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## Common School System and the Future of India

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The debate on Right to Education was initiated by Mahatma Jotirao Phule almost 125 years ago when a substantial part of the memorandum presented by him to the Indian Education Commission (i.e. the Hunter Commission) in 1882 dwelt upon how the British government's funding of education tended to benefit "Brahmins and the higher classes while leaving the masses wallowing in ignorance and poverty." Mahatma Phule drew attention to the irony that this happens when most of the revenue collected by the British government is generated from the output of the labour of the masses themselves. Things have not fundamentally changed since then. In 1911, when Gopal Krishna Gokhale moved his Free and Compulsory Education Bill in the Imperial Legislative Assembly, he faced stiff resistance. Instead of supporting the Bill, the members representing the privileged classes from Mumbai, Maharajas and other rulers from princely states and the big landlords from feudal areas talked of the conditions in the country not being ripe for such a Bill and that haste should be avoided. The Maharaja of Darbhanga from Bihar collected 11,000 signatures on a Memorandum from princes and landlords expressing concern about what would happen to their farm operations if all children were required to attend the school! The Bill obviously could not be approved. At the National Education Conference held at Wardha (Maharashtra) in 1937, Mahatma

Gandhi had to use all the moral powers at his command to persuade the Ministers of Education of the newly elected Congress governments of seven provinces to give priority to Basic Education (*Nai Talim*) of seven years and allocate adequate funds for this purpose. The Ministers kept on pointing out that there was no money.

During the Constituent Assembly debate in 1948-49, a member contended that the commitment made in the draft Article (later to be known as Article 45) to provide "free and compulsory education" to children *up to 14 years of age* should be limited to *only 11 years of age* as India would not have the necessary resources. The dilution would have been made but for Dr. Babasaheb Ambedkar's clarity of mind that it is at this age of 11 years that a substantial proportion of children become child labourers. He forcefully argued that the place for children at this age in independent India should be in schools, rather than in farms or factories. This is how an unambiguous commitment to provide *free* education through regular full-time schools to all children up to 14 years of age (including children below 6 years) by 1960 became an integral component of India's Constitution. This implies that the persistence of **more than half of our children** today in the school going age group of 6-14 years **as out-of-school children**<sup>1</sup> (at least 5 crores of them being child labourers) constitutes a clear violation of the Constitution. Likewise, the provision of non-formal education in the National Policy on Education-1986 as well as the parallel streams of facilities of varying qualities in the World Bank-sponsored District Primary Education Programme (DPEP) of the 1990s and the ongoing Sarva Shiksha Abhiyan (about 35 percent of its funds are from World Bank, European Union, DfID and other international agencies) violate the basic spirit of the Constitution as all these are designed to co-exist with both the child labour and inequality

in society.

The rhetoric of lack of resources for mass education has continued to dominate policy formulation since independence. In June 2006, the Central Government, claiming lack of resources, decided not to present the Right to Education Bill in the Parliament in spite of it becoming obligatory under Article 21A introduced through 86<sup>th</sup> Constitutional Amendment in December 2002. Instead, the central government sent a highly diluted and distorted draft Bill to the state/UT governments advising them to get it approved in their respective assemblies. This amounted to blatant abdication by the centre of its Constitutional obligation to give effect to the historic Fundamental Right accorded to elementary education for children in the 6-14 year age group. The Indian State is so scared of giving children Fundamental Right to Education that it has not even notified the 86th Constitutional Amendment to date though it was signed by the President of India more than five years ago.

### **Right to Education as Envisioned in the Constitution**

The majority comprising the upper classes and upper castes in the Constituent Assembly ignored Dr. Ambedkar's plea to place Article 45 in Part III of the Constitution, thereby denying education the status of a Fundamental Right in modern India. Instead, this Article was placed in Part IV of the Constitution making it a Directive Principle of the State Policy. In spite of this denial, there are five critical dimensions of the vision of education that emerges from the Constitution which must guide social movements in their struggle to gain Right to Education. **First**, this was the only Article among Directive Principles (Part IV) that had spelt out a time frame for its fulfillment viz. *within ten years* of the commencement of the Constitution. The political leadership, irrespective of its ideological

orientation, has so far failed to meet this obligation. **Second**, the *children below six years of age* were included in the reference to the children up to 14 years of age in Article 45. This made the provision of Early Childhood Care (including nutrition, health care and balanced development) along with pre-primary education of the children from birth to six years of age a Constitutional obligation of the State.<sup>2</sup> **Third**, the Constitution placed the agenda of *eight years of elementary education* before the State, rather than *merely five years of primary education*. In this light, the attempt by the policy makers since the 1990s, as reflected in World Bank-sponsored DPEP, to reduce this agenda to primary education must be viewed as being violative of the Constitution's vision.<sup>3</sup> **Fourth**, elementary education must be provided in such manner *as not to violate other provisions* of the Constitution, especially Fundamental Rights. For instance, educational planning must be *consonant with the principles of equality and social justice* enshrined as Fundamental Rights. This has major implications that we will take up when we discuss the agenda of Common School System. It would suffice to state here that any programme that provides education of varying quality to different sections of society and denies education of equitable quality is not allowed by the Constitution. **Fifth**, the Article 45 should have been invariably read *in conjunction with Article 46* which directs the State to give special attention to the education of the SCs and STs.

