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IMPLEMENTATION OF HIGHER EDUCATION POLICIES: A PORTUGUESE EXAMPLE

1. INTRODUCTION

In this chapter we present the Portuguese national case by analysing at the macro level some higher education policies and the effects of their implementation on the higher education system, over the period 1974 to the present. The first part of the chapter presents the historical context in which the reforms were implemented, and this is very relevant as Portugal went through a revolutionary process that overthrew the previous dictatorship. The 1974 Revolution initiated a transformation of Portuguese society and its political organisation that impinged strongly on education policies.

After the revolution, increasing the rate of participation to European standards became one major aim of education policies in Portugal. In this chapter we use Cerych and Sabatier's (1986) framework, together with the three aspects of higher education policy mentioned by Bleiklie, Høstaker and Vabø (2000), namely the ideological aspect, the organisational aspect and the educational and research policy aspects, to examine the Portuguese policies aimed at increasing access to higher education, with special reference to the development of private higher education and the implementation of a binary system.

2. THE HISTORICAL CONTEXT

At the time of the 1974 Revolution, Portugal was a rather backward country due to more than half a century of right wing narrow-minded policies of the former dictator Salazar. The higher education system was elitist with a participation rate below 7% of the relevant age cohort, and minute participation of students from the lower classes. In the early 1970s, the former dictatorial regime had become aware of these shortcomings, but it did too little, too late to solve the problem before being overthrown. It was only in 1973 that the National Assembly (the parliament) passed Act 5/73, of 25 July, reforming the higher education system. This Reform Act formally created for the first time in Portugal a *binary system*. Inspired, on the one hand, by 'human capital' theories, and, on the other hand, legitimated by OECD reports and recommendations, the Minister of Education expanded and diversified the higher education system. New universities and the first polytechnic institutes

Å. Gornitzka et al. (eds.), Reform and Change in Higher Education, 117-134.

were established. This set of reforms aimed at expanding the higher education system within a new binary structure. However, the 1974 Revolution suspended the implementation of this reform, and many new higher education institutions, such as the new polytechnics, were to remain as mere 'political statements' for some years.

The 1974 Revolution caused a dramatic turn from a right wing conservative authoritarian regime to a radical left wing socialist regime. Higher education institutions were quickly submerged in political turmoil, the traditional governance bodies being disbanded as they were viewed as fascist, authoritarian and undemocratic.

The loss of all forms of authority faced by higher education institutions combined with a substantial increase in demand for access to higher education and a dramatic change to socialism led to a crisis that was met with 'revolutionary' measures. Decree-Law 61/75, of 18 February, suspended all first-year classes, as well as access to new students. Students ready to enter higher education were instead admitted to one year of 'civic service' – not very different from the system of brigades of young university students in communist Cuba – to increase the integration of the university into the Portuguese society and to develop the freshmen's awareness of national issues and the problems of active life. This had the double advantage of promoting the new revolutionary values while allowing the government some time for reorganisation of the higher education sector.

In the days following the revolution, all policies were aimed at the construction of a socialist country in reaction to the former dark times of the authoritarian regime. 'Medium level' schools were promoted to higher education institutions in order to redress what was considered an unjust situation which mainly penalised the less favoured classes. Intermediate level education institutions were upgraded and transformed into the Industrial and Commercial Institutes of Lisbon, Porto and Coimbra (Decree-Law 830/74, of 31 December). The preamble of the law read:

> The democratisation of education demands a reform of the present educational structures, which reflect a hierarchical, antidemocratic and stagnated situation. Medium level schools are a telling example of this reality, as their enrolled students in general come from less favoured social classes than those entering universities. At those schools, education is intentionally aimed at keeping their graduates throughout their professional life, in a situation of disadvantage or subaltern to the graduates from higher education institutions.

The Decree-Law 363/75, of 11 July, passed by the Council of Revolution was very explicit as to the aims of the new policies:

> … as the Portuguese people move towards socialism, it becomes evident the need of democratic 'control' to force all the material and cultural production system to harmoniously function at the service of the socialist revolution.
>
> This democratic control is achieved by participation of representatives of the working people in the decision-making bodies … This direct presence of representatives of workers' organisations and of national and regional interests in the governing bodies of universities is especially important while it is not possible to significantly change the composition of the student population, today still originating from the most privileged classes.

Universities were asked to help in the search for answers to national problems while making their technical and scientific capacity available to other public

services. On the one hand, higher education was supposed to expand and provide training or retraining courses, and to increase its offer of specialised services to the community. On the other hand, it was supposed to diversify either by creating new schools and new courses or by differentiation of some already established courses. Another important political goal was to regionalise some universities in order to serve the economic and social needs of the population (Programa do Governo Provisório 1975).

