

A CODE ON EDUCATION: WHAT SHOULD BE ITS BASIC PREMISES?

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Any code of law implies presuppositions about the nature of man and society. Such presuppositions are assumed to be generic or universal. One is that man is rational to the extent that he is able to satisfy his basic needs and those of others for whom he is responsible, to the degree that life affords him some fulfillment beyond provision for mere necessities. By the same logic he can become irrational in the quest for survival and happiness, during which he could interfere with a similar quest by others. Thus, he must at the same time be a social being, a member of a community whose constituents are bound by an agreement to abide by certain rules to maintain order and stability in their society.

It is this dynamic interaction between individual freedom and social order which the law mediates. The balance between personal liberty and social order is always shifting and precarious. Often it breaks out in open conflicts which the courts adjudicate, mindful of precedents and principles. Yet even precedents and principles are subject to change, to shifting interpretations despite painstaking efforts to create stability, if not permanence, through constitutional and statutory enactments.

Therefore it would be erroneous to regard a code of laws as immutable, for it is a product of its times. Nevertheless, it makes sense to systematize all laws, rules and regulations on education, if only to make them clear, simple and consistent. Moreover, education has become so vast an enterprise as to warrant a legal frame of reference for its operations. It is also a major instrument for securing the dominant orthodoxy in every society.

At this point perhaps some definitions bear repeating. In its broadest sense education is the process through which an individual acquires knowledge, skills, attitudes and values throughout his life. Anthropologists and educators distinguish between this process, called enculturation, and formal education or schooling, which is only a part of that larger process. Another dimension is nonformal

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education which is planned, purposeful training outside of the schools, *viz.*, skills learning, family planning, nutrition campaigns, the Green Revolution, etc. There is an incipient attempt to organize nonformal education through various agencies such as the National Manpower and Youth Council.

These distinctions suggest that, questions of jurisdiction aside, an educational code should apply to the formal and nonformal aspects of education.

The majority of the laws and regulations on education seem to be heavily weighted in favor of social control; they do much less to maintain individual freedom and diversity. Perhaps this is unavoidable, considering the millions of pupils and students, the thousands of teachers and other personnel, not to mention parents, who are involved in education.

Excessive control, however, can stifle constructive and creative activity, no less in educational activities than in development programs. Too often laws, rules and regulations are oriented toward administrative convenience than genuine educational purposes. This is merely another way of saying that schools and all other institutions purporting to be educational are primarily for the people they serve, not for those who administer and manage them.

Even constitutional mandates, clouded in rhetoric and ambiguity, can limit educational activity. Section 8 of the General Provisions of the 1973 Constitution which deals with education is largely regulatory in character. It prescribes the study of the Constitution, goals such as the duties of citizenship, development of character, personal discipline, and scientific and technological, and vocational efficiency. It also specifies the provision of citizenship and vocational training to adult citizens and out-of-school youth, and the creation of scholarships for poor and deserving students.

The first prescription may indeed be necessary, if only to acquaint the people with their basic responsibilities and rights, but it is not nonetheless regulatory. Most of the goals stipulated are in the interest of the state as are citizenship and vocational training for adults and out-of-school youth. The latter implicitly recognizes social distinctions and is tendentiously patronizing toward the poor, less educated majority. Worse, it consigns them to less prestigious vocational training which may lead to jobs yielding minimal incomes, if they are fortunate enough to find employment.

¹ CONST., Art. IV, sec. 6.

A more basic constitutional mandate is the people's right to information on matters of public concern.¹ Here the heavy hand of executive fiat and curricular legislation on education through the schools and non-school educational agencies such as the mass media is seriously involved.

Even compulsory elementary education can be restrictive in the sense of compelling pupils, however willing, to be captive learners of prescribed subjects for several hours a day. Learning in school that we are a fully sovereign people only to be confronted later in life by a different reality is not only alienating, but miseducating. In a sense this makes teachers the official liars of society.²

These sweeping prescriptions on education are compulsory; such uniformity in objectives and curricula do little for individuality. They tend to make schools monolithic and dreary institutions.