The discourse on Right to Education got a new turn with Supreme Court's Unnikrishnan's Judgement (1993). In this almost revolutionary interpretation of the Constitution, the Supreme Court stated that Article 45 in Part IV of the Constitution must be read in "*harmonious construction*" with Article 21 (*Right to Life*) in Part III since Right to Life is meaningless if it is without access to knowledge. Thus the

Supreme Court in 1993 **accorded the status of Fundamental Right to “free and compulsory education” of all children up to 14 years of age** (including children below six years of age).

### **Right to Education and the Ruling Class**

The above historic declaration by the Supreme Court in 1993 made India's ruling class uncomfortable. The central government undertook a series of exercises in the following years designed to extricate itself of the implication of the judgment. The Saikia Committee Report (1997) and the 83<sup>rd</sup> Constitutional Amendment Bill (August 1997) along with the report of the HRD Ministry-related Parliamentary Committee (November 1997) provide evidence of the clever ways being conceived in order to dilute and distort the concept of the Fundamental Right to education. However, there was public criticism of these attempts. Intellectuals, activists and people's organizations presented memoranda of their concerns to the Parliamentary Committee and organized public debates engaging leadership of major political parties (e.g. Delhi University Convention, December, 1997). Sensing this resistance, the entire matter of Right to Education was put in cold storage for the next four years.

In November 2001, the 86<sup>th</sup> Constitutional Amendment Bill was presented to the Lok Sabha. This Bill, like its predecessor 83<sup>rd</sup> Amendment Bill, too, was flawed. It was misconceived insofar it (a) **excluded** almost 17 crore children up to six years of age from the provision of Fundamental Right to *free* early childhood care and pre-primary education; (b) **restricted** the Fundamental Right of even the 6-14 year age group by placing a conditionality in the form of the phrase “*as the State may, by law, determine*” in Article 21A; this gave the State the instrumentality to restrict, dilute and distort the Fundamental

Right given through Article 21A; (c) **shifted** the Constitutional obligation towards free and compulsory education from the State to the parents/guardians by making it their Fundamental Duty under Article 51A (k) to "*provide opportunities for education*" to their children in the 6-14 age group; and (d) **reduced**, as per the Financial Memorandum attached to the amendment Bill, the State's financial commitment by almost 30 percent of what was estimated by the Tapas Majumdar Committee in 1999.

There was widespread public criticism of the anti-people character of the above Bill. A rally of 40,000 people, drawn from different parts of the country, at Delhi's Ramlila Grounds held on the day the Bill was discussed in the Lok Sabha (November 28, 2001) demanded radical amendments in the Bill. Several Lok Sabha MPs, cutting across party lines, also criticized the Bill. In public mind, it was becoming clear that the **hidden agenda of the Bill** was not to accord the status of Fundamental Right to elementary education but to snatch away the comprehensive right that the children up to 14 years of age had gained through the Unnikrishnan Judgment. Ignoring the public outcry, however, a consensus was arrived at among all the political parties of varying ideological backgrounds and the Bill was passed in both Houses of the Parliament without even a single dissenting vote. The aforesaid four flaws in the Bill, now legitimized through the 86<sup>th</sup> Amendment in December 2002, have since provided the basis for misconceiving the Sarva Shiksha Abhiyan and, more recently, the so-called Model Bill viz. Draft Right to Education Bill (2006) sent to the state/UT governments.

It is noteworthy that the new Article 21A introduced through the 86<sup>th</sup> Amendment is the only Fundamental Right that has been given conditionally. As pointed out above, this Right will

be given to the children "*as the State may, by law, determine.*" None of the other Fundamental Rights is tied to such a pre-condition. It is precisely this legislation that both the NDA and UPA governments failed to finalise and present in the Parliament. The latest move of the centre in June 2006 to shelve the Bill altogether by sending a flawed draft to the states/UTs, amounts to abdication by the Indian State of its Constitutional obligations. Why did it become necessary for the ruling elite to incorporate such a pre-condition in Article 21A in the first place and then not to enact the legislation as per its requirement? In order to answer this question, we must examine the major policy shift that has taken place as a result of the adoption of the so-called economic reforms and the neo-liberal agenda of globalization.

One matter must be settled at this juncture. The ruling elite imagines that, as a result of the 86th Amendment and introduction of Article 21A, it has succeeded in divesting the children below six years of age of their Right to Education, including right to Early Childhood care and pre-primary education. However, the fact is that this amendment does not negate Supreme Court's Unnikrishnan Judgment (1993) which directed that the original Article 45 of Part IV may be read in harmonious construction with Article 21 (Right to Life) of Part III. This raised the original Article 45 to the status of a Fundamental Right. In view of this, the amended Article 45, providing for early childhood care and education, can still be legitimately read in conjunction with Article 21, thereby giving the children below six years of age a Fundamental Right that was snatched away by the 86<sup>th</sup> Amendment.

Before probing the impact of the neo-liberal agenda, let us acknowledge a rather discomfoting reality. In spite of the significant flaws of the 86<sup>th</sup> Constitutional Amendment as

pointed out above, it has taken the country more than five decades to accord education the status of Fundamental Right. In this sense, the amendment has indeed given the social movements a fairly powerful weapon to continue and broaden their struggle for education with equality, social justice and dignity. From this perception emerges a **three-fold agenda** viz. (a) struggle for realizing the full entitlement made available from this otherwise *limited* 86<sup>th</sup> Amendment; (b) using policy analysis (see the following section) as a people's tool of struggle, expose the political economy of the amendment with a view to reveal the class character of the Indian State as well as the neo-liberal agenda before the masses; and (c) extend the struggle to seek pro-people amendment of the 86<sup>th</sup> Amendment itself.