The Decree-Law 363/75 established a new 'senior grade year'[1] in between the conclusion of secondary education (11th grade) and higher education. The senior grade year was a combination of the 'civic service' revolutionary type activities – in order to impart socially productive working habits to the new 'socialist' students – with preparatory courses aimed at initiating students in the general methodology of advanced intellectual work and in those scientific areas most relevant to the study programmes in which they planned to enrol.

However, despite all the socialist fervour, human nature did not change much and many students took advantage of the new freedom to enter the schools of medicine, seen to offer better prospects of upward social mobility. The answer from the government was swift and radical. The Decree-Law 601/76, of 23 July, established a system of *numerus clausus* for medicine and the Decree-Law 701/76, of 28 September, established a system of *numerus clausus* for veterinary medicine, as it became obvious that students not entering medicine would inundate veterinary medicine. This did not solve the problem, as those students unable to enter either medicine or veterinary medicine enrolled in areas such as pharmacy or biological sciences and forced the government to pass the Decree-Law 397/77, of 17 September, that extended the *numerus clausus* system to all higher education study programmes.

The establishment of the *numerus clausus* system was necessary because following the revolution public higher education institutions could not cope with the large increase in demand without serious disruption. And due to the difficult economic situation, no resources were available to invest in expanding the system. Indeed, the *numerus clausus* system was in general determined by the institutions' capacity in terms of physical infrastructure and academic staff rather than by market demands. This policy has protected higher education institutions from an excessive increase in enrolments but has generated very strong social tensions because many candidates have been left outside the system without any alternative. This has brought about the development of a large private system.

The *numerus clausus* system also received support from the World Bank (Teixeira, Amaral and Rosa 2003: 186), which recommended that:

> … the efforts of the educational authorities should be devoted more to rationalising the supply of higher education and improving the management of the system, namely in terms of mechanisms of accountability, coordination, and efficiency. Future expansions should be better planned taking into account manpower needs, and demographic and enrolment trends.

The new 1976 Constitution recognised the right of all Portuguese to education. But by sanctioning the freedom to learn and teach as a fundamental right, the Constitution opened the way for the development of private higher education.

It is against this historical background – a sharp increase in the demand for higher education, a generalised *numerus clausus* system, the constitutional guarantee of the freedom to learn and to teach – that the implementation of some major higher education policies will now be examined.

3. POLICY 1: THE DEVELOPMENT OF THE PRIVATE SECTOR

At the time of the revolution, the international educational indices placed Portugal among the less developed countries. Consequently, all governments after the 1974 Revolution considered that education was a priority area. Most of the initial efforts were mainly devoted to the basic and secondary education systems, as a large number of young people, especially those from the lower classes, did not complete secondary education, or even basic education. Educational priorities determined policies aimed at answering the most pressing demands for universal basic education (6 years at the time, later 9 years), for reduction of the illiteracy rate (still high), and for increased access to secondary education (2 years at the time, later 3 years) while developing the vocational component of education to increase the students' employment prospects.

Higher education initially attracted neither the full attention of governments nor the level of investment needed to redress its weak development. However, the sharp increase in demand for higher education after the 1974 Revolution combined with the *numerus clausus* restrictive access policies caused an increasing number of young people to be excluded from higher education, without any adequate alternative, thus creating an acute social and political problem. This situation gave rise to a very favourable environment for the emergence of the private sector, which allowed for the easing of the access problem without further demands on the public purse.

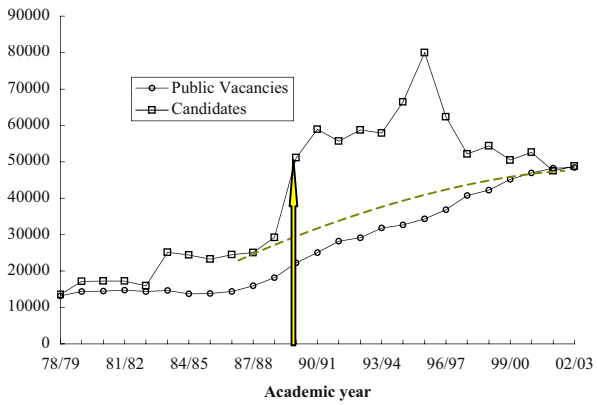
The development of private institutions was initially rather slow, probably due to the lack of legislation and/or tradition. In January 1979, the Minister of Education authorised the first private higher education institution by granting the 'Free University (Universidade Livre) Cooperative for Education' a temporary permit to initiate operations. Many associates of the cooperative were former university professors expelled from public institutions due to their close connections to the deposed regime. The Decree-Law 426/80, of 30 September, formally recognised the Universidade Livre, and the Decree-Law 59/83, of 11 July, allowed the institution to offer study programmes in the two main cities, Lisbon and Porto. However, the existence of the Universidade Livre was short. Internal strife between its members, and fights between the cooperative – the owner of the university – and the university itself created an impossible situation that forced the government to take drastic action. On 21 June 1986, the Minister of Education recognised two new private institutions, one in Lisbon (Universidade Autónoma Luís de Camões) and the other in Porto (Universidade Portucalense), owned by a new cooperative (University

Higher Education Cooperative) set up by dissidents from the Universidade Livre. On 16 September 1986, the Minister made public that the Universidade Livre was no longer officially recognised.

