

# The transmission of cultural content and its evaluation among the ends of the education system: An analysis of the LOMLOE \*

## *La transmisión de los contenidos culturales y su evaluación entre los fines del sistema educativo, según la LOMLOE*

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### Abstract:

This article seeks to reflect on the place that school results or outcomes have among the rest of the education system's objectives, on the understanding that alongside its traditional qualification function, an education system also has a socialisation and subjectification function. Yet, none of these three functions can be considered independent of the other two. If the qualification function is centred exclusively on certain areas and chooses to neglect all others, the consequences of this will be reflected in the other two domains. If we drain the socialisation and subjectification functions of any relationship with the transmission of cultural knowledge or if this

knowledge is unrelated to either of these two functions, it will gradually lose all meaning and we will find ourselves left with a certain type of disinherited citizen, equipped with no other arms to interpret the world than that of a decontextualized, dominant way of thinking. In recent years, we have been witnesses to the progressive deterioration of the role that the transmission of knowledge plays in school. This transmission is the education system's particular way of contributing to the social and subjective training of citizens, and the crisis it is undergoing opens the door to a change in the system's objectives. This change in the consideration of the role to be played by content is reflected in Spain's new education law,

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\* Organic Law 3/2020, of 29 December, which amends Organic Law 2/2006, of 3 May, on Education.

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the LOMLOE, in which the way teachers teach is given more importance than what they teach. This shift in direction is also reflected in the way this Law considers the evaluation of performance and in the increasing weight it assigns to other different criteria when determining whether a student can move up to the next grade. Here, we argue for a return to the measurement of school results and student performance in their most basic summative sense, in order that we might once more value the knowledge accumulated over the centuries as the best source of socialisation, subjectification and qualification.

**Keywords:** educational legislation, curriculum, performance evaluation, cultural transmission.

## Resumen:

La intención de este artículo es reflexionar sobre el lugar que los resultados escolares tienen entre el resto de los objetivos del sistema educativo. Así, junto a la función cualificadora, más o menos tradicional, los sistemas educativos tienen también una función socializadora y otra subjetivadora. Ninguna de esas tres funciones es independiente de las otras dos. Si la función cualificadora se centra en unas determinadas áreas y olvida las demás, las consecuencias se reflejarán en las otras dos. Si vaciamos las funciones socializadora o subjetivadora de cualquier relación con la transmisión de conocimientos culturales o si dichos conocimientos no tienen relación con nin-

guna de esas funciones, irán perdiendo sentido y darán lugar a un determinado tipo de ciudadano desheredado, sin más armas para interpretar el mundo que el pensamiento dominante descontextualizado. Durante los últimos años hemos asistido a un progresivo deterioro del sentido que la transmisión de conocimientos tiene en la escuela. Esa transmisión es la forma peculiar del sistema educativo de contribuir a la formación de los ciudadanos en su dimensión también social y subjetiva, y su crisis abre la puerta a un cambio de objetivos del sistema. Este cambio en la consideración del papel de los contenidos se ve reflejado en la nueva ley de educación, LOMLOE (Ley Orgánica 3/2020, de 29 de diciembre de 2020, por la que se modifica la Ley Orgánica 2/2006, de 3 de mayo, de Educación), en la que el modo de enseñar se vuelve más importante que el qué enseñar. Esa pérdida de sentido ha tenido su reflejo también en la consideración que esta ley hace de la evaluación del rendimiento y en el peso creciente que la LOMLOE asigna a otros criterios distintos para la promoción. Reivindicamos una vuelta a la consideración de la medida de los resultados escolares, el rendimiento, en su sentido sumativo más básico con el fin de volver a valorar el conocimiento acumulado a lo largo de los siglos como la mejor fuente de socialización, subjetivación y cualificación.

**Descriptores:** legislación educativa, currículo, evaluación del rendimiento, transmisión cultura.

## 1. Introduction

Our goal in the present article is to determine how what we traditionally refer to as ‘school results’ or ‘academic perfor-

mance’ are conceived in Spain’s recently published law on education, henceforth, the LOMLOE. In so doing, we seek to answer two questions. First, what are, or

should be, the primary concerns of the education system? And, closely related to this, are the transmission of cultural content and the evaluation of school results primary concerns of the education system?

In an effort to answer the first question, we must first address the more fundamental matter regarding the kind of ends of education that can be deemed essential in human life. The answer to this question inevitably leads us to the conclusion that many different personal and collective objectives coexist within the education system. Biesta has sought to capture them in his three domains of purpose: *qualification*, *socialisation* and *subjectification* (Biesta, 2004, 2009, 2020b). Qualification is concerned with acquiring the cultural resources necessary to ensure our existence. Human life is a cultural life that requires we know many things in order first to understand it and then to act in it. We shall return to this domain later on. Socialisation is concerned with the internalisation of the rules that ensure our peaceful coexistence and provide us with a certain idea of the common good. Socialising is not solely our life in common — a life like the one that bees might lead — but it also involves the learning of the roles and ways of participating in public life. Being socialised in a slave culture is not the same as being socialised in a democratic culture. We shall also come back to this discussion later. Finally, education is also related to the process of subjectification. We learn to be in the world and we also learn the way of being of a culture, which recognises that individuality also has a number of requirements. None of these three great goals is just a goal of schooling; they are also to some extent the goals of

both the family and the wider society. But the weight and educational functions of each of the different institutions and agents of social life are different.

Underlying many of the controversies surrounding education is the idea that, in relation to these goals, the zero-sum game is at play. As more importance is assigned to certain objectives in terms of time, effort and resources, this is necessarily at the expense of the time, effort and resources dedicated to the other goals. This explains why there has always been a degree of confrontation between those who believe school should be a place where things are learned and those who want school to be a place where attitudes are developed and values learned. But, ultimately, this is something of a spurious debate, since what tends to pit these goals against other is the way we approach them.

Here, we argue that the primary goal of the school is and must continue to be that of transmission, a purpose that we can recognise in Biesta's *domain* of qualification. Not because the other objectives are not important, but because the way to achieve a better socialisation or subjectification — that is, the school's way — is by means of cultural transmission. The school contributes to the development of the other ends as the indirect outcome of a way of understanding this transmission and of the specific content that is transmitted. It is, for example, in completing their school exercises, in the subjects that are taught, in their internal structure, that the student learns the need to submit to rhythms and demands that are not their own. It is a way of learning a set of

rules that will also apply to their life in society. In both cases there is a need, for example, to adhere to rules that students do not set themselves. In addition, it is by studying certain characters of renown and certain concrete actions that we learn the exemplary nature of a life well led and, hence, the idea that there is a better way to live.