In the formulation of an educational code there are at least two alternatives: first, to systematize existing laws and regulations for purposes of clarity and consistency; second, to criticize and improve upon such laws on the basis of certain assumptions about Philippine society.

If the first approach is adopted, the code would be implicitly endorsing the existing orientation toward control.

The second approach involves, among other things, developing a better balance between social control and freedom. It might also involve infusing a more innovative, developmental spirit into the laws by providing a wider latitude for action by those who now work in the educational system under severe legal, political and economic constraints. "Development" here is equated partly with the liberation of the mind, which was one original purpose of education. It is also identified with efforts to redress the gross inequalities of Philippine society. While the law is largely reactive, it need not be so with respect to education. It can anticipate the future by providing room for individual liberty without drastic dislocations in the social order.

A few illustrations might help clarify the point.

The Curriculum

All rhetoric to the contrary notwithstanding, curricular requirements are generally prescribed by laws and bureaucratic directives. Teacher participation in curriculum development is largely

² Com. Act No. 586 (1940)—An act to provide for the revision of the system of public elementary education in the Philippines including the financing thereof.

mythical. Since teachers and professors, for that matter, are the ones who witness directly the effectiveness or lack of effectiveness of curricular prescriptions, should this power remain where it is now?

Perhaps the most radical change in the history of Philippine education occurred during American rule, when English was prescribed as the language of instruction.³ It has had profound social, political and economic consequences which extend to this day. Implemented by an office which became excessively bureaucratic, it was effective in developing attitudes of consumerism, particularly towards American products in an economy that remains largely agrarian. Contrary to the avowed American purpose of democratization, it perpetuated a two-class social structure: the English-speaking, and non-English speaking, the employed and unemployed, the affluent few and the numerous poor.

Another significant consequence was the failure to develop an intelligent and critical sense of nationalism based on a knowledge of harsh realities, *viz.*, our continuing neo-colonial dependence on the United States and more recently, on other rich countries such as Japan. Part of this failure is a lack of appreciation for matters Philippine, specially local products and a disvaluing of characteristics considered dysfunctional for national development, *viz.*, the large family.⁴

The present bilingual policy for school instruction⁵ is based on *realpolitik*: English is an international language, while Filipino is becoming the *lingua franca* of the people. Yet the latter was initiated by legislative fiat,⁶ and its patterns of evolution in the schools and in the towns and cities are different. If language expresses man's definition of reality, are the people being served well by this policy if it results in different, incorrect or even contradictory conceptions of reality?

Apart from previous curricular legislation such as the compulsory study of Rizal's works, the study of Spanish, there are more recent curricular imperatives that have resulted in overloading, *viz.*, drug education, music, population, sports development.⁷

³ REV. ADM. CODE, Sec. 922—Language to be used.—The English language shall, as soon as practicable, be made the basis of all public school instructions.

⁴ GUTHRIE & JACOBS, CHILD REARING AND PERSONALITY DEVELOPMENT IN THE PHILIPPINES 66-68 (1966).

⁵ Dept. of Education Order No. 9, s. 1973—The language policy in Philippine education.

Dept. of Education Order No. 25, s. 1974 — Implementing guidelines for the policy on bilingual education.

⁶ Com. Act No. 570 (1940) — An act making the Filipino national language an official language from the fourth of July 1946.

⁷ Rep. Act No. 1425 (1956)—An act to include in the curricula of all public and private schools, colleges and universities courses on the life, works and

A research conducted by EDPITAF implicitly concedes that the flood of curricular prescriptions and innovations has produced large numbers of illiterate elementary graduates.⁸ This suggests that the essential equipment for upward social mobility in a quasi-capitalist economy — literacy, numeracy, etc. — has been denied to the children of the poor majority.

In performing its ministerial functions, the Department of Education and Culture has tended to impose educational innovations unilaterally rather than in consultation with parents, students and teachers. A sobering example is the prescription for continuous progression which has since been abolished after several years. This paper is not concerned with the merits of continuous progression, but with the disservice done to the young whose education is presumably the Department's major concern. Those years of experimenting with continuous progression are irretrievable and the large number of non-literate graduates constitutes a serious waste of resources.

