

**Educators' understanding of the learners' right to human dignity in  
secondary schools**

By

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I, Richard Petso Zwane hereby declare that this dissertation, ***“Educators’ understanding of the learners’ right to human dignity in secondary schools”***, is submitted in accordance with the requirements for the Magister Educationis degree at University of Pretoria, is my own original work and has not previously been submitted to any other institution of higher learning. All sources cited or quoted in this research paper are indicated and acknowledged with a comprehensive list of references.



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Richard Petso Zwane

## **Dedication**

I dedicate this to:

- God Almighty for giving me insight, wisdom, strength in every step of the way. Today I am a testimony of God's power at work.
- My late mother, who took pride in all my achievements, my lovely wife, Angel, and my precious children, Lindelwa, Tsepo and Busalive. I appreciate your support and encouragement.
- My late father whose name I strive to carry with pride and wish to continue to uphold.

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## **Abstract**

The objective of this study was to investigate educators' understanding of the right to human dignity within a school context. A sample of principals, deputy principals, senior teachers, HODs and educators from four different schools in one Education District in Mpumalanga Province, South Africa participated in this study. The study was motivated by the increasing number of cases that have been reported on the infringement of the learners' right to human dignity which includes rape, sexual abuse, harassment, bullying and assault of learners in South African schools. A qualitative case study was conducted using interviews and document analysis to gather data. The conceptual framework was based on the interpretation and implementation of the right to human dignity. The study provided insight into what educators think of the concept of human dignity and what they do or fail to do regarding the promotion and protection of the right. Most participants perceived the right to human dignity as a basic right and related it to integrity and respect. However, there were also misconceptions about the concept. Some educators lacked an understanding of the right to dignity which had negative consequences on their classroom practice. This gave rise to infringements and violations of the right to human dignity of the learners as reported in this study. Name-calling, ridiculing and degrading of learners and character assassination were common experiences. The findings of this study also revealed a lack of clear guideline for educators to use in the promotion and protection of the right to human dignity. The findings indicate the necessity to conduct more school-based research on human rights that will open dialogue on how to integrate rights in teaching and learning activities. Educators do not seem to know how to interact with the learners in positive and constructive ways in their schools within the confines of the Constitution. This study supports the findings of Serame and others which call for a culture of humanity and accountability in South African schools.

**Key words:** Human dignity, rights, protection, promotion, infringement, educators, learners.

### List of Abbreviations

ACHR	American Convention on Human Rights
BoR	Bill of Rights
CAPS	Curriculum and Assessment Policy Statement
CC	Constitutional Court
EC	Education Council
ELRC	Education Labour Relations Council
FET	Further Education and Training
ICCPR	International Covenant on Civil and Political Rights
MEC	Member of the Executive Council
OAU	Organization of African Unity
PED	Provincial Education Department
RNCS	Revised National Curriculum Statement
SAHRC	South African Human Research Council
SASA	South African Schools Act
SGB	School Governing Body
SMT	School Management Team
UDHR	Universal Declaration of Human Rights
UN	United Nations
UP	University of Pretoria

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## CHAPTER ONE

### INTRODUCTION AND BACKGROUND OF THE STUDY

#### 1.1 Introduction

In 1994 South Africa adopted a democratic Constitution (RSA, 1996). The new Constitution includes the Bill of Rights which guarantee the rights of individuals: some of which are considered basic rights, namely human dignity, equality and freedom as stated in Section 7 (1) (Pillay, 2014). In ancient Roman times the concept '*human dignity*' was associated with honour and respect given to a person worthy of a particular status (McCrudden, 2008; Kruss, 2001). Today human dignity is acknowledged as a Constitutional value in understanding human rights, including equality and other rights and refraining from treating people in any unacceptable way, (Al-Daraweesh, 2013). Dayton and Dupre (2009) affirm that the right to human dignity is seen as a legitimate aspect of individuals of crucial importance and should be viewed as a basic human right. McCrudden (2008) further asserts the importance of the right to human dignity as founded upon the requirements of the Constitution which means the right must be appreciated and secured. Human dignity is proclaimed in national Constitutions and it is also both centre and root for other rights in their interpretation (Botha, 2009). Human dignity is considered to be the highest value and is the anchor, providing the limitation to other existing human rights (Reyneke, 2011). The South African Schools Act (RSA, 1996) is consistent with the Constitution of South Africa (RSA, 1996) that was legislated to create a platform for establishing a culture of respect for the learner's right to human dignity. This legislative provision was specifically made to safeguard the learner's right to human dignity. The right to human dignity is branded an essential concept in the education fraternity and has become a great concern in the arena of public education (Serame, Oosthuizen, Wolhuter & Zulu, 2013). In schools, the right to human dignity suggests equal worth and esteem for the wishes of educators, learners, officials and all who are concerned about educational matters (De Waal & Serfontein, 2014). South African educational leaders and stakeholders are faced with the formidable challenge of providing an environment where human dignity as a right is clearly understood, adequately promoted and protected (Joubert, De Waal & Rossouw, 2004).

The legislative framework provided to promote and protect human dignity, requires educators to understand how to use and implement its contents within a school context. Studies by Lindner, Hartling and Spalthoff, (2011) and Hammett and Staeheli (2011) focused on general issues regarding human rights; however, only a few studies have specifically addressed the issue of human dignity at school level. Hence a huge gap exists in this regard. Knowledge on protecting the rights of children is very important because schools are expected to comply with basic Constitutional principles. Efforts to promote Constitutional rights of learners should take into consideration the diverse nature of South African society and examine the existing differences between environments where schools are located. Thus, they should create an environment that respects the human dignity of learners and ensure and establish an effective teaching and learning process. All role players within the school environment must have a sense of self-worth. But the current state of affairs, particularly the educators' discharge of their teaching responsibilities, begs the question of the educators' understanding of human dignity within a school context. Serame, Oosthuizen, Wolhuter and Zulu (2013) assert that schools are plagued with a deteriorating attitude towards the promotion of the right to human dignity.

Mudzongo (2002) found that educators may believe that respecting a child's right to human dignity hinders the correction of learner behaviour and may portray educators as too lenient. Instead educators are expected to be tough and no-nonsense people. Mudzongo (2002) further argues that educators may protect each other when one has transgressed. This encourages practices that infringe the right to human dignity. While implementing human rights education often leads to problems for adults, broadly speaking, it requires greater attention in schools, since they primarily serve young learners. Mudzongo's study (2002) identifies the need to explore how educators understand the learner's right to human dignity and thus, to address infringements or violations of human dignity within the school environment which may occur. A lack of respect for human dignity in schools may seriously hinder the objectives of learning and teaching. Wolhuter and Van Staden (2008) indicate that there is need for both educators and learners to show mutual respect, promote and protect human dignity within a school context in order to positively impact teaching and learning.

Botha (2009) also asserts that any disruptive behaviour may significantly affect the fundamental right to human dignity if respect for this right is neglected. In South Africa, incidences of serious violations of the right to human dignity have been reported in public secondary and private schools (Botha, 2009; Wolhuter & Van Staden, 2008; Mathe, 2012). Maboe (2013) argues that the frequency and seriousness of violations of the right to human dignity in South African have serious implications. Meier, Van Wyk and Lemmer (2007) found that the South African schools' record on respect for human dignity in particular is of concern given reported cases of violation of this right. Reactive and punitive strategies have raised worldwide concern over South Africa's record of human right abuse and hence the decline in respect for human dignity (Meier et al., 2007). In dysfunctional schools, the culture of human rights is virtually absent and educators' competence in handling the human dignity issue is questionable. Botha (2009) has indicated that, regarding the increasing incidences of human rights violations as stated in media, there is need to explore the educators' understanding of the concept of human dignity.

## **1.2 Problem statement**

In spite of the progressive legislation and the Constitutional reforms in South Africa, literature indicates that children's right to human dignity remains a diffuse concept for most educators (Ersoy, 2012). According to Reid et al, (2007) and Murray (2010), schools may still practice outlawed strategies to control the behaviour of learners. Such actions contradict what is expected of educators. Infringements of the child's right to human dignity include rape, abuse and harassment, bullying and assault in schools (Mawson, 2004; Prinsloo, 2006; De Wet, 2006). Rape cases in particular involve persons below the age of 15 years who are still of school-going age and perpetrators are often male school teachers (Ersoy, 2012). This suggests that the victims of such incidents are school-going children whose right to human dignity may most likely be violated in the school.

A classic example follows. The South African Human Research Council (SAHRC) received a complaint in January 2014 that a 12 year old learner enrolled at a farm school in the North West Province, wore running shoes to school due to damage to his school shoes. He carried the school shoes as substantiation for wearing running shoes.

The learner's mother also wrote a note to the teacher clarifying the reason for her son's infringement of the dress code. This did not convince the said educator, who consequently penalized the child by punishing him. The educator struck the learner and he fell. Consequently, he suffered hearing loss. Another learner in the same class intervened by asking the educator why he had assaulted his classmate; the educator retaliated by hitting the second learner and broke his jawbone. The case was taken to court which passed judgment that the educator should be demoted. The educator's appeal was denied. Families of both learners were initially unwilling to lay charges against the educator (City Press, 2015). These gross human dignity violations raise a serious concern: whether educators understand the right to human dignity and their responsibility to promote and protect this right (SAHRC Annual Report, 2015). Rape, abuse, harassment and bullying in schools could imply different conceptions/understanding of the learner's right to human dignity in South African secondary schools. In this study the researcher argues, "*We do not know and cannot tell how educators understand the concept of human dignity*". Moreover, "*We do not have the knowledge of their experiences to draw from to help us in understanding how educators give meaning to the right to human dignity*".

### **1.3 Rationale**

The reviewed literature shows that many studies on human rights focus primarily on abuse and how to handle such cases (Mawson, 2004; Prinsloo, 2006; De Wet, 2006; Botha, 2009; Wolhuter & Van Staden, 2008; Mathe, 2012). The literature is silent on how educators understand the child's right to human dignity which may influence how the right is implemented, promoted and protected in the school environment. In particular, studies in Mpumalanga Province, South Africa on how educators understand the right to human dignity are lacking. The aim of this study is to provide insight into what educators think of the concept of human dignity and what they do or not do regarding this fundamental right.

The researcher became interested in the concept of human dignity during a project that he carried out during B.Ed. Honours. He realized the importance of protecting human rights and promoting a human rights culture in education. In particular this demands that the classroom practice be adjusted to promote and protect learners' right to human dignity.

It became clearer why learning and teaching should be practically orientated in order to establish a non-harmful environment of lived legacy of human dignity. In this way the violations of the learner's right to human dignity may be reduced.

#### **1.4 Purpose of the research**

The purpose of this study was to explore how secondary school educators understand and view the learners' right to human dignity within a school context.

The objectives were as follows:

- To investigate how educators understand the right to human dignity.
- To explore educators' experiences and actions that promote and protects the learners' right to human dignity.
- To determine educators' perceptions on the practices in their schools that could infringe the right to human dignity.
- To explore the views of educators regarding the implementation of the learners' right to human dignity in school.

#### **1.5 Research questions and sub-questions**

The main research question is formulated as follows: How do secondary school educators understand and view the learners' right to human dignity within a school context?

The study therefore attempts to answer the following *sub-questions*:

- How do educators understand the right to human dignity?
- What are the experiences and the actions of educators regarding the promotion and protection of the learners' right to human dignity within schools?
- What are the educators' views of the practices in their schools that could infringe the right to human dignity?
- What are the educators views regarding the implementation of the learners' right to human dignity in the school? How is it implemented?

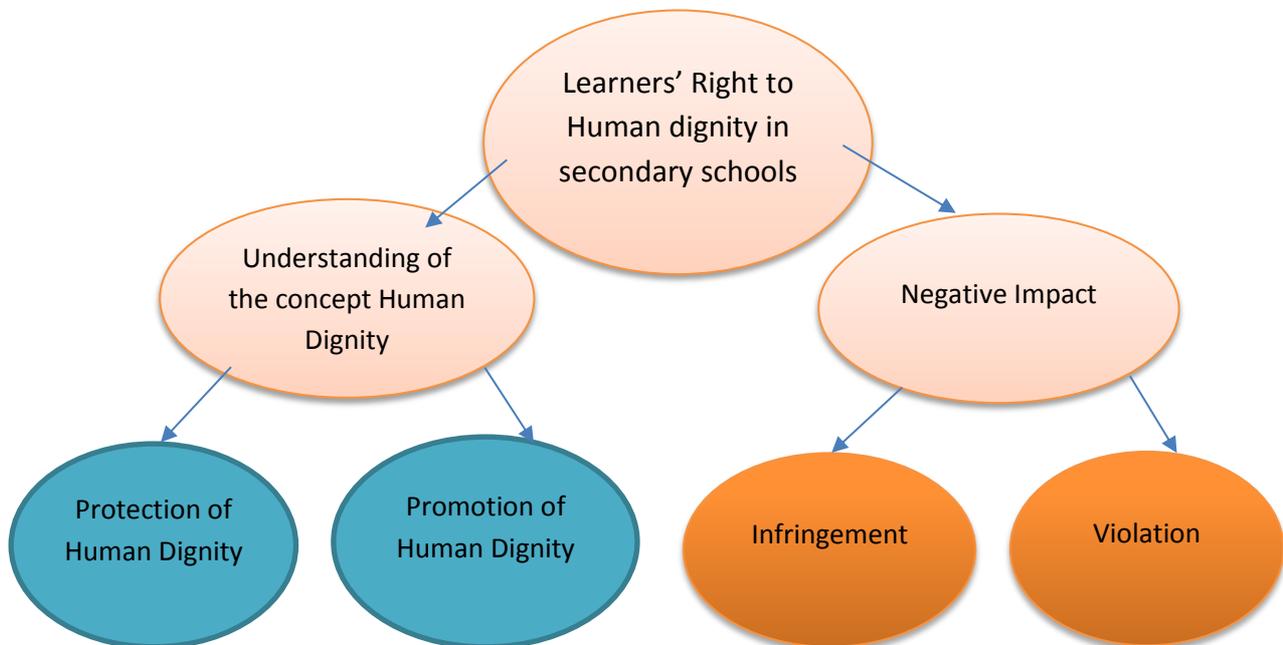
## **1.6 Conceptual framework**

According to De Waal and Serfontein (2014), a theoretical framework shows the boundaries and the reason for doing the research. It provides a structure that can be used as a guide in data collection and data analysis (Liehr & Smith, 1999). Imenda (2014) states that a theoretical framework should be used as a lens in the process of data analysis to ensure consistency between the aim of the study, the questions asked and the research findings. The researcher should conduct a thorough literature review to select or develop a theoretical framework that fits the proposed study (Imenda, 2014). Creswell (2009) concurs that the conceptual or theoretical framework should provide a structure for investigating a research problem.

The case study presented in this study focused on exploring how secondary school educators understand the learners' right to human dignity within a school context. This study investigates a section of the Bill of Rights which is entrenched in the Constitution of South Africa. The Constitution is prescriptive when interpreting human rights in the Bill of Rights. The conceptual framework is based on the interpretation and implementation of the right to human dignity. In terms of the South African Constitution, when interpreting the Bill of Rights, a court, tribunal or forum must promote the values that underlie an open and democratic society based on human dignity, equality and freedom (RSA, 1996).

Understanding human dignity is linked to protection and promotion of the right. A negative impact is linked to infringement and violation of the right as illustrated in Figure 1.1.

