

**SCHOOL UNIFORMS AND THE HUMAN DIGNITY OF LEARNERS IN
SWAZILAND**

by

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RESEARCHER'S DECLARATION

I, Mfanzile Mlamuli Bhembe, declare that the study on **SCHOOL UNIFORMS AND THE HUMAN DIGNITY OF LEARNERS IN SWAZILAND** is my own work and it has never been submitted before in any form for any other degree or diploma in any other tertiary institution. All the sources I have used or quoted have been indicated and acknowledged by means of complete references.

Signature: _____

Date: _____

Dedication

In loving memory of my father

JAMES SIJUMBA BHEMBE

1932 – July 1986

Rest in eternal peace, my hero.

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In accomplishing this study, I wish to express my sincere and heartfelt gratitude to the following people for their sacrifices and support:

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ABBREVIATIONS

MoE.&T.	Ministry of Education and Training
UNICEF	United Nations Education Fund
SWAGAA	Swaziland Action Group Against Abuse
CSO	Central Statistics Office
CRC	Convention of the Rights of the Child
SHIES	Swaziland Household Income and Expenditure Survey
ICCPR	International Covenant on Civil and Political Rights
UDHR	Universal Declaration of Human Rights
MDG	Millennium Development Goals
SHIES	Swaziland Household Income and Expenditure Survey
SAHRC	South African Human Rights Commission
SMT	School Management Team
OSISA	Open Society Initiative of Southern Africa
OVC	Orphaned and Vulnerable Children
ICCPR	International Covenant on Civil and Political Rights
UDHR	Universal Declaration of Human Rights
UNESCO	United Nations Educational, Scientific and Cultural Organization
CRC	Convention on the Rights of the Child

KEY WORDS

Swaziland, compulsory school uniforms, human dignity, dress code, and poverty.

EXECUTIVE SUMMARY

The study focused on the role of members of the School Management Team (SMT) regarding the manner in which they implement the policy on mandatory school uniform in Swaziland schools.

The main question guiding the study was:

To what extent is the learners' right to human dignity protected when teachers enforce the wearing of compulsory school uniforms in Swaziland schools?

A qualitative case study approach was employed with empirical data collected using interviews with the SMT members of three schools in the Manzini and Lubombo regions of the Kingdom of Swaziland, as well as an analysis of each of the school official documents. The interviews and the analysis of the documents were aimed at determining the compliance of each school's strategy with the Constitution of the Kingdom of Swaziland, and all international conventions regarding the protection of children's right to human dignity in schools.

Data was analysed in accordance with acceptable procedures for processing the qualitative data. The researcher's conclusion based on the data gathered and from the body of literature consulted, presented evidence that suggests that the rights of learners to human dignity is not well-protected in the three schools that participated in the study. Poor learners continue to suffer the humiliation of being undressed of clothing such as jerseys that they wear to school because it is not the prescribed school uniform and is unacceptable. Some suffer corporal punishment because their parents cannot afford to buy them the full prescribed school uniform. Poverty remains a serious challenge to implementing the mandatory school uniform policy.

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CHAPTER ONE: INTRODUCTION AND ORIENTATION TO THE STUDY

1.1 Introduction

The requirement that learners wear school uniform or conform to a pre-determined dress code continues to generate heated debate globally; likewise, in Swaziland controversy surrounding school uniform is becoming increasingly strong, with direct impact not only on the learners' rights to education, but also on their right to human dignity. The manner in which school leaders and teachers implement the policy of the compulsory wearing of school uniform leaves much to be desired in terms of enabling learners to fully access education.

Therefore, this study was conducted in order to explore how far learners' rights to dignity are protected in schools in Swaziland in the midst of the school uniform debate, and to explore ways that would eliminate the resulting conflicts among and negative impacts on learners.

1.2 Background to the Research

“The Kingdom of Swaziland is a small landlocked country, the second smallest in Africa after Gambia, and is situated in the South-Eastern part of Africa, sharing borders with the Republic of Mozambique in the East and the Republic of South Africa” (Swaziland Millennium Development Goals Report, 2010b:10). “This tiny Kingdom, measuring about 17, 364 square kilometres, is divided into four administrative regions, each with unique climate conditions; namely; Hhohho (Highveld), Manzini (Middle Veld), Lubombo (Low Veld and Plateau) and Shiselweni (Middle Veld)” (National Report on the Development and State of the Art of Adult Learning and Education in Swaziland, 1998:3). According to the Swaziland Government National Policy (NPS) on Education, education is administered from the Ministry of Education and Training in the capital city Mbabane, which is in the Hhohho District, through the four regions to the schools (Kingdom of Swaziland, 1999:10). According to information from the Central Statistics Office of Swaziland (CSO), “Swaziland has a total population of just above 1 000 000 people, a growth rate of 2.7 per cent and a fertility rate of 4.5 per cent, and of the entire population of Swaziland, 49 per cent are young people, 44.4 per cent of whom are less than 15 years of age, and the majority of whom are in school” (CSO: 1997). The UNICEF Swaziland Humanitarian

Action Report of 2008 posits that “to this day Swaziland has not recovered from the 2006/2007 drought and erratic weather conditions, which exacerbated the impact of the highest prevalence of HIV/AIDS in the world, and the high level of orphans and vulnerable children” (UNICEF, 2008:1).

“Swaziland is a country that is faced with a high level of poverty and unemployment; about 78 per cent of the population lives in rural areas under extreme poverty” (MDGs, 2010b:10). According to the Swaziland Humanitarian Action Report, nearly three out of ten people in the country fall short of meeting their daily nutritional needs, and for the poor in Swaziland, sustaining school attendance and obtaining quality learning may be a much larger issue than that of gaining initial access to education (UNICEF, 2008:2). The report further highlights the plight of the Orphaned and Vulnerable Children (OVC) in the country who, apart from enduring going to school on empty stomachs, continue to be denied their basic universal right to education because they cannot afford books and school uniform (UNICEF, 2008:2).

According to the USAID Swaziland Action Group Against Abuse Report of 2012, “Swaziland is a signatory to several international conventions including the Convention on the Elimination of all Forms of Discrimination Against Women, the United Nation’s Convention on the Rights of the Child, the Millennium Development Goals, the Southern African Development Community Gender Protocol, and other international human rights treaties that promote gender equality” (USAID, 2012:3). In line with international expectations and demands, in July 2005, King Mswati 111, after much consultation, promulgated the Constitution of the Kingdom of Swaziland Act 1 of 2005 (here-after the Constitution). The promulgation of the Constitution which had seen the country being ruled by a State of Emergency for over thirty (30) years since King Sobhuza II repealed the 1968 Constitution left by the colonial British Government (Mzizi, 2005:3), has had profound effects and consequences on the people of Swaziland, particularly Chapter 3 on the Protection and Promotion of Fundamental Rights and Freedoms.

The pronouncement of Section 29(6) of the Constitution that all Swazi children shall have the right to free education in public schools; at least up to the end of primary school, greatly impacted the education and training sector (Kingdom of Swaziland, 2005). Education in Swaziland is a declared and guaranteed basic human right for every Swazi child as Section

14(1) of the Constitution stipulates “*the fundamental human rights and freedoms of the individuals enshrined in the Chapter are hereby declared and guaranteed*”. The Constitution further guarantees the protection of the human dignity of all the Swazi people, as seen from Section 14(1) (e) which states that all people in the country shall be protected from all inhuman and degrading treatment; and Section 18 of the Constitution which emphasizes:

- (1) “*The dignity of a person is inviolable*
- (2) *A person shall not be subjected to torture or to inhuman or degrading treatment or punishment*” (Kingdom of Swaziland, 2005).

The Constitution, in Section 14(2), calls upon all stake holders in the Kingdom to be actively involved in ensuring that the rights of all persons are respected. It stipulates, “*the fundamental rights and freedom enshrined in this Chapter shall be upheld by the Executive, the Legislation and Judiciary, and all the organs and agencies of government and where applicable to them by all natural and legal persons in Swaziland, and shall be enforceable by the courts as provided in this Constitution*” (Kingdom of Swaziland, 2005).

Schools as organs and agencies of the Government (Kingdom of Swaziland, 2005) should therefore serve as a vehicle for promoting the creation of an environment that will discourage the violation of the rights of learners, whilst ensuring that there is a conducive environment for teaching and learning. School leaders and teachers, as government officials have an obligation to uphold and protect the rights of learners and to ensure that the agenda of the rights of learners supersedes everything else in schools. Without implying that the clauses on the human rights in the Constitution have no possible limitations, it is, however, very important to note that these rights are declared for everyone without reference to age or any other limiting criteria (Alston 2006:84).

In April 2011, a year after the beginning of the roll-out of the Free Primary Education programme, Government enacted the Swaziland Education and Training Sector Policy, 2011 (hereafter Education Policy), which according to the foreword, aimed “*to guide the operations of the Education Sector... in providing accessible, affordable and relevant education of high quality*” (Kingdom of Swaziland, 2011). Section 7.6 of the Education Policy states, “*The Ministry of Education and Training advocates that all primary and secondary schools in the Swaziland have a basic uniform to be worn by all learners*”. The

intention of this section, according to the Education Policy, is to:

- *“Standardize what all learners wear in schools thus minimizing perceptions of disparity in learners’ socio-economic status.*
- *Help identify and represent a given school, and to assist in the easy recognition of the school learners when there is need to do so by members of the public”* (Kingdom of Swaziland, 2011).

Enforcing the wearing of school uniform and general uniformity amongst learners is then an imperative for principals; not only because the Government makes it mandatory for them to do so, but also because of the economic environment which prevails in the country, which if not taken into consideration, would further widen the differences in the socio-economic status of the learners within the school setting. However, the manner in which school principals and teachers enforce the wearing of school uniforms and all disciplinary and uniformity issues in schools tends to undermine Government’s effort to achieve the international agenda of Education for All by 2015 (MDGs, 2010b:6). This is so because in the many instances that are reported, the learners’ human rights to education and human dignity are ignored. Article 26, of the United Nations Committee on the Rights of the Child Report, warns that *“all States are urged to take appropriate measures to ensure that the principle of the best interest of the child is adequately integrated in all legislation which have an impact on children”* (UN, 2008:7). The Swaziland Government National Policy (NPS) on Education firmly promises that, *“universal access to basic education remains Government’s priority within available financial and other resource capacities”* (Kingdom of Swaziland, 1999).

Nevertheless, from the reports from institutions that deal with abused pupils, such as the Swaziland Action Group Against Abuse (USAID, 2012); the Save The Children Sweden Report (UNICEF, 2005), and from other reports and stories from both the electronic and print media, it is evident that the abuse of children is prevalent in schools in the country. Stories of children suffering abuse at the hands of teachers are an indication that certain organs and agencies of government are not adhering to the international declarations on the rights of the child. According to the UNICEF Progress Report for UNICEF’s Education in Emergencies and Post-Crisis Transition Programme, *“A study on violence and abuse conducted in Swaziland confirmed that violence and abuse is a national*

challenge with abuse happening in schools amongst other places” (UNICEF, 2009:4).

To compound the problem even further, the second part of Section 7.6 of the Education Policy declares that “*no child should be excluded from either enrolment or attendance at school for not having alternative school uniforms prescribed by the school other than the basic one for everyday use*” (Kingdom of Swaziland, 2011). The policy is, however, not clear whether being without a basic uniform is an offence serious enough to cause a learner to be excluded from school activities, because it suggests that school leaders can deny learners access to school if they do not have the basic uniform for everyday use.

The following media reports paint a very gloomy picture of the protection of learners’ rights to human dignity when school leaders and teachers enforce the compulsory wearing of school uniform in schools in the country:

A ten year old girl, Tembuso Magagula, was in 2009 refused entry into Grade 1 at Motshane Primary School; despite her being a beneficiary of the then recently introduced Free Primary Education. The principal denied her right to education because she did not have a school uniform. According to the girl, the reason she could not start school at the right age of six was that her mother could not afford school fees, and yet now that Government would pay her fees, she cannot be admitted to school because her mother could not afford to buy her school uniform (Phakathi, 2009:6).

A Form 2 girl, at Woodlands High School, was so deeply embarrassed and humiliated that she wanted to abandon school after her teacher had forced her to remove her undergarments in full view of all her classmates, just because the leggings she was wearing underneath her uniform, on that cold winter day, were not school uniform (Mathunjwa, 2012:10-11).

Pupils at Peak Central High School were forced to attend and walk around the school bare-footed as punishment for not wearing sneakers on a day when they were supposed to be wearing tracksuits. The learners were first given fifteen strokes of the cane each on the buttocks, allegedly even insulted by one female teacher despite some of them being OVCs; their parents and guardians not being able to buy those sneakers (Ndlela, 2010:8).

Girls at Mpofu High School were made to take off their school pants and lift up their

uniforms in public when receiving corporal punishment from a male teacher (Ndzimandze, 2011:10).

According to the Integrated Regional Information Network Humanitarian News and Analysis, accessing education in Swaziland is made difficult, not only by the unstandardized school fees and “stationery fees” charged by some schools, but also by schools requiring that learners wear expensive uniforms which include expensive jerseys (sweaters) embossed with school logos (IRIN, 2008).

Addressing a meeting for school principals in Nhlngano in March 2008, during a visit to the region by Minister of Education, Mr Themba Msibi, the Inspector of Schools in the Ministry of Education - Mr Bethuel Ndlovu - acknowledged that apart from the varying high school fees, school uniforms remain a stumbling block in the accessibility of education in the country because, schools have at least two school uniforms which are expensive (Ndzimandze, 2008:7).

Because of the extent of the scourge of poverty in their community, teachers at Matseni Community School took it upon themselves to assist learners by establishing a charity organization to help with buying school uniform, jerseys and shoes for the needy learners in the community. The majority of the learners in the school are orphaned and vulnerable, whose parents or/and guardians lost their jobs when the South African based Sappi Usutu Company closed down in 2010 (Hlatshwayo, 2013:11).

Stories and reports such as highlighted before in this chapter are indicative of the fact that certain Government agencies are working against the Swaziland Government’s pursuance of the international directive to eradicate illiteracy and alleviate poverty in the country (UN, 2012:30). Sherri Lee Mottee, the Programme Manager for the Open Society Initiative of Southern Africa (OSISA), notes that “to deny children access to education is to deny them access to all other human rights” (Steyn, 2010:10). The Swaziland Multiple Indicator and Cluster Survey reports, “Education is a powerful tool by which the economically and socially marginalized adults and children can lift themselves out of poverty and participate fully as citizens” (MICS, 2010: 139).

1.3 Problem Statement

“Dress is an expression of self and it makes a statement of who we are” (Alston, 2002:162 in Alston, van Staden & Pretorius 2003:163). However, as alluded to before, media reports

indicate clearly that schools use dress codes to deny children their universal right to education, under the guise of school image and being presentable, which is a gross violation of the rights of the child as underpinned in Principle 7 of the United Nations Declaration of the Rights of the Child (UN, 1959:164) and Part 1, Article 28 subsection 1(a) of the United Nations Convention on the Rights of the Child (UNICEF 1990:8). While not implying that schools should resemble chaotic organizations where everyone does and wears what they want, denying learners access to education because of failure to wear school uniform or follow any rigid dress code would seem to have the fundamental rights of learners invaded and denied.

The frequency with which such incidents occur raises a lot of questions about teachers being adequately prepared to implement procedures aimed at maintaining order and discipline in schools. In the light of the call for compulsory school uniform, are our schools welcoming and appreciative of the socio-economic environment that a majority of our learners live in? The embarrassment and humiliation that our learners have to endure all in the name of enforcing the wearing of compulsory school uniform begs a lot of questions about our teachers' professionalism.

1.4 Purpose of Study

As mentioned earlier, according to the Swaziland Government National Policy (NPS) on Education, universal access to basic education remains Government's priority within available financial and other resource capacities (Kingdom of Swaziland, 1999:3). It is therefore the duty of the Ministry of Education and Training to ensure that all children gain access to basic education in the country. Schools have the duty to develop their working policies which should be in line with all Government policies, aiming at not just ensuring that all learners access education, but that the learners' right to human dignity is protected. The purpose of this study is to explore the meaning that is attached to the right to human dignity in schools and the strategies that teachers employ to enforce the policy of the compulsory wearing of school uniform.

