

## SUBSIDIARITY IN CHILEAN EDUCATION

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### 1. INTRODUCTION

I would like, first of all, to highlight Russel Hittinger's brilliant interpretation that the Social Doctrine of the Church did not arise so much from the compassion that woke up the worker's situation after industrialization, with the corresponding conflict between capital and work, but rather from the necessity of the Church to defend its associations and, particularly, its schools, from the pretense of the State of being the only legal personhood of public right, considering all natural persons and other legal persons as citizens. The consequence of this interpretation would be, as he points out, that all groups of people that are part of civil society, could not expect another status than the resultant of contracts among private individuals.

This interpretation, besides offering a luminous version of the great Pontiff's teachings of Leo XIII, helps also to interpret the conflicts raised in the educational realm which began in the first half of the 19th century in Europe and had its climax in the second half of the 19th century in Latin America. I would like to recall that it was the same Pope Leo XIII who summoned the first Latin American plenary council in 1899, where for the first time in history the bishops coming from whole Latin America converged in Rome, to discern the new challenges facing Catholics of this region of the world.

I would also like to take as a framework the historical dynamics described in the outstanding paper of Margaret Archer, especially to understand the formation of the education systems in the context of the constitution of national States. Although the dynamics described by Archer explain what happened in Latin America it is also possible to settle down important differences among the European phenomenon and Latin Amer-

ican that have influenced the behavior of subsidiarity and solidarity. Approximately 50 years later, the European social phenomenon also extended to Latin America, adapting, nevertheless, to its specific historical circumstances.

## 2. HISTORICAL DEVELOPMENT

One of the most peculiar characteristics of Latin American Christianity that has important repercussions in the organization of society and of its institutions, is that it didn't have Reformation, or 'religions wars'. Therefore, the principle *cuius regius, eius religio* never achieved validity. That is to say, Christianity has never been instrumentalized as a pretext to obtain power either for the legitimation of the State, although it certainly has inspired rulers and applicants of political power throughout the whole ideological spectrum, from ultramontane conservatives to revolutionary socialists. But in none of these cases it has meant an alteration of the juridical status of the Church. Perhaps with the single exception of the case of Mexico, where the State ignored the legal personhood of the Church during a large period of the 20th century. The Church has enjoyed in Latin America juridical recognition, as well as its educational institutions. In Chile, the case of which I have been asked to speak, the Church has claimed a similar legal personhood of public right as the State has, and the latter has legally recognized the institutions created by ecclesiastical right.

As Archer points out for the European case, also in Latin American countries until the constitution of the national States at the beginning of the 19th century, the Church has had without competition the monopoly of education, so much at primary level, as at secondary and university ones. In some cases, the institutions were only of ecclesiastical right. In others, they enjoyed possession of a jointly ecclesiastical and regal recognition. Private establishments sustained in the contractual right didn't exist. Although the Church made an effort to reach all the social sectors according to the charisma of the different religious congregations, during the colonial period there were very few who knew how to read and to write, prevailing the oral traditions massively. However, the handmade and artistic shops, which sustained the very rich production of Latin American Baroque art were very important. A significant difference with Europe was that the Spanish Catholic kings prohibited monasticism in Spanish America, so that evangelization was carried out by the mendicant orders: Franciscans, Dominicans, Augus-

tinians, Mercederians and, after the Council of Trent, Jesuits. Perhaps the absence of monasteries may be the reason why in the colonial centuries literate culture was not irradiated with as much force as in Europe.

The mutual recognition between Church and State allowed the Pope to grant the Spanish kings the 'patronage' right over the Church. According to it, they could choose the ecclesiastical personnel of the secular clergy, as well as decide when to make papal decisions public in the Spanish American territories. It is appraised that at the end of the 16th century approximately two thirds of the clergy belonged to religious orders and only a third to the diocesan clergy. Toward the end of the 18th century, on the other hand, that same proportion had been changed in favor of the secular clergy. Evidently, the exercise of the patronage right produced some tensions between Church and State, but never to the point of putting at risk the institution of the patronage. The tensest period occurred in the second half of the 18th century with the expulsion of the Jesuits and the control of the other religious orders, especially of the seminaries. But as it is known, it was the Pope himself who ended up dissolving the Company of Jesus, in order to avoid confrontation with the State. For the whole Latin American educational system, the expulsion of the Jesuits had big consequences, mainly in the level of university education and in the formation of leading groups. But still more important was the expropriation of the 'country properties' in the hands of the Company of Jesus whose exploitation generated the necessary surpluses for financing education. The land's redistribution helped the formation of Creole 'oligarchies' that, at the end of the colonial period, would assume the conduction of the national States.