Suspensions about the school's primary activity, about its main purpose, about its value — that is, the transmission of cultural content — has two consequences. First, it causes legislators to focus their attention on other ends, and by seeking them directly to drain the school of its historical meaning, and second, especially as regards the crisis of humanism, it reaffirms the idea that we live immersed in an enormous crisis of meaning that incapacitates us to read the past, and the humanistic tradition in general, in terms of its greatness and exemplary nature. We show in the way that Spain's new education act, the LOMLOE, understands evaluation and describes the ends of education the nature of this change in course.

## 2. The nature of the ends of the school system

A good understanding of the nature of the interrelationships of the ends of education requires, first and foremost, a geographical description of the conceptual field. Here, an initial guiding idea is that the objectives of the system respond, to a greater or lesser degree, to the satisfaction of the rights of a rights holder. This being the case, we can say that educational goals are characterised by two main dimensions

or axes. One dimension corresponds to the nature (individual or collective) of the subject of the right while the other corresponds to the nature of the right that it is to be satisfied. In the case of this second dimension, we adopt Biesta's classification of the functions of the system as listed above: qualification, socialisation and subjectification.

At the individual level — the first category in this first dimension — the education system is a social institution, whose existence is justified by guaranteeing the fulfilment of a fundamental human right, that is, the right to education. Education allows the complete humanisation of the individual. Integration in the life of society is the final phase of entering upon life. That is why the right to education is a complement, if not a continuation of the right to life.

At this individual level, qualification requires that the school system offer the basic skills and knowledge to ensure subjects can fully integrate into working life, as well as into civic and political life for which knowledge and skills are also needed. For individuals, this function is a response to the right that subjects have to be able to earn a living, participate as citizens with full rights in political life, and integrate into social institutions in a way that is profitable for them. The socialising function of education provides the set of skills and values by means of which individuals assimilate the social order, its norms and what is expected of them as a member of these orders. At the individual level, this function responds to the subjects' right to

integrate themselves in an active and participatory way in the culture. To integrate oneself into the culture is for the human being to 'finish being born'.

At the collective or social level, the education system should guarantee that the individuals who are to be integrated into the life of society are capable of doing so in a way that is profitable and that they do not constitute a threat or any kind of detriment to society as a whole. This is what we could call a 'preventive' function of the education system. At the social level, the qualification function, as described by Biesta, would serve to satisfy the right of other members of society that those who are to be integrated into their society are adequate for that purpose, with no other limitations than those insurmountable conditions with which nature has burdened them.

At this same collective level, the socialising function responds to the social right that all new members will assume the values and rules that safeguard peaceful coexistence. The correct functioning of the education system thus avoids the appearance of social problems and dysfunctions, ensuring that all individuals internalise a set of values that are understood as common and a set of operating rules that are objectively expressed in the law. Indeed, respect for the law is not guaranteed by a literal learning of their content, but rather, indirectly, via the internalisation of the values that underpin them and, in this sense, education is the fundamental process that guarantees the continuity of social life in peace.

Education has notable externalities linked to its collective benefits. A society with educated citizens is a society with fewer interpersonal conflicts, with lower crime rates (Lochner, 2020), and with better general health, and is more flexible and adaptable to the changing conditions of the economic and social environment. It is also a society in which each of its members is more productive and more efficient from an economic point of view, with an enhanced capacity to generate wealth for the whole of society and for themselves individually. As a result, each member of society benefits from the fact that their fellow citizens are people with high levels of knowledge and skills.

As for the education system's subjectification function, the following observations are worth making. By subjectification we understand the training that is linked with the domain of freedom. In Biesta's words, "The *subjectification function* might perhaps best be understood as the opposite of the socialisation function" (Biesta, 2009). It is the learning that we are different from the orders in which the educational system integrates us through its socialising function and that this consciousness brings us face to face with the problem of freedom. From an individual point of view, this function responds to the right of every individual to fully develop all their potential and differentiating personal traits. The right to be oneself, to be different, original and unique. But this subjectification has to be subject to some limits to ensure we do not end up finding a justification for any eccentricity or quirk, because as Gil Cantero says:

I believe that the unlimited thirst for freedom, which typifies the human condition, draws on the idea of education and mistakenly converts it, on occasions, into a process not of learning what is human about the limits, but rather, for some, into a process of learning how dehumanising it is to establish any limits. (Gil Cantero, 2018, p. 44)

We believe that this is not the goal of the school — the training of an individuality without judgment — but rather that it is in the defence of the primacy of the transmission of a concrete, shared cultural heritage where the school can, in an indirect even desirable way, by means of the appropri-

tion of this cultural heritage, give rise to a process of discovery of the self.

The subjectification function at this collective level responds to the right of society to be able to count on the original and creative contributions of all its members. In Table 1 below, we provide a summary of the functions of the education system and of the rights that they satisfy at the individual and collective levels. All three functions are related to each other in complex ways. It is not possible to conceive of any one of the functions in isolation without considering its interactions with the other two. They may appear to be three clearly differentiat-

TABLE 1. Summary of the functions of the education system and the rights they satisfy according to level.

Levels/ Functions	Qualification	Socialisation	Subjectification
Individual	Right to earn a living	Right to integrate in the culture	Right to fully develop one's personal potential, to be 'oneself'
Social	Right of those that integrate the society to be productive people	Right to assume the values and rules of coexistence	Right to count on the creative skills of all members.

Source: Own elaboration.

ed domains, but we shall see that when we place the focus on one of them — and especially in the way that this focus is placed — we provide elements with which to rethink the other two. There is a dialectical relationship between the three functions, and we cannot say that the way of approaching each does not affect the other two.

For example, at the individual level, students should not only be able to integrate into collective life in a profitable way

and participate in the culture of their society, enjoying all the rights that correspond to them — something that would be guaranteed by the socialising function at this individual level — but the greatest number of options should also be opened up to them for their futures — what Feinberg (1986) refers to as the “right to an open future”. The existence of these options has implications both in the amount of content learning a school ought to offer and in the type of content,



which must necessarily be forward looking, in the sense of being both useful for the subject's future life and serving as a foundation for other learning that can allow each student to expand the range of options open to them. That is why the qualification function, at this individual level, is intimately linked with the subjectification function. It is not possible to be oneself and to develop all one's personal potential without producing learning that qualifies the subject for different activities. Therefore, a school that provides a poor or inadequate education in terms of content is a school that does not guarantee an open future for each student or, at least, it is renouncing its specific historical role in this mission. If a student cannot be something concrete, then that student cannot be 'herself'. In this sense, if a school does not fulfil the role that is expected of it as regards its qualification function, then it cannot fulfil its limited and concrete role in the closely related subjectification function either and, as a consequence, it would also fail in its socialisation function.

