



# Towards Liberating Education: A Proposed Rights-based Instructional Planning Approach for Teaching Higaonon Learners in the Philippines

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## ABSTRACT

*This study proposes a rights-based instructional planning approach for teachers serving indigenous learners, particularly those assigned to schools in Higaonon communities (IPEd). The content of the paper focuses on the following: (1) assumptions about Higaonon indigenous learners; (2) components of the right-based instructional planning approach; and (3) facilitating and hindering factors that may affect the implementation of the right-based instructional planning approach. The researcher used an exploratory research design to develop the proposed planning approach. It was conducted in Higaonon communities in the Municipality of Esperanza, Agusan Del Sur, Philippines. The responses of the selected school officials, IPEd teachers, Higaonon tribal leaders, parents, students, and external stakeholders. The responses of the selected school officials, IPEd teachers, Higaonon tribal leaders, parents, students, and external stakeholders. This paper strongly believes that shifting from a culture-based to right-based IPEd teaching approach is expected to lay down positive changes in all aspects of life for indigenous learners, including social, economic, education, civic, and political, as they begin to understand and protect the inherent rights to ancestral domains, cultural integrity, self-governance, and social justice which are accounted for them. The early inculcation of Indigenous Peoples Rights Act (IPRA) law into their identity formation through school curriculum is projected to eradicate all forms of discrimination, exclusion, alienation, disintegration, and vulnerabilities in mainstream societies.*

## INTRODUCTION

Quality education has been considered a top priority of almost all countries worldwide ([Masino et al., 2016](#); [Grant, 2017](#)). Educational planners, curriculum experts, school administrators, management decision-makers, and development policymakers have continuously forwarded educational reforms and programs to realize the targeted goals of the universal right to education. They have merged several educational principles and ideas to develop a solid and clear pathway for equipping learners with 21st-century skills and competencies responding to globalization-induced demands. In the international

context, following the universal and collective commitment stipulated in the 2030 Sustainable Development Goals- Quality Education, countries must strike out barriers that impede meaningful progress and equitable education ([Saini et al., 2023](#)). They are obliged to put high financial investment in the education sector as it largely contributes to the upskilling and reskilling of human capital. Essentially, this 2030 SDGs Goal 4 sets a road map that guides member countries to “ensure inclusive and equitable quality education and promote lifelong learning opportunities for all” ([Fedulova et al., 2019](#); [Medina-Garcia et al., 2020](#); [Saini et al., 2023](#)).

In the Philippines, the institutionalization of the K-12 program in the present educational system maneuvers the focus of the educational commitment to making the learners globally competitive individuals ([Sarvi et al., 2015](#); [Magallanes et al., 2021](#)). This program significantly shifted the primary concentration of learning activities from teacher-centered instruction to a learner-centered pedagogy. However, despite the global call to achieve universal primary education, there are still learners who have been deprived not of the right to education but a right to govern their educational systems ([Littlebear, 2009](#)). They are still left behind with equitable and real opportunities as they are forced to take educational pursuits they could not genuinely identify with. They still feel inferior and often discriminated against since educational policies and programs do not substantially reflect their subjectivity, making them unattached and disconnected from the DepEd’s educational vision and aspirations ([Cornelio & de Castro, 2016](#)).

The abovementioned scenario is very typical for indigenous learners living in hard-reaching areas in the Philippines, just like the case of Higaonon in the Municipality of Agusan Del Sur, Philippines. The Higaonon is one of the ethnolinguistic communities found in North-Central Mindanao. They settle in the upland areas of the Bukidnon plateau, Misamis Oriental, and the hinterlands of Surigao del Norte, Agusan Del Sur, and Lanao Del Norte ([Cajetas-Saranza, 2016](#)). They are nomads moving from one mountain to another in search of fertile soil, water, and food ([Department of Agriculture, 2021](#)). Unlike other indigenous cultural communities (ICCs), Higaonon prefers to live on the top of the mountains and continue to live in their forest homes. Demographically, Higaonon is the second-largest cultural community in Agusan Del Sur. They are called the “people of the wilderness” since they continue to live in mountainous and remote villages in Esperanza, Agusan del Sur, despite the globalization that has settled in the present society. They are also known as the “weavers of peace” as these peace-loving people can exhibit their cultural integrity and role as mediators to address internal conflicts, entreating the wisdom of the tribe’s council of leaders.

Presently, Higaonons have become stalwart defenders of their ancestral homelands, fervent preservers of their rich cultural and self-governing system, particularly the ancient way of addressing conflicts that truly maintain their peaceful community ([Garcia, 2020](#)). These indigenous peoples (IPs) have been longing for an education that enables them to be rooted in their identity, culture, and community, an education that helps them expand their capabilities and choices, and an education that governs and respects their agencies. That lack of a specific approach to indigenous learners’ needs and community demands has resulted in underachievement, demotivation, and alienation.

Responding to this problem, the Department of Education (DepEd) has institutionalized the National Indigenous Peoples Education Policy Framework to increase enrolment and reduce the learning gap between indigenous and non-indigenous learners ([DepEd, 2011](#)). This national curriculum framework is said to have subscribed to the rights-based approach (RBA) that significantly values participation, inclusion, and empowerment principles. Indigenous learners are regarded as rights-holders, while the DepEd is the duty-bearer. The response was further intensified as the DepEd recently institutionalized the “Indigenous Peoples Education Curriculum Framework” through DO 32 s. 2015, which guides private and public schools as they interact with indigenous learners in the localization, indigenization, and enhancement of the K to 12 in light of their social and educational settings ([DepEd, 2015](#)).