### Neo-Liberal Assault on Education Policy

Although the agenda of globalization started operating in India from the mid-1980s onwards, its formal announcement was made through the New Economic Policy in 1991. The new element was IMF-World Bank's Structural Adjustment Programme imposed on the Indian economy as a pre-condition to receiving fresh international loans/grants. This meant that the Indian government was *obliged to steadily reduce its expenditure on the social sector*, particularly health and education. This was a rather enigmatic pre-condition in a country where the vast majority of the people did not have access to quality health or education. In education, it made even less sense as it was imposed by those who were advocating 'Education For All' programme along with the move towards the so-called "Knowledge Economy". One can't, therefore, avoid asking the question: what was the hidden agenda? An analysis of the declaration issued by the World Bank-UN sponsored "World Conference on Education for All" (1990) reveals that the central thesis in the Indian context was

three-fold. **First**, the *State must abdicate* its Constitutional obligation towards education of the masses in general and school-based elementary education in particular, *become dependent on international aid* for even primary education and work through *NGOs, religious bodies and corporate houses*. **Second**, the people *neither have a human right* as enshrined in the UN Charter *nor a Fundamental Right* to receiving *free* elementary education of *equitable* quality as implied by the 86<sup>th</sup> Amendment. **Third**, *education is a commodity* that can be marketed in the global market. It follows, therefore, that the education system - from the pre-school stage to higher education - must be, as rapidly as possible, privatized and commercialised. This central thesis has originated from the highest echelons of the global market economy and the Indian Parliament, along with India Inc., has unfortunately acquiesced without any critical scrutiny whatsoever, purportedly in larger "national interest". Prof. Noam Chomsky, the redoubtable US scholar-cum-activist, would not have found a more shameful example of his proposition of "**manufacturing of consent**"!

In smaller countries, particularly in the ones lacking a strong base of government-funded schools, the above neo-liberal agenda would not be hard to implement. However, in a vast country like India, having a rich history of government's engagement in education, the neo-liberal agenda required a special strategy. The Indian situation was marked by glaring contradictions. On the one hand, a whole generation of academia, writers, scientists, doctors and engineers, civil servants, lawyers and public figures until the 1990s had been, by and large, nurtured in the government-supported education system. In 1991, the massive school network comprised more than 8 lakh schools (the figure has grown to more than 11 lakhs today), 94 percent of which were either government/local body or private but government-aided schools. **Less than**

**6 percent were private unaided schools.** The higher education system then comprised about 5,000 colleges, 1,000 professional institutions and 200 universities. It is nobody's case, on the other hand, that the system was adequate – either in quantity or in quality. Half of the nation's children (and two-thirds of the girls) were essentially out of school (see Footnote 6) – unable to complete even eight years of elementary education. The Constitutional goal of achieving universal elementary education by 1960 eluded the policy makers, as it continues to do even today. A conservative estimate showed that the number of primary schools needed to be increased by almost two-fold while the number of upper primary and secondary schools needed to multiply several fold. As a conservative estimate, we needed *at least* twice as many qualified and well-trained school teachers as we had in 1991 (this number then was about 40 lakhs).

The 1986 education policy had resolved to raise investment in education such that it will reach *at least 6 percent* of GDP by the year 2000. This unfulfilled resolve was incorporated in the UPA's Common Minimum Programme in May 2004. Yet, as percentage of GDP, India spent less on education in 2005-06 (less than 3.5 percent of GDP) than what it spent in 1985-86 when the policy was passed by the Parliament. This is despite the fact that the Government had levied 2 percent Education Cess and raised almost 35 percent of the resources for Sarva Shiksha Abhiyan from international funding agencies. Clearly, as a result of the Structural Adjustment Programme, the political will to mobilize public resources for education by reprioritisation of Indian economy was at a lower level in 2005-06 than what it was 20 years earlier!

What the country needed in 1991 – five years after the 1986 policy – was a firm resolve to first rapidly fill up the

**cumulative gap** resulting from continued underinvestment and then maintain the elusive investment level of 6 percent of GDP in the following decades. Nothing short of a radical departure was long awaited in order to **energise and restructure the entire education system along with its curriculum**. Yet, what the global market forces persuaded the Indian State to do in the 1990s was precisely the opposite of what was directed by the Constitution and resolved by the Parliament in the 1986 policy. The undeclared but operative strategy was to “*let the vast government education system (from schools to universities) starve of funds and, consequently, deteriorate in quality.*” As the quality would decline, resulting in low learning levels, the parents, even the poor among them, would begin to withdraw their children from the system. A sense of desperation and exclusion from the socio-economic and political space in the country would prevail. More importantly, the people’s faith in the Constitution and the capability of the State to fulfill its obligations will be shaken up, thereby leading to a cynical view of the nation-state. This will lay the groundwork for appreciation of market as a means of solving people’s problems. The neo-liberal economists and advocates have long striven for precisely this goal: measured weakening of the State and increasing credibility and power of the market.

When the children “**walk-out**” of the schools in protest against their poor quality and irrelevance (**no child ever drops out**, the official claims notwithstanding, as explained in Footnote 3!), two possibilities would emerge. First, low fee-charging unaided private schools (recognized or unrecognized) would mushroom to meet the new demand. Second, the government would have an *alibi* for closing down its schools as their low enrolment would have made them unviable. The school campuses could then be converted into commercial ventures such as shopping malls in urban areas or police

stations in rural areas, as it has been happening all over the country. A well-equipped police force will increasingly become the State's priority in "Shining India" (or "Incredible India") with a view to protect the upward mobile middle class and the elite along with their establishments from the unemployed poor youth who were either denied school education or were compelled to quit without completing it. The likelihood of growth of lumpenisation in this category of youth could at least be partly attributed to the denial of the *opportunity for socialization* in the common public space of the school, necessary for becoming part of even the bourgeois vision of the nation. Yet, closure of schools would be unabashedly termed "rationalization" of the school system in official reports<sup>4</sup>. The 1990s and the beginning of the 21<sup>st</sup> century increasingly stand witness to this phenomenon. The neo-liberal agenda is operating as per its original design!

