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The National Education Policy on School Education

Putting the Private before the Public

By: Kiran Bhatty

The National Education Policy lacks a coherent strategy to strengthen public education. It does not own the narrative of education as a public good, instead the policy pushes for private practices antithetical to public goals.

The new National Education Policy, coming after a gap of nearly 34 years, has been met, by and large, with a lot of hope and expectation. It purports to provide a transformative frame for the education system to make it more flexible and accessible to all. It promises to align education with the aspirations of the youth, bringing to them the skills needed for the 21st century, while simultaneously being rooted in Indian culture and ethos. It advocates making extensive use of technology to bring knowledge closer to the students. It also claims to strengthen the public education system and to bring private provision of education in line with the same standards as imposed on the public.

The policy is not a roadmap for implementation or a legal document (Behar 2020). The newly re-named Ministry of Education has to prepare a separate programme of action. Instead, the NEP provides an intellectual direction for the education sector. On an initial reading, the new policy sounds impressive and no doubt its intentions are to make the public education system work well.

But closer examination raises some serious red flags. I will focus in particular on NEP's section on school education and on its claim of being able to achieve its stated objectives for all children through a public education system. Four fundamental lacunae stand out here, bringing into question the policy's fitness for the task at hand, or even for the task it claims to set for itself.

Public goals or private concerns?

The first lacuna is a limited understanding of the role and functioning of the public sector in providing education. This is most strikingly visible in the lack of faith reposed in the state system, and the corresponding faith placed in the non-state sector in the form of communities, volunteerism, and private philanthropy. For instance, the NEP suggests "twinning/ pairing" public schools with private ones, so that the "best practices of private schools, will be documented, shared and institutionalized in public schools, and vice versa, wherever possible" (NEP 2020, 34). This skewed allocation of faith is all the more surprising as it appears without sufficient credible evidence for either position.

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No doubt there is much to repair in the public education system. A comprehensive review of state capacity within the framework of public service delivery could identify the elements that have impaired efficient functioning. These include the large number of teacher vacancies in public schools, and the lack of staff and infrastructure at the block and district education offices that are at the frontline of delivery. At the same time, there is a wealth of knowledge in public institutions, built up from years of experience in designing policy and adapting to local contexts, and addressing myriad challenges.

NEP also neglects the fact that the public sector fulfills a larger purpose for which the private has no responsibility: that of being publicly accountable to the last child, irrespective of 'merit' and social or economic background. The public sector cannot choose the child it admits. Nor can it base its decisions on parameters of efficiency and innovate without considering their equity ramifications.

Similarly, the NEP does not address issues related to teachers, who are primarily responsible for achieving learning outcomes. Teachers do not function in a vacuum. Their ability to deliver in a classroom is shaped by the institutional framework that employs them: its processes, modes of functioning, ability to handle adverse social and political pressures, channels of communication, grievance redress mechanisms, to name a few elements of the ecosystem.

Public school teachers have several non-teaching responsibilities, including those related to data gathering, which take up a lot of their time.[1] Fiscal restrictions have also meant that several states continue to hire teachers on short-term contracts. Such teachers neither have job security nor mandated pay. For instance, in Gujarat, some teachers are paid less than the minimum wage; in Delhi contracts can be as short as one month.

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The conceptualization of the public system presented in NEP thus ignores the institutional memory of public institutions including their grasp of the socio-cultural realities within which schools function. It focuses instead on solutions such as training, technology and incentives, reflecting a decontextualized and techno-managerial approach, akin to private management practices. This is perhaps unsurprising given the faith reposed in non-state actors.

In citing 'commercial' proclivities as the sole disqualifier to the private sector's claim to being partners in education, NEP exhibits an inexcusable naivete or worse, a subversive agenda of privatization. It shows not just an ignorance of existing law and practice: where the legal mandates that forbid commercialization of education are routinely violated even by philanthropic and charitable organizations.[2] It also neglects to account for the fact that a discourse arising from a private management perspective has gained dominance in education policy. This discourse has sought to make the private sector's goals and priorities a measure of the public sector's effectiveness, subverting the social and democratic goals of education. The focus of such a discourse is on measurable outcomes, where learning is calibrated against costs. (Gandhi-Kingdon 2011). Hence, the private sector employs untrained and underpaid teachers, uses poor infrastructure, and focuses just on achieving results in tests. This narrative of effectiveness and of outcomes-based cost-efficiency has no place for objectives such as social equality, democracy, citizenship, or non-cognitive learnings such as critical thinking.

