

The Paradox of the Teaching Profession Act no. 5 of 2013 - Building from Nominalism and Realism: A Mixed Method's Approach

Daniel Mapulanga

PhD Candidate, Department of Educational Psychology, Sociology and Special Education, University of Zambia LUSAKA

Abstract: Professionalisation of teaching by law in Zambia was punctuated by controversy. The Teaching Profession Act that came into force in 2013 to rebrand teachers as professionals triggered controversy among the social actors and the general public. There are arguments that the law is inconsistent with the philosophy of professionalization as espoused by the Neo Weberian and Traitian theorists. Research was therefore set to examine the existence of a paradox in the Act against empirical evidence and the teachers' own conceptualisation of profession from their natural world. The quantitative findings show that the law does not designate teachers with professional status because the mean scores per variable were all less than 5 which was the ideal standard, indicative that teachers perceived the law as alien to them. The study has exposed the inconsistencies of the teaching profession Act of 2013 by its failure to embrace the tenets of professions as propounded by the taxonomic and neo Weberian theories of professionalisation. From the focus group discussions, teachers further rejected the statute as alien and non-representative of their social world. This study has exposed the Act as having failed to borrow perspectives used in professionalising existing professional occupations operating in Zambia. The Act has detached itself from the ontological position which holds that rules of professionalisation for occupations operating within the same geographical space must be consistent. The panacea to the perceived contradictions henceforth is to repeal this Act and a new law enacted which must embrace recommendations proposed by this research.

Keywords: Copperbelt Region, Occupation, Profession, Professionalization, Semi-profession, Teaching.

I. INTRODUCTION

In jurisdictions where laws have been enacted to categorise occupations as professional groups, such statutes provide for what constitutes a profession. The Teaching Profession Act no. 5 of 2013 in Zambia ironically, has not done that. It is fashionable for every worker to claim that their occupation is indeed a profession. To teachers this claim is phenomenal because it denotes both pecuniary and non-pecuniary benefits. The enactment of the Teaching Profession Act of 2013 however has triggered a paradox, culminating into ideological struggle among teachers on one hand, the teacher reformers at the Ministry of General Education and the body of knowledge on the other. The controversy is occasioned by the law's failure to show which attributes of professions the Act possesses to reposition teaching as a profession. The Act

turning teaching into a profession has failed to demonstrate how an occupation dismissed in literature as a semi profession has gained attributes for this reclassification (Evetts, 2014; Freidson, 2001). The Act is not only inconsistent with the ideals of professionalization as propounded by the taxonomic and the neo Weberian models (Kibera & Kimokoti, 2007; Fakoya, 2009), but also contradicts the thinking of the Ministry of General Education contained in all Education Policy Reform documents for Zambia on how the country intended to navigate into turning teachers into professionals. The concept paradox has been included in the title typically as a figure of speech invariably implying that the law has contradicted itself against the principles of professionalisation. In this study, the researcher desires to highlight the paradox around teacher professionalisation using the Taxonomic and the Neo Weberian models as reference points in comparing and contrasting deductively with: (a) the theories of professionalisation and (b) the lived experiences of teachers in determining whether the paradox exists.

Statement of the problem

The law that came into force in 2013 to categorise teachers as professionals has created controversies among social actors and the general public. There are arguments that the law is inconsistent with the philosophy of professionalization as espoused by neo Weberian and Traitian theorists. The Teaching Profession Act no. 5 of 2013 also contradicts the thinking of the Ministry of General Education as recorded in the policy document (Educating Our Future) on how to professionalize the occupation in the country. The Teaching Profession law further contradicts the teachers' own conceptualisation of profession from their own natural world. Research was therefore set to examine the existence of a paradox in the teaching profession Act no. 5 of 2013 against empirical evidence and teachers' lived-life. The study further scrutinized the motives of the teacher reformers for framing the law in that fashion.

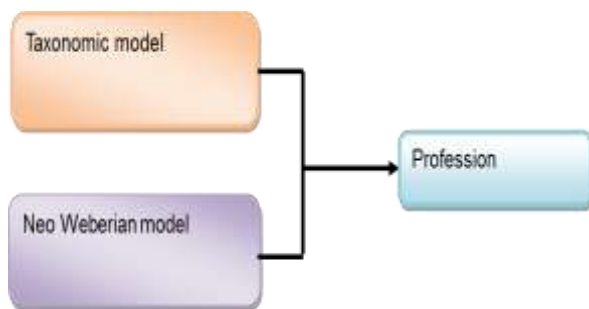
Research questions

1. From the taxonomic and Weberian models of professionalisation, what attributes of professions do teachers see the Act to embrace?

2. What is the meaning of teaching as a profession based on the teachers' lay accounts?

II. THEORETICAL FRAMEWORK

This is a mixed methods study. For the quantitative paradigm, it is driven by the realist epistemology which presses upon the researcher to derive study variables from the existing theories, thus the taxonomic and neo Weberian paradigms of professions. The variables which were 'tested' on teachers to examine the extent to which the teaching profession Act had embraced tenets of professions were extracted from the taxonomic and neo Weberian models of professions. This theoretical framework a priori shows variables which are used in professionalisation. The two models supplying constructs of professions traditionally present varied arguments on how a profession is conceptualised. The deductive knowledge elicited from the framework provided a set of constructs a priori that were investigated against the Act no. 5 of 2013. To assess the extent to which the Act of 2013 embraced constructs of the two theories of professions, this study placed them into a questionnaire in order to understand the extent to which teachers saw them in the law. The theoretical framework shows a schema of two strands of the models of professions pointing towards the ultimate concept (profession) indicative that a mere mention of the term profession must instantly trigger the expected variables. This demonstrates how the theoretical framework guided the study.



Models of professionalization from the Taxonomic and Neo Weberian traditions

For the Nominalist (qualitative) component as a strand of the mixed methods approach, the study was driven by the phenomenological interpretivism. Phenomenological assumptions begin with an argument that human knowledge is not a mirrored reflection of reality (Polkinghorne, 1992); but like Lincoln and Guba (2000:165,167) have argued, reality is local and it is specifically constructed. The study drew on the lived life of the teachers' conceptualisation of profession from their own natural world. What we see in this ontology is that the social world of the teachers is assumed to reside inside them and it is attached to individuals' cognition or feelings or ideas (Burrell and Morgan, 1979; Flood and Jackson, 1991).