Napoleon's invasion of the Iberian peninsula and the arrest of King Ferdinand VII loosened in Spanish America the processes of independence and of formation of national States. The nascent republics claimed for themselves the patronage right that the Spanish crown had exercised during the colonial period which was accepted upon condition that the States declared Catholic religion the official religion. In the Chilean case, although the directing groups were divided among liberals and conservatives, both were Catholic and had supported the educational work of the Church. Anyway, the State began to care about education, especially to assure a greater school coverage of the population and also the quality of the study plans. Following the French influence, the Chilean State created in 1842 the University of Chile, with the function of being an educational 'superintendence' to whose norms all school establishments should undergo. That is to say, there was no intention to supplant or substitute Catholic schools, but only

to order them according to the directives of the State. It can be said, in the Chilean case, that despite the conflicts that happened and that I will explain later, State and Church have mutually collaborated for the benefit of educational services, in some cases competitively, in others, complementing, but in very few occasions in a conflicting way.

It was the policy of the nascent national State to open up the country to foreign immigration, specially European immigration, and to people of qualified education. During the colonial centuries, the Spanish crown exercised a strong control on immigration, limiting it, with some exceptions, to the citizens of the crown. Toward the first half of the 19th century, on the other hand, an important presence of English, French, Italian and German immigrants had settled down, many of which were not Catholic and they founded their own educational establishments. The Chilean State had in this respect a more pragmatic than ideological attitude, valuing the European educational contribution thoroughly, especially its economic and commercial orientation. As it happens until the present, Chile has been a country quite open to foreign investments, which has meant a real and effective limit to the nationalist pretenses that from time to time flourish in Latin America. The Creole oligarchies also opened up quickly to marriage alliances with the European immigrants, achieving their Chilenization quickly.

The second half of the 19th century experienced a strong increment of the ideas of laicism promoted by the freemasonry and the nascent urban middle class groups who saw in the alliance between State and Church the foundation of the oligarchic dominance of the directing groups. In order to be able to guarantee from the State education an effective opportunity for upward social mobility, they outlined the thesis of the 'educational State' aspiring to the monopoly of school and university education. The relationships between State and Church had begun to be tense in other spheres, as it was with the creation of cemeteries, first for the dissidents, later lay cemeteries, the establishment of civil marriage, parallel to the ecclesiastical one and the exercise of the patronage in the nomination of bishops, particularly, of Santiago's bishop. At the beginning of the 1880s, the government even broke up for a while the diplomatic relations with the Holy See and the tension between these two powers would not disappear before 1925, when mutually agreed, the constitutional separation of Church and State was established.

During this period of crisis, the Archbishop of Santiago created the Catholic University of Chile, in which I have worked for 37 years, as a legal personhood of ecclesiastical right. Its objective was to guarantee the educational freedom of the Church, when the idea of the 'educational State' was

prevailing. The State delayed approximately 40 years in recognizing the very existence of the university, although it never refuted it. In the present year the university will celebrate 120 years since its foundation and received in the thirties of the 20th century the honorific title of 'Pontifical'. It is the university of students' first preference, so much Catholic as non Catholic. It is also a symbol of the pragmatic attitude of the State before the educational institutions, since it receives a financial subsidy from the State, practically equivalent to the one that the State University of Chile receives. This last one, during almost one century, had examined the professional graduates of the Catholic University. At present time, in turn, its academic and professional grades are fully recognized and it enjoys the possession of the same autonomy as the State's University.

As we will see later, in 1981 a wide educational reform was made which aimed to integrate the private sector as provider of educational services. However, I would like to highlight that the Catholic University never defined itself as a private university, but as a public university belonging to the Church. It has never had a different legal personhood from the one it received at its foundation, generated in an ordinance of Santiago's Archbishop. According to its statutes, the rector is named, after a proposition of Santiago's Archbishop, by the Congregation of Seminars and Catholic Education of the Holy See and such an ordinance is legally recognized in fullness by the Chilean State and the legal order. I find that this case is illustrative of the harmonious coexistence between Church and State in the educational realm, which it is not only a sign of ideological tolerance, but it also commits financial resources of the public sector for its maintenance and development. Most of its expansion plans and institutional improvement have been financed by the State of Chile.

