

A South-African perspective: managing learners' right to freedom of expression in the classroom

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ABSTRACT

This study explores how teachers in post-Apartheid South Africa manage classrooms to promote freedom of expression while maintaining boundaries and ensuring learner safety, in the context of the country's complex political landscape and history of human rights violations. The findings highlight that classroom management styles influence learners' ability to express themselves, either fostering or inhibiting this constitutional right. The study also identifies the creation of 'Safe Spaces', where learners can freely share their beliefs and opinions without fear of prejudice, as a crucial yet under-examined aspect of classroom dynamics. Additionally, the generational divide among educators plays a pivotal role in shaping attitudes, beliefs, and teaching practices, with older teachers often adhering to traditional, more restrictive methods, while younger teachers are more inclined to promote open expression.



KEYWORDS

Freedom of expression;
human rights; apartheid;
South African Constitution

Introduction

Apartheid, an ideology introduced by the National Party (NP) government in 1948, advocated for the separate development of different racial groups in South Africa (South African History Online, 2023). At its most oppressive, apartheid denied black South Africans numerous fundamental rights, including the right to vote, own land, move without restrictions, access employment, be appointed in public office, receive educational opportunities, learn in their native languages, and choose their sexual partners and spouses, and even deprived them of their South African citizenship (Cameron, 2012). As expected, education was also used as a tool by the Apartheid regime to perpetuate inequality and suppress black South Africans' human rights and educational equity through the implementation of Bantu education (Fiske & Ladd, 2004). In the context of this study freedom of expression was among the rights significantly violated within classrooms by the oppressive apartheid regime (Bouhot, 2009; Erfani-Ghadimi, 2017). The government exercised stringent control over the content of textbooks and curricula to advance its ideology, revising subjects such as history to justify apartheid policies while methodically dismissing critical or anti-apartheid information (Beinart & Dubow, 1995; Christie, 1991). Political dialogues and events were strictly forbidden, with severe disciplinary measures, including expulsion, detention, and harassment, enforced on those suspected of taking part in anti-apartheid activities (Christie, 1991). Student organisations, such as the South African Students' Movement (SASM) and the Congress of South African Students (COSAS), were banned, and their meetings and protests were often disrupted by police intercession (Beinart & Dubow, 1995). Teachers and students implicated in the anti-apartheid movement were frequently detained without trial, disqualified from teaching, or banished from educational institutions, with prominent activists facing house arrests and other forms of persecution (Christie, 1991). The systematic humiliation stemming from apartheid's legal structures left a residue of indignity, perceived and experienced as appalling (Cameron, 2012).

These extensive inhumane measures experienced by the majority of citizens during Apartheid serve as the main impetus for enshrining human dignity both as a foundational value and as an individual right within the Bill of Rights of the South African Constitution (Cameron, 2012). The emphasis on human dignity is prominently reflected in the 1996 Constitution of South Africa (Russell et al., 2019). Section 10 of the Constitution clearly states that *'everyone has inherent dignity and the right to have their dignity respected*

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and protected' (Republic of South Africa, 1996). Chapter 2 of the Constitution emphasises the paramount significance of acknowledging the fundamental rights and values intrinsic to the people of the Republic, stipulating that *'the government is under a binding obligation to respect, protect, and actively promote the rights enshrined within the Bill of Rights'* (Republic of South Africa, 1996).

Consequently, the South African education sector had to align its laws and policies with the progressive, rights-based framework established by the Constitution (Tibbitts & Keet, 2017). Teachers are now expected to incorporate human rights education into their teaching practices, imparting knowledge and skills for learners to comprehend and effectively apply these principles (Umry & Cahyati, 2023). In this regard the research revealed a subset of teachers with a firm grasp of South Africa's constitutional principles, implementing innovative strategies such as *'safe spaces'* to facilitate open dialogue and protect learners' rights. Classroom management strategies rooted in the South African Constitution emerged as vital measures in safeguarding learners' rights to freedom of expression within educational settings. It is noteworthy that the majority of the innovative strategies originated from the younger teachers who were interviewed. It is now expected of teachers to acknowledge the intricate network of relations they maintain with learners, parents, the wider community, and the school itself (Reyes, 1995). Unfortunately, not all teachers are accustomed and knowledgeable regarding the right to freedom of expression and as a result, this right is still violated in South African schools. Teachers seem to violate the right to freedom of expression through authoritarian leadership styles they implement in the classroom, with which they feel comfortable (Van Vollenhoven et al., 2006). The hidden curriculum that evolved from the still authoritarian leadership style militates against democracy, as the skill of exercising this right in society is repressed rather than advanced in South African schools (Van Vollenhoven et al., 2006). This practice works against the development of the right to freedom of expression, thus suppressing the development of democracy (Van Vollenhoven et al., 2006).

Research question

Regrettably, not all teachers possess the necessary familiarity and understanding of the right to freedom of expression, leading to ongoing violations of this right within South African schools. The cases of Layla Cassim, Yusuf Bata, and Antonie, that will be discussed in this article, illustrate instances where teachers misinterpreted the application of the Bill of Rights, particularly concerning the right to freedom of expression (Van Vollenhoven & Glenn, 2004). Given this historical and legal context, a critical question arises.

How do teachers manage freedom of expression in the classroom?

To address the research question, this article will commence by contextualising Section 16 of the Constitution of the Republic of South Africa, which pertains to the right to freedom of expression. Subsequently, the focus will shift to an examination of teachers' perceptions of freedom of expression within the school environment. Following this, there will be a discussion on the promotion and protection of learners' right to freedom of expression. The article will then outline the research methodology and data analysis employed. Finally, it will conclude with a discussion of the findings and limitations.