However, despite the institutionalization of culture-based education, there still have been limited opportunities for many indigenous communities in the country. Moreover, they lack adequate knowledge and skills to venture into the mainstream economy, thus experiencing political and socio-economic exclusion ([Oxtero, 2022](#)). The present system fails to provide the basic needs of ICCs/IPs necessary for preserving cultures, protecting ancestral lands, and developing knowledge and skills ([Malata-Silva, 2018](#)). In this sense, it is asserted that the failure to increase learners’ level of

understanding in learning areas is caused by a lack of an instructional planning model that best explicates the subscription to RBA as a development framework. That limited idea of using RBA in education has made the IPed framework an old wine in a new bottle. An instructional planning approach designed to explicate RBA was proposed in the present study to address this. The proposed instructional planning approach argues that the deepened understanding of rights would allow indigenous learners to hold tightly on to their sovereignty as stipulated by the Philippine constitution and Indigenous Peoples Rights Act (IPRA) law. The increased comprehension of the rights to cultural integrity, ancestral domain, social justice, and self-governance could lead to the recognition, respect, and promotion of the indigenous learners' rights and multi-dimensional well-being, thus empowering them toward national development ([Rosnon & Talib, 2019](#)). The proposed rights-based instructional planning approach for IPed has also been formulated to shift education roles from liberal to liberating functions.

The present K-12 curriculum adheres to liberal education, a holistic approach to education that provides an understanding of individuals' well-being ([Sergio, 2012](#)). However, as argued, the function seems static and unadvanced in fulfilling legitimate human rights since education is an inherent and universal right to enjoy and not to fight for. On the other hand, the proposed instructional approach is anchored on liberating education, which permits Higaonon learners to gradually strike out the inferior status influenced by the homogenous standards introduced and promoted by mainstream society. This liberating education would make them more critical in decision-making processes that greatly concern their communal and individual lives. This kind of education recognizes the importance of making indigenous learners agents of transformation to correct the long-overdue historical injustices, end pervasive and persistent marginalization, and overthrow frequent discrimination ([Scardua & Galvão, 2017](#)). The present study proposes a rights-based instructional planning approach to help Higaonon learners achieve a liberating education toward empowerment. The principal objectives were as follows:

1. To describe the assumptions about Higaonon learners under the rights-based instructional planning approach
2. To determine the components of the rights-based instructional planning approach.
3. To examine the enablers and constraints that may affect the implementation of the rights-based planning approach.

## **LITERATURE REVIEW**

### ***Rights to Ancestral Domains on Instructional Planning***

Ancestral domain is one of the four features of rights-based instructional planning for IPed. As defined by IPRA law (RA 8371), ancestral domain pertains to all areas owned by the IPs; these constitute inland waters, natural resources, compromising lands, and coastal areas. It also covers pasture, forests, agricultural, residential, ancestral lands, and other lands that are owned individually, whether declared alienable or disposable. The law further states that hunting grounds, burial grounds, worship areas, bodies of water, mineral and other natural resources, and lands the IPs traditionally had access to, are covered although they no longer occupy these areas ([De Vera, 2007](#)). This definition of IPRA law was further expanded by the National Commission on Indigenous Peoples (NCIP), which is a government agency that explicates ancestral domains/lands as territories, including not only the physical environment but the general environment, such as the spiritual and cultural connections of the indigenous peoples to the areas that they have claims of ownership ([Abeto et al., 2004](#); [Erasga, 2008](#)). Thus, the IPs can use the ancestral domain as a powerful weapon to claim their rights to self-determination and governance ([Erasga, 2008](#)). In support by [Wetzlmaier \(2012\)](#), highlighted that "land is life," which means it is beyond the source of livelihood for IPs.

The ancestral domain is a well-defined territory claimed by a certain community that supported their biological and economic needs and was the basis of their cultural identity ([Prill-Brett, 1994](#); [Bandara, 2007](#); [Erasga, 2008](#)). Several programs have been initiated to uphold the rights of IPs to their ancestral domain, such as the Community-based Forest Management (CBFMA) program ([Magno, 2001](#)); the long-term access and user rights through a Certificate of Ancestral Domain Claim (CADC) ([de Castro, 2013](#)); and the so-called Protected Area Community-based Resource Management Agreement (PACBRMA) ([Van der Ploeg et al., 2016](#)). Conversely, despite these programs recognizing their inherent rights to control their ancestral lands, IPs still face many challenges concerning their AD rights. The land is a central issue affecting IPs' autonomy and survival of their identities. The prevailing socio-economic

struggles in some rural areas have undermined the meaning of land as home and bearers of cultural identity (Wetzlmaier, 2012). In his paper, Molintas (2004) divulged several stories provided by IPs regarding how individuals and businesses familiar with the previous land ownership system fraudulently divided and titled ancestral lands. Even the requirement for any extractive activities in ancestral domains, such as Free Prior and Informed Consent (FPIC), was easily bypassed, manipulated, or poorly implemented by companies and government agencies (Backlund, 2013). This exploitation negatively impacted the ancestral domains (Wetzlmaier, 2012; Sarmiento, 2012; Peliño & Maderazo, 2012). In consonance with these situations, Santiago (2018) also identified that aside from difficulties encountered in land titling, “development aggression” is an additional burden to the IPs related to land ownership.

Responding to these, NCIP (1997), through its administrative order, mandated the preparation of an ancestral domain sustainable development and protection plan (ADSDPP) following IPs’ customary practices, laws, and traditions to their exercise, enforcement, and realization of these rights. This ADSDPP was a framework constructed through a rights-based approach to development that aimed to operationally recognize, promote, and protect the fundamental human rights, which are inherent rights of a person as a human being and rights as indigenous peoples (Abansi, 2011).