So, since the foundation of the national State a mixed educational system has been developed, conformed by a group of schools of the public sector, a group of Catholic schools, parochial schools or belonging to religious orders, and a group of private schools. Up to 1981, the State financed exclusively those public schools, which were centralized directed from the Secretary of Education. I already mentioned before that the Catholic University was an exception, as well as other non state universities, when receiving financing of the public sector. But at the level of primary and secondary schools, only state schools received public financial contributions. During Salvador Allende's government a Unified National School, controlled by the State, was tried to be created, but the strong opposition of the Church and of other sectors of civil society prevented it from materialising.

### 3. THE REFORMS OF 1981

Inspired by a liberal orientation, the military government proceeded in 1981 to reform the educational system, maintaining the group of schools, religious or private, paid by families, decentralizing the public education at the level of local governments (city districts) and creating a new group of subsidized schools, on the basis of a subsidy granted to the providers of educational services, according to the attendance of students to classes, and under the condition that no registration fee was charged. It is a subsidy to demand, because family parents have the freedom of choosing the school that they prefer for their children, but it is not properly a voucher system, since the subsidy is not received by the family parents, but directly by the schools, according to the attendance of students to classes. As the subsidy was insufficient to cover the cost of a quality education, since 1994 subsidized schools were allowed to charge the families a certain complementary quantity to the subsidy, with the purpose of covering the real costs of education.

The law also established that the Secretary of Education should determine which should be the fundamental objectives and the minimum contents of the school curriculum, leaving the school free to add to this minimum all the matters they wanted, and also recognizing them its freedom to elaborate their own and original educational project and to manage the human and material resources involved. In the case of the decentralized public schools, the old teachers of the State system managed to get to their favor an 'educational statute' valid for all public schools, which protects their labor steadiness, which has created, consequently, serious administration difficulties to the directors.

This basic outline of the educational organization has remained until the present. On the one hand, it was able to incorporate many new providers of educational services to the system, who assumed the risk of creating new schools on the ground of the subsidy for each student. The number of establishments of the subsidized particular sector grew 62% between 1980 and 1985. After a period of stagnation between 1987 and 1994 due to the reduction of the public expense in education (it fell from 4% to 2.8% of the GDP), it increased to 23% starting from the authorization of shared financing again. This has allowed the system to reach 98% of the basic school covering of school age population, and to increase to 92% the coverage of middle and high school education, so that the State is now in the situation of guaranteeing 12 years of free school education for everyone.

However, the distribution of the students has varied dramatically among the groups of schools. At the beginning of the system, in 1981, 78% of the students were registered in public schools, 15.1% in subsidized private schools and 6.9% in paid private schools. The exodus of students from the public sector to the subsidized one has been constant. In the 2001, twenty years later, only 53.1% were registered in public schools, 38.1% in subsidized ones and 8.8% in paid schools. This exodus toward the subsidized sector has allowed its consolidation, reaching quite a significant percentage of students so it becomes now very difficult to revert this situation, as those more State oriented wanted.

On the other hand, the main protagonists of this exodus are the best students, making those who remain in public schools more and more vulnerable to a worse quality education. Additionally, if we consider that not all city districts have the same resources to dedicate to education but rather these are very unequally distributed in the whole national territory accordingly to the levels of urban concentration they have reached, there is an important deterioration of education quality among the poorest towns, with the consequent lack of equity. The dramatic public conscience of this phenomenon is so high that some politicians have intended to establish a legal prohibition for schools to select their students, and others to define percentage rates of admission in favor of students of lower income.