The constitution of the Republic of South Africa Act 108 of 1996

Section 16 of the bill of rights – the right to freedom of expression

Section 16 of the Bill of Rights unambiguously outlines that freedom of expression encompasses the freedom of media and press, the liberty to both propagate and receive information or ideas, the liberty to participate in creative expression or artistic endeavour and ultimately, the academic freedom integral to the pursuit of scientific inquiry (Republic of South Africa, 1996). A contemplation by Van Vollenhoven and Glenn (2004) underlines the need to deconstruct the term *'expression'* for a comprehensive understanding within the

legislative context. The clarification of ‘expression’ encapsulates a scope surpassing mere verbal communication; it comprises artistic activities, choreographic compositions, and visual representation. Additionally, ‘expression’ extends to symbolic comportments, such as a flag or banner immolation, sartorial choices, and non-verbal communication (Van Vollenhoven & Glenn, 2004). Emotion can also be communicated through conduct and bodily language, thereby expressing belief or discord. De Waal et al. (2001, p. 311) tender the proposition that *‘any endeavour through which an individual seeks to articulate emotion, conviction, or grievance should warrant the protection accorded under constitutional purview’*. Hence, the expansive inference of ‘expression’, including diverse modalities of activity, engenders complexities regarding its interpretation and management within the educational milieu.

Moreover, section 7(3) of the Constitution underscores that the rights enshrined within the Bill of Rights are not absolute and are contingent upon the limitations outlined within section 36 (Republic of South Africa, 1996). In this research, the researcher examined the approaches by which teachers demarcate learners’ freedom of expression. Within this framework, South African educational institutions are entrusted with the duty of instilling in learners an understanding of the rights encompassing all facets of society, as emphasised in the preamble of the Constitution. Schools are thus tasked with equipping learners with the ethical dicta, values, and responsibilities that encourage social consciousness, thereby allowing a judicious and balanced application and restriction of the right to freedom of expression (Van Vollenhoven & Glenn, 2004).

Teachers’ perceptions of freedom of expression in the school context

The indoctrination by the Apartheid government persisted for decades, contributing to the current state of South African citizens’ awareness, and understanding of their constitutional rights, even as the nation celebrates its twenty-ninth year of democracy (Van Vollenhoven et al., 2006, p. 9). It is crucial to recognise that teachers who began their careers during the apartheid era or who were still learners themselves during the epoch were moulded by an educational system that did not support free speech principles (Mazibuko, 2002, p. 6). Tiley and Goldstein (1997, p. 6) concur, noting that the previous education system failed to empower individuals to make informed, compassionate judgements regarding human rights. Research by Covell et al. (2010) found a reluctance among some school governors to understand legislative provisions and the Bill of Rights, expressing vulnerability to perceived revolutionary ideologies. Segalo and Rambuda (2018, p. 3) mention in their research findings that the teaching profession is handicapped by legislation or teachers’ lack of knowledge of human rights. The ‘chicken-soup’ approach to children’s rights extends beyond programmes and policies to implementation and widespread human rights education practices. Teachers often prioritise the ethical and moral dimensions of children’s rights, framing them as ‘ethical values’ or a ‘lifestyle’, rather than emphasising their legal entitlements and potential legal repercussions (Lundy & Sainz, 2018). Pillay (2014) research findings demonstrated that the inadequate comprehension and integration of underlying constitutional values by teachers are detrimentally affecting the promotion of a culture of human rights within our educational system.

The following cases exemplify the challenges associated with managing freedom of expression in the school context, particularly in diverse and pluralistic societies like South Africa. They underscore the need for schools to establish clear guidelines, promote inclusivity, and uphold the rights of all learners, regardless of their backgrounds or beliefs.

The South African human rights commission (HRC) – the case of Layla Cassim

Van Vollenhoven et al. (2006, pp. 127–128) describe the case of Layla Cassim, a 14-year-old Muslim student at Crawford College in Johannesburg. In October 1998, Layla posted an essay supporting the Palestinian viewpoint in response to an article on the Israeli perspective on the school’s notice board. The school, predominantly attended by Jewish learners, suspended her a month later for ‘escalating behavioural problems’. Layla’s family appealed to the Human Rights Commission (herein after), arguing her rights to freedom of expression were violated and due process was ignored. The HRC’s investigation concluded that Layla’s essay was not racist, antisemitic, or anti-white, and criticised the school’s disregard for her right to express a minority opinion (Sukhraj, 1999, p. 6; Van Vollenhoven et al., 2006, pp. 127–128).

Consequently, Layla Cassim's case illustrates a clear violation of her right to freedom of expression. Layla expressed her view on a contentious issue, the Israeli-Palestinian conflict, through her essay. However, the school responded by suspending her and prohibiting the circulation of the Human Rights Commission's findings. This amounts to censorship and suppression of Layla's right to express her viewpoint which differed from that of the majority. The school implemented their rules selectively by allowing the majority to pin their views on the notice board but punished Layla for expressing a minority opinion. This demonstrates a bias in enforcing rules and a lack of impartiality in protecting learners' rights to express their beliefs and opinions regardless of their alignment with the majority. Moreover, the school's actions were a violation of Layla's dignity. By silencing her and singling her out for punishment, the school failed to respect her inherent worth as an individual, treating her as less than equal to her peers. This disregard for her dignity underscores the broader issue of the interplay between freedom of expression and freedom of religion, belief, and opinion.