Under existing laws and regulations teachers, and students may not depart from prescribed curricula without going through bureaucratic procedures which tend to extinguish professional growth and enthusiasm.

The Service Manual of the Bureau of Public Schools, which has served as a Bible for School teachers and administrators for many years states:

Sec. 59. The program of studies issued by the General Office for each type of school, although intended for all schools of the indicated type, cannot be expected to meet the peculiar needs and conditions

writings of Jose Rizal, particularly his novels *Noli Me Tangere* and *El Filibusterismo*, authorizing the printing and distribution thereof, and for other purposes.

Rep. Act No. 343 (1949)—An act including the teaching of Spanish language in high schools of the Philippines.

Rep. Act No. 709 (1952)—An act declaring obligatory the teaching of Spanish in all courses of public and private universities and colleges in the Philippines.

Rep. Act No. 1881 (1957)—An act amending Section I of Republic Act No. 709, entitled "An act declaring obligatory the teaching of Spanish in all courses of public and private universities and colleges in the Philippines."

Rep. Act No. 4723 (1966)—An act giving importance to the teaching of music in the curricula of elementary and secondary schools and appropriating funds therefor.

Rep. Act No. 5708 (1969)—An act providing for the promotion and financing of an integrated physical education and sports development program for the schools in the Philippines.

Rep. Act No. 6425 (1972)—The Dangerous Drugs Act of 1972.

Letter of Instruction No. 47 (1972).

⁸ SOUTELE, THE OUTCOMES OF PHILIPPINE ELEMENTARY EDUCATION, A REPORT ON THE MAJOR FINDINGS, EDUCATIONAL DEVELOPMENT PROJECTS IMPLEMENTING TASK FORCE (EDPITAF) (1976). [Mimeo]

in every school and community. Such programs and courses of study are intended not as prescriptions or blue prints but rather as suggestive patterns and models for the guidance of local school officials and teachers. These officials and teachers are encouraged to make appropriate adaptations in curricula, programs and courses of study, instructional materials in accordance with the needs of and conditions in their respective communities. *However, any radical departure from prescribed subjects and the curriculum should be made only with the prior approval of the Director of Public Schools.* (Under-scoring supplied)

On the one hand there is a disavowal of rigid prescription and on the other, an inhibition on "radical" curricular modification because a teacher must submit the proposal to the principal, who will submit it to the district supervisor, who will submit it to the division supervisor, who will submit it to the superintendent who will submit it to the Bureau director. It is not known whether this is now happening in the regionalized offices of education.

Why this conservatism? Simply because it is easier for administrators to have a uniform curriculum; performance in each subject with similar content can be evaluated through "standardized" or objective tests. The decision to institute the National College Entrance Examination must be recognized partly as a mechanism for controlling runaway social demand for higher education and effectively denying access to tertiary-level learning to poor, ill-prepared high school graduates. In this sense regulatory laws and rules can be regarded as supportive of administrative convenience rather than as facilitative devices for generating joy and excitement in learning.

Discrimination based on religion is conspicuously proscribed in the Constitution, and the administrative code: The latter prohibits the discussion of religious doctrines by public school teachers and others engaged in any public school.⁹ Of course optional religious instruction is also allowed, a concession to some vested interests.

The interesting point here is that religion is supposed to be a very significant element in our culture and among other Asian peoples. Yet the prohibition seems soundly based, because the history of religious wars in the West sustains it. Nevertheless, the exclusion of the intelligent discussion of religions as systems of belief

⁹ REV. ADM. CODE, Sec. 927—Discussion of religious doctrines to be eschewed. —No teacher or other person engaged in any public school, whether maintained from national, provincial or municipal funds, shall teach or criticize the doctrines of any church, religious sect, or denomination, or shall attempt to influence the pupils for or against any church or religious sect. If any teacher shall intentionally violate this section, he or she shall, after due hearing, be dismissed from the public service.

to which a high value is attached by many people, particularly among more mature students, may have led to the proliferation of such cults as the science of the mind, transcendental meditation, etc.