So, what role do these ends play in the LOMLOE? How are these three great ends addressed? The Law appears to be characterised by two, apparently contradictory, phenomena typical of our time. The first concerns the importance attached to those variables related to civic values, forms of treatment, and the consideration of difference in education systems today. It appears that these ends lie at the heart of the school and not the preservation of the cultural heritage and its transmission. Thus, in the preamble to the LOMLOE (Organic

Law 3/2020), five reasons can be adduced to justify the present Law:

First, a specific vision of the rights of the child, which is subsequently used to justify the need to reduce special education, that is, an ethical, moral type of reasoning.

Second, the need to introduce a gender equality perspective. Here, it would be interesting to study in what sense this perspective was not included in earlier educational legislation. Likewise, this constitutes an ethical, moral type of reasoning aimed at correcting a socialisation function that perpetuates gender differences.

Third, the need to ensure that all students succeed in learning, a process, moreover, that ought to be as personalised as possible. How is this need specified in the preamble to the Law? Well, without going into an explanation that veers too far from the text itself, by making it easier for a student to pass from one school year to the next, permitting a student to obtain the *baccalaureate* even if they fail to meet the grade in one subject, and by promoting the use — without offering any specific details — of the language of inclusion, understood in an excessively vague way and, therefore, open to totalitarian interpretations with all the risks that this entails (Pozo Armentia et al., 2020).

Fourth, the need to introduce the so-called goals of the 2030 Agenda into the education system, which can also be seen as moral concepts of a civic nature, i.e., sustainable development, global citizenship, human rights, ecology, immigration, etc.

Fifth, and finally, the need to promote digital competence, understood not solely in a technical sense, but also moral. The preamble speaks of both the digital gap and the gender gap and claims that this is the “new habitat in which our children and youth increasingly live their lives: in it they learn, interact with each other, consume and spend their free time” (Organic Law 3/2020).

The five reasons speak to us of that moral civic environment in which certain competences necessary for life are to be developed. But what place does transmission have in this? And what role does cultural content play? How is this content used? Evidently, only in an instrumental fashion, as something that is necessary for the training in the competences that help us achieve the type of society outlined in the preamble — that is, an inclusive, democratic society that seeks gender equality and has a concern for eco-sustainability, etc.

It would seem that this new Law has taken on board the criticisms that Biesta (2009) and others (Larrosa, 2021) have been making of the more technical approaches that have guided education policy over the last 20 years. These authors have provided two types of closely related criticism. First, they hold that in modern education systems concerns have focused almost exclusively on the domain of *qualification* and, moreover, on a very specific type of *qualification*, namely, that related to evaluations of reading, science and mathematics conducted via the standardised tests of PISA, PIRLS and TIMSS. Such a focus leads us to the conclusion that

the ends of the school are reduced to these specific competences, measured in the case of reading, mathematics and science in a predetermined way, but this obviates, or attaches much less importance, to those aspects that the standardised tests cannot measure. And, in so doing, everything that is not related to the direct training of qualified workers is left out of the ends of education. Thus, we convert the least controversial aspects into fundamental goals and we overlook all matters that give rise to controversy, perhaps because we think that, to a large extent, they belong to the realm of personal beliefs. And when we enter the moral realm, subjective values reign and it becomes impossible to reach any substantial agreements. The outcome is that when we try to reach an agreement on how they ought to be measured, we can do little more than give voice to some largely superficial, politically correct opinions. In an era such as the one we live in today, agreements do not run very deep. As MacIntyre claimed in his inaugural address on taking up his chair at the University of Notre Dame:

(...) there is a consensus of platitudes in our moral culture, but that this belongs to the rhetorical surface of that culture, and not to its substance. The rhetoric of shared values is of great ideological importance, but it disguises the truth about how action is guided and directed. For what we genuinely share in the way of moral maxims, precepts and principles is insufficiently determinate to guide action and what is sufficiently determinate to guide action is not shared. (MacIntyre, 1990, p. 349)



The second of the criticisms (Biesta, 2009; Larrosa 2021) concerns the change in *lingo* imposed by evaluations conducted by means of standardised tests. We have stopped talking about *education* and prefer now to talk about *learning*. Learning is an eminently individualistic process while the word education always implies a relationship. The emphasis on learning reaffirms the individualistic nature of our societies and the economic system that dominates them. It is also a term linked to a process, but one that is morally empty. A student can learn anything, but nothing that he or she learns can explain what it has been learned for. In contrast, the term education is loaded with value and refers clearly to a moral value or direction. With the emergence of the new language of learning it has become more difficult to ask questions about the purpose and ends of education, focused as we are on academic outcomes measured in a very concrete way and taking the other ends for granted in an implicit reliance on a common-sense view.

The language of *learnification* returns us to the old dichotomy of education vs. instruction, relegating the school to that world of instruction and turning instruction into a means for denying the goal of subjectification as understood by Biesta (2020b). Indeed, for Biesta the domain of subjectification is central and also the most difficult to grasp. We have already mentioned how it can be linked to the development of freedom, though not, that is, the freedom to choose goods in the market place. What's more, subjectivity, is unrelated to the notion of identity and wondering about *who* I am, but

rather about *how* I am in the world. Nor should it be confused with personality or individuation. For Biesta, freedom is a dimension that takes into consideration the real and other human beings in each and every choice, it takes into consideration the world understood as the complex network of relationships and contexts in which we act. In this sense, it is a dimension open to failure in an essential, non-incidental, way.