Figure 1.1 Conceptual Framework: Learners' Right to Human Dignity in Schools



In the context of key global beliefs in education, the rights-based approach to human dignity has been used to understand human dignity (Becker, 2013). According to Dembour (2010), this approach is referred to as the natural school of thought of human rights. Becker, De Wet and Parker (2014) assert that the approach comprises the ongoing practice of rights-based education towards transformative action. This study searches for an understanding of the learner's right to human dignity and educators' endeavor to promote and protect this right in secondary schools.

### 1.7 Paradigmatic perspectives

The research seeks to explore, understand and interpret educators' understanding of the right to human dignity. The researcher's paradigm perspective may therefore be described as interpretive and subjective. The focus of this study is on the participants' understanding and views of human dignity within the context of the school environment and its surroundings.

The interpretivist paradigm enables the researcher to view the data collected from the participants as their individual interpretation of human dignity. The interpretivist paradigm allows the researcher to gain insight from participants' responses that relate to the research questions. The individual understanding and experiences and the researcher's interpretation of the data create knowledge on the defense and advancement of the right to human dignity of the learners in the selected schools.

### **1.8 Qualitative approach**

In this study the researcher used a qualitative research approach. According to Merriam (2009), qualitative research is a scholarly study in which the researcher depends on the interpretations of participants; probes using expansive common questions; collects data mainly comprising of words from participants; analyses and describes these in order to formulate themes; and conducts the investigation in a biased subjective way. Creswell (2003) asserts qualitative researchers are interested in understanding the participants' experiences and what it means to them, that is, how they create meaning of their own world and the phenomenon. Qualitative research requires that the researcher interprets the real world from the perspective of participants (Snauwaert, 2013). In this research data were collected in order to understand the educators' experiences and meaning they have constructed about the phenomenon of the right to human dignity as they carry out their daily teaching duties. A qualitative research approach therefore was suitable for this study because of its potential to create the reality as interpreted from the participants' points of view. The advantages and the disadvantages of qualitative research approach are discussed in chapter 3.

### **1.9 Research design**

In this study the researcher employed a case study research design. Cohen et al. (2000) define a case study as a study of an occurrence in its natural setting. No single educator, senior manager or school is studied; rather, the boundaries of a single case have been selected for the participants to understand their reality more clearly.

Creswell (2009) affirms this definition by stating that case study research design gives an extensive description of the case studied in order to understand individual thoughts rather than only presenting them as intellectual notions. The qualitative case study facilitates an exploration of a phenomenon within its context using a variety of sources of data, (Baxter & Jack, 2008).

The in-depth understanding of the learners' right to human dignity will be carried out in four different schools in two different quintiles (namely 1 and 4). The schools have been purposively selected in order to gain more insight into the manner in which educators promote and protect the learners' right to human dignity.

#### *1.9.1 Selection of site and participants*

In this study four schools in the Gert Sibande region have been purposively sampled. Creswell (2009) explains that in purposive sampling, the researcher deliberately selects participants and the locations to acquire and understand a phenomenon. Schools have been carefully selected to correctly set the boundaries for gathering information and identifying the research participants. Purposive sampling presents an opportunity for the researcher to select relevant sites and credible participants who have experienced the phenomenon under study. In this study, I selected secondary schools from quintile 1 and the other two schools from quintile 4. This allowed for rich information gathering regarding the experiences of the educators and their opinions of the learners' right to human dignity. The selected schools had a high number of reported cases of human rights' violations such as use of corporal punishment, assault and sexual relations between a teacher and learner.

#### *1.9.2 Data collection methods*

Data gathering techniques in qualitative research include interviews, observations and document analysis (Wubbels, 2011). In this study, semi-structured interviews were used to collect data. The second data collection method was document analysis. The data collected using semi-structured interviews were triangulated by the data from document analysis.

### 1.9.2.1 Semi- structured in-depth Interviews

Semi-structured interviews were the core data collection method in this research. Merriam (2009) asserts that semi-structured interviews not only enable the participants to talk about their experiences without the influence of the researcher's viewpoint, but also allow them to create options for best responses. The researcher used pre-determined questions as a guide during the interview (Bryan, 2008). The interview schedule developed by the researcher was used to ask the participant the same questions through probing and gave the participants the freedom to express legal and personal views on the research topic (Creswell, 2009).

### 1.9.2.2 Document analysis

In this study document analysis was used as an additional data collection method. Document analysis is a process that involves using existing written text rich in information as a source of data (Creswell, 2009). Documents serve as records of activities that the researcher could have observed directly or answers to questions that could have been asked during the interview. Document analysis is a form of qualitative analysis that requires researcher to locate, interpret, analyse and draw conclusions about the evidence presented. Document analysis is effective and can be used in verifying, corroborating evidence collected through interviews, observation and other data collection methods (Yin, 2009). The researcher requested documents, namely the school's code of conduct for learners, Constitution, and policy on discipline, class rules and other documents that informed how learner behaviour was managed. The advantage of document analysis is that documents are produced and preserved as part of the record of the school. These documents assisted the researcher in triangulating data from other sources.

## **1.10 Significance of study**

Since the researcher is aware that the implementation of the right to human dignity could pose a challenge to principals who are tasked with protecting and promoting it in schools, he focused on educators' understanding of the right. This could alert education authorities in future to educational and legal expectations.

As this right encompasses a wide spectrum of meanings, he focused on educators' understanding of the right. The aim was to establish if there are violations or infringements. This study may benefit authorities who should understand the right to human dignity. It may also serve a preventative function with regard to infringement and thus prevent court cases. The study has aimed to contribute to the practice of management policy for educators, policy-makers and scholars. The study may assist the authorities to establish a better framework on which to implement human rights education. An appropriate framework is important to address human dignity both at school and at national levels. Understanding the right to human dignity may significantly reduce the cases of abuse reported in South African schools. Understanding human dignity forms the basis of understanding how children develop and are prepared for responsible citizenship.

### **1.11 Summary of the chapter**

Chapter 1 discussed the background to the study, the rationale behind the study, the main research question and sub-questions and problem statement with a specific example. The research design including data collection and analysis and the significance of the research were discussed.

## CHAPTER TWO

### LITERATURE REVIEW ON THE RIGHT TO HUMAN DIGNITY

#### 2.1. Introduction

In chapter one the background to the study, the rationale behind the study, the main research question and sub-questions and the problem statement were discussed. The purpose of this chapter is to present literature review that explores what is known about human dignity in South African schools, and what needs to be added to the body of knowledge of the concept human dignity. The literature provides a background on the central issues of human dignity, the effects of contravention of the learners' right to human dignity and an overview on Constitutional obligations of educators in the South African context. This review of literature focuses on a definition of human dignity, the effects of infringement of the right to dignity and an overview of the Constitutional obligations of educators. According to Cotzee and Mienie (2013), the right to human dignity is the focal point of Constitutions of various nation states. In order to establish and maintain a disciplined and purposeful environment for effective teaching and learning in schools, educators need to apply effective disciplinary methods which do not infringe the learners' right to human dignity and respect (Dayton & Dupre, 2009). Maphosa and Mammen (2011) concur with the view that emerging and also established democracies see the right to human dignity as the root for the interpretation of human rights. South Africa is no exception to this discourse. Schools are centres of future citizens who should be nurtured to become aware of the importance of protecting the right to human dignity. Many activities take place in schools which demand that the interaction between educators and learners be regulated to harness desirable future behaviours. But in the educator-learner interaction, one would wish to focus the lens on how educators deal with the concern for human dignity.

The key persons in protecting and promoting human rights are educators, students (learners), education administrators and parents. But the specific focus is on educators and how they understand human dignity within a secondary school context. Each of these groups mentioned may have different perceptions and responsibilities as they relate to the right to human dignity.

The different roles played by different stakeholders and their experiences will be explored and explained through the following literature review.

## **2.2 What is human dignity?**

Human dignity as a concept is ubiquitous. It is articulated in various different languages: *la dignite humaine* (French), *menslike waardigheid* (Afrikaans), *Zulu* (Ubuntu) or *hadhi* (Swahilli), (Tapola, 2011). Comprising the expression 'human dignity' is the word, human, which is related to the Latin word *humus* (earthly) referring to our nature (Lindner, Hartling & Spalthoff, 2011). We are 'earthly' which means the proper kind or human being deserves to be treated as such. This predicate 'human' implies that we, as social beings, have the highest degree of rationality compared to the other species of rational animals (Dayton & Dupre, 2009). The word dignity derives from the Latin word '*decus*' which can be explained as honour or glory (Tapola, 2011). But generally speaking dignity may refer to that which deserves respect or distinction. The definition which appears in and cuts across most articles collected for this literature, explains human dignity as that which protects individuals from humiliation and is explained as *self-worth and well-being* of an individual (Lindner, Hartling & Spalthoff, 2011). Combining 'human' and 'dignity' we have the expression that qualifies and entitles the status of a personal being that deserves respect and honour.

Human dignity is therefore considered as the highest value that most Constitutions of the world do and must uphold. Freeman (2010) asserts that the word 'dignity' comes from the Latin word, '*dignitas*' which denotes both status of an individual and the bearing that is associated with status. The right to human dignity affects the deepest level of human nature (Barrett, Casey, Visser & Headley, 2012). It is clear that everyone's interest is to be respected and have their dignity valued inalienably (Lindner, Hartling & Spalthoff, 2011). Human dignity is seen as the most important tool which can be used to solve the practical and theoretical problems in human rights law.

Human dignity has a very strong religious root but this has been transcended by today's human rights discourse.

Human dignity is seen in relation to reason (Reyneke, 2011). Reyneke further argues that the *gift of reasoning* gives a human being dignity. It is for this reason that *mutual respect*, and *esteem* must be adequately addressed in order to take root and grow in the centres where future citizens are prepared (i.e. schools).

However, researchers do not hold an identical view of the notion of human dignity. There is no universally accepted perception of human dignity. Similarly, this study does not claim a common perception of human dignity. The lack of concept clarification is a challenge to many researchers. If an explanation of human dignity as a notion is lacking, it becomes a proclamation without substance. Recent research in education reveals an international interest in the issue of human dignity which is not restricted to a specific location (Dayton & Dupre, 2009; Lindner, Hartling & Spalthoff, 2011; Cotzee & Mienie, 2013). For example, there is a debate about ethical issues, for instance, responsibility or disregard for human dignity, which can be connected to witnessed actions, and which may be gauged by making a proper judgement of deriving the meaning of human dignity through data (Lishchinky-Shapira, 2011).

In educators' interaction with learners, a clear view of human dignity is often lacking. Researchers assume a generally held description of human dignity relevant to the classroom and school practice (Cotzee & Mienie, 2013). Research also reveals that human dignity fares badly when compared with the issues of equality, freedom and autonomy as values captured in the human rights discourse (Lindner, Hartling & Spalthoff, 2011). Against this debate human dignity is seen as a subjective norm which can often be utilized to justify moralism and paternalism (Hammett & Staeheli, 2011).

At *school level* there appears a shallow approach to human dignity which engenders criticism of educators who are not knowledgeable on this subject. The intent of this study is not to defend educators or oppose the national Constitutional obligations of educators. This is corroborated by the review of literature (Dayton & Dupre, 2009; Lindner, Hartling & Spalthoff, 2011; Cotzee & Mienie, 2013). Today, humankind is moving closer to what is termed the global village.

As this happens individuals at all levels of society are asking the question: do you respect me and my cultural background, or do you despise me and treat me inhumanly? As part of this global village, it can be asked: what kind of citizens is being prepared by schools? The consequences of a negative outcome can exercise an enormous impact on the entire objective of the education system (Naicker, Myburgh & Poggenpoel, 2014).

### **2.3 What is the expected role of the educator?**

In South Africa legal principles, concepts and procedures guide schools on how to handle the learners' dignity. Educators are at the centre of learner protection within school environments. The legal duty of care of educators places educators *in loco parentis* to the children in schools. The Constitution prevents all forms of harm and degradation of human dignity. Other laws, such as the Children's Act, common law and case law all promote human dignity. The duty of care and *in loco parentis* as stated in education law especially in the South African Schools Act (SASA) should therefore be the core concern of educators in schools. The promotion and protection of the learners' right to human dignity within the school context is part of their responsibility. Moreover, according to Naicker and others (2014), South Africa is a co-signatory to the international accords on human rights, namely the Declaration of Universal Human Rights adopted by the United Nations in 1948. In 1994, South Africa adopted a democratic Constitution which guarantees the right to human dignity, freedom and equality and many other rights (Prinsloo, 2005). The country followed the example of passing legislation for the advancement of children's rights and their safety as has been the case of most young democracies around the globe. These mandates relate directly to the purpose of the study, that is, how educators handle the issue of human dignity in their school environments.

Our learners must learn to appreciate that misconduct attracts sanctions, which may, in appropriate circumstances, include expulsion. This implies that any corrective measure should encourage learners to learn from their mistakes. Correction should take place in a trusting, mutually respectful relationship between educators and learners. This is the expectation. The question can be asked to what extent does this happen in our schools. One area that directly affects this study is the issue of ethics.

A study by Lishchinky-Shapira (2011) indicated that schools of education have attempted to address the issue of teacher ethics indirectly by requiring that pre-service training of educators should draw the attention of schools to undesirable behaviour contrary to professional ethics that affects educators' professional growth and the fulfillment of their professional obligations. However, Maphosa and Mammen (2011) criticized the notion stating that the content of pre-service training promotes political indoctrination and controversy. While they agree that educators need help, no strategy has been adopted to solve the problem.

#### **2.4 Infringement of the learner right to human dignity**

Unluer (2012) explains that any offence that violates or threatens to violate the dignity of a person is an infringement on the human right. The effect of infringement is a very complex subject as indicated by various studies. The current understanding of the theoretical complexity of these infringements limits this study to *educators' handling of the human dignity issue at school level*. Literature indicates inconsistencies in the manner in which social relations are addressed at school level, (Naicker, Myburgh & Poggenpoel, 2014). These have psychological characteristics which include shame, humiliation and injured self-worth, (Maphosa & Mammen, 2011). These negative outcomes should be given special consideration. Thus, secondary school educators should take the responsibility of ensuring the protection of the emotional and mental health of learners within school environments. According to Cotzee and Mienie (2013), the *in loco parentis* status of educators empowers them to anticipate possible threats to which learners may be exposed in schools and to act responsibly by implementing safety measures and/or policy to protect children from any transgressions that might violate their dignity.

Another feature of human dignity is self-worth. Given the crucial importance of positive self-worth and the well-being of an individual, any infringement can possibly harm the individual's self-worth (Cotzee & Mienie, 2013). Self-worth is a characteristic of human dignity and a school environment should promote self-enhancement in relation to human dignity.

The centrality of self-worth emanates from the understanding that violations to human dignity can injure self-esteem or diminish the entire purpose of existence, (Naicker, Myburgh & Poggenpoel, 2014).

Unluer (2012) maintains that diminishing self-worth means treating a person or displaying an attitude that conveys the message that a person is inferior or of no social worth. Diminishing of self-worth may take the form of verbal expressions, such as name-calling, cursing and other forms of verbal abuse (Mercer, 2007). In legal terms a person's psycho-physical integrity is his or her most valuable asset (Becker, 2013).