The South African Human Rights Commission (HRC) – the case of Yusuf Bata

In the case of Yusuf Bata, an adolescent of the Islamic faith, he engaged in a dispute with educational authorities due to his religious convictions. He refused to shave his beard as a demonstration of reverence for the Qur'an, leading to his school admission being denied. This incident primarily involved the infringement of Yusuf's rights to religious freedom, educational choice, and freedom of expression (Van Vollenhoven et al., 2006, pp. 127–128). Subsequently, Yusuf's right to freedom of expression was violated primarily because he was denied admission to the school based on his refusal to shave his beard, which he viewed as a religious obligation. This refusal to comply with the school's grooming policy was an expression of his religious beliefs and convictions, as he sought to demonstrate reverence for the Qur'an. Freedom of expression encompasses not only verbal or written communication but also actions and choices that convey ideas, beliefs, and identity. Furthermore, Yusuf's dignity was violated as his personal beliefs and identity were not respected, diminishing his sense of self-worth and autonomy.

Antonie v governing body, settlers high school and others (4) SA 738 (C)

In this case, the applicant, a 15-year-old grade 10 female learner who embraced the Rastafarian religion, grew dreadlocks and wore a cap to cover her hair. Although she had asked the principal several times for permission to wear this hairstyle to school, he forbade it. Believing that her rights to freedom of religion and expression were being infringed, she attended school wearing a black cap that matched the prescribed school colours to cover her dreadlocks. She was suspended from school for five days for serious misconduct because she had disrupted the school by disobeying its code of conduct for learners. The court ruled that rigidly assessing this prohibition is in contrast with the values and principles of justice, fairness, and reasonableness set forth in the guidelines as underpinned in the Constitution. By embracing the principles of the Rastafarian religion and choosing to express her religious beliefs through her hairstyle (dreadlocks), Antonie is exercising her freedom of religion. The school's refusal to allow her to wear this hairstyle infringes upon her right to freely practice her religion. The school's prohibition of this expression restricts her freedom to outwardly manifest her personal beliefs and preferences. In this context, Antonie's dignity was violated as her personal autonomy and self-worth were undermined. Dignity, a core value enshrined in the Constitution, includes the right to make personal choices that express one's identity, beliefs, and values. By denying her the ability to wear her dreadlocks and cover them with a cap, the school not only infringed on her freedom of expression but also failed to respect her dignity. The act of wearing dreadlocks and a cap was a significant part of Antonie's identity and religious expression, and the prohibition thereof disregarded her individual rights and personal integrity.

The promotion and protection of learners' right to freedom of expression

The cases of Layla Cassim, Yusuf Bata, and Antonie v Governing Body, Settlers High School and Others illustrate significant violations of the right to freedom of expression and dignity. These cases highlight the necessity of integrating human rights education and treating individuals with dignity to protect and promote freedom of expression. Human rights education plays a critical role in fostering awareness and

understanding of fundamental human rights principles, including democracy, justice, equality, and human dignity (Lesufi, 2021). By equipping learners, educators, and academics with the knowledge to incorporate these values into their cultural and decision-making frameworks, human rights education creates a foundation for respecting and upholding freedom of expression. Moreover, treating individuals with dignity is essential. As stated in the Universal Declaration of Human Rights and reinforced by section 10 of the South African Constitution, every person possesses innate dignity that must be respected and protected (Hennette-Vauchez, 2011; Republic of South Africa, 1996).

In the context of these cases, the integration of human rights education would have provided the schools with a framework to understand and respect the learners' rights to express their beliefs and opinions. Treating Layla, Yusuf, and Antonie with dignity would have meant recognising and respecting their individual beliefs and identities, rather than punishing them for expressing minority viewpoints or adhering to their religious convictions. The legal recognition of dignity underpins the protection of freedom of expression by ensuring individuals can express themselves without fear of discrimination or repression. Neal (2014) emphasises that dignity is central to the European Convention on Human Rights, and Beitz (2013) notes that human dignity is crucial in contemporary human rights discourse. By promoting human rights education and treating people with dignity, societies can create environments where freedom of expression is respected and protected, aligning with the fundamental democratic values enshrined in local and international legislation (Hennette-Vauchez, 2011; Neal, 2014).

Methodology

Research approach and design

In this study, a multiple case study design was utilised as the qualitative research approach. According to Creswell and Poth (2017, p. 96), *'a case study involves investigating a phenomenon in a realistic, restricted system (i.e., a case) through comprehensive and in-depth collection methods such as reports, documents, and interviews'*. This design allowed the researcher to gather information in restricted systems, specifically three public schools situated in one school district in Gauteng, to ascertain teachers' viewpoints regarding the management of learners' right to freedom of expression in the classroom. Furthermore, the inclusion of different data collection approaches aligns with Merriam and Tisdell's (2016) contention that qualitative research should prioritise depth over breadth. This approach enabled a nuanced clarification of the data, allowing for the detection of patterns and themes that may not be evident through a singular method.

Data collection

Semi-structured interviews

According to Alshenqeeti (2014), a semi-structured interview allows the researcher flexibility to explore participants' responses through pre-formulated and follow-up questions, enabling deeper insight into the subject matter.

Participants and sampling

The researcher employed purposive sampling to select participants, as it allows for the deliberate choice of individuals who offer valuable insights into the research problem, particularly regarding learners' right to freedom of expression (Creswell & Poth, 2017). Purposive sampling was well-suited for this study because participants needed to have relevant personal experiences and a willingness to reflect on and share their understanding of the phenomenon. Teddlie and Yu (2007) describe this method as selecting individuals or groups based on their unique characteristics, which in this study included age, race, gender, and socio-economic class.