Enrolments in private institutions in 1982–83 (including the Catholic University established in 1971) were only about 11% of total enrolments. But the pace of implementation accelerated after the mid-1980s. In 1986, Minister Deus Pinheiro recognised two new private universities (Lusíada and International) and several polytechnic-type institutions, some of them resulting from upgrading already existing medium level institutions which until then were not allowed to confer higher education degrees. The new institutions concentrated their offer of study programmes in areas of low investment/low running costs, such as languages and administration, management, journalism, training of secretaries and interpreters, and informatics.

However, it was Minister Roberto Carneiro (1987–91) who created the conditions for the explosive development of the private sector. Not only did he approve a large number of new institutions but he also decided to lower the requirements for access to higher education. In 1989 the Minister determined that entrance examinations were only to be used for ranking students in the national tender for vacancies, without any minimum required marks. Figure 1 shows that in 1989 there was an increase of over 20,000 candidates (more than 60%) from the previous year, which the public sector could not enrol thus creating very favourable market conditions for the private sector. Many students who until 1989 were unable to enter higher education because of their low marks suddenly were offered a unique opportunity. Students could now enter higher education – and many did – even with a zero in the entrance examinations, provided there were vacancies.

Figure 1. Total number of candidates and vacancies in public institutions

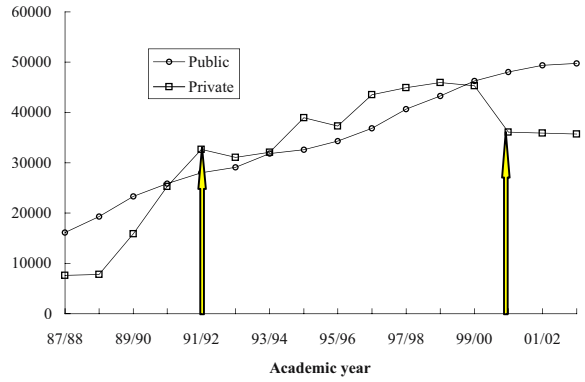


Political agency artificially created this new important market for higher education that allowed private institutions to prosper and proliferate. This was made

easier as the government did not exert any visible control over quality while passing legislation allowing the private sector to take full advantage of the moonlighting activities of public sector academics. The development of the private sector was so fast that in the academic year 1991–92 the number of vacancies at private institutions exceeded those at public institutions (see figure 2).

The private share of student enrolments jumped from 11% in 1982–83 to 21.6% in 1989–90, and to 34.7% in 1996–97, and it is evident that no higher education sector could develop so fast while at the same time caring for quality. The number of candidates remained stable until 1994 when a new increase was observed. The Ministry of Education had implemented a new reform of secondary education and decided to discontinue the enrolments of those students who had stalled in grades 10 to 12 because they failed their examinations. In that it was inconvenient to maintain the old reform (for failed students) in parallel with the new reform, the Ministry created special conditions allowing the old reform students to complete their studies, thus increasing the number of candidates aspiring to higher education. This episode had dramatic consequences as it gave a false impression. All private institutions assumed that the number of candidates would go on increasing when in reality the number was already starting to consistently[2] decrease (Amaral and Teixeira 1999, 2000) due to demographic factors, and instead of adapting to this new situation they initiated new study programmes and made additional investments.

Figure 2. Vacancies offered by public and private higher education sectors



At the same time, large investments were being made in the public sector, allowing the number of vacancies at public institutions to increase steadily over the years (see figure 2). Students enrolled in public higher education institutions pay only nominal tuition fees (around €400 annually) while students at private institutions pay full costs, and in general it is considered that public institutions offer better quality than private ones. This explains why students show a preference for public institutions.

The consistent decline in the number of candidates combined with the preference of students for the public sector have created a very difficult situation for the private sector. From the academic year 1995–96 to 1997–98 the number of new students entering private institutions decreased 31.3% while it increased 19.4% in public institutions (Amaral and Teixeira 2000). Presently, the number of vacancies in public institutions accommodates most candidates.

This has led the government to change its policy from uncontrolled expansion to increased quality. The Minister of Education, Marçal Grilo, implemented legislation passed in 1993 by Minister Couto dos Santos (pass examinations at the end of the 10th and 11th grades, and national examinations for each subject at the end of the 12th grade) which again imposed national examinations at the end of secondary education. Marçal Grilo reversed the access rules established by Roberto Carneiro by allowing higher education institutions to set minimum marks in the access examinations to higher education, thus putting an end to the ludicrous situation of allowing students to enter higher education even with zero marks.