Although it will never be known what could have happened if the reform of 1981 had not been implemented, Chilean people are aware that in spite of the increment in educational expenses, directly or via subsidy, neither equity nor educational quality have improved significantly. Even compared with countries of smaller per capita income the achievement of Chilean education in mathematics, sciences and language is not very satisfactory. There is no agreement on the causes of the phenomenon. Some are inclined to think that the problem resides in the low cultural level of the poorest families that schools cannot revert. Others, on the other hand, point out the misleading of school administrations and the low quality of teachers due, on the one hand, to their low incomes and to a certain proletarianization of them among the public sector, and on the other, to the obsolescence of the pedagogic teaching at the universities where they have studied. In spite of countless econometric studies, it has not been possible to arrive at a clarification of the problem even to identify the most incisive variables. It is attributed, among other factors, to the fact that national standardized tests of academic achievement are too recent and that they only rank students and schools, not measuring the real learning reached by the students, starting from their

initial situation. There is agreement among politicians of the necessity to increase significantly the school subsidy per student, as well as creating a preferential differentiated subsidy for schools which receive students of lower income and lower cultural development.

Making a balance of how solidarity and subsidiarity work in the Chilean case, the following conclusions could be reached:

a. Chilean society has managed to overcome the conflicts and tensions that arose from the distinction among public schools, Catholic schools and private schools, generating an integrated system with a claimed minimum curricular unity. Each school is free to develop its own educational project inside this claimed minimum and can receive a State subsidy if it doesn't charge a registration fee or if it only requests a complementary co-payment to the subsidy. Freedom of parents to choose the schools of their preference is also respected, but they don't directly receive the subsidy but rather the elected schools. Except for the public schools that have certain restrictions originated by the union conquests of teachers, such as steadiness of employment, the other schools have full freedom of administration of their human and material resources. These characteristics are certainly positive at the moment of evaluating subsidiarity inside the system.

b. But there are also some negative features. In the first place, the amounts of the subsidy is not enough for an education of high quality and it needs to be increased. Secondly, although the curricular contents that the law fixes are minimum, some schools consider that they are so many that it is not possible to include additional matters responding to the freedom that each one of them has to define their educational project. Also as national standardized tests to measure educational achievements have settled down and, among them, the most important one, the national university selection test, they inevitably bring about an homogenization of curriculum and the loss of originality and creativity of educational school projects. Moreover, the main demand of family parents, rather than religious or cultural orientation of schools, is that they give them a reasonable guarantee that their children will be able to go to university if they have a good performance. The system is guided, ultimately, in an autopoietic way and doesn't leave free spaces for personalized individuals, unless they give up university education and qualified employments.

c. The biggest problem, however, continues to be present at the level of solidarity and justness of the system. As schools of high quality are always over demanded in relation to those of lower quality, they are forced to select their students and they usually do so on the basis of school achievement, so



the system enhances rather than diminishes the underlying cultural inequality that students bring from their families. Family parents also prefer for their children those schools where they recognize families with a similar or better cultural level ('peer effect') and they do not favor percentage rates favoring families of lower social and cultural development. These last ones also have difficulties to cover the transport cost of their children toward sectors far from their homes, so that they are satisfied with schools of their sector and, preferably, with schools of the public system, which are the worst evaluated, especially in those areas of the city where people of lower income live. If we additionally consider that Chile is one of the countries with the worst distribution of monetary incomes in the region, it can be appreciated how difficult it is to revert this situation, maintaining the historical achievements in the realm of subsidiarity.

#### 4. PERSPECTIVES AND CHALLENGING PROBLEMS

Margaret Archer's paper makes some stimulating final reflections (p. 408) about the possibilities of a 'de-schooling' education of the new generations on the basis of electronic communication and I would like to make some remarks on our situation in this respect.

Although the government maintains an important program of educational 'connections' (as it is called) among the schools of the country, home coverage of high-speed internet is still very low among us. But there is no evidence that the schools connected to the internet have improved their performance in a significant way. The possibilities of a de-schooling process depend on the existence of other alternatives of access to the net than those offered by schools themselves. The opportunities to reach this are distributed in a very unequal way according to the quintiles of income. When one's own school or workplace are the most common points of connection, the net becomes incorporated within the institutional limits and orientations of the respective organizations. It becomes a useful instrument for certain procedures that, carried out in an electronic way, save time. But it has not reached the necessary autonomy as to be constituted in an alternative channel to school organization.