But as soon as we acknowledge that education is also about subjectification, then the subject-ness of the student is not a problem that needs to be overcome in order to make the educational machine more predictable and effective, but it is actually the very point of our endeavors. This means, however, that there always is a possibility, and there always should be a possibility, that our students take their freedom and then turn back to us and say that they don't want — or, perhaps more importantly, don't need — our intentions. This risk is always there in education as well, and if we see this as a risk that needs to be overcome, a problem that needs to be “solved,” we actually eradicate education itself. Klaus Mollenhauer has captured this idea very well by arguing that although education always needs intentions, such intentions have to be understood as structurally *broken* intentions. (Biesta, 2020b, p. 103)

These two discourses, both the criticism made of the current process of *learnification* and the moralising discourse that permeates the Law, have aspects in common. For both, the cultural content and the learning of this content have lost any real value. In Biesta's discourse, which we can place in the framework of neo-exist-

entialism (Oliverio, 2021), this is because he believes that subjectivation is what happens when *interruptions* occur in the learning processes, which function as a way of socialisation, in our specific case, in the type of individualistic society that has come to typify our times (Biesta, 2020a, 2013). These desirable interruptions that cannot occur in planned or scheduled time, or which can only be achieved with great difficulty, call for attention and judgement and allow spaces of self-awareness to emerge.

From our point of view, discourses of this type, which do not deny the value of cognitive development, nevertheless ignore or underrate the value of objective cultural knowledge from which such development can be achieved. In the case of the essentially moralising discourse of the Law this is because it only attaches value to that content which can be used instrumentally or as the basis for developing competences, that is, for something that lies beyond the content itself, but neither the content nor the learning of this content is valued in its own right.

There are two fundamental errors in these two discourses. First, the confusion between means and ends and, second, the confusion between final end and procedural end and the role that the school plays in these relationships. We shall attempt to provide a brief explanation of these errors.

Aristotle drew a distinction between the final or perfect end and the imperfect or intermediate end. We should stress that, although the preamble to the Law speaks of final ends, understood as a spe-

cific type of desirable society, they do not contain within them the means to achieve that end. A complex competence — for example, “being able to solve unforeseen problems in situations of uncertainty” — may seem like a good end for an education system, but just how one gets to that point is a different matter altogether. Thinking that the concrete knowledge provided by the different disciplines taught at school is not necessary means going beyond what the final objective requires. As Luri claims,

I very much doubt that a teacher can teach a student real world competences. The most he or she can do is teach knowledge. Competence is a specific appropriation of knowledge that permits its practical use. But just how much knowledge permits this use? We cannot answer this question because we can never be sure how much knowledge has intervened in the acquisition of a skill (or a habit) in any given student. It also happens that the more competent we are at doing something, the less aware we are that we have that competence. (Luri, 2020, p. 252)

The desirable end, identified by a type of person, does not immediately tell us how it might be achieved. It is certainly difficult to see a great mathematical thinker in the mechanical way a child goes about learning her multiplication tables, but it is impossible to imagine a mathematician that does not master the basics of arithmetic. Expert knowledge is not the direct objective of teaching but rather the fruit of a practice that begins with simple, well-defined questions. If we seek expert knowledge from the outset, complex competences that obviate the most elementary

mechanizations, we will achieve neither one nor the other.

### 3. School results in the education system

To answer the second question that we posed at the beginning of this article — is the transmission of cultural content and the evaluation of school outcomes a primary concern of the education system? — requires we undertake a specific analysis of the Law. What we measure and how we measure it are in essence indicative of the value we attach to the educational content of the school curriculum regulated by the educational act and the subsequent Royal Decrees that emanate from it. This is why we must analyse, however briefly, the relationship between what is measured and how we measure it and what we hope to achieve by so doing.

What is measured is never the sole decision of a ministry or a government, but it also includes those requirements that are present at any one time in a society's immediate cultural environment. In the case of education, the requirements of international organisations, the OECD, the European Commission, etc. all have an undoubted influence. Indeed, the preamble to the Law states:

The years that have elapsed since the approval of the LOE advise that some of its measures be reviewed and that they be accommodated to meet the current challenges of education, which we share with the objectives set by the European Union and UNESCO for the decade 2020/2030. (Organic Law 3/2020)

What are these objectives? Can we find any clues in these organisations as to how to measure the objectives proposed? To answer these questions, we can turn to the PISA 2018 report, in which the OECD added a new competence for measurement known as “global competence” and which it defines as follows:

Global competence is a multidimensional, life-long learning goal. Globally competent individuals can examine local, global and intercultural issues, understand and appreciate different perspectives and worldviews, interact successfully and respectfully with others, and take responsible action toward sustainability and collective well-being. (OECD, 2019)

This competence is in perfect keeping, as the report itself recognises, with the Goals for Sustainable Development and the Agenda 2030 Goals, also included in the Law.

How does PISA evaluate this competence? Essentially by employing questionnaires that record responses to hypothetical situations and certain practices of daily life. Two relevant insights emerge in relation to this PISA report. The first concerns the value of the measurement instruments it has developed for this purpose. Until it occurred to the assessment experts to measure this competence, the evaluation of content had been approached through the testing of universal basic skills, which, despite multiple problems, were at least partially measurable. We know, in a fairly simple way, if a 15-year-old boy or girl understands what is written in a text and whether he or she

is able to interpret a graph correctly. Furthermore, and this is relevant, it is difficult for them to deceive us about just how much they understand and about their ability to apply knowledge to a given situation. In short, as long as the reports continued to operate within this framework, they had some value. But things don't work the same way in the realm of ethics. As children learn from a young age, and adolescents know full well, saying that you have been studying when you have in fact been playing on your mobile phone is not only possible, it is also an easy and effective response; it can save you from being punished. A questionnaire, therefore, does not seem like a good method for measuring a competence that is essentially attitudinal. We might perhaps think that we are at least measuring whether the respondents say what they ought to say, even if it is not what they in fact do. We could find out if they have at least internalised the ideal. But this says nothing about their actual behaviour.

The second of the insights concerns the actual learning of what is needed to answer the questionnaire. Yet, the test questions and exercises do not require, nor do they have any relation to, the cultural knowledge transmitted at school. Students do not need to have *more* knowledge of history or *more* knowledge of literature to provide better solutions to any of the scenarios posed. With tests of this type, all current efforts to slim down the curriculum suddenly make sense, especially in the humanities, since it is of little use for solving the problems that arise in the students' social or personal lives. This renun-

ciation of the *powerful knowledge* of which Luri (2020) speaks deprives students of the tools they need to be able to interpret social reality, robbing them of their cultural heritage and ultimately leaving them without any cultural roots (Bellamy, 2018). It abandons them to the fate of uncritical, politically correct thinking.

