

“Religion” as a Subject of Moral Education in Spain

—A study of the Junior High School curriculum based on LOCE—

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Abstract

This paper investigates the curriculum on moral education at school in Spain. Teaching Catholic religion has been justified in formal schooling of Spain by upholding “International Treaties on Education” with Vatican State (1979). However, with an increasing number of immigrants, the subject of “Religion” in Public schools has faced new problems. By studying the syllabi of Junior High School, which are based on LOCE (Ley Orgánica de Calidad de la Educación, 2002), I sum up the role and the position of the subjects related with morality, which are properly adapted to the new educative setting by LOE (Ley Orgánica de Educación, 2006).

Keyword: Junior High School curriculum, moral education, religious education, Catholic religion, Spanish educational system

Preface

Japanese Fundamental Law of Education was amended in 2006. This law requires newly “general knowledge regarding religion” in the article of “Religious Education”¹⁾. How should we Japanese interpret the “general knowledge regarding religion”? How should we treat the notion of “general knowledge regarding religion” in schooling? This paper examines a case in Europe, in order to discover a clue to think about these matters. Japan has been upholding three principles of Public Education: “to be mandatory”, “to be free” (costless, or free of charges) and “to be religious neutral”. Although most Japanese researchers tend to regard the educational system in France as an ideal case of “to be religious neutral” in schooling, this paper focuses on Spain, where there are a lot of Catholic believers, as well as France²⁾. Spain has respected the subject of “Religion” among the other subjects of the student’s curriculum in formal schooling, and it is in marked contrast to France which has excluded any religion from Public schools under a policy known as “laïcité”. I examine the subjects related to Morality, which include “Religion”, at Junior High Schools in Spain. This case-study of Spain is instructive to think about the educational style of Japan, under the amended law.

Spanish Constitution of 1978 declares the freedom of religion (Article 16, Clause 1). It guarantees the rights of parents to ensure that their children receive religious and moral instruction in

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accordance with their own convictions (Article 27, Clause 3). However, these articles of Constitution did not promote the diversification of religion at school. For, Spain ratified "International Treaties on Education"³⁾ with Vatican State in 1979, the next year after the Constitution enactment. According to this document, the subject of "Religion" has been set up in every school in Spain, and every school must give an opportunity to learn Catholic religion for the children. The subject of "Religion" has occupied an important place in moral education of Spain. In 2002, "Fundamental Law of the quality of education" (LOCE: Ley Orgánica de Calidad de la Educación) was established by the liberal Party (Partido Popular). Then, in 2006, another "Fundamental Law of Education" (LOE: Ley Orgánica de Educación) was newly established by the present-day ruling Socialist Party (Partido Socialista Obrero Español). This paper focuses on the curriculum based on LOCE for Junior High Schools, as the new curriculum based on LOE would start the real teaching in the academic years 2007-08.

First, I survey the educational administration in Spain, which has been acting as a leader in Spanish compulsory education. Next, I reflect on the position of "Religion" in formal schooling to investigate the influence by "International Treaties on Education" with Vatican State for the subject of "Religion" in schooling. This investigation demonstrates that, while Private schools keep the traditional devotion to the subject of "Religion", in Public schools the position of "Religion" has started to be eroded. Furthermore, referring to the syllabi of subjects such as "Religion", "Society, Culture and Religion" and "Ethics" in Junior High Schools, I study the objectives and contents of these subjects based on LOCE. Finally, I sum up the characteristics of moral education in Spain, which has incorporated the new movement by LOE.

1 Educational system, International Treaties and Religious education

(1) Transition of compulsory educational system

Spanish democratization and local decentralization proceeded since the 1970's middle, after the death of General Franco (Francisco Franco Bahamonde, 1892-1975). The Constitution of 1978 is the foundation to create the democratic and decentralized State. Spanish government developed the representative democracy which is composed of the central government and 17 Autonomous Communities (Comunidades Autónomas). After the Constitution enactment, each Autonomous Community went on keeping a centralized and integrated — nationwide — system for Primary and Secondary education, which had begun since the enactment of LGE (Ley General de Educación, 1970) under Franco's regime. In 1985, LODE (Ley Orgánica del Derecho a la Educación) was enacted with the aim for the decentralization of educational administration. By LODE, many of the functions of educational administration had to be transferred from the integrated and centralized State to each regional administration of every Autonomous Community.

This LODE promoted to enlarge the term of compulsory education. LGE (1970) stated that the term of study for EGB (Educación General Básica) school is 8 years from 6 years old, which is divided into 2 different stages. The first stage has 5 years from 6 years old and the second stage has 3 years from 11 years old. By the 2 stages, there were 2 types of the term of study for EGB Schools, 5 years and 8 years, in some communities. Then, LODE declared that the term of study for EGB school is 8

years from 6 years old, and 8 years is the duration of compulsory education⁴⁾. And by LODE, the Private schools of "Centros Privados Concertados" were set up. They are financed mainly by the subsidy of the State. The school expenses for the compulsory education stages of "Centros Privados Concertados" are fundamentally free.

Some 5 years after LODE was proclaimed, in 1990, LOGSE (Ley de Ordenación General del Sistema Educativo) was established. LOGSE extended the duration of compulsory education, from 8 years to 10 years⁵⁾. And then, LOGSE made 2 stages for compulsory education, that is, Primary Education (Educación Primaria) and Secondary Compulsory Education (ESO: Educación Secundaria Obligatoria). The term of study for Elementary Schools is 6 years from 6 years old, and the term of study for Junior High Schools is 4 years from 12 years old. This means that based on LOGSE, the new secondary educational facilities of "Junior High Schools" were born for the first time. And as higher level schools after Junior High School graduation, High Schools (Bachillerato) of 2 years and Vocational training Schools (Formación Profesional) were set up. LOGSE introduced the new system of Primary and Secondary Education. However, it took several years until making the shift to new system of "Junior High Schools" from EGB schools which included the 7th and 8th grade. At the end of academic years 1996-97, EGB schools disappeared completely. Both LOCE and LOE keep the same educational system which has Elementary School of 6 years and Junior High School of 4 years, and which means compulsory education system of 10 years. So, both of them keep on so called "the system of LOGSE".