Age was a key factor, as interviews with teachers from different age groups aimed to reveal differences in how younger and older teachers perceive learners' rights to freedom of expression. Older teachers, who grew up in a time when human rights were not fully recognised in South Africa, may have different views from younger teachers who matured in an era shaped by the Bill of Rights (Baltes, 1987; North & Fiske, 2012).

This generational gap could provide critical insights into varying interpretations of freedom of expression (Kornadt et al., 2017; Weltzien et al., 2014).

Race also played an essential role, as educators from diverse racial backgrounds were included in the study. Given South Africa's apartheid history, where black, Indian, and coloured individuals faced systemic human rights violations, it was expected that their perspectives on freedom of expression might differ from those of white participants, who did not experience the same degree of oppression (Hennessey, 2017; Mthembu, 2016; Ndlovu, 2015; Thabo, 2014).

Gender differences were also examined, as societal norms and cultural expectations can lead men and women to view freedom of expression differently (Gelfand et al., 2017). Women, for example, may feel societal pressure to conform to traditional roles or face harassment, which could impact their willingness to express themselves openly (Kabeer, 2012; Miller & Seashore, 2017). In contrast, men may perceive freedom of expression through the lens of social privilege and dominance in public discourse, which could influence their views on the subject (Connell, 2005; Young, 2005).

Finally, **socio-economic class** was considered, as individuals from higher socio-economic backgrounds often have greater access to platforms for expression and more resources to defend their right to free speech (American Psychological Association [APA], 2021; Behavioral Scientist, 2021). In contrast, those from lower socio-economic backgrounds may face barriers such as limited resources or fear of repercussions, particularly in economically dependent situations (APA, 2021; Behavioral Scientist, 2021). These factors influence the diversity of perspectives and enhance the depth and validity of the study.

Data analysis

Data coding was used for the semi-structured interview transcript analysis. The coding procedure started with the identification of relevant segments and the creation of meaningful words or phrases that were then classified (McMillan & Schumacher, 2014). These categories highlighted the key concepts that similarly coded data attempted to express (McMillan & Schumacher, 2014). The categories were then divided into themes and grouped together. The themes and clusters were finally arranged into patterns that showed relationships between the categories (McMillan & Schumacher, 2014).

Findings and limitations

The interviews were conducted in three schools thus necessitating caution in extrapolating its findings beyond the specific school sub-district under scrutiny. They reveal strategies employed by teachers to manage freedom of expression in classrooms and the broader school context, categorised under Safe Space and Classroom Management. Additionally, the researcher addresses a challenge related to managing freedom of expression, particularly concerning the generational gap.

Safe space

The data gathered from participant responses reveals that educators acknowledge the critical importance of safeguarding the constitutional right to freedom of expression. In this regard a proactive approach came to front in the interviews that involves teachers creating an environment for open dialogue, allowing learners to express their cultural values, beliefs, and opinions without fear of judgement. This initiative, developed in response to tensions, not only mitigates conflicts between learners and teachers but also provides a protective framework for both groups, fostering mutual understanding and decreasing occurrences of challenges to authority within the school.

Participant 2 articulated that *'the creation of a safe space allows teachers to invite learners to discuss sensitive issues, such as religious values expressed through hairstyles or jewellery, fostering a culture where learners can share their cultural customs without fear of judgment'*. This insight reflects a commitment to inclusivity and respect for diverse identities, both of which are central to fostering a conducive learning environment.

Similarly, Participant 6 highlighted the proactive role of such a safe space in managing classroom dynamics by noting that *'the initiative helps prevent conflicts by providing a platform for students to express*

their thoughts appropriately. This underscores the importance of using open dialogue as a tool for addressing and mitigating potential disagreements.

Participant 8's observation that *'the safe space initiative has resulted in fewer instances of learners challenging teachers, indicating a positive shift in dynamics'* further demonstrates that the creation of a safe space leads to more harmonious teacher-student interactions, where learners feel less inclined to engage in confrontational behaviour.

Additionally, Participant 17 emphasised the significance of *'clear boundaries' that exist with the establishment of a safe space, remarking that it is 'promoting respectful dialogue, reducing conflict, and enhancing understanding within the school community'*.

The recurring references to key concepts such as *'without fear of judgement'*, *'prevent conflict'*, and *'positive dynamics'* resonate strongly with Section 10 of the South African Constitution, which enshrines the right of every individual to have their dignity respected and protected (Republic of South Africa, 1996). Moreover, Chapter 2 of the Constitution underscores the broader obligation to respect, protect, and promote the rights contained within the Bill of Rights (Republic of South Africa, 1996). The mention of *'clear boundaries'*, *'platforms'*, and *'respectful dialogue'* in the participants' feedback highlights that educators recognise freedom of expression as a fundamental right, albeit one that must be carefully managed to prevent infringement upon the rights of others. This aligns with Section 7(3) of the Constitution, which acknowledges that rights may be limited in certain contexts, and with Section 36, which provides a framework for balancing competing rights in cases of conflict (Republic of South Africa, 1996).

The South African Human Rights Commission (HRC) – the case of Layla Cassim

The importance of a safe space becomes evident in cases like Layla Cassim v Crawford College, where the violation of Layla's right to freedom of expression highlights the lack of such protective environments. Layla's suspension for posting a pro-Palestinian essay on a school noticeboard, in contrast to the school's tolerance of the majority view, exposed the unequal enforcement of rules. The Human Rights Commission's conclusion that Layla's essay was not racist but rather an expression of a minority opinion underscores the role of a 'safe space' in ensuring that learners can express divergent views without fear of punishment. This case reveals the critical need for *'safe spaces'* where freedom of expression is respected equally for all learners, regardless of whether their views align with the majority.