## **2.5 Promotion of the right to human dignity**

Educators in South Africa are expected to promote human dignity in schools. A practical way to do this is through teaching values to learners. According to the Revised Curriculum Statement (RNCS) and the present Curriculum Assessment Policy Statement (CAPS), the common message is: embody values driven curriculum that will directly address the issues of human dignity, equality and freedom; but this seldom happens in certain schools. Prinsloo (2005) has indicated the importance of including the human rights issue in the curriculum and the need to ensure that educators are accountable for promoting, protecting and implementing a human right culture of which human dignity is a fundamental right. There is considerable evidence that the laws promulgated since democracy require implementation to effectively uphold human rights and to protect citizens from the consequences of inhuman and degrading treatment. Learners need schools to adopt and enforce effective policies that will enhance curriculum delivery in an environment free from inhumane practices (Dayton & Dupre, 2009; Lindner, Hartling & Spalthoff, 2011). In this preliminary literature review, a gap has emerged in the knowledge of and meaning given to human dignity. The researcher needs to gain an adequate understanding of how the right to human dignity is protected and promoted in selected secondary schools. The question of how educators construe human dignity within the school environment remains a challenge. Thus, this study will focus on exploring how educators conceptualize, advance and protect the right to human dignity.

## 2.6 Human dignity and international human rights law

Freeman (2010) states that the role of human dignity as an anchor of democracy becomes apparent when considering the right to human dignity as protected in most democracies worldwide. As put forth by Heyns (2004), in South Africa, attitudes towards human dignity should be ratified in order to uphold this value according to the requirements of legislation. Although the South African Constitution is in line with the international human rights law, there is a gap in implementing the principles underpinning the legislation.

### 2.6.1 Human dignity in the UN Charter

According to Bardi & Schwartz (2003), various references to human dignity in international and local human rights protocols are derived from the seminal application of the value of human dignity in the Universal Declaration of Human Rights. The introduction, according to Watters (2006), refers to dignity in two places: *“whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the Human family is the foundation of freedom, justice and peace in the world ...”*, (UN Charter, 1945); and *“whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedoms ...”* (UN Charter, 1945). Article 1 of the same UN charter takes up this theme and provides that: *“[a] all human beings are born free and equal in self-worth and rights. According to the provision of the article, human beings are gifted with reason and sense of right and wrong and should act towards one another in an essence of comradeship.”* There are also several additional specific references to dignity in the rest of the document. Article 22, on the right to social security, states: *“everyone, as a member of society, has the right to social security and is eligible to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.”* Article 23(3), with regard to the right to work, states: *“everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence*

*worthy of human dignity, and supplemented, if necessary, by other means of social protection”.*

### *2.6.2 Human Dignity in the International Humanitarian Law Texts*

Heyns (2004) observe that, apart from some allusions around the 19<sup>th</sup> century to human dignity in national penal establishments relating to the handling of inmates, and in a draft treaty provision prior to the Second World War concerning the management of prisoners, the major reference to the application of dignity in international charitable law was made after the Second World War in the enactment of the Geneva Conventions. The International Committee of the Red Cross recommended to the authorities gathered in Geneva the version of a Preamble, which was to be duplicated in each of the four Conventions.

According to Kruss (2001), esteem for the character and dignity of human beings comprises a worldwide norm which is mandatory even in the lack of any prescribed undertaking. Such a norm stresses that, in the period of hostilities amongst nations or citizens, all those not aggressively involved in the hostilities and all those placed “*hors de combat*” (placed at risk) by reason of ill health, disease, imprisonment, or any other state of affairs, shall be given due respect and have security from the effects of combat, and that individuals among them who are in distress should be relieved and tended (Alston, 2002). Regardless of the purpose of the UDHR to cultivate and defend human rights internationally, history has demonstrated the perpetuation of human rights violations worldwide, for example, the blockading of Berlin in Germany; the Communist takeover of China; the Korean War and the development of apartheid in South Africa (Alston, 2002).

### *2.6.3 The International Covenant on Civil and Political Rights (ICCPR) of 1976*

According to Van Vollenhoven (2007), the reason for and the goal of the International Covenant on Civil and Political Rights (ICCPR) are comparable to those of the UDHR: these are applicable when considering rights of individuals anywhere in the world.

Despite the fact that this document was not an authorized and lawful manuscript, various nation states were obliged to endorse it and this contributed to the growth and expansion of reverence for human rights in countries around the world at large. Kruss (2001) asserts the ICCPR only has a concrete influence on a nation after it has been approved by that nation.

#### *2.6.4 The American Convention on Human Rights (ACHR) of 1978*

The American Convention on Human Rights (ACHR) states that individual human rights are the outcome of elements of the human disposition; they consequently substantiate global domestic protection for every single individual in the world; and that the civil rights and independence of every distinct person must be respected ("ACHR", 1978, preamble). According to Alston (2002), World War I and II marked a period during which individual human rights were dishonored globally.

#### *2.6.5 The African Charter on Human and Peoples' Rights of 1986*

Alston (2002) states that Africa was the last region to establish a mechanism to safeguard human rights and the advancement of the African Charter and People's Rights of 1986 was a much needed stride taken in the continent's human rights journey. According to Van Vollenhoven (2006), the prelude to the African Charter contains the goals and purpose of the document. There is also reference to other legal documents that re-enforce the values of the charter; for example, the document considers the Charter of the Organization of African Unity, which maintains that "freedom, equality, justice and dignity are indispensable and crucial intents for the achievement of the legitimate aspirations and hopes of the African people" (Charter of the Organization of African Unity, 1963: Preamble). Murray (2010) concludes that the African Charter confirms its commitment to be mindful of the UN Charter and the UDHR. Al-Daraweesh (2013) concurs with Murray that the Charter recognizes and considers the features and merits of the customs and beliefs of African society and the progress of human rights on the continent. The opening announcement of the Charter indicates that it is not only a global pledge to recognize the source of essential rights as coming from human beings, but also that truth and esteem for peoples' rights should assure human rights (Van Vollenhoven et al., 2006).

## **2.7 Summary of the chapter**

Chapter 2 discussed the concept of human dignity, the role of the educator in promoting and protecting the learners' right to human dignity, the contravention and infringement to the learners' right to human dignity and a summary of international developments to promote and protect human rights.

**CHAPTER 3:  
RESEARCH DESIGN AND METHODOLOGY**

**3.1 Introduction**

This study aimed at exploring educators’ perceptions and experiences of the learners’ right to human dignity in secondary schools. The study explored the reasons stated by educators for upholding human rights and their understanding of the concept of human dignity. The views were analyzed in the light of a section of the Bill of Rights of the South African Constitution. The purpose of this chapter is to present the research design of this study. Thus, the chapter focused on research tools, participants in the study, data collection, data analysis, reporting and ethical concerns.

**3.2 Research methodology**

Methodology refers to the variety of approaches used in order to collect the data that can be analyzed and interpreted to explain or predict a phenomenon (Cohen et al., 2010). Table 3.1 depicts the research strategy process.

Table: 3.1 Research Strategy Process

<b>Paradigmatic assumption</b>
<ul style="list-style-type: none"> <li>• An interpretive paradigm (interpret educators’ understanding &amp; perceptions)</li> <li>• A case study research design is a strategy of enquiry</li> </ul>
<b>Selection of Cases</b>
<ul style="list-style-type: none"> <li>• Purposeful sampling (selection of four schools in the Mpumalanga Department of Education, Gert Sibande Region).</li> </ul>
<b>Data collection</b>
<ul style="list-style-type: none"> <li>• Interviews with selected educators and document analysis were executed.</li> </ul>
<b>Quality Measures</b>
<ul style="list-style-type: none"> <li>• Trustworthiness, credibility &amp; dependability, triangulation</li> </ul>
<b>Ethical considerations</b>
<ul style="list-style-type: none"> <li>• Permission from authorities, right to privacy, informed consent, confidentiality &amp; anonymity.</li> </ul>

### **3.3 Research approach**

In this study the researcher used a qualitative research approach. According to Merriam (2009), qualitative research enables the researcher to explore the opinions and views of the participants by asking a wide range of general questions and to collect data in the form of narratives from the participants. The researcher analyses the narratives and arranges the data according to themes. Creswell (2003) asserts that qualitative researchers are concerned with understanding the meaning people have constructed; that is, how they make meaning of their own world and experiences they have in the world. Qualitative research requires that the researcher interprets the real world from the perspective of participants (Snauwaert, 2013). In this research data was collected through interviews and document analysis in order to understand the educators' experiences and meaning they have constructed about the phenomenon of the right to human dignity as they carry out their daily teaching business. A qualitative research approach therefore seemed suitable for this study because it was possible to construct the reality as interpreted from the participants' point of view.

### **3.4 Data collection and selection of participants**

#### *3.4.1 Sampling selection*

According to Creswell (2003), sampling refers to a group which is a group from the population which is the subject of the study. It is seldom practical or possible to study the entire population (Goddard & Melville, 1995). For this study a non-probability technique known as purposive sampling was used.

#### *3.4.2 Semi-structured interviews*

According to Houghton et al. (2012), interviews are regarded as a primary source of data collection. Cohen et al. (2010) further assert that the way individuals perceive and make sense of the world is extremely important in an interview.

As a data collection instrument the researcher used interviews. Four principals, four senior teachers and four PL1 educators from four different secondary schools were interviewed.

### **3.5 Data analysis**

In this study, thematic data analysis was used in order to find patterns of meaning across the data. The process involves analyzing transcripts to identify themes from the gathered data from an interview transcript (Burnard et al., 2006).

The first step in thematic analysis involves becoming immersed in the data through reading and re-reading the interview transcriptions to obtain an understanding of the data and a general picture of what is going on in the study (Hancock et al., 2009). When reading the transcripts, the researcher made memo notes of his first impressions of the data. The second step was coding the data. Coding is the process of identifying and labelling key ideas in the data that may lead to answering the research questions. Initial codes are generated in the process of reading and re-reading the transcripts. This is usually known as open coding. In this process, the researcher summarizes each unit by making sense of it in a few words, on a line-by-line basis (Hancock et al., 2009). The next step involves searching for categories. After generating codes, I created clusters or groups of codes (ideas that are related) to form categories. I grouped the categories to form themes that provided answers to the questions. The case studies assumed were each studied distinctly in order to gain a fuller understanding of the concept human dignity. Data that had been collected through document analysis were examined and themes were developed. Data collected through interviews were transcribed. Transcripts were typed and coded. Themes were also developed from interviews.

### **3.6 Document analysis**

The following are themes developed from the data collected through document analysis:

- Brief description of school and its environment
- Type of policy used to deal with the human dignity issue
- How the policy was formulated
- Policy implementation

- Promotion and protection of human dignity as stated by such policy

The following are questions that were used during document analysis:

- What type of policy does the school use to address the human dignity issue?
- How has the school formulated such a policy to suit their needs?
- How is the policy being implemented to promote and protect human dignity of learners?

To ensure anonymity and confidentiality of the participating institutions, the four schools were given pseudonyms. They are referred to as school P, school Q, school X and school Y. Through the perusal of documents received from each school, the following information was gathered.

### 3.6.1 Description of the schools

#### 3.6.1.1 *School P*

School P is a public high school situated at a township in Mpumalanga. The school has 1 222 learners, 45 educators and six non-teaching staff members. It has 25 classrooms. It starts from Grade 8 to 12. The school is situated in a semi-urban community. The school is properly fenced and buildings are well maintained. It is a quintile 3 school.

School P does not have a specific policy aimed at addressing human dignity; however, for discipline purposes the school makes use of its code of conduct, school rules and regulations and some aspects of education law. The school has a guideline on how to report issues of bullying and incidents of rape and other misconduct. A document described as the 'pregnancy policy' was given to the researcher. It was silent about human dignity protection or promotion. The policy however stipulates certain responsibilities for educators, learners and parents.

School P does not have any specific policy on human dignity. What happens within the school premises is guided only by the education policies the school receives from the provincial declarations and gazettes and the MEC for education.

The school uses the guideline provided in their school rules and regulations to solve issues of misbehavior. A phrase mentions human dignity in their school rules. It states that no learner shall treat another with disrespect or humiliate him or her. It further states that a learner found to have contravened the rules will be subjected to school disciplinary measures. There is no specific monitoring of human dignity promotion programmes or implementation.

#### 3.6.1.2 School Q

School Q is a quintile 2 school situated in a rural town in Mpumalanga. There is a mine nearby which contributes to a large number of community members' employment. The school has an enrollment of 845 learners, 29 educators and eight non-teaching staff members. The school can be placed in deep rural socio-economic category. The buildings are generally in a good condition but some blocks need attention. The school is well fenced with a lockable, controlled gate.

The school produced a document: '*Guidelines on daily school activities*'. It outlines the starting times and the general routine, school programmes and educator responsibilities. Another document used in conjunction with this one is the school rules and regulation. The school does not have a specific policy document which they use to address the issue of human dignity. But the school has a team which works hand-in-hand with the school disciplinary committee, which comprises an SGB member and learner representatives.

Upon analysis of the given documents, certain phrases relevant to human dignity emerged. The sanctions imposed on learners in terms of discipline are the same as those of school P. The school code of conduct mentions a few legal principles with regard to relations among learners and between educators and learners.

However, the information supplied in these documents is insufficient to provide enough grounds for the promotion and protection of the right to human dignity.

Roles and responsibilities for learners, educators and parents are stated in the document '*Guidelines on daily school activities*'. However, no procedure or programmes is mentioned relevant to management of the human dignity issue in the school. No document was supplied which addresses how the school handles the human dignity concept.

### *3.6.1.3 School X*

School X is located on the road to a small town in Mpumalanga Province. It is a farm school with an enrollment of 654 learners, 10 educators and three non-teaching staff members. The feeder area of this school is a community which may be classified in the deep rural socio-economic bracket. Most people in this area work on the surrounding farms. The school is from Grade 8 to 12. It is well fenced but buildings are a bit dilapidated. With introduction of the Agricultural Further Education and Training (FET) centre nearby, the school was upgraded from a quintile 1 to quintile 2 schools. The school uses an anti-bullying policy to address the human dignity issue which is included in the general code of conduct for learners. The policy has some aims but upon analysis, these do not directly address human dignity. The document simply creates an environment on which the general discipline of the school is premised. However, the policy has some strategies for promoting human dignity in the school community. It states how the reporting of abuse cases should be done. It also guides the victims on whom to consult in the case of any de-humanizing activity. In its opening statement, it mentions the upholding of the Constitution in as far as rights of individuals in the school are concerned. It has also some legal principles which refer to the South African Schools Act of 1996.

It seems the policy was formulated using the Constitution as a guideline, but the contents do not directly address the human dignity issue. The school however shows some concern regarding matters relating to human dignity. The manner in which they have infused the anti-bullying policy in their school code of conduct is an indication that the school is concerned about human rights. However, there is no direct promotion and protection of the learners' right to human dignity.

### *3.6.1.4 School Y*

The school is situated in a town in Mpumalanga. It is one of the largest public schools in the region. It has an enrollment of 1 374 learners, 49 educators and seven non-teaching staff members. The school has a history of more than 40 years. It starts from Grade 8 to 12. It is a quintile 4 school, registered as a Mathematics-Sciences-Technology Academy (MSTA). The school facilities are modern with a world class laboratory. The school is well fenced with a controlled central gate. The buildings are well maintained.

The school uses the school code of conduct for learners to deal with the human dignity issue. The policy's opening statement explains the importance of observing the dignity, religion and freedom of individuals within the school community. It states some promotion strategies and how to respond to incidents of especially bullying and the follow-up procedures on such incidents.

The policy is a combination of certain legal principles and sections of the Constitution. The policy protects learners from all forms of human degradation. It also states clearly what happens to educators who contravene the policy requirements.

