

Probing Indigenous Peoples' Rights to Education

LEAH E. ABAYAO

University of the Philippines Baguio

The Cordillera Review: Journal of Philippine Culture and Society 3 (1-2): 217-246.

<https://doi.org/10.64743/BLCX5592>

Abstract

The Indigenous Peoples' Rights Act's (IPRA) strong policy formulation for Indigenous Peoples' Rights to Education had mandated the National Commission for Indigenous Peoples (NCIP) to undertake projects like Indigenous Peoples Education (IPE), Assistance to Community Schools, and the Educational Assistance Program (EAP). The NCIP, in turn, had collaborated with the Department of Education (Dep-Ed) toward the formulation of an Indigenous Peoples' Core Curriculum. While the curriculum was envisioned to help IPs achieve their individual and collective rights, a review of its contents shows curricular hitches and complications, since the curriculum was developed under the rubric of the Philippine educational system where learning strands and competencies are structured to deliver a goal of national functional literacy. The curriculum is an indigenized version of the Basic Education Curriculum. However, its design is not founded on an indigenous learning system or structure, delivering mixed messages under a structured development goal. As it is, it also employs a problematic construction of indigenous knowledge systems where it envisions the indigenous as 'historical present' and not in terms of its contemporaneity and relevance. While the conceptual framework is strong, the indigenized content of the curriculum is weak in the delivery of this goal. If the desired outcomes will be for a change to address the needs of indigenous peoples, a new curricular infrastructure must be designed that supports effective indigenous learning environments.

Keywords: indigenous peoples education, basic education curriculum, indigenous rights, Indigenous Peoples' Rights Act, Philippine educational system.

Introduction

State-administered education is often viewed as an alienating bureaucratic structure, promoting national patrimony and cultural homogeneity, and perceived to be apathetic to the needs and aspirations

of indigenous peoples (IPs). Government schools usually subject indigenous children to mainstream values, ideals, and interpretations of reality (Fenelon and LeBeau 2006). The education outcomes of IPs are frequently compared with, and measured against, national and international standards which are heavily imbued with hegemonic values and ideals. Such outcomes are sometimes analyzed and used in development indices to show that IPs are 'less developed' or mired in severe poverty situations. Circumstances started to change in the 1990s when talks and lobbying for indigenous peoples rights moved from the national and regional caucuses to an international arena in the United Nations. Some states were challenged to address the rights of indigenous peoples especially when the 1st International Decade of the World's Indigenous Peoples (1995-2005) was declared by the United Nations. In the Philippines, after the Indigenous Peoples' Rights Act (IPRA) was enacted in 1997, various policies, institutions, and programs were created to address the rights of IPs to pursue their development in keeping with their own needs and aspirations.

The IPRA provides a strong policy formulation for Indigenous Peoples' Rights to Education. The formulation carries a strong articulation of positive educational outcomes posed against the colonial foundations of education in the Philippines. Education was used as a key institution during the early twentieth century to propel American colonial policies and programs in the Philippines. Of the fourfold bundles of IP rights provided for in the IPRA, the implementation of the Right to Social Justice and Human Rights is least studied. The second volume of *The Road to Empowerment: Strengthening the Indigenous Peoples Rights Act* (Arquiza 2007) illustrates what peoples' organizations (POs) and non-governmental organizations (NGOs) have achieved in their work on indigenous education and indigenous health (see Vargas 2007), but does not account for NCIP's execution of its mandate in these areas.

The ILO-PANLIPI Initial Assessment in 2007 reports that very few programs have been implemented in the area of social justice and human rights. A review of official documents, however, shows that significant work has been done in IP education. This essay looks at the delivery of indigenous peoples' right to education in the Philippines by considering these two basic questions: 1) how well did NCIP perform and deliver on its mandate in education, in response to the needs and concerns of IPs and given their rights as articulated in the IPRA?, and 2) how responsive and efficient are the programs conceived in terms of rationale, design, method, and implementation? This study also surveys the NCIP's education initiatives from 2002 to 2010 and reviews the provisions of the IPRA and its Implementing Rules and Regulations (IRR) with respect to education, and how education is conceived by the NCIP as a fundamental human right

through normative instruments of the United Nations. This study takes a rights-based approach to make a case for indigenous peoples' rights to education in the Philippines.

The UN Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) officially acknowledges that "Education is the primary means ensuring indigenous peoples' individual and collective development and it is a precondition for indigenous peoples' ability to realize their right to self-determination, including their right to pursue their own economic, social and cultural development" (Expert Mechanism 2009a). Viewed from a self-determined development perspective, this articulation on indigenous peoples' rights to education necessitates a collective and culturally grounded approach to the conceptualization and implementation of educational programs. It also means that IPs have the right to expect and receive an education that recognizes their traditional methods of teaching and learning. Section 30 of the IPRA stipulates that "The State shall provide equal access to various cultural opportunities to the ICCs/IPs through the educational system, public or private cultural entities, scholarships, grants and other incentives without prejudice to their right to establish and control their educational systems and institutions by providing education in their own language, in a manner appropriate to their cultural methods of teaching and learning." The Implementing Rules and Regulations (IRR) of the IPRA further affirms that IPs have the right to establish and control their educational and learning systems, mandating the NCIP to enable the ICCs/IPs to exercise their right to establish and control their educational systems and institutions, through programs such as curricular development, establishment of schools of heritage and living traditions, and affirmative action in the employment of indigenous peoples in their communities.¹

Section 4, Rule VII, Part VI of the IRR also provides for the creation of an Office on Education, Culture and Health (OECH) as the NCIP structure responsible for the effective implementation of educational, cultural, and health-related rights as provided in the Act. The strategic implementation is defined in Section 8 (Right to Education) of Rule V (Social Justice and Human Rights) of the IRR which stipulates that after consultation with ICCs/IPs, the NCIP shall collaborate with the Department of Education, Culture and Sports (DECS), the Commission on Higher Education (CHED), and with private and public schools at all levels toward the development of appropriate programs and projects related to the following: a) the curricula and appropriate teaching materials and resources; b) the equitable distribution, selection and implementation of scholarship programs; c) appropriate career development; d) training of teachers for IP communities; e) construction of school buildings in IP communities; f) inclusion of IPs' resistance to colonization in the

academic curricula, in the context of IPs' assertion and defense of their freedom, independence and territorial integrity and culture; and g) schools for living traditions and cultural heritage.

Article 15 of the 2007 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) reaffirms these IPRA provisions and states that:

Indigenous children have the right to all levels and forms of education of the State. All indigenous peoples also have this right and the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning. Indigenous children living outside their communities have the right to be provided access to education in their own culture and language. States shall take effective measures to provide appropriate resources for these purposes.

The OECH operationalized its mandate by creating programs under the following clusters: Indigenous Peoples Education, Assistance to Community Schools, Educational Assistance Program, and IKSP Documentation in Support to Policy Formulation and Legislation (see NCIP Annual Reports). These clusters were drawn from programs already developed by the Office for Northern Cultural Communities (ONCC) and Office for Southern Cultural Communities (OSCC) which merged to establish the NCIP in 1998, with the exception of the IP Education and Assistance to Community Schools programs which were newly created under the NCIP. The OECH crafted its IP Education work with a view to its role as "an enabling partner" for the IPs' physical and social well-being, ensuring that programs are "adopted to the peculiarities of the specific ICCs/IPs" (NCIP Annual Report 2006, 22). With this articulation, the OECH aims to harness, integrate, and harmonize multi-sectoral efforts of all stakeholders in safeguarding the educational, cultural, and health-related rights of ICCs/IPs.

Curriculum development for indigenous peoples' education

The OECH raised the issue of 'inappropriateness' in the current education system in the Philippines and asserted that this current system "has contributed to the further marginalization and exploitation of IPs." Thus, the OECH prioritized a program in curricular revisions that positions and prepares the IPs "to be more attuned with needed life-long learning values and life-skills for the development and protection of ancestral domains and their culture and to advocate for IP rights and welfare" (see the NCIP document,

“Profile of Education, Culture and Health programs/projects for Indigenous Peoples contained in the MTPDP-MTPIP 2005-2010: Considerations for the medium-term work and financial plans”). In a move to address the problem of an already operating and well-entrenched, Western-developed educational system in the Philippines, the OECH, concerned as it was to institute change in the system over the long term, embarked on two tasks: 1) to develop an IP Core Curriculum, and 2) to push for policies that will indigenize the existing educational system. This was implemented mainly with the DepEd, in coordination with educational institutions and other organizations through the systematic conduct of activities like workshops, fora, and consultation-meetings that explored new pedagogical approaches and identified the contents needed for curricular development and intervention in Philippine formal education.

