over-qualification: for instance, male doctors or engineers working in construction work, female doctors and nurses working as domestic servants;
- communication difficulties experienced by the non-Portuguese speakers, a fact that increases the risk of their being abused by employers;
- difficult coexistence and aggressive competition between minorities, namely between workers originating from Eastern Europe and from ACPOs’.

## **7.2. SYNTHESIS OF LEGISLATION IN FORCE UNTIL 2002**

### INTERNATIONAL LEGISLATION:

Portugal, as part of a wider community of nations, is under the rule of international agreements and conventions – some of which are not recent – that seek to prevent and fight racism and the different forms of discrimination, an example of which is the Convention against discrimination in teaching practice (UNESCO, 14<sup>th</sup> December 1960). The Law Decree n. 112/80, dated 23<sup>rd</sup> of October 1980, is indeed in line with this convention’s precepts, while the Law Decree n. 118/81, dated 10<sup>th</sup> September 1981, approves for ratification a Protocol that creates a Conciliation and Good Practice Commission charged with mediating conflicts that may arise between the States that are parties in the Convention against discrimination in the educational field. Law n. 7/82, dated 29<sup>th</sup> of April 1982, approves for adherence the International Convention On

Eliminating All Forms of Racial Discrimination, which touches upon matters specific to the field of education (art. 5, sub-paragraphs e) v)). The Notice n.95/2001, dated 24<sup>th</sup> of August 2001, in its turn, recognises the competency of the Committee created by this Convention.

The Portuguese Parliament approved for ratification the United Nations Convention on Children's Rights, signed in New York on the 26<sup>th</sup> of January 1990, a convention that deals with education-related issues in articles 28 and 29.

Law n. 45/78, dated 11<sup>th</sup> of June 1978, ratifies the International Agreement on economic, social and cultural rights and addresses education-specific issues in articles 13 and 14.

The 66<sup>th</sup> meeting of the International Labour Organisation (ILO), held on the 4<sup>th</sup> of June 1975, approved a Convention on the Role of Professional Guidance and Professional Training in Human Resources (n. 142), approved for ratification in Decree n. 62/80.

In the World Congress on Educational Special Needs, held under the aegis of UNESCO in July 1994, it is stated in Section 3 of the Introduction to the final draft, signed by Portugal, that:

“schools should adapt to all children, regardless of their physical, social, linguistic or other traits. Under this notion should be included handicapped or overgifted children, street children or child workers, nomad children or those living in remote locations, children belonging to ethnic, language or cultural minorities, children from disadvantaged or marginalised areas or groups... There is a growing consensus that children and youngsters with special needs (in a broad sense, i.e., including all the above mentioned situations) should be embraced by educational structures destined to the majority of children. This gave rise to the concept of the “inclusive school”. The main challenge faced by the latter is that of being able to develop a child-centred pedagogy, geared towards the successful education of all children, including those with serious handicaps. The merit of these schools does not lie exclusively in their ability to provide a high quality education to all children; their existence is a crucial step in helping to alter discriminatory attitudes and in shaping welcoming and inclusive societies.”

## EUROPEAN LEGISLATION

The recognition of Human Rights on a European level has led to the approval of the Convention on Human rights on the 4<sup>th</sup> of November 1950. This document was then approved for ratification in Portugal by Law n. 65/78, dated 13<sup>th</sup> of October 1978. In regard to matters related to education, one should consult the latter's article n.14, as well as the additional Protocol n. 1.

Social Rights recognised on a European level are consecrated in the European Social Chart, approved for ratification by Parliamentary Assembly Resolution n. 21/91, later subjected to a revision (Parliamentary Assembly Resolution n.64-A72001).

More directly linked with the field of education, the European Convention on the Equivalence of Periods of University Studies was approved for ratification by Decree n. 63/82, dated 31<sup>st</sup> of May 1982.

Another relevant diploma concerning the issue we are surveying here is the European Parliament Resolution on the fight against racism and xenophobia in the European Union, approved in 2000, which lays out measures to be adopted by member states in the educational field.

The Directive 2000/43/CE of the European Council, dated 29<sup>th</sup> of June 2000, sets down the principle of equal treatment for all, regardless of their racial or ethnic origin, making specific references to education in article 3, n.1, sub-paragraph g).

## NATIONAL LEGISLATION

As to national legislation on racial and ethnic discrimination within the field of education, we should start by bringing to the fore articles n. 13, 15, 22, 57 and 74 of the Constitution of the Portuguese Republic, which, being the foundational law of the country, establish equal treatment for all as a fundamental principle that should underpin the letter and the spirit of each and every legal document.

Concerning the field of education, the legislation where this stance is more explicit and striking is the following:

- Law n. 134/99, dated 28<sup>th</sup> of August 1999, which prohibits discrimination in the exercise of rights grounded on race, colour, nationality or ethnic origin, with specific reference to the educational field in article 4 n.1, sub-paragraph h and i);
- Law Decree n. 111/00, dated 4<sup>th</sup> of July 2000, which rules over the above mentioned Law n. 134/99 regarding the prevention and prohibition of discrimination in the exercise of rights on the grounds of race, colour, nationality or ethnic origin, with specific reference to education in article 2, n.1, sub-paragraph h) and i);
- The Joint Dispatch n. 304/98, dated 24<sup>th</sup> of April 1998, of the Ministry of Education and the State Secretariat of Employment and Professional Training establishes the institutional figure of the Cultural Mediator;
- Law Decree n.65/2000, dated 26<sup>th</sup> of April, of the Ministry of Internal Affairs, rules over the Law Decree n. 244/98, dated 8<sup>th</sup> of August, which oversees the entry, permanence, exit and expulsion of foreigners from national territory;
- Joint Dispatch n. 1065/2000, dated 18<sup>th</sup> of December, of the Presidency of the Ministry Council, the Ministry of Work and Solidarity and the Ministry of Education, creates a Work Group in charge of the issue of Cultural Mediators;
- Resolution of the Ministry Council n. 48/2000, dated 13<sup>th</sup> of April, creates an Inter-ministerial Work Group which should judge over situations and problems that may impair the integration of immigrants in Portuguese society;
- Decree-Law 6/2001 dated 18<sup>th</sup> January establishes the ruling principles for the organization and curricular management of elementary education, regulating the teaching of Portuguese as a second language;

- Law n. 105/2001, dated 31<sup>st</sup> of August 2001, which establishes the legal status of the Socio-Cultural Mediator.

To this array of legislation should be added the Recommendation of the National Education Council n. 1/2001, dated 8<sup>th</sup> of March 2001, which tackles matters concerning minorities, intercultural education and citizenship.

The High Commissioner on Immigration and Ethnic Minorities (HCIEM) promoted and participated in Work Groups that have put forward proposals set to establish measures such as:

- Creation of the figure of the cultural mediator and its applicability;
- Work aimed at promoting equality and insertion of Roma, including specific guidelines for the educational field;
- Uphold the enrolment and its renewal of children without legal documents and impose the publication of academic results, access to exams and socio-educational support.

The same HCIEM created a workgroup proposing measures concerning the school attendance of undocumented children based on the Children’s Rights Convention (ratified by Decree from the President of the Republic 49/90, from September 12, after approval for ratification by Assembly of the Republic Resolution 29/90) which recognizes the right to education and particularly, to “make elementary education mandatory and free for all”. This group proposed a guarantee of enrollment and enrollment renewal to undocumented children, as well as the guarantee to publish academic results, grant access to exams and tests. It also proposes the warrant of equitable access to socio-educational support.

Similarly to what happens in other countries, in Portugal one also can find a gap between what is settled by law and what really happens. In Portugal, however, due to characteristics of the Portuguese State – namely its heterogeneity, and ‘parallel’ features (Santos, 1993) – this gap is quite apparent. For instance, a great deal of concern with the training of socio-cultural mediators is expressed in the law (see above), however there were few gipsy candidates to cultural mediation to whom specific training was offered. Even worth, there are regions – namely in the north of Portugal – in which none institution called for the services of socio-cultural mediators.