III. LITERATURE REVIEW

The literature which pops out of the theoretical constructs presented a priori is informed by the neo Weberian and the taxonomic theorisation.

Power and autonomy

Professions operate on the whims of collegiate autonomy and repulse subordination from third parties (Freidson, (2001). They put control over their work. This control Freidson (2001) hypothesizes is occasioned by exclusive knowledge they possess. Power and autonomy therefore bestows high prestige on them. Theorists of professions argue that teaching is not a profession because teachers do not have power to control their work. Rules and conditions of practice are imposed on them by powerful non practitioners. In the main, professions enjoy self-determination in their practice.

Code of professional ethics

Professional occupations are by law independent entities and collegially empowered to design their own code of professional ethics. Abdu-quddus (2006) notes that all established professions operate on the whims of self-determination with aspirational rules of engagement which bind members in pursuit professionalism. It is irregular under the theories of professions to design a code of ethics for practitioners by outsiders. Fakoya (2009) writing from the Nigerian tradition as a case in point argues that for teaching in many jurisdictions, although there is always an occupational code of conduct, the instrument was designed for them by non-teachers, exactly as obtaining in Zambia. Kibera and Kimokoti (2007) argue that teaching is not a profession because teachers were overwhelmed by rules and conditions of practice designed by non-teachers with a high level of non-compliance by social actors. Zambia has turned teaching into a profession to be controlled by a government department referred to as the Teaching Council of Zambia with a mandate to design a code of ethics for teachers without social actors' due diligence. Going by the tenets of professionalisation, this is paradoxical.

Open career progression path

Professions enjoy career progression in their practice. Kibera and Kimokoti (2007), Nigerian author Fakoya (2009), Ballantine and Hammarck (2009), and Chakulimba (2001) collectively argue that professions are prestigious jobs with open career progression paths adding that teaching was not a profession because teachers in many jurisdictions had no defined career progression ladder. The occupation was riddled with stagnation; many teachers retired at the same grade they entered with. For Zambia, this challenge was even acknowledged by the Ministry of General Education as recorded in the policy document educating Our Future (MoE, 1996). The Ministry of General Education (MoGE) was alive to the fact that promotion prospects would not be enough for all public service teachers; as a measure to ameliorate this challenge, MoGE planned to create professional salary scales

as a window for teachers’ social mobility, wherein, accomplished teachers’ salaries would progress to that of management scales (MoE, 1996). This is among other measures Zambia by education policy planned to transit teaching into professional realm. The Act no. 5 of 2013 however snubbed all fundamentals on teacher professionalisation contained in policy reform documents.

High status and prestige

Theoretical tradition holds that professions are high status and prestigious jobs. They enjoy a high social status, respect and admiration conferred upon them by society (Tinsley and Hardy, (2009). The high esteem which professionals carry arises primarily from the higher social function of their work, which society regards as vital. Lian and Laing (2004) postulate that all professions possess specialised technical expertise. They also require refresher training to keep them abreast of the latest trends emerging in their profession. Ballantine and Hammarck (2009) further argue that the poor salaries and conditions of service; coupled with the preponderance presence of females in this occupation disqualifies teaching as a profession. Fakoya (2009) adds that the:

poor salaries and diminished career progression prospects reduce teachers’ image before the public: landlords owing to bitter experiences, refuse to lease houses to teachers on rent for fear that teachers are sure to fall into arrears of rent, not because they are congenital debtors, but because they are poorly paid and rarely do they get paid on time.

Exclusionary social closure

Giddens (2009) notes that entry into a profession is restricted to qualified people who meet a strict set of defined criteria. Such stringent display of ‘professional closure’ makes professional associations able to sustain exclusion of unwanted elements from the profession, and enhances the market position of their bonafide members (Webb, 1999). Typically, individuals are required by law in established professions to be certified by a local professional body before they are permitted to practice. Candidates seeking to join a profession are screened and licensed before beginning to operate. This licensure requirement creates a monopoly in which it is only licensed professionals permitted legally to practice their trade, a situation referred to as professional jurisdiction, (Hilton 2009; Abbott 1988; Hargreaves 2003; Freidson 1986). Theories of professions argue that teaching is not a profession because in many jurisdictions, this control of entry principle is done for teachers by non-practitioners.

The foregoing traits are some of the defining attributes of professions recorded which were subjected to teacher participants to search the teaching profession Act of 2013 to assess if it embraced defining elements of professions from the taxonomic and neo Weberian traditions.

IV. METHODOLOGY

A cross-sectional mixed methods equal status approach (QUAN + QUAL) was employed. A population of 22 598 of teachers from ten Districts of the Copperbelt was randomized to yield 393 units for quantitative paradigm. Data was collected using a self-administered standard structured questionnaire. For qualitative component, data was collected via in-depth interviews with policy makers, focus group discussions with teachers and policy document reviews. For quantitative component, data was analysed using Univariate, whereas content analysis informed qualitative data analysis.

V. RESULTS AND DISCUSSION

Based on research question one: from the taxonomic and neo Weberian models of professionalization, what attributes of professions do teachers see the law embrace?

From the taxonomic constructs, teachers posit that the law does not accord them the professional status because all the mean scores per construct were all less than 5 which was the ideal standard (see Table 1 below).

Table 1: Self-Assessment of Professional Status Vis some vis the Law (Taxonomic)

Variables for the Taxonomic Model	Mean
1. Teachers’ have been granted a high professional social status now owing to the Act which has fostered good salaries.	2.7
2. Teachers in Zambia do meet the classification of a profession because they influence the formation and maintenance of a professionalising college (belonging to a professional body of their own like lawyers).	2.9
3. Teachers in Zambia do meet the classification of a profession because they do influence conditions and rules of practice.	3
4. The Act designates teaching to be a profession otherwise anyone could have been teaching.	9.3
5. The enactment of the teaching profession Act has allowed teachers in Zambia to make their own code of professional ethics.	2.5
6. The Teaching profession Act considers teaching as a profession because it registers teachers based on the length of training.	1.9
7. Teaching is a profession because the Act allows teachers to control themselves as a powerful force	2.6
8. The enactment of the teaching profession Act has resolved stagnation and has provided for improved salaries to make teachers remain in the job.	2.6
9. Teachers in Zambia do meet the classification of profession because they influence conditions of their own training and licensing.	2.7
10. The enactment of the Teaching Profession Act has denied teachers the professional status because they are not allowed to regulate market conditions for gain in their own favour.	2.58
11. The enactment of the Teaching Profession Act with its teaching Council has excluded teachers out of the market. There is control of services not by way of a body of self-governing equals.	2.5

Based on the statistics emerging from this research question for both the taxonomic and Weberian models of professions, teachers rejected the law as having failed to embrace the tenets of professions. Teachers were subjected to an eleven point range of Likert scale scores such that one was for strongly disagree and eleven for strongly agree, but were also free to pick numbers in between the numbers to show different shades of agreement. The results showed that on all the taxonomic and Weberian variables, teachers dismissed the law as having failed to embrace the tenets of professions. This was because on all individual variables of professions, the mean score fell below the ideal standard which was five.