By ignoring this dominant discourse and practice, and singling out private philanthropy, without providing a credible definition of it, NEP has opened itself to criticisms of pandering to a private lobby, through omission if not commission. This is reinforced by the fact that the evidence of philanthropy advancing education is itself unclear and certainly not without blemish. For instance, it may well come in a form that is antithetical to constitutional and democratic values, as in the case of RSS-run Vidya Bharti schools that are on the rise.

> Recourse to community engagement runs the danger of paving the way for sectarian interests to take over [...] A policy must purposefully include, at least in the narrative, safeguards.

A similar divorce from reality is reflected in NEP's expectations from volunteerism and community participation. It is well recognized that a community is not a monolithic entity that may be commandeered in the service of a collective objective. Being sharply fractured along caste, class, gender, and now communal lines, recourse to community engagement runs the danger of paving the way for sectarian interests to take over. This is not to deny that community participation is important, but to recognize the pitfalls that exist. A policy must purposefully include, at least in the narrative, safeguards or bridges to countermand the divisions.

While volunteerism is a worthy objective, it cannot be relied upon to the extent anticipated in NEP. Nor must it be relied upon for specialized tasks such as bringing and keeping dropped-out children into the mainstream of education, as envisaged. Addressing out-of-school and dropped-out children constitutes the most pressing challenge within the education system today. The responsibility of finding solutions must lie squarely with the state. Farming it out to an imagined army of volunteers gives the message that these children are less important to the state and stands in sharp contradiction to the avowed aims of the policy.

In essence, the distribution of responsibilities to multiple actors amounts to what Chandhoke (2003) has called the "pluralization of the state," when there are multiple actors and the state loses its hold on guaranteeing rights. This raises serious questions about the state's role in realizing rights, democracy, and citizenship.

Separation of powers or subversion of norms?

Blind-siding the 'public' role of the state system has also led the drafters of the policy to see 'separation of powers' as the fundamental solution for improving the governance architecture of the public system. NEP makes a strong case for separating regulation from implementation, and implementation from policy. This restricted view of the role of public policy is further narrowed by NEP's lack of

an overarching framework of education governance that links the conceptual elements with the operational ones.

> The separation of powers is designed to bring private concerns to bear on public functioning, instead of bringing the private in line with public considerations and standards.

For instance, while NEP pushes for a separation of functions, it fails to include within its design a mechanism for coordinating between the disparate roles of various parts of the education structure. How is policy and implementation to be coordinated? What will happen to the parallel structures of Sarva Siksha Abhiyan and the directorates of education (both of which operate at the level of the states, with overlapping responsibilities) and their links with the central education ministry? What would be the relationship between the independent regulatory structures and the state? And, most importantly, how will *public* accountability be enforced by the non-state structures or even by the separate regulatory authority?

In fact, the separation of the regulatory function and the proposed setting up of the State School Standards Authority (SSSA), raises further questions regarding the role envisaged for regulation. The goal of the SSSA, as stated in NEP, is to "continually improve educational outcomes; it must *not* overly restrict schools, prevent innovation, or demoralize teachers, principals, and students" (NEP 2020, 34; italics in the original). The "minimal set of standards" prescribed are based on "basic parameters (namely, safety, security, basic infrastructure, number of teachers across subjects and grades, financial probity, and sound processes of governance)" (NEP 2020, 35). The emphasis is on "outcomes" and relaxation of standards to a minimum, with no mention of public accountability, social equality, or democratic values. This indicates that the separation of powers is designed to bring private concerns to bear on public functioning, instead of bringing the private in line with public considerations and standards.

In other words, the separation appears more as an attempt to rein in the state rather than strengthen it, and to create spaces and institutions for private and other non-state participation. While non-state participation by philanthropic, voluntary, community, or other organisations may be welcomed, there must be an explicit emphasis on aligning their roles and functions with the goals of a public service. In its current form, that is not the case in the NEP.

What of the rights framework?

This brings me to the *second* major lacuna in the NEP: the cursory manner in which it treats the Right to Education Act (RTE), the most significant development in recent years in the state's commitment towards elementary schooling.