### **7.3. ENROLMENT RATES IN MINORITY AND NON-MINORITY GROUPS IN THE PORTUGUESE EDUCATIONAL SYSTEM**

#### **7.3.1. Collected data and its organisation**

Evidently, the phenomena of school success/failure and dropout in the educational system would be the most revealing indicators to better analyse the adjustment of the system to the diversity it faces today. Notwithstanding, and since these data are not available, we

chose to use as indicators the comparative enrolment rates of minority and non-minority groups in the same school year across the different school levels.

The most recent available statistical data on school enrolments are relative to the 1997/1998 school year. The data cover a very limited range of aspects: total and minority groups<sup>4</sup> enrolments (regular and recurrent) in the 1st Level (1st to 4th grade), 2nd Level (5th and 6th grade) and 3<sup>rd</sup> Level (7th to 9th grade) of Elementary Education and Secondary Education (10th to 12th grade). However, though being these data limited, by submitting them to critical analysis and discussion, it is possible to point to and reflect upon certain relevant issues and sketch their implications.

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<sup>4</sup> These groups are designated, in the documents we accessed, as “migrant groups”.

		Returned Immigrants	Roma	Angola	Brazil	Cabo Verde	Guinea-Bissau	India	Macau	Mozambique	São Tomé e Príncipe	Timor	European Union	Others	
<b>1999/2000</b>	<b>Total</b>	<b>EM</b>	<b>IG</b>	<b>AO</b>	<b>BR</b>	<b>CV</b>	<b>GW</b>	<b>IN</b>	<b>MO</b>	<b>MZ</b>	<b>ST</b>	<b>TP</b>	<b>UE</b>	<b>OU</b>	
Different cultural/nationality groups	<b>101729</b>	<b>20896</b>	<b>8795</b>	<b>16529</b>	<b>3580</b>	<b>13405</b>	<b>4995</b>	<b>1098</b>	<b>397</b>	3086	3011	467	15497	9973	
<b>Pré-escolar</b>	11115	1469	740	1131	417	1338	427	188	65	189	225	35	3732	1159	
<b>Regular</b>	1 <sup>st</sup> Cycle (elementary)	36730	7186	6620	5910	1025	5648	1964	501	117	972	1128	122	2915	2622
	2 <sup>nd</sup> Cycle (elementary)	14056	3281	495	2338	545	2202	719	119	73	357	440	34	1577	1876
	3 <sup>rd</sup> Cycle (elementary)	19065	5348	135	2847	870	2164	871	178	92	582	542	75	2465	2896
	General Courses (secondary)	4426	1221	3	628	218	239	150	30	8	183	67	24	1246	409
	Vocational Courses (secondary)	921	234	0	109	34	95	24	3	1	48	11	9	155	198
	Vocational Courses- 2 <sup>o</sup> (secondary)	57	28	0	3	1	13	3	0	0	4	0	0	1	4
	Vocational Courses – 3. <sup>o</sup> (secondary)	1257	449	6	129	35	321	22	2	3	40	36	19	139	56
<b>Recurrent</b>	1 <sup>st</sup> Cycle	2839	279	663	451	58	610	121	42	9	45	93	80	227	161
	2 <sup>nd</sup> Cycle	1503	131	106	218	50	180	93	2	5	32	25	6	547	108
	3 <sup>rd</sup> Cycle	4232	467	25	1186	92	359	312	5	11	200	181	29	1100	265
	Secondary	5528	803	2	1579	235	236	289	28	13	434	263	34	1393	219

**Table 2**  
**Presence of minority groups in the Portuguese Educational System- 1999-2000 (Source: DPPA)**

Analysing data referring to enrolment rates of minority groups in the Portuguese Educational System may provide further food for thought if one is able to compare them side by side with the enrolment rates of migrant and non-migrant populations. With this in view, we laid out the data as seen in Table 3. This presents us with the total enrolment rates of both migrants and non-migrants in each educational level.

So to compare how the students from these two distinct populations are distributed in the educational system – and given that it was not possible to gather data on the number of migrants in each of the grades of the different levels –, we also created Table n. 4. This table, based on the total of enrolments in each level, presents the number of students that would attend each year *if both populations were to distribute themselves equally among the different grades within each level*. The numbers in this table, then, are average enrolment rates in each grade and within each level – they *do not therefore correspond to reality*. At any rate, they are useful insofar as through them one can get a better bearing on the distribution trends of the two groups throughout the educational system.

**Table 3**  
**Enrolment rates of migrant and non-migrant groups at the different levels of the Portuguese educational system**

	Pre-school	1 <sup>st</sup> level	2 <sup>nd</sup> level	3 <sup>rd</sup> level	Sec. Educ	TOTAL
<b>Total school enrolment</b>	218225	499351	258794	400061	384523	1760954
<b>Migrant school enrolment</b>	11115	39569	15559	23297	12189	101729
<b>Non-migrant school enrolment</b>	207110	459782	243235	376764	372334	1659225

Source: DPPA, 1999-2000

**Table 4**  
**Level/grade average school enrolment rates of migrant and non-migrant groups – 1999-2000**

	Pre-school/grade	1 <sup>st</sup> level/ grade	2 <sup>nd</sup> level/ grade	3 <sup>rd</sup> level/ grade	Sec. Educ/ grade
<b>Total school enrolment</b>	72742	124838	129397	133354	128174
<b>Migrant school enrolment</b>	3705	9892	7779,5	7766	4063
<b>Non-migrant school enrolment</b>	69037	114946	121618	125588	124111

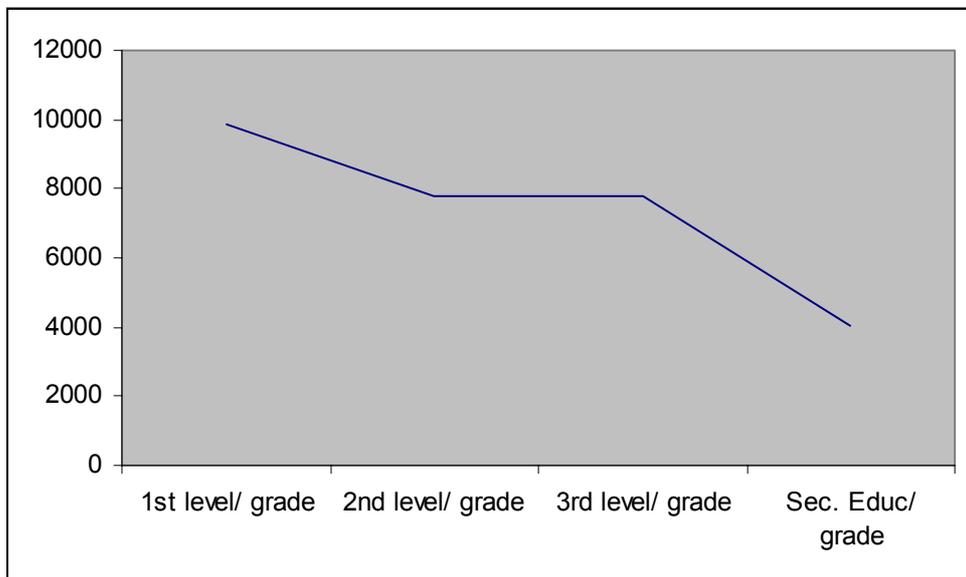
**Table 5**  
**Some examples of minority group school enrolment average per level/grade – 1999-2000**

<b>Migrants</b>	Pre-school/grade	1 <sup>st</sup> level/ grade	2 <sup>nd</sup> level/ grade	3 <sup>rd</sup> level/ grade	Sec. Educ/ grade
<b>Returned migrants</b>	490	1866	1706	1938	912
<b>Roma,</b>	247	1821	301	53	4
<b>Mozambicans</b>	63	254	195	261	236
<b>Guineans</b>	142	521	406	394	163
<b>Europeans (EU)</b>	1244	786	1062	1188	978