Including rights to ancestral domains in the school-based curriculum gave IPs an overview of their inherited rights over land and natural resources. It is believed that, through inclusion, indigenous learners would not only be aware of the natural resources they own, but they would become more responsible for taking their obligations of protecting and preserving their inherited land rights to be passed on to the next generation of cultural and duty bearers. Additionally, being acquainted with their ancestral domains would help IPs in identity formation as they try to embody the richness and uniqueness of their own cultures (Singh & Reyner, 2011),

### ***Rights to Cultural Integrity on Instructional Planning***

Cultural homogenization becomes a major problem in preserving Indigenous knowledge systems and practices (IKSPs) and indigenous learning systems (ILSs) of the IPs. Due to globalization, the loss and possible extinction of their cultures would have a major negative impact on the identity-formation of every indigenous learner (Backlund, 2013). Given this scene, cultural integrity is another salient feature of rights-based instructional planning. As the definition provided by RA 8371, cultural integrity is the all-inclusive and integrated commitment of IPs to their unique customs, beliefs, traditions, indigenous knowledge systems, and practices, as well as the declaration of their identity as peoples (NCIP, 1997). Cultural integrity clearly defines the ways and hows in the life of the IPs that must be taken as their natural rights in the country.

Cruz (2017) explained that indigenous knowledge of traditional expressions, practices and beliefs is an important community right of IPs that must be respected and protected. It echoes Sections 32 and 34 of R.A. 8371, which aids the protection of the intellectual property rights of indigenous people and communities (Champagne, 2013). Cultural rights are human rights; depriving or restricting individuals of their cultures is also robbing them of their human dignity. These rights have proven valuable for the IPs to exercise their rights over ancestral domains (Holder, 2008).

On the contrary, the preservation of IKSPs and ILSs and the enjoyment of cultural rights received little importance in the national legislation of the Philippines since there was no well-explained provision that was fully devoted to the protection of traditional knowledge (R.A. 8293) (Aldeguer, 2014). The works produced through traditional knowledge and conventional forms of intellectual property like patents, trademarks, and copyrights did not have the same level of legal protection. Consequently, IPs’ bearers of traditional knowledge in the Philippines were not completely safeguarded or abused by outsiders for financial benefit.

Apart from cultural loss in intellectual property rights of traditional knowledge, Nieto (1992) stated that minority children were confronting some problems in school, such as pain, alienation, isolation, and rejection, as the curriculum used was not taken from and structured from the lived experiences that these students may be going through. It is argued that students performed better and were more academically and socially successful when their culture was recognized, portrayed favorably in the school curriculum, and used as a fundamental source of information. May feel that whatever was not valued by the school was not worth learning (Nieto, 1992). It was further clarified by Ahmed &



[Narcy-Combe \(2011\)](#) in her study, in which she examined the importance of inclusion and recognition of cultures in school curricula. She found out that cultural representation in the academic curriculum ensures the learning success of the students. Substantially, it means that the inclusion and recognition of cultural identity in the schools created a positive measure of the success and existence of the students in schools ([Ahmed, 2010](#)). Apart from ancestral domain and self-governance, this feature is the node of all ICCs /IPs' learning systems. Including those IKSPs and ILSs in the school, the curriculum hopes to bring about an inclusive environment for the indigenous learners to value their own cultural heritage and indigenous learning practices that make up their embodiment in society. [Ma Rhea \(2004\)](#) found that education plays an important role in preserving and maintaining ICCs /IPs' local knowledge, and she reported the evidence showing the reliability of documentation of traditional knowledge in education curricula.

### ***Rights to Self-Governance and Self-Determination on Instructional Planning***

The third salient feature of rights-based instructional planning is self-governance or the right to self-determination. This feature entails the independent mechanism of ICCs /IPs to govern and manage their own spheres and take up their own space in society through their socio-political structures without discrimination. IPRA law states that "self-governance refers to the rights of ICCs /IPs to pursue their economic, social, and cultural development, promote and protect the integrity of their values, practices, and institutions." Among the three salient features, this serves as a bloodline that runs into the ancestral domains and cultural integrity. The ability to use and control ICCs /IPs' own organizational and community leadership manifests great importance in their rights to ancestral domain and cultural integrity. It was supported by [Daes \(1994\)](#), in which she discussed the interconnectedness of ancestral domain, cultural integrity, and self-determination. In the context of the IPs, she said that autonomous governance is viewed as a way to strengthen participatory democracy with the ability to manage the development of their peculiar cultures, including the utilization of land and resources. It entails having the capacity to uphold and advance established institutions or make use of independent domains of governmental or administrative authority suitable for their needs.

Daes, as cited in [Nordin & Witbrodt \(2016\)](#), voiced her statement that the right to freely negotiate one's political position and representation in the state is an essential component of self-determination for IPs. It is referred to as "belated state-building," whereby IPs can join forces with other state members on mutually agreeable circumstances. Similarly, it is necessary to acknowledge self-determination in all forms as a fundamental prerequisite for IPs to exercise their fundamental rights and control their own destiny ([Cobo, 1987](#)). For ICCs/IPs to decide what their collective life means and what direction it should go, the right to self-determination is necessary. However, as [Kuokkanen \(2011\)](#) argued, colonization and global capitalism have gravely debilitated the IPs' political structures.