The origin of MEC (Ministerio de Educación y Ciencia) goes back to 1886, and after around 1900 MEC started to take the lead on the educational administration⁶⁾. After the Constitution enactment (1978), the decentralization of educational administration has been promoted. After LOGSE, MEC has indicated the standard of the national education policy and has made the brief and common curriculum. Each Autonomous Community fulfills the function such as the control of the school facilities, the establishing of some percentage of "own"-regional contents in some of the subjects to be taught in accordance with the law which was made by MEC⁷⁾. In theory MEC makes the outline of all educational system, but its practical management is delegated to each Autonomous Community from the own point of view. Sometimes happens a great difference of interpretation by each Autonomous Community on the national educational law, when it applies to manage it.

The education committee (Consejería de Educación) of each Autonomous Community has the censorship on school textbooks. Therefore, the contents of school textbooks are so different by each Autonomous Community, especially in "Language", "History" and "Geography"⁸⁾. For the history and the culture is various by Autonomous Community. In Spain, Castilian word is identified as the Spanish national official language. Catalan word, Basque word, Galician word and Valencian word are identified as the official languages of the correspondent Autonomous Community. In Catalonia and Basque Country, where the law for normalization of language was established since 1980's, most of children study by its own Autonomous language⁹⁾. Then, in Catalonia and Basque Country, there are original school textbooks which have mostly the regional contents, rather than the complete and general history of Spain and the geography for whole of Spain.

(2) "International Treaties on Education" and Religious education in schooling

Spain is perhaps more uniform Catholic country than the very Italy, where there is — in Rome — the official center of Catholic Christendom, in Vatican City. The Iberian Peninsula, where the "Reconquista" continued from the 8th century to the 15th century, is the area which has the strongest influence of Catholic religion. The unification of the present nation of Spain was made by the so called "Catholic Kings" (Isabel and Fernando) at the end of 15th century and the beginning of 16th century (1479-1512). From that time onwards, the King of Spain was known as "Catholic King" and the kingdom of Spain was known as the "Catholic Monarchy"¹⁰. Spain government held a long-lasting amicable relationship with Vatican State (Holy See) since 1851 until 1953, with the exception of the hard first years of Second Republic (1931-1933)¹¹.

During the large dictatorship of Franco (1936-1975), Catholicism was established as National Religion by the Concordat of 1953 with Vatican State (Holy See)¹². After that, the course of "Religion" became the compulsory subject in all schools. The situation started that teaching Catholic doctrine at school was given legitimacy as moral education in schooling by the state of Spain. The subject of "Religion" became to undertake an important role for moral education at school, under Franco's regime.

After Franco's regime, there has been the same amicable relationship with Vatican State. Then, Spain signed up a new Concordat on law, economy, education and army with Vatican State in 1979, soon after the enactment of Constitution of 1978. One of the signed documents is known as the "International Treaties on Education". This declared the agreement of the Spanish government with Vatican State on the religious education as a state of Spain. "International Treaties on Education" have 17 articles in total, which have so long sentences. The point of "International Treaties" on Junior High Schools is as the following.

- By the principle of religious liberty, the educative action must respect the fundamental right of parents on the moral and religious education for their children in schooling. In any case, the education given in public educational institutions must show respect to the values of Christian ethics. (Article 1)
- The educative plans in the levels of pre-school, primary and secondary education must include the teaching of Catholic religion in all the educational institutions, under the equivalent conditions to the other fundamental discipline. For respecting the liberty of conscience, students have no obligation of learning Catholic doctrine. However, it must be guaranteed the right to learn religion for any student. (Article 2)
- As the bishop of each ecclesiastical district every year provides the candidates with the ability to take charge of "Religion" at Primary and Secondary schools, the school control authorities choose some in the candidates. (Article 3)
- Catholic Church proposes the contents of Catholic religious education, including textbooks and instructional materials. (Article 6)
- The students of the schools established by Catholic Church have the same treatment on the scholarship and the economical benefits, as the student who learns in formal Public schools has. (Article 13)

Article 1 gives the legitimacy to teach Catholic religion as moral education in Public schools. Article 2 is the ground that the subject of "Religion" is offered as a "fundamental discipline" at all levels of formal schooling, that is, at any grade of Elementary Schools and Junior High Schools and High Schools. Catholic Church holds the power of decision on the contents including textbooks and instructional materials on the subject of "Religion" (Article 6). Therefore, MEC keeps out of the contents of the syllabus of "Religion" in schooling. As the teacher who takes charge of "Religion" in Public schools is the man recommended by Catholic Church at each ecclesiastical district (Article 3), many of them are priests. By "International Treaties on Education", Private schools which are managed by Catholic Church went on being regarded as a formal school from an institutional standpoint, like in the previous time of Franco's period (Article 13).

Although Article 2 of "International Treaties on Education" says that the child has no obligation to study Catholic doctrine, before LOGSE (1990), the subject of "Religion" was in fact an obligatory subject in schooling. As "Religion" based on Catholicism had been a very important and obligatory subject in all schools under Franco's regime¹³, there continued the same situation some years after Franco's death by the historical inertia. The subject of "Religion" based on Catholicism still was compulsory for every student at school, and then all students were obliged to take the examination of "Religion". Of course, this situation in schooling was not compatible with the freedom of religion (Article 16, Clause 1) and with the right of parents to choose the religious and moral education for their child (Article 27, Clause 3) stated by Constitution of 1978.

LODE (Article 4) of 1985, for the first time as the fundamental law of education, put the constitutional principle guaranteeing the right of parents in the statutory form. And then this principle was applied in educational system after LOGSE (1990). After LOGSE, the subject of "Religion" was changed to an elective subject from an obligatory subject. Since LOGSE, all Public and Private schools must offer the subject of "Religion" as an elective subject. Then, in Junior High Schools particularly, the lesson time of "Activities of learning" (Actividades de Estudio) was offered for the children who do not choose the subject of "Religion". These "Activities of learning" firstly were considered as only a possibility of using additional time for reinforcing the learning of other areas of knowledge. After 1995, "Activities of learning" were defined as schooling task devoted to the comprehension and appreciation of social and cultural historic (artistic, symbolic) manifestations of the several religions¹⁴. "Activities of learning" had to be mandatory as an alternative to the subject of "Religion". And in fact it is the predecessor of the future subject of "Society, Culture and Religion" promulgated by LOCE at the end of 2002.