**Graph 1**  
**Non-migrants school enrolment per level – 1999-2000**  
(Average number per level/year)

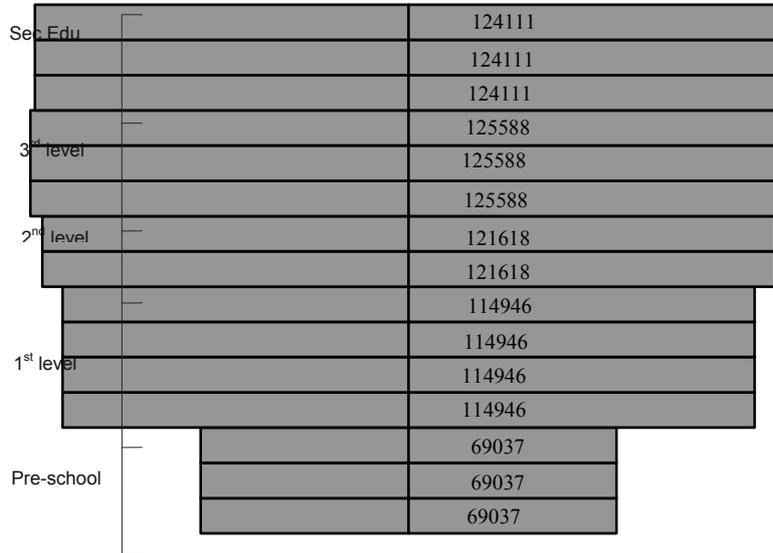


**Graph 2**  
**Migrants school enrolment per level – 1999-2000**  
(Average number per level/year)



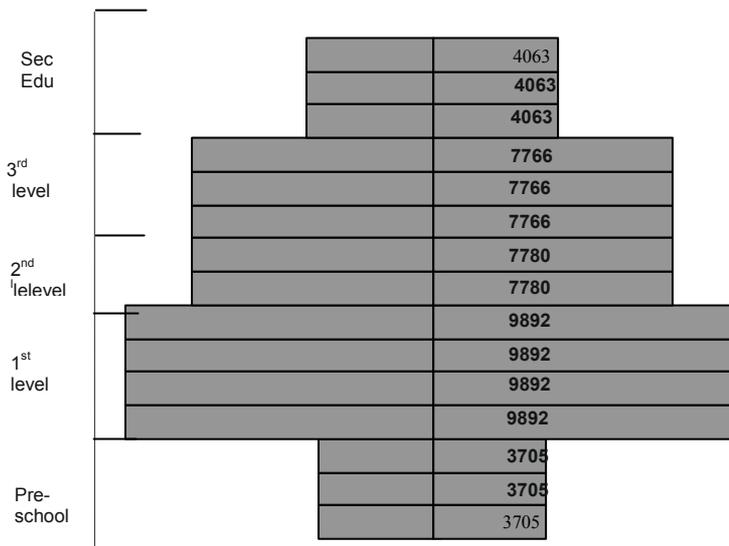
**Graph 3**

**Non-migrants enrolment distribution through the Educational System**  
 (Average number per level/year- 99-00)



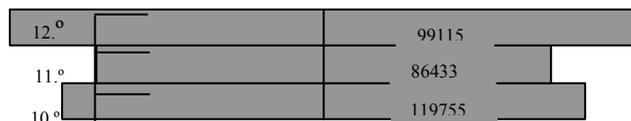
**Graph 4**

**Migrants enrolment distribution through the Educational System**  
 (Average number per level/year 99-00)



**Graph 5**  
**Total school enrolment (regular and technologic tiers) in the 10th, 11th and 12th**  
**(Real numbers**  
**99-00)**

Source: DPPA



\*Does not include professional technological courses, recurrent teaching and level 3 courses in professional schools

C.Técnicas do E. Recorrente e Cursos do Nível 3 do E. Profissional

### 7.3.2. Analysis of the data collected

In the face of these data one can conclude that:

- the total of migrants enrolled in formal education throughout the 1999/2000 school year is substantial: the 101 729 migrant students enrolled from Pre-school to Secondary Education correspond to 5,78% of the total of 1 760 954 students enrolled in these educational levels;
- the number of non-migrant students attending non-university education does not differ a great deal across the different grades of the different levels;
- the number of migrant students per grade in the 2<sup>nd</sup> level is slightly inferior to that in the 1<sup>st</sup>, comes down even further in the 3<sup>rd</sup> and plunges dramatically in Secondary Education. In sum, the number of students belonging to this category, especially among certain sub-categories, decreases the further one advances up the educational ladder. The most striking case is that of Roma which amount to an average per grade of 6 620 in the 1<sup>st</sup> cycle, 495 in the 2<sup>nd</sup> cycle, 135 in the 3<sup>rd</sup> cycle and 9 in Secondary Education<sup>5</sup>;
- The enrolment in Pre-school (not compulsory in Portugal) is relatively low, especially among migrants; the increase in the number of students from this level to the next (which is compulsory) is particularly accentuated among Roma (cf. Table 5).

<sup>5</sup> These numbers refer to regular schooling. In recurrent schooling, there are 663 Roma in the first level, 106 in the second level, 25 in the third level and 2 in the secondary.

### 7.3.3. Some reflections on the analysis of data

The general distribution of students across the different levels of the educational system, shown in these data, is somewhat difficult to account for. The current Portuguese scenario in this field is strikingly different from the broad-based and heavily sloped educational pyramid that represented the Portuguese Educational System a few years ago. It thus becomes important to understand whether this change corresponds to a more adequate functioning of the system, leading to lower rates of school failure. In the case of non-migrants, we can safely assume that the relatively constant number of students attending the different non-university education levels in 1999-2000 depends on a range of different factors. At the moment, it is not possible (given the almost complete absence of data) to firmly ground any of the plausible explanations for this phenomenon. We can nonetheless point to a number of factors that probably contribute to this state of affairs:

- firstly, we have to consider demographic variation. The decrease in the birth rate is a well-known fact and has obviously had a negative impact on the number of enrolments, which has been decreasing from year to year. This, then, may have contributed to the decrease in the number of enrolments in the lower levels of the educational system<sup>6</sup> in the same school year;
- the implementation of certain institutional mechanisms may also help to account for this phenomenon, by diminishing the visibility of school failure, which, one should add, has not disappeared<sup>7</sup>; Among these institutional mechanisms, one can cite the following:
  - furthering of compulsory schooling to 9 years, which is being presently consolidated, alongside a greater degree of inspection over child labour, which may partly explain the decrease in dropout rates;
  - a greater number of retentions in the higher levels of Secondary Education, correlated with an increasingly demanding assessment (which as a rule becomes harsher as one goes further in the educational system) and a decrease of dropout rates. The incidence of retentions is particularly visible in the 10<sup>th</sup> grade and seems to be the cause of the high number of students attending this grade (see Graph 5). Note that the number of students is higher in the first grade of each level, which can apparently be explained by the number of children that fail to pass when they face more demanding assessment criteria (see Annex 3);
  - the implementation of certain measures set to give support to students with difficulties (which contributes to their continuance in the educational system), such as ‘tutored study’ and/or the measures referred to in section 4.4.

But one should stress above all the fact that the joint graphic representation of the average enrolments per grade, as we can see (Graph 4), is, in the case of migrants, utterly different

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<sup>6</sup>According to data provided by DPPA, in the 1997/98 school year, 1 182 576 students were enrolled in the 1st level, 1 165 450 in 98/99, 1 146 651 in 99/2000, 1 122 305 in 2000/2001 and 1 098 303 in 2001/2002.

<sup>7</sup> Only from a very simplistic point of view can one consider school failure as a phenomenon exclusively reflected in the number of retentions or dropouts. If students continue in schools as a result of certain legal measures, but fail to acquire the contents considered essential, one has to acknowledge that school failure has persisted, but is now camouflaged and hence impossible to ascertain through quantitative data.

from that of non-migrants. Instead of the fairly constant number of students, there is a progressively lower number of enrolment rates from the 1<sup>st</sup> level onwards, further accentuated in Secondary education. We should also note that this variation is not the same within the different groups (cf. Table 5).