The constitutional mandate enunciated in the RTE provides the most serious statement of intent to strengthen the state's responsibility towards universal elementary education of a standard not provided for before. The NEP fails to place the new policy within the RTE's parameters, or even within an understanding of the act's legal and constitutional implications regarding the state and its role in education.

> Calling for a relaxation of norms and introducing the idea of 'flexibility', even before a normative idea is established, is a very slippery slope to be on.

On the contrary, the RTE's standards and norms are viewed by NEP largely as restrictions imposed particularly for the non-state sector. The infrastructure standards for schools laid out in the RTE are disparaged as 'inputs' to be set aside in favour of safety, security and a "pleasant and productive learning space", as the primary criteria for schools (NEP 2020, 37). It asserts instead that "these mandates will be adjusted and loosened, leaving suitable flexibility for each school to make its own decision based on local needs and constraints" (NEP 2020, 37).

Such averments contradict ambitions set out in the policy itself, where good infrastructure is included as a necessary aspect of schools to ensure a working environment for recruiting and keeping 'outstanding' teachers in the system (NEP 2020, 24). But most of all, NEP fails to reflect on the fact that norms and standards are required precisely because the quality of schools has been on the downslide. The RTE was a move in the direction of establishing such bench-marks, not just for infrastructure but also teacher education, training, working hours, and curriculum and assessment systems. It introduced for the first time the idea that the state needed to establish a normative idea of schools and education. This derived from the understanding of education as a public good or service.

Calling for a relaxation of norms and introducing the idea of 'flexibility', even before a normative idea is established, is a very slippery slope to be on. It can lead to serious counter-productive outcomes. Worse still, the relaxations appear to be designed to accommodate alternate and other non-state forms of schooling that are unable or unwilling to maintain norms. This shows yet again the proclivity of the NEP towards a private rather than public perception of schools and education.

Of Aspirations, choice and flexibility

This brings me to the *third* major lacuna. NEP desires to fulfil the so-called aspirations of the youth, aligning these to 21st century goals with the extensive use of technology in the teaching and learning processes. Yet NEP's section dedicated to technology does not make even a passing reference to the huge digital divide that excludes millions of children from the ambit of the technology-based interventions being pushed.

> The NEP appears to be looking through the eyes of a very small section of the population that is aligned with a global world of technology, choice, and flexibility.

The policy thus invisibilizes the 6.2 crore children mentioned in NEP as still out of school (NEP 2020, 11), the many more who do not attend regularly for a variety of social and economic reasons and hence face dropping out, and the even more who do not have access to any of the forms of digital technology that are elaborated in great detail in the policy.

It is an unfortunate reality of our past policies that they have failed to address in a comprehensive way the specific concerns of those left out or left behind. The NEP too relies on piecemeal incentives to bring them into the fold. As before, it shows not just a lack of understanding of the conditions of this vast section of the population that is poor, marginalized, and has very limited options and resources, it betrays a singular lack of imagination in finding solutions for them. To have a truly inclusive policy, the needs and the concerns of the left-out must be put first, starting with looking at the situation through *their* lens. But NEP appears to be looking through the eyes of a very small section of the population that is aligned with a global world of technology, choice, and flexibility.

The claims of linking the global with the local, through references to "Indian thought," "Indian ethos," "Indian culture," or "Indian knowledge systems," unfortunately does nothing to bridge the gaps that exist (NEP 2020, 17-18). In fact, they serve to raise red flags regarding an undifferentiated idea of India.

Keeping children at the forefront?

The *fourth* major lacuna in the policy relates to the scope of learning listed in Section 4 of the NEP, as "Curricular integration of *essential* subjects, skills, and capacities" (italics added). While greatly widening the conceptual scope of learning, the staggering breath of the topics covered calls for some unpacking. For school education covering ages 3-18, the range includes, in addition to proficiency in languages:

"scientific temper and evidence-based thinking; creativity and innovativeness; sense of aesthetics and art; oral and written communication; health and nutrition; physical education, fitness, wellness, and sports; collaboration and teamwork; problem solving and logical reasoning; vocational exposure and skills; digital literacy, coding, and computational thinking; ethical and moral reasoning, including knowledge and practice of human and Constitutional values; gender sensitivity; fundamental duties; citizenship skills and values; knowledge of India; environmental awareness (including water and resource conservation, not polluting or littering, etc.); and current affairs and knowledge of critical issues facing local communities, states, the country, and the world... Indian Knowledge Systems, including tribal knowledge, will (also) be correctly covered and included throughout the curriculum, in mathematics, astronomy, philosophy, yoga, architecture, medicine, agriculture, engineering, linguistics, literature, sports, games, as well as in governance, polity, conservation, etc" (p.17-18).