The self-government models and structures of IPs in modern scenarios are mostly based on global capitalism, such as economic-based development that includes extensive land extraction, privatization, and commodification. The development projects are usually accompanied by environmental degradation, trade liberalization, resource exploitation, militarization, and violence that are destructive and detrimental to the traditional livelihood and maintenance of IPs' own political, social, and cultural systems. In this case, as national governments commit to new international economic treaties, the right to self-determination has been called into question and compromised. Such disengagement led to assimilation, dispossession, and subjugation patterns. In these regards, instructional planning, including self-governance and authentic indigenous leadership in the school-based curriculum, provides a good measure for the ICCs /IPs to perceive their self-empowerment. Their political leadership system can positively influence the curriculum development interwoven with their heritage and cultural appropriateness. Indeed, recognizing their community leadership and tribal membership in the curriculum can lead to inclusion and increase participation at the same time through established connections in classroom discussions and strong partnerships between the school and the whole ICC/IPs.

### ***Rights to Social Justice on Instructional Planning***

The last salient feature of rights-based instructional planning is social justice. Due to the implementation of IPed instructional planning to recognize the IPs' distinct characteristics and identity,

educational programs must highlight the rights, protections and privileges enjoyed by IPs and the rest of the citizenry. The school must be a primary avenue where fundamental human rights and freedom are guaranteed to all members of the IPs as already accorded to every member of society. Educational programs provided by educational institutions must emphasize the rights, protections, and privileges enjoyed by IPs and the rest of the citizenry with the proper implementation of IPed instructional planning as a recognition of the IPs' distinctive characteristics and identity. All IPs must have access to the same basic freedom and rights at school as members of society.

Although families significantly influence children's values, classroom activities reinforce clear, repeated, and subtly nuanced social messages about what is and is not valued. These messages have serious repercussions for children and a society that aspires to equality and justice for all. To establish a more equitable learning environment, teachers need to examine the value-laden signals embedded in everyday activities and develop classroom practices and pedagogies that address educational inequalities faced by vulnerable children. Since children build beliefs about fairness and their sense of identity within the greater world, it is also imperative that they combat injustice and create equity-based pedagogies ([Hyland, 2010](#)).

Relating social justice to the context of IPs, schools must put value on the principles of equity and non-discrimination. Despite their identities and differences, students must be treated fairly and entitled to exercise their rights. In her paper, [Hyland \(2010\)](#) distinguished two ways to highlight equity pedagogies in the classrooms: culturally relevant teaching and critical pedagogy. The main objective of culturally relevant teaching is educational liberation for groups. Both children's personal and cultural knowledge are crucial to the school curriculum. Critical pedagogy sought to investigate the critical knowledge of power among all oppressed groups, including investigating several injustices, in contrast to culturally relevant instruction. Additionally, this pedagogy seeks to equip students with the skills necessary to engage in social action while examining the classroom's institutional framework and how it interacts with the local community.

[Singh \(2011\)](#) argued that students must feel accepted and valued, though their cultures are different from the norm because if they feel alienated at school, students might have a sense of cultural embarrassment and distrust of their teachers. The mismatched perspective could result in confrontation, miscommunication, hostility, alienation, poor self-esteem, and school failure. As he recommended, teachers must develop and modify the curriculum based on their cultural background to create a more positive and productive school experience for all children. Culturally relevant instruction encourages students to reflect on social justice issues covered in class, empowering them to think critically and break free from ignorance and fear. A sense of dedication to addressing issues like cultural survival, social justice, decolonization, historic trauma, and cultural dissonance as vital components of the educational process is boosted by culturally adapted curricula ([McConnell, 2013](#)).

## **METHODS**

The study used exploratory research design to develop a rights-based instructional planning approach. Since the instructional planning approach for Higaonon learners is still nonexistent, the researchers explored their perspectives, rights, and lifeways through qualitative techniques. The study was conducted among IPed-implementing schools in the following barangays of Municipality of Esperanza, Agusan Del Sur. Varied qualitative data collection techniques were employed, such as semi-structured interviews, focus group discussions (FGDs), classroom observations, and short-term community immersion to collect the needed information. Examined were the responses of the selected school officials, IPed teachers, Higaonon tribal leaders, parents, students, and external stakeholders. Content and thematic analyses were utilized to analyze the obtained data. The results of the interviews were analyzed using content and thematic analyses to determine the possible facilitating and hindering factors that may affect the instructional planning implementation. Force Field Analysis (FFA) was employed.

Furthermore, the researcher subscribed to [Pe-Pua & Protacio-Marcelino \(2000\)](#). With the IPed teachers' assistance, permissions for interviews and short-term community immersion were secured from the tribal chieftain, leaders, local government of Esperanza, and NCIP. Rapport-building methods and techniques were undertaken to get the trust and participation of the Higaonon communities in the

needed research procedures. These methods include asking around, exchanging stories, indigenous facilitated discussion, participant observation, visiting, and residing in the research setting.

## **RESULTS AND DISCUSSION**

The present IPEd curriculum framework puts more weight on the importance of culture-based education in teaching Higaonon learners. This culture-based education is documented to have increased participation and engagement and fostered inclusion as learners could easily connect themselves to the teaching and learning process. However, it is argued that with this curriculum framework, empowerment, which is the long-overdue desire of indigenous communities, would not be significantly realized as culture is just one of the four rights bundles enumerated in IPRA law. The said curriculum must also consider other factors that affect the lives of indigenous learners aside from cultural integrity to achieve empowerment. These factors include ancestral domains, self-governance, and social justice. Having these four bundles of rights incorporated in the curriculum, specifically in instructional planning, learners would become more empowered and dignified as rights-holders with the end view of strengthening the morale of the indigenous communities and eliminating barriers such as marginalization, exclusion, and discrimination.

