

Municipal Councils of Education: educational policy and public action

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ABSTRACT:

This text is to show the course of a research project carried out within the field of study of *decentralization and territorialization* of educational policies in Portugal. The research problem focuses on the policy measure that created Municipal Councils of Education. The construction of the study object brings together two theoretic points of view: public policy analysis and organizational analysis. In the political context of *decentralization and localization* of educational policies — understood as a wide process of reconfiguration, of *recomposition of the State* — this measure is analysed in the light of the concept of *public policy instrumentation*. It is intended to study the policy through the action, highlighting the conflicts between the various actors, interests and organizations at different *scales of public action*.

KEYWORDS:

Public Policies of Education, Decentralization, Municipal Council of Education, Public policy instruments.

Our attention has been drawn to the policies of *Decentralization and Territorialisation* of Education in Portugal. In the light of public policy analysis, we are interested in studying the measure that created the Municipal Councils of Education (CME) — Decree-Law 7/2003 — in a wider context of decentralization policies involving the Municipalities as partners in providing education, making them more and more responsible for the management of local educational policy. We would like to know how each Municipality deals with this coordination and consultation entity, which is targeted to supervise educational policy in the sense of analysing and monitoring the functioning of the system in a way to encourage the interaction of the agents involved with the other local social partners.

THE PURPOSE OF RESEARCH

We would like to understand the purpose and the effects of this decentralization policy measure. We are convinced that we shall only manage this if we take into account its heterogeneous nature and the complexity of its construction and implementation at local level, observing the way each Municipal Council of Education is handled within each Municipality and how the local actors interact and acknowledge this area as theirs.

These ideas of *decentralization* and *territorialisation* of educational policies, of appealing for the participation of the local actors in the administration

and management of education, namely local governments, arise historically as answers to the criticisms directed at State centralization and bureaucracy. Incapable of resolving the ever increasing problems of an educational system, which is becoming more and more complex and of greater dimensions, and facing a crisis of legitimacy, of governability and of its own model (Barroso, 1999, p. 130), the State is seeking ways out of the present general crisis through localization of the policies, local readjustments and commitments and redistribution of responsibilities. So, just as Bernard Charlot mentions (1994, pp. 27-28), the *territorialisation* of educational policies should be understood as a “national policy” within a context of “crisis” of legitimacy of the State’s action. Breaking away from the “Educator” logic, the State now delegates powers in the community, while maintaining the role of regulation and control.

More than options of a mere technical process aiming at ensuring the administration of education and solving problems, *decentralization* and *territorialisation* emerge as political forms of State reorganization, to which *globalization* and *relocation* are not alien. The redefinition of State action, with its relegitimization through devolution of powers to the community, is not a linear process “of strengthening of the principle of *community* in detriment to the principles of the *State* and of the *Market*” (Ferreira, 2005, p. 22). In the context of this phenomenon, especially from the beginning of the 1980s, there has been a wave of educational reforms affect-

ing countries with different political and administrative systems, including Portugal. Since then, this change in the role of the State regarding policy-making and administration in education has been evident in a discourse on the transfer of powers and functions from the national and regional levels to local level, recognizing the school and local authorities, among others, as partners in decision making.

The purpose and the effects of all this political process have awakened the interest of researchers both at national and international level. In Portugal, discussion arose with the *Lei de Bases do Sistema Educativo* (Bases of the Educational System) (Law n.º 46/86, of 14th. October, 1986), but the debate gained momentum in the 1990s and is still flourishing. Among others, questions are broached regarding “decentralization and territorialisation of educational policies” (e.g., Barroso, 1996, 1997, 1998, 1999, Barroso & Dutercq, 2005; Formosinho & Machado, 2004), “municipal intervention in providing education” (e.g., Pinhal, 2003, 2004a, 2004b; Pinhal & Viseu, 2001; Fernandes, 1996, 1997, 1999a, 1999b; Martins *et al.*, 2005), “municipal educational policies” (e.g., Guedes, 2002), “the community in education” (Ferreira, 2005), the “Local/Municipal Council of Education” (Santos, 2002; Ribeiro, 2005; Baixinho, 2006).

From literature reviewed we have kept in mind the following central ideas, points of view, regarding *decentralization and territorialisation* of educational policies and the undertakings of local authorities in the educational field¹.

