

Music and Artistic Education

Within the three laws of the Spanish State and the Andalusian Autonomous Community

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1. Background: Moyano Law of 1857 – The Decree of 1966 and the General Education Law of 1970

The law by Minister Moyano (1857) is the first legal text of the regulatory history of education in Spain. It includes the Music within the Fine Arts, which include studies in painting, sculpture, architecture and music. The government exercised inspection and surveillance upon schools, both public and private. For primary school, every province had an inspector. The inspectors were appointed by the King and, to qualify for this position, you need to have completed studies of Central Normal School, and have practiced primary school teaching for five years in public school or ten in private school.

Article 55 references to music are made. The curriculum of Fine Arts includes Painting, Sculpture, Architecture and Music (Law of Public Instruction, 9th of November 1857).

Special mention Decree 2618/1966, 10th of September (BOE, 24th of October). This decree is an important step in the reorganization of the Conservatory considering modern guidance in organizing them. The three categories remain – Superior, Professional and Elemental –, strategies to awaken in students an interest in music are sought, the final course exams are done with Tribunal. The MEC enhances their inspection with “Inspección General de Conservatorios”. This decree *was a breakthrough and stayed in effect until the appearance of the LOGSE (1990). We'll have to get to 1970, before a significant education law is enacted in Spain. We refer to the General Law of Education.*

1.1 General Education Law (LGE, 1970)

The General Education Law, Law 14/1970, marked the beginning of the overcoming of the large historical delay that afflicted the Spanish education system, anchored from the Moyano Act 1857. The General Education Act of 1970 established the EGB as a period of compulsory education for children from six to 14 years and introduced music as an additional area in education. Thus ended a long period in which the presence of music in Spanish schools was virtually nonexistent.

Artistic Education in the LGE/1970, appearing under Articles 16 “In Basic General Education training will focus on the acquisition ... of ha-bits and instrumental learning techniques ... to the initiation in appreciation and aesthetic and artistic expression ...” and art. 24, where it refers to “... Aesthetic Education, with emphasis on drawing and Music”.

Approved in 1970, still during the Franco regime, it gave the basic structure the educational system had until the 1990s.

Educational legislation has continually changed in Spain, filled with controversy, sour debate, street protests and intervention by the courts. A seesaw that many specialists say is one of the main problems of the system. They therefore demand a wide agreement that needs to provide the stability needed for improvement.

In the previous legislature the government came close to that agreement, but failed, and today it is far from it.

The following diagram depicts the abundance of legislation that flood the Spanish educational landscape:

YEAR	LAW
1970	Ley General de Educación, LGE
1980	Ley Orgánica Reguladora del Estatuto de Centros Escolares, LOECE
1985	Ley Orgánica del Derecho a la Educación, LODE
1990	Ley Orgánica de Ordenación General del Sistema Educativo, LOGSE
2002	Ley Orgánica de Calidad de la Educación, LOCE
2006	Ley Orgánica de Educación, LOE
2007	Ley de Educación de Andalucía. LEA, 2007
2013	Ley Orgánica para la Mejora de la Calidad Educativa, LOMCE

Seven educational laws in Spain since 1970

We will stop at the three laws in which cultural and artistic competition in Spain is strengthened, as well as in the Education Act of Andalusia (LEA).

2. Democratic laws which create musical and artistic competences: LOGSE (1990), LOE (2006) and LOMCE (2013)

2.1 General Law of Management of the Education System (LOGSE, 1990)

In musical lessons the government sets the objectives, content and evaluation criteria of the basic curriculum and qualification guarantees of future professionals.

Music Lessons

Title II dedicated to Specialised Education: Art Education and Language Education. “Arts education will aim to provide students with a high-quality artistic formation and ensure the qualification of future professionals in music, dance, drama, visual arts and design” (art. 38).

The teaching of music and dance include three grades:

- a. Elementary level, which will take four years.
- b. Middle Grade, which is structured into three cycles of two academic years in length each.
- c. Superior Grade, comprising a single cycle whose duration is determined by the characteristics of this teaching.

To teach specialized education in music and dance it will be necessary to hold the title of Graduate, Engineer or Architect or equivalent qualification for teaching purposes, and have completed the established educational courses.