This drift gives credence to the theoretical suppositions which dismiss teaching as a semi profession on account that the occupation was over controlled by external powers (Evetts, 2014); (Fakoya, 2009); (Kibera and Kimokoti 2007). Research question one has therefore revealed that the Teaching Profession Act no. 5 of 2013 was driven by the state controlled motive, which is a point of departure from the classical neo Weberian model interleaved with the Traitian approach. The concept profession is a well-guarded phenomenon which embraces prescribed set of rules. The study has revealed that the failure by the teaching profession law to embrace the tenets of professions as guided by the neo Weberian and the taxonomic models could be perceived as a deliberate ploy not to accord teachers' full professional status. The objects around which teaching was turned into a profession as by the speech of the minister in parliament was to establish: a regulatory body to be called the teaching council of Zambia, registration of teachers by government through the teaching council of Zambia (TCZ), regulation of teacher-training institutions by TCZ, and to create structures for dealing with teacher professional indiscipline by TCZ. Everything mentioned hitherto hover around government mediated authority. Teaching in Zambia was transformed into a profession using a paradigm that was inconsistent with rules of professionalisation. The four objects given above as fundamentals intended to situate teaching as a profession as a matter of procedure and reality point to deprofessionalization. The rules of professionalisation do not allow usurpation of powers of social actors. The Teaching Profession Act for instance proposes that the code of ethics for teachers shall be designed by government wings, the Teaching Council of Zambia and the Teaching Service Commission of Zambia without any input from social actors. The motive was cast in concrete; the teaching profession was to be an appendage of the state bureaucracy, a sure example of what the theoretical assumptions refer to as deprofessionalization.

Regarding research question two: "what is the meaning of teaching as a profession based on the teachers' lay accounts?"

This research question should be understood from both the interpretivist and constructivist perspective. The constructivist and interpretivist agenda do attempt to show that no matter how sedimented social conditions may appear; those conditions nonetheless are produced, maintained, and changed

through interpretive processes by the social actors, (Lincoln and Guba 2000). There is need therefore to provide some grounds of meaning from the points of view of teachers.

Teachers attempted to render their own understanding of teaching as a profession from their own natural world. During focus group discussions and in-depth interviews with selected teachers about the meaning of teaching as a profession in relation to the Act no. 5 of 2013, several renditions of meanings surfaced. From the focus group discussions and in-depth interviews, seven themes addressing meaning of teaching as a profession emerged from the qualitative data. The emerged meanings of teaching as a profession from teachers' own lenses principally correlated with the contemporary philosophies of professions and are hereby thematically presented below. These themes are teachers' own views in response to the research question. At this stage we can say the views of the teachers on professionalisation and those of the literary tradition were in tandem. This study now tabulates the teachers' renditions as shown below:

1. Professional Development
2. Induction
3. Prestige and status
4. Altruism (Dedication to human service- selfless service)
5. Code of ethics
6. Composite Body of Knowledge
7. Autonomy

Professional Development

Beyond both pre-employment basic training and on-the-job induction for beginners, professions typically require on-going in-service technical development and growth on the part of practitioners throughout their careers. This aspect has not been considered in the current law. The assumption is that achieving a professional-level mastery of complex skills and knowledge is a prolonged and continuous process. Moreover, professionals do continually update their skills as the body of technological skills and knowledge advances. This has been entrenched in Zambia in the Health Professions Act for example. Among other things, there is need for professionals to provide mechanisms, such as periodic conferences, publications, and workshops, for the dissemination of knowledge and skill to members. Where teachers have established themselves as a professional body (Ireland, Ontario, Scotland, New Zealand, Australia), they have designed activities to improve their skills, and in turn boost student outcomes (OECD, 2009). The Teaching Profession Act of 2013 for Zambia however, does not embrace these professional responsibilities. This is evident from the following testimonies by teachers on the Copper belt:

it is incorrect to call teachers as professionals only by pronouncement when in actual sense all indicators about us point to deprofessionalization. There is no meritocracy and seniority in teaching. We suffer stagnation not only in appointments but in human

resource development as well. We were sure that the Council would be concerned with in-service training but to no avail.

People say lawyers and doctors were the original professionals but teachers were notReading the history of law and medicine, one notices that disciplines were raw from the beginning. They did not have a system of practice but now they have...and it is based on continuous planned human resource development.

We expected the law to show how aspects of professional development and opportunities would benefit teachers. Now only subject associations with a lot of inadequacies informally carry out business which ordinarily would have been done by professional body of practitioners.

Professional development has been one of the most frequently discussed and advocated teacher reforms in recent years and this aspect has been ignored by the framers of this law. The data as analysed does not present a picture of success in the provision of teacher support in the use of professional development. What is striking about the data on professional development is the inconsistency among policy makers as shown below:

It is not possible for the Ministry of General Education to make it compulsory for teachers in schools, both public and private, to provide professional development..., teachers could participate in workshops, or activities either sponsored by their schools or sponsored by external organisations. The Ministry has no money for such and it would have been suicidal to put this in the law.

Policy maker

In jurisdictions where teaching operates as a profession, professional bodies have designed activities to improve teachers' skills and boost student outcomes. Such developments do take place in formal or informal settings. If the aspect of professional development was to trigger expected results, findings in this study show that the authority cannot be exercised by non-practitioners. This study has revealed that Zambia's teaching profession law's insistence on punitive grip on the profession ignored very important professional matters. The findings here build on existing evidence that professionalisation entrenches the concept of meritocracy wherein hard work and ability influenced placement. During interviews, teachers lamented that they suffered stagnation not only in appointments but in human resource development as well. This supposition is supported. As a matter of procedure many statutory teaching professional bodies around the globe have provisions of how professional development would be executed within the context of professionalisation. Ireland, Canada and Scotland for example contextualised traits of professional development in their

respective Teaching Councils. Within the Southern African region, even the Republic of South Africa's teacher regulatory authority SACE despite having embraced a model that hovered around control and punish, SACE embraces teacher professional development issues embedded into the South African Council of Educators Act.