In 2004, the OECH collaborated with the Department of Education in a Dep-Ed-led project titled “Development of an Indigenous Peoples’ Core Curriculum,” with funding from UNESCO. The OECH contributed a conceptual framework which guided its work in curricular development and later its pilot implementation. This framework is concerned with the cultural grounding of IP education in specific ancestral domains, and seeks to promote cultural diversity in the existing educational system. The framework recognizes that the context of education for IPs revolves around their vision for their own communities and the larger society where they move about, and their thinking about their individual and collective existence clearly articulates a vision for self-determination. The OECH believes that it is important for IPs to work from an understanding of the elements and dynamics of their society as the basis for their capacity building as communities. Curricular changes are viewed as important in developing vibrant cultural institutions and facilitating a good teaching-learning process. In the Dep-Ed IP Core Curriculum, education is generally seen as ‘enabling’ (for recognition and empowerment), ‘ensuring’ (for protection), and ‘enhancing’ (for development and promotion), a tool for the continued vitality of the indigenous peoples’ ancestral domains and heritage (see Department of Education–Bureau of Alternative Learning System [BALS] 2006, vol. 1).

OECH believes that its curricular program intervention is well guided by the IPRA’s provision (Section 28) for an Integrated System of Education. The OECH envisions an educational institution relevant to the needs of IPs, and promotes their knowledge systems and practices in the formation of strong cultural character and identities. Thus, the curriculum is seen as the foundation of a long programmatic change in a Philippine educational system which does not account for indigeneity. However, the DepEd takes a different view, believing that

this indigenization of the Basic Education Curriculum was a venue to “allow IPs to embrace the Basic Education Curriculum (BEC) while preserving their cultural heritage and traditions” (Lapus 2008). How was the effort to develop an Indigenous Peoples Curriculum reduced to an indigenization of the existing BEC–Alternative Learning System (ALS) curriculum of the Dep-Ed?

IP Core Curriculum design and content

The IP Core Curriculum was a special project under the leadership of the Dep-Ed Bureau of Alternative Learning System [BALS]. It was foreign-funded and initially developed to provide IPs with the needed learning values and life skills in the development and protection of their ancestral domains and their cultures. A learner from a certain indigenous cultural community is expected to go through this curriculum with consciousness of the whole context or process to be undertaken and to apply learning to his or her specific community. This curriculum development program was a response to the clamor of some IP leaders for an IP Core Curriculum after Dep-Ed conducted a series of consultations and dialogues with various stakeholders, local IP leaders, ALS implementers, and IP educators. The dialogues revealed the following: a) the DepEd basic formal education and non-formal education curricula do not respond to the specific needs of IPs; b) IPs are seldom or never consulted in developing the curriculum to suit their peculiar educational needs; c) formal schools and non-formal education sessions continue to use English and Tagalog, rather than IP languages, as the medium of instruction; and d) IP curricula offered by other organizations and mission schools are not recognized by DepEd (see Department of Education–Bureau of Alternative Learning System [BALS] 2006).

The OECH and Dep-Ed claim that while the curriculum was based on the existing ALS curriculum, its contents were based on the IPRA. Thus, in the project to develop the Indigenous Peoples Core Curriculum, the IPs were expected to manifest the following: a) deep-seated understanding of IP rights, situations, and issues, as well as the IPRA and other IP-related documents; b) heightened sensitivity to cultural diversity and appropriateness, and ethnic tolerance; c) facilitative functional literacy and real life-based learning founded on the lifeways, traditions, worldview, culture, and spirituality of IPs; d) confidence and constructive assertion of IPs in the realm of self-determination and cultural integrity; e) critical thinking and responsible sense of community; f) creativity and self-reliance that lead to home-grown productivity; g) enhanced environmental knowledge, which is the basis for a more sustainable management

and use of natural resources; and h) enlightened compliance with their duties and responsibilities. These expectations, however, may be difficult to achieve since the curriculum is developed under the rubric of the Philippines Basic Education Program where learning strands and competencies are structured to deliver the goal of functional literacy. This goal is adopted by the IP Core Curriculum.

With functional literacy as a goal, the IP Core Curriculum sought to develop the following learning strands and competencies aimed at locating IP contributions to national development: communication skills; problem solving and critical thinking; development of self and a sense of community; practice of ecological sustainable economics; expanding one's world view and Mothercraft Pagsasarili (Department of Education – Bureau of Alternative Learning System [BALS] 2006). The learning competencies of this curriculum were drawn from the existing DepEd-ALS curriculum for basic literacy at the elementary and secondary levels. The curriculum focused on the following areas which are conceived as core concerns of IPs: family life, health, sanitation and nutrition, civic consciousness, economics and income, and environment. The Curriculum is supported by Learning Resources, including 13 modules on basic literacy and numeracy which have been translated into IP languages and now used in selected Community Learning Centers (CLCs) of ICCs.

While the learning strands and competencies were subjected to a series of focused group discussions and validation workshops with leaders and various IP stakeholders, such activities were only consultative in nature, following an already structured procedure (NCIP Annual Report 2005, 32). A Dep-Ed policy was issued in 2010 which provided for the development and pilot-testing of the IP core curriculum and instructional materials for Alternative Learning System (ALS) nationwide (DepEd Order No. 101, series of 2010). This issuance allowed for the further development of the Generic Core Curriculum for IPs on Alternative Learning, a project supported by UNESCO. Learning materials and facilitators' guides were prepared in December 2005 by IPs for the pilot areas of Dumalneg, Ilocos (Isnegs), Infanta, Quezon (Agta), and Botolan, Zambales (Aetas). Pilot testing was also conducted in Mariki, Zamboanga City where the Floating Schools concept for the Badjaus was assisted by the Western Mindanao State University (WMSU). Another pilot-testing work was implemented by and for the Agtas in General Nakar, Quezon with the assistance of the Episcopal Commission on Indigenous Peoples (ECIP) and the OECH of NCIP. This curriculum was also pilot-tested in the School of Indigenous Knowledge and Traditions (SIKAT) of the T'bolis in Lake Sebu, South Cotabato. In 2007-2008, the same curriculum was also tested among the Dumagats in General Nakar, Quezon; Agta-Tabangons in Iriga City, Buhi, Camarines Sur; Higaonons of

Nangkaon, Opol, Misamis Oriental; and Manobos of Bitan-agan, San Francisco, Agusan del Sur (NCIP Annual Report 2008, 6).

In summary, the curriculum was pilot tested in the following IP communities from 2005-2007 with a budget of Php 67,381.25 and direct cost of Php 58,592.39 for each site. Pilot testing was undertaken to validate and/or improve the already prepared core curriculum with its learning materials. Other than pilot testing, this core curriculum had modules with corresponding instructional materials, reference guides, and facilitators' manuals which were translated by the IPs and subjected to a series of focused group discussions, rigorous scrutiny, and refinements, both in the field and at the policy-making levels. This lengthy and meticulous process served to strengthen the OECH view for IP education where the indigenous communities at large are themselves considered as constituting the entire school. The complete coverage of the pilot testing is documented in Table 1 below.

2005	2006	2007
Region I ISNEG Dumalneg, Ilocos Norte	CAR ISNEG Balasi, Flora, Apayao	Region IV AGTA Gen. Nakar, Quezon
Region III AETA Botolan, Zambales	Region II CALINGA Ibujan, San Mariano, Isabela	Region V AGTA-TABANGNON San Nicholas, Iriga City, Camarines Sur
Region IX BADJAU Mariki, Zamboanga City, Zamboanga del Sur	Region VI BUKIDNON Roxas 8 Tapaz, Capiz	Region IX HIGAONON Nangkaon, Opol, Misamis Oriental
Region XII T'BOLI Lake Sebu, South Cotabato	Region XI MANDAYA Ngan, Compostela, Compostela Valley	Region XIII MANOBO Bitan-agan, San Francisco Agusan Sur

Table 1. Pilot testing of the IP Core Curriculum for Alternative Learning System (ALS) by the NCIP - OECH and the Department of Education (DepEd), 2005 - 2007. **Source:** NCIP Socio-Economic and Cultural Development Projects: Regions I to Regions XIII and CAR, 1999-2010.