Primary Education

Article 14

1. Primary education comprises three cycles of two academic years each and is organized in areas that will be mandatory, global and inclusive.
2. The areas of this level will be: a) Knowledge of the natural, social and cultural environment. b) Art Education. c) Physical Education. d) Spanish language, official language of the Autonomous Community and Literature. e) Foreign Languages. f) Mathematics.

Secondary Education

Article 20

1. The compulsory secondary education consists of two cycles of two courses each, and will be taught by knowledge area.
2. Compulsory areas of knowledge at this stage are the following: a) Natural Sciences. b) Social Studies, Geography and History. c) Physical Education. d) Plastic and Visual Education. e) Spanish language, official language of the Autonomous Community and Literature. f) Foreign Languages. g) Mathematics. h) Music. i) Technology.

Baccalaureate

The Bachelor of Arts presents two routes: Route of Visual Arts, Picture and Layout; Way of Performing Arts, music and dance.

We can say that this law constituted the effective incorporation of music to general education, both in primary and secondary education. A specialization was established in studies of teaching and specialization courses for teachers were enhanced. In a few years there was a noticeable improvement of musical culture in schools.

2.2 Organic Law of Education (LOE, 2006)

This bill continues the line initiated by the LOGSE. Arts education will aim to provide students with a high-quality artistic formation and ensure the qualification of future professionals in music, dance, drama, visual arts and design.

The Education Law dedicates Chapter VI to arts education:

- a. Basic teachings of music and dance.
- b. Professional art education: the professional music education and dance as well as the middle and upper grades of plastic arts and design.
- c. Superior artistic education. These are higher studies in music and dance, drama lessons, lessons in conservation and restoration of cultural property, higher education of design, visual arts: ceramics, glass.

The Higher Council for Arts Education was created as a national advisory body in relation to these teachings.

The educational authorities provide the ability to simultaneously pursue professional arts education and secondary education.

Advanced Art Education (art. 54): Higher studies in music and dance will be organized in different fields and consist of a variable life cycle according to their respective characteristics.

Higher studies in music and dance will be studied at conservatories and colleges of music; dance and drama in the higher drama schools. The Autonomous Communities and universities in their respective territories may agree collaboration formulas for higher artistic education studies regulated by this Act.

Primary Education

Article 18 – Organization

1. The stage of primary education comprises three cycles of two academic years each and organized into areas that have a global and inclusive.
2. The areas of this educational stage are: Knowledge of natural, social and cultural environment. Arts education. Physical education. Spanish language and literature and, if any, official co-language and literature. Foreign language. Math.

Secondary Education

Secondary education is similar to the LOGSE, but concerns the attention to diversity and includes Citizenship Education.

2.3 Organic Law for Improving Education Quality (LOMCE, 2013)

This law from 9th of December 2013 modifies certain aspects of the LOE (2006) and the LODE (1985).

Article 42

Paragraph three of Article 54 shall read as follows:

“3. The students who have completed advanced studies in Music and Dance will get a Degree in Music and Dance in the specialty concerned, which is included for all purposes at level two of the Spanish Qualifications Framework for Education superior and be equal to university

degree. Whenever applicable regulations required to be in possession of university graduate degree, be deemed to meet this requirement who owns the Superior Title Music and Dance”.

Treatment of music education in the Organic Law on Education Quality Improvement, LOMCE, has been as follows:

In primary education compulsory study of Arts Education is removed (Plastic & Musical Education), being one of the specific areas that not be issued to all students, but in between them (Arts Education, Second Foreign Language, Religion and Social Values and civic), they will attend at least one. These are exposed to the regulation that each region make.

In the case of Andalusia, in Annex II of the “Proyecto de Orden” for which the corresponding curriculum is developed, to the area of arts education two modules hours 45 minutes per week are assigned, in all courses music education is reduced to a module unless the schedule that is left to the autonomy of schools, they decided to increase them some time.

Accordingly, it could happen that a pupil finished their compulsory schooling in Spain without having studied the art of music in any way.

In LOMCE the area of Arts Education in Primary is divided into two parts: Art Education and Music Education.

Music Education has been divided into three sections: the first refers to listening, in which students will investigate the possibilities of sound; the second block includes the development of musical performance skills; The third section is devoted to the development of expressive and creative from the knowledge and practice of dance skills.

The basic rules of LOMCE development in primary education are:

Royal Decree 126/2014, 28th of February, the core curriculum of Primary Education (BOE, 1th of March) is set.