This decision exposed to public scrutiny those institutions that could not attract students. While the best institutions had no problems in setting minimum marks, this was carefully avoided by less reputable institutions which tried to fill as many vacancies as possible by using lower entrance standards. However, lowering standards did not help much, and in 1997–98 many private institutions filled less than 50% of their vacancies (some of them could not fill more than 30% of the available vacancies). In 2000–01 the Ministry decided to penalise those institutions which did not set minimum entry marks by reducing their *numeri clausi* and from the academic year 2000–01 the number of vacancies in private institutions fell below the number of public vacancies (see figure 2).

Today the crisis is being felt by public institutions, particularly the polytechnics (due to their lower social standing *vis-à-vis* the universities) and some universities located in the less populated regions (inland), as well as some study programmes which do not offer reasonable employment prospects. In the academic year 2002–03 about 200 study programmes of public institutions had less than 50% of available vacancies filled, and 16 study programmes had no candidates.

More recently (2002) a new minister initiated legislation enforcing minimum marks in the national access examinations for all candidates in all sectors of higher education the effects of which will be felt in two years time. This legislation will have significant consequences, as it will further decrease the number of candidates. For the academic year 2003–04 the Minister decided to close down some 35 study programmes because of low student enrolment and reduced about 3200 vacancies in the public sector in areas of low student demand, in an attempt to increase the percentage of students in priority areas such as health and technologies, and to force some students to move inland thus protecting universities and polytechnics located away from the more populated areas.

4. POLICY 2: THE DEVELOPMENT OF THE POLYTECHNICS

In 1977, the Decree-Law 427-B/77 instituted polytechnic higher education as "short duration higher education, aiming at training technicians and professionals of education at an intermediate level of higher education".[3] The explicit political intention was both "to diversify higher education, and to satisfy urgent needs in several socio-economic sectors through the training of qualified technicians". In 1979, the expression 'short duration higher education' was formally replaced by 'polytechnic higher education' and the professional scope of polytechnic education was emphasised (Decree-Law 513-T/79) against the 'more conceptual and theoretical characteristics' of university education.

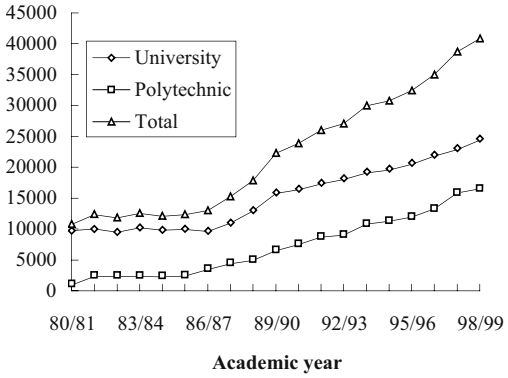
The World Bank played an important role in the development of the polytechnic subsystem, being responsible for several projects implemented in the period between the 1974 Revolution and the integration of Portugal in the EU. At the time, the World Bank policies for higher education were influenced by the planning and forecasting of manpower needs and the direct link between the offer of study programmes and the needs of the economy. The World Bank thought of Portugal as a less developed country that would need fewer high-skilled graduates, and thought that the focus should be on training middle-level graduates and technicians (Teixeira, Amaral and Rosa 2003).

Successive ministers of education regarded the development of the polytechnics as a priority of the higher education system. Access policies were combined with large investments in new buildings and equipment and an academic career progression more attractive (less demanding) than a university one to promote the development of the polytechnic sector. The regional character of the polytechnics was stressed by allowing the institutions to reserve a percentage of vacancies for students living in the region.

Although there are still more students enrolled in public universities than in public polytechnics, the development of the public polytechnic sector was impressive (see figure 3 where the number of annual vacancies for public universities and public polytechnics are compared).

From 1983–84 to 2001–02 the share of enrolments changed from 76.2% in public universities, 12.6% in public polytechnics, 7.9% in private universities and 3.3% in private polytechnics to 43.6%, 27.9%, 13.1% and 15.4% respectively. The available data also show that over the period 1980–98 vacancies in the public university sector increased at a yearly average rate of 5.21% compared to 17.17% for public polytechnics. This demonstrates that the government policies were effective in increasing the enrolments in polytechnics.

Figure 3. Number of new places offered by higher education public institutions



Source: Correia, Amaral and Magalhães 2002: 127

Despite this apparent quantitative success, the polytechnic sector has not been able to emerge as an attractive option for many students, and its present situation is rather fragile. The first problem for polytechnics lies in the lack of a clear definition of their mission. Polytechnics are to provide a good match between education and the demands of the economy by producing technicians who are able to act at the intermediate level of industrial, service and educational organisations. Decree-Law 513-1/79 states that polytechnic higher education should provide study programmes with strong applied and technical emphasis and marked vocational orientation, adapted to regional needs.