The Dep-Ed also constructed thirteen modules to help shape the IPs' use of the curriculum in accord with their ways of life. The OECH also advocated the choice of IP language as medium of instruction which is well in keeping with DepEd Order No. 74, series of 2009 on the "Institutionalization of Mother-Tongue Based Multilingual Education." The content of the IP Core Curriculum shows that it largely indigenizes a pre-existing curriculum of the Department of Education, perhaps the very basis for Education Secretary Brother Armin Luistro's claim that the curriculum content was revised to deliver the core education goals of IPRA (Ina Hernando-Malipot,

"DepEd develops curriculum for indigenous peoples," *Manila Bulletin*, September 15, 2010). But a closer examination of the curriculum content brings to the surface certain curricular hitches and complications. Table 2 presents samplings of the IP Core Curriculum content where core concerns are characterized under five learning strands of the ALS. The table also synthesizes specific contents of the curriculum: the learning strands, the core concerns or areas, and the terminal objectives. We can draw good intentions and perhaps outcomes from this attempt to indigenize an existing curriculum, but the target outcomes (what an IP will manifest after undergoing this curriculum) might end up faulty or incoherent because the curriculum design is not founded on an indigenous learning system or structure, thus delivering mixed messages to teachers and students alike. Take the case of communication skills, where the core areas do not reflect indigenous or traditional formulations (e.g., roles in existing rituals and other affairs that promote community well-being) and the terminal objectives are derived from the national development directive that the IP must make his or her own contribution to Philippine national formation. The indigenization intent failed to change the philosophy of the curriculum, ending up as a structured remedial intervention for IPs in the Philippines. Needless to say, its intervention works to perpetuate hegemonic tendencies in the IP Core Curriculum.

Another problem with the curriculum has to do with its configuration of IP knowledges and practices. The curriculum acknowledges the existence of such knowledges and practices but does not provide the changing or evolutionary character of traditional practices and belief systems. The curriculum tends to put emphasis on the primordial portrayal of the IPs, and on valuing all traditions in the past. In doing so, it provides venues for romanticizing activities that unintentionally create new struggles where IPs will revive past traditions that no longer exist and make them conform to new conditions. A careful selection of traditional beliefs and practices to be used in the IP Core Curriculum needs to be done for a better appreciation of the contemporary relevance of IP traditions and belief systems. The contemporary relevance of the IP Core Curriculum may need to capture well the changing views of IPs about their kin relations vis-a-vis the conduct of community rituals and the changing views of IPs on the use and management of their natural resources.

If the curriculum is supposed to deliver functional outcomes, cultural traditions should be viewed as evolving entities and not static forms. Functional outcomes need to be drawn systematically from well-articulated vision and goals of changing IP communities, e.g., as expressed or formulated in traditional settings during community ceremonies or in well-defined development plans. While the objectives of the curriculum articulates a strong 'conceptual support' to the needs

Learning Strands	Core Areas	Focus	Terminal Objectives (presented here as articulated in the IP Core Curriculum)
Communication Skills	1) Family Life and Kinship 2) Health and Well Being 3) Civic and Political Consciousness 4) Economic Life 5) Environmental use of Resources	Listening	Listen attentively and critically “in at least two languages to be able to function effectively as a member of the family, and community, the nation and the world and to participate in community and economic development”
		Speaking	Speak clearly and appropriately “in at least two languages to be able to function effectively as a member of the family, and community, the nation and the world and to participate in community and economic development”
		Reading	Acquire critically processed information from a wide range of written and multi-media materials “in at least two languages to be able to function effectively as a member of the family, and community, the nation and the world and to participate in community and economic development”
		Writing	Express one’s ideas and feelings clearly and appropriately in writing “in at least two languages to be able to function effectively as a member of the family, and community, the nation and the world and to participate in community and economic development”
		Indigenous Communication	Express one’s ideas and feelings clearly and appropriately using ICCs native materials and to interpret these correctly thereby functioning as a member of the family, the community, the nation and the world, and participating in community and economic development
Problem Solving and Critical Thinking	1) Family Life and Kinship 2) Health and Well Being 3) Civic and Political Consciousness 4) Economic Life 5) Environmental use of Resources	Scientific Thinking	1. Acquire the skills and attitudes needed to participate in community decision-making processes. 2. Acquire scientific thinking skills through exposure to and practice in problem solving in different life situations. 3. Integrate the scientific process in the knowledge generation and problem solving processes of the community. 4. Demonstrate scientific values and desirable attitudes. 5. Apply scientific thinking in daily life situations 6. Use science and technology to understand one’s ancestral domain and to improve the quality of life of the community. 7. Relate the impact of science and technology on individuals and human society. 8. Relate generational orientation, folk wisdom, examination of interrelationships and mythical thinking with scientific thinking skills in exploring ways of nurturing and caring for the ancestral domain. 9. Use science and technology to understand and cope with natural and man-made calamities and improve the quality of life.

Table 2. The core messages per learning strand with terminal objectives. **Source:** Bureau of Alternative Learning System, Department of Education, *Development of Indigenous Peoples Education: The Core Areas and Core Messages of Indigenous Peoples Education*, vol. 2 (2006).

of IPs by emphasizing the relationship between the indigenous peoples and their culture/ ancestral domains, the indigenized content of the curriculum is too weak in its present form to deliver on this goal.

An indigenous peoples core curriculum for national development?

Since the curriculum followed a structured indigenization process allowing IP knowledges and ways/systems of learning to be subsumed under Western learning categories and designs, the learning outcomes will continue to be measured in terms of mainstream society's expectations. Competency is still measured using non-indigenous indicators such as scientific thinking, scientific values, and interpersonal skills (see Table 2). Such expected outcomes still perpetuate the dominant nationalist paradigm for developmental education. The institutions created by the State, such as the DepEd for pedagogical purposes, dispense bureaucratic power that perpetuates the historic colonial past institutions that continue to pursue the integrationist and meliorist aims of, say, the Commission on National Integration (CNI) in 1957. Indigenous grassroots activists fear that State-driven education will continue to formalize or institutionalize the unconsidered integration of IPs into the dominant society much like the historical role education played toward hegemony-building in the colonial past.

This view is shared by the United Nations Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms in his 2005 report:

The systems of formal education historically provided by the State or religious or private groups have been a two-edged sword for indigenous peoples. On the one hand, they have often enabled indigenous children and youth to acquire knowledge and skills that will allow them to move ahead in life and connect with the broader world. On the other hand, formal education, especially when its programmes, curricula and teaching methods come from other societies that are removed from Indigenous cultures, has also been a means of forcibly changing, and in some cases, destroying, indigenous cultures. (Stavenhagen 2005a, 7)

The five learning strands of the IP Core Curriculum contain competencies developed from a 'state integrationist thrust'. Thus far, the contents and pedagogy are removed from the ways in which the indigenous peoples of the Philippines have constructed their social, cultural and natural worlds. While the IP Education Framework developed by the OECH has strongly articulated the indigenosity

of the IP Education programs, the IP Core Curriculum as seen in the curricular content does not deliver this. The expected competencies could have been anchored on collective aspirations of indigenous communities, some of which are already officially articulated in the Indigenous Peoples' Ancestral Domain Sustainable Development Plan (ADSDDP). For it to be meaningful, the IP Core Curriculum should be culturally constructed away from the National Basic Curriculum framework.

The IP Core Curriculum content does not provide a transformative-driven direction for indigenous peoples. Thus, the intended goals and the learning strands do not match. In effect, the curriculum was formulated to incorporate, partially, the knowledges of IPs that are determined to be *not* detrimental to national development goals. It remains a challenge for the IP Core Curriculum to consider the usefulness of important evolving indigenous and traditional knowledge systems that allow IPs to become strategic actors in a changing world, and not as objects of development programs or subjects of tribalized tourism.

Another important concern for the IP Core Curriculum is its governance structure. Its implementation is subsumed under the national education plan which limits the space for IPs to assert their own directions and development priorities. With this, the IP Core Curriculum will have to follow the bureaucratic system of the BEC, a system that runs contrary to customary governance of indigenous peoples' learning systems. The IP Core Curriculum will need to operate under a system where indigenous peoples can exercise grassroots customary governance and can have space to exercise authority or choice towards a development path.