### **3.7 Ethical considerations**

Ethical guidelines form the standards according to which both the researcher's conduct and that of participants are evaluated, (Cohen et al., 2010). The study was directed by ethical guidelines which formed the basis of the researcher's interaction with participants. All the participants voluntarily participated in the study. The following ethical considerations steered the research study:

#### *3.7.1 Anonymity and confidentiality*

According to Creswell (2009), anonymity and confidentiality are two concepts that protect the participants. Becker et al. (2015) emphasize the commitment to safeguard the anonymity of the research participants and to keep the data confidential. This should be fulfilled at all costs unless arrangements to the contrary are made in advance with participants. The researcher ensured that the participants' identity and that of their schools were kept confidential and anonymous. Measures were also taken to make sure that the boundaries surrounding the information shared were protected.

#### *3.7.2 Right to privacy*

The right to privacy is centred on three perspectives of human beings: the sensitivity of the information being given, the setting being observed and the dissemination of information (Cohen et al., 2000). Creswell (2009) cautions that the greater the sensitivity of the research, the more safeguards are called for to protect the privacy of the participants.

In this study, the researcher took the necessary precautions to protect the privacy of the participants by protecting their identity through the use of pseudonyms and by concealing any other information that might reveal their identity.

### *3.7.3 Informed consent*

Informed consent is defined as procedures in which individuals decide whether to participate in a study after being informed of the facts that are likely to influence their decision (Merriam, 2009). According to Becker and others (2015), through informed consent participants must be made aware of their right to choose whether they want to participate in the study or not.

The researcher must inform the participants of any aspect of the research that might affect their wellbeing, such as the participant may freely choose to stop their participation at any point in the study. In this study the researcher was able to stick to and observe the requirements of informed consent by using language that was understood by participants to explain their rights during the study. The participants were also afforded an opportunity to ask questions for clarity or raise any other concern about the study.

## **3.8 Credibility and trustworthiness of study**

Trustworthiness has been defined as term used to increase and establish the validity and reliability of the data (Leedy & Ormrod, 2005; Golafshani, 2003). The researcher held and followed a high standard of trustworthiness throughout the study. This was accomplished by applying various guidelines provided in literature by researchers to enhance trustworthiness. Lincoln and Guba (2013) put forth some guidelines for the trustworthiness of qualitative research. They concluded that trustworthiness can be established through sustained observation in the field, insistent observation, the collection of adequate data, triangulation, member checking and peer review. The authors (Lincoln & Guba, 2013) state further that the conformability of findings is based on the researcher's critical self-reflection.

For this study Guba's model of trustworthiness as suggested by Rutherford (2009) was applied to ensure trustworthiness of the research findings. Guba's model has four strategies to ensure trustworthiness, which were applied in the study.

The first is the truth value. The truth value was taken to define precisely the phenomenon involved, namely the human dignity issue in schools. This was achieved through establishing certainty in the truth of the findings/discussions of groups. The peculiar involvement and discernment of all participants were essential for this process.

The second strategy is the implementation of a prolonged strategy. The researcher ensured that sufficient time was spent with the participants in a setting which they found comfortable and in which they could be relaxed. This heightened open communication and trust that facilitated sharing of information between the participants and the researcher. The separate individual interviews took about 45 minutes each.

In addition the researcher spent three days at each school to determine how the learners' right to human dignity is assured in the school and to understand the moral beliefs and the human right culture of the school.

The third strategy relates to reflexivity. This strategy requires the researcher to have a sensitive and passionate involvement in the study. Reflexivity was encouraged in this study by the use of a tape recorder during the interviews enabling the researcher to have a conversation with the participants in a relaxed manner while taking field notes.

The fourth strategy is triangulation. As suggested by Mercer (2007), the participants should be given a chance to comment on the transcripts, field notes and draft reports to make certain that the data collected and statements made are an accurate reflection of their experiences.

### **3.9 Summary of chapter**

Chapter 3 explained the research design and the research methodology applied in the research study. In addition the chapter looked at the research tools used, the research participants, data collection and ethical issues.

## **CHAPTER FOUR**

### **FINDINGS AND DISCUSSION IN RELATION TO LITERATURE**

#### **4.1 Introduction**

In chapter 3 of this study, the researcher described research design and methodology. The research approach used in this study was qualitative. The research design was a case study involving four schools. Semi-structured interviews and document analysis were used to collect data. Chapter 4 focuses on the discussion of the findings of this study and the literature. Findings are presented in themes aligned with the research questions. Direct quotations from the participants are used to support the findings. To ensure anonymity and confidentiality, the four schools are referred to as school P, school Q, school X and school Y. The schools are presented in the same order in which the field work was carried out.

#### **4.2 Biographical information of participants**

In the discussion of the findings of this study, the participants are represented using the following codes:

- Principals (P1, P2, P3 and P4).
- Senior Teachers (ST1, ST2, ST3 and ST4).
- Post Level 1 Educators (ED1, ED2, ED3 and ED4).

**Table 4.1 Biographical information of the participants and the documents obtained from the different schools**

<b>School</b>	<b>Participant and code</b>	<b>Gender</b>	<b>Qualifications</b>	<b>Teaching experience</b>
P	Principal (P1)	Female	STD/FDE/B.Com & B.Ed Hons.	25 years
	Senior Teacher (ST1)	Male	STD/ACE/ B.Ed Hons & M.Ed	22 Years
	Educator (ED1)	Male	STD & ACE	16 Years
Q	Principal (P2)	Male	STD/ACE/ B.Ed Hons & M.Ed	30 Years
	Senior Teacher (ST2)	Male	B.Ed Economic Management Sciences	17 Years
	Educator (ED2)	Female	National Diploma in Agricultural Sciences & PGCE Life Sciences	4 Years
X	Principal (P3)	Male	STD/FDE/B.Ed	15 Years
	Senior Teacher (ST3)	Male	STD/B.Tech & B.Ed	20 Years
	Educator (ED3)	Male	STD/FDE/B.Ed Hons & M.Ed	24 Years
Y	Principal (P4)	Male	STD/FDE/BA/B.Ed Hons	35 Years
	Senior Teacher (ST4)	Female	STD/FDE/Accounting Diploma & B.Ed Hons (Maths Literacy)	28 Years
	Educator (ED4)	Female	B.Ed Natural Sciences	7 Years

**Table 4.2 Documents obtained from the different schools**

<b>School</b>	<b>Documents Analyzed</b>
P	Code of conduct & School rules and regulations & Pregnancy Policy
Q	Guideline on daily School activities & School Rules and Regulations
X	Anti-bullying Policy
Y	School Code of Conduct

### **4.3 Discussion of data from documents**

According to Creswell (2009), documents are a valuable source of information as they offer text data for a qualitative study. Merriam (2009) affirms that documents have an advantage of being in the participants' language and words which have been usually carefully chosen. However, Creswell (2003) points out the following as weaknesses of documents in general:

- Documents may sometimes be difficult to locate and obtain;
- Documents may be incomplete, inaccurate or illegible such as handwriting in the case of minutes, making it difficult to interpret the information.

In order to triangulate data collected from interviews with educators, the researcher was provided with documents as indicated in Table 4.2 above. In this study, the researcher encountered problems in acquiring some of the requested documents. Some schools did not have tailor-made school policies which address their own situations but depend on government documents which are sometimes too open-ended.

From the documents collected in school P, it emerged that the school does not have a separate policy that observes human dignity in the school.

The school rules and regulations and the school code of conduct do not supply enough content on how the school deals with the human dignity issue. These documents do however give a few legal principles which are relevant to human dignity.

In all the analyzed documents at school Q, nothing is mentioned about how the school promotes and protects the learners' right to human dignity. There is no separate policy available which is used by the school to promote or protect human dignity.

The policy analyzed at school X does not specify the roles and responsibilities of learners, educators or parents in the implementation of the policy and particularly in addressing human dignity. However, the school uses the policy to promote and protect human dignity within the school. It lacks certain aspects which address the infringement and violation of the learners' right to human dignity.

The standard of the policy in as far as implementation is concerned is acceptable. However, the school has also developed a separate policy on learner behaviour that deals with issues of bullying in the school. To a certain degree, the policy speaks to and indicates some level of promotion and protection of the learners' right to human dignity.

Judging from the documents analyzed and researcher's personal observations in the four schools, the documents often indicated a low level of promotion and protection of the right to human dignity. A few analyzed documents mentioned some reference to addressing human dignity through school rules and regulations. However, the documents did not mention anything about how educators perceived the concept of human dignity in the school context. For example, there was no mention of how educators should implement the right to human dignity with respect to observance or monitoring codes. In all the schools, only a few legal principles relevant to human dignity appeared in their school documents provided. However, the interviews held with various participants provided better insight into the perception of educators of the concept human dignity in secondary schools.

#### 4.4 Research questions and themes

This section aims to answer the following research question:

*How do secondary school educators understand and view the learners' right to human dignity within a school context?*

The following sub-questions were thus generated:

- *How do educators understand the right to human dignity?*
- *What are the experiences and the actions of educators regarding the promotion and protection of the learners' right to human dignity within schools?*
- *What are the educators' views of the practices in their schools that could infringe the right to human dignity?*
- *What are the educators' views regarding the implementation of the learners' right to human dignities in the school? How is it implemented?*

The researcher conducted interviews based on the above research questions. The interviews were transcribed and the data coded. The codes were merged to categories that are presented in four themes. Table 4.3 presents the research questions and the themes.

**Table 4.3 Research question and themes**

RESEARCH QUESTION	THEMES/SUB-THEMES
<p>How do educators understand the right to human dignity?</p>	<p><b>Theme one: The meaning participants attach to their understanding of the learners’ right to human dignity.</b></p> <ul style="list-style-type: none"> <li>• The concept of human dignity</li> <li>• Understanding the Supremacy of the Constitution</li> <li>• Limitation of rights</li> </ul>
<p>What are the experiences and the actions of educators regarding the promotion and protection of the learners’ right to human dignity within schools?</p>	<p><b>Theme two: Experiences of educators regarding the promotion, and protection of the learners’ right to human dignity in schools</b></p> <ul style="list-style-type: none"> <li>• The use of the right to human dignity</li> <li>• Utterances and expressional actions</li> <li>• Fundamental aspects of the right</li> </ul>
<p>What are the educators’ views of the practices in their schools that could infringe the right to human dignity?</p>	<p><b>Theme three: Experience, infringement and violation of the learners’ right to human dignity</b></p> <ul style="list-style-type: none"> <li>• Evidence of infringement and violations</li> <li>• Duty imposed by the right to human dignity</li> </ul>
<p>What are the educators views regarding the implementation of the learner’ right to human dignity in the school? How is it implemented?</p>	<p><b>Theme four: Implementation of the right to human dignity.</b></p> <ul style="list-style-type: none"> <li>• Educators’ role in implementing the right to human dignity</li> <li>• Infringement and violation of human dignity</li> </ul>

## 4.5 RESEARCH FINDINGS

### 4.5.1 Introduction

The interview data was collected from the principals of the four public schools, four senior teachers and four Post Level 1 educators from the Gert Sibande Region. As suggested by Yin (2009), the interviews gave the researcher an opportunity to probe for in-depth information during interviews with the participants on the understanding of the promotion and protection of the learners' right to human dignity in secondary schools. The interviews were done to explore the perceptions and experiences of the participants on the right to human dignity.

### 4.5.2 Theme one: *The participants' understanding of the right to human dignity.*

For this theme the concept of human dignity is explained and explored from the interpretation of the participants.

#### 4.5.2.1 The concept of human dignity

The researcher started the interviews by exploring how participants understand the right to human dignity. The general perception as explained by participants is that they perceive human dignity as a basic human right that may not be taken away from a person and is enshrined in the Constitution. The following quotations indicate this common view of the right to human dignity:

*I think it's one of the rights that are stipulated in the Bill of Rights in our Constitution, even I may not be sure whether its section 9 or 10 but definitely it is stipulated in the Constitution. So it's one of the rights that every citizen is entitled to and it's a basic human right. If it is basic, it means it's applicable to everyone; hence all must adhere to it and to ensure that in our interaction with every human being in the school and even in the context of South Africa as a whole, we ensure that we treat people with human dignity. (ST2)*

*As stipulated in the Bill of Rights, the right to human dignity is a basic right which means each person must be viewed as a living entity. No exposure of any sort on the person's integrity should be imposed. (ST3)*

*The right to human dignity means there are things that we cannot just pound on learners without thinking of their emotions. It's a right enshrined in the Constitution so that it is exercised at all levels of society. (P2)*

It is evident from these excerpts that the participants link the right to human dignity to values such as respect for a person. There is also an awareness of the Constitution as a guide and a source of reference for human rights issues. Other participants associate the right to human dignity with the African concept of *Ubuntu*. From the above quotations it is evident that educators are knowledgeable about the Constitution as a source of reference to the issue of the right to human dignity as a basic which should not be violated.

One educator (ED2) reiterated that:

*We should try by all means to respect the inner person, and protect this right regardless of race, sexual orientation or background of a person.*

The participants further described the right to human dignity as something native, natural and inborn not taught; that learners need to be treated with dignity because they are human beings. The following are quotations from some of the participants:

*The right to human dignity means in other words each person must be viewed as a living entity. No exposure of some sort or the person's integrity should always be very important. You cannot regard a human being as you would with other objects (P3).*

*A human being must be shown respect as a person who has a future, a vision and who can think and who needs to be guided. As you are born, you already have this right within you. You are entitled to this right forever and all people must ensure a person is treated with dignity you deserve. (P4)*

*Human dignity is something that is natural; you are born with this. As Africans we believe in *Ubuntu* (meaning dignity) which is treating a person in a human way; it is a right stipulated in the National Constitution and it must be respected by everyone. (ST1)*

*It's one of the rights that every citizen is entitled to and it's a basic human right. If it is basic it means its applicable to everyone hence all must adhere to it and to ensure that in our interaction with every human being in the school and even in the context of South Africa as a whole, we ensure that we treat people with human dignity. (ED3)*

Despite the awareness of the right to human dignity, a few participants were less unclear understanding about the concept. The following quotations indicate this:

*Human dignity means you have the right to life and basic education. (ST2)*

*I am not sure but I think this right is about relations and understanding of one another. (ED2)*

These responses to the question on the understanding of the concept of the right to human dignity highlights 'respect' and 'integrity' as key aspects. Respect is used when relating to self and others irrespective of colour, race or religious orientation, (Becker et al., 2014);

while 'integrity' has its roots in the valuing of the inner person in an individual (Boaz & Ashby 2003. Senior teacher (ST4) is quoted emphasizing the point on respect:

*Learners must also show respect to educators in order to receive back the respect they invested (ST4)*

The participants' understanding of the concept human dignity included worth of a person and human dignity as a right enshrined in the Constitution. According to Bhembe (2014), human dignity is underpinned by acceptance and respect which consequently impacts on self-esteem and confidence. Khanna (2008) acknowledges that human beings should be held in high esteem and honour and be accorded a high reputation. His finding aligns with the finding of this study which emphasizes respect, integrity and worth of a person.

This leads to understanding of the Supremacy imposed by the Constitution in relation to the right to human dignity.

#### 4.5.2.2 Understanding the Supremacy of the Constitution

Most participants talked of the learners' right to human dignity as a basic Constitutional right. This indicates some level of understanding of the right as an inalienable right protected by law that should not be violated.

*In the Constitution it is stated that every individual has a right to human dignity. This therefore means you have a right to existence, to interact with others and to participate in life without fear. This is so for every learner in a school. Learners have a right to basic education and a clean environment as stipulated in chapter two of the Constitution. Of all these rights exercised at all levels, human dignity is one important right. (P4)*

*Human dignity is a basic Constitutional right so enshrined to be observed by all. It is a right based on how people can be treated at any place, whether a work place, a school or church, at a road or in town or wherever, actually it just emphasizes how the people can be treated with respect they deserve; and it is also based on a person's emotional well-being which must not be violated at any time. (ST3)*

Some educators have shown a rational understanding of the supremacy of our Constitution.