The public expectations from the government system posed another challenge to the global market forces. Arguably, a general unrest in the country might be expected if the above neo-liberal strategy of demolishing the government school system became too apparent. The World Bank-sponsored District Primary Education Programme (DPEP), therefore, took a cue from the 1986 policy's non-formal stream for the poor. It started promoting low quality parallel streams, rather than providing more of regular full-time schools. From 1993-94 onwards, the DPEP pushed and eulogized all kinds of parallel streams such as alternative schools, education guarantee centres, multi-grade teaching and bridge courses – anything but a regular school! The cadre of teachers was rapidly replaced by *para-teachers* i.e. under-qualified, untrained and under-paid young persons appointed on short-term contract. A new sociological principle emerged: a separate layer of educational 'facility' (not a school) as per the social and economic status

of the child. A **Common School System functioning through Neighbourhood Schools** would have instead enabled children of different class, caste, religious and language backgrounds to study and socialise together. This would have helped promote equality and social justice and also an appreciation of India's rich diversity and composite culture. With their own children studying in the Neighbourhood School, this would have also provided an objective basis for the more powerful and privileged sections of society to have a vested interest in the state-supported school system, thereby maintaining both its quality and political credibility. However, the emerging system in the 1990s, as promoted by the neo-liberal agenda, was designed to isolate and alienate children belonging to different sections of society. The Indian Constitution was in tatters.

The impact of neo-liberal agenda on the Indian education policies must not be underestimated. Education is no more viewed as a tool of social development but as an investment for developing human resource and global market (see Ambani-Birla Report's Foreword, GoI, 2000). This innocuous looking statement of the purpose of education implies a major paradigm shift. The dominant features of education having serious epistemic (knowledge-related) and associated implications that emerge out of this paradigm shift may be identified as follows:

- i) trivialisation of the goals of education e.g. confusing education with merely literacy (e.g. National Literacy Mission of 1990s) or skills (the XI Plan attempts to equate education with market skills);
- ii) fragmentation of knowledge into marketable competencies, as was done in Minimum Levels of Learning (MLLs) during early 1990s;

- iii) alienation of knowledge from its social ethos and material base, a phenomenon that has prevailed since independence but has been exacerbated several-fold in recent years by rapidly growing dependence on information technology in schools, particularly expensive private schools;
- iv) increasingly dominant role of the global market forces in determination of the character of knowledge (e.g. computer companies designing syllabi, textbooks and learning softwares);
- v) institutionalisation of economic, technological and socio-cultural hegemony of the international instruments in the formulation of curriculum, as evident in the space being given to World Bank, UN agencies, corporate houses and their foundations, foreign universities and externally funded researches and projects in decision-making (e.g. Karnataka state government's move in 2007 to build SIEMAT under the control of Wipro Ltd. which was forestalled due to public outcry);
- vi) introduction of parallel and hierarchical educational streams for different social segments, as discussed above;
- vii) marginalisation of poor children and youth as well as the backward regions through competitive screening and a discriminatory system of institutional assessment and accreditation (e.g. Pratham's assessment of reading, writing and computing skills of grade V children in ASER Reports of 2006 & 2007 or NAAC's standard criteria for categorizing colleges/universities); and
- viii) attrition of the State-supported and democratic structures for educational planning, finance allocation and management, as exemplified by the introduction of the

idea of School Vouchers in XI Plan, though none of the seven CAGE committees had recommended it in 2005.

Admittedly, however, many of the features enumerated above were evident either in rudimentary or relatively more pronounced forms in the 'pre-globalisation' phase as well. This is exactly what one would expect in view of the colonial control before independence and hegemony of the ruling classes on the Indian State, with no significant democratic social intervention, in educational policy formulation since independence. What globalisation has done is the heightening and sharpening of these pre-existing contradictions.

All these dilutions and distortions were institutionalized in India's education policy during the 1990s through World Bank's DPEP in more than half of India's districts spread over 18 states. None of these policy measures were formally approved by the Parliament, though they were violating both the 1986 policy and Constitution's principles of equality and social justice. The much-hyped Sarva Shiksha Abhiyan packaged all such measures into one 'mega' scheme and sought legitimacy first through the Tenth Plan and now the Eleventh Plan. The Parliament was no more the supreme policy-making body. Directions were coming from the World Bank and such other agencies representing the global market.

### **What is Common School System?**

The Education Commission (1964-66) had recommended a Common School System of Public Education (CSS) as the basis of building up the National System of Education with a view to "bring the different social classes and groups together and thus promote the emergence of an egalitarian and integrated society." The Commission warned that "instead of doing so,

education itself is tending to increase social segregation and to perpetuate and widen class distinctions." It further noted that "this is bad not only for the children of the poor but also for the children of the rich and the privileged groups" since "by segregating their children, such privileged parents prevent them from sharing the life and experiences of the children of the poor and coming into contact with the realities of life. . . . also render the education of their own children *anaemic and incomplete*. (emphasis added)" The Commission contended that "if these evils are to be eliminated and the education system is to become a powerful instrument of national development in general, and social and national integration in particular, we must move towards the goal of a common school system of public education."