The media reports highlighted above underline a deeper problem in terms of our teachers' preparedness to implement the Government policy of compulsory uniform. It is envisaged that this study will attempt to find answers to questions pertaining to up-holding learners' rights to dignity and possibly suggest ways of improving the manner in which

schools should implement the policy on school uniform, without impeding the right of learners to dignity.

1.5 Rationale for the Study

The researcher's interest in the protection of the right of learners to human dignity stems from the researcher's professional and personal experiences as a teacher in three different high schools in Swaziland. Furthermore, the interest is driven by the researcher's encounter with Educational Law and Policy Studies at the University of Pretoria, and the researcher's personal interest in how the fundamental rights of all Swazi individuals, as entrenched in Chapter 3 of the new Constitution, shall be interpreted and implemented by educational leaders and teachers in schools in the country. Teachers are entrusted with the responsibility of assisting in the management of schools in terms of implementing disciplinary measures to ensure that learners study in a safe and welcoming environment where learning and growth can take place.

While appreciating the significance of wearing school uniforms, particularly in terms of closing the socio-economic gaps that exist between learners, the harsh and at times inhuman treatment that learners are subjected to, is not indicative of actions taken by reasonable adults who are called to protect the dignity of learners. More so because the learners have no control over the purchasing of the required school uniform and /or its affordability and availability.

1.6 Research Questions

In order to conduct the study and achieve its purpose, the following primary question shall guide the study:

To what extent are the learners' rights to human dignity protected within the school setting in Swaziland when school leaders enforce compulsory uniform policies?

From the main question, the following secondary questions emanated:

- (i) What meaning is attached to the right to human dignity of learners in schools in Swaziland?
- (ii) Which challenges are educators faced with in the protection of the human

dignity of learners when enforcing the compulsory wearing of school uniforms?

- (iii) Which strategies are currently employed by educators in enforcing the wearing of school uniform?

1.7 Significance of the Study

This study seeks to contribute to the understanding of the importance of both discipline and awareness of the legal aspects concerning the maintenance of discipline in schools, particularly with regards to compulsory wearing of school uniforms. It is envisaged that this study may assist in providing a framework for the implementation of all initiatives and interventions that aim at developing a disciplined environment within schools in Swaziland. According to section 18(2) of the Constitution, no person shall be subjected to inhuman or degrading treatment or punishment (Kingdom of Swaziland, 2005). Section 7.5 of the Education Policy states that “*acknowledging that discipline has to be an important component of school life, the Ministry of Education and Training aims to promote a culture of positive discipline that helps children take responsibility for making good decisions and understand why these decisions are in their interests*” (Kingdom of Swaziland, 2011). Despite this, it appears from the press reports that the issue of treating learners with dignity regarding all matters of discipline is of less interest to most school leaders. Gaustad (1992:1) suggests that school discipline should aim at two main goals:

to ensure the safety of staff and students

to create an environment conducive to teaching and learning

The research is relevant to all stakeholders involved in education to appreciate how the socio- economic situation and the new constitutional era impact schools. The findings from the study are intended to help school managers, teachers, parents and learners in the formulation of schools’ codes of conduct that should take into account all the legal implications around the treatment of learners with dignity.

1.8 The Conceptual Framework

Much as the definition of conceptual and theoretical frameworks are unclear and sometimes intertwined, Warmbrod (1986:2) notes that theoretical/conceptual framework can be defined

as “a systematic ordering of ideas about the performance being investigated or as a systematic account of the relations among a set of variables”. However, Camp (2001:1) gives the difference between the two noting that a conceptual framework is a structure of what has been learned to best explain the natural progression of a phenomenon that is being studied. Miles and Huberman (1994:18) define conceptual framework as “a written or visual presentation that explains either geographically, or in narrative form, the main things to be studied - the key factors, concepts or variables and the presumed relationship among them”.

The conceptual framework of this study shall be based on the right to human dignity as provided for in Chapter 3, Section 18 of the Constitution, where it says:

(1) the dignity of every person is inviolable

(2) a person shall not be subjected to torture or to inhuman or degrading treatment or punishment (Kingdom of Swaziland, 2005).

1.8.1 The Right to Human Dignity as a Lens

Freeman (2010:214) asserts that “dignity comes from a Latin word, dignitas, which denotes both the status of an individual and the bearing that is associated with status”. Principle 7 of the United Nation’s Declaration of the Rights of the Child states that the best interest of the child shall be the guiding principle of those responsible for his education and guidance (UN, 1959). Article 37(c) of the Convention on the Rights of the Child (CRC) categorically states that “*every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of the persons of his or her age*” (UN, 1990). Article 16 of the African Charter on the Rights and Welfare of the Child points out that children should be protected from all forms of torture, inhuman or degrading treatment and especially physical or mental injury or abuse, neglect or maltreatment including sexual abuse (OAU, 1999).

The Government of Swaziland has committed herself to adhere to all the above international statutes. According to Article 58(3) of the Constitution, “*the State shall cultivate among all the people of Swaziland through various measures including civic*

education, respect for fundamental human rights and freedoms and the dignity of the human person” (Kingdom Of Swaziland, 2005). However, the manner in which mandatory school uniform is so ruthlessly enforced in schools in the country, oblivious of the dignity the learners are supposed to enjoy by right, leaves a lot to be desired.

1.9 Research Design and Methodology

1.9.1 Research Paradigm

The study primarily focused on an interpretivist perspective as a lens in examining how the legislation of the rights of learners to dignity is interpreted and applied in schools in the Kingdom Swaziland. According to Denscombe (2003:269), “the interpretivist sees the results of research as an individual interpretation of fact, based firmly on a systematic approach to analysis and the maintenance of an open mind”. “Interpretation in qualitative research means that the researcher steps back and forms some larger meaning about the phenomenon based on personal views, comparisons with past studies, or both” (Creswell 2008:264).

The interpretivist research paradigm helped the researcher to view the data collected from the participants as their individual interpretation of what pertains, on the ground, to the protection of the rights of learners to human dignity. The members of the school management team comprised of senior members of the school who have vast experience in school management; their experience was evident as they related the impact the new Constitution has on schools.

Chin (1998:163) notes that “the interpretivist paradigm work seeks to combine research details into systems of belief whose manifestations are specific to a case”.

The interpretivist paradigm also helped the researcher align the questions in a manner that would enable the participants’ responses to relate to the case at hand based on their individual experiences, and to combine all the findings to understand how far the rights of learners to dignity is protected when teachers enforce the school uniform policy.

1.9.2 Research Approach

In trying to explore the extent to which the right of learners to dignity is protected in

schools when school leaders enforce the wearing of compulsory school uniforms, the researcher used a qualitative research approach because it is best suited for research problems in which one does not know the variables and needs to explore; also, because the researcher needed to learn more from the participants through exploration (Creswell, 2008:53). According to Creswell (2008:46), in the qualitative research approach “the researcher relies on the views of the participants to explore and describe the views of the participants”; hence, the data collected in the study presents the views and experiences of the SMT members of the three participating schools.

1.9.3 Research Design

To better understand the phenomenon of the right to human dignity in reference to school uniforms, the researcher based his study on a Case Study Research Design. According to Creswell (2007) in Creswell (2008: 476), case study research gives an in-depth exploration of a bounded system; for instance, an activity, event, or process based on extensive data collection. McMillan and Schumacher (2006:382) posit that case study research design gives an extensive description of the case studied based on a variety of sources.

The case studied is the protection of the right of learners to human dignity when teachers enforce the wearing of compulsory uniforms. The study involved three separate case studies in what Stake (1994) in Cohen et al. (2000:183) calls Collective Case Studies. In collective case studies “groups of individual studies are undertaken in order to gain a fuller picture of the phenomenon at hand, with the aim of getting rich data that will provide fine grain detail” (Cohen et al., 2000:183), regarding the manner in which the policy of compulsory wearing of school uniform is implemented.

1.10 The Participants and the Data Collection

The study focused on the roles of SMT members at each of the three public schools, in the Kingdom of Swaziland, selected to participate in the study: a primary and a high school were selected from the impoverished Lubombo Region and one high school from the Manzini Region. The three schools from the poor and better of regions (MICS, 2010a:146) were purposively/intentionally selected to shed more light on the impact of the enforcement

of compulsory uniforms on the economically challenged Lubombo Region and the better positioned Manzini Region in order for a clearer picture to be drawn regarding teachers' practice (Creswell, 2008:214). In each of the three schools, the principal, the deputy principal and one senior teacher were interviewed; two schools had no deputy principals because of their low enrolment.

Data was collected through semi-structured interviews and document analyses. According to Creswell (2008:225), “structured interviews allow participants to best voice their experiences unconstrained by any perspectives of the researcher or past research findings, and also allows participants to create their options for responding”. The researcher designed an interview protocol that not only asked all the participants the same probing questions, but also allowed the participants freedom to express their legal and personal insights, as well as experiences regarding the protection of the right to human dignity of learners when they enforce compulsory uniform policies. The interviews were recorded and participants' responses were noted in the same interview schedule. The secondary data collected through the interviews was triangulated through analyzing secondary data from document analyses. According to Merriam (2002:13), the strength of documents as a data source lies in the fact that they already exist in the situation; they do not intrude upon or alter the setting in ways that the presence of the investigator might. The documents viewed, where possible, were:

1. School Code of Conduct for Learners
2. Learners' Dress Code Policy
3. School Policy on Discipline

1.11 Data Analysis

As part of the data analysis for this study, the researcher studied and analyzed, where available, each of the three participating schools' policies on learners' conduct and dress code. The analyses were done with reference to the country's Constitution and the Education and Training Sector Policy to determine each school's compliance with the country's legislation. According to Creswell (2008:243) analyzing data helps the researcher to make sense of the data in order to form answers to the research questions. To get meaning from the data collected, the researcher analyzed the participants' responses taking time “to read the respondents' views and listen to their recorded voices in

order to enable clustering the data; splitting the variables to elaborate, differentiate and unpack ideas; building a logical chain of evidence, and making conceptual coherence of the data” (Miles and Huberman, 1994 in Cohen et al., 2000:282).

1.12 Limitations of the Study

Marshall and Rosssman (1999:42) argue that “there is no such thing as a perfectly designed study; hence, there is no proposed project without limitations”. Patton (1990:162) in Marshall et al. (1999:42) affirms that there are always “trade-offs in any research design”. This study on the protection of learners’ right to human dignity in schools is limited to only three schools in the Kingdom of Swaziland. The primary school and one high school are both situated in the Low Veld Lubombo Region and the other high school is situated in the outskirts of the Middleveld, the Manzini Region. In two of the three schools, only the principal and the senior teacher were interviewed since the schools do not have deputy principals.

The researcher, therefore, acknowledges that the study of only three schools in only two of the four regions of Swaziland limits the degree to which the findings can be generalized to represent a true picture of what pertains to schools in the country. Even then, the findings from the study may highlight existing issues regarding the implementation of compulsory wearing of school uniforms and strategies that can be employed by teachers to protect the human dignity of learners in schools.

1.13 Conclusion

Prinsloo (2005:7) notes that human dignity is a critical and extremely fragile component of the multifarious relationships that make up the educational environment, especially since so many minors or otherwise vulnerable and defenceless people are involved. According to Mkhene (2006:150), “the management of a disciplined learning environment calls upon teachers to remove all forms of punishment that will be harmful to learners’ self-esteem”; hence, teachers, as Section 18(1) of the Constitution notes, have a duty to ensure that the human dignity of learners is inviolable (Kingdom of Swaziland, 2005). The focus of this study, therefore, is to explore the extent to which teachers acknowledge their responsibility of the protection of learners’ rights to dignity in the implementation of compulsory school

uniforms.

Chapter one made it clear that there was need to undertake this study in order to clarify the controversy surrounding school uniforms and the dignity of learners in Swaziland.

Chapter two will cover the literature review that will lend academic credibility and foundation to the study.

CHAPTER TWO: SCHOOL UNIFORMS AND THE HUMAN DIGNITY OF LEARNERS

2.1 Introduction

In line with the research objectives and questions, the researcher undertook a broad literature review with the aim of linking the review to the problem statement as manifested in schools in Swaziland. In carrying out the literature review, the researcher presented, discussed and analysed relevant scholarly studies on the factors affecting the use of uniforms in schools in Swaziland; the benefits and challenges of enforcing compulsory uniform; strategies used to enforce dress codes; and approaches that could make the use of uniforms contributory to a dignity-enhancing and conducive learning school environment that can increase the performance of learners.

2.2 Swaziland Education in the New Constitution Era

In 2011 parents' inability to purchase school uniform, pay book, and school fees was found to be one of the major hindrances to universal access to education in the country (AEFS, 2011:1). The UNICEF "Humanitarian Action Swaziland Report, 2008" also affirms that a large number of children in the country continue to be denied access to primary education because they lack food, books and clothing, which may include uniform (UNICEF, 2008:2).

According to Magagula (1990:9), at the time of independence from the British in 1968, education in Swaziland was characterized by poor quality, uneven distribution of schools, high dropout and repeater rates, serious shortages of teachers, and inappropriate and highly academic curricula. However, the introduction of the new Constitution of the Kingdom of Swaziland (here-in referred to as Constitution) brought a new era in the political landscape of the country, which would in turn have an impact on the country's education front (Kingdom of Swaziland, 2005). According to Mzizi (2005:3), the country's education framework is shaped by the policies of the Imbokodvo National Party (INM), as outlined in their Manifesto. The INM, which won the country's first national elections in 1968 when the country gained independence from the British, presented a proposed paper - in 1975 - called the Imbokodvo Manifesto which outlined the Party's policies and philosophies.

According to the UNESCO World Data on Education (2010/12) Report, most of Swaziland's educational goals emerged from a report of the National Education Commission in 1975, which stated that "a nation's greatest asset is the human resources; human development is, therefore, the greatest aim of education" (UNESCO, 2010/11:10). However, Mzizi (2005:3) postulates that the skeleton of the legal framework of the education system was very much influenced by the aspiration of the party that won the first election, the Imbokodvo National Movement, with its policies and philosophies highlighted in their manifesto that:

- *Education is an inalienable right of every child and citizen to receive the limit of his/her capabilities;*
- *The purpose of education is to produce an enlightened and participant citizenry.*
- *Content must be work oriented from primary to the highest level.*

In 1981 the Government of Swaziland adopted the Education Act No.9 of 1981, and the Teaching Service Commission Act of 1982, to review most of the educational policies in the Imbokodvo Manifesto (UNESCO, 2010/11:1). Furthermore, as stated earlier, the promulgation of the Constitution has had very profound effects, consequences and challenges in all spheres of the lives of the people of Swaziland; schools, being agencies of the government, have not been left untouched by the demands of the new Act (OSISA, 2012:22).

"The Swaziland education system is struggling with persistent problems in the post-independence era; problems which include: access, increasing failure in learners' progression through the primary education cycle, and drop-out rates; the continuing shortage of qualified teachers; the lack of curriculum diversity to accommodate increased professional and technological specialisation; and the slow response to education and training changes in both regional and international arenas" (OSISA, 2012:22).

2.3 The Swaziland Education System and School

Although there is not enough literature that gives background on the origin of school uniforms in Swaziland, the country having been a British protectorate implies that the policy on school uniforms in the country has its roots in the British colonial system (Booth, 1997:435). Section 7.6 of the Education and Training Sector Policy states that in

Swaziland “a basic uniform in the country is to be worn by all learners at basic education level” (Kingdom of Swaziland, 2011). The “World Data on Education Report” notes that basic education in the country is divided into primary and high school (UNESCO, 2010/11:6). Primary education which is considered the first cycle of the basic education chapter starts at around age six or seven, and consists of the first seven levels divided into Grade 1 to Grade 7. Learners do the Swaziland Primary Certificate Local Examinations at the end of Grade seven administered by the Examinations Council of Swaziland (ECOS) on behalf of the Ministry of Education and Training (UNESCO, 2010/11:5).