*The Constitution is the Supreme law of the Country and it is much more important to uphold (ST1)*

*South Africa adopted one of the World's best Constitutions. This is the supreme law of the country where the Bill of Rights was also enshrined to safeguard the interests of all South African citizens. (ST4)*

This study revealed that some educators think that because they are in a position of authority, they can impose any type of sanctions on learners.

*When learners come late for school, we sometimes subject them to tough exercises and we have done this for many years and I think they benefit through fitness. (P3)*

*Yes, it happens that sometimes we expose learners to hard labour and their break to get food from the feeding scheme is reduced to 15 minutes instead of 1 hour. (P4)*

Any school rule which seems to contradict the Constitution should be deemed invalid according to the requirements of the Bill of Rights. At schools X and Y both principals (P3 and P4) admitted that they impose sanctions which are unacceptable to the children. Such sanctions place the educators at risk of violating the Constitution. In a study by De Waal and Serfontein (2014), the educators were of the opinion that learners need to be disciplined and there was little regard for their right to human dignity. The current study also confirmed that educators punished learners in ways that infringed their right to human dignity. Freeman (2010) found that to be constructive, positive and enabling, educators should practice a culture of respect and responsibility on the basis of the Supremacy of the Constitution. This study has confirmed the rationale of the understanding that the Constitution has a bearing on the classroom outcomes and learner confidence as suggested by Freeman (2010) and Sari and Doganay (2009). Maphosa and Mammen (2011) affirm in their study that educators must ensure that learners enjoy equality, respect and dignity by creating a constructive human rights environment and dialogue.

This study indicates a shallow acknowledgement among the educators that violating the value of respect and honour for human dignity may reduce the quality of school life and negatively affect mutual relationships as also advocated by Sari and Doganay (2009). This implies that educators must use the Constitution as a guide to create mutual respect between educators and learners, consequently enabling understanding within their work sphere.

#### 4.5.2.3 Limitations of rights

Some participants in this study were aware that rights are not absolute but limited. In the following quotations participants expressed their points of view in relation to the limitation of the right to human dignity:

*I agree that people should have the right in terms of their human dignity as human beings but the only problem is when people do not interpret them well, that as much as they have the right to human dignity there are also some restrictions which must also be enforced. You do this - there must be consequences. (P3)*

*As we are human beings, we need respect and not respect from other people only, we also need to respect ourselves. I must first recognize myself that I am a human being, and as a human being I need to interact with other human beings and no one should oppress me. Moreover, I need to know how far I can go with my rights. (ST4)*

From the quotations above it, is evident that some participants believe that human dignity may be limited. According to Sari and Doganay (2009), often school codes and rules should be used to guide learners and educators regarding the limitations to a right.

#### *4.5.3 Theme two: Experiences of educators regarding the promotion and protection of the learners' right to human dignity in schools*

This theme explores the experiences and actions of educators regarding the promotion and protection of the learners' right to human dignity within schools from the point of view of participants.

##### *4.5.3.1 Promotion of the learners' right to human dignity*

The promotion of the right to human dignity is perceived as a specific activity. Participants believe that rights are promoted through certain programmes. Clearly participants did not make a clear distinction between the human rights issues and learner discipline. The participants explained:

*There are no specific activities that I can point to which the school is doing to promote this right (ST4).*

*Yes, the past few years I would say now there is a lack of the promotion and protection of this right, I would say to a certain extent as a school we are no longer good in pursuing programmes that promote this learner right.*

*As a result this has caused the behaviour of the learners not to be acceptable. It's kind of very difficult to discipline them (ED1).*

There is also the notion that the promotion of the right to human dignity should be done in Life Orientation lessons.

*Normally the LO [Life Orientation] teachers, they are hands on in terms of ensuring that in their classes or classes that they teach they teach learners about their rights, such that although I will be monitoring what is happening, these learners must know that they do have the right to human dignity and also that the right they have - even other people have got the same right; such that they must not do something that they wish not to be done unto them. (P3)*

The perception of the promotion of the right to human dignity through a subject, programme or activity shows a lack of ability to internalize human rights as a concept and a way of life. It implies that the participants feel detached from promoting the rights in everything they do in their school and in their relationship with others. They assume that it is the responsibility of certain people (like LO teachers) to promote the right to human dignity. The denial of responsibility in promoting the right to human dignity implies a superficial understanding of the right and how it manifests in the school and in relationships in the school. Some participants' views imply that promotion of human rights is limited to certain awareness activities which are also used to identify high performing learners. Awards are used as incentives in encouraging learners' participation in such activities. It cannot be accurately determined if the awareness activities carried out for competition and award purposes are effective in promoting the right to human dignity. Controversial topics are grouped and related to human dignity.

*Yes we do have activities. We have the R.A.D.S. This is where we recognize the learners who perform well and will be able to express themselves and give topics that promote rights in the school, where human dignity is one of them, they prepare these topics and they compete amongst themselves and we award them during school ceremonies. Most topics are related to dignity because they include topics like child abuse, sexual orientation and education, drugs, bullying etc.*

*We also have the candlelight ceremonies where we recognize people living with HIV/Aids and those whom we lost because of this disease, (ED3).*

Participants' responses reveal that the promotion of the right to human dignity follows less structured forums. The following quotation explains this:

*Within the school that this right to human dignity particularly must not be infringed and sometimes we have courses or short courses or briefings even in the morning every day where we deal with issues which are contrary to section 10, corporal punishment for instance, mishandling of learners, mistreating, humiliation, and we identify these so that teachers must not engage in such (ST1).*

From the following quotations the researcher concluded that the educators alienate upholding the right to human dignity from daily activities. For example, the excerpts below by P1 and P4 respectively suggest that educators dissociate the learners' right to human dignity from daily school activities and relationships.

*Teachers are aware of human dignity of learners but do not observe it on a daily basis. They ignore this right which is why the behaviour of learners in schools has deteriorated and continue to do so each day. The manner in which I carry myself, my mannerism, how I do things or how I relate to these learners must be a daily package this is not the case in my school in particular. (P1)*

*We actually neglect learners and come to know of their challenges when confronted with a serious case. If this was carried by educators daily, then our problems would reduce drastically. (P4)*

The above quotations indicate that educators are not encouraged to observe and stress the right to human dignity during the teaching and learning process and during daily extra-curricular activities. It was clear that the participants do not permeate and infuse the right to human dignity in their teaching or other school activities. Participants lacked knowledge and a wide understanding of the use of the right to human dignity. This implies that educators need to develop and be trained in advocacy intervention skills if they are to become the focal point for human rights and human dignity in schools. The participants said:

*Most educators have the theoretical part of rights but lack when it comes to practicality; because they lack the practice they tend to ignore their role and fall into the trap of mistreating learners. I think we all need help. (ST3)*

*I think I can be able to discharge this responsibility with confidence if I can receive help from the department. (ED4)*

It emerged that educators in schools are unable to deal with the human dignity issue; hence they resort to unconstitutional activities. These findings suggest lack of a deep understanding of the right to human dignity as a way of life and inadequate skills to promote the right. The following quotations further indicate participants' need for support in the form of training on how to promote the right to human dignity in a classroom or school situation:

*I do sometimes become reckless and sometimes end up belittling the child. The child's image may be very much tainted in the process. I think with good training on rights the status quo can improve. (ED1)*

*I am sometimes forced to act in an unfairly manner because a learner has made me angry. I lose it and get out of control since I don't have answers on handling that situation. I definitely will welcome any training assistance if need be. (ED2)*

A noteworthy point made by the above quotations is that the participants felt that there was inadequate attention given to the role of professional growth in the area of human dignity. In addition, the necessity for continuous educator development in the understanding and promotion of the right to human dignity especially in challenging situations was emphasized. ED2's response indicated that educators are important role models for their learners and they should be assisted to conduct themselves appropriately at all times and refrain from violating a learner's right to human dignity. Becker and others (2015) affirm that the educator plays a role in raising the awareness of human rights through education as a strategy to bring about transformation. As such, they should demonstrate a high opinion of others and show concern for learners in order to motivate learners to advocate for human rights and promote democratic principles and practices in their schools.

This relates to the very important role of verbal communication in the classroom and the way educators address learners.

The participants also felt that they did not have power and authority to discipline learners due to the fact that the learners were aware of their rights and used them to challenge the authority of the teachers. With the abolishment of corporal punishment, participants explained they often resort to making hostile or sarcastic comments to learners. The participants explained:

*Honestly as a principal I must admit that most of the times I give those names [i.e.to learners] because I feel I have no option. My educators also when they run out of options also resort to name calling or hurl insults at the learners.(P1)*

*Learners also report that teacher X is giving us names. Their mood when there are coming to me is very difficult even to listen to them. But I understand their emotional stress but I don't take their side. (P3)*

*Sometimes things take place so fast such that a trusted educator behaves in an unbecoming way towards these children. So thinking and saying educators understand what they are doing would be wrong. There are few instances one can quote...there are children in class who cannot respect the teacher as a form of authority; they also don't understand other learners in class then anger on the part of the educator may creep in and the teacher does outrageous things such as hurling insults or abusive language towards learners. (P4)*

It is evident from the extracts that educators violate the learners' right to dignity out of frustration due to the lack of alternative means of correcting the misbehavior. According to the sentiments expressed during the interviews, there were instances where educators use inappropriate language with a child in order to upset him or her. The rationale behind this is that belittling as a form of discipline restores order in the classroom situation or school. Name calling and belittling infringes the learner's right to human dignity. Le Roux and Mokhele (2011) concluded from their study that violence or the reckless use of words by teachers in schools tends to harm children and subsequently lower their self-esteem.

They further argued that this action precipitates feelings of guilt and anxiety in the child (Le Roux & Mokhele, 2011). In this study, one participant explained:

*The teacher might end up shouting at a child in way that degrades the human dignity of the child. Some teachers use very bad utterances in front of other learners such as isidomu which translates 'you dull thing'. Some educators may utter things like 'you dizziness'. That may cause lifetime harm to the growth of the child. (ED2)*

According to the participants' point of view, educators' language and the manner in which they communicate with the learners sometimes opens doors to verbal abuse and learners shrink back and become indifferent. Becker and others (2015) suggested in their study that educators should be trained on human rights to enable them to acquire knowledge and skills that they can use in creating a school environment that promotes and protects the rights of all stakeholders. Such a recommendation will help address the verbal violation of learners' right to dignity as expressed by the participants in this study. Becker and others (2015) also revealed that educators who pounce on learners may do psychological or harm their academic performance. This finding is in line with the sentiments of this study.

It is evident from the sub-themes that educators find it difficult to deal with learners with regard to issues such as sexual orientation, physical and/or mental disabilities.

*In my class I have learners who identify themselves as gays and others lesbians. So at times I do notice some elements of feeling shy in such learners. I don't want them to think I am naming them to shame them because they might feel belittled. I think the human dignity issue here is the impact in their classroom participation. Hence as I said human dignity is considering others and doing so with fairness. (ED4)*

*Whenever you utter something, you should be very cautious. There are learners with special needs; maybe they have been kept for too long in the system since they are slow learners. And such learners find it very difficult to understand simple things. The educator may end up shouting at them inflicting severe damage on their self-esteem. (ED2)*

*Honestly I feel very angry at slow learners and I don't have patience for them. You know I have to finish the work on my pace setter. So I don't have time for them. I think they must register them in special schools because here they suffer. (ED3)*

These excerpts clearly show that the participants have moments of frustration due to a lack of the skills required to handle learners with special needs. A sentiment expressed by ST2: *'I sometimes think of leaving this profession because of these learners,* highlights the lack of the necessary skills on the part of educators. The responses of the participants indicate certain situations where the educators are sensitive to the learners' feelings and they are cautious not to infringe the learners' right to dignity. Being aware of a learner's situation does not necessarily protect the learner's dignity unless action is taken to promote behaviour that shows respect for the right to human dignity. In some schools such actions are lacking. The following quotations illustrate lack of practices that promote the human rights of learners.

Participants' experiences showed that faulty understanding of fundamental aspects of the right to human dignity. The following quotations describe the challenge:

*Teachers use derogative words. Sometimes it is very clear that learners feel unfairly treated by educators. Their human dignity is daily attacked...sometimes the cases that are reported could have been averted if teachers were well informed on the basic aspects of this dignity thing. (ED2)*

*In my view, most teachers in my school are real struggling as far as the correct use of a person's dignity is concerned. For example, the things they say to learners first and foremost questions understanding of the basics of human rights. (ED1)*

*My teachers know and understand how they should act towards children but they don't always show it practically. (P1)*

*It is very difficult for our teachers to understand because when they have to discipline a learner; they don't look at the audience; they even don't look at the reaction thereafter. (P2)*

What is evident from the responses is that the participants are expressing a view that they are not thoroughly informed of the fundamental aspects of the right to human dignity. Principals P1 and P2 acknowledged this and expressed it as a challenge they are facing. Similar sentiments were acknowledged at schools X and Y. Both principals at these sites were concerned about educators who degraded learners' dignity and by so doing infringed their right to human dignity. This occurred because the educators were not always fully aware of the importance of the right to human dignity.

*According to me, teachers don't have an understanding of the fundamental aspect of the right not to mention its use. A number of incidences exist in my school. Some of these problems have not been solved as we speak. (P3)*

*Thinking and saying teachers understand this right may be too extreme. They need assistance. (P4)*

Participating principals thought their subordinates (educators and senior teachers) experienced difficulty in understanding the fundamental aspects of human dignity. Hence they behave inappropriately in this regard.

Tapola (2011) suggest that teachers should acknowledge that human dignity is an entitlement by virtue of being a human being. He further asserts that as educators discharge their responsibilities, they must do so with an understanding that human rights have been devised to realize and protect human dignity. This view links with the study findings which indicate that educators do not employ rationality nor act cautiously as moral agents as suggested by Schroeder (2012). Pillay (2014) suggests various criteria to ensure acceptable behavior: educators must consider individual sentiments, consciousness, self-awareness and rationality. This is not the case in the schools under study according to the findings. Educators in schools do not show a sense of mindfulness and prudence in their daily interaction with learners.

#### 4.5.3.2 Protection of learners' right to human dignity

Under this sub-theme participants indicate that protection of rights is an important component of human dignity.

The following quotations described how educators protect the dignity of the learners by not disclosing confidential information about the learner:

*Let's say a child is ill-disciplined and the teacher is showing or trying to discipline the child, the teacher must not disclose the learners problem to others or do it in front others because to me that is the protection you are talking about. (P1)*

*Especially the confidential information; Now let me say a child confides something to me that is personal; I don't have the right to disclose such information to other people. Even the teachers can't do that. (P2)*

*I am not sure about implementation and protection but concerning protection, it is promoted. More especially during the formulation of certain policies the RCL is involved. In terms of protection maybe I will say there is some level of protection when applying school policies. Some educators like to refer to policies of the school when something has happened; especially those of South African Democratic Teachers Union [SADTU] (ED3).*

The participants understood the importance of confidentiality and refrained from disclosing confidential information about learners in a way that would infringe their right to human dignity. Thus, participants are, to a certain extent, concerned about protecting the dignity of learners.

This research further revealed that educators attempt to protect the dignity of pregnant teenage mothers in schools.