Nor is religion entirely unrelated to school rituals designed to develop loyalty to country. The flag ceremony¹⁰ observed in all schools every morning and afternoon became the subject of litigation when a religious group objected to saluting the flag because such an act would violate their religious beliefs. The Supreme Court decided that the school regulation on the flag ceremony was not violative of the right of an individual to religious freedom guaranteed by our Constitution — “that the Filipino flag is not an image that requires veneration; rather it is a symbol of the Republic of the Philippines; of Sovereignty, an emblem of freedom, liberty and national unity; that the flag salute is not a religious ceremony but an act and profession of love and allegiance and pledge of loyalty to the fatherland which flag stands for.”¹¹

There are also other special institutions which require close scrutiny, *viz.*, pre-school agencies which charge middle class parents exorbitant fees on the assumption that they offer children a very special preparation for subsequent formal schooling, a center which purports to improve the I.Q., a notion which has been hypostatized as the basis of ability to make it within the formal educational system.

According to Blumer, the use of intelligence tests is a classic example of operational procedure — the tests are reliable and standardized instruments; they yield empirical data capable of replication; and the data (I.Q.'s) can be fairly considered sound and valid empirical references of the concept of intelligence. Further analysis would show that operational procedure is not an empirical validation of what is being operationalized. The concept that is being operationalized through the I.Q. test, refers to something present in the empirical world in different forms and situations. Thus intelligence is seen as present in such varied settings as the skillful planning of the manager of a political campaign, the ingenious exploitation of a market situation by a business manager, effective methods of survival by a city slum squatter, the cunning of kidnappers and terrorists who have developed a sophisticated technology of crime, the construction of telling and moving verse by a poet. From these examples, it seems unwarranted to believe that the operationalization

¹⁰ Com. Act No. 589 (1940)—An act establishing a school ritual in all public and private elementary and secondary schools.

¹¹ Rep. Act No. 1265 (1955)—An act making flag ceremony compulsory in all educational institutions.

Dept. Order 8-55; Memo 46-62.

of intelligence through a given intelligence test yields a satisfactory and comprehensive picture of intelligence.¹² The net effect is that the I.Q. and other selection tests, have become social sorting devices. In sum, the curricular problem is not solely a managerial or financial issue. It has philosophical assumptions about the nature of man and society. On an empirical level, and based on the proposition that curricular programs are part of social policy, we should ask ourselves two fundamental questions:

1. Should all schools, including universities, train primarily for utilitarian purposes?
2. Should curricular judgments as reflected in school and college programs be strictly technical decisions?

If the answers to both questions are unqualified affirmatives and thence embodied in an educational code, the laws would be endorsing the tradition of strengthening social control without rectifying the imbalance between such control and individual freedom.

Pupils and Students

The Service Manual is concerned with pupil behavior and discipline:

Sec. 145. Pupils should be required to be clean, orderly, courteous and respectful, prompt, obedient, industrious and reasonably regular in attendance. Ordinarily, for first and second offenses (which are not specified, but which may include the wearing of long hair by boys — surely a question of great relevance to national development) which are not very serious in nature, a suspension from school of not to exceed three days may be authorized by the principal without prior approval of the division superintendent. A reasonable consideration for parents requires that they are fully informed by the teacher of the principal of any misconduct on the part of their children for which disciplinary action is necessary...

As a matter of fairness perhaps another rule should be drawn up which would "democratize" schooling:

Teachers, school heads and educational administrators should be required to be clean, specially in their buildings, their persons and languages, orderly, courteous, respectful to the pupils and students as human beings, prompt, obedient to the principles of justice and integrity, industrious and reasonably regular in attendance...

This is not suggested in a spirit of levity, but to stress the fact that educational laws and regulations almost always involve doing something to pupils and students. In a sense this makes them

¹² BLUMER, SYMBOLIC INTERACTIONISM, PERSPECTIVE AND METHOD 31 (1969).

objects and justifies the comparison of schools to factories, prisons and other total institutions, as Goffman defines them.¹³

