

## **CHAPTER II**

### **NATIONAL POLICIES ON HUMAN RIGHTS EDUCATION IN SCHOOLS**

The formal education system in the Philippines is a product of almost 400 years of colonial rule and half a century of unstable post-colonial government. It developed in accordance with the character of the government in existence. The formal education system under the Spanish colonial rule (1565-1899) was limited and catered mainly to the small Spanish community and the upper class Filipinos until 1863 when an education decree was issued for the establishment of a primary school in each town. (Diokno and Villegas: 1998, 120-121; Arcilla: 1971, 50-51) The American colonial government (1899-1946) introduced the universal public school system, and opened opportunities for more Filipinos to get formal education. The short Japanese colonial rule (1942-1945) likewise supported education. All these education systems aimed at maintaining loyalty to the colonial governments. The focus of education changed according to the interest of the colonial government – Catholicism and loyalty to "mother" Spain for the Spanish colonial government, American brand of democracy and economic development for the American colonial government, and new Filipino culture (opposite the Western culture) based on "self-consciousness as Orientals" for the Japanese colonial government. (Jose: 1998, 224-225) Post-war governments focused on "nation-building" including the economic development of the new Republic.

Though major changes in the education system occurred during the last 50 years, the general character of the national political, social and economic context has remained largely the same. Elitist political, social and economic system did not lead the educated population to economic prosperity. Despite high national literacy rate, a significant portion of the population still lived below poverty line. The education sector has suffered much from either politicization that suits the interest of those who hold power in government or neglect in favor of other concerns.

From the end of the Second World War, the education system has been facing a fast growing population whose need for education has not been fully satisfied. Social unrest, resulting from the continuing social injustice, has created additional challenge to the task of providing universal education. Armed conflict has been depriving children in certain areas of the country of the education they fully deserve. Quality education has become a major concern in terms of content and capacity of the educators to deliver desired learning output.

#### *The recent decades*

During the last three decades, the Philippine education system underwent significant phases of change. Martial rule (1972-1981) brought out the education policy of promoting the “New Society” with the requirement of molding disciplined citizenry for economic development. The education system was used to support the authoritarian government to the point of undertaking a massive task of changing culture through a variety of means from learning materials that praise the “New Society” and then President Ferdinand E. Marcos as the new hero to singing new government anthem during morning ceremonies to engaging students in extra-curricular activities (such as community service) – all upheld the motto “Sa ikauunlad ng bayan, disiplina ang kailangan” (For the development of the country, discipline is necessary). While indeed a sense of discipline was necessary to move the country forward, the authoritarian government was not known for tolerating independent thinking in the education system since this would lead to a critical view of the government.

Social unrest continued during this period. Despite the avowed objective of the government to pursue “democratic revolution” or “revolution from below” (non-violent societal change centered on agrarian reform), the communist movement grew in strength and continued to engage the government in armed conflict. A separatist Muslim movement arose and started its armed campaign to secede from the Philippines. The armed conflict situation became the context for the rise of warrantless arrests, indefinite detention, torture, disappearances and extrajudicial killings (*salvaging*) of politicians, intellectuals, student activists, non-governmental organization (NGO) workers, laborers and farmers. A climate of fear pervaded the country, with the military establishment taking a major part in the process.

The promised economic development under martial rule turned out false. Long suspected corruption and economic mismanagement led to economic crisis in the early 1980s. Political crisis ensued with the growing opposition to the Marcos government kindled by the assassination of a leader in the political opposition (Benigno Aquino, Jr.) in 1983. Three years later, in 1986, with the opposition to the government spreading to the whole country, a failed military coup led to the so-called EDSA People Power. The military establishment succumbed to the pressure of the public (with thousands of people gathering in Metro Manila’s EDSA highway) for a peaceful change of government. President Marcos, after the United States government withdrew its support, was forced to relinquish power.

The change of government brought about the adoption of the 1987 Philippine Constitution. Aside from provisions on mechanisms designed to prevent a repeat of the dictatorial rule under Marcos, the 1987 Constitution tries to address the major problems confronting the country – economic underdevelopment, lack of participation of people in governance, and human rights violations. It is a total departure from the 1973 Constitution, its immediate predecessor. The 1973 Constitution was designed to support the Marcos dictatorship while the 1987 Constitution contained provisions to prevent another dictatorship. The

commission that drafted the 1987 Constitution was very conscious and cautious in ensuring that democratic principles were strengthened and provisions were made against any use of power in support of dictatorial rule. Hence it included human rights in the different sections of its draft constitution.

As a result, a new legislature, but very similar to the pre-Martial rule legislative body, was inaugurated. The new government promised to be different from the Marcos government. It offered new opportunities for changes in the education system. Corazon C. Aquino, as President, initiated education reforms by incorporating values education as one of the subjects in basic education and teacher education institutions. The values education program was the flagship program of the then Secretary of the Department of Education, Culture and Sports, Dr. Lourdes Quisumbing. This was also the beginning of the incorporation of human rights education into the basic education as a means of restoring the values of democracy after the Marcos dictatorship.

The government of the succeeding President (Fidel V. Ramos, 1992-1998) successfully pursued peace talks with the communist and Muslim-secessionist movements. It also implemented a relatively successful deregulated economic development program that spurred vigorous economic activities from the private (local and foreign) sector. The government adopted a Medium-Term Development Program (MTDP) for the 1993-1998 period that prescribed investment in education and building of human capacities through skills training and poverty alleviation programs. The government also approved a 10-year education project (1997-2006) directed at the poorest provinces in the Philippines (called Third Elementary Education Project or TEEP) with funding support from Japan Bank for International Cooperation (JBIC) and World Bank (WB). TEEP aims to a) improve the learning achievements, completion rates and access to quality primary education in 23 poor provinces; b) build the institutional capacity of the Department of Education (DepEd) to manage the change process; and c) actively involve the community and the local government in the effort. President Ramos also signed two important documents to pursue human rights education in the country: Human Rights Education Decade Plan and Philippine Plan on Gender and Development.