The rights-based instructional approach for teaching indigenous learners is hinged on one relevant law in the Philippines that legitimizes indigenous peoples' important roles as rights holders. The IPRA law embodies the rights and aspirations and provides a legal framework for protecting and developing the ICCs/IPs. It is ratified to advance the rights of ICCs/IPs within the context of national development and unity and to safeguard their economic, social, and cultural well-being. In this context, the IPRA law has become the basis to enrich the indigenous learners' educational systems, ensuring that the education is appropriate, relevant, and responsive to their individual or collective' needs and subjectivity. The rights-based IPEd instructional approach is espoused in the IPRA, namely the protection and sustainable development of ancestral lands and domains; protection and promotion of social justice and human rights; self-determination and governance; and protection and preservation of culture, traditions, and institutions. In this regard, learners are projected to grow into empowered individuals as they become truly knowledgeable on their inherent rights for combating various barriers that impede the attainment of inclusive and sustainable development.

### ***Assumptions about Indigenous Learners Under Rights-Based Instructional Approach***

It includes the assumed characteristics that must be developed, nurtured, and promoted by the learners within themselves. The rights-based instructional planning responds to the abovementioned assumptions about wider societies and Higaonon communities, more so, to the learners' individual and communal empowerment responsibilities. As a center of the educative process, learners must become the epitome of holistically developed, functionally literate, and rightfully empowered individuals who are well-versed in their rights and responsibilities towards self-empowerment, leading to national development. Under the rights-based IPEd instructional planning, learners must be conditioned to become the holders of rights, protectors of social justice, defenders of self-determination, stewards of ancestral domains, and bearers of cultural integrity.

### ***Holders of Rights***

Following the universal right to quality education, this assumption explicates that every Higaonon learner is a genuine right holder who can make legitimate claims over inherent and guaranteed civil, social, economic, and political rights. In this instructional planning, learners are accustomed to their rights and commanded to constantly appreciate, exercise, promote, and protect in any possible and valid way. Furthermore, rights-based instructional planning emphasizes the relevance of IPRA law as a basis for establishing the Higaonons' educational systems, particularly in curriculum development. This rights-based instructional planning intends to overturn the inferiority and peripheral status of the Higaonon communities towards enhancing their well-being and progressively enriching their quality of life.

### ***Protectors of Social Justice***

This rights-based IPed instructional planning considers Higaonon learners as protectors of social justice who have the absolute right to exercise freedom and privileges enjoyed by the rest of the citizenry to create an organized human interaction and achieve long-term prosperity. The rights-based instructional planning also emphasizes that the state should actively foster an inclusive environment in all spheres of life, including education, politics, the workplace, and larger societies. All Higaonon learners are constitutionally entitled to fundamental universal human rights. In addition, this assumption holds that every Higaonon learner deserves equal protection to economic, political, and social rights, which can be achieved through freedom from discrimination, entitlement to basic services, and partnership with non-government and private organizations, educational institutions, and national or local agencies. This feature of the instructional planning aims to correct the historical injustices and discrimination experienced by the Higaonon communities. The freedom from discrimination, the right to equal opportunity and treatment, the right to basic services for women, children, and youth, and the integrated system of education/right to education are among the rights under social justice and human rights.

### ***Defenders of Self-Determination***

The rights-based IPed instructional planning ensures that the absolute sovereignty and personal agency of the Higaonon learners shall be appreciated, respected, and promoted at all times. The learners' knowledge, attitudes, and skills must be enhanced concerning the integrity of their values, practices, and institutions. In this way, learners would take greater responsibility for their actions and the law, allowing them to freely pursue their future economic, social, and cultural development. To develop indigenous political structures, which is a requirement for having a significant representation in decision-making bodies and other local legislative councils and to take part in the formulation, implementation, and evaluation of policies, plans, and programs, Higaonon learners must also be exposed to their accepted justice systems, conflict resolution institutions, peace building processes or mechanisms, and other customary laws and practices within their respective communities.. This feature of the instructional planning aims to end the marginalization and exclusion experienced by Higaonon communities. The rights under self-governance and determination include using their generally recognized justice systems, conflict resolution institutions, peace-building processes or mechanisms, and other customary laws and practices within their communities ([IPRA, 1997](#)). They also include the authentication of indigenous leadership titles and certificates of tribal membership.

### ***Stewards of Ancestral Domains***

The rights-based IPed instructional planning entitles the Higaonon learners to be the stewards of their recognized, ancestral domains. The entitlement includes the preservation and acknowledgment of their ownership over the community properties, including the lands, forests, pasture, residential, agricultural, and other lands privately owned, whether they are disposable or not, as well as hunting grounds, burial grounds, places of worship, bodies of water, mineral and other natural resources, and lands that may no longer be solely occupied by Higaonons but to which they have historically had access ([IPRA, 1997](#)). In this rights-based instructional planning, learners, at an early age, must be taught to appreciate and claim ownership of their communal properties by emphasizing that the ancestral domain is the source of traditional knowledge and indigenous learning systems. It also includes incorporating unique features of the ancestral domains such as sacred places, traditional hunting and fishing grounds, land and natural resources, and ecological balance by protecting flora and fauna, watershed areas, and other reserves.

This rights-based curriculum responds to the situation of the Higaonons, who persistently experience injustices despite the implementation of the law since the year 1997. Such instructional planning intends to end the long-overdue exploitation and excessive extraction of their ancestral territories. The rights under ancestral domains include ownership, the right to develop lands and natural resources, the right to remain in territories in the event of displacement, the right to safe and clean air and water, the right to claim portions of the reservation, the right to resolve conflicts, the right to transfer land or property among members of the same ICCs/IPs, and the right to the redemption of



all transferred property to a non-IP where the transfer is tainted by vitiated consent or for an unconscionable consideration or price.