Equally oppressive for the children of the poor majority is an Act regulating clothes for students of public high schools¹⁴ passed in 1931. This Act has been extended in some instances to elementary schools requiring pupils to wear uniforms. In some schools teachers are likewise obligated to don uniforms, ostensibly to blur class distinctions. Such laws and regulations are well-intended; they purport to effect economy, but in a study of a rural school it was noted that less than one third of the children used the prescribed attire. When questioned about this teachers suggested that the families of such children concerned probably could not afford to buy the uniforms, which were reasonably inexpensive from the point of view of those earning decent, regular incomes who comprised the economic elite of the barrio.¹⁵ Another aspect of such well-meaning laws is that laws and regulations for schooling are weighted in favor of social control. Why should school people's clothes be regulated as long as their garments are clean and presentable? This is not a brief for the semi-nudity so fashionable among rich urbanites. It is a plea for rules that spare the schools' poor clientele unnecessary expense. Other laws affecting pupils and students provide for the medical inspection of the children in the public schools.¹⁶ Again the purpose is commendable, but implementation is another matter. In the rural school study previously mentioned no physician appeared during a one year period, and one dentist arrived once, causing the youngsters consternation — experience had taught them that tooth extractions and other dental services were painful.¹⁷

Teachers

What about the teacher/s? From her admission to a public normal college to her retirement laws and regulations impose limits on her freedom, even when it is exercised for professional improvement.

¹³ Goffman, *The Characteristics of Total Institutions* in ETZIONI, COMPLEX ORGANIZATIONS 312-340 (1961).

¹⁴ Act No. 3859 (1931)—An act authorizing and directing the Director of Education to issue regulation sfor the use of dresse sand clothing of economical material by the students of the public high schools, secondary trade, agricultural, vocational and normal schools and for other purposes, and repealing act numbered thirty-four hundred and fourteen, commonly known as the uniform law.

¹⁵ MANALANG, A PHILIPPINE RURAL SCHOOL: ITS CULTURAL DIMENSION 198 (1977).

¹⁶ Act No. 3029 (1922)—An act to provide for the medical inspection of the children of the public elementary schools of the Philippine islands.

Rep. Act No. 124 (1947)—An act to provide for the medical inspection of children enrolled in private schools, colleges and universities in the Philippines.

¹⁷ MANALANG, *op. cit.*, *supra*, note 15.

The Magna Carta for Public School Teachers, Rep. Act No. 4670, focuses on qualifications for recruitment and career, (probationary period, educational credentials, tenure, transfer; a code of ethics and safeguards in disciplinary procedures against teachers); hours of work and remuneration which has never caught up with the steady increase in the cost of living, leave and retirement benefits; national teachers' organizations which are supposed to be consulted in the formulation of national educational policies and professional standards, but are not represented in the National Board of Education; administration and enforcement of rules and regulations. It has not been very effective in the intellectual and economic liberation of teachers, for it tends to dwell on administrative minutiae and criteria for service and benefits. Although its purpose is commendable, its net effect has been to help maintain a less than desirable state of affairs. To be admitted to such a recognized college, the applicant who aspires to be a teacher must, *inter alia*, pass a physical examination and interview.¹⁸ In implementing this requirement the Philippine Normal College denies admission to a person with obvious physical defects like lameness, cross-eyedness, blindness, hardness of hearing, abnormal speech, dwarfness, loss of arm, etc., which handicap teaching performance.¹⁹

While the other defects may indeed affect teaching performance, lameness, for instance, does not necessarily have such an effect. A brilliant scholar who limps is worth ten mediocre teachers unafflicted by physical handicaps.

Permanent appointment to the public school service is based on passing civil service and teacher selection tests and also on length of teaching experience.²⁰

All curricular legislation involving compulsory additional subjects naturally affect the teacher's work load. In fact the National Board of Education may prescribe a uniform lesson plan in the public schools upon the recommendation of the Secretary of Education which shall be printed and distributed to all public school teachers.²¹ It has already been mentioned that curricular modifica-

¹⁸ BUREAU OF PUBLIC SCHOOLS SERVICE MANUAL, Secs. 91, 93, 94 (1959).

¹⁹ Philippine Normal College, Bulletin of Information (1966).

²⁰ Rep. Act No. 186 (1974)—An act to consider teachers and other civil service employees with certain educational qualifications who have been in the government service continuously for ten years as civil service eligibles without taking any civil service examination.