During the term of the next President (Joseph Ejercito Estrada), education became a major issue through a legislative committee report on the deteriorating state of the education system and the need to provide more funding and other support for its development. This led to the Project Teacher Amelioration for Optimum Welfare, which aims to "improve education by improving teacher welfare." This was a joint project of SEAMEO-INNOTECH, DepEd, and the Philippine Senate. One result, based on its survey of the situation of teachers, is the finding that the "teachers are mostly young, married women; hence the need to provide maternity benefits and substitute teachers." (Cabanatan 1999) During this period however scandals hit the government, including a case on textbooks procurement. With increasing public perception of corruption and cronyism in the

government, and public anger on the effort to muzzle an impeachment process, President Estrada was forced out of office in the second EDSA People Power.

The succeeding government of President Gloria Macapagal-Arroyo adopted a new school curriculum for primary and secondary levels, known as Basic Education Curriculum. The new curriculum, according to the DepEd, is a product of 16 years of study, and consultations with various stakeholders - the schools, parents, students, business, trade and industry, NGOs and the people in the DepEd who administer the education system at the ground level. It focuses on the basics of reading, writing, arithmetic, science and patriotism. Values are integral to all the subject areas; hence, this was a big opportunity for the integration of human rights values and concepts in basic education curriculum. For the tertiary level, the Philippine Constitution is a mandated course for general education, and human rights education became one component in the Licensure Examination for Teachers.

Post-Marcos governments share the same problem of a national economy that is not strong enough to lift a significant number of the population out of poverty. Political crises hamper efforts to achieve this goal, in the same way that the continuing armed conflicts sap much of the government resources that should be channeled to economic and social programs. (Human Development Network: 2005: 3-31) This situation affects the education system, which continues to suffer from limited school facilities and learning materials, lack of adequately trained teachers, among others, because of budgetary constraints. This is a major problem resulting from the failure of the government to allocate more funds to the education system as investment for the development of the country.

### **CONSTITUTIONAL MANDATE ON HUMAN RIGHTS EDUCATION IN THE PHILIPPINES**

The 1987 Constitution is credited for its strong support for human rights. Its State Policies (Article II, Sec. 11) provide, among others, the following:

- The State shall promote social justice in all phases of national development.
- The State values the dignity of every human person and guarantees full respect for human rights.
- The State recognizes the role of women in nation-building, and shall ensure the fundamental equality before the law of women and men.
- The State shall protect and promote the right to health of the people and instill health consciousness among them.
- The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.
- The State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare.

- The State recognizes and promotes the rights of indigenous cultural communities within the framework of national unity and development.
- The State shall guarantee equal access to opportunities for public service, and prohibit political dynasties as may be defined by law.

Constitutional law commentators stress the Bill of Rights as the main human rights content of the 1987 Constitution. They emphasize that this Bill of Rights has better provisions compared to those in the previous Philippine Constitutions of 1935 and 1973. By definition, the Bill of Rights pertains to civil and political rights, and includes such basic rights as right to life, liberty, and property. But the 1987 Constitution has other provisions on human rights relating to economic, social and cultural issues. A whole new section, entitled “Social Justice and Human Rights”, contains provisions on health, women, role and rights of people's organizations, and human rights which are not found in the previous Constitutions.

The subsection on human rights creates an independent office called the Commission on Human Rights which is mandated to

*establish a continuing program of research, education, and information to enhance respect for the primacy of human rights.*

There is also an explicit provision on human rights education. The section on education (Article XIV, Section 3[2]) requires all educational institutions to “inculcate patriotism and nationalism, foster love of humanity, respect for human rights, appreciation of the role of national heroes in the historical development of the country, teach the rights and duties of citizenship...”

The 1987 Philippine Constitution provides strong rationale for the government to promote, and implement programs on, human rights education in the country. Considering the numerous provisions on specific human rights, it likewise provides the content of human rights education that schools should promote.

### **Implementation of the constitutional mandate**

The 1987 Constitution requires enabling legislations to fully implement many of its provisions. On human rights and related issues, several laws and executive orders/issuances subsequently came out. A 2003 law declares December 10<sup>th</sup> to 14<sup>th</sup> of each year as the “National Human Rights Consciousness Week” and requires all branches of the government as well as private institutions to observe such week (Republic Act No. 9201 - An Act Declaring December 4 to 10 As National Human Rights Consciousness Week in the Country, promulgated on 1 April 2003).

The law directs all educational institutions to celebrate the Human Rights Week. It states that

*All levels of education/learning institutions, both public and private, shall celebrate the week through simple and appropriate ceremonies and activities to propagate, particularly among the students, a human rights culture that aims at sustainable development in the country. (Section 4)*

The institutionalization of weeklong celebration of human rights was started earlier through a 1987 Presidential Proclamation (Proclamation No. 177 issued by then President Corazon Aquino on 30 October 1987) which declares December 3<sup>rd</sup> to 10<sup>th</sup> as Human Rights Week. It mandates the Philippine Commission on Human Rights (CHR) to initiate activities that would highlight the observance of Human Rights Week. It urges all government offices and agencies to conduct commemorative and educational activities. The 2003 law superseded this 1987 proclamation.

There are likewise specific-sector laws, policies and programs that implement the constitutional provisions on human rights.

### **Women**

In 1988, the government issued an executive order adopting the Philippine Development Plan for Women for the 1989 to 1992 period (Executive Order No. 348). It was followed by a law on women in development and nation-building in 1992 (Women in Development and Nation Building Act, Republic Act No. 7192), which led to the Philippine Development Plan for Gender-Responsive Development or PPGD (Executive Order 273) in 1995. PPGD covers the 1995-2025 period, and superseded the 1988 plan.

PPGD is the country's long-term plan for gender and development. It sets down the priority gender and women concerns of the country that should be addressed within a 30-year period. Essentially, the PPGD is the most logical translation of the 1995 Beijing Platform for Action (BPA) of the Fourth World Conference on Women (Beijing, People's Republic of China) into national commitments and initiatives.

The executive order requires all agencies of the government to implement the PPGD in their own areas of concern. Part of the PPGD concerns the education of women and girls. Hence, the DepEd and the Commission on Higher Education (CHED) are mandated to implement PPGD in all schools of the country.

The executive order assigns the National Commission on the Role of Filipino Women with the assistance of the National Economic and Development Authority to be the lead agency in monitoring the implementation of PPGD in all government agencies.

Pre-1995 government issuances are still applied in implementing the PPGD. The Office of the President of the Philippines issued memorandum Circular No. 94-1 in 1994 to adopt the Gender and Development (GAD) Program. This memorandum provides the policy framework and procedures for planning and budgeting of Gender and Development Programs in all government agencies. This memorandum requires all government agencies to allocate five percent (5%) of their total budget to Gender and Development (GAD) Projects.