Composite Body of Knowledge

A professional has been noted to be one who possesses knowledge of something and has a commitment to a particular set of values both of which are accepted characteristics of professions. The general characteristics of a profession which include the possession and use of expert or specialist knowledge, the exercise of autonomous thought and judgment, and responsibility to clients and the wider society through a voluntary commitment to a set of principles (Evetts 2014, Freidson 2001, Johnson 1972) were equally seen applicable to teachers even though the Teaching Profession law Act no. 5 of 2013 did not cover them.

Indicating that the current law does not confer teachers with the status of professions triggered a common concern from teachers on the Copperbelt. This appeared to be an overwhelming concern in the teachers' daily lives and held the following views on the matter:

We don't think we are inferior to anybody on matters of knowledge of what we do. We feel ably empowered about our knowledge base. Our professionalism and understanding of the demands of our specialisation cannot be done by a non-teacher. ... we command specialized content knowledge and some people call it arcane lore. We rise on a peculiar knowhow of transmitting knowledge to learners....which no other can.

We command specialized pedagogic content knowledge, we possess great flair of how to convey and reveal subject content matter to learners. Be informed that we teachers do predict the prenotions and background elementary knowledge that learners in general bring to each subject. We boast of possessing unique strategies and instructional materials which are used to bring about learning.

Teachers expected the law to enforce adherence to implementation of meritocratic principles which assigned certain assignments to the uniquely qualified practitioners:

This law should have made a provision to recognise professional mobility. When you graduate with a diploma, you have to be placed on a register for diploma holders and so are people with degrees. This law does not consider credentials at all... Being in possession of rare higher skills favours one over the other. In teaching even a lowly qualified 'guy' can lead the highly technically trained experts not by competence but just sheer mediocrity of

placement. We expected that the law would restrict certain aspects of assignments to the uniquely skilled group of experts. At the moment any one can be assigned even to lead highly trained experts on tasks they are less able. The law has not addressed issues of meritocracy in teaching. It's all confusion.

A college of education lecturer named Gladys during an in-depth interview had this observation:

Don't teachers have a system of practice? What about pedagogics and assessments? ...in the beginning, all professions began with a profession of faith or a set of defining belief. To me, it is critically important for education authorities to appreciate what it is that we profess. We profess ownership of the unique body of pedagogic content knowledge. ...but the law still holds us as adjuncts of the system.

To sociologists, the underlying and most important quality distinguishing professions from other kinds of occupations is the degree of expertise and complexity involved in the work itself. In this view, professional work involves highly complex sets of skills, intellectual functioning and knowledge that is not easily acquired and not widely held, (Evetts 2014; Johnson 1972). For this reason, professions are often referred to as the “knowledge-based” occupations. But even if laypeople were to acquire these complex sets of skills and knowledge, rarely would they be able to practice as professionals. Entry into professions requires credentials.

Teachers lamented that they were undermined to the extent that the power bestowed on the practitioners in terms of ownership of the knowledge economy was demeaned by the Act no. 5 of 2013 to the extent that external authorities have continued to dictate the kind of content of the curriculum in teacher education and their routine practice. Pursuant to the foregoing, the study deduces that teacher reformers glaringly fashioned the occupation to stand as an inferior profession on a continuum of professions. The teaching profession law going by submissions of teachers during interviews, failed to demonstrate how teachers were going to own and influence the body of knowledge when the power to superintend over the curriculum and contents of their own training was usurped.

Induction

Policy makers were subtly in agreement that teachers were not professionals because they ignored the inclusion of professional mentorship of teachers in the Act. The induction aspect was apparently not in the minds of the framers of the law. The excerpts below point to the varying positions relating to the law as teachers voiced out their frustrations:

We have been aspiring to be tagged as professionals for a long time. Yes, in addition to initial formal training and preparation, some of us believe that professional work typically requires extensive

training for new practitioners upon entry. Such training is designed to pick up from where pre-employment training had left off. That is, while credentials and examinations in many professions were usually designed to ensure that new entrants have a minimum or basic level of knowledge and skill, induction programs for practitioners were designed to augment this basic level of knowledge and skill and introduces the actor into the professional culture of the industry. You will see this aspect with our lawyers and doctors...

Teacher mentorship continued to dominate discussions as actors lamented the inability by the law to attend to internship as a principle of repositioning new members into the professional culture.

We wanted this internship you know... The objective of such apprenticeships is to aid new teachers in adjusting to the environment, to familiarize them with the concrete realities of their job, to socialize them into professional norms, and also to provide a second opportunity to filter out those with substandard levels of skill and knowledge. No wonder young teachers being recruited now appear already fatigued and simply lazy.

As mentioned earlier, such gate keeping strongholds of professions cannot be ignored if any occupation desires to be rebranded as a true profession. Teaching has long been plagued by high attrition rates among newcomers (Ingersoll, 2003a) for varied reasons ranging from burnout and also lower ranking of the job on the continuum of occupations. In Zambia one of the factors responsible for the high attrition rates is the low social status of the occupation on the scale of occupations on the market. It is therefore surprising that teacher reformers in Zambia glossed over this important artefact of professions when it all mattered. Scholars have argued that one of the ways to increase retention and the effectiveness of teachers is induction (Ingersoll, 2003b). In focus group discussions, teachers noted that the newly deployed teachers do join the occupation appearing as though already tired or are simply lazy. Such factors are triggered by adjustment challenges apparently owing to the absence of pre-service induction.

Altruism (Dedication to human service- selfless service)

Teachers in focus group discussions spoke about the functionalist theoretical nature of teaching pointing out dedication of teaching to humanity. This utmost devotion to duty is what makes teachers qualify as professionals.

We believe our profession is committed to selfless service. ...we dedicate ourselves to the service of humanity, and most importantly, we subordinate our individual needs to those of our learners. ...money for instance is not a primary driver to our stimulation, though we need to survive. We are a 'candle'; which

burns itself to give light to others. That is indicative of true nobility dignifying our calling as a profession. But our policy makers in the Ministry drafted a Bill into law leaving nothing to show that teachers were professionals.