But criticisms of the PISA global competence test point to a problem that is more general and that impacts the very root of Spain's education law and which, as a result, reveals an obvious paradox. This paradox arises when the Law, which has eliminated any trace of the relationship between cultural content and competence and which is, therefore, only capable of defining the goals of education in an abstract way, determines in a fairly explicit way how these goals are to be achieved. It is the equivalent of saying that we don't understand very well the value of what we are transmitting and, therefore, we have opted to place greater emphasis on the way we teach. Indeed, the teaching method has become the core of the process because the way of teaching contains a personal end. The type of person we want to forge is already inscribed in the ways of educating, although the ends themselves are not clearly defined.

If we examine the part of this claim that speaks of the indeterminate nature of the ends of education, we find what the Law has to say that is very much in keeping with UNESCO's proposals: education should develop the capacities of 'learning to be', 'learning to know', 'learning to do' and 'learning to live together'. In its dec-

larations, what is important is the ability to learn, rather than the act of learning itself. Learning to know is more important than knowing something; learning to do is more important than knowing how to do something. And the same goes for learning to live together. It seems that there is a dissociation between the development of a capacity and the actual content that this capacity allows us to put into action. As if we could learn to do without having to do anything specific. As if learning specific content impeded the acquisition of superior mental ability. As if this superior mental ability could only be acquired if the learning did not remain attached to the specific content, like some kind of sticky magma from which one would have to flee at the risk of being trapped like flies in a honeycomb. The statements contained in the Law that address the objectives of compulsory secondary education can be interpreted in this same way: "During this stage, competence-based, autonomous, meaningful and reflective learning should be promoted in all the subjects included in the article, and should be integrated into the different ambits of activity" (Organic Law 3/2020, p. 122874). Or in point 8 of article twenty-one, "Likewise, special attention will be paid to the protection of learning of a meaningful nature for the development of the competences that promote autonomy and reflection" (Organic Law 3/2020, p. 122890).

That learning is competence-based can be interpreted either as what is learned are competences or that in learning something in particular competences are developed. The question is whether or not in all

the processes of learning completed before the publication of the Law, competences of any kind were developed while learning something else. For example, is it possible to learn to play the piano without learning to play a particular musical score in the most mechanical way imaginable? In the case of the child that is learning the *Adagio* from the *Moonlight Sonata*: Is she learning a piece by Beethoven or is she acquiring the competence to play the piano? Is the latter possible without the former?

And what about the other terms in the preamble? Autonomous, meaningful, and reflective? Should learning be autonomous, that is, without external guidance, or as a result of this approach to learning should the student be able to learn autonomously in the future? And what about the automations required for subsequent learning? Are reflection and meaning always the means of learning or are they, in fact, the results of successful learning? When a child learns the multiplication tables by heart, is she undertaking non-reflective, non-meaningful and heteronomous learning or is she making it possible to subsequently learn content in a reflective, meaningful and autonomous way?<sup>1</sup>

The Law gives the impression that it is seeking to put an end to those exercises of repetitive rote learning that were typical of the traditional school. But it is absurd to try to put an end to something that ceased to exist long ago. The Law is slaying monsters that are long dead. Once again what is made manifest is the confusion that exists between the ends and the means.



And at the opposite extreme of the terms in this paradox, we find, in the same Law, a greater concern for the *how* than for the *what*. The goal is to force social agents to pursue certain ends, the *what* of the educational action, but given that this *what* is expressed in such an indeterminate way, it seems more important that what they do they do in the specific way determined by the Law.

A couple of examples can serve to illustrate this: namely, what the Law has to say about coeducation and the Universal Design for Learning (UDL).

In the case of coeducation, the Law contains a number of ideas about the kind of education required to achieve the society desired, rather than specifically about what it is students ought to be learning. Society is not expected to conform indeterminately as the result of the free interaction of individuals. The Law has a pre-determined image of what interindividual relationships should be like; but, as it is very difficult to express this image in concrete learning goals, it instead specifies how these vague goals should be achieved. For example, it sets as one of its objectives:

I) (...) the promotion of the effective equality of women and men through a consideration of a system of coeducation for boys and girls (...). (Organic Law 3/2020, p. 122881)

The end sought is the *effective* equality of women and men, not simply the equality of their rights and duties. We understand that a society in which the rights

and duties of men and women are equal would not be acceptable if this outcome represented anything other than the *effective* equality of the sexes. Naturally, just what criteria should be employed to determine whether or not effective equality has been achieved is not specified. Anyway, the assumption is made that this equality can only be achieved through the coeducation of boys and girls.

But while the declaration of the objective is a question of principle (men and women ought to be equal), the statement that this goal can only be achieved by means of promoting coeducation is an empirical statement and, as such, evidence is required to support the claim. If the latter were a value statement, it would be equivalent to saying that the goal is the achievement of equality through coeducation. In other words, if equality were achieved by means other than coeducation, it would be a failure. Clearly, this is absurd, and means the demand for empirical evidence is decisive in order to be able to validate this legal principle. Otherwise it becomes an unjustified imposition. If equality can be achieved by modes of action other than coeducation and yet despite this coeducation is imposed, we would find ourselves faced with an authoritarian determination of acceptable modes of action.

The second example concerns attention to diversity. Point 3 of the sole article of the LOMLOE states, in relation to compulsory education:

(...) when [achieving] such diversity so requires, the pertinent organisational, me-

thodological and curricular measures shall be adopted, in accordance with the provisions of this law, in accordance with the principles of Universal Design for Learning (...). (Organic Law 3/2020, p. 122882)

Once again, the Law lays down quite clearly how teaching professionals should perform their work. Here is not the place to debate the appropriateness of UDL, but it is questionable that a solution which might be superseded and disappear at any time should be sanctioned by a law that should have a vocation of permanence. It is as if Spain's 1970 General Education Act had established that all compulsory education be organised according to the principles of programmed teaching. This disproportionate use of a law to establish how professional teachers should carry out their work is made perfectly evident if we imagine the same situation applied to a different field, let's say healthcare. Healthcare legislation can determine the structure and organisation of the national health system, its healthcare areas, the assignment of the population to reference hospitals, its financing, its institutional hierarchy, in short, a vast array of aspects that have nothing to do with the daily activity of the doctors and their consultations with their patients. But it would be bizarre, to say the least, for a law to determine whether kidney stones should be removed by lithotripsy or laparoscopy, and more bizarre still, how each of these techniques should be performed.

This concern for the way in which the educational process should unfold in the

classroom is transferred, in what is almost a carbon copy, to the way in which the evaluation of educational outcomes should be conducted.