The Department of Education, Culture and Sports (now DepEd) issued DECS Order No. 48 (1990) to implement its GAD Program. This order requires the DepEd to integrate women's thrust and concerns into the school curriculums including teacher and personnel training. The goal of this policy is to eliminate gender biases by integrating gender-fair messages into the basic curriculum, instructional materials, everyday teaching/learning processes, policies, programs and projects in all schools.

DECS Order No. 19 (1990) organized DECS WID Focal Point to ensure that GAD Program is implemented. The Focal Point operates as a committee or task force headed by a Chairperson who reports directly to the Secretary of DepEd. Its initial membership was drawn from the following: General Manager (Bureau Director level), Division Chief, Assistant Division Chief, Board Secretary and Senior Analysts of DepEd.

In support of the integration of women's rights and concerns into the school curriculum, DepEd developed GAD core messages, which are used as guidelines for the promotion of gender-fair education in Philippine schools. These core messages are shown below:

#### **DepEd Key Concepts and Core Messages on Gender-Fair Education**

##### ***A. Shared Parenting***

1. In two-parent families, both father and mother share in child-rearing joys and responsibilities to develop the nurturing and emotive capabilities of each. Parents exercising shared parenting are better role models for their children.
2. In other families, all supportive adults in the household can share parenting.

##### ***B. Shared Home Management***

Both parents are capable income earners and providers for the family. Both parents perform household chores and attend to family needs such as health care, recreation and values education.

Economically able household members have the responsibility to share in providing for family needs.

Family budgeting is a joint family affair/concern.

##### ***C. Shared Decision-Making***

Decision-making is shared at all levels within the family.

- Openness between husband and wife is encouraged in all major and minor matters affecting the family.
- Family council for consultation should be encouraged to allow parents, children and other household members to speak and listen to each other freely.
- Determining the number and spacing of children and/or choice of fertility management to be used is a joint decision of husband and wife.

***D. Equal Opportunities***

Equal opportunity in education, non-traditional livelihood/occupation, health services, credit/loan programs should be provided to both male and female, e.g., admission policies, scholarship policies, training guidelines should be reviewed. Both male and female should have an access to resources, i.e. information, training, technology, credit.

***E. Equal Representation in Public Affairs (NGO, Bureaucracy, Electoral Politics, Business) and Enhanced Participation***

Provide opportunities for women to track their careers in the bureaucracy, business and in the NGOs.

Encourage women to enter electoral politics.

***F. Women's Roles and Contribution Visible, Valued & Recognized***

Make women affirm themselves as nurturer, mothers and producers.

Recognize the role of women as farmers, fisherfolk, traders, self employed, employers.

Women have proven themselves to be creative, versatile, intelligent, enterprising and hardworking. They can be self-propelled, self-directed and can handle multifarious jobs, accept challenge with "tact", initiate savings and utilize resources efficiently, and excel in music, entertainment and the arts.

Women can be active in the field of science and can involve themselves in environmental protection, livelihood projects, continuing education and community work.

***G. All Forms of Violence Against Women Eliminated***

Make women realize that domestic violence is a social concern and not just a personal matter/problem and that they are entitled to help/assistance.

All forms of violence against women are human rights violation.

Domestic violence stems from unequal power relations between men and women, parents and children.

Consider existence of gender bias in the courts.

**Source:** Based on DepEd (2000)



The GAD Program through DepEd Memorandum No. 19 (2004) guides the training of personnel undertaken by the Staff Development Division-Human Resource Development Service. Section 2 of the memorandum states that the objectives of the program are to:

- a. Eliminate gender stereotyping in textbooks and instructional materials;
- b. Raise gender awareness among the participants enabling them to be more committed and responsive to equality;
- c. Facilitate the concept of mainstreaming gender concerns in accordance with the provisions of RA 7192 (1992) [Women in Development and Nation Building Act];
- d. Identify the different forms of violence against women and how to prevent them;
- e. Assess the status of the GAD programs in the region; and
- f. Develop a monitoring scheme in the different levels to sustain GAD advocacy efforts.

The laws on women and DepEd memorandums are very clear in their objective of promoting women's rights. Executive Order 348 even mandated that 5% of the annual budget of every government agency should be allotted to promote women's rights, specifically women's role in development. The framework in promoting gender-fair and gender-sensitive curriculum has also been laid down. There are two concerns left ambiguous however: the process of implementing the program in the field and its sustainability. There is no consistent mention of monitoring and evaluation of the programs, and there is no designation of specific personnel who will handle them. These provisions are crucial in checking accountability for program implementation.

## **Children**

The DepEd in partnership with United Nations Children's Fund (UNICEF) launched the program on Child-Friendly School System (CFSS) in 1999 under the Philippine Fifth Country Programme for Children (CPC V) in support of Education for All.

UNICEF provides technical assistance in improving classroom lessons and management, accessing safe drinking water and sanitation facilities, and facilitating genuine children's participation in school concerns.

The program covers the continued establishment of multigrade schools in depressed, deprived and underserved provinces in the Philippines.

Although schools with one teacher handling more than one grade has existed in the Philippines since the 1920s, a formal multigrade system called the Multigrade Program in Philippine Education (MPPE) was adopted in the Philippines in

1993. MPPE has the objective of improving access to primary education by providing complete grade levels in all public primary schools through the organization of multigrade classes. It also aims to improve quality by increasing teachers' abilities to work with more than one grade simultaneously through training and instructional materials. It legitimized multigrade teaching as a national strategy to improve access to and quality of school in all areas of the country. (Chesterfield, et al., 2005) Under the DepEd-UNICEF partnership, training on teacher-friendly school system for CFSS coordinators and school heads is also undertaken for those in CFSS schools. (DepEd Memorandum 319, 2005)

The Philippine National Strategic Framework Plan for Development for Children or Child 21, adopted in 2000 (Executive Order 310), provides an over-all policy guide for programs on children. It is a road map for the national government as well as for local government units, private initiatives and NGOs in setting priorities for action and in allocating and utilizing resources to promote the rights of Filipino children. It aims to synchronize family, community, and national efforts towards the full realization of the rights of children by 2025. Under this 25-year road map, a medium-term plan (*National Plan of Action for Children, 2005-2010*) was adopted in October 2005. The goals and targets of the medium term plan are "aligned with global frameworks e.g. Millennium Development Goals, World Fit for Children, EFA..."