In the epistemology of teaching as a profession, knowledge impartation is the purpose of education. For decades it has been demonstrated that the teacher is dedicated to imparting wisdom and fostering the life of the mind (Little, 1990 Rowan, 1994). In a related matter, teachers appear to be denigrated (belittled) not only by the general society but even by those in authority entrusted with the responsibility to attend to their welfare. One Director at the Ministry of General Education had this say:

We cannot benchmark teaching with doctors and lawyers because our work in teaching is different from them. We cannot compare ourselves with people who don't exactly do what we do. Transforming teaching into a profession did not imply that the teachers' status would rise to that of other professionals, far from it. We just wanted a legal framework to control the profession.

In sharp contrast to this denigrating observation, teachers during interviews rendered a comparison with doctors. They appeared to have used (Phillips and Burbules 2000) clinician model in affirming teaching as a profession even when the Act did not assert as such. The teachers said:

We consider ourselves professionals even when the law does not show practical recognition of my status as a professional ...even when policy makers do not say so. Within the precincts of our expertise we account for the work as teachers, we do research to improve our teaching...This is what other professionals and doctors alike do.

We are not saying that teaching has to be done pro bono...ours in essence is a common body of knowledge resting on virtuous expertise with a well-developed and widely accepted theoretical base. We demand for recognition worth the term - profession.

We must have professional scales as motivation especially to those who have advanced in their studies and have served longer. In medicine for instance, physicians do not need to wait to be appointed director of health to begin to enjoy high salaries. Medical doctors enjoy professional salary scales. The difference in salaries between the managing director of health at the university teaching hospital of our country and that of other senior surgeons is just in administrative allowances. As teachers our expectations were that professionalization would introduce professional scales and put a stop to fighting for few promotion positions. One does not

necessarily need to be promoted to begin to enjoy high pay.

The foregoing voices of the teachers principally agree with the contents of all the three Education Policy Reforms about the trajectory Zambia had embraced enroute to teacher professionalisation in the Republic. It is however paradoxical that the Act which was passed in parliament to operationalise the contents of the nation's educational policy on teachers evaded the value consensus and handed down an alien instrument.

It is evident from the excerpts displayed that research intertwined with the knowledge economy as a basis of professional expertise, has explicit assumptions about the truth, belief and the significance about unique body of skills possessed by practitioners' method (Phillips and Burbules, 2000). Doctors just like teachers use research to improve their work. The teachers in the foregoing lamentations express displeasure with the manner the Act appeared to have disregarded attributes of professions which could have been used as a basis for situating them as professionals and enable them gain proceeds of professionalisation like all others. Functionalists marvel at the selflessness and indispensability of the service of professionals to society. Pursuant to which society reciprocates and awards their works handsomely. Teachers used that narrative to dismiss the teaching professional law of 2013 in Zambia on the premise that it lacked basis on many fronts in so far as their welfare was concerned.

Prestige and Status

Ideally, professions are of high status and prestigious occupations. In other words, they are respected and envied. The findings reveal the need to contextualise status in the definition of teaching as a profession. There were many respondents during the focus group discussions who expressed concern for the poor rewards teachers get which needed to match with their raised professional status. The study has established that teachers' demand for professional scales was even noted by government and the intention was recorded in the 1996 policy reforms "Educating Our Future". It was only surprising that when the occupation was later on pronounced as a profession by law, it did not contain that particular attribute. MoE (1996) notes that prior to turning teaching into a profession in Zambia, accomplished teachers' salary scales would be raised to those of senior management notches.

The Ministry of Education was going to create a more comprehensive career progression structure formulated in terms of salaries and not promotion posts. This would surely stimulate motivation for many teachers. A properly managed fringe benefits and incentives would also enhance teacher morale and improved retention (MoE, 1992:87).

The narrative mentioned above resonated even in the 1996 policy document. This position of government thrilled

teachers and dominated their submissions in focus group discussions. Contrary to all expectations however, results of this study show a departure by the Act from the model government had embraced in all national policy documents. The study finds the snubbing of the contents of the policy documents about raising the status of the teachers paradoxical because that was one of the important attributes expected to have been embraced. Teachers voiced out during the interviews that in the decades gone by seniority was seen in rising salary notches within a cluster. This however, disappeared, even though they continued to appear on the Annual Collective Agreements.

Copperbelt teachers expressed displeasure at the law which appeared to have failed to address their apparent perennial challenges going by their emotive lamentations voiced out during the focus group discussions.

If you look at our salaries...they show a low position in society. You can call yourself a professional when you are gaining too little but your colleague is getting a basketful...look at the doctors or lawyers. ...spare a moment and look at the neighbourhoods where teachers stay, very low cost locations, in some cases teachers rent servants quarters at their pupils' mansions. This so called teaching profession Act no. 5 of 2013 has not addressed the element of prestige inherent in all professional occupations. ...nothing about us has changed. Conditions of practice have in fact worsened because teachers are now forced to pay colossal sums of money to an alien body the Teaching Council of Zambia.

We needed to have professional salary scales such that if one advanced in qualifications and worked for a number of years, the system must immediately recognise this fact and place me in higher salary scales befitting the status gained. This so called teaching council introduced by the Act is a moribund. It has only come as another layer of tax on our meagre pay. When we hear of them, then they are issuing threats against us for non-remittance of their prescribed periodic fees. Teaching council of Zambia has come to remind us of our low status syndrome.

On salary groups and seniority, Copper belt teachers during focus group discussions voiced out the following:

Decades ago we used to have salary notches indicative of seniority within a cluster. Salary notches disappeared even though they still continue to appear on the Annual Collective Agreements. Currently everybody is just placed at the lowest entry point.

One teacher single handed buttressed the group's point and lamented that:

Look at me for instance: "I have been teaching for 8 years but I get the same salary like my mother who joined teaching in 1994". It is not fair to a person

who has been in the service for over twenty years to be getting the same salary like the young colleague who has just been in the job for few months. The Act no. 5 of 2013 failed to raise the bar on this pathetic situation. In a Department of fifteen teachers and all with the same higher qualifications, only one would be elevated to become Head of Department (HOD) and enjoy high pay, leaving many wallowing in stagnation.

