RIGHTS TO EDUCATION

- Responsibility of the parents in micro context
- 7 years old (mumayyiz)
- Right to get formal education
- Right as a child as stated in the UNCRC 1989 – Article 28
  - Pre school
  - Primary & secondary school
  - Higher learning
MAQASID AL SHARI’AH

To preserve and protect 5 things:
1. Religion
2. Life
3. ‘Aql
4. Lineage
5. Property
EDUCATION IN ISLAM

• Al Qur’an & Sunnah: highlight the principle of seeking knowledge
• Surah 96: 1-5
• Surah 16: 78
• Hadith: Parents’ responsibility: Order your child to pray at the age of 7 and beat them (lightly) if they do not do so at the age of 10... (the child can differentiate between good and bad).
In divorce cases, the court will consider whether the mother or father can provide education to the children or not.
INTERNATIONAL CONVENTIONS

• Geneva Declaration 1924 – nothing mention
• Declaration of Human Rights 1948 – 2 articles: 9 25 & 26) highlight on the intellectual development of a child.
• UNCRC 1989 – article 28.
EDUCATION SYSTEM IN M’SIA

1. Racial unity regardless of race, culture, & religion.
2. Primary basis for individual, society & country’s development.
3. Preparation of human employment for the country's productivity.

Basic philosophy of the education aimed at producing knowledgeable, morals, balanced and harmonious in terms of spiritual, emotional and physical.
EDUCATION HISTORY IN MALAYSIA

• Before British colonials
• During British rule (3 situations)
  a. 1786- 1941 (laissez-faire - divide and rule)
  b. 1941- 1945 (Japanese invasion)
  c. 1945-1957
• After independence (1957)
• After 1995 (ratification of the UNCRC)
• British divided the education system based on races.
  a. Pondok system
  b. Chinese school system
  c. Tamil school system
• Medium of instruction (language) based on race.
• Locality of the schools was according to racial settlements and economic activities.
• Differences in curriculum.
EDUCATION DURING BRITISH COLONIALS

- Colonial education taught each race based on their economic functions.
- No subject based on the needs and situation in the Tanah Melayu – racial unity.
- The divide and rule concept fulfilled the British expectation in the Tanah Melayu.
- English-medium school– for elite group
  a. Most Chinese and Indians were enrolled
  b. Geographically hinder the Malays from enrolling
  c. Schools were sponsored by Christian churches
1946-1957

- Malayan Union issue
- Proposal of ‘The Cheeseman Plan’ – introduced primary & secondary English schools – 4 languages BI, BM, BC dan BT
- BC & BT were taught in the English school; BI di vernacular school.
- Protest against Malayan Union & the proposal was rejected.
- Establishment of the Barnes Committees in 1950.
British government tried to use school as a tool for racial unity.

L. J. Barnes led the Committees and proposed about the vernacular school:

- Primary education as a basis to unite a multi-racial society.
- Different primary vernacular schools must be repealed and replaced with national school.
...con’t

• National school is open to all races and the teachers are also multi-racial.
• Medium of instructions: BM & BI. BC & BT will be provided if there were 15 or more students who wanted to learn their mother tongue.
• Primary education is free.
• BI as medium of instruction for the secondary school.
...con’t

• BM – medium of instruction, BI – 2nd language. BC & BT will be provided if there were 15 or more students who wanted to learn their mother tongue.

• After finished primary education, best students will continue their study at English school.

• University in England or Raffles College in Singapore.
• The Malays: the use of BM was inappropriate; less emphasized on religious subjects led the Malays to send their children to religious school in the evening.
• Barnes Proposal– Jawi was expelled & replaced with religious subjects.
• The Chinese: national school threaten Chinese culture and language – curriculum & teachers should be from China.
• The Indian: request for Tamil school to be reviewed by the government was rejected.
The Committee reviewed the Chinese school, led by Dr. W.P. Fenn & Dr. Wu Teh-Yao.

Proposals:

- **BC will be taught as a 3rd language for the Chinese students besides BM & BI.**

- **Educational system as proposed by the Barnes Committees can be carried out, BUT:**
  
  ✓ Chinese school can continue to operate separately under the national education system.
  
  ✓ School educational thrust must be based on Tanah Melayu.
ORDINAN PELAJARAN 1952

- Fen-Wu Report was rejected by the Malays.
- A review of the Laporan Barnes & Fen-Wu was made in “The Report of the Central Advisory Committee Malaya” 1951.
- Proposals:
  - Establish national school.
  - BM & BI are in the same rank in the national education, but BC & BT will be the 3rd languages (if there are 15 students who wanted to learn such languages).
  - BM & BI are compulsory subjects.
  - 2 types of schools (with similar languages).
  - The Chinese & Indians rejected the proposals.
• Vernacular schools for the Chinese & Indians were not accepted because of their tendency to instill the spirit of loving their countries of origins.
• That will hinder the nation and cultural building of Malaysia.
• Some Chinese & Indians rejected the rationality and viewed it as an effort to expelled their culture.
• The economic crisis and the state of emergency had hindered the implementation of the Education Ordinance 1952.
AFTER BRITISH COLONIALS –RAZAK STATEMENT 1957

- BM as a formal medium of instruction.
- Establish education system.
- Prioritize unity & it becomes a thrust for the Dasar Pendidikan Kebangsaan (National Education Policy).
- Bridging the gap between races.
- More efficient education management system.
- Provide enough education facilities.
Primary school: Sek. Ren. Kebangsaan, BM as medium of instruction; & SRJK, BI, BC & BT medium of instructions.