The Commission also pointed out that such a system exists "in different forms and to varying degrees" in other nations like the USA, France and the Scandinavian countries. The British system, however, was based upon privileges and discrimination but, in recent decades, under rising democratic pressure, it has steadily moved towards a comprehensive school system which is akin to the Common School System as recommended by the Commission. There are other developed countries as well like Canada and Japan that practice similar systems. It may not be an exaggeration to assert that **none of the wealthy G-8 countries have reached where they are without practicing the essential attributes of a public-funded Common School System functioning through Neighbourhood Schools.** Can India hope to be an exception to this historical experience if it wishes to join the comity of developed nations?

The 1986 policy, while advocating a National System of Education, resolved that "effective measures will be taken in

the direction of the Common School System recommended in the 1968 policy." Since then, the concept of Common School System (CSS) has itself been evolving. There are three widespread misconceptions about CSS, often promoted by its detractors, which we must deal with before going ahead. *First, CSS is misperceived as a uniform school system.* On the contrary, the Education Commission itself advocated that each institution should be "intimately involved with the local community . . . . . be regarded as an individuality and given academic freedom." This guiding principle has assumed even greater significance in recent times in view of the expectation from each school or a cluster of schools to be able to respond to the local contexts and reflect the rich multi-religious, multi-lingual and multi-ethnic diversity across the country. The present rigidity of the present school system, imposed by the Board Examinations (from CBSE/ICSE to State Boards), will be adequately challenged when flexibility, contextuality and plurality are accepted, among others, as the defining principles of CSS. *Second, it is wrongly claimed that CSS will not permit a privately managed school to retain its non-government and unaided (or aided) character.* Again, on the contrary, CSS implies that all schools – irrespective of the type of their management, sources of income or affiliating Boards of examinations – will participate and fulfill their responsibility as part of the National System of Education. *In no case, however, a school will be allowed to use education for profit making, increasing disparity or spreading disharmony.* The only expectation from the private schools shall be to function in consonance with the Constitution, in general, and provide free elementary education of equitable quality to the 6-14 year age group, as required under Article 21A. *Third, the private school lobby has worked overtime claiming that CSS would mean complete government control over schools.* There is no reason whatsoever to assume

that government grants necessarily lead to government control – the two need to be viewed independently of each other. In developed countries like USA and Canada, the school system is entirely funded by the state governments but it is entirely managed locally in a decentralised mode. In light of the 73<sup>rd</sup> and 74<sup>th</sup> Constitutional Amendments, decentralized management of schools with full accountability is now a statutory expectation. This, however, does not absolve the government from fulfilling its obligations towards financing, monitoring and making policies.

We must also note that 86<sup>th</sup> Constitutional Amendment (2002) enjoins upon the State to provide free and compulsory education at the elementary stage (class I-VIII) to all children as a Fundamental Right. This amendment in Part III of the Constitution has major implications for the national system of education which cannot continue to function as it has since independence. All schools in the country, including privately managed unaided (or aided) schools, are *required to act as agencies of the State* to fulfill the obligation flowing out of Article 21A regarding equality and social justice. We must note that the private unaided or aided schools have come up as a consequence of the failure of the State to provide quality education and, in this sense, they are fulfilling the function of the State. This is precisely why the private schools receive various kinds of support or subsidies (hidden or otherwise). This means that they have to act as genuine neighbourhood schools to provide free elementary education to all children residing in the neighbourhood as may be prescribed by the government from time to time. The central and state governments are hence required to take concrete time-bound measures, including policy modification, in order to meet the new Constitutional obligation.

Based upon the evolving public discourse since the Education Commission's recommendation in 1966; the following principles have come to define the framework within which CSS is to be conceived:

- i. The system of school education is to be rooted in the vision of the Constitution. This implies that, while being consonant with the Preamble, it must also ensure that (a) the Fundamental Rights, especially those relating to equality and social justice, as enshrined in Part III are not violated and (b) the Directive Principles as ordained in Part IV are promoted.
- ii. Education of equitable quality is a Constitutional imperative.
- iii. Education is not used for profiteering, spreading disharmony or practicing subjugation.
- iv. Schools that promote inequality, discrimination and injustice in society are not to be allowed to function.

The following may, therefore, be listed as essential features of a CSS that is to be developed as the National System of Education pertaining to school education:

- coverage from pre-elementary to Plus Two stage;
- all schools, including private unaided schools, to provide absolutely free education from pre-primary to class VIII as per Article 21A and the amended Article 45 (read with Article 21) of the Constitution; for secondary and senior education, a rational fee structure to be ensured by the state/UT governments and/or local bodies in all category of schools;
- all schools, including private unaided schools, to become

neighbourhood schools; neighbourhood to be specified for each school *with a view to optimize socio-cultural diversity among children in each school*; necessary legislation to cover all government, local body and private schools to be enacted;

- screening, interviews or parental interaction not allowed as a valid basis for admissions;
- common *minimum* norms and standards for infrastructure, equipment and teacher-related aspects for both state-funded and private unaided schools (recognized and unrecognized); these may relate to school land and buildings, number, size and design of classrooms, drinking water and toilets, mid-day meals, safety measures, barrier-free access and other requirements of various categories of disabilities, facilities for girls at the age of puberty, playground and sports, performing and fine arts facilities, teaching aids, library, laboratory, information technology, number of teachers and their qualifications/specializations along with pre-service and in-service training, pupil:teacher ratio and others such requirements;
- common curriculum framework, shared features of curriculum and comparable syllabi with flexibility relating to texts, teaching aids, teaching-learning process, evaluation parameters, assessment procedures and school calendar;
- common language policy that takes into account the multi-lingual context of the majority of Indian children, pedagogic role of the mother tongue and its relationship with the state language, minority languages (Article 350A) and the increasing significance of English in providing equitable access to knowledge, careers and economic opportunities;

- decentralized school-based management that ensures the necessary degree of institutional autonomy while locating it within the broad framework of the 73<sup>rd</sup> and 74<sup>th</sup> Constitutional Amendments relating to rural and urban areas respectively; this requires the formation of school management committees, with the majority of members being parents of students and appropriate linkages with local bodies;
- affiliation to a common Board of Examinations for all schools within a state/UT.