Beyond curricular indigenization: creating educational systems for IPs

What is then a good curriculum that recognizes the evolution of indigenous cultures? It is one that is inextricably linked to the cultural forms and customary ways of a community of learners, a curriculum that considers cultural fusion and process such as exchange and influences of traditions, internal innovations, and development of best practices, thus making its content progressive and attuned to the evolving needs of IPs. It also allows situated and mediated learning where the indigenous context is placed or viewed from a continuously contested milieu. It also allows personal experiences to yield to indigenous modes of conceptualization within changing ecological and cultural spheres. Wenger (1998, 214) contends that learning as social participation has four components: meaning (learning as experience), practice (learning as doing), community (learning as

belonging), and identity (learning as becoming). This dynamic view considers the transformative practice of learning without privileging tradition-bound curricular content.

As Michael Barber and Michael Fullan (2005), international experts on education change, put it, sustainable improvements are achievable when programs or initiatives are targeted at the levels of interrelationships. They have suggested a “tri-level development model” built on three critical levels of school systems—community, district, and the state. At the school/community level, building capacity to implement a program is critical in these five areas: 1) teacher’s knowledge, skills, and dispositions; 2) professional community; 3) program coherence; 4) technical resources; and 5) principal leadership that improves the previous four (Barber and Fullan 2005). Programs aimed at indigenizing the Philippine education system have thus far been about improvements that are not sustainable—programs and initiatives directed at ameliorating and advancing the current bureaucratic practices. There is still a need for better work collaboration between the OECH of NCIP, DepEd, NCCA, and IP grassroots organizations. Collaboration should not happen in short-term consultative meetings and workshops, but in an integrative setting where IPs take part as active and committed co-participants. Sustained collaborative work on various areas will work well when each of the actors (OECH of NCIP, DepEd, NCCA, and IP grassroots organizations) are co-equals and able to appreciate co-ownership of the education program. All actors will work towards the revitalization of cultural institutions and other needed capacity to allow the community to lead the implementation or governance of the education program. This way, the governance system is also integral to the structural formulation and development of the program.

Barber and Fullan (2005) further argue that if the overall content of the curriculum and system governance is dysfunctional and does not have the correct structure to support the desired outcomes, all reform/improvement initiatives in the system are certain to be minimal and ineffective in impact. In the Philippines, homegrown or locally developed programs appear to have better chances of sustainability. The case of the SILDAP-assisted schools of Davao City in southern Philippines is a case in point. The dynamic conceptualization of several community primary schools was driven by the need of the communities themselves after several activities that helped the communities to come up with a well-conceived community development plan. IP education was envisioned to play a vital role in the continuity of traditional values and practices needed for their survival in their ancestral domain, so the concept of IP school program was developed around the desire of IP leaders for the revitalization of their traditions and in keeping with their

heritage. An IP curriculum, along with instructional materials in local languages, was developed and revised a number of times. After several schools were established, the curriculum was approved by the Dep-Ed. Both the management structure and the curriculum came into sight as the education program was being developed. After some years of assistance, the community schools were co-managed by the communities and the LGU. Community ownership of the schools was crucial to their sustainability.

Perhaps another factor that can address the issue of sustainability of IP education programs is how they can critically address adaptation in relation to external systems or institutions. As IP education systems evolve, they build their own distinct character and sustain this within the larger system to which they are connected, e.g., the Philippine educational system. Investing an IP education program with a strong and distinct character involves a long, experiential and process-oriented mechanism. As the program builds itself internally, it also builds a pervasive relation with other systems externally. The IP education program will have to be built with a strong cultural identity.

Native and indigenous languages, oral traditions and other extant heritage forms are important building blocks of cultural identity. These languages and cultural forms continue to thrive among indigenous communities in the Philippines. However, they are not institutionally used in the education system. There are knowledge holders in each community whose expertise can be recognized and tapped, and they should be given incentives to continue and transmit their practices. Other experts in the community tend to be appreciated only for tourism purposes but not for their value in heritage development at the community level. These experts at the community level can help formulate and implement an IP education program. There are endangered customary practices in IP communities that need immediate transmission and this can be addressed institutionally by an IP education program. IP knowledge holders/experts can help when given proper recognition and roles to play in an IP education program. The challenge remains for NCIP and DepEd to rethink the reconfiguration of a needs-driven IP education program. Such needs-driven program may be guided by what the United Nations Expert Mechanism on the Rights of Indigenous Peoples (2009, par. 43–44) has categorized as features of traditional education and institutions:

- a) they involve a lifelong pedagogical process and an intergenerational transfer of knowledge aimed at IPs' enjoyment of adequate socio-economic, cultural and political security and stability;
- b) they use the principles of participatory learning, holistic growth, nurturance and mutual trust, thus,

the learning process is achieved through exposure, observation, practice or dialogue (e.g., apprenticeship, direct observation, repetition and application, oral tradition methods, learning customary laws through prohibitions, taboos and limitations, and using indigenous language);

- c) they recognize important links to indigenous peoples' lands, territories and resources, and ensure access to these resources as a prerequisite for the transfer of fundamental elements of traditional knowledge.

The key to long term programming for IP education is that it should enable indigenous peoples to develop and continue those customary practices that are relevant to their needs.

Reconfiguring NCIP's 'Assistance to Community Schools'

There is a need to reconfigure NCIP education-related programs toward one integral goal for IPs' development, e.g., the Assistance to Community Schools program needs to support learning systems and practices by indigenous peoples and not the mainstream education system created by the State. Developed by the OECH to assist community schools, both formal and non-formal, in areas where educational facilities are not easily accessible, this program took its impetus from requests from IP communities, mostly for infrastructure support in the form of classroom expansions, repairs, and utility facilities made out of locally available materials, and the provision of academic paraphernalia such as textbooks, school equipment, and supplies (NCIP Annual Report 2006). Since 2000, the assistance most requested has been for support in the conduct of pre-school education, non-formal education and functional literacy classes, and the establishment, extension, and/or maintenance of Schools of Living Traditions of IPs.

The OECH has prioritized assistance for one-time start-up needs and requests that entail the use of resources over the long term. It has adopted the following in its implementation: field validation of needs, consultations with the ICC in project development and close collaboration with the Tribal Council of Elders/Leaders; coordination with concerned Local Government Units, NGOs and other partner-stakeholders in the community; assistance in exploring alternative sources of funding and in linkage-building; community-driven participation in the management and implementation of the project; and monitoring and evaluation of the project (see Profile of education, culture and health programs/projects for Indigenous Peoples

contained in the MTPDP-MTPIP 2005-2010: Considerations for the medium-term work and financial plans"). The NCIP had assisted 224 IP community Schools as of 2009-2010 (NCIP Annual Report 2009, 11).

The NCIP Educational Assistance Program (EAP)

A big chunk of NCIP's budget is spent on scholarships (see Dacanay in this volume). The IPRA mandates the NCIP through the Office on Education, Culture and Health (OECH) to administer all scholarship programs and other educational rights intended for ICCs and IPs in coordination with DepEd and CHED. The NCIP implements this mandate through its Educational Assistance Program (EAP) which aims to improve the overall quality of life and efficiency of ICCs/ IPs through increased access to educational opportunities (NCIP Resolution No. 21-2000, 3). This program formally commenced in School Year (SY) 1999-2000 under the banner of the merged *Edukasyong Handog ni Erap para sa Mahihirap* (EHEM) and *Katutubong Mag-aaral Priority Courses* (KMPC) Scholarship Programs.² The NCIP called it a scholarship program meant to assist deserving IP youths in the pursuit of education. Slot allocation depends on the approved budget of the program for the fiscal year. Slots are allocated based on the approved budget for the current fiscal year. The NCIP head office determines allocation according to a formula based on ICC population size. This is primarily a financial assistance program for primary, secondary, vocational, and college education, as well as graduate studies.