The findings trigger a view that teaching has been on a transformation trajectory for a long time. The literature of professions is awash with innuendos of how teaching has always failed on a scale of professional classification citing lack of defining attributes to classify it as a profession. This study posits that the teaching profession law contradicts the reality as it exists on professionalisation. The marginalisation of the attributes of professions by the Act no. 5 of 2013 justified the theoretical suppositions that teaching did not have defined career progression ladder. The contradictions exposed hitherto give credibility to conjectural notions that teaching was a semi profession because teachers were riddled with stagnation and the majority retired at the same grade they entered with (Kibera and Kimokoti, 2007), (Fakoya, 2009), (Ballantine and Hammarck, 2009), and Chakulimba (2001).

Code of ethics

Theorists of professions eulogise practitioner autonomy in framing and regulating ethical code. Where teachers have had autonomy to define professional matters for instance in the South Pacific, India and New Zealand, they have worked out codes intended as expressions and an elaboration of the values and principles that are central to what it means to be a member of the teaching profession (Abdu-quddus 2006). The Codes are in essence aspirational and integral to good practice for teachers. The teachers are committed to the attainment of the highest standards of professional service in the promotion of learning by those they teach; mindful of learners' differing abilities, cultural background, gender, age, and development.

For Zambia as a paradox, the Teaching Profession Act no. 5 of 2013 conversely gives authority to the Teaching Council of Zambia (government department) to design and enforce the code of ethics and not a member driven professional body. Teachers in the focus group discussions had the following views on this item:

The disciplinary code against teachers recommended in the teaching profession law contained in the code of ethics to be enforced by the TCZ does not in itself qualify teachers as professionals. We believe that ethical standards are created by experts themselves and not by external powers. The creation of the code of ethics by the TCZ and TSCZ without consulting us the gatekeepers on the ground proves that teaching was not a profession and that the law was not about making teachers as professionals.

The literature of professions is very instructive on whose mandate it is to design the code of professional ethics for practitioners. Findings show the teachers' displeasure expressed in focus group discussions against the teaching profession law for having undermined social actors by apportioning authority to design the code of professional ethics onto a government controlled department. In jurisdictions such as Canada, Ireland, Scotland and the United States, teachers were granted professional authority to create their own collegially designed professional code of ethics. Zambia in education policy documents had however planned that once teaching was enacted as a profession, teachers would be granted powers to make their own code of ethics. This however never materialised because the teacher reformers annulled that principle rather incognito and hatched a document counter to the earlier intentions recorded in the national policy instruments.

Using the Canadian tradition as a standard for instance, government in that jurisdiction legislated the Ontario College of Teachers and explicitly granted that professional body the self-regulating status. Literature discloses that this college's mandate was cast in law to regulate teaching qualifications and standards of conduct, registering members; investigating and disciplining those charged with professional misconduct. It is the same scenario with the General Teaching Council of Scotland and also the Teaching Council of Ireland. This study advises that the code of professionals ethics and the teaching profession law in particular must not use punishment of would be transgressors as a basis for turning an occupation into a profession, rather the law must be aspirational and give hope to the profession. In embracing the exclusionary social closure of the profession, practitioners would want to formulate their own moral values to guide their practice, contrary to manner in which the Act has been created.

Saks (2012) reflects that there is a growing body of socio-historical evidence suggesting that the state actors are not simply disinterested heroes, checking the behaviour of self-interested professionals to protect the public, but rather may have their own agenda — including raising money for government spending for reasons that may appear to be ideologically or financially motivated. This study reflects that the most ideal way to counter hostile speculations such as the one cited above, was to embrace the epistemological gate keeping propositions as propounded by the neo Weberian and Taxonomic theorists where social actors were at the centre of all activity. Where this had not happened, there has always been discontentment such as the London situation where the General Teaching Council of England (GTCE) was forced to disband by the new coalition government on the premise that it was just a 'busybody' to teachers and only worked as another layer of bureaucracy while extorting money from them.

Autonomy

A problematic assumption that this study identifies is that there has been some remarkable evidence of lack of professional autonomy at the statutory level, resulting into subdued autonomy at the level of teacher practice. An unspoken but frequently present assumption is that the increased managerial power or autonomy to influence professional work has been lost to the Teaching Council of Zambia. This actually spells out decreased professional autonomy within the professional practice. Going by the structure of the piece of legislation under review and the verbatim from the social actors, the control of entry into the profession as a artefact of professionalisation has been usurped from the practitioners and placed on a department, the TCZ.

Teachers on the Copperbelt expressed concerns about autonomy in terms of lack of consultation on professional matters:

Teachers were not consulted on matters related to transformation of teaching into a profession. Things were done by outsiders. We just heard by pronouncement. Everything is just imposed on us by non-teachers. You cannot claim that you have independence on your job like this.

Outside Interference

What kind of professionals could we be with such heightened interference from outsiders? ...The problem is that no matter how much we can debate this issue, we still remain policy implementers and not policy makers. One thing we must not forget about is that education has been politicised. If education in Zambia was left to be run by experts like is the case in all other professions, we could have been talking about standards.

There is no professional judgement bestowed on us. If teachers feel that the best way to help an underperforming learner is to request the parent to have them repeat a grade, society must respect that decision. If a medical doctor instructs a patient not to eat before taking a particular test, the patient abides. That is the power and autonomy vested in the medical profession; but for teachers everybody undermines our judgements. The teaching profession law has not addressed negative sentiments against us by our non-practitioner superiors and the general society. We are still looked down upon. We don't understand the motivation for turning teaching into a profession because nothing about us has changed. Conditions of practice have in fact worsened because teachers are now forced to even pay colossal sums of money to an alien body the Teaching Council of Zambia without any benefits accruing to us). We are now threatened

with dismissals for failure to pay registration and practising fees.

In support of lack of autonomy in the Act no. 5 of 2013, teachers during focus group discussions gave examples of lawyers where managers would not usurp autonomy. This is exhibited in the excerpt below:

Lawyers enjoy autonomy in their practice. Much as they have supervisors, the collegiate code of ethics mutually developed by themselves put everyone at par with a lot of mutual respect. Professionals enjoy power and autonomy in their practice. This law has only brought threats and outbursts against teachers by the Teaching Council of Zambia and nothing to show. TCZ is only interested in extorting money from us but with no benefits coming to us.