School performance, that is, student learning, can be evaluated at two distinct levels. On the one hand, there is the individual level, where the learning acquired by the students determines whether they pass to the next grade and can eventually graduate. On the other hand, there is the level of the system itself, where the evaluation of student learning serves to determine whether or not the system has achieved its objectives and, in this way, it can be held accountable to society. In both cases, the approach adopted is based on preconceptions whose origins can be traced to two elements: the belief that evaluation can eliminate its summative component without losing its ability to act as an incentive for change and an incomplete understanding of Campbell's law.

At the first level — that of the evaluation of students, the first element that acts is a preconception which basically constitutes an attempt to *tone down* student evaluation. It originates in the belief that evaluation has to be formative to be good, and that it should only be summative when there is no other choice, because summative evaluation is inherently *bad*.

The distinction between formative and summative evaluation was first proposed by Scriven (1967) in the broader context of curricular assessment. The two concepts were rapidly accepted and

incorporated into the standard terminology of evaluations of all types, including the evaluation of students. The concept of evaluation conducted during the development of the process already existed, and some authors, including Cronbach, considered this type of evaluation to be superior to that carried out once the process being evaluated had finished. "Evaluation, used to improve the course while it is still fluid, contributes more to improvements of education than evaluation used to appraise a product already placed on the market" (Cronbach, 1963, p. 236). But Scriven deemed this assessment of the final evaluation inappropriate and claimed: "It (...) seems a little excessive to refer to this as simply 'a menial role', as Cronbach does" (Scriven, 1967, p. 5). And, moreover,

Thus there seem to be a number of qualifications that would have to be made before one could accept a statement asserting the greater importance of formative evaluation by comparison with summative. (...) Fortunately we do not have to make this choice. Educational projects, particularly curricular ones, clearly must attempt to make best use of evaluation in both these roles. (Scriven, 1967, p. 5-6)

But despite Scriven's doubts, the supposed supremacy of formative evaluation over summative evaluation is widespread among many authors of what we can consider to be progressive pedagogy. Martínez Rizo (2013), for example, says: "Today, it is also recognised that, if the teacher adopts the formative approach, the impact of her evaluations can be more positive than

those achieved adopting a summative approach" (p. 129).

In reality, this way of considering evaluation, in which all consequences are eliminated, serves to deactivate its potential incentives for change. In the case of evaluation with consequences, it is the subject under evaluation that has the most to gain from doing what lies within her powers to avoid the negative consequences of an unfavourable evaluation. Evaluation instigates change by its sole existence. This is its greatest potential. Eliminating it is to place all one's trust in the intrinsic motivation of learning, which, while it might sound *beautiful*, is quite unrealistic. If evaluation were solely formative, all responsibility for improving results would fall on the teachers and their ability to ensure that their students were highly motivated. So, when a student fails, the teacher is to blame as she has failed to motivate the student's desire for self-improvement.

All this is reflected in the preamble to the Law, when the legislator addresses the regulation of evaluation. Emphasis is placed on what is essentially the formative approach. But, of course, it is impossible to eliminate summative evaluation altogether, given that the State opts not to abandon its monopoly over the granting of qualifications and the certification of results. This summative function is closely tied to the responsibility of certification that the State assumes as its own. The monopoly of issuing certificates is linked to the need

to carry out, at some key moments, the corresponding summative evaluation, in which it is determined if the students have acquired the minimum required content. But, without actually abandoning its certification role, certain conditions are placed on the summative evaluation, in the sense of limiting its overall control. The preamble to the Law indicates that the evaluation of students in compulsory secondary education shall be “continuous, formative and inclusive” (p.122874). No direct reference is ever made to summative evaluation, although decisions as to whether a student should pass to the next grade are discussed. As if this were not summative evaluation. It is therefore something of a contradiction to claim that evaluation will be formative, but at the same time not to renounce decisions about students having to repeat a school year and the consequences this can have on their graduating. The Law states that evaluation in primary education is “to be based on the achievement of pre-established objectives and competences”, and that these will serve as the criteria for passing to the next stage in their schooling (p. 122873). But it then immediately specifies that if the teachers agree that a student has not achieved the pre-established competences, she will have to repeat the last year of primary education. This, however, should in all circumstances be an exceptional measure and one that can only be taken once during primary education. This would be reasonable if and when curricular alternatives were specified for cases in which these objectives

had not been achieved. The elimination of repetition is a frequently expressed aspiration of some currents of pedagogical thinking. Yet, its elimination does not solve the problem; it simply eliminates a symptom. It seems that creating curricular alternatives would be like opening the door to the elimination of this main itinerary for students with special learning needs. And, so, to guarantee the effective equality of the education system, the decision has been taken to keep all students in the ‘mainstream’, taking for granted the ability of teachers and schools to cater for them at the same time as they cater for all the other students. But are teachers and schools capable of effectively serving students with special learning needs at the same time as they serve the majority of the class? Once again, this is an empirical question, which is resolved in the Law by adopting an a priori ideological stance, and so it considers it unnecessary to support this decision with any type of evidence.

The supposed superiority of formative evaluation goes hand in hand with another strongly held idea, that of the collateral or unwanted effects of evaluation in general, but especially of evaluation with consequences. This idea was first proposed by Campbell in the context of education, and has generated similar versions in other fields (Goodhart, 1975).

Campbell’s law states that the use of an indicator for taking administrative measures corrupts the very process that it is intended to control:

The more any quantitative social indicator is used for social decision making, the more subject it will be to corruption pressures and the more apt it will be to distort and corrupt the social processes it is intended to monitor. (Campbell, 1976, p. 49)

But the negative effects of evaluation with consequences have been extended to evaluations of any kind as long as their results are made public. Indeed, many studies — for example, Popham (1999) and Resnick & Resnick (1992) — highlight the negative effects of evaluation when linked to accountability. Recently, these negative effects have been reported to be inherent to large-scale assessments (Emler et al., 2019). And this is so because the very mechanism that ensures the effectiveness of the evaluation provokes the unwanted side-effects of the evaluation. Any system involving monitoring and control produces a reaction among the agents involved. In itself, this reaction need not be adverse. The fundamental goal of the evaluation is to bring about changes in the agents or entities being evaluated so as to optimise the system. Evaluation as one of the most powerful levers for change in the education system is stressed on numerous occasions in the work of de la Orden (2009). But it is precisely this capacity of evaluation to provoke reactions in those being evaluated that makes it such a powerful instrument for optimising systems and institutions.