The South African Human Rights Commission (HRC) – the case of Yusuf Bata

Similarly, the case of Yusuf Bata, who was denied school admission due to his religious expression of maintaining a beard, further reinforces the importance of safe spaces that respect freedom of religion and expression. Yusuf's case, involving the intersection of religious practice and personal expression, demonstrates how educational environments lacking such inclusive spaces can infringe upon the dignity and autonomy of learners. Denying his admission based on a grooming policy disregarded his right to express his religious beliefs, underscoring how safe spaces can serve as platforms for learners to practice their faiths without fear of exclusion or discrimination.

Antonie v Governing Body, Settlers High School and others (4) SA 738 (C)

In *Antonie v Governing Body, Settlers High School and others (2002)* the court ruled that the refusal to accommodate a student's religious expression through her hairstyle (dreadlocks) violated her rights to freedom of religion and dignity. The case illustrates how schools that fail to establish 'safe spaces' can unintentionally promote exclusion, limiting learners' freedom of expression and undermining their sense of self-worth. The court's ruling reinforced that schools must embrace justice, fairness, and reasonableness, core principles that align with the ethos of safe spaces where learners' diverse identities are respected and protected.

In conclusion, the initiative of establishing safe spaces reflect a nuanced and insightful understanding among educators regarding the role of 'safe spaces' as a vital tool for respecting, protecting, and promoting freedom of expression in the classroom. By creating environments that prioritise mutual respect, open

dialogue, and conflict prevention through the establishment of clear boundaries, educators not only safeguard the dignity of learners but also cultivate constructive engagement. Thus, the phenomenon of the 'safe space' emerges as a foundational element in creating an inclusive and supportive educational environment, where learners can exercise their right to freedom of expression within a structure that promotes respect and fosters a sense of belonging.

Classroom management

The role of classroom management in promoting, protecting, and respecting learners' right to freedom of expression has become a significant concern for educators. The literature underscores the historical indoctrination and suppression of free speech under the apartheid government within the education system, providing a critical context for analysing participants' perspectives on contemporary classroom management practices (Mazibuko, 2002; Van Vollenhoven et al., 2006). The participants' responses reveal a sharp contrast with the autocratic classroom management approaches of the previous regime, indicating a clear preference for a democratic management style to uphold learners' right to freedom of expression. Teachers shaped by this authoritarian legacy may face challenges in fully adopting democratic principles without comprehensive human rights education (Segalo & Rambuda, 2018; Tiley & Goldstein, 1997). The participants' responses underscore the importance of a transparent, fair, and consistent classroom environment in promoting free expression. Participant 1's emphasis on *'providing a well-structured environment in the class, which entails clear, well-communicated rules, respect for differences, fairness, and equal treatment of all learners, with consistency in applying the disciplinary code'*. Keyword like *'clear rules'* and *'consistent application'* aligns with the democratic ideals missing from apartheid education, where fairness and respect were largely absent.

Participants 13, 24, and 9 further illustrate the need for well-defined boundaries to guide respectful expression, a fundamental shift from the oppressive limits of apartheid-era teaching, where expression was controlled to stifle dissent. Participant 13 explained that *'well-defined rules give learners the boundaries within which they can express themselves without aggravating classmates'*, stressing that *'clear boundaries are essential for maintaining respectful interactions'*. Participant 24 added that *'rules establish boundaries for learners, and they know that if they express themselves beyond those boundaries, the teacher will stop the discussion'*, illustrating the role of regulation in curbing disruptive or harmful expression. Participant 9 further highlighted that *'the consistent implementation of rules in the classroom will provide guidance to learners, helping them conduct themselves in an acceptable manner'*, demonstrating that consistent enforcement fosters a safe and predictable environment for expression. Furthermore, the *'open-door policy'* advocated by Participants 24 and 15 underscores a democratic approach that contrasts with apartheid's restrictive methods, by fostering an environment where learners feel heard and respected. This approach resonates with the principles of dignity enshrined in the South African Constitution (Republic of South Africa, 1996), reinforcing the argument that democratic classroom management is essential in promoting freedom of expression, especially in contrast to the autocratic systems of the past (Lundy & Sainz, 2018; Pillay, 2014).

Determinant impeding the exercise of freedom of expression

Generational gap

The teachers' perceptions of freedom of expression in South African schools must be analysed within the broader historical and social framework that shaped the country's education system. During apartheid, schools operated under strict, authoritarian regimes designed to suppress critical thinking and the expression of divergent viewpoints (Mazibuko, 2002, p. 6). This legacy still impacts teachers today, particularly those who began their careers or were trained under the apartheid system. Participant 21 captures this generational influence, noting that *'if you come from a generation where you had very strict parents, where you were told children should not be heard, then you will be like that when you are older'*. This statement reflects a mindset moulded by the authoritarian education system that was in place for decades. Teachers who were socialised within this system were conditioned to view freedom of expression as a threat to order and

discipline, which actively discouraged dialogue and the exploration of new ideas (Van Vollenhoven et al., 2006, p. 9).