Child 21 also presents strategic and programmatic frameworks that include cross-sectional strategies, as well as individual sectional program goals and strategies. The major goals of every program (health, education, protection and participation) are outlined. These are the road signs or milestones set forth for the medium and long term periods, based on the development stages and evolving capacities of the child (from the prenatal to adolescence period). (Council for the Welfare of Children)

Being premised on human rights instruments particularly the Convention on the Rights of the Child, Child 21 aims to make children, not only protected, but also able to genuinely engage and actively participate in decision-making processes and governance.

Its emphasis on school-community relationship under the child-friendly school concept, alongside the promotion of child rights in the schools, provides a good avenue for human rights education.

### **Indigenous children**

In support of the constitutional provision on indigenous peoples, a law was enacted in 1997 to protect and promote their rights. The law, known as "The Indigenous Peoples Rights Act of 1997" or IPRA restates the State policy of

recognizing its "obligations to respond to the strong expression of the ICCs/IPs [indigenous cultural communities/indigenous peoples] for cultural integrity by assuring maximum ICC/IP participation in the direction of education, health, as well as other services of ICCs/IPs, in order to render such services more responsive to the needs and desires of these communities."

The law provides that the State "shall guarantee the right of ICCs/IPs to government's basic services which shall include, but not limited to water and electrical facilities, education, health and infrastructure."

On education, two relevant provisions state:

*Sec. 27. Children and Youth.- The State shall recognize the vital role of the children and youth of ICCs/IPs in nation-building and shall promote and protect their physical, moral, spiritual, intellectual and social well-being. Towards this end, the State shall support all government programs intended for the development and rearing of the children and youth of ICCs/IPs for civic efficiency and establish such mechanisms as may be necessary for the protection of the rights of the indigenous children and youth.*

*Sec. 28. Integrated System of Education.- The State shall, through the NCIP [National Commission on Indigenous Peoples], provide a complete, adequate and integrated system of education, relevant to the needs of the children and young people of ICCs/IPs.*

The DepEd project for indigenous peoples education under TEEP relates to these legal provisions. The project recognizes the "fact that these [indigenous] pupils suffer from absenteeism, drop-out, poor academic performance, failure and even founded or unfounded prejudice. The academic performance of schools were said to have been usually pulled down by the performance of the ... [indigenous] pupils." (Quijano, 2004)

To support the development of education program for indigenous peoples, the Medium Term Philippine Development Plan - 2004-2010 provides a set of undertakings to realize the indigenous peoples' right to cultural integrity, social justice and human rights, and the right to self-governance. The Plan provides that the DepEd, NCIP and other concerned institutions have to:

1. Develop and promote a curriculum that will preserve the cultural heritage of the indigenous cultural communities/peoples;
2. Produce instructional materials and train the teachers in IP schools on the use of and requirements of the indigenous curriculum;
3. Include IP materials/documents in public libraries to permit information sharing/exchange between cultures; and

4. Accommodate IP students in all programs for children/students, e.g. [Government Assistance to Students and Teachers in Private Education] GASTPE, health and nutrition, arts and school sports and their teachers in in-service training programs. (MTPDP 2004)

Subsequently, DepEd issued in 2004 an order regarding permit to operate primary schools for indigenous peoples and cultural communities (DepEd Order 42). This order allows flexibility in registering indigenous schools, and thus facilitates their mainstreaming into the education system.

The government policies relating to indigenous children clearly emphasize the promotion and protection of their rights, and identify the education system as an important avenue to achieve this objective. In this context, education on the rights of indigenous peoples should be seen as inherent component of the policies.

## **HUMAN RIGHTS EDUCATION POLICIES IN THE PHILIPPINES**

The first major government policy on human rights education was issued under the so-called "Freedom Constitution"; a provisional constitution meant to govern a transition government established after the Marcos government fell in 1986. The then President, Corazon C. Aquino, issued on 4 July 1986 Executive Order No. 27 entitled "Education to Maximize Respect for Human Rights."

Eleven years later, then President Fidel V. Ramos issued Proclamation No. 1139 on 10 December 1997 declaring 1998 as "Human Rights Year in the Philippines" and the period 1998-2007 as "Human Rights Education Decade."

Executive Order No. 27 requires the integration of human rights education into the curriculum while Proclamation 1139 provides the mechanism for this purpose. Bridging these two executive issuances is the Philippine Human Rights Education Decade Plan, 1998-2007 (Philippine Plan). This is the first national plan on human rights education that covers formal and non-formal education systems in the country.

### **Executive Order No. 27**

Executive Order No. 27 of 1986 is significant for providing an explicit legal basis for the integration of human rights education into the curriculums of "all levels of education and training in all schools in the country."

It provides two sets of human rights to be taught in schools. The first set consists of human rights principles, and the laws and rules, relating to:

- dignity and rights
- torture

- arrest and detention
- Bill of Rights
- prisons and prisoners (including juvenile prisoners).

These human rights principles, according to the executive order, have to be emphasized "at all times."

The second set consists of "international conventions, agreements, declarations or covenants on human rights which were ratified by the Philippines or to which it is a signatory". They are meant to be included in the curriculum only if found to be "appropriate and practicable...in consideration of the needs and capabilities of students at different levels."

The first set of human rights content reflects the human rights concerns at the time of the issuance of the executive order. There was a strong hope that human rights education would help ensure that illegal arrest and detention, torture as well as improper prison conditions are addressed or prevented. The second list rightly gives importance to international human rights instruments - whether they were ratified or merely signed by the government. But their inclusion in the curriculum is subject to the existence of appropriate and practicable conditions. What are "appropriate and practicable conditions" have not been defined, however, either in the executive order or any subsequent issuances of the government.

The issue of human rights content should be considered resolved with the ratification of a new Constitution in 1987. Constitutional provisions on human rights namely the Bill of Rights and the "Social Justice and Human Rights" sections constitute a comprehensive coverage of international human rights standards. With these constitutional provisions, there is no reason for limiting the human rights content of human rights education to few issues. Also, the Philippine Plan shows a comprehensive set of human rights issues to be covered by human rights education.