- They refer to the limited nature of municipal intervention, linking it to the fact that decentralization in Portugal is essentially rhetoric destined to justify other means of control associating the centralist/bureaucratic and the post-bureaucratic models (Barroso & Dutercq, 2005, p. 38);

- they consider the organization of the educational system at local level as made up from a succession of vague, sundry, often contradictory measures. They understand the regulations of the Municipal Councils of Education to be “a lost opportunity” (Pinhal, 2004a, p. 1), a retrocession in terms of “contextualized participation and binding decisions”, taking into account the previous model of Local Councils of Education (Ribeiro, 2005, p. 247), “pure rhetoric! (...) a sham!...” (Santos, 2005, p. 36);

- they integrate the Municipal Councils into a “policy of administrative deconcentration which simultaneously bring services closer to the people and guarantees a more remote control of the policies defined at central level” (Formosinho & Machado, 2004, p. 27).

In the majority of cases, these perspectives hark back to the analysis of the creation of Municipal Councils of Education in opposition to the previous Local Councils of Education. So, it seems to us that it is necessary to contribute with approaches that also include their implementation, giving continuity to some inroads already made (Santos, 2002; Ribeiro, 2005; Baixinho, 2006). In this sense, our interest in this measure is linked with the entire policy process which, seen as a whole, involves the creation of the policy and its local significance, embracing different scales and levels of public action. We will seek to do this starting from an *interpretive and critical perspective* (van Zanten, 2004) which interweaves policy analysis with organizational analysis so as to examine the policy through the *organized action* of the actors in a defined context. This is the core of our work, to mobilize the concepts of *public policy instrumentation* and of *logics of action* which will help us (so it seems to us now) to make the theoretic and methodological interface between the policy measure that created the Municipal Councils of Education and its local construction and implementation, looking especially at the contextualized social dynamics and to the action of the actors who face political initiatives which regulate their intervention and their lives.

STATE RECOMPOSITION, PUBLIC POLICY INSTRUMENTATION AND LOGICS OF ACTION

From the point of view we wish to follow, we seek to understand the State starting with the “action” (Duran, 1999, quoted by van Zanten, 2004, p. 25). To a hierarchical (and descending) perspective of policy making, as a tool of a State which plans everything, establishes goals and creates rules, it is opposed the idea of a multilevel public action, involving a multiplicity of actors in the centre of which the State is no more than one of the partners in its co-con-

struction (Chevallier, 2003, cited by Commaille, 2004, p. 415). *Centralized regulation* is replaced by *multipolar regulation* (*ibid.*, p. 416), which is marked by the multiplication and policentrality of the levels of action, characterized by a strong interdependence of actors who are numerous and have diversified interests.

It is therefore possible to speak of *process-based public action* (Gaudin, 2004, p. 2) meaning that it is not restricted to simply applying downstream the rules produced upstream by the Central State in definite terms, but rather that these rules arise from discussions, from negotiations between the actors at different scales and levels throughout a given process. This idea is marked by a complex “ideological equation”, outlined by the intersection of globalization and decentralization of the educational policies which lead us back to the analysis of *changes in scale* (Faure & Muller, 2005, p. 2). The problem lies in knowing in what way the transfer of competences from Europe to the National States, to the regions and then to the towns modifies the forms and content of public policy. In other words, scale changes between *global*, *central* and *local* produce contradictory effects in the respective actors. In this sense, *decentralization* policies leave room to manoeuvre, giving more autonomy to the actors who, for various reasons, develop strategies adapted to the new contexts. This explains the growing influence of the intermediate levels of State’s governance, of new *territorial scales* (local, regional, urban), imposing themselves on the political game by the specific nature of the problems therein and by the growing influence of their actors.

These perspectives of the sociology of public policy enable us to understand issues like the State’s *governability* and its efficiency and the senses of the *decentralization* and *territorialisation* processes as political forms of organization and relegitimization through local action. According to Barroso, the emerging forms of *territorialisation* of educational policies are explained by the redefinition of the State’s role, which takes on the function of regulator, “with a sharing of powers between central and local Administration and the schools, with the affirmation of peripheral powers, with the local mobilization of the actors and with the contextualization of political action” (Barroso, 1999, p. 130). For Le

Galès (2005, pp. 2-3) at stake is neither reinforcement nor contraction, but rather a *recomposition of the State*, because according to its areas of intervention it reorganizes itself either by withdrawing or by reinforcing its role, or even by changing the means of action, inventing less “interventionist” but more efficient *tools*.