Secondary education, which lasts for five years, is divided into Junior Secondary and high school; learners who pass the local Junior Certificate (J.C) examination after the first three years qualify for high school (UNESCO, 2010/11:6). “The primary school completion rate in Swaziland is just over 60%, which is lower than in many neighbouring countries such as Botswana (87%), Zimbabwe (81%) and Zambia (72%)”, and among the many reasons for this, the abuse of children in schools cannot be ignored (UNESCO, 2012:3).

2.4 The Cost of Schooling in Swaziland

Magagula (1990:3) posits that “Swaziland like most developing countries, immediately after obtaining independence, looked upon education as the main factor in nation building and fulfilment of individual aspirations and needs”. Section 29(6) of the Constitution of the Kingdom of Swaziland states that “*every Swazi child shall within three years of the commencement of this Constitution have the right to free education in public schools at least up to the end of primary school, beginning with the first grade*” (Kingdom of Swaziland, 2005). In January 2010 Government began offering free primary education, in line with international conventions, with a six-year roll-out plan beginning in Grade One and Two. Nonetheless, in the light of all the economic challenges facing the country, access to and quality of education remain serious threats in the country’s education front (UNICEF, 2008:3).

The cost of education and training services, in the country not only for households, but also for the government, is a binding constraint to expanding access (Marope, 2010: xviii). In the same text, the report continues to note that children from the low economic stratum of Swaziland do not have as much access to education as they should because of the

high school fees. Moreover, in spite of the free education in the lower grades, since learners still need to have a uniform, inability to have uniform may lead to exclusion from school (AEFS, 2011:1).

Years after the Constitution came into effect, stories that suggest and demonstrate that rights of learners are not well protected in Swaziland schools continue to make headlines in the media; for example, Tembuso Magagula, an 11 year girl was denied the opportunity to go to school because her parents could not afford buying her uniform, and many other learners who continue to suffer humiliation at the hands of teachers present a sad state of affairs where, directly or indirectly, the right of learners to education and dignity are denied (Phakathi, 2009:6). The UNICEF “Humanitarian Action Swaziland Report” in 2005, confirms that “school uniform remains a stumbling block to universal access to education” (UNICEF, 2008:2).

2.5 The History of School Uniforms

According to the Oxford Advanced Learner’s Encyclopaedic Dictionary, the word uniform refers to “any distinctive clothing worn by all members of an organization or group, for example, the police, the armed forces and nurses” (Hornby, 1992:989). Hesapcioglu and Meseci Giorgetti (2009:1740, 1742) argue that although there are many empirical studies on the functions of school uniforms, the origins of school uniforms are neglected. It should be pointed out that an attempt to map out the historical terrain of the school uniform would be incomplete without a discussion of the institution of the school uniform in England. Hesapcioglu et al. (2009:1742) explains that “the monastic cassock worn by the pupils of Christ Hospital in the 16th century was probably the first school uniform, and the dark and plain colours worn by children was a mark for humility”.

According to Brunsma and Rockquemore (1998:53), “historically, in the United States of America, school uniform policies have been restricted to the private sector and it is only recently that they have been discussed as a useful policy in public school districts”. Furthermore, he states that the effectiveness of private schools led public school administrators to begin to consider uniform policies to improve the overall school environment and student achievement (Brunsma et al., 1998:53). On the contrary, according to Walmsley (2011:64) in the United Kingdom, given that school uniform is part of the British culture, every public school requires their learners to wear a school

uniform.

Cherry Hill Elementary School in Baltimore, Maryland, implemented the first public school uniform policy in the U.S. in 1987 as a means of not only reducing clothing costs for parents, but also curbing social pressure on children. In addition, the school officials had also hoped that uniform would lead to better grades, better behaviour, increased self-esteem, and school pride an assumption that still persists today (Brunsma, 2006:50). In 1996 the school principal, Geraldine Smallwood reported “increased attendance, reduced supervisions, less frequent fighting, increased test scores, and improved school performance after learners began wearing uniforms” (Konheim-Kalkstein, 2006:24).

Advocates of school uniform present numerous reasons why the uniform is imperative in schools which, according to Anderson (2002:7), include enhanced school safety, improved learning climate, higher students’ self-esteem and less stress for the family over what their children should wear to school. Anderson further stresses that school uniforms not only develop a team-like culture which promotes school spirit and positive self-images, but also assist learners focus more on academics rather than on what others wear, which in turn improves self-image and more respect for teachers (Anderson, 2002:6). Alston (2006:84), too, points out that advocates of school uniforms argue that uniforms indicate the school the child attends and that the image of the identified school must be protected; such an expectation on the children will encourage them to stay on the straight and the narrow.

Opponents of adopting uniform policies in schools, though, stress the legal, financial and questionable effectiveness of those policies (Brunsma et al., 1998:53). Anderson (2002:4) affirms that critics of uniforms argue that uniform requirements cramp learners’ freedom of expression; amount to nothing more than a temporary solution to the moral illnesses that trouble our schools; and are a financial burden to lower income families. Moreover, Walmsley (2011:66) argues that critics of uniform policies believe that decreases in gang violence and better school climate can be attributed to other causes, and that not enough empirical evidence exists to support the numerous and varied claims of uniforms. According to Alston (2006:84), issues on school dress codes are no longer just about the school image since other variables such as religion and culture, and the right to dignity and equality of value of an individual, all make demands to be respected; to treat such

issues as trivial, is to trivialize the individual person concerned.

2.6 International Perspectives on School Uniforms

In January 1996 in his State of the Union Address, President Clinton of the United States said, “*I challenge all our schools to teach character education, to teach good values and citizenship, and if it means that teenagers will stop killing each other over designer jackets, then our public schools should be able to require their students to wear uniforms*” (Clinton, 1996). According to Brunsma (2004:212), this speech which advocated mandatory school uniforms led to a number of schools introducing uniforms in the United States. In 1994 the Long Beach Unified School District, Long Beach, California, became the first public school system in the United States to require uniforms in all elementary and middle schools (Cohn, 1996:38). Anderson (2002:3) postulates that two fundamental questions have always propelled the debate on school dress codes and uniform policies:

- *Are restrictive dress codes a sound idea in a society that, theoretically at least, celebrates diversity over uniformity?*
- *Do dress codes and uniform policies decrease school violence and increase performance?*

Bodine (2003:67) relates the history of uniforms to the reason for the school uniform implementation. He notes that in the late 1800s and the early 1900s, school uniforms were used as an attempt to reduce the effects of social disparity. The Winthrop National and Industrial College in 1894 implemented school uniforms seeking to do away with distinctions of wealth, and the Muncie Indiana High School in 1932 proposed a school uniform seeking to eliminate class distinctions amongst learners (Bodine, 2003:67). In his comparison of the history of school uniforms in Argentina and the United States, Dussel (2005:191) points out that from the beginning, uniforms were tied to the disciplining of the unruly, savage, untamed bodies; that is, the bodies of those who were not able to perform self-regulation or self-government, like women, Blacks, Indians, poor classes, immigrants, toddlers or infants. Dussel (2005:191) further argues that the introduction of uniforms into federal Indian boarding schools was an attempt to civilise Native American students.

According to Walmsley (2011:64), the British perspective presents a different picture to that of the United States in that the school uniform is not only part of the British culture, but it is also the responsibility of every parent to provide uniform for their children. In the same text she explains that “because parents are used to wearing uniforms or appropriate clothing for their own professions, the culture of wearing uniform to school is passed down to their children” (Walmsley, 2011:64).

2.7 The African Perspective on School Uniforms

The concept of uniform in Africa can neither be explained nor understood without first unravelling the continent’s colonial experience (Ndege, 2009:2). According to Booth (1997:435), at independence most African countries inherited schools which had been designed by Western educators with Western criteria in mind. Jagusah (2001:116), too, affirms the view that whatever form the involvement of colonial Europe in African affairs was during the colonial period, Africa was greatly impacted by colonialism, and Swaziland was impacted by the British. Just as every school in Britain requires all learners to wear school uniform (Walmsley, 2011:64); Swaziland adopted the British school uniform culture. Walmsley goes on to state that the British system, unlike the Swaziland system where school uniforms are not regulated in terms of affordability, makes uniform affordable because all schools choose items that are more or less the same, thus making the uniform available at lower costs (Walmsley, 2011:64).

According to Alston (2006:89), “in South Africa issues of school dress codes should be viewed in the light of the provisions of Section 9, 10, 15 and 16 of the South African Constitution (RSA, 1996a), the South African Schools Act 84 of 1996 (1996b), and the Guidelines for Consideration of Government Bodies in Adopting a Code of Conduct for Learners (Department of Education, 1998), which all have direct relevance”. In June 2005 the South African Human Rights Commission (SAHRC) issued a notice for the comment by the National Department of Education (GG Notice 641, 2005) on the Draft National Guidelines on School Uniforms. In the notice the SAHRC expressed concerns on vital considerations in the adoption of the Guidelines, and concluded that “the Department of Education may develop a positive structural basis to support the mandatory uniform policy in South Africa as school uniforms can instil a sense of pride and belonging, and can assist in building a child’s confidence and self-esteem” (SAHRC, 2005:11).

In February 2006 the South Africa Minister of Education, after consultations with the Council of Ministers, issued a notice on how school uniforms should be handled in schools. The over- view of the notice points out that if schools appreciate uniforms and choose to use them, their school governing bodies should determine their local uniform policies ensuring that not obtaining a uniform should not deter attendance or participation in school (Department of Education, 2006).

Pansiri (2011:110), narrating how the socio-economic conditions contribute to the poor school engagement in African countries, categorically states that in Namibia children drop out of school mainly due to lack of money for schooling including the cost of text-books and uniform. According to Smarts (2010:1), in an effort to improve the livelihood of a group of women who make a living out of sewing in Tlokweng, the Botswana Ministry of Trade and Industry embarked on the development of clusters in the garment industry to solve the problem of sole proprietorship of the manufacturing of school uniforms in Botswana. In the same article, Smarts additionally notes that the current set up in which uniforms are available at certain chain stores, makes uniforms expensive for parents (Smarts, 2010:1).

2.8 Purpose of School uniforms

The debate on school uniforms has always revolved around the question of whether school uniform is an effective tool to influence change in school. In his analysis of the effectiveness of uniform policies, Brunsmas (2006:52) focuses on key educational climate and outcome variables known as “learners and principals’ perceptions of safety and educational climate, academic achievement and attendance”, and suggests that these variables provide the basis upon which the effectiveness of school uniform policies can be judged as having been effective enough to achieve what proponents of uniforms claim.

Bodine (2003:849), on the other hand, states that in the 1980s there was a shift from the rationale for uniforms being implemented; the discussions moved from the use of uniforms to create a more socially equal school to discussions about the relationship between uniforms and a variety of school problems as well as concerns, including gang violence, school climate, peer pressure, self-expression and truancy. However, Lumsden and Miller (2002:2) posit that proponents of uniforms hold onto the view that uniform minimizes socio-economic tensions between the “haves” and “have-nots”. Brunsmas et al. (1998:54)

argues that if school uniforms function as a symbol of membership in the school community, the presence of uniforms in schools “*automatically implies a two-tiered hierarchical structure those who wear uniforms (subordinates) and those who do not wear uniforms (superiors)*”. Anderson (2002:4), on the contrary, contends that in the United States, gang-related activity threatened the safety of the school environment; hence, the introduction of school uniforms to assist in distinguishing learners from gang members, thereby providing safe learning environments.

2.9 Benefits of wearing school uniform

According to Han (2003:3), many researchers, education practitioners, and policymakers have shown little agreement on the advantages and disadvantages of mandatory uniform policies. In the same text, Han notes that empirical studies confirm that mandatory school uniforms contributes positively as follows: “*improving students’ sense of belonging amongst learners, develops learners’ pride in their school, creates a sound learning environment, decreases violent incidents and gang problems, and reduces discipline outcomes, such as suspensions and referrals to juvenile authorities*” (Han, 2003:3).

In their argument on the pros and cons of school uniforms in the United States, Gentile and Iberman (2011:2) point out that uniforms make the process of dressing for school faster, particularly for adolescent girls, potentially providing extra time for sleeping or studying. In addition, they assert that uniforms even provide an additional tool that administrators and teachers can use for discipline, by providing students with rewards of “uniform-free” days for good behaviour (Gentile et al., 2011:2).

According to Draa (2005:190) a study, conducted in six urban high schools in Ohio in the United States, presented positive outcomes of the effectiveness of wearing school uniform in that when learners turned up properly dressed in school uniform, there was improved behaviour, attendance rates, and graduation rates, more so because suspension rates from school had reduced, thus allowing learners’ a longer stay in school and an opportunity for improvement in academic performance. Consequently, in 1995, Long Beach, California, became the initial large urban school district to mandate school uniforms for kindergarten through eighth grade because, according to Konheim-Kalkstein (2006:24), research showed that mandatory school uniform brought benefits such as preventing violence, improving school climate, and helping parents save money. In the

same text, Konheim-Kalkstein notes that many other districts in the US followed suit by adopting school uniform policies, hence, 37 State legislatures empowered local districts to adopt their own policies (Konheim-Kalkstein, 2006:24).

2.10 Opposition to School Uniform

According to Han (2003-04:1) opponents of mandatory school uniform policies, especially in the United States, argue that requiring school uniforms violates learners' rights, which include the freedom of speech and expression, and creates not only an authoritarian atmosphere, but also a system that is not desirable for educating learners. Critics like Brusma (2006) and Portner (1996) in Han say there is no evidence to sustain the suggestion that the policies improve student academic achievement or positive behavioural outcomes; on the contrary, the cost of uniform may cause financial difficulties for learners from poor families (Han, 2003-04:1).

In the United States, it is mostly the private schools that have required uniform which has proved costly because each school may require something different from the other and the uniform may be available in one shop which may sell the item at a high price (Walmsley, 2011:64). Alston (2006:86) argues that the recent demand for uniforms in the United States comes from the belief that uniforms will eliminate "gang-related clothing" and thereby reduce violence and enhance the school climate. Yet, the strongest opponents of uniform policies charge that no empirical evidence exists to support these numerous claims of uniform proponents; by contrast, the high levels of academic achievement that are said to be associated with the school uniform policy are only consistent with the goals of educational institutions (Brunsma et al., 1998:53). Alston, too, conceded that the educational advantages of a uniform apart from conformity to mandatory school uniform policy are very difficult to find (Alston, 2006:92).

2.11 School Uniforms and the Future

In his study to examine whether mandatory uniform policy is associated with the various ways in which learners behave, Han (2003-4:1) posits that the debate on the perceptions of the effect of uniform policy on school safety differ as there are still disagreements among stakeholders. Moreover, he argues that while school practitioners, researchers, and

policy makers have demanded more empirical evidence to see the impact, to date very few empirical studies have been conducted (Han, 2003-4:1).

According to Konheim-Kalkstein (2006:25-26), the validity of the findings linking “decreased violence, improved school climate, and learner achievement”, to school uniforms has received substantial criticism since other factors like changes in school discipline policies may have come into play and clouded the issue of uniforms. Nevertheless, Hesapcioglu et al. (2009:1740), posit that the significance of uniform in education cannot be ignored since dress functions as an effective means of non-verbal communication during social interaction, and school uniforms bear messages and symbolise values.

In Swaziland, the morality and significance of mandatory school uniform has never been questioned; notwithstanding, the sensitive nerve surrounding the issue has always been about the ever-escalating costs of uniform since it does not just cause financial difficulties for poor families, but even remains a stumbling block to universal access to education (UNICEF,2008:2). Konheim-Kalkstein (2006:27) posits that if a uniform policy is adopted, it is important to take into account how to provide uniforms for students whose families cannot afford them. Furthermore, Konheim-Kalkstein suggests that schools may collect outgrown uniforms to distribute to needy families, and invite able parents to donate money to schools to subsidize the cost of uniforms for low-income students (Konheim-Kalkstein (2006:27).