Executive Order 27 was directed at the DepEd (then Ministry of Education, Culture and Sports) as well as the Civil Service Commission. The former to integrate human rights education into the curriculum (as well as in textbooks and other teaching materials) and the latter to include human rights in civil service examinations. The requirement of human rights knowledge in getting into the civil service has implication for the teaching license examination, and on the teaching of human rights in pre- and in-service teacher education.

The DepEd was also ordered to consult and coordinate its work with the then Presidential Committee on Human Rights. Under the 1987 Constitution, the Philippine Commission on Human Rights (CHR) succeeds the Presidential Committee on Human Rights. As discussed below, the DepEd now works with the CHR on human rights education in schools projects.



## **Philippine Human Rights Education Decade Plan**

In response to the United Nations Decade for Human Rights Education (1995-2004) [UN Decade], the CHR, DepEd, CHED, and Amnesty International-Pilipinas agreed in 1996 to jointly organize a series of consultation sessions in various parts of the country to be able to "draw out sectoral human rights education decade plans [at] regional and national levels." The consultation process started in late 1996 and ended with a national workshop in 1997 that drafted a national plan of action on human rights education. The national workshop was attended by representatives of government, non-governmental and academic institutions and used the regional plans of the earlier workshops in drafting the national plan. The draft national plan was adopted by the government in 1997, and named Philippine Human Rights Education Decade Plan, 1998-2007 (Philippine Plan).

The Philippine Plan focuses on 8 sectors grouped into 1) women, elderly, youth and children; 2) academe and basic education; 3) peasant, labor, overseas contract workers and urban poor; 4) media and professionals; 5) indigenous people and Muslims; 6) police military and law enforcers; 7) prisoners, detainees and refugees; and 8) persons with disabilities. It aims to develop human rights education programs in each sectoral group, including training of trainers and paralegals. For the youth and child sector, the Philippine Plan aims to institutionalize human rights education in all educational levels through information campaign, curriculum development, tri-media campaign, workshops, and literary/musical/ academic contests. The Philippine Plan provides that various government offices, the CHR, NGOs, youth organizations, art/cultural groups and media agencies are going to help implement this section of the plan.

### **Proclamation No. 1139 of 1997**

The 1997 Presidential Proclamation No. 1139 is another response to the UN Decade. It adopted the recommendations of the Philippine Plan by declaring 1998 as the "Human Rights Year in the Philippines" and the decade of 1998 to 2007 as the "Human Rights Education Decade" in the Philippines. Following the UN Decade's plan of action, and the recommendation of the Philippine Plan, the Proclamation created a Human Rights Education Committee composed of the CHR, eight Departments, three national commissions, the office of the Press Secretary, and two representatives of the private sector.

The CHR, as the Committee Chair, was expected to provide the expertise on human rights. While the DepEd, as the Committee Co-Chair, was expected to take care of the education component. Other government offices were expected to sensitize their respective personnel about the government responsibility to promote and protect human rights specifically regarding the groups they directly serve.

These executive issuances provide good support to the development of human rights education in Philippine schools. However, the viability, efficiency, effectiveness and sustainability of human rights education programs being supported by these executive issuances may face problems. Viable and sustainable projects need sufficient funds to support their implementation. The implementation of the Philippine Plan could have been better ensured by a provision in Proclamation No. 1139 on fund sources. Executive Order No. 27 does not mention the life span of the human rights education programs that designated government agencies were supposed to carry out. The lack of these provisions raises a question on the viability and sustainability of these government issuances on human rights education.

The efficiency and effectiveness criteria for a sound policy may be gleaned from clear mechanisms of implementation and evaluation of human rights education programs by the government agencies.

#### **ARTICULATION OF STATE POLICIES ON HUMAN RIGHTS EDUCATION IN THE BASIC EDUCATION LEVEL**

In compliance with Executive Order No. 27 of 1986, DepEd issued DECS Order 61 on 9 June 1987 to provide specific measures on human rights education. It provides that

- a. Human rights education should be under the Values Education Framework;
- b. In addition to human rights, the “accompanying responsibilities” must be taught;
- c. Human rights lessons can be included in Civics, Culture, Geography and History and Social Studies at the primary and secondary levels;
- d. The formulation and development of instructional materials may make use of a CHR primer on human rights;
- e. The respective DepEd bureaus for primary and secondary levels shall “prepare a suggested list of target learnings appropriate for each grade/level and corresponding prototype teaching-learning materials which shall serve as basis for regional initiatives in curriculum development and evaluation;”
- f. The regional education officials (Regional Directors) shall “provide leadership in the integration of human rights with the values education programs in appropriate subject areas, the development of corresponding instructional materials... the training of teachers... [and in] undertaking school-community enhancing activities like slogan and quiz contests and programs. (See Appendix B)

The instruction to the Regional Directors is important in the implementation of the human rights education program in the regions of the country. The Regional Directors are given “leadership” role in undertaking a number of important



measures on human rights education in schools. Does “leadership” mean that sufficient authority is being provided to Regional Directors to implement Executive Order 27 at school level? Viewed from the perspective of decentralized system of government, could the word “leadership” lead to a possible interpretation that the Regional Directors, being key officials at the local level, may or may not fully support human rights education in the schools based on their discretion?

It is also important to note that this Department Order explicitly requires the teaching of human rights under values education framework. This is probably the first Department Order, among the series of government policy documents, which make this explicit requirement. Would a values-education framework for human rights education affect the teaching of human rights in other subjects in the curriculum?

Finally, the Department Order stresses that the development of human rights teaching materials should be done in consultation with the then newly-established CHR. This is significant in stressing inter-agency approach to implementing human rights education program.

The inter-agency approach is seen in a number of other laws and programs related to human rights education. Initial activities from late 1980s on developing teaching materials that integrate human rights also brought in academic institutions and NGOs. A series of workshops resulted in prototype teaching materials for teacher education that were formally adopted by DepEd (DECS Memorandum No. 180, s. 1990 - Prototype Materials for the Integration of Human Rights Concepts in Teacher Education Courses). The prototype materials relate to the following subject areas: Foundation of Education 1 and 2, Social Philosophy 1 and 2, Methods of Teaching, Student Teaching, and Health Education and Livelihood Education. An Orientation Conference of Deans and Faculty members of some teacher education institutions (as try-out schools) was held at the University of the Philippines in Diliman, Quezon City in 1998 on the materials.