*As a school there are some instances where these learners fall pregnant, which is something we don't expect. We do allow the child to go back home, give birth to the young one and that child can come back to school after delivery. In that instance I am acting to promote and protect their human dignity. (P4)*

In the quotation above P4 implies that pregnancy among girl learners presents a challenge in the schools but this gives rise to the opportunity to protect learners' dignity. The values of acceptance and patience are required when dealing with teenage mothers in schools (Van Vollenhoven, 2015).

The study revealed pregnancy as a challenge educators face in protecting the dignity of teenage mothers in schools.

#### *4.5.4 Theme three: Experiences of infringement and violation of the learners' right to human dignity*

Participants were asked their views on practices in their schools that could infringe the right to human dignity. Responses were grouped into two sub-themes, namely evidence of infringement and violations and the duty imposed on the educators regarding the right to human dignity of the learner.

##### *4.5.4.1 Evidence of infringement and violations*

Participants admitted that violations and infringements occur in their schools. Some responses indicated that schools infringe the right of the dignity of the learners and no measures have been put in place to protect this right.

*We recently had a group of learners who were so problematic; parents were called to no avail; punishment was meted to all but to no avail; the learners did not change. Eventually the principal involved police and the learners were taken to the local correctional services centre for a day. The learners claimed they were handed over to inmates who severely beat and punished them. Because this was initiated by the school, this action could have nailed us if the learners were knowledgeable. (ST4)*

*We infringe on the human dignity of the child for example, when a teacher says, 'You did not write my homework so go outside. Once this learner is outside, everybody in the school will know that this one is outside because did not do homework. The learners in class will be shouting and making remarks, the learner will feel ashamed, belittled or otherwise. (P2)*

*It happens many times. Sometimes a learner is treated with an actions contravening section 10 of SASA, that is corporal punishment, humiliated by the teacher, and they come to my office, I have got to deal with the learner and the teacher and go through a misconduct of some sort for the teacher before it gets out of my hands, to my seniors. (ST1)*

It was evident that some learners are insensitive to the needs of other learners. There is no indication of a school culture of caring and empathy towards others. Educators fail to create a classroom environment in which learners respect and care for the needs and feelings of other learners.

The following excerpts provide evidence that some learners infringe on the rights of other learners and the educators do not intervene:

*This school is in deep rural area stricken by poverty and harshly economic challenges. A learner might come to school having a torn shoe. Such a learner might be prevented from fully and actively participating in class because others will be laughing at that child. And many instances the teacher will be part of making jokes of the learner poverty. Such things are infringing on the human dignity of the learner by other learners (ED2).*

*Things happen amongst learners themselves and there is obvious discrimination, for example, you will find a certain learner is from a poor family and the suffering is so obvious. You will find that learner isolating herself/himself from others whilst they are playing in the school yard (ED3).*

Participants' responses confirm the outcomes of the study by Bhembe (2015) who associated the infringement of the right to human dignity to lack of proper understanding of human rights. Bhembe (2015) found that educators do not appreciate the meaning of the right to human dignity. Some educators in schools infringe on the learners' right to human dignity and disregard the full moral worth of learners. These findings challenge educators to adapt their current practices to promote values like respect and care for others to protect the learners' right to human dignity.

#### 4.5.4.2 The duty imposed by the right to human dignity

According to the Constitution of South Africa (Act 108 of 1996), an enactment of the Bill of Rights obligates a natural or a juristic person to the extent that, it is appropriate, taking into account the nature of the right and the nature of any requirement imposed by the right, to enforce the right, (RSA, 1996).

Responses by participants indicated that educators realized that the Constitution imposes a duty that binds their actions. Van Vollenhoven (2015) suggests human rights advocacy in schools as way of helping educators to grasp the concept of a human rights culture.

#### *4.5.5 Theme four: Implementation of the right to human dignity*

What emerged in the previous theme is that educators neglect the learners' right to human dignity especially when managing learner discipline. This occurred through hitting, ridiculing, disdaining, name-calling and scorning.

These acts not only obstruct social growth but also hamper the promotion and protection of the learners' right to human dignity in the schools.

##### *4.5.5.1 Educators role in implementing the right to human dignity*

The following quotations demonstrate that at times educators attempt to create awareness of the learners' right to human dignity and promote this right in their schools.

*I think in general we do because even in assembly we do talk about the right to human dignity but including other rights as well. We are preparing these learners to be better citizens. (P3)*

*We do encourage the teachers to put topics that encourage things like the right to human dignity, the right to learn and to be taught and such things that promote human dignity in the classes. (ST3)*

There was also evidence that the learners' right to human dignity is implemented through raising awareness about protecting their own bodies.

*We emphasize on the girls because they are more vulnerable than boys; they are told not to allow any person to touch their parts or anyone using inviting language that promotes sexual desires etc. (ED4)*

The responses also showed schools' efforts to devise school policies that maintain the minimum implementation of the right to human dignity.

*Yes, our school policy covers that because some where it states no learner is supposed to harm or bully other learners, moreover we have a document on alternatives to corporal punishment, so it is promoted, practiced and protected. (ST4)*

*No, but like I said before we only rely on the policies but there are no specific programmes followed. But I think we do try to follow the Constitution of the land. There is a systematic implementation in the classroom through LO teaching. (ED 4)*

The findings indicate that educators refer to some school policies with regard to implementing the learners' right to dignity. Despite certain endeavors to uphold the learners' right to dignity, there is a lack of convincing evidence that educators intentionally and continually protect the learners' right to dignity in their schools.

#### **4.6 SUMMARY OF THE CHAPTER**

In chapter 4 the researcher discussed findings of the study in relation to literature with literature on human rights. In the next chapter the researcher presents a summary of the findings, draws conclusion of the study and makes recommendations based on the findings of the study. Suggestions for future studies are made as well as limitations of this study.

## CHAPTER FIVE

### SUMMARY OF FINDINGS, CONCLUSION AND RECOMMENDATIONS

#### 5.1 INTRODUCTION

In the previous chapter the researcher presented the findings of this study. This final chapter concludes the research study on the educators' understanding of the learners' right to human dignity in secondary schools. The study sets out to answer the research question:

*How do secondary school educators understand and view the learners' right to human dignity within a school context?*

Semi-structured interviews were conducted in order to answer the question above. This chapter begins with a summary of findings of the educators' views in the light of the literature on the topic. The chapter concludes by formulating recommendations.

#### 5.2 SUMMARY OF FINDINGS

The researcher has categorized findings according to the four themes developed during data analysis.

##### *5.2.1 Understanding of the concept of the right to human dignity*

Participants recognized human dignity as a basic human right that cannot be violated by anyone and that all human beings must be treated with respect irrespective of colour, race or religious background. Participants in this study associated human dignity to the concept of *Ubuntu*, which refers to treating human beings with the dignity they deserve. This finding concurs with Serame and others (2013) who found that the basis of respect for children's rights is framed in respecting the inner person of a human being.

Although some educators showed knowledge of the Constitution as a source of reference when talking about human dignity, other educators had a different perception and a vague understanding on the concept of human dignity which highlighted the need for a common understanding to be communicated to all South African schools.

Respect and integrity emerged as key aspects upon which human dignity is framed.

The findings of this theme reveal that human dignity is a concept concerned with the respect and worth of an individual with the keywords integrity and respect. Respect is achieved when one person recognizes others as important and deserving reverence. While most participants, to a certain extent, perceived the right to human dignity as a basic right, some educators have misconceptions about the concept.

### *5.2.2 Experiences of educators regarding the promotion and protection of the learners' right to human dignity in schools*

Participants perceived promotion of the learners' right to human dignity as a specific activity or programme which implied that the promotion of this right is limited to certain awareness activities. The participants did not distinguish between human rights issues and discipline, highlighting the need for a common understanding of a human rights education in schools. Educators separate the upholding of the right to human dignity from daily activities in schools and educators are not encouraged to infuse an understanding of this right in their teaching or school activities.

Educators are important role models to their learners and as such are expected to conduct themselves appropriately. There was evidence from this study which showed that educators still resort to corporal punishment as a means of correcting learner behaviour. Although this was not the main aim of this study, it emerged as a major cause of most violations that occur in schools. The use of inappropriate language towards learners by educators in the form of name calling or belittling was found to be prevalent. This violated the learners' right to human dignity that caused low self-esteem among learners. Participants were found, to a certain extent, to be concerned about protecting the right to human dignity in schools but lacked appropriate skills to do so.

Educators infringed the learners' right to human dignity and there was no indication of a school culture of caring. Learners are insensitive to needs of fellow learners. Educators fail to create classroom environments in which learners respect and care for feelings of other learners. There is disregard for the full moral worth of learners in schools as suggested by Bhembe (2014).

Educators do not take into consideration that the constitutional enactment that imposes a duty that binds their actions.

### *5.2.3 Experiences of infringement and violation of the learners' right to human dignity*

Name-calling, ridiculing and degrading of learners and character assassination were common in the four cases. Some disciplinary measures used by educators are outlawed for example, making learners to run round the school yard when they are late for school. According to Becker and Parker (2014), SASA requires that teachers use punitive measures which benefit the learners positively. There was evidence that corporal punishment is still used in the four schools. This act is labelled as the highest form of human degradation by the South African Schools Act of 1996, (RSA, 1996). Human dignity is a right that has been easily violated, consciously and unconsciously, by educators in the schools under study as pointed out in the quotations above. Educators defended themselves instead of expressing reflective views on their practices. Some educators were not sufficiently informed of the contents of the Bill of Rights. This lack of understanding impacted negatively on their classroom practices; hence the negative reports on infringements and violations on the right to human dignity of learners.

### *5.2.4 Views of educators regarding the implementation of the learners' right to human dignity in their schools*

There was evidence that educators attempt to create awareness of the right to human dignity in some cases, for example, learners are taught awareness of the importance of protecting their own bodies. The findings of this study shows that schools make efforts to create school policies that embody minimum implementation of the right to human dignity. However, there was lack of convincing proof that these policies are intentionally devised to protect the learners' right to human dignity in their schools.

Three of the four schools could not provide sufficient evidence that they have a systematic programme to monitor the implementation of the learners' right to human dignity.

Only school Q had a clear illustration of programmes incorporated in their teaching process which aimed to protect and promote human rights in their school. With the other schools the challenges lie in the fact that educators cannot satisfactorily interpret human rights. This highlights the importance of providing effective ways of supporting educators with a better understanding of the human dignity issue and human rights.

### **5.3 CONCLUSION**

The study on the educators' understanding of the learners' right to human dignity in secondary schools was carried out at four public schools in the Gert Sibande Region-Mpumalanga. It was revealed that human dignity is a concept concerned with the respect for the worth of an individual with the keywords integrity and respect. Respect is achieved when one person recognizes others as important and deserving reverence. While most participants perceived the right to human dignity as a basic right, some educators have misconceptions about the concept of the right to human dignity. There is evidence that learners continue to be exposed to belittlement and are rendered vulnerable and defenseless in the face of their educators. Name-calling, ridiculing and degrading of learners and character assassination are common in the four cases. Some disciplinary measures used by educators are outlawed for example, making learners to run round the school yard when they are late for school.

The research findings confirm a lack of clear guidelines which assist educators to use and implement the right to human dignity in secondary schools. The guideline can assist educators not only to develop systematic programmes, but also to ensure the promotion and protection of the learners' right to human dignity in their schools. Three of the four sites could not provide sufficient evidence that they have a systematic programme used to monitor the implementation of the learners' right to human dignity in their schools. Educators appeared to defend themselves instead of expressing their reflective views on their practices. The study provided evidence that some educators were not sufficiently familiar with the contents of the Bill of Rights. This lack of understanding has impacted negatively on their classroom practices; hence the negative reports on infringements and violations of the right to human dignity of learners.

The findings of this research show the necessity to conduct more school based research that will open dialogue on how to integrate rights in teaching and learning activities. Educators lack ideas on how to make their interaction with learners more positive and constructive in their schools within the confines of the Constitution. This study confirms the findings of Serame and others (2013) which call for a culture of humanity and accountability in our schools.

#### **5.4 RECOMMENDATIONS**

From the data collected from interviews with educators of the four schools under study and the analysis of the accessed school documents for each school, the researcher developed recommendations as follows:

##### *5.4.1 Recommendation one*

The researcher recommends that education authorities should establish a framework within which educators may be trained in understanding the concept of human dignity as provided for in section 10 of the Constitution in the Bill of Rights and that educators are assisted to reduce the cases of abuse and degrading of learners' rights in schools as established by the research study.

##### *5.4.2 Recommendation two*

The findings of this study reveal that three out of the four schools under study do not have a systematic programme for tracking the promotion and protection of human dignity in their schools. The researcher suggests that every school should a specific programme designed to promote the right to human dignity of learners and all the other stakeholders. Each school should revisit its operational policies and design a user friendly policy to address the issue of human rights and human dignity in particular. There should be in-service-courses for educators that focus on creating a school culture that promotes and protects the right to human dignity of everybody in the school. There should be forums in which schools can showcase best practices and a strong school culture of promotion and protection of the right to human dignity and other human rights relevant to the school context.

#### *5.4.3 Recommendation three*

The research findings indicated that some educators in schools infringe the learners' right to human dignity daily on an ongoing basis. This suggests that many learners find themselves defenseless and vulnerable in South African schools. In light of this finding, the researcher recommends that the Department of Education should establish a committee whose function should be to conduct a monitoring audit of compliance in terms of human rights abuses in all public schools. This can be done by conducting unscheduled school visits to observe the conduct of the learners and educators regarding the promotion and protection of the right to human dignity among other rights related to education. Schools that are found to have acted unconstitutionally can, for example, be given an initial warning and eventually be blacklisted by the authorities and lose certain privileges. Community involvement is also crucial in sensitizing learners, teachers and other stakeholders towards practices and behaviours that infringe the right to human dignity. All stakeholders ought to be involved in the creation of a school culture that upholds the right to human dignity.

#### *5.4.4 Recommendation four*

This study shows that some educators in the selected schools had misconceptions concerning the right to human dignity and are not in a position to correctly implement the requirements of the right to human dignity as stated in the Constitution of South Africa. The researcher in this study recommends that the Department of Education should develop binding guidelines for School Management Teams (SMTs) which can be used to interpret and implement the requirements of the Bill of Rights especially section 10. The promotion and protection of the right to human dignity should be normative in schools. Mission and vision statements should incorporate values that lead to the promotion and protection of the right to human dignity. The school code should indicate the measures to be taken when learners infringe the right to human dignity of other learners.

## **5.5 LIMITATIONS OF THE STUDY**

Limitations are acknowledged to be constraints that may be imposed on a study and to comprehend the context in which research claims are made (Yin, 2009; Merriam, 2009). Potential limitations that were encountered in this study included the fact that it was challenging to gain access to various institutions despite permission granted by the Department of Education; the time available did not allow the researcher to extend the research to other parts of the country; resources may have been limited, the credibility of information from participants, availability and non-availability of information, exaggeration and amplification of information provided by participants trying to impress the researcher were a possibility. It sometimes happened that participants withheld important information. The fact that the study focused on a case study of selected individual participants in particular schools in one province, in a particular region, means that the findings of the study research cannot be generalized to other provinces, districts, regions or school circumstances and cultures (Merriam, 2009). In view of the fact that the study involved document analysis, some school principals became suspicious and refused to make their school documents available for analysis, for example, school codes of conduct and school discipline codes. The researcher may have been subjective and biased in the interpretation of the data and findings; however, the supervisor commented critically on biased reporting and analysis. The limitations of interviews as the main source of information may also have reduced the researcher's ability to triangulate data apart from comparing the responses of the different participants.