2.12 Uniforms and the Right to Dignity

The Constitution, particularly Chapter three, brought with it the appreciation, protection and promotion of fundamental rights and freedoms which had never been an issue since the 1973 repeal of the 1968 Constitution which had been left by the British Protectorate (Kingdom of Swaziland, 2005). As stated earlier, the promulgation of the Constitution ushered in a period of great expectation and placed demands on the government to create a conducive environment for all such rights and freedoms to exist and continue to flourish. Section 18 makes it very clear that it is the right of the Swazi people to have their human dignity protected from being degraded; this is underscored in “*the dignity of every person is inviolable*”, and “*a person shall not be subjected to torture or to inhuman or degrading*

treatment or punishment” (Kingdom of Swaziland, 2005).

The proclamations of these rights greatly impacted the society in the country. According to Section 14(2), the education sector and schools, as organs or agencies of the government, are also called upon to reform and to embrace the demands that Chapter 3 of the Constitution placed on them (Kingdom of Swaziland, 2005). The Preamble of The United Nations Universal Declaration of Human Rights, 1948, states that *“the recognition of the inherent dignity and the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world”* (UN, 1948).

Referring to the context of South Africa, Joubert and Prinsloo (2011:34) note that the Bill of Rights, as entrenched in the Constitution of the Republic of South Africa (RSA, 1996a) does not only define the fundamental rights of the people to be protected by a Constitution, but it also prescribes to whom and how the Bill of Rights applies, and regulates how and when the rights in the Bill of Rights may be limited. The Bill of Rights places very huge demands on all societal life and, as Alston (2006:84) emphasises, it is important to appreciate that the protected rights are for everyone without reference to age or any other limiting criteria. The right to human dignity as protected in section 18(1) of the Constitution is also accorded to school going children: it is inviolable and should be protected by the State as well as everyone in authority on behalf of the State (Kingdom of Swaziland, 2005).

One major weakness of the Constitution is that it does not make education compulsory, contrary to the requirements of Article 28(a) of the United Nations Convention on the Rights of the Child which requires all state parties to *“make primary education compulsory and available for all”* (UNESCO, 2012:3). The report continues to note that in spite of *“having adopted the ten-year basic education programme as part of the Southern African Development Community (SADC) Protocol on Education; seven years of primary education followed by three years of lower-secondary education..., the ten year basic education programme is neither free nor compulsory”* (UNESCO, 2012:3).

Schools as “agencies of the government” (Kingdom of Swaziland, 2005) should serve as a vehicle in promoting the creation of an environment that will discourage the violation of the rights of learners, whilst ensuring that an environment conducive to teaching and learning does exist (Bryk, Sebring, Kerbow, Rollow and Easton, 1998:270). School leaders and teachers, as government officials have an obligation to uphold and protect the rights of

learners and to ensure that the agenda of the rights of learners supersede everything else in schools (Reyneke, 2011:133). Chapter 3, Section 14(2) of the Constitution stresses that, *'the fundamental rights and freedom enshrined in this Chapter shall be upheld by the Executive, the Legislation and Judiciary, and all the organs and agencies of government and - where applicable to them - by all natural and legal persons in Swaziland, and shall be enforceable by the courts as provided in this Constitution'* (Kingdom of Swaziland, 2005).

2.13 The right to Human Dignity

The rights of children to dignity are protected in Principle 7 of the Declaration of the Rights of the Child which stipulates that *"the best interest of the child shall be the guiding principle of those responsible for his/her education and guidance"* (UN, 1959). Article 16 of the African Charter on the Rights and Welfare of the Child spells out that *"children should be protected from all forms of torture, inhuman or degrading treatment and especially physical or mental injury or abuse, neglect or maltreatment including sexual abuse"* (OAU, 1999). Article 37(c) of the Convention on the Rights of the Child (CRC), which according to (van Vollenhoven, Beckmann and Blignaut, 2006:120), has become the most widely accepted human rights treaty in history, provides that *"every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of the persons of his or her age"* (UN, 1990).

In line with the protection of the right to human dignity of the child is the vital issue of the best interest of the child which, according to Article 3 of the UN Convention on the Rights of the Child, specifies as essential that *"in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interest of the child shall be a primary consideration"* (UN, 1959). Joubert (2009:7) argues that even though there is lack of clarity in what constitutes the best interest of learners, school leaders are faced with the challenge of transforming schools to comply with the rapidly changing policies as well as ensuring that the full potential of every learner is unlocked to meet the needs of the changing society. To better appreciate the expectations bestowed on human kind in as far as treating learners with dignity is concerned, it is essential to fully comprehend the notion of dignity relating to the notion of the best interest of the child, its origin, and its place within the international human rights framework (Strasburger, 2013:174).

As stated earlier, the right to dignity is protected by section 18(1) of the Constitution which pronounces that it is “inviolable” (Kingdom of Swaziland, 2005). In the South African context, the right to dignity is enshrined in Chapter 2, Section 10 of the Bill of Rights which declares that “*everyone has inherent dignity and the right to have their dignity respected and protected*” (RSA, 1996a). According to Kleyn and Viljoen (2010:231), the Bill of Rights is so protected that all acts either by legislation and executive or any government agent, which will unjustifiably interfere with the rights of the people of South Africa, may be declared unconstitutional.

According to Freeman (2010:214), dignity comes from a Latin word, ‘dignitas’, which indicates both the status of an individual and the “bearing that is associated with status”. Lebech (2004:59), too, posits that when the words ‘human’ and ‘dignity’ are used conjunction with each other they form the expression, ‘human dignity’, which means the status of human beings entitling them to respect; a status which is first and not to be taken for granted. Furthermore, Lebech (2004:59) declares that “dignity is the highest value that affects us at the deepest and personally”. Also, Botha (2004:171) categorically states that “dignity is the only absolute value in a world of relative values, a fixed star which provides orientation amidst life’s uncertainties”.

The manner in which the policy of mandatory school uniform is so ruthlessly enforced in Swaziland schools, oblivious of the learners’ rights to dignity, leaves a lot to be desired. Literature, however, mentions nothing about the impact of the right to dignity in relation to school uniforms in Swaziland. This study will, therefore, seek to understand how far the rights of learners are protected within the Swaziland school setting.

2.14 Conclusion

Although the chapter one literature review analysed relevant scholarly studies on the factors affecting the use of uniforms in schools in Swaziland and other countries; plus the benefits as well as the challenges of wearing uniforms, the essence of this study is not to argue the pros and cons of the mandatory use of school uniforms - but to explore how they are enforced. As mentioned earlier, Section 37(c) of the UN Convention on the Rights of the Child states that all children should be treated not only with humanity, but also with respect for their inherent dignity and further that their interest should be taken into account at all times (UN, 1990). The literature discussed seeks to unpack strategies that can be used to

enforce school uniforms, and approaches that can make the use of uniforms a contributory factor to a dignity-enhancing and better learning school environment. According Lumsden and Miller (2002:2), “uniforms cannot solve all the problems of school discipline, but they can assist as a positive contributing factor to discipline and safety”.

The next chapter – Chapter three, will explain the research methodology used in this study.

CHAPTER THREE: RESEARCH DESIGN AND METHODOLOGY

3.1 Introduction

While Chapter one gave a background to the study, Chapter two dealt comprehensively with the literature review undertaken for the study on the role of teachers in the protection of learners' rights to human dignity; in this chapter the researcher describes the aims of the research, the research methods and the data-collection instruments used, as well as the ethical considerations applicable to this study.

3.2 Research Question

The study was guided by the following primary question:

What is the extent to which learners' right to human dignity is protected in Swaziland schools when school teachers enforce the compulsory uniform policy?

3.3 Aims of the Research

Guiding this study were the following research aims derived from the primary research question:

- (i) To determine the extent to which learners' rights to human dignity are protected in enforcing the compulsory wearing of school uniforms.
- (ii) To understand the meaning attached to the right to human dignity of learners in schools.
- (iii) To examine the educators' challenges in the protection of the learners' dignity in enforcing the compulsory wearing of school uniforms.
- (iv) To examine the strategies that are currently employed by educators to enforce the wearing of school uniform.

3.4 Research Paradigm

Just as stated in Chapter one, the study primarily focused on an interpretivist perspective as

a lens to examine how the legislation on the rights of learners to dignity are interpreted and applied in schools in the Kingdom of Swaziland. According to Denscombe (2003:269), “the interpretivist sees the results of research as an individual interpretation of fact, based firmly on a systematic approach to analysis and the maintenance of an open mind”. Interpretation in qualitative research means that the researcher steps back and forms some larger meaning of the phenomenon based on personal views, comparisons with past studies, or both (Creswell 2008:264).

The interpretivist research paradigm helped the researcher to view the data collected from the participants as their individual interpretation of what pertains - on the ground - to the protection of the rights of learners to human dignity. The members of the school management team comprised of senior members of the school who have vast experience in school management; hence, their experience was evident as they related how the new Constitution impacted on schools.

Chin (1998:163) points out that that “the interpretivist paradigm work seeks to combine research details into systems of belief whose manifestations are specific to a case, and while in the end can comment on general patterns, it does so by showing how the general pattern looks in practice”. The interpretivist paradigm also helped the researcher align the questions in a manner that would enable the participants’ responses to relate to the case at hand based on their individual experiences.

3.5 Research Approach

As noted in Chapter one, in undertaking this study, the researcher used a qualitative research approach. According to Creswell (2008:46), qualitative research is a type of educational research in which the researcher relies on the views of participants; asks broad, general questions; collects data consisting largely of words (or text) from participants; describes and analyses these words for themes; and conducts the inquiry in a subjective, biased manner. The qualitative approach requires that the researcher interprets the real world from the perspective of the participants in his or her investigations (Mouton and Marais, 1996:205), and as Merriam (2009:13) asserts, “Qualitative researchers are interested in understanding the meaning people have constructed; that is, how people make sense of their world and the experiences they have in the world”.

In this study the researcher collected data in an attempt to understand the experiences and the meanings that teachers have constructed about the phenomenon of the protection of the rights of learners to human dignity as they enforce the compulsory wearing of school uniform. Insights that emanated from the respondents' responses were described and analyzed into themes so as to make sense of the role that teachers play in safe-guarding the human dignity of learners. The qualitative research approach enabled the researcher to explore and to learn a lot from the SMT members who participated, from the probing questions posed, and the analyzed documents (Creswell, 2008:53).

3.6 Research Design

In this study the researcher used a case study research design. According to Nisbet and Watt (1984:72) as quoted in Cohen, Manion and Morrison (2000:181) case study “illustrates a more general principle of a specific instance”. It is an in-depth exploration of a bounded system (e.g. an activity, event, process, or individuals) based on extensive data collection (Creswell, 2008:476). McMillan and Schumacher (2006:382) affirm this view by stating that case study research design gives an extensive description of the case studied based on a variety of sources.

The case study research method further provides a unique example of real people in real situations enabling readers to understand ideas more clearly than simply presenting them with abstract theories or principles (Cohen et al., 2000:181). According to Baxter and Jack (2008:544) the qualitative case study provides an approach to research that facilitates an exploration of a phenomenon within its context using a variety of sources of data.

The in-depth exploration of the case of the protection of the rights of learners to human dignity was carried out in three different multiple sites in the Kingdom of Swaziland. Two high schools and one primary school were purposively sampled with a view of gaining more insight into the manner in which school leaders and teachers enforce the wearing of compulsory uniforms, both at primary and high school. The research report gives an extensive descriptive report on how the teachers interpret government legislation as they instil discipline into their learners.

3.7 The Usefulness of the Study

According to Creswell (2008:476) qualitative researchers often find the case study method useful when seeking to develop an in-depth understanding of the case by collecting multiple forms of data. This study on the protection of the right of learners to human dignity focused on three schools. The three members of the School Management Team in each of the schools will be engaged so as to develop an in-depth understanding of how far the rights of learners are protected in their schools.

To allow for more generalization, the study focused on three schools, one primary and two high schools in two different regions of the Kingdom of Swaziland. Given the variance in the economic status of the two regions, the issue of limited generalization of the results was better addressed. To avoid the data being biased and subjective, the researcher based his data collection instruments on the educational legislation of the country, as detailed in the Education and Training Sector Policy of 2011, and other policies safe-guarding education in the country.

3.8 Selection of Participants and Data Collection

For this study, a purposive sample of three schools in two regions of the Kingdom of Swaziland was made. Creswell (2008:214) notes that in purposive sampling, the researcher intentionally selects individuals and sites to learn or understand the central phenomenon. It was important that the three schools be carefully selected, as Schurink (1999:252) points out that selecting a research methodology includes identifying and setting boundaries for gathering information as well as identifying subjects that could provide relevant and valid information.

The three SMT members from the selected schools presented the researcher the opportunity to gather relevant and valid data in that their experience and opinions were of specific interest to the study. The primary school and one high school were selected from the impoverished Lubombo Region where, according to the Multiple Indicator Cluster Survey Model Full Report (MICS), school attendance is lowest in the country (CSO, 2000). According to the UNICEF Humanitarian Action Swaziland Report of 2008, the acute malnutrition rate among children in the Lubombo Region is three times higher than the rates in the other regions of the country (UNICEF, 2008).

The other high school was selected from the Manzini Region which, according to MICS, has a high range of early childhood education at 14.5 percent compared to the Lubombo Region at 10.5 percent (CSO, 2000). The variations in the two regions allowed for rich data in exploring what pertains to schools given the impact that the regions' socio-economic climate plays. As senior members of staff responsible for policy implementation, the three SMT members in each of the schools were well-positioned to provide rich information regarding the strategies they employ to enforce uniform policies, under the prevailing economic conditions of their schools.

The primary data collected from the structured interviews was triangulated through analysing secondary data from document analysis. According to Creswell (2008:225), structured interviews not only allow participants to best voice their experiences, unconstrained by any perspectives of the researcher or past research findings, but also allow them to create their options for responding. The researcher designed an interview protocol and asked all the participants the same probing questions, yet allowed them [the participants] freedom to express their legal and personal insights into and experiences of the protection of the learners' rights to the human dignity. The interviews were recorded and participants' responses were noted in the same interview schedule.

3.8.1. Interviews

According to Merriam (1998:23), the purpose of interviewing is to find out what is on the mind of someone else, and since this cannot be observed or measured, the researcher has to ask questions in such a way as to obtain meaningful information. As noted in Chapter one, Kvale (1996:11) in Cohen et al., (2000:267) note that the use of interviews in research marks a move away from not only seeing humans as subjects simply for manipulation, and data as somehow external to individuals, but also towards regarding knowledge as generated between humans, often through conversations.

The participants opened up as the researcher engaged them on issues pertaining to their routine practice in their roles as policy implementers. Probing questions were posed to the participants who had not only willingly volunteered to take part in the study, but who were also at no point viewed as or given the impression that they were merely subjects for manipulation. The senior members of the schools' SMTs submitted their views and discussions on their own interpretations of the world in which they live; these were more of

data generating tools than a data capturing tools (Cohen et al., 2000:267).

Creswell (2008:226) highlights the following as some advantages of interviews:

- *They provide useful information when you cannot directly observe participants;*
- *They permit participants to describe detailed personal information;*
- *They allow the interviewer better control over the types of information received since the interviewer can ask specific questions to elicit this information.*

Just as Cohen et al. (2000:267) notes that interviews may be used in conjunction with other methods in a research undertaking, the researcher used interviews in conjunction with document analysis not only as a means of gathering information which has direct bearing on the research objectives, but also, as suggested by Gray (2004:214), to attain highly personalized data on the extent to which teachers appreciate and protect the rights of learners to human dignity in Swaziland. The interviews were very appropriate for getting the necessary data.

3.8.2. The Structured Interview

Coebetta (2003:269) describes structured interviews as those in which all respondents are asked the same questions with the same wording and in the same sequence. According to Creswell (2008:225), structured interviews allow participants to best voice their experiences unconstrained by any perspectives of the researcher or past research findings, and even allows participants to create their own options for responding. Bryman (2001:107) makes it clear that structured interviews entail the administration of an interview schedule by the interviewer; the aim being for all interviewees to be given exactly the same context of questioning, with an aim of ensuring that interviewees' replies can be aggregated.

The senior members of each of the schools taking part in the study were asked the same questions about their roles in defining the human dignity of learners; the strategies that they employ to enforce the wearing of school uniform; and the challenges they face in enforcing the wearing of uniform; thus, the comparability of responses and the ability to make generalizations from the data collected was increased (Creswell, 2008:27).