The financial benefits vary according to the level of educational pursuit. For a college degree, graduate degree, and vocational programs, the financial assistance is PhP 5,000 per semester. High school and elementary grantees receive PhP 2,500 and PhP 1,000 per school year respectively (NCIP Resolution No. 21-2000, 9). This financial assistance covers tuition fees, books, and living allowance. Accordingly, the grantees are encouraged to enrol in courses offered by accredited public colleges or universities nearest their residence, and considered as priority and relevant or needed in pursuit of community development. Grantees are encouraged to practice their chosen vocation or profession in their respective communities after graduation. However, this is not presented as an absolute requirement in the implementing guidelines.

Unlike regular scholarship programs that require competitive examinations, this program is designed to select qualified applicants from low income families based on their ethnic or indigenous affiliation and income level. To qualify, an applicant must be an IP or member of an ICC, physically and mentally fit, with a family income

not exceeding PHP 100,000 per annum. Elementary and high school applicant should have passed all subjects during the school year, while college applicants are encouraged to enrol in accredited state colleges and universities in their area of domicile (NCIP Resolution No. 21-2000, 4). The OECH works to ensure wide dissemination of information about the program through public announcements.

This program follows a very bureaucratic procedure which has become a source of discontent for some IPs. According to the Implementing Guidelines of the Scholarship Program (IGSP), section B.1., the procedure involves the following: a) issuance by the Central Office of quota allocation of scholars by tribe, province and Community Service Center; b) filing of application in the Community Service Centers; c) acquisition of Tribal Membership (CTM) by applicants from their respective tribal leaders/elders; d) issuance of Certificate of Confirmation (COC) by concerned Regional Offices; e) initial processing of applications in the Community Service Centers to ensure that all documentary requirements have been submitted; f) initial screening in the Provincial Offices; g) final screening in the Regional Offices; h) submission of the final list to the Central Office for approval of the NCIP Chairperson (NCIP Resolution No. 21-2000, 4). Applicants are required to submit the following documents and materials: a) Certificate of Tribal Membership/Certificate of Confirmation; b) duly accomplished application form; c) 1 x 1 ID picture; d) photocopy of NSAT; e) Form 138 (for incoming freshman) or grades in the last semester (for 2nd - 5th year college applicants), f) Income Tax Return of parents or guardian/Certificate of Tax Exemption; g) certificate of good moral character and good health from the school principal (for elementary, high school and college applicants) or from any competent authority or authorized official (for graduate school applicants).

The report of the NCIP and the COA that the selection process has been politicized (COA 2006 and 2007) appears to be linked to the approved composition of the Regional Selection Committee and its very bureaucratic mechanism for selection of grantees. The IGSP authorizes a representative of each of the Offices of the Congressmen concerned to be a member of the selection committee. The selection of the grantees is acted upon by two-tiered committees: the Regional Selection Committee and the Central Selection and Coordinating Committee. The Regional Committee is composed of the Area Commissioner as Chairperson, the NCIP Regional Director as Vice Chairperson, and the following as members: authorized representative of each of the offices of the Congressmen concerned, Technical Division Chief of the region concerned, all DMOs under the Education Section, and all Provincial Officers.

Most of the grantees who have been assisted by the program were college students distributed throughout the country. However, in some areas inhabited by IP groups, most of the grantees were provided elementary education.³ The financial support for these grantees sought to augment the school needs of pupils and students, particularly those coming from the hinterlands, in public elementary and high schools, such as uniforms, school supplies and materials, school contributions, transportation fares and meals. Table 3 shows the distribution of grantees per region per year from SY 1999 – 2000 to SY 2009-2010.

The EAP is one of the most sought-after programs offered by the NCIP. The OECH reports that it is currently serving 16,353 grantees from 124 IP-inhabited congressional districts nationwide. In 2009-2010, there were 14,471 (88.49%) college grantees, 1,182 (7.23%) high School grantees, and 700 (4.28%) elementary grantees who qualified and availed themselves of the program following approved implementing guidelines. As of school year 2008-2009, 15,036 graduates have been assisted since the program implementation by NCIP in 1999, with a total of 28,534 beneficiaries from school year 1999-2000 to school year 2008-2009 (Buasen 2011).

According to the OECH, the budget continues to be the most difficult part of program implementation. While the funding increased to PhP 84.07 million for SY 2003-2004, the number of congressional districts to be served also increased from 45 to 74. Such arrangements also substantially reduced the total of remaining IP-inhabited congressional districts still needing allocation to 45 out of 119 congressional districts at that time. A significant instance noted was the tardiness in the release of EAP funds by the DBM in FY 2004, of which only PhP 30 million (37.5% of the needed amount of PhP 80 Million) was released. However, the Commission on Audit (COA) records show that budget may not be the problem in relation to the EAP because there are cases where approved budgets were not fully spent. Despite the reduction in budget approved by Congress, the NCIP had undisbursed EAP funds. For example, NCIP Central Office was allotted PhP 2.6 million for 273 IP scholars, but it disbursed only PhP 1.57 million or 60% of its allotment. At the end of 2008, NCIP Region V had a balance of PhP 253,210 while Region XIII had PhP 2,285,282 although the available cash was only PhP 1,791,408 (COA-AAR, 2005, Para 72). Such unusual surpluses could mean that the use of EAP funds was not optimized, or that some grantees were not paid despite the availability of funds, or some were paid only after the semester when funds became available to the NCIP. Specifically in NCIP Region IX, 34% or 213 out of the 628 grantees were paid financial benefits one year after the funds became available (COA-AAR, 2005, Para 72). In public fora and meetings where NCIP is represented, IPs

Region	1999-00	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10
CAR	3,301	2,944	3,671	2,984	3,020 ^a	5,227 ^b	5,227	5,227	3,841	3,841	3,012
I	1,159	979	653	852	969	888	888	3,550 ^c	1,774	1,774	1,849
II	1,967	1,966	1,673	1,714	1,483	1,372	1,372	1,302 ^d	1,952	1,401	1,401
III	926	1,982	1,413	893	866	608	608	608	729	1,603	1,039
IV	709	896	733	1,082	813	596	482	1,394	1,319	1,319	1,473
V					37	115	115	567	567	319	991 ^e
VI & VII				80	192	173	173	292	228	422	424
IX	393	380	397	543	679	550 ^f	550	550	505	505	508
X	132	62	57	219	570	379	379	379	329	659	659
XI	190	361	335	706	766	607	607	607	729	990	990
XII	201	303	284	335	447	572	572	572	424	574	574
XIII	382	424	454	546	839	493 ^g	493	710	710	884	884
ARMM	143	201	158	154	125						
ABA	81	91	88								
Central Office	126	93	83	248	273						
AHEIP	18	35	35								
TOTAL	9,728	10,717	10,034	10,356	11,222	11,580	11,466	15,758	9,986	14,291	13,804

Table 3. Number of EAP Grantees per Region and School Year, 1999-2010. **Sources:** NCIP Annual Reports 2005 and 2008; NCIP record on EAP Summary of Fund Releases for Regional Office I to Regional Office II and CAR, 2004-2010, and Implementation of the International Covenant on Economic, Cultural and Social Rights, ESCR-Asia, October 30, 2008.^h

^a Of these 3,020 grantees, NCIP records show that 6,171 grantees were paid.

^b Of these 5,227 grantees, NCIP records show that only 3,433 grantees were paid.

^c Of these 3,550 grantees, NCIP records show that only 1,761 grantees were paid.

^d Of these 1,302 grantees, NCIP records show that 1,536 grantees were paid.

^e Of these 991 grantees, NCIP records show that only 817 grantees were paid.

^f Of these 550 grantees, NCIP records show that only 343 grantees were paid.

^g Of these 493 grantees, NCIP records show that 667 grantees were paid.

^h See full report: <http://www2.ohchr.org/english/bodies/cescr/docs/info-ngos/ESCR-Philippines41.pdf>

usually express their concerns to the NCIP regarding the problematic implementation of the EAP. The NCIP, in turn, responds with reports of their struggles with the requirements of the DBM for the release of EAP funds.

In 2002, the OECH drafted a proposed Implementing Guideline of the EAP in an attempt to improve its administration (NCIP Annual Report 2003, 27). Several proposals were targeted in response to the concerns of the IPs on the EAP. While implementing guidelines did not prohibit assistance to applicants wishing to pursue master's or doctoral degrees, graduate studies were not seen as a priority in program implementation.