With regards to migrants, the difficulty in putting forward a solid interpretation of the available data is still greater than in the case of non-migrant students, since one is forced to take into account the fact that the presence and dimension of the inward flows of different ethnic and migrant groups into Portugal have varied throughout the years. Hence, we do not know how many students belonging to these migrant groups are present in Portugal in each year nor, consequently, how many of them seek to enrol in schools. However, the decrease in the number of students as one goes further in Elementary education and, above all, the dramatic decrease of their presence in Secondary education, seem to indicate that there is a much higher rate of school failure among migrants, despite measures taken to fight it (the ones that were already mentioned in this study and which obviously apply also to migrant groups). Thus, despite the uncertainty as to the number of migrants enrolling for the first time in the various grades of the educational system in each school year, all these data seem to suggest a much more arduous selection process for minority groups than for “non-migrants” (especially in the case of certain minority groups and, above all, in Secondary education). The case of the Roma community seems to strongly support this statement. This problem probably has its roots in the set of issues put forward in section 4.4.1, which point to higher failure rates among groups whose culture is markedly different from the one the school values. *This phenomenon leads, then, to a (non-explicit) form of discrimination in the educational field.*

## **7.4. STATE MEASURES AIMED AT FURTHERING AWARENESS OF DIVERSITY IN THE FIELD OF EDUCATION**

### **7.4.1. In the educational system**

The Portuguese educational system echoes, more or less directly, the cultural traits the country has acquired throughout its history and its relations with cultural, ethnic or racial differences. In this context, as stated above, Stoer speaks of “inverted interculturalism” (1999) to designate the way in which the relation with racial and ethnic differences in Portugal was interpreted against a frame (a constellation of values) moulded around, on the one hand, a monolithic notion of “Portugueseness” and, on the other hand, the country’s colonial experience. This cultural feature led, as hinted above, to a becoming-invisible of differences, and is one of the ingredients of what has been aptly coined as, in an educational context, “cultural colour-blindness” (Cortêsão 1998; Stoer and Cortêsão 1999), a trait embedded in teachers’ professional practice.

Our argument here shall be that in Portugal forms of racism and xenophobia, particularly after the democratic dynamics wove into public management procedures in the wake of the 25<sup>th</sup> of April 1974, are for the most part (but not exclusively, as will become evident, we hope, in section 6) implicit. They frequently appear intertwined with more general and subtle forms of discrimination, more often than not legitimated by arguments grounded upon the notion of merit: it is thereby common to hear that “everybody benefits from equal chances!”. By contrast, the case we intend to argue rests on the assumption that, in fact, not everybody is given the same opportunities if and when such a wide variety of groups is integrated – we could say, put in the straightjacket of – a unified, undifferentiated school curricula. Evidently, those groups whose basic socialisation took place in socio-cultural milieus poles apart from the culture schools value and seek to transmit, will experience greater difficulties in succeeding in their educational path. Hence, an educational system aware of differences and committed to avoiding discrimination is forced to find strategies/mechanisms that will help these groups to overcome any problems brought about by this cultural gap. To dismiss or overlook these issues, then, constitutes a (conscious or unconscious) contribution to the discrimination of minority groups.

This can be ascertained by scrutinising some policies touching upon educational issues related to ethnic and racial differences.

Especially after 1995, when the Socialist Party came into government, a varied span of policies was planned out in order to prevent forms of discrimination whose roots lie in a no more than apparent equality of opportunities. They are cited here because, in the end, they are relevant to the issue of discriminative practices this report is set to chart. The most important ones, in this respect, seem to be the Alternative Curricula (Dispatch n. 22/SEEI/96), and the Educational Territories of Priority Intervention (Joint Dispatch n. 147-B/ME/96) and the Flexible Curricula Management (Dispatch n. 4848/97, dated 30<sup>th</sup> of July; Dispatch n. 9590/99, dated 14<sup>th</sup> of May).

The political justification for creating alternative curricula was that school cannot give up on those that have given up on it. Its goal, then, was to include all those that had abandoned, or been excluded by, the system. With this in view, a simplified curricula for students in process of exclusion was implemented. In 2001, the Department of Elementary Education, given the data provided by the different Regional Education Offices (relative to 1999-2001), considered that the implementation had had, overall, a positive impact. Notwithstanding, according to the same report, it only resulted in a 1.22% decrease in dropout rates (when compared to the former school year – 1998-1999), which means that 9 out of each 100 students with alternative curricula abandon school without having completed compulsory education. The report does not touch upon the situation of students from migrant, ethnic or racial minority families. It follows from this that no final conclusions can be drawn at this level. However, it is logical to assume that these learners, given their wider socio-cultural distance from school norms and demands, are more likely to be the target of the measures put forward by the alternative curricula. However, the Northern region – where, especially when compared to the Lisbon and Tagus Valley region, ethnic and racial diversity is, we are led to believe, scarce – registered the greater percentage of dropouts (13.41%), followed by the Centre Region (9.77%). In sum, it was impossible to discern ethnically and racially-grounded forms of exclusion with regards to the implementation of this policy.

The Priority Intervention Educational Areas policy, which proposes the association and co-operation between educational entities in each area, sought to ground school success in the local context and its specific features. The results of this policy, initiated in 1996, are yet to be assessed. Studies on this matter (for instance, Stoer and Rodrigues 2001; Barbieri 2002) suggest that these type of initiatives have a far greater potential than those which have been put in place by the local social agents, namely the educational agents. This policy, to the extent that it seeks to integrate into the notion of educational community all the most relevant agents in the social and cultural context they apply to, appears as having a potential of inclusion and of creating an obstacle to racial or ethnic discrimination that apparently is far from being fully fulfilled. Hampered by a traditionally centralised administration, by the social weakening of their professional status and by some shyness to assume the responsibilities bestowed upon them by the legal autonomy that they were attributed, many teachers – as crucial educational agents, which they are – have not profited from this instrument as much as they could (Stoer and Rodrigues 2001; Barbieri 2002).

The policy of rendering curricular management more flexible aims to give schools a certain degree of autonomy, so that they can, on the basis of their local and institutional specificity, reshape (in other words, diversify) the set of competencies their students should possess by the end of the compulsory levels of education. In this sense, this policy, which opens up ways for schools to adjust to the socio-cultural traits of their student population, despite being comparatively recent (1999), has been assessed very positively by the great majority of the educational community (Leite and Fernandes, 2002). Furthermore, this measure, implemented locally, in other words, in the face of concrete situations, clears the way for a whole new approach to planning and developing solutions to the phenomena of inclusion and non-discrimination.

We should also note that some (not many) initiatives have been developed with the aim of attending to the problem of non-native speakers in the educational system. This issue shall be addressed in section 5.

#### **7.4.2. Measures taken by the High Commissioner on Immigration and Ethnic Minorities with an impact upon the educational field**

The 2002 HCIEM report gives an account of the initiatives and measures proposed by this entity which are set to have an important effect on the education of minority groups. Among them, we should highlight:

- measures linked with school attendance of undocumented children, based upon the Convention on Children's Rights (ratified by Decree of the President of the Republic n. 49/90, dated 12<sup>th</sup> of September, after approval for ratification by the Parliamentary Assembly Resolution n. 20/90), which recognises the right to education and establishes the goal of "compulsory and free elementary education for all". The work group, then, proposed that:
  - "enrolment and its renovation be guaranteed to children and youngsters, including those without legal documents;
  - their academic results be published, for all school and legal purposes, under the same conditions as that of any other student;
  - access to exams (including national exams) and tests be guaranteed, in equal terms, so as to promote their educational progress, free of discrimination;
  - the transition from educational grade or level be guaranteed, depending on the features of individual cases, without provisional or suspended effects, due to the country's situation;
  - socio-educational support be guaranteed in equal terms, depending on the presentation of Income Proof by their respective families or, in the cases where this proves impossible, a declaration stating their economic status, issued by the Local Council;
  - when documents proving school qualifications are not presented and cannot be obtained, by initiative of the students' legal guardians/relations, a qualification certificate be made, depending on a sworn testimony by the legal guardians/relations, which does not obviate the verification of the veracity of these declarations by contacting relevant schools and countries;
  - diplomas and school certificates corresponding to the curricula attended by the student be guaranteed by schools;
  - a survey be made, categorised by gender, of all situations found in each school and that this information be gathered in a central office of the ME (DEE/DSE) and articulated with the HCIEM, so as to account for the reasons behind irregular situations and find legislative or administrative solutions that may avoid or prevent them, in co-operation with the FBS and other entities involved in the regularisation of immigrants in Portugal."
  - (HCIEM Report 1999-2002)
- the proposals put forward by a work group for cultural mediators (sub-paragraph b), n. 2 of the Joint Dispatch n. 1165/2000, dated 19<sup>th</sup> of February 2001) be put in place. These establish: the institutionalisation of the figure of the cultural mediator, their mode of action; their profile and their training curriculum (cf. HCIEM Report 99/2002: 59-60). However, we should regret the fact that these

mediators are underused, and note that a large portion of the few that have completed the course are now unemployed or involved in other activities<sup>8</sup>.