According to Cohen et al. (2002:271), the weakness of structured interviews is that it allows little flexibility in relating the interview to particular individuals and circumstances, and that the standardized wording of questions may constrain respondents' naturalness. To overcome such limitations, despite the researcher having arranged the questions beforehand and stuck to the interview schedule (Cohen et al., 2002:271), he made an allowance for flexibility by posing questions that gave the respondents an opportunity to draw from their personal experience when responding.

Kerlinger (1970) as quoted in Cohen et al. (2000:273) argues that much as the content, sequence, and the wording should remain entirely in the hands of the interviewer, the research purpose should govern the questions asked; hence, the researcher guarded against respondents deviating from the research purpose. For this study, the researcher's line of questioning specifically focused on gathering data on how the participants interpret and implement all regulations that aim at enhancing uniformity without violating the learners' rights to dignity.

After the interviewees had agreed and signed the consent forms, the interviews all took place on the scheduled days in quiet and convenient places suggested by the members of the SMT in each of the three participating schools. The Education and Training Sector Policy guided the line of questioning, and the interviews focused on the teachers' understanding, appreciation and implementation of the principle of the right of learners to human dignity.

3.8.3. Document Analysis

Creswell (2008:230-231) points out that documents are a valuable source of information as they offer text (word) data for the qualitative study; moreover, they have the advantage of being in the participants' language and words, which have usually been carefully chosen. In order to triangulate the primary data collected from interviews with the SMT members, the researcher was provided, where applicable, with the following documents to analyze:

1. The schools' Code of Conduct for Learners
2. The schools' Constitution

3. The Learners' Dress Code Policy
4. The school policy on Discipline

Merriam (2002:13) notes that the strength of documents as a data source lies in the fact that they already exist in the situation; they do not intrude upon or alter the setting in ways that the presence of the investigator might. However, Creswell (2008:231) points out the following as weaknesses of documents:

- o *The documents may sometimes be difficult to locate and obtain; information may be located in distant archives, requiring the researcher to travel, which could be expensive.*
- o *They may be incomplete, inauthentic, or inaccurate, like in the case of minutes from a meeting which may be written in an illegible handwriting making it difficult to decipher the information.*

Document analysis became necessary in this study because all schools in Swaziland are guided by, first and foremost, the Constitution; and secondly, all the Ministry of Education and Training Policies. It is expected that each school, as a matter of good management, should develop its own policy on the uniformity of learners, and such a policy should have a clause on not only the learners' dress, but also ways of dealing with learners' physical appearance in schools. In the case of this study, the researcher encountered problems in acquiring some of the requested documents. Some of the schools have not tailor-made their own policy to take into account their local needs, but rely on the government ones which are broad and sometimes too open-ended. Each school's documents were analyzed to determine if they were in line with the country's Constitution and Education and Training Sector policies, and all international conventions on the rights of children.

3.9 Data Analysis

According to Creswell (2008:10), data analysis is an important research stage after data collection in order to make sense of the information supplied by individuals in the study; it involves "*taking the data apart*" to determine individual responses and then "*putting it together*" to summarize it. Hancock, Windridge and Ockleford (2007:24) posit that the

analysis of data in a research project involves summarizing the mass of data collected and presenting it in a way that communicates the most important features.

As part of the data analysis for this study the researcher studied and analyzed, where available, each of the three participating school's policy on learners' conduct and dress code. The analysis was done with reference to the country's Constitution and the Education and Training Sector Policy to determine each school's compliance with the country's legislation. Data was collected from the views of the members of the SMT on their roles as policy implementers of the protection of the rights of learners to dignity when enforcing the wearing of compulsory uniforms; their insights on how the enforcing of uniform policies should be better handled to avoid degrading learners' dignity; and denying them their right to education.

Creswell (2008:243) posits that analyzing data will help the researcher to make sense of the data so as to form answers to the research questions. The research was based on exploring with an aim to understand how far members of the SMT of the participating schools protect the rights of learners to human dignity in implementing uniform policies. The main themes of the study, derived from the research topic aimed at forming answers to the research questions, were the following:

The meaning the senior school managers attach to the rights of learners to human dignity;

The strategies currently employed by educators in enforcing the wearing of school uniforms;

The challenges educators face in enforcing the wearing of school uniforms.

3.10 Ethical Considerations

According to Encyclopedia.com (1998), 'research ethics' refers to "the application of moral rules and professional conduct to the collection, analysis, reporting, and publication of information about research subjects, in particular active acceptance of subjects' right to privacy, confidentiality, and informed consent". In this study the researcher undertook to comply with the requirements for all ethical principles throughout this study. The following illustrates some of the ethical considerations that the researcher complied with:

3.10.1 Right to Privacy

According to Diener and Crandall (1978), in Cohen et al. (2000:61) the right to privacy touches on three perspectives of the human being; namely, the sensitivity of the information being given; the setting being observed and the dissemination of information. Furthermore, Cohen et al. (2000:61) cautions that the greater the sensitivity of the information, the more safe-guards are called for to protect the privacy of the research participants. The researcher took the necessary precautions to protect the participants' privacy by concealing their identity and giving them the right to voluntarily take part in the study.

3.10.2 Anonymity and Confidentiality

According to Frankfort-Nachmias and Nachmias (1972), in Cohen et al. (2000:62) the obligation to protect the anonymity of research participants and to keep research data confidential should be fulfilled at all cost unless arrangements to the contrary are made in advance with participants. The researcher took care to ensure that the participants' identity and their schools were kept anonymous; and even took measures to ensure the boundaries surrounding the information shared were protected.

3.10.3 Deception

According to Cohen et al. (2000:63), the term 'deception' refers to the kind of experimental situation where the researcher knowingly conceals the true purpose and conditions of the research, or positively misinforms the subject or exposes them to unduly painful, stressful or embarrassing experiences, without the subjects prior knowledge of what is going on. Glesne (2006:141) emphasises that although conventionally, we regard deception as wrong, it easily enters various aspects of research, and it can take the form of either, deliberate commission or omission. In this study the researcher informed the participants about the purpose of the study, the data collection methods to be used, without withholding any information from them.

3.10.4 Informed Consent

Diener and Crandall (1978) in Cohen et al. (2000:51) define informed consent as procedures in which individuals choose whether to participate in an investigation after being informed

of the facts that are likely to influence their decisions. It is essential and must be fully guaranteed if participants may be exposed to pain, physical or emotional risk, and invasion of privacy. According to Diener et al. (1978), in Glesne (2006:132), through informed consent, potential study participants must be made aware:

- that participation in the study is voluntary;
- of any aspects of the research that might affect their well-being;
- They may freely choose to stop participating at any point in the study.

In this study the researcher adhered to the requirements of informed consent by using language that was understood by the participants to explain the participants' rights during the study. It was explained to participants they had a right to withdraw from the study anytime they wanted to do so, and the participants signed consent forms to confirm their participation in the study.

3.10.5. Intervener or Reformer

According to Glesne (2006:134), “this is a role that researchers may unconsciously decide to assume, given that maybe the researcher is seeing an unjust situation unfolding before them at the research site during the data collection stage”. Glesne (2006:136) notes that “researchers should safeguard against the dilemma of being personally persuaded to intervene”. To safeguard against being persuaded to intervene, the researcher clearly explained the purpose of the study to the participants, and ensured that a healthy relationship was maintained throughout the study.

3.11 Ensuring Credibility and Dependability

3.11.1 Credibility

According to Patton (1999:1190), credibility in qualitative inquiry depends on elements of rigorous techniques and methods of collecting high quality data that are carefully analysed, with attention given to triangulation, and the credibility of the researcher. To ensure that the study is credible, the researcher conducted interviews with members of the SMT, triangulated with analysing policy documents from the three schools

3.11.2 Dependability

According to Hammersley and Atkinson (1983) in Cohen et al. (2000:120) researchers are not in a privileged position to be the sole commentators on their own actions; instead, they need to go back to the respondents to confirm that their findings are dependable. In this study, until the final draft of the study was published, the respondents were given an opportunity not only to access the data, but also to alter information in their responses that they felt was not needed.

3.12 Limitations of the Study

According to Marshall and Rossman (1999:42), there is no such thing as a perfectly designed study; hence, there is no proposed project without limitations. Patton (1990:162) in Marshall et al. (1999:42) affirms that there are always trade-offs in any research design. This study on the protection of learners' rights to human dignity in schools is limited to only three schools in the Kingdom of Swaziland.

The researcher, therefore, acknowledges that the study of just three schools in only two of the four regions of Swaziland limits the degree to which the findings can be generalized to paint a true picture of what happens in all schools in the country. All the same, the findings from the study may highlight existing problems in the implementation of compulsory wearing of school uniforms and strategies that can be employed by teachers to protect the learners' human dignity in schools.

3.13 Conclusion

In this chapter, the aims of the research, the research design and methodology, the data collection and data analyses methods utilised in this study have been described. In addition, the ethical considerations connected to this study are explained.

Chapter four will present and interpret the research findings.

CHAPTER FOUR: PRESENTATION OF THE RESEARCH FINDINGS

4.1 Introduction

In Chapter three the research design and methodology; methods of data collection and analysis; and the ethical considerations observed when undertaking this study, were discussed. As stated in Chapter three, this study relied on three separate case studies for collecting data in attempting to answer the research questions. The three case studies focused on public schools in the Kingdom of Swaziland, one of which is a primary school and two of which are high schools. This chapter will present detailed discussions of the perceptions that the School Management Team (SMT) members in the participating schools have of their roles in protecting the rights of learners to dignity in enforcing compulsory uniform policies.

The case studies undertaken were each studied separately; hence, the data collected from each school will be presented separately so that more light may be shed to gain a fuller understanding of the phenomenon studied (Cohen, Manion and Morrison, 2002:183). To ensure anonymity and confidentiality, the three schools shall be referred to as School A, School B and School C in the same order that the field work was carried out. The research findings of the three cases will be reported on underneath.

4.2 Interview Responses

The interview data was gathered from members of the SMT, who included the principal, the deputy principal and the senior teacher. However, in two schools the learners' low enrolment does not allow the schools to have a deputy principal but only a senior teacher; hence, only two members participated in the interviews in those schools. The interview questions focused on how the SMT members enforce compulsory uniform policies, and will be reported according to the interview schedule as follows:

4.2.1. BREIF BACKGROUND OF THE SCHOOL

School enrolment

Percentage of orphaned and vulnerable learners (OVC)

Number of beneficiaries of other bursaries or sponsorship

Rate of school fees collection

Socio-economic background of the school

4.2.2. Theme One: The Meaning Participants Attach to the Right to Human Dignity of the Learners

Understanding of the meaning of the right to dignity and its relationship to learners' confidence and self-esteem

Compulsory school uniforms and school discipline

4.2.3. Theme Two: Strategies that Schools Employ to Enforce the Compulsory Uniform Policy.

Types of uniforms and their accessibility

Strategies for enforcing mandatory uniform policies

Benefits of wearing school uniforms

4.2.4. Theme Three: Challenges that Schools Face in Enforcing Compulsory Uniforms

- Challenges that the school faces in enforcing mandatory school uniforms
- Practical mechanisms to assist learners who cannot afford school uniforms.

4.2.5. Document Analysis

Each of the three schools' Learners' Dress Code and any other available documents that deal with learners' discipline and code of conduct were analysed and reported under this heading.

4.3. School A

4.3.1. School Profile and Socio-economic Background

Description	School A
Type of school	Primary
Geographical location	Rural
Number of learners	421

Number of OVCs	379 (90%)
Beneficiaries from other sponsors	5 (1.2%)
Principal's experience in education	22 years

Table 1: School A

The school is situated in a very poor community, completely stricken by very severe drought. According to the school principal, the majority of the parents - who are seasonal workers in the sugarcane fields - struggle to feed their children, let alone pay school fees. The school fees collection rate is very poor: only 4 out of the 421 parents attempt to pay school fees. The school depends entirely on a fund from government that primary schools receive towards Free Primary Education. The money is calculated per learner per school. In 2014, government paid E560-00 for learners in Grade 1 and 2; E580-00 for learners in Grade 3 and 4; E640-00 for learners in Grade 5; and E670.00 for learners in Grade 6.

4.3.2 Theme One: The Meaning that Participants Attach to the Right to Human Dignity

Both participants were clear on their understanding of the rights of learners to human dignity and how far it impacts learners' self-esteem and confidence. The senior teacher went on to mention that "if learners are accorded their right to dignity, they will feel respected and accepted". She also underlined the fact that their school regards learners as full humans; consequent to which they have introduced positive discipline measures to shift from the use of corporal punishment".

The principal mentioned that he had not had an opportunity to read the whole document of Swaziland Education and Training Sector Policy; however, apart from what he termed "a few controversial sections", the document presents itself as a good education policy document for the country. Section 7.6 on compulsory school uniforms, falls amongst the sections that both respondents had not read. Even then, both participants highlighted how seriously they regard the physical appearance of learners at the school. The principal mentioned that learners' appearance is a good reflection of their discipline, and since their school encourages positive discipline, they encourage learners to be "neatly dressed at all times". To enforce discipline in the school, the senior teacher reiterated the principal's words that "the school is moving away from corporal punishment and has classroom rules

that regulate learners' behaviour; it is the duty of every class teacher to enforce those rules".

4.3.3 Theme Two: Strategies Currently Employed to Enforce Compulsory Uniforms

According to the principal, "the school has more than one uniform, and has a clear policy defining how and when the school uniforms should be worn". The basic uniform worn by learners on Mondays, Tuesdays and Thursdays costs an average of E200-00 for boys and E250-00 for girls. The alternative uniform worn on Wednesdays and Fridays which consists of a tracksuit or a black skirt for girls and a t-shirt costs an average of E150-00. These costs exclude black school shoes. The principal was, however, quick to highlight that they were "not strict with forcing the learners to wear the basic uniform on days when the alternative uniform should be worn", which means learners are free to wear the basic uniform every day if they cannot afford the second uniform.

Regarding the strategies that the school employs to enforce the wearing of the school uniforms, both participants emphasised that their strategies were in no way violating the rights of the learners to human dignity in that they were in line with the Constitution, "because learners are never embarrassed if they have not complied". The principal mentioned that the learners' parents are involved, particularly in cases where learners do not comply. He added that even learners, whose parents cannot afford school uniforms, "are called to meet with the school administration so that a way of helping them is determined". The participants presented the following benefits of wearing uniforms for their school:

They make learners all look the same regardless of their background;

No learner feels left out of place;

Uniform forms part of school discipline.

4.3.4 Theme Three: Challenges Encountered in Enforcing School Uniforms

According to the principal, "the parents' economic status manifests itself in many ways in the school - including the physical appearance of their children". The senior teacher emphasised that, "most of the learners do have the basic school uniform which they wear to school daily; however, the problem arises in winter when learners have to wear jerseys

embossed with the school logo; yet most of the parents cannot afford them”.

The principal pointed out that “it is the school policy not to send home learners who do not have certain items of the school uniform”. He further underscored their flexibility in that they always try to accommodate even the neediest learners, to the extent that the teachers have begun a fund to assist the most destitute of the learners. This was confirmed by the senior teacher that “teachers in the school use their personal resources to assist the needy learners”.

4.3.5. School Documents Analysed

The principal furnished the researcher with the “School Policy/Prospectus” which, among other subjects, has the school fee structure. The five-page document is introduced by the mission statement of the school, followed by the school motto “Excellence in quality education”. The third item is on the school uniform, detailed as follows:

GIRLS

Red tunics

Black jersey with two red stripes on the neck

Black socks with red trim

Black school shoes

BOYS

Khaki shirt

Khaki pair of long trousers/ khaki pair of short trousers

Black jersey with two red stripes on the neck

Black socks with red stripes on the top

Black school shoes

TRACK SUITS

The track suit is black, the jackets have red trims; the pair of trousers is black with red stripes.

All pupils are required to have the school jersey.

The school expects pupils to be in full school uniform on all school days, unless advised otherwise by the teachers.

“NB. The jersey, girls’ tunic as well as the track suit are available at the school and

nowhere else.”