Problematic implementation of the EAP

Consolidated Annual Audited Reports (COA-AAR) show that there are several problems encountered in the EAP's implementation. The COA repeatedly reported the non-adherence of NCIP to the Implementing Guidelines for Scholarship Program (IGSP) (COA-AAR 2009, 40). The 2004 to 2009 COA-AAR reports show the following problematic implementation of the EAP: 1) lapses in the maintenance and management of records; 2) cases of unqualified grantees (i.e., grantees who did not meet the criteria on eligibility); 3) misuse of EAP funds (payment of expenses not related to EAP). Many of these are rooted in the bureaucratic implementation of the EAP.

The annual audited reports for NCIP in 2009 also noted that the NCIP Central Office and the NCIP Regional Office XI paid the total amounts of PhP 377,500 and PhP 525,000, respectively, to 134 student grantees for SY 2008-2009, despite their failure to submit all the documents required for admission, or their submission of "fictitious documents" contrary to the IGSP (COA-AAR 2009, 40-45). In 2004, stale checks worth PhP 128,500 already in the hands of the payees were not encashed. The COA recommended that the NCIP-EAP management contact the holders of stale checks, to inquire about the reasons for non-encashment and to advise them to request for replacement of checks, if necessary (COA-AAR 2004, 32). Toward the end of 2005, only 75 out of the 119 IP-inhabited districts had received EAP (COA-AAR 2005, 36). Hence, 38% of IP districts were not served by the program.

The 2005 COA-AAR records show that there are also cases where regional offices did not keep good records system on their grantees. In NCIP Region V, individual files of admission requirements submitted to the program and other pertinent records of the grantees were not maintained. In the Cordillera Administrative Region, it appears that the master list of grantees for SY 2004-2005 was not updated and also

not based on grantees who complied with the requirements during the preceding semester. This caused the delay in the processing of allowances of grantees which could not be done without an updated master list that includes the names of dropouts and those not enrolled in the current school year. In NCIP Region X, the list of grantees was not updated, as can be seen in the inclusion of those who either dropped out or transferred to another school. The benefits of 103 grantees in NCIP Region XI were paid although their names did not appear in the list of approved scholars by NCIP Central Office. Index cards of benefits paid to each grantee were not maintained as an aid in monitoring and controlling disbursements of funds. Overall, it appears that the NCIP records system for EAP is problematic causing discrepancies in their institutional reports (see footnotes of Table 3). There is a big mismatch between the NCIP record of grantees per school year per region and the number of grantees who were given the educational benefits.

The COA in its AAR proactively reviewed the EAP program implementation and recommended actions for the NCIP to implement. Given these cases, the COA recommended that the NCIP should: a) institutionalize monitoring of the implementation of the program at the provincial, regional and national levels; b) require the scholarship coordinators to conduct rigid monitoring and evaluation of grantees in their respective areas as bases in preparing status reports and policy recommendations; c) require the Service Centers Scholarship Coordinators to hold orientation meetings with the grantees and their parents to discuss, among other things, the objectives of the program and the end results, before the grants are distributed; d) require the Screening and Selection Committee of the EAP to strengthen the evaluation system in the selection of the student grantees, so that only poor but deserving IPs could avail themselves of program benefits; and e) disqualify children of NCIP officials/employees whose family income exceeds the allowable limit as stated in the guidelines (COA 2008, 45).

As to payments of allowances, the COA-AAR reports that there were cases where payments were made to grantees who did not comply with the admission requirements. At the NCIP Central Office, only six out of 172 grantees complied with the requirements. There were 69 grantees who had no record on file supporting their admission to the program, while the remaining 97 grantees had incomplete records. Of the 69 grantees with no documents on file, 20 were paid stipends (COA-AAR 2009). A perennial complaint of grantees is the frequently delayed release of EAP funds. For CY 2009, NCIP was able to send stipends to 706 grantees amounting to PhP 3,221,500. Of the total checks prepared for payment, 175 checks remained unclaimed/outstanding as of December 31, 2009, while 54 checks amounting to

PhP 270,000 became stale. In 2009, cases at the Central Office show that they paid PhP 377,500 to 60 out of 706 students, while Regional Office No. XI paid PhP 525,000 for the educational allowance of 134 student grantees for SY 2008-2009, despite absence of vital records, or incomplete admission requirements (COA 2009, 41).

The COA- AAR also reports that there were cases where the selection process for EAP grantees might not have been followed. At NCIP Region XI, for example, the regional selection committee might not have convened, reviewed, and decided on the applications of grantees in 2005. The list submitted by NCIP provincial offices and the Office of the Congressman was the same list submitted to NCIP Central Office for approval. Seemingly, no screening was made. There were also cases where IPs were not represented in the screening bodies when their inclusion could have been part of the controls to ensure that only IPs are admitted to the program. Involving the IPs in this manner could have controlled political endorsements and served as a form of empowerment for IPs. There were also cases where parents received the assistance for their children without authorization from the grantees (COA 2009, 42). Reports also show that home visits or inquiries over dropouts and transferees, and the resolution of their causes (e.g., career guidance and motivation) were hardly done by the Commission together with the schools and tribal chieftains.

There were instances when non-IPs became beneficiaries of the EAP. The NCIP reports to COA that the main causes were political pressure and laxity in enforcing the selection requirements, which include the Certificate of Confirmation proving that the grantee is an indigenous person. The COA reports specific instances in Mindanao and at the NCIP Central Office. In NCIP Region XIII, EAP funds were used in 2005 to pay for expenses that were not directly related to the program, such as hazard duty pay. A 2007 case shows that the financial assistance given to IP grantees was less than the standard amount prescribed, and the fund intended for EAP of Regional Office No. II in the amount of PhP 145,228.07 was used to pay additional performance bonus of personnel. This was discovered and consequently disallowed by COA and the amount was fully refunded through payroll deductions (COA 2007, 31; COA 2008, 52).

After 10 years of implementing this program, the OECH began revising its EAP implementing guidelines. The revisions are currently being finalized. In revising the guidelines, it is noteworthy to consider some proactive assistance to grantees. Perhaps one problematic area to address is how EAP implementers should intervene in cases of grant termination and discontinuity such as the cases in CAR.⁴

Bureaucratic predicaments of the EAP

The system for the EAP is deficient and prone to an appalling politicized application process as manifested in the cases mentioned earlier and in the internal review conducted by OECH staff who worked at the forefront of implementing the financial assistance program. The COA in its Annual Audit beginning 2004 has recommended that the NCIP strictly enforce the IGSP to avoid audit disallowances and suspension (COA 2007, 57). COA also recommended that the NCIP should institutionalize a program monitoring and implementation scheme at the provincial, regional, and national levels. The COA also recommended that NCIP send the funds allotted for EAP before the school year commences to ensure timely distribution of financial assistance among the grantees. The Central Office Selection and Coordinating Committee was also inveighed to send punctual notices on allowance releases due to individual grantees to avoid the accumulation of unclaimed/unreleased checks in the Cashier's Office and to prevent the checks from becoming stale. Observing the unequal distribution of EAP funds per region, the COA also recommended that the NCIP rationalize scholarship allocation to cover all districts on a regular basis, and pursue the conversion of the EAP funds into a continuing appropriation.

But such problems may only be addressed when the EAP is redesigned to make it integral to the development goals of IP communities. Like the NCIP's Assistance to Community Schools, the EAP appears to be a short-range solution, if not quick-fix remedy, to the needs of IPs in village settlements. Some systematic planning is required to make this program reconcilable with the overall framework for IP education. Financial support to IP youth education needs to be rationalized on the basis of long-term targets.

A culturally responsive education program for indigenous people

The NCIP programs on education for IPs are undoubtedly indispensable and helpful to the IPs. However, we need to see how each program substantively supports or corroborates each other to achieve the IP education objectives set by the OECH. The EAP and Assistance to Community Schools programs appear to have been dislodged from the IP education framework developed by the OECH. The EAP program is basically giving financial support to IP youth so they could avail themselves of mainstream education, and not an OECH-conceived IP education program. The EAP as conceived and implemented did not fit into the OECH-defined framework for IP education. The program needs to be substantively transformed

or redesigned with an articulated self-determined IP development strategy. Without this, the EAP will continue to pose significant risks to the NCIP's overall delivery of IPs' rights to education. As it is now, the outcome of such scholarship can lead to the cultural alienation of some IPs as they take tertiary education that is not conceived under an IP community development plan. The NCIP Annual Report of 2003 raised concerns that EAP grantees who have graduated rarely return to their communities, given that their educational training was not relevant to their villages' development needs (NCIP Annual Report 2003, 27). The success of a financial assistance program should be measured not just in terms of increase in the number of grantees but in terms of significant indicators that assess the impact of the program. Cultural competence can form one of the measurable outcomes.