And then, LOCE promoted the diversity of the subject of "Religion". That means that LOCE explicitly declares the policy that the subject of "Religion" includes not only Catholic religion but also another religion such as Islam, Jew and Protestant, by the diverse requests of parents. In these recent times, mainly by the impulse made by LOCE, and newly by LOE, every school must offer the subject of "Religion", but not all the students always learn the subject of "Religion".

(3) The subject of "Religion" in Private schools and Public schools

The parents' interest in the religious and moral instruction for the children seems to be linked to

parents' decision of choosing Private schools or not. About 90% of all Private schools are the schools of "Centros Privados Concertados" which were set up by LODE (1985)¹⁵⁾. As these Private schools are financed mainly by the subsidy of the State, the school expenses for the compulsory education stages are fundamentally free. Most schools of "Centros Privados Concertados" are managed by Catholic Church in each jurisdictional district. Therefore, it is possible for the parents to choose Private schools freely by their own convictions, regardless of the parents' financial level. Just one third (33.6%) of all Junior High School students across Spain are enrolled in Private schools¹⁶⁾.

According to the MEC data of the academic years 2005-06, the ratio of Private schools (including "Privados-concertados" Schools) to the total of Elementary Schools and Junior High Schools, which provide compulsory education, is very high in Spain. The number of Private Elementary Schools amounts to 3,367, which is 24.9% of all 13,540 Elementary Schools¹⁷⁾. The number of Private Junior High Schools is 3,093, which accounts for 41.3% of all 7,481 Junior High Schools¹⁸⁾. So, Private schools account for the one-fourth of all Elementary Schools and the two-fifth of all Junior High Schools.

According to the MEC data of the academic years 2005-06, the rate of choosing the subject of "Religion" based on Catholicism at Private Junior High Schools is 85.0%, while the rate at Public Junior High Schools is 46.4%¹⁹⁾. According to the data by Catholic Church, the rate at the Private Junior High Schools supported by Catholic Church is more than 99% continuously²⁰⁾. We can guess that the parents with a child attending Private school expect the religious and moral instruction, which has more massive contents on Catholic doctrine for Catholic believer rather than Public schools give. However, the reason why the rate of entering Private schools is very high is not always (or not only) based on the parent's interest for Catholic religion. It can be admitted that in Basque Country and Catalonia, there was the tendency of many parents to choose Private schools for their children, in order to give them the higher possibilities of learning the regional and "own" language²¹⁾. Yet, in recent times, as both the socialist central government and nationalist rulers of these two regions — Catalonia and Basque Country — have made the own language —respectively Catalan and Basque words— as the unique official tool of communication in Public and "concertado" schools, a growing number of parents have begun to choose the Private schools as the only means for keeping the learning of Spanish word for their children.

In Spain, the number of immigrant children is increasing rapidly year by year. The number of immigrant children in Junior High Schools is 146,387 in the academic years 2005-06, whereas it is 2,490 in the academic years 1995-96²²⁾. The immigrant children in Junior High Schools increased to 59 times in these 10 years. About 80% of immigrant children go to Public Schools²³⁾. The rate of immigrant children in Public Junior High Schools is 7.9% in the academic years 2005-06, whereas it is 0.5% in the academic years 1995-96²⁴⁾. Many of the immigrant children's parents are non-Catholic believers in such cases as the Islamic or East-European immigrant families. As the content of "Religion" at school is based on a Catholic doctrine, the immigrant children do not choose the subject of "Religion". Therefore, in Public schools, a decreasing number of students choose the subject of "Religion" which is based on Catholic doctrine. The rate of choosing "Religion" in Public Junior High Schools is 46.4% in the academic years 2005-06²⁵⁾, while it is 55.5% in the academic years 2001-02²⁶⁾.

The Autonomous Communities with the lowest rates of children who choose the subject of

“Religion” at Public Junior High schools in the academic years 2005-06 are Balears Islands (14.7%), Catalonia (15.7%), Basque Country (26.6%), and Madrid (34.5%)²⁷. While 33.6% of all Junior High School students across Spain are enrolled in Private schools, in these Autonomous Communities the ratio of students at Private Junior High Schools to the total students at Junior High Schools is particularly high; Basque Country (57.4%), Madrid (46.2%), Catalonia (41.4%), Balears Islands (40.3%)²⁸. And these Autonomous Communities are the areas of highest revenues or income per head—that is, the richest ones in Spain, as well. And then, the new phenomenon has happened that the child of Catholic believer families who are Spanish of origin and more well-off in general, goes to Private schools, while the child of non-Catholic belief or that of poorer families (such as those of the immigrants) goes to Public schools²⁹. The logical conclusion is that the ratio for the choice of “Religion” at Public schools is low.

The rapid increasing of the immigrant children at Public schools has begun to arise racial discrimination by the difference in the religious belief. The parents who embrace Catholicism are apt to have the child go to Private school (most Private schools are “Centros Privados Concertados” and most of them are managed under the Catholic ideology), for the purpose of avoiding the situation that the child attends Public School together with the immigrant child³⁰. In the compulsory education stages, the segregation of Public schools and Private schools has happened mainly by the difference of the parent’s religious belief.

Catholic Church seems to be afraid about the tendency for decreasing of the choice of “Religion” in Public schools³¹. On the other hand, the statements on the immigrant side and the socialists, stirring up public opinion, generate a debate about suppressing the subject of “Religion” in Public schools³². However, as “International Treaties on Education” (1979) with Vatican State are still in force, the subject of “Religion” cannot be removed in Public schools.

2. Objectives and Contents of subjects related to Morality in Junior High Schools

(1) The objectives and contents of “Religion”

Table 1³³, which is the standard schedule identified by MEC under LOCE, shows the list of subjects and the number of school hours per week at Junior High Schools. In several Autonomous Communities, the schedule is made or somewhat modified by the regional authorities on education. The contents of “Language”, “History” and “Geography” are particularly different by each Autonomous Community.

The subject of “Religion” is put as an elective course in every grade. MEC does not participate in making the syllabus of “Religion”. The syllabus of “Religion” is made by the Conference of Bishops (Conferencia Episcopal Española), which is the Assembly of all the Bishops of Spain. MEC authorizes this as a standard syllabus in formal education. The subject of “Religion”, which is not compulsory, has no exam for it at Public schools.