Decree 97/2015, 3rd of March, on the organization and curriculum of primary education in Andalusia (BOJA, 13th of March) is established.

In secondary education, similarly, the obligation of Music is removed and remains one of the specific matters not to be issued to all students but among which are offered: Classical Culture, Education Plastic, visual and audiovisual, introduction to entrepreneurship and business activity, Music, Second foreign Language, Technology, Religion and ethical Values. These are again exposed to the regulation of each region and on which there are still no specific proposals.

This is an unusual event because Music Education must be present at all stages of education by promoting both cultural and civic development of students as well as their access to specific academic and professional artistic training.

There is hardly any OECD country in which this situation occurs and in several countries to obtain very good results in PISA have a greater number of hours devoted to music education than there are currently in Spain.

Musical and Artistic Education is the foundation of cultural and artistic competence, one of the eight competencies set out in Recommendation 18th of December 2006 of the European Parliament and of the Council as key competences for lifelong learning for every citizen of the European Union.

Music contributions to the overall development of the students considered as one of the multiple intelligences of any individual (H. Gardner, 2003) are ignored.

To summarize we present the following table showing the treatment of music in the three basic laws on education for democracy.

LOGSE	LOE	LOMCE
Artistic Education Area	Total hours/Weekly hours of both courses: Arts Education	Artistic Education Area
Weekly hours per course		Courses (Sessions)
1º C 2º C 3º C 105/3 105/3 105/3	1º C 2º C 3º C 105/3 105/3 105/3	1st 2nd 3rd 4th 5th 6th ? ? ? ? ? ?
		in Andalusien
		2 2 2 2 2 2

Primary Education

LOGSE	LOE	LOMCE
1º C 2º C 3º C 4º C	1º C 2º C 3º C 4º C	Compulsory Music is removed and remains one of the specific materials from which not be issued to all students.
Weekly hours	Weekly hours	
2 2 2 2	2 2 – 3*	

Secondary Education

LOGSE	LOE	LOMCE
Options: Arts Natural, health and social sciences Technology	Options: Arts: Visual Arts Track, Picture and Layout; Way of Performing Arts, Music and Dance, Science and Technology, Humanities and Social Sciences	Options: Sciences Humanities and social sciences Arts

Bachelor

3. Education Law of Andalusia

Chapter VI (LEA. Act 17/2007, 10th of December; BOJA, 26th of December) dedicated to arts education and creates the Andalusian Council of Higher Art Education as a body for consultation and advice of educational administration and participation in relation to these teachings. Also, the Andalusian Institute of Higher Art Education is created. While the Andalusian Council for Art Education was established in November 2008. Seat in Granada.

Primary Education

Decree 230/2007, 31st July, on the management and teaching, corresponding to primary education in Andalusia.

The areas of primary education to be taught in all courses of this stage are: a) Knowledge of the natural, social and cultural environment. b) Artistic Education. c) Physical Education. d) Spanish language and literature. e) Foreign Language. f) Mathematics.

Minimum Compulsory Timetable for every subject in primary education

TOTAL HOURS/WEEKLY HOURS OF BOTH COURSES		
1 ^º Course	2 ^º Course	3 ^º Course: Arts Education
105/3	105/3	105/3

Secondary Education

Decree 231/2007, 31th July, the management and lessons relating to compulsory secondary education in Andalusia is established. Weekly teaching hours of ESO:

SUBJECT	Course 1 ^º	Course 2 ^º	Course 3 ^º	Course 4 ^º
MUSIC	2	2	-	3*

* Students must attend August three subjects: Music, Visual Plastic Ed, Biology and Geology, Physics and Chemistry, Computer Science, Latin, Second Foreign Language and Technology ...

The network of conservatories in Andalusia is the largest in Spain. Conservatories 76 (f5 superior, 23 professional and 48 elementary). Number of alumni/ae: 24 000.

In superior music education: 1 559 pupils and students enrolled in the Bachelor of Music in Andalusian music conservatories, served by a teaching staff of 413 teachers, making Andalusia the largest Spanish region to offer superior musical studies (data from 2012).