Conclusion and recommendations

With the release of the Department of Education Order 62 Series of 2011 entitled "Adopting the National Indigenous Peoples Education Policy Framework,"⁵ a policy recognizing education as a means of recognizing IP rights to Education, institutions like the NCIP will have enough space and policy support to conceive better programs, and to deliver on their mandate in regard to IP education. The OECH needs to reconfigure its three main programs (IP education, Assistance to Community Schools, and EAP) towards an overall coherent plan for IP education. It needs to strengthen its working relations with IP communities to better conceive and implement a program that is responsive to the mandate of the NCIP-OECH and accepted by the IP communities at large. This policy pronouncement from DepEd recognizes the role of education as a means to realize human rights and is intended to "be an instrument for promoting shared accountability, continuous dialogue, engagement, and partnership among government, IP communities, civil society, and other education stakeholders" (Dep-Ed Order 62, Series of 2011, 1). Viewing education as an 'enabling right' for IPs to exercise self-determination, the DepEd "seeks to move towards the full realization of laws, national policies and development commitments" of the Philippine government for indigenous peoples. The DepEd in this policy also recognizes the need to consolidate the experiences and initiatives of IP organizations and NGOs, and other community-based initiatives, to formulate a systemic and coherent IP Education Program. The NCIP can play an important role in this, taking stock of its previous year's interventions in giving inputs to the development of schools of living traditions and community based-learning institutions. This policy pronouncement directs DepEd and other government agencies to partner with

civil society and private sector organizations to provide “culture-responsive basic education services through both the formal school systems and the alternative learning system (ALS).”

It is time that the OECH developed an Integrated Indigenous Peoples Education Program and worked proactively towards reforming the initiatives and programs of the Dep-Ed, e.g., programs on indigenization. In order for the NCIP to have a meaningful contribution to various efforts on IP education and for it to deliver on its mandate, the OECH-NCIP will need to lead an inclusive conceptualization of sound programs in IP Education. Over the years, OECH-NCIP appears to have merely worked on ‘consultative’ and/or ‘collaborative’ levels and thus its institutional impact on indigenous peoples’ education is not quite observable. Meaningful contributions are not necessarily measured by the number of scholarships granted, by the number of community schools assisted, or in the extent of collaborative work done, but rather in terms of quality programs formulated under a well-articulated human rights-based framework of IP educational reform in the Philippines.

Such a task will necessarily demand functional and professional manpower needed for its implementation. Personnel/staff development is key to the successful implementation of programs. OECH’s IP education work needs more well-trained and dedicated personnel. Recruitment and training of young personnel to work with OECH should be part of NCIP’s priority.⁶ In addition to such personnel, a pool of indigenous education experts should be called to assist in the conceptualization and implementation of the work.

In the Philippines, there are several independent IP education programs implemented by civil society organizations, including church institutions, colleges and universities. An in-depth study of all these programs in the Philippines can help build the planning stage for the OECH-NCIP. The experiences of NGOs show that programs promoting the rights of indigenous peoples work best when implemented within the evolving customary or traditional laws and institutions in indigenous communities. The OECH-NCIP can draw insights from such experiences on the ground, but will also have to level up its work and achieve national integrity for a work program on IP education. This way, the OECH will not only play an important role in the full and effective implementation of indigenous peoples rights to education, but can also contribute to the attainment of the other rights (Social Justice and Human Rights, Self Determination and Empowerment, Cultural Integrity and Ancestral Domain) defined in the IPRA.

NOTES

1. The following is the full text of Section 6 of Rule VII of the IRR-IPRA: a) Establish, maintain and support a complete, adequate and integrated system of education relevant to the needs of the ICCs/IPs particularly their children and young people; b) Develop and implement school curricula for all levels relevant to the IPs/ICCs using their language, learning systems, histories and culture without compromising quality of education and building the indigenous children's capacity to compete for higher education; c) Encourage indigenous learning as well as self-learning, independent, out-of school study programs, school of heritage and living traditions that nurture cultural integrity and diversity and that responds to the needs of IP communities; d) Provide adult indigenous peoples with skills needed for civic efficiency and productivity; and e) Establish processes and implement affirmative action in the employment of indigenous teachers in schools within indigenous peoples communities and assist indigenous teachers in their professional advancement as this relate to the protection, promotion and protection of IP rights.

2. This was part of Pres. Estrada's Education program. However, an earlier version of the EAP program was conceived by the Office on Northern Cultural Communities (ONCC) in 1992 but was supported and implemented only by the Congressional District of Abra with an initial budget of PhP 2 million pesos. This program grew as other provinces especially in the Cordillera Region adopted and supported this program. When plans to scrap the congressional pork barrel in FY 1999 emerged, the DBM, with determined intervention of some Congressmen, increased the budget to PhP 65 million pesos to cover the educational expenses of current grantees from 45 congressional districts who had yet to complete their studies at that time, and to meet the increasing demand for the scholarship program. The same program rationale and structure was adopted by the NCIP as one of its priorities under the fourth bundle of rights of the IPRA (Social Justice, and Education in particular). With the NCIP implementing this program, the funding remained at PhP 65 million from 1999 until 2002, but with an increasing number of grantees: 9,728 grantees for School Year (SY) 1999-2000, 10,722 grantees for SY 2000-2001, 10,034 grantees for SY 2001-2002, and 10,356 grantees in SY 2002-2003.

3. These are the Mangyans of Mindoro and those of Negrito stock such as the Aetas of Central Luzon, Dumagats of Regions II, III and IV, Atis and Agtas of Regions V and VI, and the Mamanwas of the CARAGA Region. Accordingly, there were some grantees from the more vulnerable IP groups in Central Mindanao and North Western Mindanao who were also assisted in their basic education, as this was identified as a priority need similar to cases in Regions III and IV.

4. In CAR, the educational assistance of a total of 1,388 out of 3,917 IP grantees since the start of the grant, amounting to PhP 14,710,857, was terminated or discontinued due to the following: (1) falsification of documents by the grantees; (2) incurrence of failing grades in at least 25% of the total units enrolled for two consecutive semesters; (3) non-completion of grades of Incomplete within the prescribed semester; (4) non-completion of the course

in the prescribed curriculum; (5) transferring to another school or courses after the allowed period and without approval from the NCIP.

5. The OECH participated in the drafting of this National IP Education Policy Framework. This was initiated by the Department of Education (DepEd) Technical Working Group on Muslim and Indigenous Peoples' Education and other stakeholders on IP Education who were organized under the Basic Education Sector Reform Agenda (BESRA) with the aim of putting together all initiatives on IP Education, including an identification of standard inputs that are relevant and acceptable to concerned IPs.

6. This is to allow the OECH deliver on its other functions, which include the following: a) undertake studies, plans, and programs and implement the same for the development of an indigenous curriculum and preservation of the historical and cultural heritage of the ICCs/IPs; b) establish and maintain a museum, library and audio-visual arts center as a repository for the arts and culture of the IPs; c) assist, promote and support community schools, both formal and non-formal, for the benefit of the local indigenous community, especially in areas where existing educational facilities are not accessible to members of the indigenous group; d) administer all scholarship programs and other educational projects intended for ICC/IP beneficiaries in coordination with the Department of Education, Culture and Sports and the Commission on Higher Education; e) provide health programs and services to the ICCs/IPs and promote indigenous health practices and the use of traditional medicine; f) undertake a special program which includes language and vocational training, public health and family assistance program and related subjects; likewise, to generate the necessary funds and technical support from other sources to augment the available appropriation; g) identify members of ICCs/IPs for training in health profession and encourage and assist them in enrolling in schools of medicine, nursing, medical technology, physical therapy and other allied courses; h) deploy a representative in appropriate government offices who shall personally perform the foregoing tasks and who shall receive complaints from the ICCs/IPs and compel action from the concerned agency; and i) monitor the activities of the National Museum and other similar government agencies generally intended to manage and preserve historical and archaeological artifacts of the ICCs/IPs and be responsible for the implementation of such other functions as the Commission may deem appropriate and necessary.