Interviews conducted with educators further corroborate these historical influences, revealing that older teachers, in particular, struggle to adapt to the more democratic classroom environments now emphasised in post-apartheid South Africa. As Participant 1 observed, *“older teachers tend to adhere to ‘chalk-and-talk’ methods, establishing rigid boundaries that limit learners’ ability to express themselves”*. The persistence of this traditional, authoritarian approach stands in stark contrast to contemporary educational practices that prioritise student engagement and the open exchange of ideas. These older teachers, trained in an environment that valued control over learner participation, continue to view the classroom through a hierarchical lens, where authority rests firmly with the teacher and learners are expected to listen and comply.

The responses from participants suggest a clear generational gap in attitudes towards freedom of expression, a theme consistently highlighted in the interviews. Participant 11 pointed out that *‘universities are teaching the new guys to be open-minded and to allow kids to express themselves’*, indicating that younger teachers are more receptive to democratic principles in education. These educators have been trained in institutions that emphasise human rights, inclusivity, and learner-centred approaches, equipping them with the tools to manage classrooms where dialogue and critical thinking are encouraged (Umry & Cahyati, 2023). The tension between these two generations of teachers highlights the challenges inherent in shifting from an authoritarian to a democratic classroom culture, a process that requires time, training, and support. Participant 14 acknowledged this struggle, stating, *‘the system changed into a democratic one in which learners are allowed to raise their opinions, even assisting in making classroom rules. It is a paradigm shift, and a paradigm shift does not happen overnight; it is a process for them’*. This observation underscores the difficulty many older teachers face in adjusting to new expectations that prioritise learner participation and freedom of expression. The deeply ingrained authoritarian practices of the past are not easily relinquished, and the transition to a democratic classroom culture is often met with resistance.

In conclusion, the generational gap in teachers’ perceptions of freedom of expression reflects the broader shifts in South Africa’s educational and political landscape. Older teachers, shaped by an authoritarian, apartheid-era education system, often struggle to embrace the democratic values that now underpin South Africa’s constitutional and educational frameworks. Younger teachers, in contrast, are more attuned to contemporary educational practices that promote inclusivity and learner participation. This generational divide highlights a key theme in the research: the need for targeted professional development and institutional support to help older teachers navigate this paradigm shift. Recognising and addressing this generational gap is essential for creating classrooms that not only respect but actively promote learners’ rights to freedom of expression, fostering a more democratic and rights-based educational environment (Umry & Cahyati, 2023; Van Vollenhoven et al., 2006).

Discussion

The research findings emphasise the complex interplay between age, race, gender, and socio-economic class in shaping teachers’ perceptions of freedom of expression, particularly in the context of safe spaces, classroom management, and the generational gap. Age, as a distinguishing factor, illustrates a generational divide, where older teachers, shaped by an Apartheid-era education system, struggle to adopt more democratic classroom practices that promote open dialogue (Kornadt et al., 2017; Weltzien et al., 2014). Participant 1’s observation that *“older teachers tend to adhere to ‘chalk-and-talk’ methods, establishing rigid boundaries that limit learners’ ability to express themselves”* underscores how these teachers may unintentionally restrict learners’ freedom of expression due to their adherence to authoritarian practices. This reflects the lingering effects of the apartheid regime, where schools were instruments of social control (Mazibuko, 2002, p. 6).

In contrast, younger teachers are more receptive to inclusive and participatory classroom environments. As Participant 11 noted, *‘universities are teaching the new guys to be open-minded and to allow kids to express themselves’*, indicating that newer generations of teachers are better equipped to create ‘safe spaces’ where learners feel free to share their views. The role of ‘safe spaces’ in promoting freedom of expression is crucial, as highlighted by Participant 2, who mentioned that *‘the creation of a safe space allows teachers to invite*

learners to discuss sensitive issues, such as religious values expressed through hairstyles or jewellery, fostering a culture where learners can share their cultural customs without fear of judgment'. This environment contrasts starkly with the generational authoritarian approaches of the past, signalling a paradigm shift towards more inclusive educational practices.

Race also influences classroom management and the dynamics of safe spaces. Teachers from historically marginalised racial groups in South Africa, such as black, Indian, and coloured educators, may bring unique perspectives on freedom of expression, shaped by personal and collective experiences of systemic oppression under Apartheid (Mthembu, 2016; Ndlovu, 2015). This is especially important when managing classrooms with learners from diverse racial backgrounds, as these educators are more likely to be sensitive to the need for a safe space that fosters equality and inclusivity. The inclusion of racial dynamics in the study, as highlighted by Participant 6's assertion that *'safe spaces help prevent conflicts by providing a platform for students to express their thoughts appropriately'*, emphasises the need for a nuanced approach to classroom management that accounts for historical inequalities.

Cases such as Layla Cassim v Crawford College and Yusuf Bata offer significant insights into the practical implications of failing to provide such safe spaces in educational environments. In Layla Cassim v Crawford College, the South African Human Rights Commission found that Layla's essay was not racist but simply reflected a minority opinion, underscoring the importance of 'safe spaces' where divergent views are respected equally. Without such spaces, learners may face punishment for expressing perspectives that challenge the status quo, which undermines the principles of justice and equality in education. Participant 6's comment on the potential of 'safe spaces' to mitigate conflicts by fostering appropriate dialogue supports this need, as Layla's case exemplifies how schools that suppress minority viewpoints foster alienation rather than constructive engagement.

