COMBATING BULLYING IN SCHOOLS: A SOUTH AFRICAN LEGAL PERSPECTIVE

By

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Dedication

I dedicate this dissertation to my parents – thank you for your unwavering faith in me.
I love you.
Acknowledgements

First and foremost, I thank God for giving me the strength and ability to complete this dissertation. I can do all things through Him who gives me strength.

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List of abbreviations

APD: Antisocial Personality Disorder
CD: Conduct Disorder
ETB: Educator Targeted Bullying
ODD: Oppositional Defiant Disorder
OBPP: Olweus Bullying Prevention Programme
SACE: South African Council of Educators
SASA: South African Schools Act 84 of 1996
WHO: World Health Organisation
Summary

This study holistically examines the status quo of learner-on-learner bullying in South African schools. An exposition is given pertaining to inter alia constitutional law, common law, statutory provisions and case law. Since bullying is a global problem, a legal comparative study is necessary in order to place the phenomenon of bullying into context. Concepts such as bystander behaviour, bullycide and restorative justice feature prominently in this dissertation. Important findings include the necessity of drafting of anti-bullying legislation as well as the inception of bullycide as a statutory crime. Furthermore, restorative justice processes are critically important to not only rehabilitate and reintegrate the bully, but also to vindicate the victim in a way that protects and promotes the rights of all parties involved. Recommendations are made with regard to the importance of a national anti-bullying policy to be implemented in conjunction with existing codes of conduct.

Keywords: Bullying, bullycide, restorative justice, anti-bullying policy, victim, bully, bystander behaviour, ubuntu
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Plagiarism Policy Agreement

Declaration of Originality