Network of Artistic Education: Superior conservatories – Andalusia

CITY	MUSIC	DANCE	DRAMATIC ARTS
CÓRDOBA	High School of Music "Rafael Orozco"		High School of Performing
GRANADA	Royal High School of Music "Victoria Eugenia"		
JAÉN	High School of Music		
MÁLAGA	High School of Music	High School of Dance	High School of Performing
SEVILLA	High School of Music "Manuel Castillo"		High School of Performing co

It may be interesting to show where the different musical specialities could be studied in Andalusia.

Number of other Specialities that are offered in Andalusia conservatories.

FIELD	CÓRDOBA	GRANADA	JAÉN	MÁLAGA	SEVILLA
COMPOSITION	X	X		X	X
CONDUCTOR (CONDUCTOR OF CHOIR)					X
CONDUCTOR (CONDUCTOR OF ORCHESTRA)				X	
FLAMENCO (FLAMENCO STUDIES)	X				
FLAMENCO (FLAMENCO GUITAR)	X			X	X
PERFORMANCE (HARP)					

FIELD	CÓRDOBA	GRANADA	JAÉN	MÁLAGA	SEVILLA
PERFORMANCE (SINGING)	X	X		X	X
PERFORMANCE (CLARINET)	X	X	X	X	X
PERFORMANCE (CLAVICHORD)					X
PERFORMANCE (DOUBLE BASS)	X	X	X	X	X
PERFORMANCE (FAGOT)	X	X	X	X	X
PERFORMANCE (RECORDER)					X
PERFORMANCE (FLUTE)	X	X	X	X	X
PERFORMANCE (GUITAR)	X	X		X	X
PERFORMANCE (CORD INSTRUMENTS FROM THE RENAISSANCE AND THE BAROQUE)					X
PERFORMANCE (OBOE, VIOLIN, BASSVIOLIN, TROMBONE, SAXO, TRUMPET, TUBA)	X	X	X	X	X
PERFORMANCE (PIANO)	X	X	X	X	X
FLAMENCO STUDIES	X				
MUSICOLOGY					X
PEDAGOGY		X			

Table of Expertise

Who is responsible for setting up the education in arts subjects, their timetable and the needed resources?

PRIMARY		DEPARTMENT OF EDUCATION (SPANISH GOVERNMENT)	DEPARTMENT OF EDUCATION (REGIONAL GOVERNMENT)	DEPARTMENT OF EDUCATION (SPANISH GOVERNMENT)
CORE SUBJECTS	Contents	Determined	Complements	
	Evaluation Criteria	Determined	Complements	
	Learning Standards	Determined	Complements	
	Schedule	Determines the minimum schedule: 50%	Sets the maximum timetable	Sets up the workload
	Methodology		Recommends	Sets up Designs and implements
SPECIFIC COURSES	Contents		Establece	Supplemented
	Evaluation criteria	Determined	Complements	
	Learning Standards	Determined		
	Schedule		Establishes	Determines the workload
	Methodology		Recommends	Designs and implements
FREE SELECTION COURSES	Contents		Establishes	Complements
	Evaluation Criteria		Establishes	
	Learning Standards		Establishes	
	Schedule		Establishes	Determines the workload
	Methodology		Recommends	Designs and implements

Powers conferred in education

CORE SUBJECTS: AREAS	
SPECIFIC SUBJECTS: AREAS	
Physical Education Religion and Social and Civic Values	All students should attend
Arts Education Second foreign language Religion (if not selected above) Social and Civic Values (if not previously selected)	Will attend at least one
FREE AUTONOMOUS CHOICE SUBJECTS: AREAS	
Co-official language and Literature	In their autonomous communities
In addition students may take one or several areas of the free choice subjects according to the regulation and programs offered by each administration and, where appropriate, in centers where no specific subject can be studied, deepening and strengthening of core subject areas or areas to be determined.	

Primary Education: Knowledgeareas

In the picture that we sense beforehand later it can appreciate the number of meetings dedicated to the Artistic Education.

Annex II of the Order of Primary Education (currently in draft): The weekly teaching hours for each course.

The four specific areas that have been decided in Andalusia.

PHYSICAL EDUCATION	2	2	2	2	2	2
SOCIAL AND CIVIC VALUES/RELIGION	1	1	1	1	1	1
SECOND FOREIGN LANGUAGE	1	1	2	2	2	2
ARTS EDUCATION	2	2	2	2	2	2
SPECIFIC TOTAL	6 (18%)	6 (18%)	7 (21%)	7 (21%)	7 (21%)	7 (21%)

4. Cultural and artistic competences

How about the artistic competency?