However, instead of defining a distinctive profile aimed at gaining a strong position in the market of intermediate level human resources training, most polytechnics have chosen to copy the model of the new universities, which had also adopted a style of discourse that addressed closer connections with local communities. And the fact that the higher schools of education were in many cases the initial core of the new polytechnics created problems in defining the mission and the role of the new institutions. Therefore polytechnics are in a disadvantageous position, both in terms of quality and social standing.

The Comprehensive Law of the Educational System (CLES-Law 48/86) helped to consolidate the new polytechnic network. Besides the declaration of intentions regarding the technical and cultural educational tasks allocated to this subsystem, together with the new mission of developing capacities of innovation and criticism,

the law reasserts the polytechnics' task to train human resources for professional activities through teaching based on scientific knowledge transmission. But the legislator did not have the courage to draw a clear distinction between polytechnics and universities. For example, commenting on the Comprehensive Law, Simão and Costa (2000: 24–25) argue that the law:

> … shows great embarrassment in drawing the distinction that it intends to make, almost limiting itself to a mere semantic exercise, expressing similar ideas in non-coincidental times and modes. With visible effort and a desire to find some differences, maybe one can register at least two impressive notes: a) first, to keep the development of the capacity of '*creation*' within university higher education; b) second, to provide an orientation, apparently more specific in polytechnic higher education, of '*scientific knowledge of a theoretical and practical type*' and its application to the '*exercise of professional activities*'.

This ambiguity is particularly visible in the field of research, for the polytechnics were not kept out of research, but instead were expected to explore less traditional fields, such as applied research, areas of experimental technologies and education, in articulation with regional and local needs. The emphasis was on the professional and technical characteristics of the polytechnics along with the regional and national economic role of their mission, embodying the political assumption that economic development is a more or less direct consequence of an adequate educational system. However,

> In reality, most polytechnics instead of following a strategy of differentiation addressed at the take-over of a space in the intermediate levels of human resources training have made the choice of identifying themselves with the university model which was extensively mimed to their obvious disadvantage, both in terms of quality as of social standing (Amaral et al. 2000: 25).

The second problem lies in the low capacity of polytechnics to attract students, which places them in a difficult situation, as there is increasing competition for students. To understand this situation one must not ignore the positional character (Hirsh 1976) of higher education.[4] Diversification via the binary system is tainted by a political suspicion: the elitism implicit within the university subsystem. In Portugal – and the same appears to be valid for the majority of OECD countries (OECD 1987: 35) – according to Seixas, "polytechnic higher education is characterised by a larger number of students coming from the working classes in comparison to students coming from the upper classes" (1991: 110). This class feature has led researchers to ask, at least in the Portuguese case, if polytechnic higher education corresponds to "a form of social promotion or to a form of differed elimination" (Vargas 1996).

The recent decision of the Ministry to increase the academic qualifications of the candidates to higher education will exacerbate this problem. As students in general see polytechnics as a second choice, most students entering the polytechnics are those who could not compete for a place in a university because of their lower academic marks. A simulation of the new access criterion for the academic year 2002–03 (table 1) shows an average decrease of 26.8% of filled vacancies, with some polytechnics facing a dramatic situation, thus revealing a very difficult situation for the sector.

Table 1. Simulation of the new access system for the academic year 2002–03

Polytechnic	*Total vacancies*	*Filled vacancies (old system)*	*Filled vacancies (new system)*	*Loss %*
Beja	815	509	376	-26.1
Coimbra	1 650	1 057	640	-39.5
Lisboa	1 635	1 411	768	-45.6
Porto	2 122	1 638	911	-44.4
Setúbal	1 288	942	597	-36.6
Viseu	1 525	1 190	809	-32.0
Total Polytechnic	19 392	14 244	10 431	-26.8

5. ANALYSIS OF ASPECTS OF HIGHER EDUCATION POLICY AND DEGREE OF ATTAINMENT OF OBJECTIVES

We applied Cerych and Sabatier's (1986) analytical framework to the access policies implemented in Portugal assuming that their goals were:

1. to widen access to higher education;
2. to increase the diversity of the system;
3. to stimulate the regional relevance of higher education;
4. to promote social equity.

Widening access was the first priority when those policies were first implemented.