The Joint Declaration of Undertaking by the CHR and DECS on 9 December 1992 paved the way for the collaboration between DepEd and CHR on the implementation of a number of human rights education projects. They agreed to jointly work on curriculum development, training and capability building, monitoring, research and evaluation, policy and legislative support, and cooperative programs and networking. As a result, DepEd and CHR held a series of seminars and workshops during the early 1990s.

The DepEd-CHR collaboration continued from mid-1990s covering the development, pilot-testing, printing and subsequent revision and reprinting of human rights teaching exemplars; the survey of teachers' human rights awareness;

the holding of forums for teachers, parents and students on human rights; and teacher training workshops.

DepEd and CHR agreed with CHED and one NGO (Amnesty International - Pilipinas) in 1996 to assess the extent of the accomplishments by government agencies and NGOs on human rights education that led to the Philippine Plan as discussed earlier. They also led the formation of the National Human Rights Education Committee as provided in the 1997 Presidential Proclamation No. 1139.

Finally, the *National Human Rights Consciousness Week Act of 2002* establishes a national committee that prepares the guidelines for the implementation of the law. The committee has several Departments including DepEd as members and the CHR as co-Chair.

The Philippine Plan prompted DepEd to issue a number of memorandums for its implementation in the formal education sector. The memorandums deal with the following:

- a. School-based activities - directive to schools to do activities such as forums/symposiums, bulletin board displays, posting of streamers and posters, and poem/song/story competitions in commemoration of human rights day. (*DECS Memorandum No. 467, s. 1998: School-Based Activities to Commemorate the 50<sup>th</sup> Anniversary of the Universal Declaration of Human Rights, 20 November 1998; DepEd Memorandum No. 458, s. 2003: National Human Rights Consciousness Week, 3 December 2003*);
- b. National conference - encouragement to Regional Directors, School Superintendents and Principals of private elementary and secondary schools to send at least two (2) Social Studies or Values Education Supervisors including UNESCO Associated Schools Project coordinators and advisers of UNESCO clubs and Social Science professors in Teacher Training Institutions to attend the "Second National Conference on Peace and Human Rights Education". The conference was sponsored by the Philippine Normal University in cooperation with the UNESCO Associated Schools Project Network (UNESCO ASPNET) (*DECS Memorandum Order No. 487, s. 1998: Second National Conference on Peace and Human Rights Education, 3 December 1998*);
- c. Survey of human rights awareness of teachers - survey of primary and secondary school teachers to develop baseline data for planning a training program on human rights education for teachers, and to serve as initial monitoring mechanism on the integration of human rights concepts and values in the school curriculums and the use of human rights teaching exemplars. In 2003, another memorandum was issued for a workshop among teachers to analyze the survey results. (*Memorandum on the Survey of Human Rights*

*Awareness Level of Elementary and Secondary Classroom Teachers*, 10 August 1999; DepEd Memorandum No. 160, s. 2003: *Analysis of the Human Rights Awareness Level of Classroom Teachers and Workshop on Designing Teacher Training Packages on Human Rights Education*)

- d. Teacher training - memorandums on the human rights teacher training activities of DepEd to get the participation of education officials particularly at the regional/field offices in teacher training activities.

DepEd requires the incorporation of human rights principles in developing textbooks and teacher's manuals. Its 2006 guideline for content evaluation of proposed textbooks and teacher's manuals for English and Filipino subjects is one example. (2006 Textbook Call Guidelines for English and Filipino - Pre-Bid Content Evaluation). The four-level content evaluation process examines the link between content and the learning competencies prescribed by DepEd, and the inclusion of "social values" in the text, art, and photos/illustration of the proposed textbooks and teacher's manuals. It looks for balanced "treatment of gender in terms of roles, occupations, and contributions in the text and illustrations." It also requires presentation of "diversity of cultural, religious, economic and family backgrounds of Filipino target learners." Its Annex 7 provides several lists of appropriate social contents relating to the nation and citizenship, society, religion, gender and environment, among others. On social content for "Society", one guideline states that the textbooks and teacher's manuals should promote and show respect for "the rights of children, elderly, differently-abled, and other vulnerable sectors of society." But only the gender content list has a suggestion to the publishers about using a reference material on gender-fair language. (*Gender Fair Language Primer*, The University Center for Women's Studies, University of the Philippines, 1998) There could have been more human rights principles included in the guideline.

The DepEd memorandums provide examples of implementation of the human rights education policies of the government. It is worth noting the range of activities covered - from conferences to material development to teacher training.

## INTEGRATION OF PEACE AND HUMAN RIGHTS CONCEPTS IN THE 2002 REVISED BASIC EDUCATION CURRICULUM

The Philippine formal education system is governed by the amended Education Act of 1982 which provides the educational policies, objectives for primary and secondary education, the rights and responsibilities of the members of the "education community" (students, parents, teachers and school officials), and the powers and functions of the government office in charge of education matters (the then Ministry of Education, Culture and Sports). This law is now read in relation to the provisions on education of the subsequently adopted 1987 Constitution.

The Basic Education Curriculum 2002 is the current curriculum governing public primary and secondary schools. It reduced the learning areas from nine to five: English, Filipino, Mathematics, Science and MAKABAYAN. The MAKABAYAN learning area includes Social Studies, Music, Arts, Physical Education, Technical and Livelihood Education and Values Education. Most of the entry points of peace and human rights concepts are in Social Studies subject. The discussion of human rights concepts is not however limited to MAKABAYAN learning area. They can be discussed in other learning areas as well.

The discussion of rights and responsibilities for each year and level can be as follows:

### **A. Primary level**

Grade 1 - Recognition of Rights and Responsibilities as Members of Family

Grade II - Recognition of Rights and Responsibilities as Members of the Community

Grade III - Rights and Responsibilities Related to Work

Grade IV - Cultural Rights

Grade V - Socio-economic and Political Rights

Grade VI - Freedom and National and Global Issues Pertaining to Rights

### **B. Secondary level**

Year I - Rights and Responsibilities, Women's Rights, Right to Participate in Political Affairs

Year II-IV - Survival, Participation, Protection Rights, Economic Rights

The Social Studies curriculum focuses on rights and responsibilities of individuals in an expanding environment. Human rights and responsibilities of individuals are integrated within the context of the family in Grade 1, and of the community as year level rises. For the secondary level, the discussion of rights and responsibilities starts with the community, and expands to country and the world at later years.