The Act of parliament no. 5 of 2013 does not reposition us as professionals because everything about us is influenced by external forces. We just operate on directives from superiors most of whom are not even serving teachers. We do not have freedom of practice. We do not possess power to control and decide about the direction of our own occupation. Everything is influenced by powers outside teaching. The Act no. 5 of 2013 does not give us the status of self-determination. What professionalization is this without ownership of the occupation by practitioners? Clearly the intention was concealed to over control the occupation worse than before.

The verbatim of teachers presented in the foregoing excerpts expose the stiff-necked manner with which the law held professionalisation of their occupation. This in fact was conjectural and alien to Zambia because the practice had never been used before in professionalising any of the archetypal professions operating in the Republic. The apparent subdued autonomy is occasioned by the heightened managerial power granted to a government wing, the Teaching Council of Zambia by the law. Autonomy in professional practice is intertwined with practitioners' freedom from bureaucratic and political constraints to act on judgements made in the best interests as they see them of their clients (Cobbold, 2015). Research findings show Copperbelt teachers' discontentment about not having been consulted on the transitioning of teaching into a profession and the resultant void of what could have influenced the direction of the law in their considered favour.

Studies have shown that in jurisdictions where teachers enjoyed autonomy of practice student achievement was optimal. Bedard (2015) conducted a study in 65 countries and it was found that in countries like Japan, Thailand and Hongkong where teachers practiced more autonomy, academic achievement was considerably high whereas it was low in countries like Turkey and Greece where autonomy of teachers was restricted. This study has

observed that autonomy as a facet of professionalisation is intertwined with practitioners' happiness and better performance. Tewari (2018) argues that when the autonomy of teachers is usurped, the profession is threatened by the mechanical structure that is not only top-down but also meddles with the efficiency and narrows the innovative ways of professional practice.

Notwithstanding the foregoing, Evetts (2014) quoting Freidson (2001) indicates that practitioner occupational control is important because the complexity of the professional work is such that only the practitioners can understand the organisational needs, processes, procedures and outcomes. Freidson (2001) emphasises that occupational control of the work by practitioners themselves is of real importance for the maintenance of professionalism. This observation is supported by Jeanne (2010: 79-80) who argues that control of the knowledge base by professionals is the litmus test that an occupation must pass if it is to sustain claims of professional status. Jeanne goes further to exemplify that:

Professions do control their knowledge base and defend it against subordination. Professions do control' the knowledge base and circumvent terrible examples indicative of what transpired in the Republic of South Africa where the then president Thabo Mbeki undertook to control the AIDS knowledge base, and resulted into disastrous consequences of all time.

The basic argument about practitioner control of the knowledge economy is well grounded because it was only social actors who typically understood the intricacies around a prescribed body of knowledge. Such powers to watch over the practice of the unique complex body of knowledge cannot be apportioned onto a third party. Usurping such powers from practitioners who were entrenched with professional knowhow is perilous, and opens a society to fears of what transpired in South Africa as the literature alludes.

The researcher herein affirms the position that there is a complex paradox in the law consented to by both the nominalist and positivist reality. The gist of the law turning teaching into a profession in Zambia appears to be in tandem with what Johnson (1972) a trait model practitioner points to as control of the occupation by the powerful external forces. This particular attribute is characteristically at variance with the two models of professionalization. Nolan (2008) equally notes that even though professionals working within large organisations do not determine their own conditions of employment:

the concept of professionalism nevertheless provides a ground upon which such workers could lay claim to a particular class status, articulate demands that they be afforded the respect and remuneration as their status demands, ... they lay claim to a degree of

independent influence over their own working conditions.

The government might have had fears to allow teachers have the monopoly in the market and would not like a collegiate pattern. Lawyers and engineers in Zambia have advanced themselves by making regulatory bargains with the state. Contemporary joiners to this group in Zambia are human resource managers and accountants. Accountancy in Zambia has partly developed into a collegiate profession, whilst other parts remain in the organisational professional form. With origins in book-keeping, accountancy became indispensable to business in the nineteenth century by developing crucial expertise, forming professional associations and licensing practitioners, (Johnson 1972).

The state also developed interests in the regulatory potential of accountants in the control of businesses and this is the reason behind the Chartered Accountants' Association. They have constructed for themselves an identity as an elite group, who are increasingly and able to set themselves up as private partnerships and this has triggered the emergence of the large accountancy firms. Whereas many accountants, lawyers and engineers in Zambia have made a successful move into private practice, only a small fraction of them are partners of organisations supplying these services. The majority (perhaps except lawyers) are in organisations and the public sector where they enjoy prestige and honour. The argument here originating from Nolan's (2008) exemplar postured above, is to correct any iota of misinformation that perhaps teaching in Zambia had not been professionalised along expected tenets of professions because its services were mostly public service dominated. To the contrary as many examples even from other jurisdictions show, professionalisation is not about where practitioners were placed, but it is a concept that is practitioner driven.

VI. CONCLUSION AND RECOMMENDATION

When teachers were presented with the opportunity to scrutinise the teaching profession Act of 2013 against their own natural world, the study reveals that they dismissed it as alien owing to its failure to embrace the expected tenets of professions. Teachers dismissed the teaching profession Act no. 5 of 2013 as having failed to embrace the constructs of professions because all the mean scores per variable as tested on them fell way below the ideal standard mean, indicative that the law did not embrace tenets of professions as perceived by social actors. It is evident from the tone of the Act that teacher reformers fashioned the occupation to stand as an inferior restricted profession on a scale of professions in the country.

This study has exposed teacher reformers as having presided over the creation of a happenstance profession which is clearly at variance with principles of professionalisation. The usurpation of the authority of practitioners to design the code of ethics and apportionment of such powers onto a government wing (the Teaching Council of Zambia) as a case

in point is only unique to teaching in Zambia. If this controversial professionalisation of teachers in Zambia is not ameliorated, then teachers shall continue to posture an inferior characterisation on a continuum of professions. As panacea to the gist of the problem teased out, this study proposes a repeal of this law and a new one enacted which must embrace the advice hereof shared.