So that we can understand the phenomena of *decentralization and territorialisation* as processes of restructuring and *recomposition of the State*, we have adopted an analytical perspective of *public policy instrumentation* (Lascoumes & Le Galès, 2004), and we have invested in the concept of *public policy instrument* — “a technical device with the generic purpose of carrying a concrete concept of the politics/society relationship and sustained by a concept of regulation” (Lascoumes & Le Galès, 2004, p. 14) — as an efficient tool for the observation and analysis of public policies.

The key to our research is in the way we look at these *instruments*, since they are the true revealers of the most profound public policy changes, especially of the significant alteration in the State’s role in policy-making and administration of education and its implication to local contexts.

To understand the reasons that drive towards retaining one *instrument* rather than another reasons to allow a policy of reorganization and *reconfiguration of the State* to be made material and operational, but also envisaging the effects produced by these choices; the set of problems posed by the choice and use of *instruments* lead us to *public policy instrumentation* (*ibid.*, p. 12). Consequently, the more public policy is defined through its instruments, the more the issues of instrumentation risk raising conflicts between different actors, interests, and organizations. Knowing that public policy instrumentation “can serve as a guide to the relations between political society and civil society via intermediaries, devices which gather together technical and social components” (*ibid.*, p. 21), we realize the importance of mobilizing the organizational analysis so as to understand the social dynamics and the interaction of the actors at different levels and scales.

The theoretical points of view we hold link the debate on the “nature” of the *instrument* with its effects. And in this sense, if we understand the *instrument* — as proposed by Lascoumes et le Galès

(2004) — as an institution in the sociological sense of the word, then the mobilization of the concept of *social action*, and of others inherent, is shown to be useful for the understanding of the “interaction processes, that is to say, exchange and negotiation, through which the respective actors regulate and run the mutual dependencies that led to cooperation, at the same time that they are supported by it” (Friedberg, 1995, p. 113).

It is of interest to understand the behaviour of actors before the *instruments* that regulate their lives, requiring constant adaptations in the name of the principle of “communal well-being”. This presumes the capacity of the actors to act and interact, to produce autonomous opinions which are “inherent to the status of *subjects*, in the double meaning of the word: *authors* of the realities in which they live and work and *subjected* to the structural and systemic constraints inherent to the social nature of these realities” (Sarmiento, 2000, p. 149). This same double status of actors leads us to the heuristic concept of *logics of action*, which “express *options* taken, under conditions, between existing and available symbolic systems” and “their own *creations*, arising from the collective position taken regarding daily school incidents” (*ibid.*, p. 149).

STUDYING POLICY THROUGH ACTION

The construction of the object of study and the reconceptualization of the problem are based on three fundamental ideas which are interconnected and seek to combine two theoretic approaches, public policy analysis and organizational analysis. Thus:

- the first idea is to do with the integration of the Municipal Councils of Education within the context of *decentralization and territorialisation* of educational policies, understood as an ample process of reorganization and *reconfiguration*, of *recomposition* of the State.

- the second, in an umbilical relationship with the previous one, is centred on *public policy instrumentation*, in the sense that the policy is revealed through the *instrument* used. In other words, the legislative measure which creates the Municipal Council of Education, understood as an *instru-*

ment can be thought of from the point of view of its *function*, what it is for, and also its *use*, how it is useful.

- the third seeks to make an interface with the others and is to do with the construction of the object of study. Basically, we want to study the process of *decentralization and territorialisation* of educational policies in the light of the itinerary of the legislative instrument that created the Municipal Council of Education. In this sense, as *instrumentation* highlights the conflicts between the various actors, interests and organizations, then to understand this *organized action*, these same protagonists must be allowed to justify and strengthen their points of view.

In this way, we can consider the educational policy measure that institutionalizes and regulates the Municipal Council of Education — Decree-Law n.º 7/2003 — as a device which organizes specific social relations between the public authority and their recipients — understood to be the local councils, the deconcentrated services of the Regional Boards of Education (DRES), the representatives of all levels of teaching, economic, social, cultural and scientific agents — with the purpose of instituting a coordinating body between the various educational partners at local level. From this point of view, the Municipal Council of Education, to a certain extent, determines the behaviour of the actors, favours some and hampers others, creates uncertainties regarding the effects of the power relationships, encumbers and at the same time offers resources, transmits a certain representation of the problem.