The school dress code policy is not specific about the basic and the alternative uniform. Even more, it specifies the days when each of uniforms should be worn, nor the actions to be taken against uniform defaulters. However, it is emphasised that the school jersey is a must for all the learners to have.

4.3.6. Summary of School A Findings

The researcher noted the following to summarise the findings of School A

The participants gave clear insights on the rights of learners to dignity, and how far it impacts the learners’ self-esteem and confidence.

As a result, the school is moving away from corporal punishment to positive disciplinary measures as a move towards creating a safe learning environment in the school.

The participants have not familiarized themselves with the Swaziland Education and Training Policy which aims to “guide the operations of the Education Sector” (Kingdom of Swaziland, 2011). This paints a bad picture whereby teachers may act and operate outside the mandate of the Government.

The school treats school uniform as a priority; more than one uniform is prescribed for the learners to wear on prescribed days, which places a heavy burden on the poor parents in the community.

As a strategy to enforce the wearing of school uniform, the school does not exclude learners who do not have uniforms from coming to school. Learners are allowed to wear whatever they can afford to wear; however, the parents of such

learners are engaged with the school authorities to determine how their children can be assisted.

The major challenge that the school faces in enforcing mandatory uniform in the school is the poverty of the parents, which renders them unable to buy all the uniform.

The teachers in the school use their personal resources to assist the needy learners, the majority of whom depend almost only on the school feeding scheme food on school days.

4.4. School B

4.4.1 School Profile and Socio-economic Background

Description	School B
Type of school	High
Geographical location	Rural
Number of learners	135
Number of OVCs	116(86%)
Beneficiaries from other sponsors	7 (5%)
Principal's experience in education	11 years

Table 2: School B

The school is situated in a very poor community, surrounded by farms. Similar to School A, the majority of the parents are seasonal workers in the sugarcane fields in the nearby farms, and they struggle to pay school fees. According to the principal, “the average annual school fees are around E3800-00”. The school fees collection rate is very poor; hence, the school struggles to meet its financial obligations. The school survives on the annual OVC grant paid by Government as follows: E1950-00 for learners from Form 1 to Form 3, and E2500-00 for learners in Form 4 and Form 5. However, at times Government delays to release the money even to as late as August.

It is worth noting that the OVCs still have to pay top-up fees calculated as the difference between the school fees and the contribution from Government. According to the principal, “another major stumbling block that teachers face is that the community in which the school is built does not seem to value education. Parents who work in the mines in South Africa are seen to be the better working class in the community; hence, a lot of learners look forward to finishing school as quickly as they can to go and work in the

mines too”. The senior teacher lamented about the location of the school, which “is situated in a poverty-stricken community, where parents have large families which they struggle to raise”.

4.4.2 Theme One: The Meaning Participants Attach to the Right to the Human Dignity of Learners

The researcher noted that both participants’ understanding of the right to dignity in the school places the learners’ interest at the centre of everything. The principal drew attention to the fact that “the right to dignity means mutual respect between the teacher and the learner, and all school policies, including discipline policies, should aim at protecting the dignity of learners”. The senior teacher confirmed that “teachers have a duty to treat learners with respect as learners are human beings too”.

Both participants mentioned that they had observed a very close and direct link between a learner’s dignity and their self-esteem in that a learner treated with respect will develop self-confidence which reflects in their school performance. The senior teacher highlighted that “to safe-guard the dignity of learners, the school has put several systems in place, including the abolishing of corporal punishment by individual teachers, so that only the principal has the authority to administer it”. The senior teacher added that “the school puts so much emphasis on respect that learners are taught the value of affording respect to others”.

The principal stated that having read the Education and Training Sector Policy of 2011, his view on school uniforms was that they were very important as they close the gap between the poor and the rich, and protect the needy learners’ poverty from being exposed to the whole school”. He further emphasised that “as a school, whatever item of uniform is required in the school, we have ensured that it is affordable”. The senior teacher, on the other hand, conceded that though she had not had an opportunity to see the Education and Training Sector Policy, as a school they have a policy that requires learners to wear uniforms at all times.

The principal is convinced that “the way learners present themselves says a lot about their mental readiness for learning”. According to him, “this also goes for teachers, because a neatly dressed teacher shows signs of being organized”. He stated that “it is very rare that learners who dress neatly show signs of misbehaviour”. The senior teacher also emphasised that “the way in which the learners wear uniforms shows if they are disciplined or not”.

Regarding enforcing discipline in the school, the senior teacher highlighted that “all cases of indiscipline, including learners who consistently fail to wear the proper school uniform, are reported to the school’s disciplinary committee; but more serious cases are sent to the principal”. On the other hand, the principal stated that “because of all the problems associated with the corporal punishment, we are doing our best to move towards positive disciplinary measures; however, we meet resistance from some parents who feel learners should be caned as a means of instilling discipline”.

He went on to emphasise that “instilling discipline into learners starts with the teacher; if the teacher is disciplined in terms of knowing what to do and when to do it, the issue of undisciplined learners may be minimised”. He conceded that “learners misbehave because of idleness; hence; teachers in the school are encouraged to be in class in time to avoid a situation where learners will not be attended to”. It is the school policy that learners who have committed serious offences, like constantly refusing to comply with the school dress code, have their parents summoned to the school. “The school also offers counselling sessions to learners who have serious behavioural problems because some of what the learners portray in their actions is as a result of what happens at home”, the principal added. Furthermore, he lamented that although some parents do cooperate when summoned, others see it as the school’s responsibility to deal with uniform defaulters and discipline in general.

4.4.3 Theme Two: Strategies Currently Employed to Enforce Compulsory Uniforms

The school has two types of uniforms: formal wear worn on Mondays, Tuesdays and Thursdays; and casual wear worn on Wednesdays and Fridays. According to the senior teacher, the formal wear for the girls is a tunic and a shirt; a skirt and a shirt or a t-shirt is their non- formal wear. However, only a few learners’ parents can afford the t-shirt at the value of E160-00. The principal highlighted that the school has introduced a tracksuit to be worn as casual wear, but parents are finding it difficult to buy it. Despite this, according to both participants, the school uniform is quite affordable and easily accessible. “A group of parents next to the school have come together to form some business cooperative to make and supply uniform to the school”, the respondents said. The principal further pointed out that the boys’ uniform – grey trousers and a white shirt – is available in retail shops like Pep Stores.

In enforcing the wearing of the uniforms the senior teacher mentioned that they select a

group of senior learners they call councillors who act as role models to the rest of the learners. The principal made it clear that learners who cannot afford uniforms are not denied an opportunity to education. The Career Guidance Department in the school assists in identifying needy learners. The school solicits uniform donations from local companies on behalf of the needy learners. In instances where it is extremely cold, learners are encouraged to wear anything that will keep them warm, even if it is not the school colours. “Still, the school makes it a point that spot-checks are carried out by teachers every morning after assembly to ensure that whatever is uniform is worn properly”, the principal emphasised. The senior teacher further mentioned that throughout the day teachers are always on the alert to ascertain that the school uniform is properly worn and the learners look neat”.

The principal said that in enforcing the wearing of uniforms, they are always flexible enough to accommodate the needs of the learners, yet strict monitoring is administered in order to prevent learners doing as they please”. The senior teacher, though, regretted that their strategies, such as selecting councillors from amongst the learners to act as role models and conducting spot- checks every now and again, do not bear positive results in influencing every learner to wear school uniform”. She was, however, quick point to the socio-economic environment in the area as the major problem. Additionally, she highlighted the fact that learners who do not wear the school uniform are given corporal punishment by the disciplinary committee, and any learner who is frequently referred to the disciplinary committee is interviewed to determine whether or not there are no serious for the learner’s non-compliance. She importantly pointed out that the punishment for not being in school uniform does not, however, include sending learners home and denying them their rights to education.

In reference to the strategies of complying with international conventions of the protection of the learners’ rights to dignity, the principal mentioned that at no point are uniforms used as a means to deny learners their right to education in the school. He emphasised that the school uses uniforms to close the gap between rich and the poor, and for identification purposes. As a school, they regard sending learners home as a last resort, after all the stake holders have been consulted regarding the non-complying learner’s situation; hence, at no point do they infringe on learners’ rights in their effort to enforce school uniform. The senior teacher, on the other hand, admitted that some of the disciplinary measures taken

against uniform defaulters, like subjecting learners to corporal punishment in full view of other learners, do violate and infringe on the learners' rights to dignity; they are very much aware of violation of the learners' rights, but they are forced to do so in order to force all the learners to be in the correct school uniform "at all times".

4.4.4. Theme Three: Challenges the School Encounters in Enforcing the Compulsory Uniform Policy

Both participants underscored their firm belief that above all else, school uniform plays a major role in closing the gap between the rich and the poor learners. The senior teacher went on to highlight that "uniform makes learners more organized in terms of helping them to be in the right state of mind at all times". The principal was further convinced that "uniform brings a sense of harmony and belonging to the school, resulting in the learners gaining a sense of pride and self-esteem; moreover, when learners have to go out and take part in inter-schools games, uniforms make it easy to set them apart from learners of other schools, thus making it easier to provide them with the necessary protection". More still, the principal stressed his conviction that "uniform improves learners' behaviour since when they are in school uniforms they behave differently than when they are in their civilian clothing".

The participants lamented the poor socio-economic environment as the main challenge to enforcing the uniform policy in the school. Despite this, the principal confirmed that they were trying to introduce other types of uniform, such as the school tracksuits; however, very few parents can afford them. Yet, even those who can afford the uniform choose to purchase it one piece at a time, thereby making it difficult to force the learners to wear full school uniform "at all times". The senior teacher said that there are hardly any cases of non-compliance, where learners do have the uniform but decide not to wear it properly, are reported; but when such learners are found out, they are punished.

Regarding mechanisms to assist those who cannot afford purchasing school uniform, both participants mentioned that the school has no such policy. However, the principal pointed out that the school had tried to approach local businesses to assist the learners who are struggling, but nothing positive has come out of it. Not even former learners had come back to donate their old uniforms to those who are still in the school. Be that as it may, he mentioned that he had noticed that the majority of the Form One learners wore used

uniforms; this implied that their relatives, who are former learners at the school, passed on these uniforms to them.

4.4.5. School Documents Analysed

The researcher was given the “School Rules and Regulations” which include the school prospectus as a document that regulates operations in the school. The document is neatly typed and consists of nine pages, detailing all the school admission requirements, subjects offered, the school fees policy, uniform policy and extra curricula activities.

Section 2 of the document lays out the required uniforms. This section follows the Vision and Mission Statement of the school. The principal underscored the fact that every learner is furnished with the document at the beginning of every year. The policy outlines uniforms as follows:

BOYS

Formal wear: Mondays, Tuesdays and Thursdays

Grey trousers

White shirt, long or short sleeved, with the school logo

Green socks

Black shoes

Casual wear: Wednesdays and Fridays

Track suit

T-shirt embossed with school logo

Sneakers - any colour.

GIRLS

Formal Wear: Mondays, Tuesdays and Thursdays

Green tunic

White shirt- long or short sleeved

White stockings

Black shoes

Casual wear: Wednesdays and Fridays

School tracksuit

T-shirt embossed with school logo

Sneakers - any colour.

The “School Rules and Regulations” further stipulates that:

No make-up should be worn to school.

Nails are to be kept short at all time.

Girls’ hair should be worn short or plain plaited.

School uniform should be kept clean at all times

The school dress code policy neither indicates the cost of the uniform, nor the places where parents can purchase the school uniforms. The document does not spell out the disciplinary measures to be taken against learners who fail to comply with the school regulations.

4.4.6. Summary of School B Findings

The researcher noted the following points as a summary to the findings from School B:

The participants’ understanding of the meaning of what the right to dignity entails for learners included mutual respect between teachers and learners, and placing learners’ interests at the centre of all decisions made in the school, which sounded positive in terms of creating a safe learning environment.

The participants do not know about the contents of the Education and Training Sector Policy and that paints a picture of the teachers in the school being in danger of not meeting Government expectations.

The school has more than one school uniform to be worn by the learners on prescribed days, and given the socio-economic environment of the community

this has proved to be a very heavy on the parents who find it difficult even to purchase the basic uniform.

To enforce the wearing of the school uniform, teachers are assigned to conduct checks every morning after assembly, and learners who do not comply are given corporal punishment.

The school's major challenge to enforcing the wearing of school uniform is poverty.

The parents struggle to pay school fees; hence, the cost of purchasing school uniform becomes an additional burden.

4.5 SCHOOL C

4.5.1 School Profile and Socio-economic Background

Description	School C
Type of school	High
Geographical location	Rural
Number of learners	345
Number of OVCs	215 (62%)
Beneficiaries from other sponsors	2 (0.6%)
Principal's experience in education	24 years

Table 3: School C

This high school is situated in a poor community, where the majority of the parents are employed as labourers in sugarcane and fruit growing farms around the area. The average school fees per learner per annum are E4000-00, and the rate of collecting school fees in the school is poor as most parents cannot afford the amount. According to the deputy principal, "in 2013 when learners were sent home to collect fees, about 56 learners left school because their parents could not afford to raise the school fees".

The principal observed that there is a need to carry out civic education for parents in the area on the importance and value of education. "Very few parents seem to care about what goes on in their children's education", lamented the principal. Furthermore, he bemoaned the fact that although "we have tried to work out terms for parents to pay school fees, it has not yielded any fruits". The deputy principal, too, emphasised, "The situation is so dire that most learners depend on the school feeding scheme as their only source of food each day. The industrial actions mounted by labour unions in the farms further aggravate the

problems when the no-work no-pay policy is applied, and parents have backlog of unpaid fees.”

4.5.2 Theme One: The Meaning the Participants Attach to the Right to the Human Dignity of Learners

All three participants stated that “the right to human dignity of learners entails treating learners with respect”. The deputy principal further noted that “affording learners the right to dignity means treating them with love and having consideration for their views and feelings”. The senior teacher accepted that “affording learners their dignity and treating them with respect has a bearing on their self-esteem”. He gave an example of learners who lose their confidence when they are called names. The deputy principal clarified that in order to protect the dignity of learners and boost their self-esteem, the school has made it a policy that teachers neither address learners’ offences nor punish them in full view of others instead, and misbehaviour by learners is reported to the school administration.

Both the deputy principal and the senior teacher claimed not to have seen the Education and Training Sector Policy of 2011; hence, they were not familiar with Section 7.6 on compulsory school uniforms. The principal affirmed that having read the policy, she felt “compulsory uniforms at schools are very important for many reasons including purposes of identification and differentiating between learners from different schools”. She lamented that “when I came to the school I would get calls from concerned parents mistaking learners from my school for learners from other schools because the uniforms looked similar, but since I introduced the new uniform in 2012 that does not happen”. The principal emphasized that “the new uniform seems to have given the learners pride in the school and their behaviour has improved”.

All three participants concurred that the school has a clear dress code, included in the school prospectus that clearly stipulates that learners are to be in school uniform at all times, including weekends when they have to take part in other school activities. The participants highlighted the importance of being neatly dressed. The deputy principal correlated the learners’ neatness to their discipline”. The senior teacher observed that “the appearance of learners helps to instil respect in them (learners)”. Moreover, the principal asserted that “if you look like a star, you will behave like a star”, emphasising the correlation between the learners’ appearance to how their behaviour.

Regarding how discipline is enforced in the school, the senior teacher mentioned that “teachers are encouraged to use their class management skills in their respective work spaces.” Moreover, he added that teachers are taught positive discipline methods in the school’s quest to get rid of corporal punishment. The deputy principal emphasised that the school rules and regulations are explained to all learners at the beginning of every year, and “learners who break school rules are sent to the disciplinary committee”. The senior teacher pointed out that students who regularly break the uniform rule are sent to the deputy principal for discipline. The deputy principal highlighted that school prefects assist the staff to monitor and identify unbecoming behaviour amongst especially learners who purposely defy the school dress code; parents whose children commit more serious offences are summoned to meet the school administration.

