

# Mexican Congress Approves Education "Reform"

December 21, 2012

The Mexican Congress has in near record time approved a new law on education called for by the new president Enrique Peña Nieto intended to reassert government control over the country's education system, break the power of the Mexican Teachers Union bureaucracy, and improve the quality of education. At the heart of the new law is a regular teacher evaluation with increased emphasis on merit.

The proposed "reform" received support from the ruling Institutional Revolutionary Party (PRI), the conservative National Action party (PAN), and most of the left-of-center Party of the Democratic Revolution (PRD), but not the Mexican Teachers Union (el SNTE), the country's largest and most powerful union. The law is also opposed by the new Party of National Regeneration (Morena).

Elba Esther Gordillo, president of the Mexican Teachers Union (el SNTE), says her union will challenge the law in the courts and carry out a legal, peaceful resistance campaign against it. The law threatens her and the powerful and notoriously corrupt political machine that she has constructed.

The National Coordinating Committee of the Teachers Union (la CNTE), representing progressive rank-and-file teachers, also opposes the new law though for quite different reasons, fearing that it will reduce teachers power and open the door to the privatization of education.

In presenting his legislative proposal, Peña Nieto said that he wanted to reestablish the Mexican government's role as the leader and director of the country's education system. He would create, he indicated, a system based on genuine merit. His plan would take teacher hiring out of the hands of the union which now often plays a strong role in hiring decisions.

## **The Un-Named Target**

While her name was never mentioned and the union only alluded to, everyone was aware that when Peña Nieto talked about the government retaking control of the schools he meant taking them back from Gordillo, head of the Teachers Union and a powerful figure in national politics for thirty years. Virtually every major group in the country from government officials to business leaders, politicians left, right and center, and including the leftwing National Coordinating Committee of the Teachers Union as well as many other rank-and-file teachers agree that her power and the power of the corrupt bureaucracy that she commands must be broken.

Many of the organizations mentioned have criticized and condemned the involvement of the Teachers Union in the affairs of the Secretary of Public Education (SEP), a relationship that involves intimate collusion and rampant corruption in the running of the schools. Most believe that Gordillo and the Teachers Union usually have the upper hand, exerting the union's power to provide management positions and control teaching jobs for Gordillo loyalists. Yet, while so many groups in society are interested in breaking her powerful grip on the union, there is little agreement about how to go about it. Peña Nieto appears to have decided structural and procedural changes in the union will be necessary.

## **Would Modify the Constitution**

The reform would modify Article 3 of the Mexican Constitution, one of the three virtually sacrosanct articles that arose from the demands of the Mexican Revolution of 1910-1920, leading to the establishment of free, public, lay education. (The other two articles are Article 123 recognizing workers' right to organize labor unions and Article 27 providing for redistribution of land to indigenous and peasant communities in the form of *ejidos* and giving Mexico ownership of the country's subsoil. In 1992, President Carlos Salinas de Gortari's government amended Article 27 to permit peasant communities to sell their land.)

At the center of the education reform is the establishment of a national teacher evaluation. The new Secretary of Public Education, Emilio Chuayffet, told the press that the examination will be obligatory and that failure to administer or take the exam will be subject to "legal consequences." The new law would affect teachers' job security, wages, and opportunities for promotion. Other important elements of the reform are a census of schools, teachers, and students and the standardization of the responsibilities and salaries of school principals and other supervisors.

### **Supporters and Opponents**

Several years ago, Mexico decentralized its national education system, giving somewhat greater latitude to state governments, which means that Peña Nieto must win their support, a task he has already succeeded in carrying out. The state secretaries of education of all 32 federal entities—the 31 states and the Federal Districts—have endorsed the educational reform proposal after being lobbied by Secretary of Education Chuayffet.

Juan Díaz de la Torre, general secretary of the Mexican Teachers Union (el SNTE), initially said that his union would support the reform, while at the same time expressing his concern that business interests "see an opportunity to push toward privatization of education." Yet the next day his boss, Gordillo, head of the union, said that el SNTE rejected the educational reform because it was contrary to the interests of teachers. She was reacting to Secretary Chuayffet's statement that any teacher who failed the exam would be fired. Gordillo—whose opposition could be decisive—has not yet made clear what sort of deal she is seeking, though she surely will and soon.

The National Coordinating Committee of the Teacher Union (la CNTE), an opposition caucus within the teachers union, opposed the education reform proposal. Rubén Núñez Ginés of SNTE Local 22 in Oaxaca told the press that the "reform will not pass" in Oaxaca or in other areas where the CNTE is strong. "We consider the educational reform, and especially any changes to Article 3 of the Constitution, to be an attack on the Mexican people." It was also, he added, treason to the Mexican Revolution.

Núñez Ginés said the reform was driven by rightwing business interests. "The project hides its real objective: the labor issue. It is an attempt to do away with collective bargaining in education and to institute instead individual contracts based on evaluations with a punitive character in order to justify firings." He objected to the notion of a "universal evaluation" given the diverse character of Mexico, with states such as Oaxaca having many different indigenous cultures.

Not content with merely criticizing the reform project, the CNTE has also begun to organize protest demonstrations, beginning with a demonstration against the reform in mid-December by three thousand teachers in Morelia, Michoacan. The CNTE has also gone to court to seek an injunction against the national teacher evaluation.

### ***La Jornada's* Editorial**

The leftwing Mexico City daily *La Jornada* responded to Peña Nieto's education reform with a

strong editorial criticizing the proposal. "Perhaps the most objectionable part of the reform is that it insists on presenting the teachers as the ones ultimately and almost exclusively responsible for the existing deficiencies in the government educational system . . ." Those proposing the reform failed to take into account other significant factors such as "corruption, inequity and lagging social groups, budgetary neglect, and the involvement of the powers-that-be—particularly the mass media—and the complex relation in recent years between the federal authorities and the corrupt and bureaucratic leadership that controls the teachers union."

*La Jornada* suggested to its readers that it was the United States which was pursuing these sorts of reforms based on teacher evaluation, which it has become clear is driven by the business class and its politicians who are attacking public education and encouraging an "educational market place." It will be a disaster, concluded the editorial, if educational reform becomes a vehicle for attacking public education.

### **Dissident Voices in the PRD and other Critics**

While the PRD leadership is supporting the educational reform, not all PRD members are in agreement. PRD Congressman Alejandro Sánchez Camacho, for example, opposes the reform because he believes it is part of an attempt to privatize public education.

Martí Batres, president of the new left party Morena, also opposes the plan because, he says, it is an attack on teachers' job security. The proposed education reform makes scapegoats of the teachers, he said.

[This article relies heavily on information from stories on the educational reform in recent issues of *La Jornada*.]