### ***Bearers of Cultural Integrity***

The rights-based instructional planning emphasizes Higaonon learners' cultural background as a basis for instructional pedagogy and instructional materials development and design. Incorporating cultural integrity into the learning activities establishes participation and connection to the learners' agencies responding to the problem of alienation from educational systems. It means learners are provided with an education that utilizes their language in some learning areas and teaching methods appropriate to their unique backgrounds. In the rights-based curriculum, learners are recognized as legitimate holders of intellectual property rights on the cultural practices, traditions, belief systems, and intangible and tangible cultural representations. The restitution of cultural, intellectual, religious, and spiritual property that has been taken without their free and prior informed agreement or in violation of their laws, traditions, and practices is one of the lessons that students are taught to safeguard to ensure their rights are upheld. Such a feature responds to the alienation and disconnection of Higaonon communities from the learning systems. The rights under cultural integrity include rights to establish control of their education and learning systems, protection of indigenous cultures, traditions, and institutions, recognition of cultural diversity, recognition of customary laws and practices governing civil relations, to name, identity, and history, protection of community intellectual rights, to indigenous spiritual beliefs and traditions, and protection of sacred places, indigenous knowledge systems, and practices and to develop own science and technologies, protection of biological and genetic resources, to sustainable agro-technological development, and to receive funds for archeological and historical sites and artifacts (IPRA, 1997).

### ***Components of Rights-Based Instructional Planning Approach***

Figure 1 shows the recommended instructional planning approach. Its enhanced explicit instructional approach features the processes and practices teachers must follow to successfully interface the competencies of the K-12 curriculum and indigenous communities. This approach also demonstrates spiral progression, in which students are exposed to a wide range of ideas, disciplines, and subjects until they master them through repeated study but with a new level of complexity. The basic principles of the topic will be introduced through indigenous knowledge and learning systems as the most basic and simple concepts to which learners can easily connect. These same concepts are developed and explained from the point of view of indigenous knowledge to a more scientific explanation in increasing levels of complexity and sophistication. While the following series of steps in instruction is prototypically developed for the case of Higaonon learners, this can still be adopted in other ICCs/IPs in the country.

### ***Appreciation***

It is the first phase of instruction, where teachers introduce the topic/ lesson through indigenous knowledge and learning systems to ensure that what is taught is worth learning, explain the value of this content model and its applications and scaffold learning by engaging learning in activities that allow them to appreciate their background and agency. It is the part where learners begin to appreciate their subjectivities, which would be a starting point for a meaningful learning experience.

### ***Presentation***

The second phase of classroom instruction requires teachers to give learners an overview of expected learning outcomes, content and performance standards, and learning activities that learners are expected to perform and accomplish after the established motivating environment. In this part, teachers open the lesson/topic to the learners gradually to make lessons clear by modeling for learners how to start and succeed on a task and giving them ample time to practice.

### ***Discussion***

It is the third phase of instruction, where teachers proceed to open-ended, collaborative exchange of ideas among students to enhance thinking, learning, problem-solving, understanding, or reasoning

skills. The important concepts and ideas about the present topic/ lesson and acceptable evidence of learning are presented and demonstrated by the teachers to establish instructional conversations and substantive conversations, leading to a democratic way of thinking.

**Application**

It is the fourth phase of instruction, where teachers use varied activities for the learners to apply what they have learned from the previous phase. The teachers must guide the learning application until the learners can perform the tasks independently. This guided learning practice shall be premised on the learners’ interests, needs, and abilities. It must be done through individual or group learning activities where learners construct knowledge and deepen their understanding of the concepts.

**Connection**

It is the fifth phase of instruction, where teachers establish connections with new learning experiences and outcomes to the learners’ individual and communal rights, specifically in terms of ancestral domains, cultural integrity, self-governance, and social justice. The constructed knowledge and acquired skills are enhanced by determining their commonalities and enhancing the cognitive process of connecting with the learners’ legal, social, or ethical principles of freedom or entitlement.

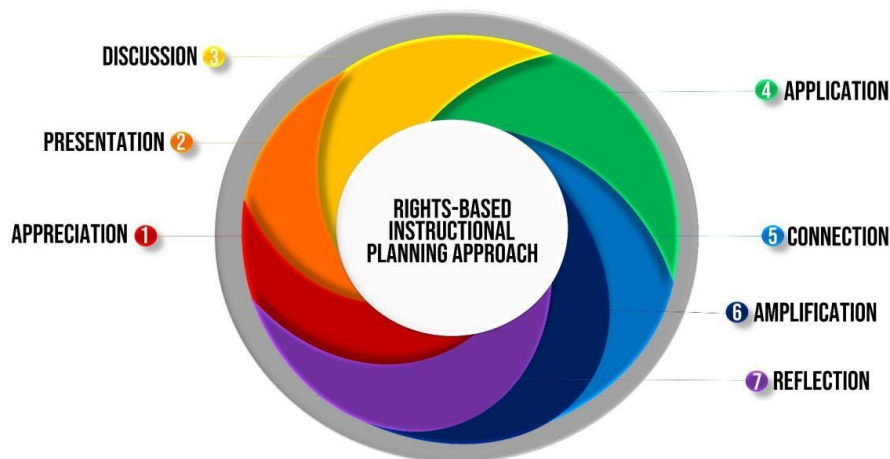
**Amplification**

It is the sixth phase of instruction, where teachers intensify the learners’ experiences to ensure they perform the new skill correctly. Teachers also provide activities that require students to take charge of what they have practiced in class and try to apply it correctly in "real-life" situations. In contrast to the application phase, teachers allow students to complete learning tasks independently through extended learning practice. It directs students to create objectives, track and assess their academic development, and manage their motivation for learning.