Clearly, some reactions to evaluation may be negative, in the sense of the corrupting effect of the indicators

identified by Campbell. Here, Espeland & Sauder (2007) describe two mechanisms that can account for the *reactivity* of systems to the use of monitoring measures: ‘self-fulfilling prophecies’ and ‘commensuration’. ‘Self-fulfilling prophecies’, on the one hand, correspond to positive feedback from the system. If a school has a reputation for getting good results, it will attract students from families who are looking for precisely that, feeding the school with students and families who want to obtain those good results. In contrast, a school with a reputation for getting poor results will drive away potentially successful students, causing it to perform even worse. ‘Commensuration’, on the other hand, is the phenomenon by which the activities that are evaluated end up mimicking the evaluation procedure: Students are taught to pass the test; the school’s behaviour is dictated by the evaluation.

Thus, the reasoning goes that if we can remove the element of control, the perverse effect will be eliminated. This is in keeping with the idea of the superiority of formative evaluation. If we eliminate the definitive, sanctioning effect that summative evaluation has, we avoid the perverse effect of the evaluation. But by changing the essence of evaluation so radically, we run the risk of throwing the baby out with the bathwater. And this is precisely what the Law does. It assumes that the negative effects of evaluation far outweigh the positive, both as regards the evaluation of individual students and the large-scale evaluation of the system.



As regards this second level of evaluation, that of the system, the preamble to the Law explicitly establishes that the results of these evaluations cannot be used to draw up league tables of schools. The purpose of these diagnostic evaluations based on the students' learning outcomes is to determine whether it is necessary to adopt ordinary or extraordinary measures. But what is the point of a general evaluation of the education system?

In the absence of an intrinsic feedback mechanism, the education system requires certain processes that allow it to adapt to social demands. The evaluation of the education system could be conceived as such a mechanism. In a market system, price is the core element that transmits information to all agents and which spontaneously allows supply to be adjusted to meet demand. Likewise, some type of evaluation would allow the agents and authorities of education, together with schools and teachers to adapt their actions to meet the demands and needs of users. For this to occur, the results of the evaluation would have to be directly attributable to each unit independently that is of the educational agents, especially to the schools. However, the Law specifically establishes that the results of the evaluation "(...) cannot be used to carry out and make public individual evaluations of students or to rank schools" (Organic Law 3/2020, p. 122879). In this way, evaluation becomes a bureaucratic element in the hands of the government and education authorities. Furthermore, the Law states that "the educational project of the school must include an improvement plan for that school,

which will be reviewed periodically" (p. 122878). As such, it is a bureaucratic solution that seeks to avoid the schools and the system itself from being held publicly accountable. Access to the immediate information produced by the students themselves is denied, since citizens are not considered sufficiently mature to make adequate use of the results of the evaluation. Public comparisons are equated with the perverse effects of evaluation, and the best way to avoid such perverse effects is to avoid all comparisons.

Yet, the express ban on ranking schools may also respond to a desire to protect teachers working at schools that receive disadvantaged students. But, in this way, the Law implicitly incurs a contradiction. Education is believed to be capable of eliminating all social differences and, at the same time, it is understood that teachers in schools with disadvantaged students who do not succeed in doing so should be protected from public scrutiny because really they are not responsible for the poor performance of their students.

All of the above, regarding the unwanted effects of summative or large-scale evaluations, does not mean that the State renounces its control of the Education System. Articles 149, 150, 151, 152, 153 and 153bis of the Law identify the powers and mode of action of school inspection (Organic Law 3/2020, pp. 122929-122930). These articles make it very clear that the inspectorate has direct power over the activities that the schools can carry out. But it would be a

mistake to understand Campbell's law as something attributable exclusively to evaluation. The corrupting element targeted in Campbell's law is precisely that of external control. Does this mean that the control exerted by school inspection does not have unwanted effects on the system? Far from it. It is well documented that the very existence of school inspection causes 'collateral damage' to the system. The broad study carried out by Jones et al. (2017) shows that in all the countries studied<sup>2</sup>, the use of educational inspection to control the operation of schools causes unwanted effects. What is the difference then? Simply, that the effects of using school inspection to control the system are less visible to the general public, and that it is the political power that directly manages and governs the inspection, so it is always possible for the administrative power to regulate the inspectorate's interventions.

#### 4. Concluding comments

In this article, we have undertaken an analysis of the role that the new education law — the LOMLOE — attributes to the transmission of content and the evaluation of school outcomes. As we have seen, the Law is dominated by a concern for the way in which the educational process should be developed rather than for the content that should be learned. In terms of Biesta's domains, there is a greater concern for socialisation than there is for qualification. Likewise, when the Law addresses the evaluation of learning, it seeks to avoid the summative

component of assessment in favour of its formative aspects.

Our analysis, however, insists that both the functions of socialisation and subjectification can only be activated via that of qualification. Students learn to be and learn to live together while they learn something. You cannot learn to be if you don't make the effort to learn something. We cannot teach our students to be if we don't teach them something. It is this cultural content and heritage that is neglected by the Law in favour of supposedly higher competences that are detached from specific content.

Similarly, the improvement of the system itself, of the schools and of the teachers is entrusted to intentional processes that are reflected in the schools' improvement plans, which are drawn up based on the analysis of the outcomes of the evaluations proposed under the Law. In the case of the students, the outcomes of the evaluations ought to allow teachers to propose strategies of intervention that enable them to adapt their actions to the interests and conditions of the subjects. The summative component is reduced to a minimum, and with it the incentives that the evaluation has to ensure that it is the students and their families who provide the means for making the necessary improvements. And the same is true of the large-scale evaluations of the system. Since comparisons are expressly prohibited, evaluation is reduced to a bureaucratic element that is incorporated into the tools of control that the government, by means of inspection, exercises over its

schools. By eliminating league tables and the publicity that accountability entails, all incentives for schools and teachers to adapt their study plans and actions to the results of their evaluations are also eliminated. In seeking to avoid the unwanted effects that evaluations might have, the mechanism that makes evaluation such an effective tool for optimising the system is discarded.

As far as school outcomes are concerned, the new Law is, therefore, a reflection of the weak assumptions on which it is based and, ultimately, it can be seen as a missed opportunity to promote the improvement of the system that goes beyond the simple spouting of rhetoric.

## Notes

<sup>1</sup> Naturally, understanding the logic of multiplication and learning the mechanics of multiplication tables are not incompatible.