BM & BI compulsory subjects.

Chinese & Tamil students in English medium schools will be given a chance to study BC & BT if there are 15 or more students who wanted to learn.

Teacher must have a certificate of Sek. Men. Rendah and must attend a full time training for 1 year and another part time training for 2 years.
3 types of secondary schools: SMR – 3 years, SMA – 2 years dan Pre-U – 2 years.
Secondary schools for all.
BM & BI as compulsory subjects.
Examination before enrollment into secondary school.
Examinations: LCE/SRP, SPTM, HSC/STP
Some still protest.
Implementation: Ordinan Pelajaran 1957
RAHMAN TALIB STATEMENT

- Emphasize on the use of national language as a medium of instruction.
- Public examination in the national language.
- Islamic subjects and moral education.
- Multi courses and field of study.
IMPLICATIONS OF RAZAK REPORT AND RAHMAN TALIB REPORT

- Pendidikan dalam Rancangan Malaysia Pertama (1966-1970)
- “unless the educational system is geared to meet the development needs of the country, there will be a misallocation of an important economic resource which will slow down the rate of economic and social advance” (RMK1 m.s 163 para 490)
1970-1990

- Socio-economic – domination of non-bumiputera.
- Tragedy of 13 Mei 1969.
- Effect to the education?
- Quota for university enrollment; boarding schools; sponsorship.
- National language is used.
REVIEW OF NATIONAL EDUCATION POLICY

- Akta pelajaran 1961 some loopholes: how to handle multi changes and challenges in the education system.
- 1983: KBSR is implemented in all SRK – mastery of 3M basic skills.
- 1989: KBSM in all SMK – to develop individual potential in terms of physical, emotional, spiritual, intellectual and social.
...con’t

• KBSM main goal: to produce a balanced individual equip with knowledge and appropriate skills and have a strong moral and ethical values in order to contribute to the progress, prosperity and development.

• Vocational school curriculum.

• Co-curriculum activities.
• Akta Pendidikan 1996: “And that is to be a mission to produce world-class education system in terms of quality to fully develop individual potential and to achieve national aspirations.”
PHILOSOPHY OF NATIONAL EDUCATION

- “Education as a continuous effort towards the development of individual potential and integrated to create a balanced and harmonious human intellectually, spiritually, emotionally and physically on the faith and devotion to God.”
OBJECTIVES OF NATIONAL EDUCATION POLICY (NEP)

- Believe and Obey God
- Knowledgeable and competent
- Moral
- Accountable to themselves, society, religion and country
- Serve and contribute to society and the nation
- Has a balanced and cohesive personality
STRATEGIES OF NEP

1. To draft KBSR curriculum in primary schools and KBSM in secondary schools.
2. Making Bahasa Malaysia as the main transmitter of all school levels.
3. Increasing the use of Bahasa Malaysia in all subjects. Other languages such as English language could not be ignored.
4. Implementing a common curriculum in all schools.
5. To conduct the same examination system at all levels of school
CURRENT STATE OF PRIMARY EDUCATION

- Education Amendment Act 2002 (Act 1152).
- Compulsory education- Directive order (birth certificate).
- Examination system: UPSR.
CURRENT STATE OF SECONDARY EDUCATION

• School types: daily, religious, boarding school, sekolah agama rakyat, MRSM
• Exam types: PMR, SPM, STPM, STAM
• No birth certificate: can go to secondary school if the parents are Malaysian citizens. - 2009.
• Whether the education philosophy is a success?
CURRENT STATE OF HIGHER EDUCATION

• Ministry of Higher Education– 2004
• Dasar Pendidikan Tinggi Negara; Pelan Strategik Pengajian Tinggi Negara; Pelan Tindakan Pengajian Tinggi Negara 2007-2010; Transformation in IPTA & IPTS.
• Right of a student who is 18 years and above? Below 21 years old, still dependent on their parents– eligible to get medical facilities if the parent(s) are government servants.
• In divorce cases: responsibility to provide education by Muslim parents is considered as a child’s right to maintenance.
• Integrated development to generate education excellence.
• 8 chapters.
• Chapter 1: Pembangunan pendidikan
• Chapter 2: Pra sekolah dan rendah
• Chapter 3: Menengah
• Chapter 7: Pengurusan
MAIN THRUSTS OF NATIONAL EDUCATION DEVELOPMENT

- Access to education
- Equity in education
- Quality in education
- Efficiency and effectiveness of education management
EDUCATION DEVELOPMENT MASTER PLAN
2006-2010

• Chapter 4: Nation building
• Chapter 5: Development of human capital
• Chapter 6: Strengthen the national schools
• Chapter 7: Bridging education gap
• Chapter 8: Upholding excellence in educational institutions
• Chapter 9: Enhance excellence in educational institutions
10TH MALAYSIA PLAN ON EDUCATION


• TASK FOR STUDENTS: READ THE PLAN & SUMMARIZE.