## **5.6 FUTURE STUDIES**

The researcher concludes that further research could be carried out on the understanding of the learners' right to human dignity in South African schools being guided by the following themes:

- What should be done to ensure an improved perception and the practice of the promotion and protection of the human dignity in secondary schools?
- To what extent does the current schooling system pose a risk to the development of the right to human dignity within a South African schools context?
- What is the perception of the school community regarding the promotion and protection of the right to human dignity in secondary schools?

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## ANNEXURE A:

### A LETTER TO THE HEAD OF DEPARTMENT OF EDUCATION



19 July 2016

The Head of Department  
Mpumalanga Department of Education  
Private Bag X11341  
Nelspruit  
1200

Dear Sir/Madam

#### **RE: PERMISSION TO CONDUCT RESEARCH STUDY**

I hereby request permission to conduct a research study at four public secondary schools in the Gert Sibande Region in the Mpumalanga Province. I am currently enrolled in the Faculty of Education University of Pretoria, and am in the process of writing my Masters dissertation. The study is entitled '**Educators understanding of the learners' right to human dignity in secondary schools.**' The main objective of this study is to investigate the educators' understating of the use and implementation of the learner right to human dignity in secondary schools.

This study will not only help me to gain understanding of the educators perceptions on the learner right to human dignity but will also help explore the strategies that can assist educators to promote and protect the right to human dignity.

I intend to conduct semi-structured interviews with the principal, an SMT member or senior teacher and one PL1 educator from each of the selected schools. A total of twelve participants will be involved in the study. The four schools have been purposively chosen to give the research a broad view and acceptable degree of diversity. The rationale behind this choice is to consider in-depth understanding of educators' perceptions through experience. In this case study, participants chosen shall be those who have taught for at least four years or more in the four (4) selected high schools.

The names of participants and their schools will be kept anonymous and their views will be kept confidential. The participants who volunteer to participate will be given consent forms to sign. The participants will be routinely offered feedback on the study, and an opportunity to comment on the collected data. In addition participants will be informed of their right to withdraw from the study should they choose not to continue participating in the study. No costs will be incurred by the school or individual participants by taking part in this study. Interviews will be held at a convenient place to the participant outside working hours. There will be no interference with the school teaching time. A copy of the completed dissertation will be made available to the University of Pretoria library. The participants and the Mpumalanga department of Education will be given a summary of the main findings of this study.

I thank you in advance for your assistance in this matter. I am looking forward to a positively considered response.

Yours faithfully



.....

.....  
Richard Pitso Zwane  
Student Researcher



Dr. T.A. Ogina  
Supervisor

## ANNEXURE B:

### LETTER TO THE SCHOOL PRINCIPAL



Faculty of Education  
Department of education  
Management and policy studies  
19 July 2016

The Principal  
Volksrust/Wakkerstoom circuits  
2470

Dear Principal

#### **RE: PERMISSION TO CONDUCT RESEARCH STUDY AT YOUR SCHOOL**

Kindly receive this letter requesting permission to conduct research study with you at your school. I am currently enrolled in the faculty of education at the University of Pretoria, and am in the process of writing my Masters dissertation. The study is entitled '**educators understanding of the learners' right to human dignity in secondary schools**'. The study has been approved by the Ethics Committee of the Faculty of Education of the University of Pretoria and has been given the reference number.....

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 the learner right to human dignity namely the school's Constitution, code of conduct and other relevant school policies. 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 the venue on the school premises that will be convenient to you. The interview will be both noted down and tape recorded.

No costs will be incurred by you or the school. I have attached an interview schedule consisting of all questions to be asked and 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 study Research. You will be routinely offered 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 learner right to human dignity is promoted, 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 by email at [dvn.mystery@gmail.com](mailto:dvn.mystery@gmail.com) or at 083 769 2707.

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

Yours faithfully



.....  
Richard Pitso Zwane  
Student Researcher



.....  
Dr. TA Ogina  
Supervisor

## ANNEXURE C:

### APPROVAL LETTER FROM THE HEAD OF DEPARTMENT OF EDUCATION



Building No. 5, Government Boulevard, Riverside Park, Mpumalanga Province  
Private Bag X11341, Mbombela, 1200.  
Tel: 013 766 5552/5115, Toll Free Line: 0800 203 116

Litiko le Temfundvo, Umnyango we Fundo

Departement van Onderwys

Ndzawulo ya Dyondzo

Mr. Zwane RP  
P O Box 2123  
Volksrust  
2470

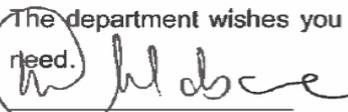
#### **RE: APPROVAL FOR THE RESEARCH REQUEST FOR RICHARD PITSO ZWANE**

Your application to conduct research was received and thanks for your interest in our province. Your research study seeks to explore the strategies that can assist educators to promote and protect the right to human dignity. The title of your study and the subsequent aims and objectives suggests that your study will make interesting recommendations for the province. I therefore approve your application subject to you observing the provisions of the departmental research policy which is available in the departmental website. You are also requested to adhere to your research ethics as spelt out in your research ethics document. Note that the department reserves the right to withdraw the approval at any time if the researcher does not adhere to the proper ethical issues as set out in the research policy. Note further that this approval is only valid up to the end of this academic year (2016).

In terms of the departmental research policy, data or any research activity can only be conducted after school hours as per appointment. You are also requested to share your findings with the department so that we may consider implementing your findings if that will be in the best interest of the department. To this effect, your final approved research report (both soft and hard copy) should be submitted to the department so that your recommendations could be implemented. You may be required to prepare a presentation and present at the department's annual research dialogue.

For more information kindly liaise with the department's research unit @ 013 766 5476 or [a.baloyi@education.mpu.gov.za](mailto:a.baloyi@education.mpu.gov.za).

The department wishes you well in this important project and pledges to give you the necessary support you may need.

  
MRS MOC MHLABANE  
HEAD: EDUCATION

28, 7, 16  
DATE



## ANNEXURE D:

### CONSENT LETTER AND FORM TO PARTICIPANTS



**Enquires:** Zwane RP  
Cell No: 083 769 2707

P.O. Box 2123  
Volksrust  
2470

Dear Participant

**RE: REQUEST FOR YOUR CONSENT TO PARTICIPATE THE STUDY RESEARCH.**

You are humbly requested to participate in the research study aimed at collecting data on '*educators understanding of the learners' right to human dignity in secondary schools*'. I am currently an M.Ed Educational Leadership student at University of Pretoria. Your participation in this research remains voluntary. Confidentiality and anonymity is guaranteed and if you decide to withdraw from the study research you may do so at any stage. The purpose and the process will be explained fully and you will not be placed at risk or harm of any kind. I will meet you and explain the purpose and the aim of the study research. Furthermore I will give clear information about the following:

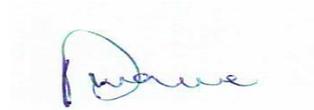
- The title of the research study
- The purpose of the study
- What is expected of you in the study
- And your rights as a participant.

An arrangement of 30 to 45 minutes interview will be made for each participant individually. If you are willing to participate in this study, please sign the attached consent form as a declaration of your participation.

If you have any questions or you need clarification, do not hesitate to contact my supervisor or me at the numbers given below.

I hope and trust my request will receive your favourable consideration and I am waiting to receive a positive feedback from you.

Yours faithfully



RP Zwane (Researcher)

Cell: 083 769 2707

Email: [dvn.mystery@gmail.com](mailto:dvn.mystery@gmail.com)



Dr. T.A. Ogina (Supervisor)

012 420 5730

[taogina@up.ac.za](mailto:taogina@up.ac.za)



Faculty of Education  
Department of education  
Management and policy studies  
30 August 2016

**CONSENT FORM**

**VOLUNTARY PARTICIPATION IN THE RESEARCH STUDY ENTITLED:  
*‘Educators understanding of the learners’ right to human dignity in secondary schools.’***

I ..... the principal/deputy principal/senior  
Teacher/PL1 educator in the..... 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 RP Zwane (student  
Researcher), currently a Med student (educational leadership) at the university of  
Pretoria:

- The aim, scope, purpose, possible consequences and benefits of the research.
- The method of collecting data needed in this 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.

A handwritten signature in blue ink, appearing to read 'RP Zwane', is written over a light blue rectangular background.

.....  
RP ZWANE (Researcher)

## ANNEXURE E: INTERVIEW PROTOCOL

### INTERVIEWER DETAILS

Full Name: Zwane Richard Petso  
Email: [dvn.mystery@gmail.com](mailto:dvn.mystery@gmail.com)  
Phone; 083 769 2707  
Student number: UP\_25492374  
**Department: Education Management and Policy Studies**



### Interview schedule

#### Introduction

Name of school (Pseudonym) .....

Name of Educator/Principal/HOD (Pseudonym):  
.....

Establish rapport: Introduce myself, explain why I'm here and make interviewee feel relaxed.

Mention the length of the interview and motivate how the information the handling of human dignity in schools is important.

#### Outline the Purpose of study to participant:

The main objective of this study is to investigate how educators' understand the use and implementation of the learners' right to human dignity in secondary schools. The study will be carried out in the Gert Sibande Region in the Mpumalanga Province. Educators from four schools are involved in the study. This includes your school.

#### The main research question:

How do secondary school educators understand the learners' right to human dignity within a school context?

**Preliminary information:**

Tell me briefly about yourself

Your teacher qualifications

Your experience (including Subjects you teach) in the teaching business.

Tell me briefly about your school, how do you describe your school?

Your involvement in the schools teaching process and/or discipline activities

**Sub-questions:**

1. What do you understand by the right to human dignity? Explain.
2. Do you think your colleagues understand the use of the right to human dignity? What about you, do you think you understand the use of this right?
3. What are your experiences with regard to the promotion of the learners' right to human dignity within the school?
4. Can you relate some of the practices in the school which you think could infringe the right to human dignity?
5. What is your view regarding the implementation of the learner' right to human dignity in the school, is it implemented? Or how is it promoted/protected?

**Closing**

Close by mentioning the importance of study and allow interviewee to ask questions if any. Thank interviewee and highlight the benefit and state that the findings will be made available. The will not only help me to gain understanding of the perceptions of educators on the learners' right to human dignity but will also help explore the strategies that can assist educators to promote and protect the right to human dignity.

## ANNEXURE F:

**SCHOOL Y**

### INTERVIEW TRANSCRIPT SAMPLE

Date: 02 September 2016

Time: 12:41 PM

VOICE CODE: D004

Interview Transcript 7 (reviewed 16 February 2017)

#### Information after follow-up interview

Interviewee: Principal 4 (Pseudonym: voice of P4)

Interviewer: Student researcher-UP (Abbreviated: SR)

Interview set up and venue: Principal's Office, quiet, comfortable & no disruptions experienced.

#### ***Summary of Preliminary information:***

- **Teaching Experience**
  - 35 years
- **In the principal position**
  - 15 years as Principal.
- **Highest qualifications**
  - STD/FDE/BA: and Bed Hons.
- **Duties in the school**
  - As the principal I am responsible for the general management of the school including.

Start of interview:

SR: Thank you so much Sir for allowing me to use you as a participant in this research study. My name is Mr Zwane a student at the University of Pretoria pursuing a Master's Programme in Educational Leadership. Please be informed that I am not going to use your actual name including the name of your school.

I will be using pseudonyms for both you and your school. This is done to keep everything confidential to protect you and the image of your school. The main purpose of the study is to investigate how educators understand the use and the implementation of the learner right to human dignity in secondary schools. We shall now go through the preliminary questions. I would like you to tell me about yourself, your teacher qualifications, your involvement in the teaching process and your experience.

P4: Thank you Mr Zwane. It's a pleasure for me to be included in this investigation. I will do my best to present what I know. In terms of education I have been here for more than 35 years, actually I am about to retire from the teaching profession because I am old. Experience may sometimes offer more of what you have seen over the years. In connection with your topic when talking of human dignity etc., I will have to put in my perception and my understanding. As I indicated that I have been teaching more than 35 years and I came to this school 15 years ago. So I am one of the experienced educators and the eldest for that matter. Concerning my qualifications, I obtained the formal primary teachers certificate, after that I upgraded my studies with Vista and I got the FEC, and I furthered again with Vista and obtained a secondary teachers Diploma. I then did my BA at Unisa, and then I went to Durban Westville University and got my PED. I took a one year study leave to pursue my studies. I then went to Wits University and did the senior education certificate. I also got some skills through SACE and here I was just updating my skills, since this was available to us for free by the Department of Education. In terms of the subject that I teach, I qualified to teach Biology but it is now Life Sciences. I am currently helping matriculates with evolution. This was after I interviewed my teachers they told me learners are struggling a lot so I had to intervene. During weekends I organise them and assist these learners to understand this topic better. Then again in terms of our school, it has a history of more than 40 years in existence.

SR: You mean this is one of the oldest schools in this community?

P4: Yes.

SR: Round about those upheavals in Soweto, when Afrikaans was a language that was imposed on the Blacks mainly, so this school started there in 1976.

P4: As I have just said I have been in this school for more than 30 years. I came here as an HOD and I then became the Deputy Principal. My work was recognised and then finally became the Principal of the school.

SR: So you have now up the ladder of all these line functions of the school?

P4: Yes

SR: So you now know this school in and out?

P4: Yes that's true, and in terms of our results, we had top results in 2013 where we got 82% and thereafter we are experiencing some drop in the results in 2014 and 2015 where we got around 50%. This has put a lot of pressure on teachers and me of running this institution.

SR: May I know your involvement in the school because as a school manager I know there are many activities you are involved in but I strictly want that part where you are involved in the discipline processes in the school?

P4: In the discipline processes what I can say for now is we've got a disciplinary committee in the school and whenever they call their meetings I also attend these meetings. I am always invited over to discuss issues pertaining to discipline according to the level of type of discipline/misconduct and the action that must be taken.

SR: Do you have a working document for the operation of this committee?

P4: Yes we do. I am fully involved with this committee. I always encourage teachers to work with the learners in order to address issues of their concern in terms of the curriculum, so that is how I am directly involved in the teaching of learners in the school. We also have a class that goes through the whole night?

SR: What sort of challenges do you experience during such a class?

P4: Discipline of course. Some learners do funny stuff such as coming with alcohol or smoke cigarettes especially boys. One case of attempted rape was reported but that issue is in the hands of police as I speak. But we have parents who are part of the discipline during the night school classes.

SR: Don't you think the learners' right to their dignity is being compromised in a way especially being exposed to unprotected sexual activity and or other things which might harm or degrade them especially girls? How sure you are that they are not are humiliated in any way?

P4: As I said we have parents who are involved in the night study. Their presence halts any activities that might disturb our main goal.

SR: Are teachers involved in this programme?

P4: Yes we do have teachers as well but I want to point out that that there is one member of the community who is very much hands on in this activity. We have been doing this since April through July and this has yielded better results in grade 12.

SR: May be let me quickly go directly to the main question: What do you understand by the right to human dignity?

**P4: The right to human dignity means in other words each person must be viewed as a living entity. No exposure of some sort or the person's integrity should always be very important. You cannot regard a human being as you would with other objects. A human being must be shown respect as a person who has a future, a vision and who can think who needs to be guided.**

SR: What do you mean guided?

**P4: I am referring to learners in particular because they are our primary concern in the school and remain in our custody and as such we are in Loco Parentis to them.**

SR: In Loco Parentis...what do you mean?

P4: Once learners enter the school premises they become our total responsibility. Anything that happens or that may happen to them we are to Account.