### **7.4.3. Education-related initiatives by the General Office for Consular Affairs and Portuguese Communities (Portuguese Foreign Affairs Ministry)**

This General Office provides us with an example of a state institution that for a long time has been carrying out a range of activities that, through education and training, make different publics aware of diversity-related issues<sup>9</sup>.

Among these initiatives, we should mention a recent project entitled “**Knowing How to Live in a Multicultural Europe**”, developed within the scope of an EU initiative, “Article 6”, co-financed by the European Social Fund. This project consisted in a vast research which resulted in the publication of eight volumes where a range of aspects related to migration and migrants are scrutinised. Given our subject here, we should highlight the books that sprang from the strand of the Project focused on Education and Training: one volume contributing towards the identification and characterisation of training as well as of some of the professionals that deal with immigrants in Portugal (Cortês et al 2000), and another one which seeks to survey all Portuguese publications on issues related to racism, xenophobia and cultural diversity in education (Cortês et al 2000a).

## **7.5. CIVIL SOCIETY INITIATIVES**

### **7.5.1. Support to over-qualified workers (with a special reference to the case of doctors)**

As mentioned above (see section 4.1), the influx of Eastern European immigrants led to new problems. One of them, closely bound up with the area of professional training, resulted from the presence of migrant workers with high academic qualifications (including university degrees), in stark contrast with the competencies their posts demanded. One such example, among many others, is that of male doctors and engineers working in construction work, as well as female doctors and nurses working as house servants. If a lasting solution to this problem seems far away, it is nonetheless true that (and one should bear in mind the want of doctors felt at present in Portugal), the Jesuit Service for Refugees has tried to tackle this problem: it created a Requalification Program, subsidised by Gulbenkian Foundation, which aims to give these over-qualified

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<sup>8</sup> Information provided by *Olho Vivo* Association, which developed projects with Roma mediators.

<sup>9</sup> It is important to note that this general office (from 89/90) integrated a major European project on training of migrant women (“Old Knowledge, New Perspectives”), followed by Project PO9, where the issues dealt with in the previous one were taken further (1990 to 1994). This was followed by a third project, also on a European level (developed between 95 and 96), entitled, “Meeting what has already been done”. Between 1997 and 2001 the Project “Knowing How to live in a Multicultural Europe” was undertaken. Another one is now in a developing stage (an *Equal* project), on “Prevention of racial and ethnic discrimination”.

workers the opportunity to sit the Medical Association exam, which would give them an equivalence to Portuguese diplomas. This project, conceived at the outset for ten doctors, was contacted until October 2002 by a hundred candidates in similar situations. Most of the latter, both men and women, originated from Ukraine and Moldavia, as well as, although in fewer numbers, from Russia, Bielo-Russia, Romania, Cuba and ACPOs.

It is important to note, however, that in many other work contexts, the huge difference between the academic level of Eastern European immigrants and, for instance, those originating from ACPOs, continues to give rise to problems and is propitiatory of racist behaviours not only by employers but also by the migrants themselves.

### **7.5.2. Initiatives undertaken by a variety of institutions**

Some official measures in the field of education sought to address discrimination problems. As referred to above, it is enough to read existing legislation to find evidence of a concern over this issue (cf. Section 5.3). Also symptomatic of this stance is the creation of the post of High Commissioner on Immigration and Ethnic Minorities, as well as the existence of a nation-wide Commissariat such as *Entreculturas*. What is more, hand in hand with the attention to this problem by state authorities, one notices that civil society, through a range of organisations, such as immigrant associations and solidarity public institutions, has been developing activities set to promote education and professional training among minorities alongside other types of support. The high number of associations (NGOs, Solidarity Associations, School Associations) that have come together in civil society is truly remarkable. They seek to contribute to the development of formal and informal educational structures, and, more generally, to fight racism and discrimination. Examples of this are *SOS Racismo*, *Olho Vivo*, OIKOS, CIVITAS, REAPEN, Doctors of the World, IEC, Capeverdian Association, etc. A study developed within the GOCAPC Project on training (referred to in section 5.3.3.) makes a (assumedly incomplete) list of 32 of these institutions (cf. Cortesão et al 2000).

The teaching of Portuguese to adult non-native Portuguese speakers migrants is another striking example of this. This initiative is supported exclusively by private institutions (even though they take place in state teaching institutions), such as religious, civic or cultural associations, or even by individual citizens (see Annex 2).

## **7.6. BETWEEN STATE AND CIVIL SOCIETY INITIATIVES**

This set of situations seems to suggest that, if certain state-sponsored initiatives indicate a certain degree of concern in dealing with discrimination issues in education (see Section 4.4), the fact remains that some of its more serious problems are left in the hands of private institutions. This, together with the absence of treated data concerning diversity in education seems reason enough to be worried. All the more so since immigration breeds heterogeneity – given that immigrant populations are increasingly diversified – and that the current socio-economic context points to a future crisis. What this means, in other words, is that we are witnessing a coming together of a host factors propitiatory to an increase in discrimination and racism. It is therefore advisable for the state to address these problems in a serious and committed manner, even while it continues to support and co-operate with institutions and peripheral groups.

In this context, one should remember the already cited case of adult non-native Portuguese speakers, since they are supported exclusively by private entities (cf. section 4.5.2). This is also the case of students in formal education who either cannot speak or are not fluent in Portuguese – both are examples of the fact that state authorities often don't pay enough attention to this problems and thus allowing them to get worse by the day. Having had access to a report produced by DEE in December 2003, relative to 2001/2002, we may draw on the data provided to spell out some of the issues at stake. The report starts by stating that the data was gathered between January and February 2002, and encompasses only state schools in the continent. What is more, it relies exclusively on information provided by the schools themselves. Further on, it says there are 17 535 students “non-native Portuguese speakers attending compulsory education”. It then adds that 230 different languages – corresponding to 140 identified minorities – were found in those establishments, and that in certain school clusters one finds up to 17 different native languages. Among these students, the report states, “ 386 (2%)do not understand (a word) of Portuguese; 3 894 (22%) do not understand enough to follow a discourse, even if simple” or “cannot make themselves understood in the language used in the school”; while “ 12 568 (72%) have already overcome the language barrier, one way or the other. The total “Non-answer” is 687 (4%)(p. 16).

## 8. Indicators of social/educational explicit or veiled racist trends

The qualitative data on problems resulting from the presence of minorities in the Portuguese Educational system we could access, even if limited, allow us nonetheless to do a more thorough and detailed analysis of the discrimination phenomena we are trying to pin down. However, we should start by explaining that under the current state of development of Portuguese democracy, even though some practices are worthy of being pointed out, it is uncommon to come across explicitly racist or xenophobic discourses in the field of education. Notwithstanding, it is our view that such phenomena can be detected by analysing specific cases that sometimes surface, even if they seldom spring from an intention to discriminate migrant groups. We should nonetheless remember that certain practices, even if sometimes unconscious, contribute to discrimination.