The syllabus of “Religion” consists of preface, objectives, contents and criteria for evaluation³⁴. The objectives of “Religion” consist of 12 items. The character of objectives of “Religion” is as following in brief. It is clear that the main objectives of “Religion” are concerned with the learning of

Table 1. Schedule of subjects at Junior High Schools

Area of Subjects	First grade	Second grade	Third grade	Fourth grade
Language and Literature	5	4	4	4
Foreign Language	3	3	4	3
Mathematics	4	4	3	4
Social science (Geography and History)	3	3	3	5
Physical education	2	2	2	2
Science of Nature	3	3	-	-
Biology and Geology	-	-	2	3
Physics and Chemistry	-	-	2	3
Art (Plastic and Visual)	2	2	2	3
Ethics	-	-	-	2
Music	2	2	2	3
Technology	2	2	2	3
"Religion" or "Society, Culture and Religion"	1	2	1	2
Optional Subjects	2	2	2	2
Tutorial	1	1	1	1
Total	30	30	30	30

Source: I made this table, which is based on Footnote 33.

Catholic doctrine and Catholic Church's dogma. The second aim is to acquire the knowledge of the historical contribution of Catholic Church to the European Culture and for the shaping of social frame of Spanish and European societies, through learning the general history of integrated Spain.

The third aim is to learn the legitimacy of Catholicism as moral education by comparing with other religions. The items of 9th to 12th of the objectives are following:

- 9) To discover both the rational and revealed foundations which justify the moral education of Catholic Church, and lead the relationships of every person with God, with own self, with the others and with the world.
- 10) To analyze the exigencies and commitments of the Christians in their relationship with God, with themselves and with the others, comparing (these commitments or actions) with other options that are offered by the present society and the other great religions.
- 11) To recognize and to value the most important landmarks of Christian faith in the history of the Church, in the great religious works of the Western culture and in the Ecclesiastical celebrations or ceremonies, also considering the contributions of other religions.
- 12) To analyze the principles that are the basis for the Christian belief in the eternal life, valuing critically the proposal of the grand religions.

The contents of "Religion" in the syllabus consist of 15 items for every grade (at the third grade it has 16 items). Most of them deal with Catholic doctrine, the catechism and the historical contribution by Catholic Church. Only 5 among the total 61 items mention other religions. Concretely, the contents at the first grade mention "the mythical stories on the man and God in the religions already disappeared: Mesopotamia, Egypt, Greece and Rome", "the multiplicity of Gods in

the Hinduism. Its sacral sense of the life and the presence of God”, and “the morality of the acts in the Christianity, and its relation with the moral proposal of the Buddhism (the feeling of the happiness) and of the Islam (moral value of works)”. At the third grade, it is mentioned “the project of God on the man according to the Judaism, the Christianity and the Islam”. At the fourth grade, it can be found “the encounter with the modernity and the inner renovation of the contemporary Catholic Church: Vatican Council II, the masterful lines of Constitutions of each country, the totalitarianism by State and their moral catastrophe, the holocaust, Contemporary Judaism and Islam: tradition and modernity”.

It cannot be denied that the subject of “Religion” has a significant degree of indoctrination for Catholic doctrine and the catechism, which means the indoctrination of the values and norms of Catholicism, although it pays attention to other religions.

(2) The objectives and contents of “Society, Culture and Religion”

The subject of “Society, Culture and Religion” was made for Junior High School students who do not choose the subject of “Religion”, after LOCE (2002). The predecessor of “Society, Culture and Religion” was “Activities of learning”. The subject of “Society, Culture and Religion” is mandatory as an alternative to the subject of “Religion” in every grade in Junior High Schools. The teaching of “Society, Culture and Religion” is served concurrently by the teachers of “Literature” or “History” or even sometimes by the teacher of “Religion”. The syllabus of “Society, Culture and Religion”, which is based on LOCE, was made on 27th of June 2003³⁵. We can see the syllabi made by MEC, which were published by Royal Decree, in the Official Bulletin of the State (BOE: Boletín Oficial del Estado). The syllabus of “Society, Culture and Religion” consists of preface, objectives, contents and criteria for evaluation. The objectives of “Society, Culture and Religion” consist of 8 items. The 1st, 2nd, 7th and 8th of them are following:

- 1) To frame the birth and development of the religions inside a historical situation that allows the student to locate them in the political, social and cultural context in which they arose and they were developed, and to relate them with the development of the towns in the different facets of their historical reality.
- 2) To know the most significant facts in the three religions that have influenced in the history and the culture of Spain and their main contributions to the political, cultural and social evolution of our country.
- 7) To analyze the moral systems proposed by the different religions, to compare the different moral systems of every religion, the coherence among them, and to analyze the personal and social implications of the moral systems of every religion.
- 8) To analyze the historical, intellectual, cultural and political processes that have implanted the freedom of conscience and religious freedom as the foundation of the Western civilization.

We can notice that the objectives of “Society, Culture and Religion” attach importance to learning the general history of integrated Spain, in order to understand the birth and development of the religions and the moral systems of every religion.

The table 2 shows the contents of the syllabus of “Society, Culture and Religion”. The students of

Table 2. The Contents of “Society, Culture and Religion” in Syllabi by MEC

First grade	① Art and religion in the prehistoric towns: Interpretation of the religious paradigm in caves and caverns during the prehistory. The society of hunters and totem rituals: the art in the caves and their religious meaning. The funeral cults and significance of the burials.
	② The religion in Mesopotamia and Egypt : Mesopotamia and their God. The keys of the religion of Egypt.
	③ Religions of the Indo-European tradition (Hinduism, Buddhism): Multiple gods and forces of the nature in the Hinduism. The way of Buddha.
	④ Religion in Greece and in Rome: Origin of the Greek gods in the Indo-European tradition. Myths and gods in Greece. The original Roman gods (Pantheon) and their reference to the Greek religion.
	⑤ The religions of pre-Columbian America: The Aztecs, the Mayan, the Inca. The Christianity in the American continent.
Second grade	① A reality in two dimensions: The religious and the profane.
	② Polytheism and Monotheism: Several gods and the one and only God; The importance of the Supreme Being (=God).
	③ The mediations of the religious fact: The myth and the stories. The rite and the celebrations. The prayer. The moral.
	④ The religious attitude: The person in the face of the mystery, the awe and the fascination of the religious fact.
	⑤ The grand interrogations: The origin of the life, the sufferings and the death. The religions and the sense of the life.
Third grade	① History and religion of the people of Israel. The biblical tradition.
	② The primitive Christianity and their development.
	③ The Christianity in the society and in the institutions of Medieval Europe.
	④ Islam: doctrine, civilization and cultures.
	⑤ The three religious cultures in the Iberian Peninsula in the Middle Age and the formation of the modern State. Religion and State.
	⑥ Humanism, the Reformation and the Counter-Reformation. Religious war. Tolerance. Separation between State and Religion.
Fourth grade	① Christianity, the Enlightenment and Liberalism.
	② Science and religion in Europe of the 19th century. Anticlericalism and clericalism.
	③ Totalitarianism and religion in the 20th century. The atheism of State. The moral catastrophe of the totalitarianism. The Holocaust.
	④ Contemporary Islam: traditionalism, reformism, fundamentalism and critical revisionism.
	⑤ Judaism: tradition and modernity.