4.5.3 Theme Two: Strategies Employed to Enforce the Compulsory School Uniform Policy

The principal and the deputy principal said that the school has one type of uniform for boys and one for girls, for everyday use. However, the senior teacher pointed out that in addition to the regular uniform, “there is optional uniform which is to be worn by learners for sports”. The average cost of the school uniform is E800-00 for both boys and girls, excluding black shoes. While all the three respondents lamented that “the uniform is not easily available, because the supplier is based in a town 80 kilometres from the school”, the deputy principal underscored the problem by pointing out that she – the supplier “comes to the school to sell the uniforms only twice a term”. The principal asserted that “plans were under way to have the uniform available in the school at all times.”

The principal mentioned that “every day when learners disperse from morning assembly, they parade before the teachers who check if every learner is properly dressed. Learners who do not comply are called aside and talked to, and in the parade, the teachers also check if the learners’ shoes are polished, as that also forms part of the school dress code.” The deputy principal pointed out that “learners, who wear anything that is outside school colours, have such items confiscated and given to their parents at the end of each school term.” The principal also informed the researcher that “teachers make it a point that learners are neatly dressed at all times during the times when they are in school uniform.”

The principal further emphasised that “since the introduction of the new uniform in 2012,

they are seeing an improvement in the way the learners present themselves at school.” The senior teacher concurred that “more and more learners wear uniforms which shows that the current strategies are yielding results.”

To the question about whether the current strategies are in agreement with the country’s Constitution in terms of not violating the learners’ rights to dignity, the principal and the deputy principal admitted that “their strategies were not in line”. The principal conceded that “there is a degree of violation of the rights of the learners to human dignity, especially when we have to make the learners remove clothing that is not school uniform”. The deputy principal, too, regretted that “sometimes the learners’ clothing is confiscated on very cold days, leaving the learners with no other warm clothing to wear.” The principal was, however, quick to justify that “all this is done to prevent disorder and chaos in the school”. Additionally, the senior teacher was convinced that “all the strategies that are employed are in line with the country’s constitution because learners are never victimised but are talked to if they have not complied.”

4.5.4 Theme Three: Challenges Encountered in Enforcing the Compulsory Uniform Policy

The participants mentioned that “apart from boosting the learners’ self-esteem, the wearing of school uniforms creates discipline and makes it easy to identify learners in the school.” The principal further highlighted his belief that uniforms “create discipline, boosts learners’ performance and promotes enlightened citizens in that the culture of being presentable will be engraved in the learners who will take such values even to the outside world”. Moreover, the senior teacher expressed the view that school uniforms give learners a “sense of belonging and cultivates a culture of responsibility”; while the deputy principal asserted that “uniform brings equality and closes gaps that may exist between the rich and the poor learners.”

The principal lamented, “Our major challenge in enforcing uniforms in the school is the parents’ uncooperativeness in coming forward to indicate their status in terms of not being able to afford purchasing uniforms for their children.” She bemoaned the fact that “it becomes difficult to assist needy learners if parents conceal their need for help.” The deputy principal’s view was that “there are no serious challenges in enforcing the school uniform policy except when we have to confiscate clothing that learners wear to keep themselves

warm during cold days. The poverty of most parents makes it difficult to force the learners to wear full school uniform at all times”.

Regarding mechanisms for assisting learners who cannot afford uniforms, the principal mentioned that “in the past the school used to carry out fund-raising activities but these were stopped because there was no proper accountability from those who were responsible for the fundraising. Currently the Career Guidance teacher is responsible for identifying the needy learners and approaching local businesses to assist them in any way they can; one local retailer sponsors ten learners every year with full uniform.” The principal also emphasised that she was so excited when some learners approached her about offering assistance to some of their needy school mates.

The deputy principal stated that “learners who have completed their education at the school also help by giving back their old uniform to needy learners that are still at school.” She further pointed out the fact that “some teachers in the school go out of their way to provide assistance in the form of purchasing uniforms for those who cannot afford.” She was, however, quick to point out that “the interview with the researcher has opened her eyes to find out more ways in which needy learners can be assisted in the school.” The senior teacher lamented that “the school used to run a learners’ charity club that raised funds for the needy learners, but the current school principal has insisted that teachers should only focus on issues related to teaching.”

4.5.5 Document analysis

The principal made available the school “Prospectus and Regulations” for analysis by the researcher. It is a neatly typed eight-page document which details all the school procedures from the time a learner is admitted to the school, their general conduct and communication procedures within the school.

Section 3 of the document deals with school uniforms, and relates to Section 1 on admissions and Section 2 on curriculum. The opening line of Section 3 states that “the wearing of school uniform is compulsory. **“NO PUPIL MAY COME TO SCHOOL WITHOUT UNIFORM”**”. The bold words underline the seriousness with which the school views school uniform. The document then details the pieces of clothing that form the school

uniform, including the old uniform that is being phased out. The new uniform is:

“BOYS

grey trousers

powder blue shirt with emblem, long or short sleeved

black/ grey socks

navy blue V-neck jersey with blue and white stripes

white Golf T-shirt

tracksuit

top can be worn as an alternate to the jersey

GIRLS

powder blue double pleat front skirt

white shirt with emblem, long sleeved

white shirt with emblem short sleeved

navy blue V-neck jersey with blue and white stripe

white Golf T-shirt

tracksuit

top can be worn as an alternate to the jersey

Learners are to have neat and simple plaited or short and untreated hair.”

“N.B. Ornaments like earrings, necklaces, make-up, etc. as well as hats, caps and other forms of headgear, are not to be worn when in school uniform. The school encourages learners to take pride in the general appearance and cleanliness of their uniform.”

The school “Prospectus and Regulations”, however, do not specify the time when the supplier is available at the school for parents to purchase the school uniform. The document has a bold statement informing learners without uniforms not to come to school. This is in direct violation of the rights of children to education and human dignity.

4.5.6 Summary of School C Findings

From the findings in School C, the researcher made the following conclusions:

According to the participants, the meaning attached to the rights of learners to dignity entails treating learners with respect, and being considerate of their feelings as human beings.

The participants have not read the Education and Training Sector Policy which provides guidelines on all educational matters.

to enforce the wearing of school uniform, learners are checked every morning after morning assembly.

Any other clothing that is not school uniform is confiscated and the learners are humiliated.

The school has a policy that prevents learners from coming to school, which deprives them of their right to education and further humiliates them before their peers.

Poverty remains the major challenge in the school's effort to enforce the wearing of school uniform.

The inaccessibility of the school uniform, in terms of the sole supplier being many kilometres away from the school, makes it difficult for the teachers to enforce the school uniform.

4.6 Summary of Findings of all the case studies

This chapter deals with findings gathered at the three schools. The purpose of this chapter is to explore the meaning that teachers attach to the rights of learners to human dignity, the strategies that teachers employ to enforce the wearing of school uniform and the challenges that teachers encounter when enforcing the mandatory school uniform policy. From the findings the researcher noted the following:

4.6.1 The Meaning Teachers Attach to the right of the Human Dignity of Learners

From the findings, it is evident that teachers understand the importance of treating and affording learners their rights to dignity. The participants mentioned that learners are human beings and if treated with respect, their confidence and self-esteem will be boosted.

This then provides the guiding principle for the teachers to act in “the best interest of child” (UN, 1959).

4.6.2 The strategies Teachers Employ to Enforce the Wearing of School Uniform

The research findings indicate that some of the strategies the schools employ are very harsh and infringe on the learners’ rights to dignity and education. In one school the learners are forced to remove their clothing if it is not uniform. In another school the learners are subjected to corporal punishment for not being in school uniform. One school prospectus prohibits learners from coming to school if they do not have school uniform.

4.6.3 Challenges Schools Encounter in Enforcing the School Uniform Policy

The research findings indicate that the schools’ requirement of more than one school uniform has become a financial burden for parents to afford, especially given the socio-economic environment of the majority of them in the communities where the schools are situated.

Chapter five will detail the researcher’s conclusions and recommendations emanating from the findings reported in this chapter.

CHAPTER FIVE: CONCLUSIONS

5.1 Introduction

In Chapter four the researcher undertook data analyses and interpretation of the research findings. The purpose of Chapter five is to provide answers to the research questions on the extent to which the rights of learners to dignity are protected. This chapter discusses the conclusions that can be drawn from the investigation, and further presents related recommendations on how the mandatory school uniform policy can best be implemented in schools in Swaziland, against the backdrop of the socio-economic conditions in which the majority of Swazi learners live.

As indicated in Chapter one, the purpose of this study is to examine the extent to which learners' rights to human dignity are protected when educators enforce the policy on compulsory school uniform. From the body of the literature reviewed and media reports, it is evident that learners are sometimes denied their universal right to education and dignity when educators enforce the wearing of school uniform. The research was guided by the following primary question:

To what extent are the learners' rights to human dignity protected in schools in Swaziland when school leaders enforce compulsory uniform policies?

From the main question, the following secondary questions emanated:

- (i) What meaning is attached to the right to human dignity of learners in schools in Swaziland?
- (ii) Which challenges are educators faced with in the protection of the human dignity of learners when enforcing the compulsory wearing of school uniforms?
- (iii) Which strategies are currently employed by educators to enforce the wearing of school uniform?

The conclusions drawn from analysing the data gathered will be made in relation to these research questions.

5.2 Section One – Discussing the Findings

From the data gathered from the interviews with the members of the SMT of the three schools, and from the analyses of the schools' learners' codes of conduct policies, to determine the extent to which learners' rights to human dignity are protected in Swaziland schools, the researcher developed themes from the secondary research questions as follows.

5.2.1 What Meaning is attached to the Rights of Learners to Human Dignity in Swaziland Schools?

Article 16 of the African Charter on the Rights and Welfare of the Child stipulates that “*children should be protected from all forms of torture, inhuman or degrading treatment and especially physical or mental injury or abuse, neglect or maltreatment including sexual abuse*” (OAU, 1999). The children's rights to human dignity are clearly protected in Principle 7 of the Declaration of the Rights of the Child which states that “*the best interest of the child shall be the guiding principle of those responsible for his education and guidance*” (UN, 1959). The international declarations of which Swaziland is a signatory (USAID, 2012:3) makes it imperative that teachers do not only appreciate the meaning that the right to dignity entails for learners, but are also seen to design and implement strategies that aim at protecting children from all forms of abuse and maltreatment.

The researcher noted that all the participants were very clear in their understanding of what the right to dignity with reference to learners entails. They mentioned that learners are complete human beings who deserve to be treated with love and respect, and whose views should be considered. In all the three schools the participants mentioned that in an effort to protect the dignity of learners, they were moving away from the use of corporal punishment towards positive discipline. Dignity as the highest value which affects us at the deepest and personal level (Lebech, 2004:59), affects learners' self-esteem and impacts negatively on their self-confidence as human beings when the learners are diminished and called names.

According to Strasburger (2013:174) children are viewed as being in a unique position due to their potential vulnerability; hence, it is very important that teachers familiarize themselves with international and government laws that aim at protecting children. From the data gathered, it is clear that the majority of the participants have not read the Education and Training Sector Policy of 2011 which, according its Foreword, aims at “addressing needs of the Swaziland Education and Training Sector in this one consolidated policy document” (Kingdom of Swaziland, 2011). However, all the participants emphasised the

importance of wearing school uniform, and the role uniforms play in terms of attempting to close gaps between the rich and the poor learners.

In all the schools' official documents made available to the researcher, issues on school uniform occupied a higher position above issues on learners' safety, health and curricula, which indicates the importance the school leaders attach to school uniform. This is even clearer in School B whose prospectus has a bold phrase "NO PUPIL MAY COME TO SCHOOL WITHOUT UNIFORM". According to Alston, the serious complication of mandatory school uniform arises when problems like poverty make it impossible for parents to purchase the school uniform (Alston, 2006:89-90). It is a grave concern when the teachers who are responsible for enforcing the wearing of school uniform are not well conversant with the government policy on school uniforms as stipulated in section 7.6 of the Education Policy (Kingdom of Swaziland, 2011).

5.2.2 Strategies Currently Employed to Enforce Compulsory School Uniforms

The researcher discovered that all the three schools had more than one type of school uniform for use by the learners on stipulated days. Even though the participants mentioned that they were flexible enough to allow the learners without the prescribed school uniform to attend school, the burden of having to provide two uniforms seemed to weigh very heavily on the poor parents.

What caught the researcher's eye are the varying costs of the school uniforms and the problems of their availability in terms of cost and accessibility. The researcher found that the accessibility of the school uniform was not easy; for example, in School B the supplier was a parent who resided next to the school, and the learners had to approach the supplier to purchase the uniform at the supplier's residence, which could present serious negative impact on the learners' safety. In School C, the supplier resided in a town 80 kilometres away from the school, and came to the school to sell the school uniforms only twice in a school term. Alston (2006:93), referring to the South African context, which also holds true for Swaziland, posits that poverty and the lack of access to suppliers remains one of the reasons learners do not wear school uniforms (Alston, 2006:93).

The Constitution, Section 18(2) declares that "*a person shall not be subjected to torture or to inhuman or degrading treatment or punishment*" (Kingdom of Swaziland, 2005). In

spite of this, some of the strategies the schools employ to enforce the policy on compulsory uniform infringed on the learners' rights to human dignity, as exemplified by School A where the senior teacher mentioned that learners who failed to comply were given corporal punishment. In School C learners who failed to comply with the rule of wearing the correct school uniform had their clothing confiscated and handed back to the learners' parents at the end of the year. To avoid having their non-correct uniform confiscated, the learners are forced to remove their clothing, regardless of weather conditions all in the name of compulsory school uniform.

According to Section 14(2) of the Constitution, schools as organs and agencies of government are called upon to uphold the fundamental rights and freedom of children, as enshrined in the Constitution (Kingdom of Swaziland, 2005). However, from the interviews and the documents analysed, the researcher gathered that in some schools, the learners' rights were not being protected. The prospectus for School C clearly spells out that "NO PUPIL MAY COME TO SCHOOL WITHOUT UNIFORM". Article 26 of the United Nations Committee on the Rights of the Child stipulates that "*all States are urged to take appropriate measures to ensure that the principle of the best interest of the child is adequately integrated in all legislation which has an impact on children*" (UN, 2008:7). The senior teacher in School B even conceded that the strategies that they employ in enforcing the wearing of school uniforms, like caning the learners, violated the learners' right to human dignity.

5.2.3 Challenges Schools are Faced with when Enforcing Uniform Policies

In all the three schools, the participants cited the poor socio-economic environment of their schools as the main hindrance to realizing the dream of all learners wearing full school uniform. Because the majority of the parents worked in low paying employment sectors, they had difficulty paying school fees, let alone the added cost of school uniform. The situation confirms reports that Swaziland is a country faced with high levels of poverty and unemployment, and that about 78 per cent of the population lives in rural areas in extreme poverty (MDGs, 2010:10). The UNICEF Swaziland Humanitarian Action Report posits that a majority of children in the country suffer going to school on empty stomachs, and continue to be denied their basic universal right to education because they cannot afford books and school uniform (UNICEF, 2008:2).

Consequent upon the abject poverty the children live in, in all the three schools, certain teachers were tasked with the responsibility of identifying needy learners that deserve help. In some schools the teachers use their personal resources to assist the needy learners. Other learners also assist by contributing a certain fee when they come to school in civilian clothing.

5.3 Section Two - Conclusions

5.3.1 The Meaning Educators Attach to Learners' Rights to Dignity

According to Lebech (2004:59) dignity is a human being's highest value which when disclosed in feeling affects us at the deepest level and personally. According to Section 18 of the Constitution,

(3) The dignity of a person is inviolable;

(4) A person shall not be subjected to torture or to inhuman or degrading treatment or punishment (Kingdom of Swaziland, 2005).

If Swaziland, as a signatory to the International Conventions to the Right of the Child, places such high regard on the right to human dignity, by extension, it becomes imperative that teachers should be informed through training sessions on new ways of handling disciplinary issues in schools. From the interviews with the participants, the researchers found that in the teachers' bid to enforce the wearing of mandatory school uniform, learners are subjected to degrading treatment.