The only connection of massive and popular use in Chile is the cell phone, but until the moment, it has not been able to be integrated in the educational environment. It is evident that this form of connection has contributed to the de-institutionalization of society, since their institutions,

specially juridical, are surpassed by this level of communications. Robberies and assaults are usually planned from jails through cell phones and they are very effective. In 2006, there were also massive student demonstrations against the inequity of the school system, all of them carried out without formal announcements, but only coordinated by means of the cell phone. But in spite of the force reached by the mobilization which even brought the Secretary of Education to resign, and if we had had a parliamentary régime it probably would have meant a change in the majority, when the moment came to make specific proposals to the authorities, the students' movement was diluted into banalities, completely disproportionate to the force reached. The cell phone had proved very useful to coordinate actions, but quite useless to exchange ideas and proposals.

The tendency towards de-institutionalization is manifested very clearly in our surveys about prestige of and confidence in public institutions. As a consistent result for many years, they show that the institutions worse evaluated are the political parties and the three powers of the State (judicial, legislative, government, in this upward order). The Churches and the police are in the middle of the scale's range, the best evaluated are the means of mass communication. Social reality begins to be coordinated by the latter in a more effective way than the institutions have done. The media have even generated a certain anxiety among people looking to be permanently informed and in real time. But it is not clear with what purpose, finally, at the end wasting this opportunity in entertainment and shows. The imitation and the follow up of advertising models seems today to be more effective than the internalization of institutional norms. Perhaps, in this context, it can be said that the media have assumed an educational role, concurrent with the traditional means of socialization.

However, on the other hand, the educational system doesn't make much in the formation of people either. Increasingly, the educational system concentrates more on the formal accreditation of skills and abilities than on the formation of the people and on the development of their vocation. Such an accreditation follows international parameters standardized independently of the specific circumstances of the people. The Bologna agreement, for example, regarding university education, will end up also standardizing Chilean and many Latin American universities, if they want to remain in the circuit of international communication of science and to aspire to the recognition of their academic degrees. So, while on the one hand the tendency to de-institutionalization which brings about virtual communications can be clearly seen, on the other, the institutional controls have

become strongly standardized, affecting personal creativity and cultural formation. This phenomenon is particularly evident in the application of standardized tests in the educational system. As it was already indicated, these tests don't measure the student's actual learning, but they only establish a ranking among them, among schools, between regions and countries, supposing that they will stimulate students to improve their achievement getting some points up in the ranking, but without knowing concretely what it means to go up one or more places in the scale.

In this context, it is impossible not to mention the letter from the Pope to the diocese of Rome on education, in which he recognizes the existence of a true 'educational emergency'. One of the most visible signs in my country and in many others of Latin America is the divorce between education in the family and education at school. It seems that parents have neglected the traditional culture and value transmission within the family and, in case they are believers, of the own faith, practically abandoning children to the schools so schools do with children what families have given up to do. On the other hand, schools are not able to incorporate the family in their educational task, considering the level of formalization of their accreditations which is very far for parents to reach. From both sides it is perceived that co-participation in a shared educational objective is further and further away.

What gets the attention in our surveys is that the object most highly demanded by parents to the schools is discipline, while at the same time at home they show themselves consenting and liberal in front of the children's behavior. Due to the decrease in the number of children, the improvement of the standard of life and the overprotection of parents, childhood and adolescence have been prolonged vastly in comparison with previous generations, since children are more immature from a psychological point of view and with a very low tolerance to frustration. Nevertheless, the biggest difficulty is a certain loss of the sense of reality, that children try to compensate with a growing dependence on the virtual world. Reading some blogs of our students constitutes a devastating experience due to the solitude and the abandonment in which they are.

The balance between solidarity and subsidiarity cannot be achieved only with institutional measures if before it has not rooted in our culture. As Hittinger recalls (p. 88), John Paul II thought that 'persons-groups' of civil society constitute properly the 'subjectivity of society'. It is this subjectivity which is wounded and disarticulated in the context of a society increasingly coordinated and governed by the expectations created by media. Without a culture of solidarity and of subsidiarity based on the

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experience of people caring for life and, ultimately, caring for Being in itself, as Heidegger points out, such principles lose their real effectiveness and become only unreachable ideals, as Nietzsche diagnosed prophetically: 'We see that we don't reach the sphere in that we have located our values, with which the other sphere, in which we live, in any way has won in value: on the contrary, we are tired, because we have lost the main impulse'.