Rep. Act No. 2260 (1959)—An act to amend and revise the laws relative to Philippine Civil Service (otherwise known as the Civil Service Act of 1959).

²¹ Rep. Act No. 4456 (1965)—An act providing for uniform lesson plans in public schools and authorizing the appropriation of funds therefor.

tions initiated by teachers are extremely difficult to effect because of bureaucratic constraints.²²

If a teacher wants to pursue further study she can apply to do so only if her efficiency rating is Above Average (Draft Circular No. 17 S60), after at least seven years of continuous service, nor can her study leave with pay exceed one year.²³

Since salary raises and promotions are contingent on the acquisition of academic credits and credentials she is caught between the need for professional improvement to advance her career and the restrictions imposed by the bureaucracy.²⁴

The foregoing suggests that the system does not encourage genuine scholarship, let alone creativity. The usual motive for acquiring higher academic degrees is promotion to a better paid administrative positions. The system reflects the inequities of modern organizations, where those who perform the gut work receive less than those whose work is merely supportive or directive.

Teachers are also supposed to enjoy academic freedom²⁵ but under present conditions it is little more than an inspirational myth. In many societies some myths may be needed to maintain a semblance of solidarity, viz., the American notion of equality, but others may be debilitating. A neophyte teacher who believes that she can be creative and exercise academic freedom in teaching runs the risk of frustration and alienation.

A teacher may not seek transfer without having served for two years in her assignment and to do so the request must be submitted to the superintendent, an official who is usually remote from teachers in distant schools.

While teachers may join any organization of their choice,²⁶ they cannot go on a strike, however valid their grievance.²⁷

²² BUREAU OF PUBLIC SCHOOLS SERVICE MANUAL, Sec. 145.

²³ Rep. Act No. 4670 (1966)—The Magna Carta for Public School Teachers.

²⁴ WAPCO Salary rates as per Rep. Act No. 4151 (1964)—An act to standardize the salaries of directors, assistant directors, administrative officers and superintendents in the general offices of the bureau of public schools, bureau of vocational education, bureau of private schools, the board of national education and the department of education.

Rep. Act No. 4477 (1965)—An act providing for new classification of provinces and cities and fixing the rates of salaries of the officials thereof and for other purposes.

²⁵ Rep. Act No. 4670 (1966)—Academic Freedom.—Teachers shall enjoy academic freedom in the discharge of their professional duties, particularly with regard to teaching and classroom methods.

²⁶ Implementing Rules and Regulations of the Magna Carta for Public School Teachers, Rule XVI, sec. 1.

²⁷ Code of Professional Ethics for Public School Teacher and Officials, Art. VI, sec. 4.

Are teachers in the private sector better off than their peers in the public service?

Chapter III, Article 122, Sections i and j of a proposed private Education Code obliges the teacher —

To avoid any professional or personal action or activity which may result in economic loss or legal and social embarrassment of his/her school;

To state clearly, when giving out public statements, whether he/she speaks as an official representative of his/her school or as an individual citizen....

These provisions suggest that the general intent of the proposed code is to protect the institution rather than the teacher. Clever legal sophistry can interpret critical statements as "embarrassment" of the school. These injunctions clearly relate to academic freedom and the constitutional mandate on freedom of expression.

Since women comprise an overwhelming majority of school teachers, their status given teachers is cause for concern. It appears that school teachers are an oppressed sector of society, and the fact that most of them are women belies to the popular notion that Filipino women enjoy equality with men.

Textbooks and Other Instructional Materials

The Board of Textbooks is the official body created to select and approve textbooks to be used in the public schools, and to pass upon books intended for private schools which are submitted to it for consideration. Such books must exclude content offensive to the government and the Filipino people. They must not contradict general governmental policy.²⁸ Since its establishment its powers of decision on textbooks have been extended to include supplementary readers.²⁹

²⁸ Rep. Act No. 139 (1947) as amended—An act to amend certain sections of Act No. 2957, entitled "An act creating a Board to have charge of the selection and approval of the textbooks to be used by the colleges and schools of the Government, and for other purposes," as amended by Act Nos. 3185 (1924), 3402 (1927) and 3773 (1930).