It seems that the Government of Swaziland, through the Ministry of Education and Training, is not doing enough in terms of training teachers on the legal implications of laws that protect the rights of children. The researcher found no evidence that the Ministry of Education and Training has provided adequate support structures for teachers to exercise their duties and implement national directives, like enforcing the school uniform policy, within positive learning environments. According to Botha (2004:239), education systems globally have been put under serious demand for transformation by the dramatic and relentless reform initiatives that characterize the school sector (Botha, 2004:239). Challenges such as poverty, the HIV/AIDS pandemic and global reform initiatives are placing a huge demand on the Swaziland Ministry of Education and

Training to fully engage teachers to appreciate dispensational demands in which to perform their duties.

In terms of Section 58(3) of the Constitution, Government has a duty to make schools safe environments in which the dignity of learners is protected, and teachers are empowered with means by which issues of compulsory uniforms can best be implemented without violating the rights of learners to both dignity and education (Kingdom of Swaziland, 2005). According to Mokhene (2013:73), international evidence suggests that the progress of international reforms in education globally depends on the individual and collective capacity of teachers. School leaders, have a duty to transform schools to comply with the changing global policies so that conducive school environments are created, and that all decisions are taken in the best interest of learners for the full potential of learners to be unlocked (Joubert, 2009:7). In “the best interest of learners” principle (Joubert, 2009:7), principals should develop school dress policies that are friendly, taking into account the impact of the HIV/Aids pandemic and the countries’ socio- economic environment (Alston, 2006:90). Teachers should be encouraged to enrol with reputable institutions of higher learning for continuing professional development programmes to equip themselves with improved instructional and intervention practices (Mokhene, 2013:73). That will help them to fully realize their role in the ever-changing education environment and appreciate that learners are complete human beings with their rights protected by law.

5.3.2 The Value Attached to School Uniforms in Swaziland Schools

Section 7.6 of the Education and Training Sector Policy indicates the significance the Government of Swaziland places on school uniforms. The Policy clearly states that uniforms are intended to:

- *“Standardize what all learners wear in schools, thus minimizing perceptions of disparity in learners’ socio-economic status.*
- *Help identify and represent a given school, and to assist in the easy recognition of the school learners when there is need to do so by members of the public”* (Kingdom of Swaziland, 2011).

From the interview sessions with the SMT members, it transpired that uniforms played an

important role in their schools in minimizing perceptions of poverty among the learners.

One principal noted that if the clothes that learners wear when they attend school are not controlled, the poor learners will easily be noticed because they would not have other clothing to change into but would wear the same clothing every day.

Government has laid down a policy that prescribes school uniform for all schools, regardless of the schools' socio-economic environment. Even then, the Policy lacks guidelines on how school leaders should implement compulsory uniform policies. From the data gathered through the interviews and the documents which were analysed, the researcher noted that all three schools use different strategies to enforce the wearing of school uniforms in their schools. One school has a bold statement in its "School Prospectus" that prohibits learners from attending school if they cannot meet the uniform requirements outlined in the school policy. In another school, the teachers completely disregard even weather conditions and continue to confiscate all clothing not considered uniform that the learners wear to keep themselves warm.

The second part of Section 7.6 of the Education and Training Sector Policy on compulsory uniforms which reads, "no child should be excluded from either enrolment or attendance to school for not having alternative school uniform prescribed by the school other than the basic one for everyday use" (Kingdom of Swaziland, 2011), suggests quite a number of aspects:

1. that schools are at liberty to have more than one types of school uniform.
2. that school leaders should not deny learners access to school if they do not have the alternative uniform, but can do so if the learner does not have the basic uniform for everyday use.

From the engagement with the SMT members in the participating schools, the researcher gathered that all the three schools have more than one uniform which cost varying amounts of money. Even though in School A and B the school leaders are flexible enough to allow the learners in the school, the learners are still expected to have all the pieces of the prescribed uniforms at some point.

The indication is that the Ministry of Education and Training should develop a policy to regulate School Committees on how school uniform should be more effectively and fairly

handled. The Ministry of Education and Training should have followed examples of other countries that prescribe the wearing of school uniform; for example, “in South Africa issues of school dress codes take into account provisions of equality in Section 9, human dignity in Section 10, freedom of religion, belief and opinion in Section 15 and freedom of expression in Section 16 of the South African Constitution” (RSA, 1996a; Alston, 2006:89). In the same text, Alston further notes that school uniforms are viewed in the light of the South African Schools Act 84 of 1996 (1996b), and the Guidelines for Consideration of Government Bodies in Adopting a Codes of Conduct for Learners (Department of Education, 1998; Alston, 2006:89). In the United Kingdom where uniforms are compulsory, “uniforms are made an affordable alternative because all schools choose items that are more or less the same, thus making them available at lower and affordable costs” (Walmsley, 2011:64).

5.4 Recommendations

As indicated in Chapter one, the researcher acknowledges that the study of only three schools in only two of the four regions of Swaziland limits the degree to which the findings can be generalized to represent a true picture of the situation in schools in the whole country. However, drawing from the data gathered from the literature, interviews and document analyses of the three participating schools, the researcher made the following recommendations for better enforcement of mandatory uniform policies in Swaziland schools, especially in an effort to protect the learners’ rights to dignity:

1. The Ministry of Education and Training should develop clear guidelines for SMTs to use to interpret and implement Section 7.6 of the Education and Training Sector Policy of 2011.
2. The Ministry of Education and Training should monitor that school uniforms in the country are at no point used to deter learners’ attendance or participation in school activities.

5.5 Conclusion

The study on the protection of the right of learners to human dignity as promulgated by Section

18(1) of the Kingdom of Swaziland, carried out at the three schools in the Lubombo and Manzini regions presented data to the effect that there is clear evidence that suggests that

the rights of learners to dignity are not well protected in the three schools that participated in the study. Poor learners continue to suffer the humiliation of being undressed of clothing that they wear to school because it is not school uniform and it is not acceptable. Some suffer corporal punishment because their parents cannot afford to buy them school uniform. Evidence indicates that this is mostly so because there are no clear guidelines that regulate the implementation of school uniform policy in schools in the country as stipulated in Section 7.6 of the Education and Training Sector Policy (Kingdom of Swaziland, 2011). The guidelines should not only provide sufficient positive rationale for the need to require uniforms in our schools, but should also institute mechanisms for practical solutions to the prevailing socio- economic environment of the learners, by providing assistance to the learners whose parents are struggling to purchase school uniforms.

In the course of the investigation, the researcher has come to the conclusion that further research could be carried out on protecting the dignity of learners in Swaziland schools under the following themes:

1. The extent to which economically disadvantaged learners, especially beneficiaries of Government grants and other sponsorships, can be assisted when the mandatory school uniform policy is enforced in Swaziland schools.
2. The role School Committees should play in protecting the rights of learners to human dignity and education when the mandatory school uniform policy is implemented in Swaziland schools.



APPENDICES

**UNIVERSITEIT VAN PRETORIA
UNIVERSITY OF PRETORIA
YUNIBESITHI YA PRETORIA**

Faculty of Education

**Department of Education
management and Policy Studies**

LETTER TO THE SWAZILAND MINISTRY OF EDUCATION

11th January, 2014.

The Director
Ministry of Education and Training
P. O. Box 39
Mbabane
SWAZILAND

Dear Madam,

RE: PERMISSION TO CONDUCT RESEARCH STUDY

I hereby request permission to conduct a research study at three public schools in the country. I am currently enrolled in the Faculty of Education at the University of Pretoria in South Africa, and am in the process of writing my Master's Dissertation. The study is entitled "*School Uniforms and the Human Dignity of Learners in Swaziland*". This study will not only help me explore the extent to which learners' rights to human dignity is protected schools, but will also help explore the strategies that are currently employed by teachers when enforcing the wearing of compulsory school uniforms in the country.

I intend to conduct structured interviews with the principal, the deputy principal and one senior teacher from each of the selected schools in order to gain their perceptions on the current situation in their schools. The three schools have been purposively chosen to give the research a broad view and the acceptable degree of diversity. The names of the participants and their schools will be kept anonymous and their views will be kept confidential. The senior managers who volunteer to participate will be given forms to sign their consent to the voluntary participation in the study, (copy enclosed).

The participants will be routinely offered feedback on the study, and availed an opportunity to delete data which they feel may be harmful in the research. In addition, participants will be allowed to discontinue their participation at any point. No costs will be incurred by the school or the individual participant.

A copy of the completed dissertation will be availed to the Ministry of Education and Training. I am certain that the findings of the research will be helpful to all education practitioners in the country's quest for the protection of the right of learners to human dignity.

I thank you in advance for any assistance in this matter. I look forward to your positive response.

Faithfully
yours,

Mfanzile Bhembe
Student Researcher

Prof. Rika Joubert.
Supervisor

LETTER FROM THE DIRECTOR OF EDUCATION

The Government of the Kingdom of Swaziland



Ministry of Education & Training

Tel: (+268) 2 4042491/5
Fax: (+268) 2 404 3880

P. O. Box 39
Mbabane, SWAZILAND

7th March, 2014

Attention:
Head Teachers:

THROUGH
Manzini & Lubombo Regional Education Officers

Dear Colleagues,

RE: REQUEST FOR PERMISSION TO COLLECT DATA FOR UNIVERSITY OF PRETORIA STUDENT – MR. MFANZILE BHEMBE

1. Reference is made to the above mentioned subjects.
2. The Ministry of Education and Training has received a request from Mr. Mfanzile Bhembe; a student at the University of Pretoria, that in order for him to fulfill his academic requirements at the University of Pretoria, he has to collect data (conduct research) and his study or research topic is: *School Uniforms and Human Dignity of Learners in Swaziland*. The population for his study comprises of administrators (Principals and their Deputies) from the above mentioned schools. All details concerning the study are stated in the participants' consent form which will have to be signed by all participants before Mr. Bhembe begins his data collection. Please ensure that parents sign the *Parent Consent form* for their children under the age of 18 years before they participate in this study.
3. The Ministry of Education and Training requests your offices to assist Mr. Bhembe by allowing him to use above mentioned schools in the Manzini and Lubombo regions as his research sites as well as facilitate him by giving him all the support he needs in his data collection process. Data collection period is one month.

Regards,


DR. SIBONGILE M. MTSHALI-DLAMINI
DIRECTOR OF EDUCATION AND TRAINING

cc: Regional Education Officers – Manzini & Lubombo
Chief Inspector – Primary & Secondary
3 Head Teachers of the above mentioned schools
Prof. Rika Joubert.



Page 1



UNIVERSITEIT VAN PRETORIA
UNIVERSITY OF PRETORIA
YUNIBESITHI YA PRETORIA

Faculty of Education

PERMISSION TO CUNDUCT RESEARCH STUDY

4th December, 2013

The Principal/Deputy Principal/Senior Educator

_____ School

Dear Sir/Madam,

RE: PERMISSION TO CONDUCT RESEARCH STUDY

I am writing to request permission to conduct a research study with you at your school. I am currently enrolled in the Faculty of Education at University of Pretoria in South Africa and am in the process of writing my Master's dissertation. The study is entitled "**School Uniforms and the Human Dignity of Learners in Swaziland**".

I hope you will avail me an opportunity to conduct a semi-structured interview with you and analyse documents in your office that pertain to school uniforms and dress codes. Your name will be kept anonymous and your views will be kept confidential. The interview will last for a period not exceeding one hour, and you will be free to suggest the time and venue on the school campus that will be convenient to you. The interview will be both noted down and tape recorded, and no cost will be incurred by you or the school. I have attached an interview schedule consisting of all questions to be asked and the relevant documents to be analysed.

Your school has been purposively selected so as to give the research study a broad view and to reflect the acceptable degree of diversity. You and your school will not be identified either by name or by implication by any reader or findings of this research. You will be routinely offered the findings and feedback and allowed to modify data which you do not want to be used in the research. In addition, you will be allowed to discontinue with the study at any point.

I hope the findings of the research will be of great help to you and your staff, and together we might find solutions that will enable that the teaching-learning process takes place in an environment where the right of learners to human dignity is protected and guaranteed.

If you agree to participate in this research, kindly fill in and sign the consent form attached. Should you have any difficulties or queries, feel free to contact me at 7603 4489 or by email at nzilebhembe@yahoo.com.

Your assistance in taking part in this research is highly appreciated. Faithfully yours,

Mfanzile Bhembe
Student Applicant

Prof. Rika Joubert
Supervisor

PERMISSION TO CUNDUCT RESEARCH STUDY



UNIVERSITEIT VAN PRETORIA
UNIVERSITY OF PRETORIA
YUNIBESITHI YA PRETORIA

Faculty of Education

4th December, 2013.

The Principal/Deputy/Senior Educator,
_____ School.

Dear Sir/Madam,

RE: PERMISSION TO CONDUCT RESEARCH STUDY.

I am writing to request permission to conduct a research study with you at your school. I am currently enrolled in the Faculty of Education at University of Pretoria in South Africa and am in the process of writing my Master's dissertation. The study is entitled "**School Uniforms and the Human Dignity of Learners in Swaziland**".

I hope you will avail me an opportunity to conduct a semi-structured interview with yourself and analyse documents in your office that pertain to school uniforms and dress codes. Your name will be kept anonymous and your views will be kept confidential. The interview will last for a period not exceeding one hour, and you will be free to suggest the time and venue on the school campus that will be convenient to you. The interview will be both noted down and tape recorded, and no cost will be incurred by you or the school. I have attached an interview schedule consisting of all questions to be asked and the relevant documents to be analysed.

Your school has been purposively selected so as to give the research study a broad view and to reflect the acceptable degree of diversity. You and your school will not be identified either by name or by implication by any reader or findings of this research. You will be routinely offered the findings and feedback and allowed to modify data which you do not want to be used in the research. In addition, you will be allowed to discontinue with the study at any point.

I hope the findings of the research will be of great help to you and your staff, and together we might find solutions that will enable that the teaching-learning process takes place in an environment where the right of learners to human dignity is protected and guaranteed.

If you agree to participate in this research, kindly fill in and sign the consent form attached. Should you have any difficulties or queries, feel free to contact me at 7603 4489 or by email at nzilebhembe@yahoo.com.

Your assistance in taking part in this research is highly appreciated.

Faithfully yours,

Mfanzile Bhembe

Student Applicant

Professor Rika Joubert

Supervisor



CONSENT FORM

**VOLUNTARY PARTICIPATION IN THE RESEARCH STUDY
ENTITLED:**

*School Uniforms and the Human Dignity of Learners in
Swaziland.*

I, _____ the principal/ deputy principal/ senior teacher of
in _____ Region, hereby voluntarily agree to participate in the
above mentioned study. I declare that the following issues have been thoroughly
explained to me by Mr M. M. Bhembe, currently, an MEd (Education Leadership)
student at the University of Pretoria.

- The aims, scope, purpose, possible consequences and benefits of the research,
- The method of collecting data needed for the research,
- The means by which the research will attempt to ensure confidentiality,
anonymity and integrity of the data collected,
- That I am at liberty to withdraw from the study at any time.

Mr M. M. Bhembe
RESEARCHER

Date

Principal/Deputy Principal/Teacher.

Date



UNIVERSITEIT VAN PRETORIA
UNIVERSITY OF PRETORIA
YUNIBESITHI YA PRETORIA
Faculty of Education

RESEARCH ETHICS COMMITTEE

CLEARANCE CERTIFICATE

CLEARANCE NUMBER :

EM 13/06/01

DEGREE AND PROJECT

MEd
School uniforms and the human dignity of learners in Swaziland

INVESTIGATOR(S)

Mfanzile Mlamuli Bhembe

DEPARTMENT

Education Management and Policy Studies

DATE CONSIDERED

17 November 2014

DECISION OF THE COMMITTEE

APPROVED

Please note:

For Masters applications, ethical clearance is valid for 2 years

For PhD applications, ethical clearance is valid for 3 years.

**CHAIRPERSON OF ETHICS
COMMITTEE**

Prof Liesel Ebersöhn

DATE

17 November 2014

CC

Jeannie Beukes
Liesel Ebersöhn
Prof HJ Joubert

This ethical clearance certificate is issued subject to the following condition:

1. It remains the students' responsibility to ensure that all the necessary forms for informed consent are kept for future queries.

Please quote the clearance number in all enquiries.

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