The proposed structure of the new teaching profession Act is informed by the findings covering:

- a. The two theories of professions cited in this study standing as extant knowledge
- b. The teachers' quantitative assessments of the existing law.
- c. The teachers' own conceptualisation of profession from their own natural world and

From these three pillars, the findings were later cleaved into five epistemic constructs grounded in the emergent data which include:

1. The need for statutory professional body of teacher practitioners;
2. The need for Induction/Internship (Realigned with the Medical, Legal and Engineering Acts)
3. The need for Exclusionary Social Closure (Self-Regulation)
4. Need for a Code of Ethics
5. Need for Power and Autonomy

Recommendations

The following recommendations are made:

1. Repeal the Act no. 5 of 2013 and the new law enacted to embrace the attributes of professions as advanced in the conceptual model hitherto: (Statutory professional body, self-regulation (exclusionary social closure) power & autonomy, induction/Internship, code of ethics by practitioners).
2. Teachers must develop strong organizational solidarity and agitate for uniform rules of professionalisation for all occupations operating in the country.
3. The authority to regulate the profession and design of the code of ethics must be a preserve of the teacher practitioners and not government departments.
4. The authority to regulate teacher education must be extended to cover university faculties of education too.

REFERENCES

- [1] Abbott, A. (1988). *The System of Professions: An Essay on The Division Of Expert Labour*. Chicago: University Of Chicago Press.
- [2] Abdu-Guddus, S.M. (2006). *The Text and Context of Actor In The Study Of Profession*. Norway: University Of Bergen.
- [3] Ballantine, J., And Hammarck, F., (2009). *The Sociology of Education: A Systematic Analysis*, New York: Pearson Prentice Hall.
- [4] Bedard, M. (2015). "Pedagogical Autonomy and Accountability: Recipe for Improving Academic Results". *Oecd, Pisa(3s) Tests*.
- [5] Burrell, G., Morgan, G. (1979). *Sociological Paradigms and Organizational Analysis*. London: Heinemann.

- [6] Chakulimba, O., (2001). The Status of Teaching as A Profession In Zambia. Lusaka: Unpublished Manuscript, University Of Zambia.
- [7] Cobbold, C. (2015). “Professionals Without A Profession: The Paradox Of
- [8] Contradiction about Teaching as A Profession In Ghana”, *Journal Of Education And Practice* 6 (6): 125-134.
- [9] Evetts, J., (2014). *The Concept of Professionalism: Professional Work, Professional Practice and Learning*. University Of Nottingham.(Fakoya, 2009),
- [10] Flood, R. L., and Jackson, M. C. (1991). *Creative Problem Solving: Total Systems International*. Chichester: John Wiley and Sons.
- [11] Freidson, E. (1986). *Professional Powers: A Study in the Institutionalization of Formal Knowledge*. Chicago: University Of Chicago Press.
- [12] Freidson, E., (2001). *Professionalism: The Third Logic*. Cambridge: Polity.
- [13] Giddens, A. (1984). *The Constitution of Society: Outline of The Theory of Structuration*. Cambridge: Polity.
- [14] Guba, E. G., and Lincoln, Y.S. (1992). “Epistemological and Methodological Bases of Naturalistic Inquiry”. *Educational Communication and Technology Journal*, 30(4).
- [15] Hargreaves, A. (2003). “Teaching In the Knowledge Society: Education In The Age Of Insecurity”. Maidenhead: Open University Press.
- [16] Hilton, J., (2009). “How Teachers Lose Power: A Conflict Theory Perspective”. *International Studies In Education*, 10(2), Pp.51–55. (Ingersoll, 2003a)
- [17] Ingersoll, R.M. (2003b). “Is There Really A Teacher Shortage? Consortium for Policy Research”. In *Education*, University Of Pennsylvania. Available From www.gse.upenn.edu/faculty_research/docs/shortage-rmi-09-2003.pdf.
- [18] Jeanne, G. (2010). *Tacit Knowledge in Craft Pedagogy: A Sociological Analysis*. Unpublished PhD Thesis. University Of Cape Town.
- [19] Johnson, T.J. (1972). *Professions and Power*, London: Macmillan.
- [20] Kibera, L. W. And Kimokoti, A. (2007). *Fundamentals of Sociology of Education: With Reference To Africa*. Nairobi: Nairobi University Press.
- [21] Lian, P.C.S. And Laing, A.W. (2004). *The Role of Professional Expertise In The Purchasing Of Health Services*, Health Management Research.
- [22] Lincoln, Y.S. And Guba, E.G. (2000). “Paradigmatic Controversies, Contradictions, and Emerging Confluences”. In K. Norman Et Al., Eds. *The Handbook of Qualitative Research*. London: Sage, Pp. 163–188.
- [23] Little, J. (1990). “Conditions of Professional Development In Secondary Schools”. In Mclaughlin M.
- [24] Talbert, J. And Bascia, N. (Eds.), *the Contexts Of Teaching In Secondary Schools: Teachers’ Realities* (Pp. 187–218). New York: Teachers College Press.
- [25] MoE (1992). *Focus on Learning: Strategies for the Development of School Education in Zambia*.
- [26] MoE (1996). *Educating Our Future: National Policy on Education*. Lusaka: Zambia Education Publishing House.
- [27] Nolan, D. (2008). “Journalism and Professional Education: A Contradiction In Terms?” *Media International Australia*, 126, Pp.10–22.
- [28] Phillips, D. C., and Burbules, N. C. (2000). *Postpositivism and Educational Research*. New York: Rowman and Littlefield.
- [29] Polkinghorne, D. (1989). “Phenomenological Research Methods”. In Valle, R.S. And Halling, S. (Eds.) *Existential-Phenomenological Perspectives In Psychology*. New York: Plenum.
- [30] Rowan, B. (1994). “Comparing Teachers’ Work with Work In Other Occupations: Notes On The Professional Status Of Teaching”. *Educational Researcher*, 23(6), 4–17.
- [31] SACE, (2000). *South African Council For Educators Act No. 31 Of 2000*.
- [32] SACE, (2019). *Redefining Role and Functions of the South African Council for Educators (SACE)*. Position Paper.
- [33] *Teaching Profession of Zambia. Act No. 5 of (2013). Teaching Profession of Zambia. Act No. 5 of 2013, Zambia*.
- [34] Tweri, S. (2018). “A Study of the Autonomy Of Secondary School Teachers In Curriculum Planning In Government Schools of Delhi”. *Mier Journal of Educational Studies, Trends & Practices* May 2018, Vol. 8, No. 1 Pp. 74 – 82.
- [35] Tinsley, R. And Hardy, J.C., (2009). *Faculty Pressures And Professional Self-Esteem: Texas: Sage Publicatiokns*.
- [36] Webb, S. (1999). *Architects Services. United Kingdom Competition Commission Report*, London.