For instance: in the educational field, class organisation may imply procedures that clearly contribute to racial or ethnic discrimination. There is a significant number of examples that may help illustrate this statement. A school situated in the north of Portugal, whose name we will excuse ourselves from mentioning, has put all students of Roma ethnicity together in two classes, both of them in the afternoon shift (which, as a rule, functions in worse conditions), and located them in the basement of the school building. Indeed, the media have given vent to similar situations. To give but one example, the newspaper *Público*, in a series of articles (19<sup>th</sup>, 20<sup>th</sup> and 21<sup>st</sup> of October 2000), denounced the existence of a class in Tocha composed exclusively of Roma students. The debate around this case is probably the cause of the dissolution of this class in the meantime.

A letter to protest addressed to the Secretary of State for Education (copies of which were sent to EAC West, to the HCIEM and to *SOS Racismo*) points out the existence of a class with 18 black and 1 Roma student, put together for two years in a row in Elementary School n.1 in Brandoa, for students displaced from Guinea-Bissau .

It should be made clear that the issue of putting together homogenous classes, where, for instance, Roma or black students from run-down neighbourhoods are placed, is a polemic matter. Sometimes these classes stem from a naïve illusion that “in this way one can help these students”, and teachers and schools often fail to realise the risk of thereby contributing to the formation of ghettos. This is due with the fact that the necessity to adapt educational proposals to each group is sometimes considered only feasible if they are together in the same class. It has not been easy to lead schools and teachers to interpret heterogeneity as an opportunity to enrich and diversify the curricula within each class (in multicultural contexts) and thereby fight discrimination.

Sometimes, minority communities themselves prefer their children to be together as long as the class and/or school are organised so as to guarantee special and adequate support and attention. The newspaper *Público* of 12/12/97, for instance, states that the “Romani Workshop Association” intended to organise Elementary Education courses for “Roma only” so that “youngsters may learn to read and write, given that the majority of them either never attends school or abandons it at a very early age”.

However, in other cases this distribution of students results from a manifest desire to create a form of segregation and from the fear of dealing with the “different-other”, thought to be a menace. For example, when the school delegate in Montemor-o-Velho proposed the EAC to integrate six Roma students in School CB1, in Quinhentos, the students’ parents organised a meeting to “show” that it was not a question of racism, since they “were willing to accept two students”. “What is more, we are prepared to provide them with clothing, food, everything they might need. But six students, no.” (cf. *Público*, 2<sup>nd</sup> October 1998).

There is another type of situation we should bring up. For instance, in a school in the Lisbon Metropolitan area, research done for an MA thesis showed outspoken racist attitudes: some parents removed their children from that school because they did not want them to attend “a school for black kids”. At the same time, other parents also removed their children because they had been victims of explicitly racist attitudes by the teachers (Lopes, 1997).

The media have also echoed other situations where racism is clearly manifest. For example (and it is but one example among many), on the 16<sup>th</sup> of March 1998, the newspaper *Diário de Notícias*, in an article entitled “Racism and Violence in Schools” mentions a study on African families in Portugal, signed by Maria Santos Silva of the University of Évora. This study cites, among other instances, the case of a black mother that says she would like to explain to some children a range of issues to do with race and colour: “I would like to say to these kids that the only difference is colour and that colour makes no difference” and that “some children suffer because the majority is Portuguese, hence... they feel inferior. Some of them do not want to play with them because the others say ‘you’re black, get out of here, you’re black’”. Another mother says there are teachers that “put students at the back and forget them, which, by the way, coincidentally to the children of Capeverdians or any other black children”.

Another problem yet to be solved is that of undocumented students in Secondary Education. An initiative by the HCIEM, mentioned above in Section 4.4.2, led to their acceptance in Elementary Education (see HCIEM Report 2002). However, the problem persists in Secondary Education – where only a small number of these students managed to reach - and thereby leads to difficulties in terms of these students’ access to Superior Education. The newspaper *Público* (11<sup>th</sup> of May 2002) reports that in Damaia Secondary School alone there are 300 “illegal” students. They will not be allowed to pursue their education.

We should note that the above mentioned cases are merely examples of very common situations within the Portuguese Educational System.

## 9. Conclusions

Despite all the difficulties faced in the collection of data, it seems safe to assume that:

- in educational contexts, violent and/or explicit instances of racism or discrimination are not very frequent. Situations denounced by the media, involving physical aggression, and sometimes resulting in deaths<sup>10</sup> generally take place (and not very frequently) in other spheres. Discriminatory behaviours in education (whose nature is usually denied) occur mostly within the bounds of what has been designated as “Portuguese petty-racism”<sup>11</sup>. They substantiate themselves, then, above all, (but not exclusively under this form, see Annex 2) in the organisation of homogenous classes, in the separation of minority students within classes, or (more frequently) in highly devaluing, sometimes even aggressive, relationships, whereby the teacher’s support to minority groups students is much less committed;
- given the Portuguese socio-economic context and, above all, the manifest social problems experienced across a number of countries, it has become evident that a situation that might trigger discriminatory and racist attitudes and behaviour should be avoided – we hope this study was able to bring to light all the cases where this is blatant;
- not enough attention is paid to many problems that are now surfacing as a result of the previously described scenario. In the educational field, therefore, we witness more or less conscious situations and attitudes that constitute manifest aggressions towards minority groups; in parallel, more or less effective measures are being taken, both by the state and by civil society institutions, to tackle these problems;
- although data are insufficient for us to draw any definite conclusions, all information regarding the field of education points to a situation whereby minority groups are sometimes discriminated, even if not generally in an explicit manner (cf. Section 4.3.).

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<sup>10</sup> It is worth pointing out, in this context, the widely discussed “Faustino case” (1977), where a black student was beaten and later placed, unconscious, over the Av de França railway line (Porto), by a group of white youngsters. Another example, very recent, is the murder of the young black bouncer working in a Lisbon club that was attacked by a group of “skin-heads”.

<sup>11</sup> “In 1993, in the newspaper *Público*, João Ferreira Almada signed a pungent article entitled Portuguese petty-racism”. There, he describes a situation he went through in a bookshop situated in a Lisbon commercial centre: a group of young boys, exchanged banter and jokes about blacks, in an attempt to humiliate and verbally aggress him, to which nobody reacted. He ends his article by saying: “When things like this happen to me, I make an effort to assume that the Portuguese people is one of the most mixed in Europe, that Portuguese people are not cruel, racist or selfish. That is not a people incapable of providing my children with a minimum standard of education, of passing on to them the sense of human dignity. I try to think that racist people are always the ignorant, the unemployed, or those that come from a disadvantaged background. I try very hard to think that jokes about blacks are not that common and that most people are conscious of the suffering they induce. But is that indeed true? My nationality is Portuguese, but when you’re a black person in this country, even though you’re fully integrated in this society, you must remain vigilant. The Portuguese petty-racism may pop up from just about anywhere, in the most unexpected of situations and the pain it causes is always deep [*Germinal* 3, 1993/1995]” in Cortesão et al 2000a: 7

## 10. Bibliography

HCIEM (2002) *Relatório de Actividades do Alto Comissário para a Imigração e Minorias Étnicas Dr. José Leitão* [Report of the Activities of the High Commissioner on Immigration and Ethnic Minorities, Dr. José Leitão] 1999-2002, Lisbon, ACIME

Barbieri, H. (2002) *O Projecto Educativo – A territorialização das Políticas Educativas*. [The Educational Project – the territorialisation of Educational Policies] MA dissertation, Faculdade de Psicologia e Ciências da Educação [Psychology and Educational Sciences Faculty] of the University of Porto

Bourdieu, P. ; Passeron, J.C. (1970) *La Reproduction : Éléments pour une Théorie de la Pratique du Système de l'Enseignement*, [Reproduction: in Education, Society and Culture]Paris : Minuit.