We may add that the principles underlying the concept of Inclusive Education are integral to the vision of Common School System. In the Indian context, Inclusive Education has to go beyond the Salamanca Declaration (UNESCO, 1994) and transcend the issue of disability. It must concern itself with all marginalized sections of society viz. *dalits*, tribals, religious and linguistic minorities, child labour and of course, the physically and mentally disabled and particularly the girls in each of these categories, whom the school system tends to exclude in substantial proportions. Unless this exclusionary character of Indian education is challenged, both theoretically and in practice, by application of the principles of Inclusive Education, neither the Common School System nor Universalisation of Elementary Education (UEE) can become a reality.

Further, the kind of paradigm shift National Curricular Framework-2005 (NCF-2005) is apparently advocating can become sustainable only when it is implemented in all categories of schools, including the private unaided schools, in the whole of the country within a declared timeframe through a properly phased programme. The essential linkage between

*curricular* reforms and *systemic* reforms must be appreciated, before it is too late. Few realize that curricular reforms in a school system founded on inequality and discrimination will increase disparity in the quality of education. Such reforms, therefore, would be meaningful as well as feasible only within the framework of a Common School System.

The educational vision reflected in Common School System has become critical for the survival of India as a sovereign State and a civilized society since the global market forces are rapidly encroaching upon government school campuses and also impacting on the nature of knowledge inherent in the curriculum, with little concern for the Constitutional principles or the welfare of the large majority of the people.<sup>5</sup> Transformation of the present multi-layered school system into a Common School System calls for a major dialogue-building nation-wide political exercise, keeping the federal structure of the country and concurrency of education in mind. To be sure, student-bodies, teachers' organizations, trade unions and people's movements must lead this campaign and engage political parties to build up public pressure on the State.

The role of Common School System in forging a sense of common citizenship and nationhood is yet to be appreciated. This becomes a critical nation-building function in a geographically diverse country like India. How can the present multi-layered school system fulfill this requirement? Today, the school system is *like a nation within nations* and this is a recipe for fragmentation, rather than solidarity. There is no alternative to the common and democratic space that is offered for socialization by the Common School System based on Neighbourhood Schools. An educational activist from the north-eastern region has argued that the Common School System is the only option that provides the necessary

framework for resolving not just the complex multi-ethnic conflicts within and across each state in the north-east but also for reversing the rapidly growing alienation between the north-east and the rest of India. If this framework is adopted throughout the nation, India would be in a unique position to offer a meaningful policy alternative to its neighbours across the border. The common space available for socialization among children from diverse backgrounds within India could also be made available (and should be acceptable) to the children from the neighbouring countries of the sub-continent.

Let us acknowledge that **no developed or developing country has ever achieved UEE or, for that matter, Universal Secondary Education, without a powerful statefunded and state-regulated well-functioning Common School System, founded on the principle of Neighbourhood Schools, in one form or another.** India is unlikely to be an exception to this historical and global experience, notwithstanding the *misconceived* ambition of the Indian State to become a 'superpower' by 2020!

### **New Assaults on Right to Education**

During the past 2-3 years, the neo-liberal forces have come up with new forms of assaults on the notion of Right to Education and Common School System. It is critical that we learn to identify and *deconstruct* these assaults. Here are three examples that should enable us to identify all such moves that will emerge in future:

- A new diversionary tactic was conceived and effectively used to create confusion in the debate during and following the drafting of the Right to Education Bill, 2005 by the CABE Committee (Chaired by Sh. Kapil Sibal, Minister of State for Science & Technology, Government of India).

This was about the proposed provision of 25 percent reservation for weaker sections in private unaided schools drawn from the latter's neighbourhood. The entire debate was diverted away from the issue of the Common School System to the problems that the private school lobby is likely to face in finding resources for such reservations and the cultural gap between those who pay fees (presumably from upper castes) and those who would get the same education due to their entitlement (presumably from lower castes). Hardly anyone was bothered that the notion of 25 percent reservation implied that 75 percent of the children paying fees shall not come from the neighbourhood. Does this amount to a move towards equality or charity? Would the charging of fees from the privileged children in the 6-14 year age group not amount to violation of Article 21A? An issue of even greater significance is about the number of children this provision is likely to 'benefit'. Let us make an estimate. The enrolment at the elementary stage in the private unaided schools (including the low quality unrecognized ones) in the whole country is hardly 20 percent of the total enrolment at this stage (Seventh All India School Educational Survey, NCERT, 2003). This means that the total capacity of the private unaided school sector to provide elementary education is limited to a maximum of 4 crore children out of 20 crore children in the 6-14 year age group. If 25 percent of this capacity of the private school sector is reserved for the weaker sections, the number of the so-called 'beneficiaries' can in no case exceed 1 crore children. What about the Right to Education of the remaining 19 crores (including those 3 crores who are required to pay fees in private schools)? Clearly, the proposal of 25 percent reservation in private schools has nothing to do with either the issue of Right to Education

or Common School System. Nor does it lead us to a programme of systemic transformation that is urgently required in order to fulfill the obligations flowing out of 86<sup>th</sup> Amendment. Yet, the political leadership concerned with policy formulation and the bureaucracy as well as the media, child right organizations and even the judiciary has gone overboard in promoting the idea of '25 percent issue' as if the Right to Education is realizable only through this mechanism. This apparently myopic perception is a result of the ruling class knowing that (a) the proposal of 25 percent reservation will not necessitate any changes in the national economy that may go against its vested interests; and (b) this will only help legitimise the ongoing privatization and commodification of education.