Source: I made this table, which is based on Footnote 35.

the first grade survey the history of religion. The students of the second grade study the meaning of religion and faith, which is based on the perspective of religious studies. The students of the third grade study the history of Christianity, Judaism and Islam in the Spanish pre-modern history. And then the students of the fourth grade study the various problems invoked by Christianity, Jew and Islamic religions, through learning the modern Europe history.

In summing up, by the subject of “Society, Culture and Religion”, the students survey the historical process of various religions, which gives an answer to “the grand interrogations” related with “the origin of the life, the sufferings and the death” of human-beings. The aim of “Society, Culture and Religion” is to have students think about how to live as human-beings through “analyzing the personal and social implications of the moral systems of every religion”.

(3) The objectives and contents of “Ethics”

After LOGSE (1990), the subject of “Ethics” was put as an obligatory subject of 2 hours per week, for the 4th grade of Junior High Schools, which is for young people of 15 and 16 years old. The subject of “Ethics” is correlated with the subject of “Philosophy”, which is an obligatory subject of High Schools. The syllabus of “Ethics” for Junior High Schools has the objectives with 10 items³⁶⁾. By the subject of “Ethics”, the students learn the basic principles of morality, values, moral norms, moral judgments, moral obligations, moral dilemmas, and moral actions. And then, by “dialogue” and “discussion” with the others, students develop “a positive self-image and an appropriate self-esteem related to the capacities and attitudes of every student”. In the subject of “Ethics”, learning of “Human Rights” is regarded as the most important.

Table 3 shows the contents of “Ethics” in the Syllabi. The contents of “Ethics” have 4 blocks, with 12 units in total.

The first unit (“The moral problems of our time”) deals with some of the most conflicting moral problems of present time, exemplarily showing up the social, political, economic, gender-based, scientific, technological and ecological factors, which interest the most students. This first unit takes the role as introduction to learn Ethics. The second unit (“The democracy as the main environment of the ethical contemporary projects”) respects the democracy as the most important theme to understand Ethic. It is necessary to analyze the ethical, juridical and political meaning of the democracy as a space of the moral life that facilitates and frames the public realization of ethical projects. In this second unit, “Human Rights” and “Citizenship” are regarded as the most important, as much as the condition of the democratic life, and as the horizon for the realization of the ethical

Table 3. The Contents of “Ethics” in Syllabi by MEC

The moral problems of our time	① Problems coming from social, political and economic factors. (The social marginalization. The discrimination by the reasons of sex, race, language, religion, etc.)
	② Problems coming from scientific-technological factors. (Degradation of the environment, Armaments race, Human-beings' genetic manipulation, etc.)
	③ Problems coming from the personal world. (Plans and life ideals. Responsibility. Habits. Values and moral virtues. Sense of duty. Personal realization. Insertion in the labor world. Personal relationship; love, friendship, sexuality, etc.)
The democracy as the main environment of the ethical contemporary projects	④ The Human Rights.
	⑤ Democracy and Citizenship.
	⑥ Defense of the peace, Protection of the environment, Solidarity, Volunteers and other ethical projects.
The rationality and structure of the moral life	⑦ Heteronomy and Autonomy.
	⑧ Values and moral norms.
	⑨ Authority and its legitimating.
Ethical theories	⑩ Foundation of moral life.
	⑪ Ethics of finality.
	⑫ Deontological ethics.

Source: I made this table, which is based on Footnote 36.

projects. The third unit ("The rationality and structure of the moral life") deals with the fundamental concepts for the analysis of the moral life, as theoretical foundation of "The moral problems of our time" that have been seen in the previous unit. The fourth unit ("Ethical theories") deals with the ethics of happiness, the ethics of duty and the other theories which define the foundation of the moral life.

Compared with "Religion" and "Society, Culture and Religion", "Ethics" has more current topics, especially to understand "Human Rights" and "Citizenship". And "Ethics" aims at considering "critically" on each topic. In order to this aim, there are needed "dialogue", "discussion" and "argumentation", through which the students could express their own self and could get the high ability to communicate, and then could integrate heterogeneity and multiplicity and variety. In terms of results, to develop "a positive self-image and an appropriate self-esteem related to the capacities and attitudes of every student" promotes that the students can establish the own identity.

(4) The new movement after LOE

LOE (2006) permits and reinforces the diversity for the subject of "Religion"³⁷⁾. That means that LOE declares the policy that the subject of "Religion" includes not only Catholic but also another Religion such as Islam, Jew and Protestant by the diverse requests of parents. However, the syllabus of "Religion" that MEC shows after LOE is the same of the syllabus under LOCE³⁸⁾.

Based on LOE, the name of "Society, Culture and Religion" which was put for the students who did not choose "Religion" has been changed into the name of "History and Culture of the Religions". After LOE, it is no longer mandatory for the student to pick one of them, "Religion" or "History and Culture of the Religions", as both shall become an optional subject for any students. The objectives of "History and Culture of the Religions" based on LOE are somewhat different from the objectives of "Society, Culture and Religion" based on LOCE, when we see the 1st item of objectives of "History and Culture of the Religions", which attaches importance to understanding "religious plurality in the present-day society"³⁹⁾. The contents of "History and Culture of the Religions" have newly the topic of "the religious diversity" and "the religion and the human right", while they downsize the learning of general history of integrated Spain.