²⁹ Rep. Act No. 4092 (1965).—An act to amend Sections 7 and 8 of Com. Act No. 586 entitled "An act to provide for the revision of the system of public elementary education in the Philippines including the financing thereof," as amended, to provide for the support and maintenance of intermediate schools in all chartered cities by the national government and for the purpose of abolishing the matriculation fees of pupils enrolled in the intermediate grades and providing funds for the purchase of supplementary readers and other library books and for financing athletic activities in the intermediate classes, and for other purposes.

The rationale for such a body is to have experts who are in a position to judge the quality of textbook content.

Yet as early as 1925 the Monroe Survey Commission had criticized the composition of this Board in that many of its members lacked the necessary qualifications for selecting textbooks which it considered a technical task.³⁰

It will be noted that the Filipino perspective embodied in Rep. Act No. 4092 focuses on political criteria for textbook content, while the American Survey Commission took an essentially technocratic position on the matter.

More recently, the increasingly prohibitive cost of books moved President Marcos to issue a decree³¹ authorizing the compulsory licensing or reprinting of educational, scientific or cultural books and materials as a temporary or emergency measure.

At present most of the new elementary and secondary textbooks are now being written by teams selected by government organizations. Publication contracts may be awarded, probably through public bidding, to publishers. In other words textbook content has become a state monopoly, excluding the healthy diversity that the previous system, however imperfect, engendered.

There is cause for apprehension over this monolithic, unilateral control exercised through books. It is a very effective method of mental conditioning. It can produce fanatical and dogmatic minds who will impede rather than promote national development.

The pro-American books on Philippine History, for example, have probably contributed to the development of the so-called colonial mentality. This attitude has created a crisis of identity in Western-oriented experts whose values may be disjunctive with those of the majority. If this crisis were purely personal, the schools' clientele would be affected minimally. But when it extends to the pursuit of Western models of development with little regard for the unique conditions of Philippine society and indigenous values the nation's well-being is at stake.

What can the law do about this?

Another instance is the increasing role of communication technology as a means of delivering basic education to a rapidly growing clientele more efficiently.

³⁰ MONROE, A SURVEY OF THE EDUCATIONAL SYSTEM OF THE PHILIPPINE ISLANDS 25-27 (1925).

³¹ Pres. Decree No. 285 (1973).

One example is a scheme for rural teacher training which depends heavily on a modular self-learning correspondence course, radio broadcasts and TV to instruct teachers in such matters as nutrition and family planning. Later the program will be extended to other people in remote communities.³²

When implemented on a national scale, the possibility that the mass media may replace teachers and deinstitutionalize teacher education cannot be entirely ruled out. A less Draconian effect is the diminution of the teacher's role to an adjunct of producers of instructional materials and technological disseminators.

In this project only those teaching materials produced by curriculum teams and disseminated by technological personnel would reach the clients. The largely unilateral transmission of information would become reciprocal through occasional conferences. While there would be feedback, it would constitute reportage on what is transmitted, not on what is omitted. The selective nature of curricular content is one of the continuing problems of education and the imperfect answer has been to permit the transmission and discussion of as wide as diversity of important views as possible in those areas of learning where no certainties or absolutes prevail. The substitution of communication technology for interactional and interpersonal learning in the classroom does not augur well for well-rounded, balanced education.

There is also under consideration a project to use communication technology, perhaps in the form of a satellite, for formal and nonformal education, information and communication. Several points of entry for communication technology in education have been identified, one of which is the programming of attitudinal changes so that social demand for college education in overcrowded programs will decline.³³

There is cause for concern in the proposal to shape attitudes, for it relates in a very fundamental way to questions of authority, freedom and equality, particularly between the formulators and disseminators of messages, on the one hand, and the recipients, on the other.

As yet there are no definitive laws on how to monitor the mass media as vehicles of information and education. The balance between

³² An Institute for Distance Study (IDS) (mimeo), a project discussed at the University of the Philippines, April 14, 1976.