5.1. Aspects of Higher Education Policy

5.1.1. The Ideological Dimension

The reasons behind the development of the private sector were both pragmatic and ideological. On the one hand, private higher education could be seen as a necessary evil to solve the dramatic problem of increasing demand for higher education that could not be met by the public sector, especially in the years of severe economic stringency following the revolution. On the other hand, Minister Roberto Carneiro (1994) edited a book entitled *Free Education – A Frontier of State Hegemony* that contains a passionate apology for private higher education and leaves no doubt about his ideological commitment to the private sector. In a chapter entitled "Manifesto Against State Hegemony" he (p. 9) writes:

> The situation of free education [free education meaning private education] is one of the most accurate barometers of the healthy condition of a society's fundamental freedoms and of the degree of maturity of its institutions …
>
> A developed nation is thus the one that unites a State aware of its subsidiary role and a society endowed with self-regulation mechanisms sufficient to cherish the development

> of fundamental freedoms and this includes without any shade of doubt the freedom of education.

The book contains contributions from a number of authors, including several former ministers and high-level employees of the Ministry of Education. This demonstrates that private higher education clearly was assumed by leading political actors as an important ideological instrument for strengthening Portuguese democracy, and as a tool for its social and economic development.

However, trust in private education was not widespread and other ministers of education had a more critical view of this sector. This is more in accord with the European tradition. Quite recently, the European ministers of education signed the Prague declaration supporting the "idea that higher education should be considered a public good and is and will remain a public responsibility" (Communiqué of the Meeting of European Ministers in Charge of Higher Education in Prague, 19 May 2001: 1).

This lack of trust in the private sector was so visible that the APESP[5] wrote a letter to the Minister complaining about the situation:

> How is it possible, under these conditions of instability, insecurity and lack of future prospects, for private institutions to consolidate their educational projects? How is it possible to give credibility to the system if the Government systematically makes public new decisions capable of developing in public opinion a generalised feeling of mistrust of the private higher education subsystem? (1998).

As in other countries, the Portuguese government has not yet been able to:

> … attain a satisfactory balance between intervention in, and co-ordination of, the private sector and the autonomy of private institutions. Governments have either controlled too much, because of their mistrust towards private initiative in education, or they have assumed an over-relaxed position, which has allowed the mushrooming of private institutions that possess no sound academic and financial criteria (Teixeira and Amaral 2001: 391).

The first attempt to create a binary system dates from 1973 and it was strongly influenced by OECD reports. The political justification for the reform was mainly economic and it aimed at using manpower resources as a tool for convergence with the development patterns of other European countries. This attempt did not succeed due to the 1974 Revolution, and the project was restarted in 1977 under the influence of the World Bank.

The World Bank's approach was also economic and supported by two key ideas. The first idea emphasised the improvement of the system's level of economic efficiency by containing long duration university degrees while promoting shorter technical degrees (shorter teacher training degrees, higher student/staff ratios, etc.). The second idea took on a perspective of a world division of labour viewing Portugal as a provider of specialised manpower for manufacturing industries, services and agriculture (Teixeira, Amaral and Rosa 2003).

The World Bank was very critical of the fast expansion of university higher education and recommended instead the development of a system of short-cycle higher education to match closely the manpower demands of the Portuguese economy. The World Bank was also aware that short-cycle higher education would be socially discredited *vis-à-vis* university education and praised the fact that the "…

government severely restricted enrolments in engineering as well as in other university faculties …" thus endorsing the policy of establishing the *numerus clausus* system. This supports our hypothesis that access policies to higher education have played a major role in the state's regulation of the system.

5.1.2. The Organisational Dimension

The relationship between the government and the private sector has been ambiguous. It is true that initially the government created the conditions for the rapid development of the private sector. However, the government kept close bureaucratic control over private institutions that were conferred less pedagogical autonomy than the public universities. This is a question raised by APESP (1998):

> … the State has been exceeding the limits of its right of surveillance conferred by constitution by exercising over private institutions a direct and suffocating tutelage thus completely eliminating their scientific and pedagogical autonomy, obstructing the institutional development and creating large difficulties to the implementation of new projects due to the need of a priori Ministerial permission for almost any kind of scholarly activity.

Despite those difficulties, private institutions (or at least some of them) had strong lobbying capacity (Amaral and Teixeira 2000), which allowed them to expand despite the proclaimed government policy goals of increasing student enrolments in fields that were of economic importance to the country. Private institutions were indeed able to impose their own agenda, as widening access was initially the dominant priority.

During the years of uncontrolled expansion, private institutions used their strong lobbying capacity to force the approval of new institutions and new study programmes without close scrutiny of legal conditions or quality. Now that there is a serious crises threatening the survival of many institutions, the private sector has started to blame the government for its lack of capacity to regulate the system, and for allowing the public sector to increase its number of student vacancies:

> ... we are witnessing a sustained approval of more study programs and a continuous increase of vacancies offered by the public network, in areas of competition against private education, without any regard for already available projects and placing in danger the viability of those institutions which are better provided with facilities and human resources (APESP 1998).