- The XI Plan has made a cleverly phrased reference to the **Voucher System for government school children** without any evidence of prior democratic consultation or academic discourse.<sup>6</sup> What is Voucher System? The idea was first proposed by Prof. Milton Friedman, the well-known advocate of neo-liberal economics from USA. As per its promoters in India (the so-called civil society groups propped up by international agencies advocating neo-liberalism), the government will provide the under-privileged children school vouchers that promise to pay their fees in private schools contingent upon the children getting admission. However, the promoters are not telling the public that the system has either already collapsed in several countries or not made much headway. The hidden agenda of course is to provide backdoor funding to private schools by shifting resources from the government schools using the instrumentality of the voucher. The market lobby knows that this will be an effective means of demolishing the vast government school system and thus accelerating the pace of privatization and commercialisation

of school education. With the destruction of the system of publicly funded schools, there shall be 'free for all' situation wherein, not just the fee structure, but the curriculum and pedagogy too will be guided by the market alone. This is precisely what the voucher system lobby is aiming at – i.e. taking school education out of the Constitutional domain!

- As explained above, the neo-liberal forces have operated a policy design during the past 15 years aimed at **demolishing the government school system**. After already having achieved considerable success in these objectives, these forces are now organizing so-called **researches and studies** on the school system in India through partnership with NGOs and individual academics. All these studies are designed to produce data to establish how ineffective is the government school system in terms of poor pupil:teacher ratio, teacher absenteeism, poor quality of teaching and low achievement levels (e.g. World Bank-sponsored studies in Shahadra locality of Delhi or Pratham's all-India ASER Reports, 2006 and 2007). However, no such report throws any light on how these schools have reached this state of ineffectiveness and what needs to be done in order to reverse the process. Nor do these reports tell us about the role played by the ruling class in collusion with the market forces in destroying a school system that was functioning fairly well only 20-25 years ago. Obviously, the compulsion to destroy the credibility of the government schools is so overpowering for the market forces that it does not have any space for truth whatsoever.

### **The Epistemic Assault and the Emerging People's Resistance**

The Ambani-Birla Report (2000), submitted to the Prime Minister's office, was yet another example of how the market forces began to erode India's sovereignty and the democratic

process of the Parliament. It introduced several new formulations in the policy discourse in India **to convert education at all levels into a marketable commodity**. Once this is accepted in principle, **a paradigm shift follows by implication**. Although the Ambani-Birla Report was never approved by the Parliament, most of its recommendations are now being implemented in rapid succession under disguise.

It is time that the paradigm shift in the framework that determines the character of knowledge is recognised. The epistemic (i.e. knowledge-related) implications that flow out of this paradigm shift dominate the policy discourse and decision-making at all levels – legislature, executive and the judiciary. The global market forces, supported by the India Inc., have discovered new avenues, spaces and ways and means in this market-oriented anti-people framework to powerfully intervene and to further dilute and distort policies. The Indian academia and activists, by and large, stand essentially co-opted in this process, with honorable exceptions of course.

The goals of the market-oriented education policy are in direct conflict with the social vision of the Constitution. The assault by the market forces on the character of knowledge is rapidly marginalizing the educational goal of preparing citizenry for a democratic, egalitarian, secular and enlightened society. The Eleventh Plan's Approach Paper on secondary education, in the context of extending it to the under-privileged sections of society, states that the focus of secondary education shall be to prepare skilled workforce for the global market. In contrast, the privileged will be given access to high value-added forms of knowledge on a priority basis through a handful of elite institutions and thus enabled to shift to the advanced countries and serve the global "Knowledge Economy". The recent announcement by the Prime Minister to set up new high

profile central universities, IITs and IIMs, multiply Kendriya Vidyalayas and open 6,000 new high quality schools need to be seen in this framework. No where in these lofty announcements there is even an iota of evidence of political commitment to ensure Fundamental Right to education of equitable quality for all children or to transform the system comprising almost 11 lakh schools into a Common School System. Also, the twist given by the government to the reservation debate of 2006-07 resulted in shifting the resources from elementary education to the elite professional institutions in order to increase the total availability of seats in favour of the privileged upper castes. Establishing 'Knowledge Hubs' in the style of Special Economic Zones, providing secondary or vocational education in Public-Private Partnership mode and promoting franchise of second or third-rate foreign universities' are the latest policy 'miracles' being pushed by the government in the XI Plan. Such new moves point towards the growing collusion between the ruling class and the global market forces for establishing the dominance of their joint agenda against both the masses and national interests.

**Clearly, the market assault is not merely in terms of denying education of equitable quality to the masses but also in terms of the social and pedagogical character of knowledge itself.** This is to be viewed as an *epistemological* assault on the generation, distribution and transaction of knowledge. The question of political economy of knowledge can't be ignored much longer. We need to recreate new Takshilas and Nalandas where the vision of 21<sup>st</sup> century India will have to be debated afresh and reconstructed in the image of our 150-year long freedom struggle against inequality, injustice and imperialism. The challenge is now being increasingly deciphered by the people's movements. Education is certain to be accepted as the fourth critical resource, apart

from *jal-jangal-jameen*, for the survival of the struggling masses<sup>8</sup>. Herein lies the emerging agenda for the people's movements to recover and redefine India's democracy and sovereignty!