And then, LOE declares the new policy that the new subject of "Education for Citizenship" (Educación para la Ciudadanía)⁴⁰⁾ is "obligatory" and must be imposed at every grade of Elementary schools, Junior High Schools and High Schools. "Ethics" which was put at the 4th grade in Junior High Schools is absorbed into "Education for Citizenship" from now on, as the course of "Education for Citizenship and the Human Rights" (for the first, second and third grade) and the course of "Ethical-civic Education" (for the fourth grade). The syllabus of "Education for Citizenship" for Junior High Schools has the objectives with 13 items⁴¹⁾. By some items in the objectives of "Education for Citizenship", we can guess that the subject of "Education for Citizenship" has been born by the pressure of "the Spanish State", "European Union" and the movement of "Global Citizenship". We could also notice that, by learning "Education for Citizenship", the students could express their own identity and could get the high ability to communicate with the others, and then they could integrate heterogeneity and multiplicity and variety, as this subject takes over the concept of "Ethic" in which

“the Human Rights” and “Citizenship” are so respected.

The subject of “Education for Citizenship” would start the real teaching in the academic years 2007-08. But it only happened for the moment in some regions (Autonomous Communities)⁴²⁾. Now, about the new policy on “Education for Citizenship”, it sparks up a heated debate between MEC and surrounding powers such as Autonomous Communities, Catholic Church, Parents’ Associations and Teachers’ Unions⁴³⁾.

Conclusion

In Spain, the subject of “Religion” used to undertake an important role for moral education at school, under Franco’s regime. After the death of Franco, by “International Treaties on Education” with Vatican State (1979), every Public schools including primary and secondary education must offer the subject of “Religion” based on Catholicism, as a “fundamental discipline”. However, after LOGSE (1990), “Religion” became an elective subject, which alternative was “Activities of learning”. This change is a turning point in moral education in Spain; the moral education has eliminated the influence of the Franco dictatorial regime when “Religion” was put in the center of moral education. And then, Spanish moral education at Junior High Schools has incorporated the subject of “Ethics”. Today the moral education faces in Spain a new problem with an increasing number of immigrants. Private schools, about 90% of which are “Centros Privados Concertados” set up by LODE (1985), keep the traditional devotion to the subject of “Religion”. However, in Public schools, a decreasing number of students choose the subject of “Religion” which is based on Catholic doctrine, whereas the number of students claiming the teaching of other Religions, such as Islamic, is steadily growing in last years. As Spanish Constitution respects so much the right of parents to the moral education and religious education of their children, the increase of immigrants who are not Catholic seems to result in somewhat unprecedented situation for Spanish Public schools. Then, LOCE (2002) explicitly promoted the diversity for “Religion”, that had been already stated in the Constitution of 1978, although it had not been really in force before this time. It means that LOCE declares the policy that the subject of “Religion” includes not only Catholic religion but also another religion such as Islam, Jew and Protestant by the diverse requests of parents. In Spain, on the modern principle for Public Education of “to be religious neutral”, there is a growing tendency for several religions to be accepted at school.

According to the discussions so far, the subjects related with morality at Junior High Schools in Spain can be assumed to have the following characteristics. Although the current “Religion” subject, such as it is given for students deciding to learn it—who are overwhelmingly Catholic ones—, pays attention to Islamic and Judaism, “Religion” has a significant degree of indoctrination for Catholic doctrine and the catechism, which means the indoctrination of the values and norms of Catholicism. On the other hand, the subject of “Society, Culture and Religion”, which is chosen by students who do not attend “Religion”, aims at surveying the historical process of various religions, which gives an answer to “the grand interrogations” related with “the origin of the life, the sufferings and the death” of human-beings. The aim of “Society, Culture and Religion” is to have students think about how to

live as human-beings, through “analyzing the personal and social implications of the moral systems of every religion”. That is, this subject is a scientific approach to “general knowledge regarding religion”, and its contents should be instructive for Japanese to learn the “general knowledge regarding religion” Japanese Fundamental Law of Education requires newly. The subject of “Ethics” has aimed for the students to learn the more current matters, particularly “Human Rights” and “Citizenship”. This aim is absorbed in the new subject of “Education for Citizenship” which is based on LOE.

The new syllabi based on LOE sparks up a heated debate between MEC and surrounding power such as Autonomous Communities, Catholic Church, Parents’ Associations and Teachers’ unions. Now the moral education in Spain faces a new challenge of how to make the balance between “Religion” and “Education for Citizenship”. These seem to involve issues stemming not only from the principle “to be religious neutral” in schooling but from the ideology of “National Integration” by the State of Spain and the notion of “standardization” by European Union. These are the topics for the future research.

Notes

- 1) Article 15 (Religious Education) in Japanese Fundamental Law of Education (2006) says: (1) The attitude of religious tolerance, general knowledge regarding religion, and the position of religion in social life shall be valued in education. (2) The schools established by the national and local governments shall refrain from religious education or other activities for a specific religion. (The tentative translation by Ministry of Education, Culture, Sports, Science and Technology in Japan) <http://www.mext.go.jp/b_menu/kihon/data/index.htm>
- 2) Recently, 5 Japanese historical researchers have suggested the new perspective for the principle of Public Education: “to be religious neutral”, by introducing the case-studies of Japan (by TAKAHASHI, Yoichi), Taiwan (by KOMAGOME, Takeshi), U.S.A (by KITANO, Akio), Germany (TSUSHIMA, Tatsuo) and Malaysia (by SUGIMOTO, Hitoshi). See; Japan Society of Educational History (ed.), *Kyoikushi-kenkyu no saizensen* (The 50th Anniversary Issue of the Society for Historical Studies of Education), Nihontoshocenter co.,Ltd., Japan, 2007, pp.1-25. And in August of 2007, Japanese journal of religious studies of “Gendai Shukyo” (Contemporary Religions) made a feature of the possibility of religious education in schooling. See; International Institute for the Study of Religion (ed.), *Gendai shukyo 2007*, Akiyama-Shoten Co.,Ltd., Japan, 2007.
- 3) “Acuerdo Entre el Estado Español y La Santa Sede Sobre Enseñanza y Asuntos Cuturales”, signed on January 3, 1979 <<http://www.concordato.org/ensenanza.php>>.
- 4) Regarding the laws and regulations pertaining to education and the educational system as a frame for Moral education in Spain up to the times of LOGSE, see: M. R. Buxarrais, M. Martínez, J. M. Puig & J. Trilla, “Moral Education in the Spanish Educational System”, *Journal of Moral Education*, Vol. 23, No.1, 1994, pp.39-59.
- 5) After “Real Decreto 894/1995 (June 2,1995)” (BOE No.150, June 24, 1995, pp.19142-19143.) and “Real Decreto 1390/1995 (August 4, 1995)” (BOE No.224, September 19, 1995, pp.27983-28005.), the curriculum of Junior High Schools was revised, which concept is based on LOGSE (BOE No.238, October 4, 1990, pp.28927-28942.). Spain is now one of the 6 countries of the OECD (with Belgium, France, Iceland, Japan