Action organized around the *instrument* is, for us, a privileged place of observation and empirical analysis of the process of *decentralization and territorialisation* of educational policies. We are establishing a theoretic and methodological relationship between these phenomena in the sense that we wish to study the action to reach the policy. In other words, we reach the policy through the case study of an autarchy in the geographical area of the Urban Community of Lezíria do Tejo. The syntheses and contradictions resulting from external constraints are present in this local context, in the appropriation processes, in the internal dynamics. It is this work of discovery in the field which

allows us to equate the formulation and implementation of the policy as a whole. It might be better to say that in that geographic and human area, there are the indicators which enable us to discover, at local scale, how, at other scales — supranational, national and regional — and at different levels, a multiplicity of actors, both public and private, of the state sphere and civil society, intentionally conducted this project in a process of discussion and negotiation. In the same way, it will be possible for us to see how the relationship between the political and scientific agenda was established so that we can understand the senses of their production and clarify the contamination and complementarities established between knowledge, policy making and public action.

Therefore, the same empirical analysis of the Municipal Councils of Education and their *organized action* allows us to dissect the *logics of action*, marked by the strategies of the actors in the local context, at the same time that it facilitates a look at external contexts, leading us of the redefinition of the role of the State and to the *decentralization* of educational policies. Anyway, it is fundamental for us to understand how each Municipality views its relationship with the central State, how *territorialisation* is understood, how the policy of the creation of the CMEs is appropriated, and how it is administered and applied locally.

We put forward three generic starter questions — (1st.) How is the Municipal Council of Education used by the municipal actors? (2nd.) Which areas of local policy are implemented through this entity? (3rd.) How do the various actors manage their participation in that context of action, in the Municipal Council of Education? — and we assume that the interest of this research is related to the practical translation into practice in the local context, in the geographic context covered by one Municipal Council of Education, since we think this space as privileged to deal with *decentralization* and *territorialisation* of educational policies. It is a *case study* (Afonso, 2005, pp. 71-72), in which the local dynamics and the daily interactions of the actors are analysed so as to capture the *logics of action* resulting from the specific contextualization of the policy. Just as Ferreira (2005, p. 137) did in his study on “the local in education”, we want this op-

tion for the *micro* level of analysis to be micro only from the spatial point of view, not while theoretic and methodological object.

We understand this approach to the local scale as the starting point for a broader analysis of a group of eleven Municipal Councils of Education which are linked by the regional logic of the Autarchies of Lezíria do Tejo. We consider the selected CME as hard nucleus, the platform for empirical analysis where the formulation and use of the policy is to be studied in an intensive perspective. From this strategic context, we will broaden our perspectives so as to reach other scales and levels of public action, progressing intentionally to an extensive study. We justify this methodological exercise of departure and return to our chosen context as part of a scrutiny process of the empirical analysis, which embraces other sources of policy construction and execution. As we see it, this redundancy makes sense because the case study we hope to develop values the interaction between the empirical research and the process of theoretic construction.

Then we carry on to a more extensive approach, aware that we are dealing with a decision which implies a change in information-gathering techniques, since in the first case we favour a participant observation, field notes, semi-structured interviews, not forgetting document analysis, in the second, for methodological and logistics reasons, we work with inquiry by questionnaire. We will intentionally try to gather qualitative information — without abandoning the quantitative — capable of clarifying the process of construction and materialization of the CME political measure, seen from an extensive perspective. We believe this cross-check of the case study with the extensive approach will allow us to analyse the local singularity through endogenous and exogenous elements (Ferreira, 2005, pp. 135-136). With this cross-method, we seek to identify what is general in the particular and what is particular in the general. Put in another way, we propose to study the CME policy within a wider perspective, but always with the aim of returning to the particular case, trying to generalize within it, drawing conclusions, which interconnect with its external context.

Let's return to the central ideas of the research. It is our intention to study the process of *decen-*

tralization and territorialisation of the educational policies in the light of the legislative *instrument* which created the Municipal Council of Education. As observatory of theoretic and empirical analysis we chose the *organized action* around the *instrument*. As *instrumentation* highlights the conflicts

between the various actors, interests and organizations, it is of fundamental interest to give voice to these same protagonists and to better observe the way each CME is assumed in the Municipality as well as the way local actors interact and recognize this entity as theirs.

ENDNOTES

1. A lot of this work readdresses research lines developed in France. Of these, we would like to draw attention to the studies of van Zanten regarding local government intervention who, taking into account the aim, the adaptations and mobilized resources, states that we are not facing a change in processes, but rather an in-depth change regarding the values which form the structure of the educational system. (1997, p. 166).

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