**Reflection**

This sixth phase intends for learners to appreciate the value of reflecting on their learning and deciding whether it has been effective. It focuses on the learners’ expectations, perceptions, assumptions, knowledge, and understanding of the acquired learning experiences from the previous phases. By encouraging learners to think back on the activities they have participated in, they become more interested in studying the "why" behind their tasks or activities rather than merely the "how" of doing them. It makes learning more sentimental and memorable for scaling up and further use.

**Figure 1. Rights-Based Instructional Planning Approach**



For instance, the science teacher may apply the previously discussed instructional approach when teaching living and non-living things, as shown in Table 1. The content and performance standards are still tantamount to the DepEd curriculum for the said topic since those are non-negotiable.

**Table 1. Teaching Living and Non-living Things Using Rights-based Instructional Planning Approach**

<b>Component</b>	<b>Student Activity</b>
<b>Appreciation</b>	Indigenous learners shall list down things that they can see in their environment outside the classroom. They may include things that manifest life and do not have the characteristics of being alive.
<b>Presentation</b>	Indigenous learners shall group the things they listed and explain the deliberation process they made for grouping. After that, the teacher will check if the grouping process is correctly executed and explain the rationale behind the activity related to “living and non-living things.”
<b>Discussion</b>	Indigenous learners shall participate in the discussion actively as the teacher explains the important ideas and concepts about the “living and non-living things.”
<b>Application</b>	Indigenous learners shall classify the things provided by the teachers following the concepts discussed. They shall also enumerate and explain the importance of “living and non-living things” in the world.
<b>Connection</b>	Indigenous learners can connect the enumerated importance to their right to the ancestral domain. They shall be able to understand simply the provisions stipulated in the IPRA law regarding communal property and natural resources.
<b>Amplification</b>	Indigenous shall be able to create an album of living and non-living things with short explanations focusing on the characteristics that make them living or non-living things.
<b>Reflection</b>	Indigenous learners shall be able to design simple ways to protect the “living and non-living things” in the album for cultural preservation and ancestral domain protection.

The proposed instructional planning approach was guided by Martha Nussbaum’s Theory of Social Justice and Human Rights. Based on her theory, capabilities are closely linked to rights ([Nussbaum, 2003](#)). The language of rights can be précised and supplemented by the language of capabilities. She argued that rights secure people in selecting religious beliefs, political participation, and exercising freedom of speech. Securing rights puts people in a position to function effectively to achieve social justice.

### ***Enabling and Hindering Factors that Affect its Implementation***

The researcher enumerated the factors that would facilitate and hinder the implementation of rights-based instructional planning using Force Field Analysis. In Force Field Analysis (FFA), issues are framed in restraining forces—pressures that sustain the status quo—and driving forces—pressures that drive change in the desired direction. [Dubey \(2017\)](#) described a good force field analysis, which helps the change agents decide when and how to take an action and see when not to take any action. The FFA has outlined the enablers and constraints that affect the implementation of the rights-based IPed curriculum. Some highlights of community immersion and participant observation were placed in the discussion to explain the findings further.

### ***Community-Related Enabling Factors***

The community-related factors that positively affect the education of the Higaonons are the active support of tribal chieftains and elders, task specialization of tribal leaders, the presence of native Higaonon teachers, and students’ willingness to learn. [Jacob et al. \(2018\)](#) stated that tribal elders from the tribe are a valuable source for promoting more responsible and respectful public education systems. Their knowledge and long-standing relationship with places within the lands upon which schools are

built must be carefully considered to transform public education. The results are also consistent with the findings of [Diamente \(2016\)](#), in which he found that the community is very supportive of the school's needs regarding IPed program implementation.

### ***School-Related Enabling Factors***

The school-related enabling factors include teachers' motivation and goal orientation through immersion, teachers' community engagement, and school-community partnership. As reflected from the interviews, teachers play significant roles in teaching Higaonon students and building a strong partnership between the school and the community; with the help of the tribal leaders and elders, implementing the IPed curriculum in schools would be greatly reinforced. [Diamente \(2016\)](#) cited the conduct of *Pamantukaw* as a way of advocating the IPed program and home visitation to connect with the community. He explained that *Pamantukaw* refers to the process of teaching the learners the cultural practices of the Higaonon communities. It is usually performed by tribal elders with the assistance of the teachers. To strengthen the established relationship between the school and community, teachers and school heads conduct home visitations for friendly talk and general exchange of ideas about life.

### ***Administration-Related Factors***

To effectively implement the IPed program in schools, a Consultative Advisory Body (CAB) and a teaching support program from LGU must be created. The importance of CAB is greatly manifested in the curriculum since representatives from the communities would strongly voice out the educational needs of the IPs. According to [Pelino & Maderazo \(2012\)](#), marginalized groups become more marginalized in the curriculum development process since the needs and concerns of these cultural minorities have been disregarded in curriculum development to protect the interests of the state intentionally.

### ***Stakeholders-Related Enabling Factor***

It was identified that teaching volunteers from non-government organizations is also a factor that significantly contributes to implementing the IPed program. It can be deduced from the interview results that these stakeholders have brought positive change to Higaonon communities through their programs, such as providing educational support to deserving Higaonon students. [Adebayo \(2013\)](#), as cited in [Yaro et al. \(2017\)](#), mentioned that educational stakeholders are all direct and indirect participants communicating their vested interest in the educational outcomes. They could also affect how efficiently processes for enhancing quality and good decision-making work to raise the quality of the educational system.