Similarly, Yusuf Bata's case reinforces the importance of inclusive 'safe spaces', particularly in relation to religious freedom. Yusuf was denied school admission because he maintained a beard for religious reasons, and this denial demonstrated how a lack of accommodation for religious expression in schools can infringe on students' rights to dignity and autonomy. Participant 2's remarks on 'safe spaces' being conducive to discussions of sensitive issues, including religious values, highlight the critical role such spaces play in promoting not only freedom of expression but also religious tolerance. Denying Yusuf admission due to a grooming policy disregarded his religious beliefs, emphasising how 'safe spaces' in schools must include protections for religious and cultural expression to foster inclusivity.

Gender also plays a critical role in how 'safe spaces' and classroom management are perceived. As noted in the literature, societal expectations often shape gendered experiences of freedom of expression, with women potentially facing more significant constraints due to societal pressure to conform to traditional roles (Kabeer, 2012). Participant 8's observation that *'the safe space initiative has resulted in fewer instances of learners challenging teachers, indicating a positive shift in dynamics'* is particularly relevant here, as the establishment of a 'safe space' where all genders can express themselves equally fosters a more democratic classroom environment. Gendered dynamics, combined with race and socio-economic factors, create a multi-layered context in which classroom management and 'safe spaces' must be carefully structured to ensure that all learners, regardless of background, can exercise their rights to freedom of expression.

The case of Antonie v Governing Body, Settlers High School and others (2002) further illustrates how failure to accommodate religious and cultural expression within schools can perpetuate exclusion. The court ruled that refusing to allow a student to wear dreadlocks as an expression of her Rastafarian faith violated her rights to freedom of religion and dignity. This case highlights the need for schools to adopt policies that embrace diversity and uphold the core principles of justice and fairness. In this context, 'safe spaces' function as protective environments where learners are free to express their identities without fear of discrimination or punishment, aligning with Participant 2's insights on fostering a culture where learners can share their cultural customs without judgement.

Socio-economic class further complicates these interactions, as learners from lower socio-economic backgrounds may face additional barriers to expression due to fear of repercussions or a lack of resources (APA, 2021; Behavioral Scientist, 2021). Teachers must recognise these disparities when managing classrooms and fostering 'safe spaces', ensuring that students from all socio-economic classes feel empowered to express themselves freely without fear of judgement or retaliation. This aligns with the views of Participant 17, who emphasised that *'clear boundaries are essential for promoting respectful dialogue, reducing conflict,*

and enhancing understanding within the school community'. Establishing these boundaries in a manner that accounts for socio-economic disparities helps ensure that freedom of expression is not limited by external factors beyond the learners' control.

Conclusion

In reviewing the historical context of South Africa, particularly the era of Apartheid, significant human rights violations come to light, with scholars extensively documenting the enduring impact of Apartheid ideologies on teachers' attitudes towards free speech. This influence, came to the fore under the theme of a generational gap among teachers, leading to challenges in accommodating learners' rights within democratic systems. The persistence of restrictive attitudes towards learners' expression, reminiscent of Apartheid-era constraints, undermines efforts towards comprehensive human rights education.

The research also concluded that teachers' inadequate understanding and integration of constitutional values within the educational framework obstruct learners' freedom of expression. Through case studies like those of Layla Cassim, Yusuf Bata, and *Antonie v Governing Body, Settlers High School*, the shortcomings of educational institutions in upholding learners' freedom of expression become apparent, reinforcing the necessity for schools to align policies with constitutional values, promote inclusivity, and foster a culture of tolerance and respect.

Classroom management strategies, provision of expressive platforms, and adherence to legal frameworks rooted in the South African Constitution emerged as vital measures in safeguarding learners' rights to freedom of expression within educational settings. It is noteworthy that the majority of the innovative strategies originated from the younger teachers who were interviewed. These efforts are crucial for nurturing a conducive learning environment conducive to the promotion of human rights like freedom of expression.

Recommendations

The recommendations are specific to the education sub-district to improve the management of freedom of expression. The researcher proposes workshops on classroom management styles and strategies to navigate freedom of expression. The study found that some teachers developed innovative approaches, such as the 'safe space', to address conflicts. Teachers proficient in these strategies could serve as facilitators. Additionally, addressing the generational divide among teachers is essential. Urgent intervention is warranted to sensitise and support teachers who were exposed to past injustices, either as learners or student teachers.

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References

- Alshenqeti, H. (2014). Interviewing as a data collection method: A critical review. *English Linguistics Research*, 3(1), 39. <https://doi.org/10.5430/elr.v3n1p39>
- American Psychological Association. (2021). *Education and socioeconomic status*. <https://www.apa.org/pi/ses/resources/publications/education>
- Antonie v governing body, settlers high school and others, 4 SA 738 (C)*. (2002).
- Baltes, P. B. (1987). Theoretical perspectives on the development of human rights understanding across the lifespan. In L. B. Schaie & C. Schooler (Eds.), *Societal implications of age and development* (pp. 23–45). Lawrence Erlbaum Associates.
- Behavioral Scientist. (2021). *Understanding social class as culture*. <https://behavioralscientist.org/understanding-social-class-as-culture>
- Beinart, W., & Dubow, S. (1995). *Segregation and apartheid in twentieth-century South Africa*. Routledge.