UNESCO (1996) established the basic precursors of application of competency-based education by identifying the basic pillars of lifelong education for the XXI Century, consisting of “learning to learn”, “learning to do”, “learning to be” and “learn to live”.

The Organization for Economic Cooperation and Development (OECD) since the launch of the PISA (Programme for International Student Assessment) program, argued that the *success* in the life of a student *depends on the acquisition of a wide range of competences*. (Project Definition and Selection of Competencies, DeSeCo, 1999/2003)

In Spain, following the recommendations of the European Union, the Organic Law 2/2006 3rd of May, Education (LOE), incorporates for the first time in educational policy key competencies under the name of basic skills.

EDUCATION ACT COMPETENCES (2006)	ANDALUSIAN EDUCATION ACT (2007)	EDUCATION ACT COMPETENCES (2006) (ART. 2, R. D. 126/2014)
Competence in linguistic communication	Competence in linguistic communication	Linguistic competence
Mathematic Competence	Mathematical Knowledge in mathematical reasoning	Mathematical Communication and basic competenes in science and technology
Competence in Knowledge and interaction with the physical world	Competence in Knowledge and interaction with the physical and natural world	Digital Competence
Information Processing and digital Competence	Digital Competence and the information processing	Learnig how to learn
Social and public awareness competence	Social and public awareness competence	Social and civic competences
Cultural and artistic competence	Cultural and artistic Competence	Initiative dense and cultural expressions
Competence for learnig how to learn	Competence and attitudes to go on longlife learning autonomously	

EDUCATION ACT COMPETENCES (2006)	ANDALUSIAN EDUCATION ACT (2007)	EDUCATION ACT COMPETENCES (2006) (ART. 2, R.D. 126/2014)
Autonomy and personal initiative	Competence for autonomy and personal initiative	

The Organic Law 8/2013, 9th of December, for the Improvement of Educational Quality (LOMCE), emphasizes a model of competency-based curriculum

The powers are regulated in the Order ECD/65/2015, 21st of January, establishing the relationships between skills, content and evaluation criteria of education (primary, ESO, baccalaureate) are described.

5. Some conclusions

Now what? Where are we going? It is difficult to understand how music, based on the cultural and artistic competence, activity that generates so much cultural and economic wealth and of such a high educational level ignored in our educational system. In an attempt to explain some of the main reasons we could say:

Lack of musical culture among the ruling class, and especially among some politicians who, guided by an economic view of education systems postpone matters of “artistic” content, considering them more suitable for leisure and free time to be taught in schools?

The ideology of education, which produces frequent oscillations in educational laws and particularly affects curricula that, as is the case of music, are less consolidated academically?

Diversification of the curriculum to suit the needs of each region. This aspiration has led to a multidiversification as to the content.

The output of this change of educational laws and the consequent diversity of approaches creates general confusion that affects music teachers?

We can say that you can run the risk of their disappearance in Primary Schools and the IES and in the University?

Does Music Education have a future in Spain?

And in Andalusia?

Educational legislation has continually changed in Spain, filled with controversy, sour debate, street protests and intervention by the courts. A seesaw that many specialists say is one of the main problems of the system. They therefore demand a wide agreement that needs to provide the stability needed for improvement.

Despite the timid social recognition of Music in Secondary Education from the nineties of the last century, the Spanish University still does not adequately address teacher training in terms that can approach the “European” (Rodríguez-Quiles, 2006; 2014a,b; 2016a, b, c, d).

Notwithstanding the foregoing we think so

The work of teachers and their training will be essential.

We help improve the musical culture as a whole, and to overcome the ideological swings, start a line of work that tends to set a curriculum that is above the political and territorial changes.

This task should be participatory and encouraged in all directions, especially from the bottom up. And it should play an important role in professional organizations, especially those formed by music teachers of the whole Spanish state, in all stages of education.

With regard to Andalusia we can say that an attempt has been made to partially alleviate the problem:

Music has been included as a specific subject in primary education.

The network of conservatories in Andalusia is the largest of Spain: 76 Conservatories. This “ambitious network” can contribute to “lay the foundation for a quality music education for the future”.

Regardless of some politicians and ideologies *music will always exist* because it is part of the cultural heritage of every people and culture (Jorgensen, 2003).

We think so. We must strengthen it. The future depends on all of us.

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