### ***Environment-Related Enabling Factor***

The richness of natural resources in ancestral domains has been considered as one of the enabling factors. As drawn from the results, this identified factor was included in implementing the IPed curriculum since ancestral domains could be used to improve the education of the IPs. [Diamente \(2016\)](#) argued that learning was everywhere and every moment in the ancestral domain, the learning space in the IP system of education. For IPs, that land is life and sacred is fundamental to their worldview as the source of their IKSPs must be nurtured and protected. Similarly, [Battiste & Henderson \(2009\)](#) also stated that learning from place explains how IPs record their knowledge by traveling, recalling narratives that delight and instruct them, remembering events as markers of history, and offering continuity in learning and identity. The rules are essential to the interaction with all life, to the physical and spiritual survival, as land is a fabric made from the threads of tales and ceremonies contributed by several community members.

### ***Community-Related Constraining Factors***

The community-related constraining factors identified are the lack of recorded history and cultures, unapproved certificates of ancestral domain titles, child labor and early marriage, loss of self-esteem and lack of futuristic vision, lack of livelihood opportunities, and the lack of identification documents. In connection, [Singh & Reyner \(2011\)](#) argued that the NCIP's low-performance record in terms of processing CADC applications and issuing Certificate of Ancestral Domain Title (CADT) in



ARMM, especially of the IPs in Maguindanao poses a problem for the implementation of IPed program in the Philippines. [Gollnick and Chinn \(2006\)](#) mentioned that the lack of identification documents is a challenge that hinders students' participation in education.

### ***Administration-Related Constraining Factors***

Results revealed that the lack of training and financial support for IP elders, mismatching of teaching assignments, mismatching of teaching assignments, inaccessibility to secondary education and provision of teacher transfer policy are the administration-related factors that hinder the goals of IPed implementation. This is affirmed by [Suazo & Montenegro \(2018\)](#), who found out that IP elders, who were supposed to be part of the process and were essentially important stakeholders of the IPed, were not tapped as resource persons due to financial constraints.

### ***School-Related Factors***

Insufficient training for IPed Teachers, language gaps, lack of teachers' exposure to IP-related activities, inappropriate curriculum, and the lack of awareness about the IPed Program have been identified as the school-related constraining factors in implementing rights-based IPed curriculum. The same situation has been discussed by [Cucio & Roldan \(2020\)](#), in which they averred that there is a lack of instructional resources and that since many of the books used at higher grade levels are written in English, teachers must translate their contents into the students' native tongues. It is supported by [Villaplaza \(2021\)](#), who found out that parents wanted school textbooks to be written in their mother tongue.

### ***Stakeholders-Related Factors***

The stakeholders-related constraining factors are the lack of alternative learning programs, inconstant dialogues between the Higaonon community, DepEd, and NCIP, lack of community research, and insufficient support of other external stakeholders (NGOs, Private Organizations). These identified factors are barriers to effectively implementing IPed programs for the Higaonon community. In connection, [Cucio and Roldan \(2020\)](#) suggested that there must be a close partnership and synergy between the NCIP and the DepEd. Although NCIP has no mandate over public schools, the institution still needs to coordinate with the DepEd regarding important matters directly involving the IP communities, especially in developing curriculum and instructional materials that are culturally appropriate for a certain IP group.

### ***Environment-Related Factors***

Transportation and communication and armed conflict areas are also spotted as environment-related constraining factors in implementing the IPed curriculum, as these have become perturbing issues in the education of the Higaonons. Transportation costs in and out of the community area are very expensive. Likewise, [Cucio and Roldan \(2020\)](#) affirmed that another challenge was the geographical location of the IPed-implementing schools. Many of them have IPs in remote places, making it difficult for some teachers and those overseeing the program's operations.

## **CONCLUSION**

Despite the serious and growing efforts of the DepEd to achieve inclusive education goals, educational disparities are still noticeable in the Philippine educational system, specifically in the case of indigenous learners. The culture-based IPed has been taken as a new bottle for an old wine even if increased participation of indigenous learners in schools was documented when the IPed program was implemented. Indeed, the lack of understanding and inclusion of the rights has made them more vulnerable to exclusion despite the inclusive efforts forwarded to them by various institutions. The proposed instructional planning approach, shifting from culture-based to right-based IPed, is expected to lay down positive changes in all aspects of life for indigenous learners, including social, economic, educational, civic, and political, as they begin to understand and protect the inherent rights to ancestral domains, cultural integrity, self-governance, and social justice which are accounted for them. Having these four bundles of rights incorporated into instructional planning, indigenous learners would

become more empowered and dignified rights-holders. Grounded in the above conclusion, the following recommendations are offered by the researchers:

1. There is a need for NCIP to cooperate closely with the DepEd regarding the kind of education to be delivered to Higaonon learners for the conduct of academic research on the Higaonons' ancestral domains for successful process of contextualization, localization, and indigenization. Non-government organizations, civil societies, private sectors, and government agencies are encouraged to extend their physical, financial, and material resources to push through some educational programs that positively affect the functional literacy rate of the Higaonons.
2. Creation of items for para-teachers and teaching assistants who will be assigned to conduct remedial classes, teach cultural practices, coordinate with indigenous leaders and elders regarding school matters, conduct ancestral-domain-based research and cultural mapping for localizing and indigenizing learning resources, and assist school heads in developing an ancestral-based school management plan.
3. Higaonon leaders, families, and learners must be engaged in designing a school curriculum and planning for educational programs to determine its possible implications for the empowerment vision of the Higaonon communities. School heads must include Higaonon leaders, families, learners, and IPED coaches in the Annual School Improvement Plan for a more inclusive approach to school management. Furthermore, IPED teachers are encouraged to deeply understand IPRA law to guarantee an empowering teaching-learning process in schools. It will be possible with the coordination of NCIP.

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