Cadima, Alcina; Neves, Luiza (2002) “Parlamento de Jovens” [Parliament of Youngsters] in Luiza Cortesão, Carlinda Leite, José Augusto Pacheco, *Trabalhar por Projectos – Uma inovação interessante?* [Working through Projects – an interesting innovation?], Porto, Porto Editora

Callewart, G. (1998) Philosophy of Education, Frankfurt, Critical Theory and the Sociology of Pierre Bourdieu”, in: Callewart, G. (ed) *Society Education and Curriculum*, Copenhagen: Dep. Of Education Philosophy and Rhetoric

Cortesão, L. (1998) *Da necessidade da Vigilância Crítica em Educação à Importância da Prática da Investigação-Ação* [From the need of Critical Vigilance in Education to the Importance of Research-Action], *Revista Educação* VII, 27-33

Cortesão, L. (2001) “Guliver entre gigantes – na tensão entre estrutura e agência que significados para a educação” [Gulliver among giants – what implications for education in the tension between structure and agency], in: Stoer, S.; Cortesão, L.; Correia, J. A.(edts) (2001) *Transnacionalização da Educação – da crise da educação à educação de crise* [Transnationalisation of Education – from a crisis in education to education in times of crisis], Porto: Afrontamento

Cortesão, L.; Pacheco, N. (1991) *O conceito da Educação Intercultural/Interculturalismo e Realidade Portuguesa*, [The concept of Intercultural education – Interculturalism and Portuguese Reality] in: *Inovação*, Vol 4, n. 213

Cortesão, Luiza, Leite, C., Madeira, R., Nunes R., e Trindade R. (2000) *Nos Bastidores da Formação, Contributo para o Conhecimento Actual da Formação de Adultos para a Diversidade em Portugal*, [ The backstage of Training, a Contribution for an Up to Date Knowledge of Adult Training for Diversity in Portugal] Lisbon: Celta

Cortesão, L., Leite, C., Madeira, R., Nunes R., e Trindade R (2001) *Na Floresta dos Materiais, Catálogo analítico de materiais de formação para a diversidade* [In the Forest of Materials, Analytical Catalogue of the Training For Diversity Educational Materials] Lisbon: Celta.

Cortesão, L. et. al. (2002) “Mergulhando no Arco-Iris Sócio Cultural, Contributo para o conhecimento dos trabalhos sobre educação e diversidade em Portugal” [ Plunging into the Socio-Cultural Rainbow, a Contribution to the knowledge about works related to education and diversity in Portugal”] in: *Investigar em Educação, Revista da Sociedade Portuguesa de Ciências da Educação*[Research in Education. Periodical of the Portuguese Educational Sciences Society] Vol 1, n. 1, pp. 19-99

DEB (2003) *Caracterização Nacional de alunos com Língua Portuguesa como Língua Segunda – Relatório Síntese* [National Characterisation of students with Portuguese as their second language] 2001/2002, photostat.

DAPP, ME (2002) *Matrículas de Migrantes no Ensino Público e Privado do Pré-Escolar, EB, EB2, EB3 e Secundário, ano lectivo 1999/2000* [Migrant students enrolled in State and Public Elementary and Secondary Education in 1999/2000 school year], photostat.

Leite, C.; Fernandes, P. (2002) *Potencialidades e Limites da gestão local do currículo para (e na) construção de uma escola com sentido para todos*,[“Potential and Limits of local curricular management for (and in) the creation of a school for all”] in *Gestão Flexível do Currículo, Reflexões de formadores e investigadores*, [ Flexible Curricular Management, Reflections by trainers and researchers] Lisbon: BED, p. 41-62

Lopes, P. (1997) *Uma escola de todos mas não para todos*. [Everybody’s school, but not a school for everybody] MA dissertation, Faculdade de Psicologia e Ciências da Educação [Psychology and educational Sciences Faculty, University of Lisbon.

Santos, B. S. (1993), *Portugal: um retrato singular*. Porto: Edições Afrontamento.

Santos, B. S. (1995) *Toward New Common Sense: Law, Science and Politics in the Paradigmatic Transition*, New York: Rowledge

Stoer, S.; Cortesão, L. (1999) *Levantando a Pedra, Da Pedagogia Inter-Multicultural às Políticas Educativas numa época de Transnacionalização*, [Lifting the Stones: From Inter-Multicultural Education to Educational Policies in a Trans-national Era] Porto: Afrontamento

Stoer, S.; Rodrigues, F. (1999) *Territórios Educativos de Intervenção Prioritária: Análise do Contributo das Parcerias* [Priority Intervention Areas: Analysis of Partnership Contributions] Lisbon: IIE/CIIE

Wallerstein, I. (1990) Culture as the Ideological Battleground of Modern World System, in: Fealherstone (ed), *Global Culture*, London: Sage, p. 31-56

Wiewiorka, M. (1994) Introduction, in : Wiewiorka, M. (ed), *Racisme et Xenophobie en Europe* [Racism and Xenophobia in Europe] Paris : Ed. Découverte

#### NEWSPAPER ARTICLES :

*Diário de Notícias* (16.05.1998)

*Público* (02.05.2002)  
*Público* (19.10.2000)  
*Público* (20.10.2000)  
*Público* (21.10.2000)  
*Público* (02.10.1998)  
*Público* (12.11.1997)

## 11. Annex I: - Legislation on problems related to racial/ethnic discrimination in Education

### *National Legislation*

☐ **Constitution of the Portuguese Republic**

*Diploma that consecrates the fundamental legal principles (arts 4, 7, 8, 12, 13, 15 to 35, 41, 46, 59, 74)*

☐ **Dispatch of the Ministry of Education n. 22/SEEI/96, dated 19th of June 1996**

*Curricular Structure for Elementary and Secondary Education*

☐ **Dispatch of the Ministry of Education n. 147-B/ME/96, dated 1st August 1996**

*Association of educational and teaching establishments for the creation of Priority Intervention Educational Areas (PIEAs)*

☐ **Dispatch of the Ministry of Education n. 4848/97, dated 30th of July 1997**

☐ **Dispatch of the Ministry of Education n. 9590/99, dated 14th of May 1999**

*Flexible Management of Curricula*

☐ **Joint Dispatch of the Ministry of Education and State Secretariat for Employment and Professional training n. 304/98, dated 24th of April 1998**

*Institutionalises the figure of the Cultural Mediator*

☐ **Law n. 134/99, dated 28th of August 1999**

*Prohibits discrimination in the exercise of rights grounded on race, colour, nationality or ethnic origin (art. 4 n. 1, sub-paragraphs h) e i))*

☐ **Resolution of the Ministry Council n. 48/2000, dated 13th April 2000**

*Creates an inter-ministerial Workgroup that will judge over situations and problems affecting immigrants' integration in Portuguese society*

☐ **Law Decree n. 65/2000, dated 26th of April, of the Ministry of Internal Affairs**

*Rules over Law n. 244/98, dated 8th of August, which regulates the entry, permanence, exit and expulsion of foreigners from national territory;*

☐ **Law Decree n. 111/00, dated 4th of July 2000**

*Rules over Law n. 134/99 with regards to prevention and prohibition of any form of discrimination the exercise of rights grounded on race, colour, nationality or ethnic origin (art. 2, n. 1, sub-paragraphs h) and i))*

☐ **Joint Dispatch from the Presidency of the Ministerial Council and the Ministries of Work and Solidarity and Education n. 1165/00, dated 18th of December 2000**

*Creates a workgroup on the issue of Cultural Mediators*

☐ **Recommendation n. 1/2001, dated 8th of March 2001**

*Recommendation of the National Education Council on Minorities, Intercultural Education and Citizenship*

☐ **Law n. 105/2001, dated 31st of August 2001**

*Establishes the legal status of the Socio-Cultural Mediator*

### ***International Conventions/Agreements***

☐ **Convention on the Role of Professional Guidance and Training for the Improvement of Human Resources** (Convention n. 142 Of the International Labour Organisation, dated 4th of June 1975)

☐ Decree n. 62/80, dated 1980

*Approves for ratification Convention n. 142 of the ILO*

☐ **Convention on the fight against discrimination in the educational field (UNESCO, dated 14th of December 1960)**