and Czech Republic) with highest rates of enrolment in Education, as at least 90% of all students are enrolled in an age band spanning 14 or more years; and with the highest enrolment rates for 5-14 years old population (OECD, *Education at a glance, OECD Indicators 2006*, Paris, 2006. See "Table C1.2. Enrolment rates, by age (2004); Full-time and part-time students in public and private institutions"). However, across Spain approximately 1 in 4 children do not graduate from Junior High Schools, while the figure is much higher in some Autonomous Communities. ("Equity Education in Spain Country Note", March 2006 version, OECD, pp.17-18. <<http://www.oecd.org/dataoecd/41/39/36361409.pdf>>)

- 6) The formal name at 1886 was "Ministerio de Instrucción Pública y de Ciencias, Letras y Bellas Artes". (See "La administración educativa en España (1812-1939)", CIDE (Centro de Investigación y documentación Educativa, MEC.) <<http://www.mec.es/cide/jsp/plantilla.jsp?id=arch03a&contenido=/espanol/archivo/docheducacion/adeducativa/adeducativa09.htm>>)
- 7) In LOGSE, Article 4 Clause 2 says, "The Government will fix, according the objectives concerning capacities, contents and criteria for the evaluation, the basic aspects of the curriculum that must be taken as the minimum teachings to be given, in order to guaranteeing the common formation of all the students and the nation-wide validity of the corresponding titles. The basic contents of the minimum teachings in any case will require more than 55 per 100 of the school schedules for the Autonomous Communities (Regions) that have official own language different from the Castilian, or more than 65 per 100 for those Regions that don't have it."
- 8) With LOCE (2002), every Autonomous Community could not put, as new-own contents, more than 30-35 per cent of the syllabus. But with LOE (2006), the percentage of common teachings will be again (as in LOGSE) 55 per 100 of the schooling time in the Autonomous Communities that have official own language, and 65 per 100 for those Regions that don't have it (See LOE: Article 6, Clause 3).
- 9) TATEISHI, Hirotaka & NAKATSUKA, Jiro (eds.), *State and Regions in Spain-Nationalisms in Rivalry*, Kokusai Shoin Co.,Ltd., Japan, 2002, pp.91-92.
- 10) J.B. Trend, *The Civilization of Spain*, Oxford University Press, London, 1944 (Japanese version by NIWA,Mitsuo, 1970); John H. Elliott, *Imperial Spain, 1469-1716*, London, 1963 (Japanese version by FUJITA,Kazushige, 1982); Antonio Domínguez Ortiz, *España: Tres milenios de Historia*, M.Pons, Madrid, 2001 (Japanese version by TATEISHI,Hirotaka, 2006).
- 11) William J. Callahan, *The Catholic Church in Spain,1875-1998*, The Catholic University of America Press, Washington, D.C., 2000, pp.274-305 (Chapter 12).
- 12) In the Concordat of 1953, the content on education is in the 26th, 27th and 28th articles.
- 13) Stanley Payne, *The Franco Regime, 1936-1975*, University of Wisconsin Press, Madison, 1987; Raymond Carr and Juan Pablo Fusi, *Spain: Dictatorship to Democracy*, London, 1979; Raymond Carr, *Modern Spain, 1875-1980*, Oxford University Press, 1980. Ramón Tamames, KUSUNOKI,Sadayoshi, TOKADO,Kazuei, FUKASAWA,Yasuhiro, *Historia Contemporánea de España*, Taishukan-Shoten Co.,Ltd., Japan, 1999.
- 14) "Real Decreto 2438/1994 (December 16, 1994)" (BOE No.22, January 26, 1995, pp.2432-2434.) Article 3, Clause 2-3, and "ORDEN de 3 de agosto de 1995 por la que se regulan las actividades de estudio alternativas a la enseñanza de la religión establecidas por el Real Decreto 2438/1994,de 16 de diciembre" (BOE No.209, September 1, 1995, pp.26813-26814.).
- 15) The grounds for the presence of "Centros Privados Concertados" are mainly both the freedom of religion (Article. 16, Clause 1) and the respect for the rights of parents to ensure that their children receive religious and moral instruction in accordance with their own convictions (Article 27, Clause 3). See LODE (Article 4).
- 16) I calculated by the MEC data of academic years 2005-06; "IV.1. ENSEÑANZAS DE RÉGIMEN GENERAL,