<sup>2</sup> Austria, the Czech Republic, England, Ireland, the Netherlands, Sweden and Switzerland

## References

- Bellamy, F. X. (2018). *Los desheredados: por qué es urgente transmitir la cultura [The disinherited: why it is urgent to transmit culture]*. Encuentro.
- Biesta, G. (2004). Against learning: Reclaiming a Language for education in an age of learning. *Nordisk Pedagogik*, 23 (1), 70-82.
- Biesta, G. (2009). Good education in an age of measurement: On the need to reconnect with the question of purpose in education. *Educational Assessment, Evaluation and Accountability (formerly: Journal of Personnel Evaluation in Education)*, 21, 33-46 <https://doi.org/10.1007/s11092-008-9064-9>
- Biesta, G. (2013). Interrupting the politics of learning. *Power and Education*, 5 (1), 4-15. <https://doi.org/10.2304/power.2013.5.1.4>
- Biesta, G. (2020a). Have we been paying attention? Educational anaesthetics in a time of crises. *Educational Philosophy and Theory*, 54 (3), 221-223. <https://doi.org/10.1080/00131857.2020.1792612>
- Biesta, G. (2020b). Risking ourselves in education: Qualification, socialization, and subjectification revisited. *Educational Theory*, 70 (1), 89-104.
- Bloom, B. S., Madaus, G. F., & Hastings, J. T. (1971). *Handbook on formative and summative evaluation of student learning*. McGraw-Hill.
- Campbell, D. T. (1976). *Assessing the impact of planned social change*. The Public Affairs Center, Dartmouth College.
- Cronbach, L. J. (1963). Course improvement through evaluation. *Teachers College Record*, 64, 612-683.
- Emler, T. E., Zhao, Y., Deng, J., & Yin, D. (2019). Side Effects of Large-Scale Assessments in Education. *ECNU Review of Education*, 2 (3), 279-296.
- Espeland, W. N., & Sauder, M. (2007). Rankings and reactivity: How public measures recreate social worlds. *American Journal of Sociology*, 113 (1), 1-40. <https://doi.org/10.1086/517897>
- Feinberg, J. (1986). *The moral limits of the criminal law: Harm to self*. Oxford University Press.
- Franch, S. (2020). Global citizenship education between qualification, socialization, and subjectification. In A. Peterson, G. Stahl, H. Soong (Eds.), *The Palgrave Handbook of Citizenship and Education* (pp. 665-678). Palgrave Macmillan, Cham. [https://doi.org/10.1007/978-3-319-67905-1\\_68-1](https://doi.org/10.1007/978-3-319-67905-1_68-1)
- Gil Cantero, F. (2018). Escenarios y razones del antipedagogismo actual [Circumstances and reasons for the current anti-pedagogism]. *Teoría De La Educación. Revista Interuniversitaria*, 30 (1), 29-51. <https://doi.org/10.14201/teoredu3012951>
- Goodhart, C. A. E. (1975). *Monetary relationships: A view from Threadneedle street*. Papers in Monetary Economics. Reserve Bank of Australia.

- INEE (2020). *PISA 2018 Competencia Global. Informe español [PISA 2018 Global Competence. Spanish report]*. Ministerio de Educación y Formación Profesional.
- Jones, K. L., Tymms, P., Kemethofer, D., O'Hara, J., McNamara, G., Huber, S., Myrberg, E., Skedsmo, G., & Greger, D. (2017). The unintended consequences of school inspection: The prevalence of inspection side-effects in Austria, the Czech Republic, England, Ireland, the Netherlands, Sweden, and Switzerland. *Oxford Review of Education*, 43 (6), 805-822. <https://doi.org/10.1080/03054985.2017.1352499>
- Larrosa, J., & Venceslao, M. (Coords.) (2021). *De estudiosos y estudiantes [From scholars and students]*. Ediciones Universitat de Barcelona
- Larrosa, J. (2021). La escuela y la mimesis atencional [The school and the attentional mimesis]. *Revista Interdisciplinar de Teoría Mimética. Xiphias Gladius*, 4, 67-76.
- Lochner, L. (2020). Education and crime. In S. Bradley & C. Green (Ed.), *The Economics of Education* (pp. 109-117). Academic Press.
- Luri, G. (2020). *La escuela no es un parque de atracciones [School is not an amusement park]*. Ariel.
- MacIntyre, A. (1990). The privatization of good: An inaugural lecture. *The Review of Politics*, 52 (3), 344-361.
- Martínez Rizo, F. (2013). Dificultades para implementar la evaluación formativa. Revisión de literatura [Difficulties to implement the formative assessment. A state of affairs]. *Perfiles Educativos*, 35 (139).
- OECD (2019). *PISA 2018 assessment and analytical framework*. OECD Publishing. <https://dx.doi.org/10.1787/b25efab8-en>
- Oliverio, S. (2021). Subjetivación y existencialismo en la Teoría de la Educación contemporánea [Subjectification and existentialism in contemporary Educational Theory]. *Teoría De La Educación. Revista Interuniversitaria*, 34 (1), 11-32. <https://doi.org/10.14201/teri.26668>
- Orden, A. de la (2009). Evaluación y calidad: análisis de un modelo [Assessment and quality: analysis of a model]. *ESE: Estudios Sobre Educación*, 16, 17-36.
- Organic Law 3/2020 of 29 December 2020, which amends Organic Law 2/2006 of 3 May on Education (LOMLOE). *Spanish Official State Gazette*, 340, of 30 December 2020, pages 122868 to 122953. <https://bit.ly/3ra9FIr>
- Popham, W. J. (1999). *Classroom assessment: What teachers need to know*. Allyn & Bacon.
- Pozo-Armentia, A. D., Reyero, D., & Gil Cantero, F. (2020). The pedagogical limitations of inclusive education. *Educational Philosophy and Theory*, 52 (10), 1064-1076.
- Resnick, L. B., & Resnick, D. P. (1992). Assessing the thinking curriculum: New tools for educational reform. In B. R. Gifford & M. C. O'Connor (Eds.), *Changing assessments: Alternative views of aptitude, achievement and instruction* (pp. 37-75). Kluwer Academic/Plenum Publishers. [https://doi.org/10.1007/978-94-011-2968-8\\_3](https://doi.org/10.1007/978-94-011-2968-8_3)
- Scriven, M. (1967). The methodology of evaluation. In M. Scriven (Ed.), *Perspectives of Curriculum Evaluation* (pp. 39-83). Rand McNally and Company.

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