> Does NEP imagine that all learning will end with school?

The list is truly breath-taking. Quite apart from the capacities that would be required to bring about such a scale of exposure and learning (which are not anywhere discussed) one has to ask if children should be burdened with the expectation of acquiring even a

fraction of this list. Does NEP imagine that all learning will end with school? It contradicts well-established ideas of childhood and cognitive development and NEP's own desire to make education enjoyable for children. It further contradicts the policy's aim of giving 'choice' to students to select their learning trajectories. Which of these "essentials" is a child free to exclude from her learning trajectory?

However, the part of Section 4 that is troublesome in a quite different way is the one that talks about the moral and ethical values, it desires children to acquire through their school education. This list includes terms such as "sacrifice," "tolerance," "nishkaam karma," and "shanti," in addition to:

"seva, ahimsa, swacchata, satya, sacrifice, diversity, pluralism, righteous conduct, gender sensitivity, respect for elders, respect for all people and their inherent capabilities regardless of background, respect for environment, helpfulness, courtesy, patience, forgiveness, empathy, compassion, patriotism, democratic outlook, integrity, responsibility, justice, liberty, equality, and fraternity" (p.18).

Firstly, even a whole lifetime devoted entirely to spiritual growth may be insufficient to acquire all of these listed values. Secondly, what do some of these terms, especially sacrifice, nishkam karma and shanti, even mean for a child? In particular, in what context would these be explained to a child at the bottom of social and economic structures? What would sacrifice, for instance, look like to her?

Besides, nishkam karma, 'action performed without any expectation of fruits or results', directly contradicts the thrust of the whole policy, which is geared towards achieving very measurable results and providing teachers tangible incentives for the same. Are we planning to teach our children one thing, while practicing a totally other in the process? How does that sit with the basic tenets of teaching?

Summing Up

The New Education Policy, in attempting to paint a multi-coloured and multi-faceted picture of utopian scale, has unfortunately ended by tripping up on well-set traps. It has a canvas that is more restrictive than expansive. In failing to base its approach on an informed understanding of the boundaries that differentiate the public from the private, and in not owning the narrative of education as a public good, NEP pushes for private practices antithetical to public goals. A coherent strategy for strengthening the public system is thus hard to discern in the policy.

> The policy exhibits a proclivity towards the private sector's perception of the role of schools and education. It weakens, rather than strengthens, the public education system.

Hence, despite averments to the contrary, NEP cedes ground to the private. By inculcating and accommodating norms and perspectives of private functioning, the policy exhibits a proclivity towards the private sector's perception of the role of schools and education. It weakens, rather than strengthens, the public education system. Further, by side-stepping persistent systemic issues, under the garb of being innocent of implementation or of the conflicts with existing laws like the RTE, the document fails to provide a comprehensive direction for public policy that can link its conceptual elements with its operational ones. NEP is guilty of what Sharma (2020 forthcoming) has called "policy drift," engendered by a limited cognizance of state capacity and its cascading impact on all areas of governance.

Finally, in failing to recognize education as a legal human right of every child, and hence ignoring the rights framework and the need to place universal education at the forefront of the policy, NEP misses an opportunity to address one of the hardest challenges in education today. This is reflected not just in the lack of imagination shown towards bringing children from marginalized backgrounds into the fold of mainstream education, but in imagining the policy itself from a perspective that is not inclusive of the last child. NEP's dominant perspective virtually invisiblizes excluded and marginalized children and displays a lack of empathy for those most in need of a robust education policy.

One can only hope that by some miracle the programme of action will take the criticisms into account and include in its frame the needs and aspirations of the millions who rely on the state for their education.

Footnotes:

1 "Electioneering" is mentioned in the NEP as an activity to be disallowed, even though it is a job that befalls a range of government servants, not just school teachers. To seek exemption for teachers, while a worthy objective, is beyond the scope of an education policy. Unless it includes alternatives within its recommendations.

2 The Supreme Court, in *TMA Pai Foundation vs State of Karnataka* (8 SCC 481) ruled that reasonable restrictions could be imposed on the right to carry out education activities as a commercial venture. The NEP does not address this ruling or the malpractices in the private sector.

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