The polytechnic sector was supposed to define its offer of study programmes on the basis of the needs of industry, services and education at the national, regional or local levels. Without denying that in some cases there was success, the overall result was that both institutional and local objectives seemed to be missed, with the role of institutions being characterised more by the unexpected consequences produced (e.g. a mismatch between the quantity of graduates and their qualifications and the real needs of local and regional industry and commerce) than by the original political steering objectives.

The obvious disadvantage of polytechnics *vis-à-vis* universities resulted in pressure to change the legal framework to allow them to imitate universities. In 1997, the Minister of Education proposed an alteration to the 1986 Comprehensive

Law of the Educational System. The Law (115/97) was passed by parliament entitling polytechnics to award the 'licenciado' degree which, until then, was a prerogative of universities. Some researchers recognise traces of undesirable academic drift in this measure. More recently polytechnics have started a public campaign to be allowed to confer postgraduate degrees and to increase their autonomy to the level of the autonomy of public universities. With around 120,000 students, the polytechnic subsystem is presently trying to redefine its specificity, arguing that this redefinition implies "legal reforms that will necessarily involve the Comprehensive Law of the Educational System, the Law of University Autonomy, and the Higher Education Career Statutes and other legislation relevant to polytechnic higher education" (CCISP 2000: 6). In the latter document it is of interest to note that the presidents of the polytechnics argue that the polytechnics are not mocking the universities, but rather that the opposite is happening,[6] thus justifying the need for legal reforms based precisely on "the identical status" (CCISP 2000: 13) that both types of institutions apparently have.

5.1.3. The Educational and Research Policy Aspects

The private sector developed at an extremely fast pace, without proper attention being paid to quality. Amaral and Teixeira (2000: 254–255) state: "it has become common knowledge that in general most private institutions are of rather low quality". This was the result of a shortsighted strategy of most private institutions, aiming more at immediate profit than at long-term survival.

The polytechnics were not able to define a distinctive profile allowing them to overcome the handicap of lower social standing relative to universities. This has resulted in considerable academic drift, and the present strategy of public polytechnics concentrates on using political pressure to change the legal framework with the purpose of being conferred the same level of autonomy and prerogatives as that of public universities.

Neither the private sector nor the public polytechnics contributes substantially to research. Private institutions are in general teaching-only schools. And the initial expectation that public polytechnics might develop specific activities of applied research and experimental development in applied areas with regional relevance was not fulfilled. Despite some research activity, this is still a rather weak area that the recent policy of allocating research funds on a competitive basis did not help to strengthen.

5.2. Degree of Attainment of Objectives

5.2.1. To Widen Access to Higher Education

This objective was very successfully fulfilled. Today there are many more vacancies than candidates thus allowing for every student with adequate qualifications to enter higher education.

5.2.2. To Increase the Diversity of the System

Private institutions did not contribute strongly to programmatic diversity of the system. They have concentrated their education provision in a narrow range of scientific and disciplinary areas, generally, those requiring less investment in educational and research infrastructure, such as management and humanities: 60% of the students in the private sector are concentrated in the areas of the social and behavioural sciences, management and law, compared to 25% in the public sector (Correia, Amaral and Magalhães 2002).

There are mixed feelings about the contribution of the polytechnics to the system's diversity. It is true that polytechnics offer a vast number of new study programmes, some of them looking for market niches at the regional level. However, polytechnics have copied to some extent the profile of the new universities, and the emergence of academic drift has reduced the contribution of polytechnics to diversity.

5.2.3. To Stimulate the Regional Relevance of Higher Education

The available data show that private higher education institutions are mainly concentrated in the most populated areas of the districts of Lisbon and Setúbal (49.3% of all vacancies) and Porto (27.2% of all vacancies). The element of profit present in the market's logic explains why private institutions avoid less developed regions or regions with lower population density (Correia, Amaral and Magalhães 2002).

The public sector presents a much more even distribution of vacancies across the country than does the private sector. The network of 16 public polytechnics with an institution in every district strongly contributes to this more balanced distribution.

5.2.4. To Promote Social Equity

Data from a report published in 1997 (CNASES/CEOS) show that the social stratification of the students' families does not differ significantly with regard to the higher education subsystem (public or private, universities or polytechnics). However, in general, students from families of administrators, managers and qualified technicians (those with higher cultural capital) enrol preferably in public universities while students from families of employers (on average they do not possess a very high cultural capital, but they can possess a significant economic capital) prefer private universities (the cultural background of the family is a handicap for their academic success). Students from families of the lower classes show more preference for local polytechnics (the economic factor has more influence). Therefore we cannot say that the private sector plays a decisive role in promoting social equity.

Most students see polytechnic education as having less prestige than university education, especially when compared to public university education. This explains why the polytechnic subsystem has low attraction capacity for students.

The class origin of the students also correlates with this choice. A larger proportion from the lower classes are enrolled in polytechnics. We can say that polytechnics play an important role for students originating from families without previous traditions in higher education and not holding a large economic capital.