REFERENCES

- Arquiza, Yasmin D., ed. 2005. *The road to empowerment: Strengthening the Indigenous Peoples Rights Act*. Vol. 2, *Nurturing the earth, nurturing life*. Manila: International Labour Office.
- Barber, M. and M. Fullan. 2005. Tri-level development: Putting systems thinking into action. *Education Week* 24 (25): 32-35.
- Banathy, B. and L. Jenks. 1993. The transformation of education: By design. *International Journal of Educational Research* 19 (2): 105-144.

- Buasen, Carlos. n.d. Profile of education, culture and health programs/projects for indigenous peoples contained in the MTPDP-MTPIP 2005-2010: Considerations for the medium-term work and financial plans. https://docs.google.com/viewer?a=v&q=cache:Ac7lc9YAWcwJ:www.ncip.gov.ph/downloads/category/13-programs.html?download%3D55:oech-profile-of-education-culture-and-health-programs-for-ip-s+buasen+considerations+for&hl=fil&gl=ph&pid=bl&srcid=ADGEEShrT0SI0P8M1vB4PVBj8LwlfWSW0W-kKxE0U7mmfLDCQ3QwFWxhhG-z8XuufbPErH3Rataql66WimBCH1CCtXczKDFwbswElxDgjjRIWEzYKhjsrWLQop-6li-z34g-mawPnX5_&sig=AHIEtbSHLabLVf1OXJ1rTL849qJvVuNurQ (accessed November 2, 2012).
- Buasen, Carlos. 2011. Education in the context of Philippine indigenous peoples: A synopsis of engagements. <http://www.ncip.gov.ph/CentralOffice/OfficeonEducationCultureandHealth/EducationintheContextofPhilippineIP.aspx> (accessed May 2, 2011).
- Commission on Audit (COA). 2005-2009. Annual Audit Reports (COA-AAR) on the National Commission on Indigenous Peoples.
- Committee on the Elimination of All Forms of Racial Discrimination. 2009. 73rd Session, August 3-28, 2009. Philippines Indigenous Peoples ICERD Shadow Report for the consolidated 15th, 16th, 17th, 18th, 19th and 20th Philippine ICERD periodic reports. http://www2.ohchr.org/english/bodies/cerd/docs/ngos/PIP_Philippines75.pdf (accessed April 12, 2011).
- Department of Education Order No. 62, series of 2011. *Adopting the National Indigenous Peoples (IP) Education Policy Framework*.
- Department of Education Order No. 101, series of 2010. *The Alternative Learning System (ALS) Curriculum for Indigenous Peoples (IPs) Education*.
- Department of Education Order No. 74, series of 2009. *Institutionalization of Mother-Tongue Based Multilingual Education*.
- Department of Education-Bureau of Alternative Learning System [BALS]. 2006. *Development of the Indigenous Peoples Education*, 2 vols.
- Enkiwe-Abayao, Leah. 2003. Ifugao knowledge and formal education—systems of learning in the Philippines. *Cultural Survival Quarterly* 27 (4). Online: <http://www.culturalsurvival.org/publications/cultural-survival-quarterly/philippines/ifugao-knowledge-and-formal-education-systems-l> (accessed April 12, 2011).
- Economic, Social and Cultural Rights – Asia (ESCR – Asia). 2008. *Implementation of the International Covenant on Economic,*

Cultural and Social Rights. <http://www2.ohchr.org/english/bodies/cescr/docs/info-ngos/ESCR-Philippines41.pdf> (accessed April 12, 2011).

Expert Mechanism on the Rights of Indigenous Peoples. 2009a.

Expert Mechanism Advice no. 1 (2009) on the rights of indigenous peoples to education. <http://www.ohchr.org/EN/Issues/IPeoples/EMRIP/Pages/ExpertMechanismDocumentation.aspx> (accessed April 12, 2011).

_____. 2009b. *Study on lessons learned and challenges to achieve the implementation of the rights of indigenous peoples to education: Report of the Expert Mechanism on the Rights of Indigenous Peoples to the Human Rights Council.* UN Doc. A/HRC/EMRIP/2009/2. http://www2.ohchr.org/english/issues/indigenous/ExpertMechanism/2nd/docs/A_HRC_EMRIP_2009_2.pdf (accessed April 12, 2011).

_____. 2009c. *Study on lessons learned and challenges to achieve the implementation of the right of indigenous peoples to education. Report of the Expert Mechanism on the Rights of Indigenous Peoples to Agenda Item 5, The Twelfth Session of the Human Rights Council.* <http://www2.ohchr.org/english/bodies/hrcouncil/docs/12session/A-HRC-12-33.pdf> (accessed April 12, 2011).

Fenelon, James and Dorothy LeBeau. 2006. Four directions for Indian education: Curriculum models for Lakota and Dakota teaching and learning. In *Indigenous education and empowerment: International perspectives*, ed. Ismael Abu-Saad and Duane Champagne, 21-56. Oxford: AltaMira Press.

Lapus, Jesli A. The education system facing the challenge of the 21st century – Philippines. Paper presented at a UNESCO conference in Geneva, Switzerland, November 25-28, 2008. http://www.ibe.unesco.org/National_Reports/ICE_2008/philippines_NR08.pdf (accessed April 12, 2011).

NCIP. 2002-2010. *Annual Reports*.

NCIP. 1999-2010. Socio-economic and cultural development projects: Regions I to Regions XIII and CAR.

NCIP. 2010. Profile of education, culture and health programs/projects for indigenous peoples contained in the MTPDP-MTPIP 2005-2010: Considerations for the medium-term work and financial plans.

NCIP Administrative Order No. 1 Series of 1998 – Rules and regulations implementing Republic Act 8371 otherwise known as “The Indigenous Peoples’ Rights Act of 1997” Implementing Rules and Regulations (IRR) of the IPRA.

NCIP Resolution No. 21 – 2000 Series of 2000 – A resolution adopting the implementing guidelines, as amended for the scholarship program for members of the cultural communities to be

- administered by NCIP as mandated specifically in Chapter VII, Section 46 (c) of Republic Act 8371.
- PANLIPI (Tanggapang Panligal Ng Katutubong Pilipino or Legal Assistance Center for Indigenous Filipinos). 2007. Initial assessment of the extent and impact of the implementation of IPRA.
- Philippine Report to the ICERD. Reports submitted by states parties under Article 9 of the Convention. Twentieth periodic reports of States parties due in 2008, Addendum. Philippines. CERD/C/PHL/20.
- Republic Act 8371. Indigenous Peoples' Rights Act (IPRA).
- Stavenhagen, Rodolfo. 2005a. *Indigenous peoples and education systems: Human rights challenges. Fourth annual report to the Commission on Human Rights by the Special Rapporteur*. UN Doc. E/CN.4/2005/88. <http://www.galdu.org/govat/doc/g0510157.pdf> (accessed April 12, 2011).
- _____. 2005b. *Conclusions and recommendations of the expert seminar on indigenous peoples and education. Addendum 4 to Fourth Annual Report to the Commission on Human Rights by the Special Rapporteur*. UN Doc. E/CN.4/2005/88/Add.4. <http://www.galdu.org/govat/doc/conclusions.pdf> (accessed April 12, 2011).
- _____. 2003. Report of the Special Rapporteur on the situation of human rights and fundamental freedoms of Indigenous peoples21 January 2003 E/CN.4/2003/90
United Nations. 2007. *Declaration on the Rights of Indigenous Peoples. Resolution A/61/L.67 September 2007*. <http://www.un.org/esa/socdev/unpfii/en/declaration.html> (accessed April 12, 2011).
- UNESCO National Commission of the Philippines and Education Network (E-Net). Policy research on adult indigenous peoples education: Follow up to the Belem Framework for Action. <http://www.unesconatcom.ph/World%20Book%20and%20Copyright%20Day/ENET%20Policy%20Research%20on%20IP--for%20web.pdf> (accessed April 12, 2011).
- Vargas, Erwin. 2007. Re-defining indigenous education. In *The Road to empowerment: Strengthening the Indigenous Peoples Rights Act*, ed. Yasmin D. Arquiza, vol. 2, 106-137. Manila: International Labour Office.
- Wenger, Etienne 1998. *Communities of practice: Learning, meaning, and identity*. Cambridge: Cambridge University Press.