³³ Basic Workshop Papers, "Communication Technology in Education Conference," May 4-20, 1976 held at EDPITAF as part of a Pre-Investment Study on Communication Technology (mimeo). The writer was a consultant on curriculum at this conference.

social control and liberty is particularly crucial in these media because —

The reality to which people will react becomes increasingly that which is communicated to them as reality—not that which they observe for themselves. More significantly, reactions themselves will be communicated by the selected or accidental form and substance included in the medium. That which does not reach the great and pervasive media of communication will become increasingly, for pragmatic purposes, non-existent.³⁴

The assertions on Philippine textbooks, the emerging role of teachers and the use of educational technology are based on the National Economic and Development Authority (NEDA) Development Plan, 1978-1983, Chapter X, "Education and Manpower Development."³⁵

Third IBRD Education Project. The components of the Project which covers the five-year period from 1976-1977 to 1980-1981 are: (a) the establishment from among existing institutions of a nation-wide textbook-cum-staff development network; (b) the development/production and distribution of about 60 million textbooks to be given to public school students and teachers for elementary and secondary levels on a loan-free basis; (c) the strengthening of existing textbook distribution facilities, delivery funds and staff, including the systematization of procedures utilized for monitoring and inventory control; (d) a pre-investment study on the uses of satellite for education broadcasting both in the formal and non-formal sectors; and (e) support to the establishment of an integrated Management Information System in the DEC. The textbook development program component is expected to lower the pathetic 9:1 pupil textbook ratio to a satisfactory but not ideal 2:1 ration.

Development of Learning Continuum

Designed to meet the needs arising out of the departure from the traditional textbook-centered learning method, this project seeks to develop a learning continuum with emphasis on the development of self-reliant skills which are requisites of the application of new learning. The project involves the production of prototype work-oriented teaching guides for work education; revision of existing teaching guides; preparation of supplementary instructional broadcasts and telecasts, modules, self-learning kits, brochures, pamphlets, manuals, pre-elementary education handbook. In-service train-

³⁴ Haskew, *What Lies Ahead?*, Chapter 2 in MORPHET & JESSER, EDS., *COOPERATIVE PLANNING FOR EDUCATION IN 1980, OBJECTIVES, PROCEDURES AND PRIORITIES* 16 (1968).

³⁵ Published in 8 *FAPE REVIEW* (Oct., 1977).

ing programs will likewise be conducted to equip them (teachers) with competence to ensure effective utilization of the instructional materials in the learning continuum and proper implementation of innovative techniques and approaches.

The underlying assumption of these projects is more and better education at less cost. We can be certain of the former but not of the latter, for if the materials are packaged in modules and self-learning kits the results will be well-trained, but not necessarily well educated graduates. Yet virtually all educators mouth the rhetoric of the urgent need for intelligent, participative citizens and reflective men and women. The technocratic approach implicit in the NEDA plan reflects the production model of schooling. The economical and effective delivery of mass education and the development of critical powers essential to responsible citizenship and personhood are difficult to combine, but it is submitted that both are necessary and both are essential components of national development.

The foregoing illustrate how existing laws and regulations and plans to implement state policies strengthen social control as well as how the lack of clear laws on certain aspects of education may have serious implications for Philippine society.

Conclusion

If an educational code is to be meaningful and comprehensive, perhaps it should be based on certain assumptions, some of which are:

1. The code should observe a proper balance between social control and individual freedom, between organizational authority and personal rights as well as responsibilities.
2. Its basic orientation should be the welfare and well-being of those who are supposed to be the chief beneficiaries of the educational system: the pupils and students.
3. It should apply equally to public and private educational institutions.
4. It should be based on the right of every citizen to an adequate education, proscribing any rule or provision explicitly or implicitly discriminatory by way of social class, sex, race, religion, ideology or political affiliation.
5. Those who work directly to achieve the purposes of education are entitled to protection by a definition and specification of their duties, rights and privileges.

6. The code should be comprehensive and broad in scope in order to maintain its validity over an appreciable length of time.

7. It should be flexible enough to be adapted to changing social and economic conditions without impairing its fundamental aim.

In this connection it seems germane to paraphrase the questions of an American educator: How much uniformity do we need in education for security? And how much diversity do we need for progress?