6. CONCLUSIONS: FACTORS AFFECTING POLICY IMPLEMENTATION

The main objective – increasing access to higher education – was clearly and consistently defined, and it aimed to substantially change the system. However, there were also some secondary objectives, which, while also quite important, were not so clearly spelled out or were not consistently pursued. Objectives such as giving priority to areas relevant to the national economy or the pursuit of quality were many times sacrificed to the dominant objective of improving participation in higher education at any cost.

It is obvious that the theory underlying the reforms was seriously flawed or at least some of its basic assumptions were wrong. The idea that free private initiative associated with market regulation would provide a diversified higher education system more responsive to the needs of the regions and the demands of the more disadvantaged population sectors (Franco 1994) was mere wishful thinking.

And the political decision of implementing the polytechnic network "was not underpinned by any credible forecasts of general or sectoral labour demands which were likely to result from the development dynamics of the Portuguese economy" (Amaral el al. 2000: 21). The World Bank's recommendation to limit access to university education in favour of shorter degrees, based on a perspective of a world division of labour, was not adequately implemented, and later the World Bank recognised that it had led to a scarcity of engineers (Teixeira, Amaral and Rosa 2003).

The fact that successive ministers of education had different ideological commitments to the development of the private sector, as well as some distrust of private higher education, also played a negative role in the implementation of this policy. On the other hand, although the initial definition of the role and objectives of the polytechnics was quite clear, they have become increasingly blurred due to academic drift. Several changes of the legal framework have made less distinct the differences between polytechnics and universities without reinforcing the social standing of polytechnics.

It is evident that different actors had different degrees of commitment to the various objectives of the reforms. Sometimes the objectives of different actors were even quite different from those of the government.

The private sector was "characterised mostly by its low-risk behaviour, and its peculiar responsiveness in terms of market *stimuli* that favoured concentration in low-cost and/or *safer* initiatives" and "it was more frequent to observe either a duplication of public supply, or a rapid expansion (but not its launching) of low-cost disciplines, in both cases in areas with a strong demand" (Teixeira and Amaral 2001: 390–391). This resulted in the expansion of the private sector in areas that were not a priority of the government.

Not all actors shared a common idea of the role and objectives of polytechnics. After 1986, governments began to emphasise the need of polytechnics to "develop professional knowledge which was better adapted to production" in opposition to the "more theoretical and abstract knowledge imparted by the universities …" (Amaral et al. 2000: 24). However, most polytechnics proclaimed their role as

"providers of local services, connected through their curricula to local realities" as a rhetorical device while in reality offering study programmes covering "an array of disciplinary and technological areas of knowledge which were identical to the initial training programmes of the new universities, or of the schools of engineering and management/economics of the more traditional universities" (Amaral et al. 2000: 23).

As one of the objectives of the implementation of the private sector was increasing enrolments without additional public costs, no significant public funds were provided for the development of private institutions. This placed the private sector at a serious disadvantage in relation to the public sector because of the difference in tuition fees. One may say that the private sector could only develop as it did because at the time students had no alternative. On the other hand, the government provided adequate financial resources for public polytechnics, both for investment in physical infrastructure as well as for running expenses. Public polytechnics were provided with new buildings properly equipped, and with a large number of scholarships for the upgrading of the academic qualifications of their staff.

Recently there has been a drastic change in social conditions. A constant decrease in the number of candidates to higher education has led to a situation where the number of vacancies clearly exceeds the number of candidates. Economic conditions have changed from a relatively comfortable economic situation to one of economic recession which has strongly influenced governmental priorities from unfettered expansion to a decrease in enrolments and strong emphasis on quality, thus creating additional problems for a private sector already under stress. Like the private sector, polytechnics were also strongly affected by the recent change in governmental priorities. Being seen as 'second choice institutions' their low capacity to attract students will place them in a difficult situation as competition for students increases.

Finally, we may say that both policies have presented mixed results, one of the major problems being the difficulty of consistently implementing the policies because different actors and successive ministers did not share the same values and ideology, and because social and economic reality has changed over the years.

NOTES

1 Known in Portuguese as the 'Vestibular' year.

2 Figure 1 illustrates quite well that without the new secondary education reform the number of candidates would follow approximately the broken line, thus warning institutions two years in advance that the number of candidates was starting to decrease.

3 Decree-Law 61/78, of 28 July, further clarified this expression stating that the goal was to train "high level technicians and professionals of education" (see also Simão and Costa 2000: 20).

4 Following Marginson (1998), positional goods are social positional goods that tend to be monopolised by those social groups in a better situation to compete.

5 APESP is an association of owners of private higher education institutions.

6 "In fact, the need to guarantee the competitiveness of university graduates *vis-à-vis* polytechnic graduates motivated the universities to increase the preparation of their students for entry onto the labour market" (CCISP 2000: 13).

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