SR: Ok.

**P4: In terms of dignity we have to always honour the dignity of the person. Do unto others what you would want them to do to you. That ought to be the driving force, so that you respect any other person like you want to be respected, and that can be**

continued to our communities. **In that way we can have less problems in term of the upheavals and misunderstandings that are there either politically, educationally, economically or otherwise. The culture of tolerance is not there. People don't respect one another.**

SR: It seems like you have some embedded information in terms of the manner in which you are explaining your point of view? Can you expand a bit?

**P4: In terms of education our learners must not be regarded as minors without a say. You must see them as people on the road of being adults one day. A person who is not honoured in terms of human dignity will not realise the goal of what ought to be with him/her in the future because once you ignore the person's dignity you lower him/her so that the self-esteem of that person is not fully recognizable. So like these when you have to talk about human rights etc. in some instances, but I must say of course that with rights with the learners they sometimes lack the responsibility that goes with that right. Most of the times learners like to have rights but lack the responsibility that goes with that right.**

SR: Do you mean there should be some mechanism that learners are taught the responsibility part?

**P4: Yes. In any cased once they know that whatever you are doing you are accountable for that, for example, if you wake up make your bed, don't expect a person to come make up your bed, likewise these rights issue and responsibility must be taught.**

SR: In the manner in which you explain, do you think your colleagues here at work understand this right the way explained it? Do they understand the use of the right to human dignity?

**P4: Yes I can say they do but however they are few instances that one can quote; there are children in class who cannot respect the teacher as a form of authority, they also don't understand other learners in class, then instances of anger creep in then teachers can act outrageous.**

SR: Do you have a specific example which you can give which shows that there is a lack in the link between figure of authority and the learner?

**P4: Yes. When teachers are teaching in class presenting their material some children can just talk out of turn and find that learners are laughing in that corner up to the point where the teacher will say his/her authority is being undermined by the learners. Another example, this morning I went to a class and teacher was not around in that class. Some left the class and I decided to reprimand some learners whom I noticed were making noise, I told them to keep quite because exams are going on, when I left that class I heard a funny sound and it was one of the boys. I didn't expect that behaviour because this class is grade 11 which I expect to be grade 12 come the following year. I called that boy out and I reprimanded him because he was not looking at me as the principal of the school, his attitude was like I am one of his friends.**

SR: Ok what kind of reprimand did you give to the boy?

**P4: It was just a hash word of mouth which I think it humiliated him in a way but I was furious as well.**

SR: Did the absent teacher report or were you aware officially?

**P4: Yes I was aware. But some learners they step bounds up to the point where you cannot pin point who the child is. You sometimes hear funny sounds with their mouths closed but you cannot detect who the culprit is. In that instance you will feel that the rights of others are not respected, and the right of the teacher to teach is disturbed and also the rights of others to receive their education is hampered with.**

SR: In your explanation do you mean that your stuff does know the use and the meaning of the learner right to human dignity?

**P4: Yes I partly think so. I say partly because at times things happen so fast such that a trusted educator behaves in an unbecoming way towards these children. So thinking and saying they understand this right might be too extreme. I may therefore say some do but some no.**

SR: What about you do you think you know the use and the meaning of the right?

**P4: Yes I do that is why most of the times I try hard to instil it in my teachers to respect, promote and protect not only the learner right to human dignity but as well as other rights. As I mentioned earlier on that I am the member of the disciplinary committee and I am currently trying to develop some kind of steps that will be followed when we discipline learners in the school because I don't want us to end up speaking utterances to learners such as you are stupid or whatever; we want to try and correct the wrong behaviour respecting them at the same time.**

SR: Are there any instances with regard to the promotion of the right to human dignity which you could quote that as a school we have the promotion of the right at the centre stage because we are doing 1, 2, and 3? I mean activities or programmes?

**P4: As a school there are some instances where these learners fall pregnant, which is something we don't expect, we do allow the child to go back home, give birth to the young one and that child can come back to school after delivery. In some instances we request that information from the parent to say let the child be given a chance to finish his/her studies without such a war of why the child had to do that, because we are avoiding things like suicide on the learner's part. We are also looking at the right of the one to be born; because in some instances when the child wants to go out to the clinic to do whatever as a young mother of a baby, we do accept and allow them to attend to whatever problems they might be facing.**

SR: In quoting that example of learner pregnancy do you think that these learners, in the manner in which they do things, they get pregnant whilst they are still young, in terms of showing them the kind of direction to take in terms of supporting them as a school; is there any support mechanism? I know that you are not a pregnancy centre. But is there any support mechanism for such, In terms of protecting their human dignity?

**P4: I don't know whether to call this protection per say, but actually when they start with their exams we don't chase the learners from school or suspend them or expel them, we actually allow the parents to come over to school to assist whenever the pains come to the young girl.**

**We arrange also with the parent to call an ambulance. That is our support that we give. So anything that may happen in class especially during the examination period, we allow parents to be nearby during the high month's of pregnancy, I don't know how I may put it. But we do allow parents to come over and assist in whatever they may. So, it's a taboo to have the males handling the young girl who is pregnant.**

SR: Could you, may be relate some of the practices which you think in a way could infringe on the Human dignity of the learner? Are there any instances which may be you could quote?

**P4: Yes there are quite a few I think, for instance if you detain them during break, it's their right to go and eat but we sometimes reduce that time to 15 minutes instead of an hour, so they only go for lunch for 15 minutes instead and with 45 minutes we expose them to hard labour and their time is limited now in terms of getting food from the feeding scheme at the school. However we do arrange that they get their food in those 15 minutes finally.**

SR: So how do you ensure that there is no infringement in all the activities that you do as a school when correcting the learner behaviour?

**P4: Like I said before, we do everything within the confines of our Constitution.**

**SR: but exposing learners to hard labour is un-Constitutional?**

**P4: but you were once a teacher here you know our learners. At times we do have situations which require a little bit of a hard hand in order to give direction. But we do ensure that there is minimum use of force because of these learners may try to make you a fool in order to gratify their ill-behaviour.**

SR: Have you devised any activities which highlight the significance of this right amongst the staff, amongst the learners?

**P4: That is very difficult question to answer.**

SR: Let me rephrase it for you, have you come up with activities that will address the awareness of this right, let me say not only this right may be including other rights

that learners must enjoy within the school community? Is there any programme that you have so that you highlight this right and make the learners aware and more especial the teachers? Remember I am checking whether the teachers understand this right as a Constitutional right?

P4: I am not sure whether I will give you a correct response; when we keep learners in the afternoon, other learners have knowledge that this child did some form of misconduct, this is going to teach others that if you do such an misconduct this is what is going to be imposed on you. Further than that I can also say in some instances where a learner continues to show disciplinary problems in one way or another, we do call the parent to solve the issue involving the parent. We don't just expel the learner from school but we do consider the legal activities of the SGB. This one is a bit dicey.

SR: What do you mean by dicey Sir?

P4: I am skeptical because some issues are too deep for me disclose.

*[This could have serious implications. The principal wanted to talk about deep issues which in my view could point lack of respect for the right to human dignity in the school.]*

SR: If you were to rate yourself in a scale of 1 to 10 how would you rate yourself, are a school that is purely promoting the learner right to human dignity and you do not infringe on this right?

**P4: I would give myself 7 out of 10.**

*[Considering the principals' above utterances it is evident in my view that the Principal of school Y gave an untrue reflection of himself regarding the promotion of this right in his school].*

SR: Do you have reasons why you rate yourself at 7 out of 10?

**P4: It's because as a school we have had many challenges which we have outgrown. So we are aware of the Constitution and its obligations to us as curriculum implementers.**

SR: In other words this school is highly aware of consequences and is also highly aware of the manner in which this right should be handled, promoted and protected?

P4: Yes

SR: Let us summarize our talk Sir, regarding the implementation would you say overall, do you as a school protect and promote the learner right to human dignity?

P4: I would say yes we do.

SR: Do you have supporting documents, which are here in your office which you always issue out to teachers or learners as you said earlier on?

P4: We do have sessions where we invite other stake holders to the school, our sister departments like social services they do come and explain what learners must do; we normally have sessions for girls alone and boys as well. We emphasises on the girls because they are more vulnerable than boys; they are told not to allow any person to touch their parts or anyone using inviting language that promotes sexual desires etc.

SR: Thank you so much Sir, I real enjoyed this session with you. And I want to say this study is continuing and I might be coming to trouble you with more clarity seeking questions so please don't get tired of me.

**ANNEXURE G:  
EXAMPLE OF DATA ANALYSIS TABLE**

**EDUCATORS UNDERSTANDING OF THE LEARNERS' RIGHT TO HUMAN DIGNITY IN SECONDARY SCHOOLS**

Questions and sub	Responses	Segments	Comments/codes	Themes/Sub
<p>1. What do you understand by the right to human dignity? Explain.</p>	<p><u><i>Principal 1</i></u> I think the right to human dignity with regard to dignity it means that as human beings we need to respect one another and another thing we need to have the spirit of Ubuntu, we must not hurt other people. Like sometimes you find that a learner is misbehaving because is in serious lack. Because of Ubuntu instead of giving a punishment to the learner you use the sense of Ubuntu and give the learner a second chance. I am sure that I understand human dignity in that we need to respect one another.</p> <p><u><i>Principal 2</i></u> When you talk of the right to human dignity there are things that we can just pound on learners without thinking of the diversity. I will make an example, with our school policy no earring, now there are these learners from <i>Ushembe</i>; they were these earrings as part of their own religion but the school rules says no earring. Now it is not that I am denying their right for following their religion but now it becomes battle between us as the school and these learners and in a way they feel I am looking down upon their dignity as <i>SHEMBE</i> people. And another thing to human dignity when it comes to learners is that we cannot just search them anyhow but there are procedures that one</p>	<p>we need to respect one another and another thing we need to have the spirit of Ubuntu, we must not hurt other people. Because of Ubuntu instead, use the sense of Ubuntu</p> <p>Respect one another.</p> <p>The right to human dignity means there are things that we cannot just pound on learners without thinking of diversity.</p> <p>am looking down upon</p> <p>hail insults which let down their dignity</p> <p>Constitution states that every individual has a right to human dignity. It therefore means you have a right to life; you have a right to existence, a right to interact with others and has a right to clean environment enshrined in the constitution so that they are exercised at</p>	<p>All the interviewed teachers talked of learner right to human dignity as a basic human right that cannot be taken away from a person. A sense of Ubuntu needs to be realistic Thinking about the next person or treating others fairly</p> <p>Teachers interviewed see it as a right that is mostly denied to individual learners in schools</p> <p>Hailing insults lets down the human dignity of a person (learner)</p> <p>A constitutional right with all legal implications</p> <p>Enshrined to be exercised at all</p>	<p><b>Constitutional reasons</b></p> <p><b>Individual consciousness</b></p> <p><b>School reasons</b></p> <p><b>Environmental reasons</b></p> <p><b>Promotion, protection and respect</b></p>

	<p>should follow. By the time the main aim of searching is accomplished a lot has happened in term of infringing upon their dignity. At times we hail insults which let down their dignity. We actually neglect this part and just think these are children.</p>	<p>all levels</p> <p>At school you find it is understood as a concept that is mainly alienated from the daily activities. one of the rights that are stipulated in the Bill of rights in our constitution that every citizen is entitled to and it's a basic human right everyone hence all must adhere to it We ensure that we treat people with human dignity.</p> <p>each and every person has the right to be treated with respect, fairly and to be treated equally without discrimination this right so it not a privilege it's a must that we respect this right should be respected and protected every time respect this right should be respected and protected every time</p> <p>is something that is natural you are born with this As Africans we believe in Ubuntu which is treating a person in a human way , we should try by all means to respect the inner person, and pro</p>	<p>levels with caution</p> <p>The right is not a privilege and should be respected and protected every time.</p> <p>Teachers describe the right as something native, natural and we are born with untaught.</p>	
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## ANNEXURE H:

### UNIVERSITY OF PRETORIA APPROVALS

#### H1: ETHICS APPROVAL



## Faculty of Education

Fakulteit Opvoedkunde  
Lefapha la Thuto

Ethics Committee

29 June 2016

Dear Mr Zwane,

**REFERENCE: EM 16/04/06**

Your application was considered by the Faculty of Education Ethics Committee and the final decision of the Ethics Committee is:

Your application is approved.

This letter serves as notification that you may continue with your fieldwork. Should any changes to the study occur after approval was given, it is your responsibility to notify the Ethics Committee immediately.

**Please note that you have to fulfil the conditions specified in this letter from the Faculty of Education Research Ethics Committee. The conditions include;**

- 1) *The ethics approval is conditional on the research being conducted as stipulated by the details of all documents submitted to the Committee. In the event that a further need arises to change who the investigators are, the methods or any other aspect, such changes must be submitted as an Amendment (Section E) for approval by the Committee.*
  - *Any amendments to this approved protocol need to be submitted to the Ethics Committee for review prior to data collection. Non-compliance implies that the Committee's approval is null and void.*
  - *Final data collection protocols and supporting evidence (e.g.: questionnaires, interview schedules, observation schedules) have to be submitted to the Ethics Committee before they are used for data collection.*
- 2) *The researcher should please note that this decision covers the entire research process, until completion of the study report, and not only the days that data will be collected.*
- 3) *Should your research be conducted in schools, please note that you have to submit proof of how you adhered to the Department of Basic Education (DBE) policy for research.*
- 4) *The Ethics Committee of the Faculty of Education does not accept any liability for research misconduct, of whatsoever nature, committed by the researcher(s) in the implementation of the approved protocol.*

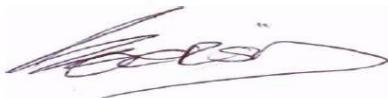
Please note that this is **not a clearance certificate**.

Upon completion of your research you need to submit the following documentation to the Ethics Committee:

- **Integrated Declarations Form (Form D08),**
- **Initial Ethics Approval letter and,**
- **Approval of Title.**

*On receipt of the above-mentioned documents you will be issued a clearance certificate. Please quote the reference number: **EM 16/04/06** in any communication with the Ethics Committee.*

Best wishes,



Prof Liesel Ebersöhn  
Chair: Ethics Committee  
Faculty of Education

H2: APPROVAL OF TITLE/SUPERVISOR

4 November 2016

Student no: 25492374

Mr Richard Pitso Zwane  
[dv.mystery@gmail.com](mailto:dv.mystery@gmail.com)



Dear Mr Zwane

**APPROVED TITLE/SUPERVISOR**

I have pleasure in informing you that your supervisor for the MEd is:

**Supervisor:** Dr Teresa Ogina  
**Contact details:** (012) 420 2445, [teresa.ogina@up.ac.za](mailto:teresa.ogina@up.ac.za)

**TITLE: Educators' understanding of learners' right to human dignity in secondary schools**

You are advised to acquaint yourself with Regulations in the publication 'General Regulations and information'.

Your registration as a student must be renewed annually before 28 February until you have complied with all the requirements for the degree. You will only be entitled to the guidance of your supervisor if annual proof of registration is submitted

Yours sincerely

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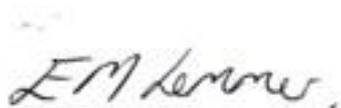
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**ANNEXURE I:**  
**DECLARATION OF LANGUAGE EDITING**

**To whom it may concern**

I confirm that I have edited the following M Ed dissertation of limited scope:  
**Educators' understanding of the learners' right to human dignity in secondary schools** by RP Zwane for language and technical aspects.



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28 May 2017