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\* This background paper for the seminar to be held in Mumbai on May 31-June 1, 2008 under joint auspices of Socialist Front, Yusuf Meherally Centre and Dr. Ram Manohar Lohia Janmashatabdi Samiti is a revised and updated version of the paper prepared for the conference organised by the People's Campaign for Common School System in collaboration with the Institute of Human Rights Education, Madurai, Tamil Nadu, at Indian Social Forum, New Delhi, in November 2006 and later at the Independent People's Tribunal on World Bank Group, New Delhi (September 2007) and at the Annual Conference of Andhra Pradesh Teachers' Federation at Ongole (February 2008). \* The author, former Dean, Faculty of Education, Delhi University was Senior Fellow, Nehru Memorial Museum & Library, New Delhi (2001-06); Member, National Commission on Teachers (1983-84); Member, National Policy on Education-1986 Review Committee (1990); Member, Central Advisory Board of Education (2004-06); Member, National Steering Committee of National Curriculum Framework-2005 (2004-05); Chairperson, National Focus Group on 'Work and Education', NCERT (2004-05); Member, Common School System Commission, Bihar (2006-07)

<sup>1</sup> These include two categories of children: (a) those who never enrolled in schools either due to their own/parents' decision or due to unavailability of functioning schools; and (b) those who enrolled but were compelled to leave schools for various reasons at different stages of Elementary

Education (Class I to VIII). It should be noted that no child in India ever 'drops out' despite what the government claims. By and large, the children are either '**pushed out**' or simply '**walk out**' in protest against curriculum that amounts to imposition, pedagogy that destroys inquisitiveness, critical thinking and creativity and cultural environment that demeans two-thirds of our children (i.e. *dalits*, tribals, minorities, most backward classes, disabled and particularly girls in each of these categories). The Hindi film 'Taren Zameen Par' (Director: Aamir Khan), released in January 2008, powerfully (though only partially) brings out this anti-child character of our school system. See Footnote 10 for further elaboration of this issue.

- 2 It is this category of *children below six years of age* (almost 17 crores) that was excluded from Fundamental Right when Article 21A was introduced in December 2002 through 86<sup>th</sup> Constitutional Amendment.
- 3 Eight years of Elementary Education (class I to VIII) may have been an adequate provision in 1950 but today it is far from being adequate. No one can get any job or enter a career with a class VIII certificate. Even with a class X certificate, hardly any career option becomes available, not even the low profile ITI or Para-medical courses. There is a strong case now for extending the concept of Fundamental Right to cover up to 18 years of age so that Plus Two education becomes accessible to all. **This will also link Right to Education with the social justice agenda since the benefits of reservation will become available essentially after completing Plus Two.**
- 4 This term ("rationalization") was first used in 1999 by the District Collector of Indore, M.P., in his report to the then Chief Minister Digvijay Singh to justify closure of 30

government schools in one stroke, followed by their conversion into mostly commercial ventures. In some of the schools, police stations were established. The Collector did report data on the declining number of students in these schools but never inquired as to where did they go. They had actually left non-functioning government schools in disgust. Some of them, whose parents could afford, were admitted into low fee-charging schools which mushroomed in the same locality to fill the vacuum created by the closure of the government schools. The Chief Minister, known for conceiving Education Guarantee Centres, too preferred not to ask such uncomfortable questions.

- 5 There is ample evidence that the capitalist lobby, working through chambers of commerce (e.g. CII, FICCI and ASSOCHAM), is building pressure on MHRD for major changes in the school system so that corporations and other private bodies can turn education into a commodity and use it for profit. Powerful global market forces have either supported or put up their own NGOs to successfully introduce the alarming idea of Voucher System in the Eleventh Plan with the objective of shifting public funds to private schools. At a recent CII meeting, even Prof. Amartya Sen was constrained to advise the corporate CEOs that there is no way of universalizing school education without a **public-funded school system**.
- 6 The reference to Voucher System in Planning Commission's Draft Approach Paper made in May 2006 amounted to essentially a green signal for the idea. However, there was a widespread criticism from various quarters. As a result, the reference in the final paper (December 2006) was carefully made ambiguous but it was there to be pushed at the right moment. The XI Plan (2007) again poses Voucher

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System as an alternative but due to public resistance does not dare to openly advocate this idea at the moment.

- 7 The global leaders of knowledge that emerged in the wake of industrial revolution such as MIT, Harvard, Princeton, CalTech or the likes of Cambridge and Oxford Universities are not being franchised. Indeed, the quality, depth and creativity of such knowledge leaders do not lend themselves to this crass commodification!
- 8 At a meeting of five tribal and peasant organizations held at Harda, M.P. on 5-6 January, 2008, the grassroots tribal activists stated that "we don't want this kind of education as it teaches our children to become dalals (intermediaries) of contractors and government, thereby alienating them from our struggle for Right to *jal-jangal-jameen*." This perception led them to coin a new slogan: "*Shikasha Badlo, Skool Bachao!*" which implies that the struggle for transforming the political character of knowledge in school curriculum and pedagogy has to be concomitant with the struggle for improvement of school infrastructure, teacher quality, pupil:teacher ratio, financing, management and other parameters of education of equitable quality.

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