Child rights, relating to the home and family, are meant for inclusion in Music, Arts, Physical Education, Technology and Values Education.

Core values and topics as entry points for human rights concepts in the five learning areas for basic education (grades 1 to 10) are proposed in the following charts (Echano and Miranda, 2003).

**Chart 1.** Core Values and Topics as Entry Points for Human Rights Concepts in Basic Education

CORE VALUES	TOPICS
Will to Discover the Truth and Good Discovery	Grade I – Love for Knowledge Grade V – Wise and Rightful use of Knowledge Grade VI – Knowledge for Progress
Appreciation of One’s Strength and Weaknesses	Grade I – Self-Awareness Grade II – One’s Strength and Weaknesses Grade III – Developing One’s Potential and Abilities
Self-Discipline	Grades I and II – School Rules
Ways of Acknowledging Belief in God	Grade I – Faith in God Grade II – Respect for Place of Worship Grade III – Respect for One’s Religion and Beliefs Grade IV – Abundant Blessings from God Grade V – Living in Accordance with One’s Belief Grade VI – Appreciation of Godly Deeds

CORE VALUES	TOPICS
Respect for Each Other as Persons	Grade I – Respect for Parents, Elders and Other Members of the Family Grade II – Respect for Fellow Children and School Officials Grade III – Respect for Officials and Authorities as Members of the Community Grade IV – Respect for People’s Right to Ownership Grade V – Respect for Human Rights Grade VI – Respect for Law, Authority and Freedom
Concern for Others in Different Ways	Grade II – Concern for Others, School and Community Grade VI – Concern for People in Need

Source: Based on Echano and Miranda, 2003, [www.hurights.or.jp/hreas/7/03Philippine.htm](http://www.hurights.or.jp/hreas/7/03Philippine.htm)

**Chart 2.** Core Values and Topics as Entry Points for Human Rights Concepts in Civics and Culture (Grades I-III) and Geography, History and Civics (Grades IV-VI) Subjects

CORE VALUES	TOPICS
Different Ways to Maintain Peace	Grade II – Happy and Peaceful Community Grade III – Concern for Others for a Peaceful Environment Grade IV – Respect for Culture Toward Peaceful Living Grade V – Cooperation Towards Peace Grade VI – Solving Crisis Towards Peace
Helping One Another for the Good of the Majority	Grade I – Family Solidarity Grade II – Cooperation in the Community Grade III – Cooperation in Groups Grade IV – One Country, One Mind Grade V – The Rule of the Majority Grade VI – Love, Cooperation and Helpfulness

CORE VALUES	TOPICS
Awareness on the Culture of Other Countries	Grade I – Equality among Men in the Universe

	Grade II – Respect for People All over the World Grade III – Respect for One’s Beliefs, Opinions, Customs and Traditions Grade IV – Respect for Other Countries’ Contribution to Philippine Culture Grade V – Awareness of our Cultural Contributions to Other Countries Grade VI – Spreading Peace and Cooperation
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**Chart 3.** Core Values and Topics as Entry Points for Human Rights Concepts in Music, Arts and Physical Education Subjects

CORE VALUES	TOPICS
Respect for One’s Culture	Grade IV – Cultural Heritage

Chart 3 shows that Music, Arts and Physical Education promote the value of respect for one’s culture and the same can be related to the right to culture.

**Chart 4.** Core Values and Topics as Entry Points for Human Rights Concepts in Home Economics and Livelihood Education (Grade IV-VI)

CORE VALUES	TOPICS
Positive Self-Awareness	Grade IV – Self-Confidence Grade V – Membership in Different Organizations
Concern for Others for the Good of Majority	Grade IV – Concern for the Sick and Disabled; Concern for the Old Grade V – Concern for Fellows in Times of Need
Attitude for Labor	Grade IV – Commitment to Labor Grade V – Honor and the Dignity of Labor

**Chart 5.** Human Rights Concepts Across Learning Areas in the Secondary Level

Year Level	English	Filipino	Science	Makabayan	Mathematics
1 <sup>st</sup> Year	Do I step on the rights of others?	Government of laws Citizens and the laws	Conservation of soil, forest and wild life	Mga Karapatang Pantao Focus: Human rights	Note: In this area, cooperative and interactive learning is

		Democracy and freedom Human rights – a challenge to democratic process Religion as a right	for the next generation	- history - causes - forms of violation -prevention - case studies	employed to effectively deliver the content. Members of the team/groups are encouraged to express freely their ideas, opinions, and views on matter of concern. Respect for said expression is monitored.
2 <sup>nd</sup> year	Being concerned about people's rights	Nationalism and independence Environment and progress Neo-colonialism in Asia Nationalism in Asia	Prevention of ecological problems	Current issues and concerns in Asia Focus: Human rights - history - causes - forms of violation - prevention - case studies	In other words, application of the knowledge learned on human rights can be found in this and other learning areas as well.

Year Level	English	Science	Makabayan
3 <sup>rd</sup> Year	Breaking down walls Reconciling contradictions	Importance of controlling rates of reaction in technology  Application of factors affecting rates of reaction in food preservation, fire control, pollution, corrosion, material production, etc.	Human rights concerns in the global scenario Focus: Conflicts - war - terrorism - racial discrimination - hunger - case studies
4 <sup>th</sup> Year	Making my voice heard Learning to think freely		Consumers Rights Philippine setting



	Education for justice - defending basic human rights - speaking out in defense of others, in defense of life - the culture of non-violence - justice delayed is justice denied - tempering justice with mercy - accepting cultural differences - going global		- laws - program and projects
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Source: Echano and Miranda, Department of Education 2003

Chart 5 shows the integration of human rights concepts across learning areas in the secondary level. The English learning area includes human rights, the concept of culture of non-violence, interpersonal interactions, acceptance of cultural differences, and justice.

Human rights and peace objectives can be part of the content of stories, poems, songs, and paragraphs in Filipino and English subjects. Science subject can use environmental protection as entry point for human rights (such as right to health).

In Mathematics, with the assumption that human rights concepts and values are already learned in other learning areas, it focuses more on the application of human rights values.