☐ **Decree n. 112/80 Dated 23rd of October 1980**

*Approves the Convention on the fight against discrimination in the educational field*

☐ **Decree n. 118/81 dated 10th of September 1981**

*Approves for ratification the Protocol that creates a Commission of Conciliation and Good Practice in charge of mediating conflicts that may arise between States which are parties in the Convention on the fight against discrimination in the educational field.*

☐ **International Convention on eliminating all forms of racial discrimination (ONU, 21<sup>st</sup> of December 1965)**

☐ **Law n. 7/82, dated 29th of April 1982**

*Approval, for adherence, of the International Convention on eliminating all forms of racial discrimination (Annex) (art 5, sub-paragraphs e) – v))*

☐ **Notice n. 95/2001 dated 24th of August 2001**

*Acknowledgement of the competencies of the Committee established in art 14 of the International Convention on eliminating all forms of racial discrimination*

☐ **International Agreement on economic, social and cultural rights**

☐ **Law n. 45/78, dated 11th of June 1978**

*Ratification of the International Agreement on economical, social and cultural rights (arts 13 and 14)*

☐ **Convention on Children's Rights (signed in NY on the 26th of January 1990)**

☐ **Resolution of the Parliamentary Assembly n. 20/90, dated 12th of September 1990**

*Approves for ratification the Convention on Children's Rights (arts 28 and 29)*

### ***European Legislation***

☐ **European Convention on Human Rights (Rome, 4th of November 1950)**

☐ **Law n. 65/78, dated 13th of October 1978**

*Approves for ratification the European Convention on Human Rights (Additional Protocol n. 1 and art 14)*

☐ **European Social Chart (18th of October 1961)**

☐ **Resolution of the Parliamentary Assembly n. 21/91, dated 6th of August 1991**

*Approves for ratification the European Social Chart*

☐ **Resolution of the Parliamentary Assembly n. 64-A/2001, dated 17th of October 2001**

*Approves for ratification the revised European Social Chart*

☐ **European Convention of University School Periods (11th December 1953)**

☐ **Decree n. 63/82 dated 31st of May 1982**

*Approves for ratification the European Convention of University School Periods*

☐ **Resolution of the European Parliament on the fight against racism within the European Union (2000)**

☐ **Guideline 2000/43/CE of the European Council, dated 29th of June 2000 (although already in force has not been integrated in the Portuguese legislation)**

*Application of the principle of equal treatment for all, regardless of racial or ethnic origin (art 3, n. 1, sub-paragraph g))*

## 12. Annex II - Examples of institutions that give free courses of Portuguese as a Second Language 12

- Setúbal Diocesan *Cáritas*
- Social Centre of “6 de Maio” Neighbourhood (Amadora)
- Catholic Spirituality Centre (CSC)
- Pastoral Centre of Santo António da Lourinhã
- Social Parochial Centre of Vera Cruz (Aveiro)
- Padre António Vieira University Centre
- Irish Dominicans
- Santa Catarina Elementary School (Caldas da Rainha)
- Eça de Queiroz Secondary School (Olivais)
- Gil Vicente Secondary School
- *Espiritanos (Congregação do Espírito Santo)*
- Buraca Parochial Church
- Pêro Pinheiro Parochial Church (Sintra)
- São Pedro Parochial Church (Sintra)
- São Jorge de Arroios Church
- Maristas Fraternity (Carcavelos)
- Maristas Fraternity (Benfica)
- Benedita Schools Cluster Head-Office (Caldas da Rainha)
- *SOS Racismo/Faculdade de Ciências Sociais e Humanas* [Social and Human Sciences Faculty]
- University of the Third Age of Amadora
- Association *Olho Vivo* 2000-2001
- Association *Nós* 2001-2002
- Association *Famílias* 2001-2002

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<sup>12</sup> Data provided by HCIEM and by Association *Olho Vivo* (Braga)

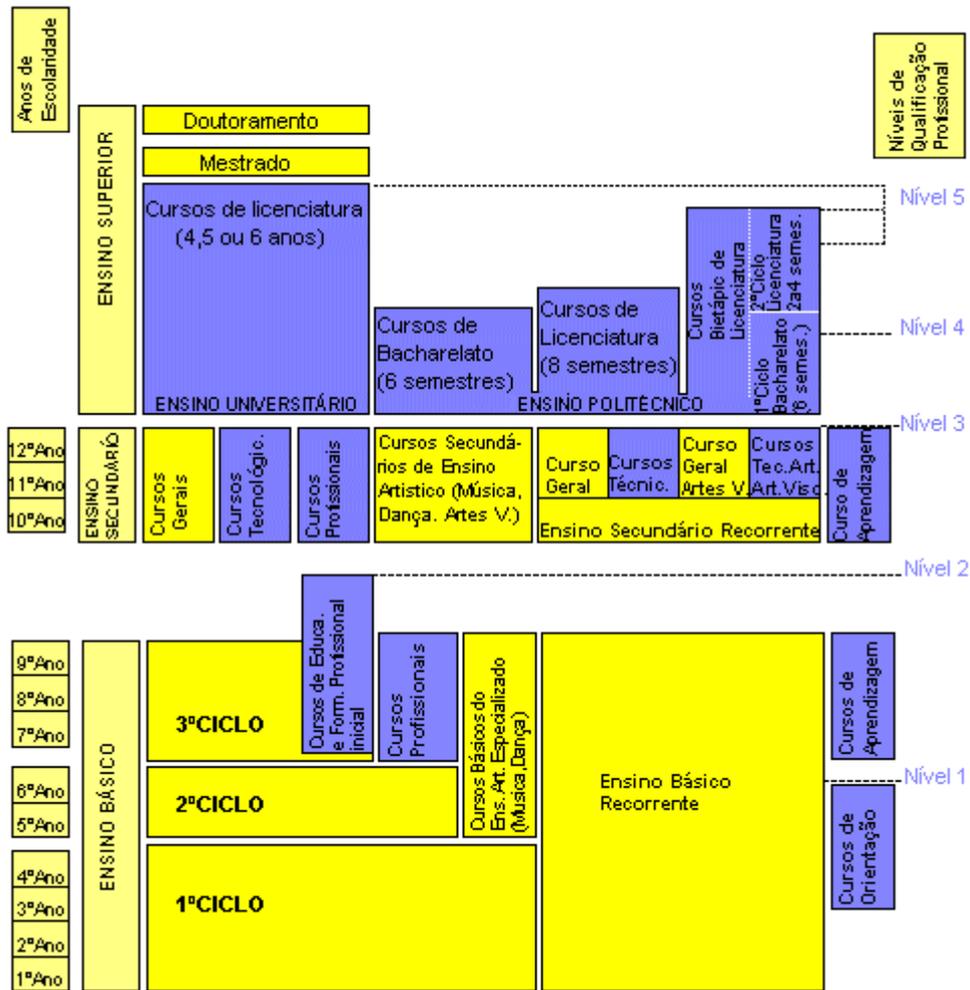
**13. Annex III - Total students enrolment rates in Elementary and Secondary Education in the Continent (State and Private Schools)**

Grades	Regular Teaching	Technological Teaching	Total-per level (Reg+Technol)	Total- per level (Recurrent Teaching)	TOTAL
1st grade	111 715		487 796	11 555	499 351
2nd grade	129 399				
3rd grade	121 117				
4 <sup>th</sup> grade	125 565				
5th grade	126 389		251 481	7 313	258 794
6th grade	125 092				
7th grade	131 076		368 088	30 959 CEFI 283 C. Prof. 731	400 061
8th grade	121 366				
9th grade	115 646				
10th grade	90 931	28 824	119 755	44 182	305 303*
11th grade	68 116	18 317	86 433		
12th grade	80 266	18 849	99 115		

*\* Does not include Professional Technological courses (post-lab), Recurrent Teaching, Technical Courses, Level 3 courses in Professional schools*

# 14. Annex IV - Organisation of the Portuguese Educational System

## ORGANOGRAMA DO SISTEMA EDUCATIVO



Informação da responsabilidade de: **Ministério da Educação**