- IV.1.1. TODAS LAS ENSEÑANZAS". <http://www.mec.es/mecd/estadisticas/educativas/eenu/result_det/2005/AlumnadoRG.pdf>
- 17) The MEC data of the academic years 2005-06; "2. Número de centros que imparten cada enseñanza y variación respecto al curso anterior, Enseñanzas de Régimen General" in "I. DATOS BÁSICOS. NIVEL NACIONAL". <<http://www.mec.es/mecd/estadisticas/educativas/eenu/avances/Curso0506/TOTAL.pdf>>
 - 18) See the note 17.
 - 19) The MEC data of the academic years 2005-06; "La enseñanza de la religión". <<http://www.mec.es/mecd/estadisticas/educativas/cee/2007A/E3.pdf>>
 - 20) Conferencia Episcopal Española, "Informe sobre la opción por la enseñanza de la religión católica en la Escuela", Madrid, February 14, 2005, <http://www.conferenciaepiscopal.es/actividades/2005/febrero_14.htm>.
 - 21) In Basque Country, where there are nationalist and even separatist political tendencies, since 1960s there are many schools of "ikastolas", where all the subjects are taught in Basque language, and which have the very regional and traditional contents on philosophy, history and geography. (Jacques Allières, *Les Basques*, Presses Universitaires de France, 1977 (Japanese version by HAGIO, Sho, 1992).) Although the schools of "ikastolas" were at first Private schools, these schools were permitted as Public schools by "Ley de la Escuela Pública Vasca" (February 19, 1993). However, the schools of "ikastolas" are not managed by Catholic Church.
 - 22) The MEC data; "Table 21. Alumnado extranjero por enseñanza", in "Series 1990-91 a 2005-06, Estadística de las Enseñanzas no universitarias". <<http://www.mec.es/mecd/estadisticas/educativas/eenu/series/SeriesTOT.xls>>
 - 23) The MEC data; "Table 22. Porcentaje de alumnado extranjero matriculado en centros públicos. Enseñanzas de Régimen General" in "Series 1990-91 a 2005-06, Estadística de las Enseñanzas no universitarias".
 - 24) The MEC data; "Table 23. Número de alumnos extranjeros por 1.000 alumnos matriculados. Enseñanzas de Régimen General", in "Series 1990-91 a 2005-06, Estadística de las Enseñanzas no universitarias".
 - 25) See the note 19.
 - 26) The MEC data of the academic years 2001-02; "La enseñanza de la religión". <http://www.mec.es/mecd/estadisticas/educativas/cee/2004/E3-E_Religion.pdf>
 - 27) See the note 19.
 - 28) See the note 16.
 - 29) About economic performance and high levels of Gross Domestic Product at regional level in Spain, See: Instituto Nacional de Estadística, "Contabilidad Regional de España, base 2000. Producto Interior Bruto Regional. Año 2005", *Notas de prensa*, April 19, 2006, <<http://www.ine.es/prensa/np411.pdf>>.
 - 30) Pedro Salguero Rodríguez, "Racism, xenophobia and intercultural Schooling", *Revista Padres de Alumnos*, No.61 - CEAPA, October 3, 2005; CEAPA is "Confederación Española de Asociaciones de Padres de Alumnos" (that is, Spanish Confederation—or League— of Associations of Parents of Students), <<http://www.nodo50.org/igualdadydiversidad/racismo.htm>>. Vicenç Navarro, "La Iglesia polariza a España", *Educarueca*, November 17, 2005. <http://www.educarueca.org/article.php?id_article=49>.
 - 31) The same of the footnote 20. Another source: Statements of the Bishop of Madrid, Cardinal Rouco Varela: "Rouco Varela foresees a 'doubtful and worrying' for the subject of Religion", in the news of "20 minutos.es", September 30, 2006, <<http://www.20minutos.es/noticia/142251/0/educacion/religion/rouco/>>.
 - 32) There are pro and con about the subject of "Religion" in schooling. Everyone in Spain can today notice it

at reading the daily newspapers, or hearing the political popular debate or the discussions between the leaders of political parties. See, for example: Gustavo Bueno, "Sobre la obligatoriedad de la asignatura 'Religión' " in "El Catoblepas", No.27, May, 2004, <<http://www.nodulo.org/ec/2004/n027p02.htm>>; Another source is "Defender la Asignatura de Religión", <<http://www.vozclasereligion.org/>>.

33) MEC "Distribución horaria —Ejemplo de Distribución Horaria Semanal (ámbito de gestión del MEC)" <<http://www.mec.es/educa/jsp/plantilla.jsp?id=8204&area=sistema-educativo>>

34) The syllabus of "Religion" after LOCE was established by Conferencia Episcopal Española on July 17, 2003. See: "CURRÍCULO de la Opción Confesional Católica y materiales de desarrollo— EDUCACIÓN SECUNDARIA OBLIGATORIA", <<http://www.conferenciaepiscopal.es/ensenanza/ERE/eso.htm>>.

The syllabus of "Religion" after LOE is the same of this syllabus. See: "ORDEN ECI/1957/2007, de 6 de junio, por la que se establecen los currículos de las enseñanzas de religión católica correspondientes a la educación infantil, a la educación primaria y a la educación secundaria obligatoria." (BOE No.158, July 3, 2007, p.28682.)

35) The syllabus of "Society, Culture and Religion" is based on "Real Decreto 831/2003 (June 27, 2003)" (BOE No.158, July 3, 2003, pp.25716-25718).

36) This syllabus of "Ethics" is based on "Real Decreto 831/2003" (BOE No.158, July 3, 2003, pp.25726-25728). This is the same of the syllabus of "Ethics" revised at the end of 2000 (BOE No.4, January 16, 2001, pp.1852-1854).

37) LOE says. See: BOE No.106, May 4, 2006, p.17195.

38) See the note 34.

39) The syllabus of "History and Culture of the Religions" is shown in "Real Decreto 1631/2006 (December 29, 2006) " (BOE No.5, January 5, 2007, pp.771-773).

40) LOE says. See: BOE No.106, May 4, 2006, p.17163.

41) The syllabus of "Education for Citizenship" is shown in "Real Decreto 1631/2006 (December 29, 2006)" (BOE No.5, January 5, 2007, pp.715-721.).

42) See "Cómo se enseñará EpC en la ESO; Contenidos y enfoques por Comunidades Autonomas", <<http://www.libertaddigital.com:6681/suplementos/cuadroeducid.htm>>.

43) About the opinions of Catholic Church for "Education for Citizenship", see as an example, Conferencia Episcopal Española "Nueva declaración sobre la Ley Orgánica de Educación (LOE) y sus desarrollos: profesores de Religión y 'Ciudadanía' ", June 20, 2007, <<http://www.conferenciaepiscopal.es/documentos/Conferencia/LOE2007b.html>>.

About the reaction by some Autonomous Communities, See "Canarias no impartirá Educación para la Ciudadanía hasta el curso 2008-2009", in the news of "EL DIA", June 22, 2007, <<http://www.eldia.es/2007-06-22/vivir/vivir1.htm>>, and see "Los alumnos de Secundaria no cursarán Educación para la Ciudadanía el año que viene" in the news of "EL MUNDO", August 7, 2007, <<http://www.elmundo.es/elmundo/2007/08/06/madrid/1186416756.html>>.

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About the reaction by Teachers' Unions, see as an example "FERE se queda sola con el Gobierno: los obispos defienden el derecho de padres y centros frente a la EpC", March 1, 2007, <<http://www.hazteoir.org/modules.php?name=Noticias&file=article&sid=4251>>.

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