The area of Social Studies explores the core concepts of human rights including their application from the country level to Asian Region and the world. It covers human rights concepts, history, and forms of violations, relevant laws, programs and projects. It provides an overview of human rights.

The DepEd's Human Resource Division contributed a lot in coordinating the human rights education projects of the Department. It recently launched revised teaching exemplars on human rights education for basic education levels. The teaching exemplars were drafted through writing workshops (writeshops) and tested in classrooms before distribution to the schools. (Losaria 2003). The teaching exemplars match the present Basic Education Curriculum.

## HUMAN RIGHTS EDUCATION IN HIGHER EDUCATION

The tertiary or higher level human rights education program is not under a centralized system since each university or college in the Philippines has its own governing board. But while they are autonomous their curriculums are based on the standards set by CHED. Few universities have decided to play an active role in promoting human rights education.

Human rights education at the tertiary level is visible through a mandated course on the Philippine Constitution, the CHED memorandum, some human rights courses offered, and the human rights centers established by colleges and universities.

The course on Philippine Constitution focuses on the rights and duties of Filipino citizens and foreigners residing in the Philippines. As a mandated course all colleges and universities are required to offer the course to all undergraduate students. Hence, this is considered a basic course on human rights.

CHED issued Memorandum No. 31 on 16 May 1996 to all higher education institutions (HEIs) to promote human rights education. (Appendix C). CHED "informed and/or enjoined and/or directed" the HEIs and their officials that as a consequence of its agreement with the CHR and DepEd (MOA 1996), they should

- "conduct HRE and training projects anent thereto, including, but not limited to, integrating Human Rights (HR) concepts in all their curricular offerings."
- "document their HRE accomplishments and submit a semestral/trimestral written report to the Higher Education Regional Office (HERO) concerned."

The Memorandum does not mention or suggest the content, framework, competencies and mechanism on how human rights education should be implemented. It does not designate a responsible person in CHED for the design of human rights education program for colleges and universities. And lastly, it does not require but merely encourages Presidents of colleges and universities to promote human rights education. All these imply that colleges and universities may or may not implement a human rights education program. They have the discretion to decide on whether or not to promote human rights education. They probably decide based on whether it supports their educational thrusts, or if the heads (or a critical mass of faculty members) are supportive. These are important considerations behind the introduction of human rights education program in some colleges and universities.

Following are the colleges and universities that have institutionalized human rights education in their curriculum.

**a. Philippine Normal University**

The Philippine Normal University (PNU), as a teacher training institution, incorporated human rights education as a course in the Bachelor of Science Program major in Social Science and Values Education and Master of Arts in Education with specialization in Social Science Teaching since school year 1999-2000. Moreover, PNU has created the Center for Peace and Human Rights Education to strengthen the promotion and protection of human rights not only in the university but also among teachers in the field.

#### **b. University of the Philippines**

The Law Center of the University of the Philippines has the Institute of Human Rights which promotes and advocates human rights through education, research, publication, policy formulation on human rights protection and promotion, building database on human rights and institutionalized student participation in human rights projects.

#### **c. Miriam College**

Miriam College has the Women and Gender Institute (WAGI) which promotes gender-fair education as a strategy for the integration of women's rights and gender equality and equity in college curriculum as well as in other schools.

#### **d. Ateneo de Manila University**

The Human Rights Center of the Ateneo de Manila University has the following objectives:

- To form human rights lawyers and advocates;
- To make justice more accessible to victims of human rights violations;
- To monitor government compliance with human rights instruments; and
- To educate the public on laws and human rights.

Some law schools in other parts of the country have legal centers that provide training to students in practical application of laws. These centers may focus on particular human rights relating to women, children, farmers, workers, indigenous peoples, development and environment, among others.

The human-rights-related programs and institutions in colleges and universities can support human rights education in schools by developing materials on human rights concepts and instruments that can be used by teachers, providing training for them, and assisting them in actual classroom and extracurricular activities. These roles of tertiary institutions in human rights education in schools should be supported by appropriate CHED policies, which in turn would complement the policy on offering human rights courses in the curriculum (Memorandum No. 31, 1996).

#### **Conclusion**

The 1986 Executive Order and the 1987 constitutional provision are significant policies on human rights education in Philippine schools. They provide a solid legal foundation for the development of human rights education within the formal education system. The subsequent policy documents (in the form of presidential orders and proclamations, DepEd orders and memorandums, national action plans) provide the necessary components in implementing human rights education program at a national scale. These subsequent policy documents, numerous and varied, show the extent of planning and work being done to mainstream human rights education into the formal education system.

But as in any policy and program analysis, the questions on coverage and sustainability have to be raised. The 1986 Executive Order requirement for DepEd to allocate in its budget some amount for human rights education is important. But the same policy document does not provide enough bases (particularly the tasks to be done) for determining the amount that should be allocated.

It was probably difficult for the government at that time to consider all aspects of the formal education system in coming out with a policy document on human rights education. What was then important was the requirement that human rights should be taught in schools.

As the subsequent policy documents show, there are many more components that require policy guidance including the development of the curriculum, and teaching and learning materials; teacher training, school management, extra-curricular activities, parents and community (including the NGOs and local colleges and universities) involvement in school, and support for teachers.

The role of teacher education institutions, and other tertiary institutions (colleges and universities), in human rights education needs policy guidance too. Such institutions should be able to strengthen their existing curriculum through human rights education.

These components unfortunately have been dealt with on piecemeal basis. Some policy documents have limited timeframe and activities covered. Budgetary support for these activities was not always provided.

At the same time, there are policies (programs and national action plans) on children, indigenous peoples and gender issue which complement the main human rights education policies. Their detailed programs support the teaching of the specific rights involved, which can be the starting point for broader human rights education programs in schools. The implementation of these policies would significantly help human rights education in general if properly coordinated.

In this context, there is a need for an updated and comprehensive policy that would link all existing relevant policy documents into a practical network of ideas, programs, roles, and financial and human resources.

Such an updated policy on human rights education in schools must also show that it (human rights education) supports the objectives and relates to the different components of the formal education system. Human rights education has to be defined in relation to the over-all objective of quality education. It has to address its role in achieving teacher effectiveness, increased level of learning, improved teaching and learning tools and processes, developed school-based management, and increased involvement in the school of parents and the community. This is needed in making human rights education an important part of the mainstream formal education system in the Philippines.