- Beitz, C. R. (2013). Human dignity in the theory of human rights: Nothing but a phrase? *Philosophy & Public Affairs*, 41(3), 259–290. <https://doi.org/10.1111/papa.12017>
- Bouhot, P. (2009). *Freedom of expression under apartheid* [Master's thesis]. University of the Western Cape. UWC Electronic Theses and Dissertations Repository. <http://hdl.handle.net/11394/2033>
- Cameron, E. (2012, June 28). *Dignity and disgrace – moral citizenship and constitutional protection*. Understanding Human Dignity Conference, Oxford, England.
- Christie, P. (1991). *The right to learn: The struggle for education in South Africa*. SACHED Trust/Ravan Press.
- Connell, R. W. (2005). *Masculinities* (2nd ed.). University of California Press.
- Covell, K., Howe, R. B., & McNeil, J. K. (2010). Implementing children's human rights education in schools. *Improving Schools*, 13(2), 117–132. <https://doi.org/10.1177/1365480210378942>
- Creswell, J. W., & Poth, C. N. (2017). *Qualitative inquiry and research design: Choosing among five approaches* (4th ed.). SAGE Publications.
- De Waal, J., Currie, I., & Erasmus, G. (2001). *The bill of rights handbook* (4th ed.). Juta.
- Erfani-Ghadimi, N. (2017, November 27). *South Africa's long walk to freedom of expression. Free speech debate*. <https://freespeechdebate.com/discuss/south-africas-long-walk-to-freedom-of-expression>
- Fiske, E. B., & Ladd, H. F. (2004). *Elusive equity: Education reform in post-apartheid South Africa*. Brookings Institution Press.
- Gelfand, M. J., Erez, M., & Aycan, Z. (2017). *Cross-cultural organizational behavior*. Routledge.
- Hennessey, M. (2017). *Apartheid and the struggle for human rights: An analysis of racial injustice in South Africa*. Routledge.
- Hennette-Vauchez, S. (2011). A human dignitas? Remnants of the ancient legal concept in contemporary dignity jurisprudence. *International Journal of Constitutional Law*, 9(1), 32–57. <https://doi.org/10.1093/icon/mor031>
- Kabeer, N. (2012). Gender equality and women's empowerment: A critical analysis of the third millennium development goal. *Gender & Development*, 20(1), 13–24. <https://doi.org/10.1080/13552070512331332273>
- Kornadt, A. E., Voss, P., & Rothermund, K. (2017). Age stereotypes and self-views revisited: Patterns of stability and change across the lifespan. *Journal of Gerontology, Series B*, 72(6), 964–972. <https://doi.org/10.1093/geronb/gbw105>
- Lesufi, P. (2021, May 31). *Why our school curriculum needs human rights education accreditation*. Network 24.
- Lundy, L., & Sainz, G. M. (2018). The role of law and legal knowledge for a transformative human rights education: Addressing violations of children's rights in formal education. *Human Rights Education Review*, 1(2), 04–24. <https://doi.org/10.7577/hrer.2560>
- Mazibuko, L. (2002). Give children freedom to speak out.
- McMillan, J., & Schumacher, S. (2014). *Research in education: Evidence-based enquiry* (7th ed.). Pearson.
- Merriam, S. B., & Tisdell, E. J. (2016). *Qualitative research: A guide to design and implementation* (4th ed.). Jossey-Bass.
- Miller, C., & Seashore, S. (2017). Gender and the workplace: How experiences of discrimination shape expression. *Gender, Work, & Organization*, 24(5), 455–470. <https://doi.org/10.1111/gwao.12156>
- Mthembu, M. (2016). The legacy of apartheid: Differences in human rights perceptions among racial groups in South Africa. *The Journal of Social Issues*, 72(4), 756–774. <https://doi.org/10.1111/josi.12189>
- Ndlovu, M. (2015). *Racial identity and human rights perspectives: Comparing experiences of discrimination in South Africa*. Palgrave Macmillan.
- Neal, M. (2014). Respect for human dignity as 'substantive basic norm'. *International Journal of Law in Context*, 10(1), 26–46. <https://doi.org/10.1017/S1744552313000359>
- North, M. S., & Fiske, S. T. (2012). An age-based relational theory of prejudice. In P. M. Glick & C. M. Fiske (Eds.), *Prejudice and discrimination: Theoretical perspectives* (pp. 93–108). Cambridge University Press.
- Pillay, N. (2014). The international human rights treaty system: Impact at the domestic and international levels. *Human Rights Brief*, 21(1), 6.
- Republic of South Africa. (1996). *The constitution of the Republic of South Africa, 1996*. Government Printer.
- Reyes, A. (1995). Freedom of expression and public-school teachers. *Dalhousie Journal of Legal Studies*, 4, 37.
- Russell, S. G., Sirota, S. L., & Ahmed, A. K. (2019). Human rights education in South Africa: Ideological shifts and curricular reforms. *Comparative Education Review*, 63(1), 1–27. <https://doi.org/10.1086/701100>
- Segalo, L., & Rambuda, A. M. (2018). South African public school teachers' views on right to discipline learners. *South African Journal of Education*, 38(2), 1–7.
- South African History Online. (2023, March 15). *Apartheid: The rise and fall of South Africa's segregation system*. <https://www.sahistory.org.za/article/apartheid-rise-and-fall>
- Sukhraj, P. (1999, September 26). Pupil endured abuse for right to speak her mind. *Sunday World*, 6.
- Teddle, C., & Yu, F. (2007). Mixed methods sampling: A typology with examples. *Journal of Mixed Methods Research*, 1(1), 77–100. <https://doi.org/10.1177/1558689806292430>
- Thabo, M. (2014). *Apartheid and its legacy: The impact on human rights in South Africa*. Oxford University Press.
- Tibbitts, F., & Keet, A. (2017). Curriculum reform in transitional justice environments: The South African human rights commission, human rights education and the schooling sector. *Globalisation, Human Rights Education and Reforms*, 87–109.
- Tiley, J., & Goldstein, C. (1997). *Understanding curriculum 2005: An introduction to outcomes-based education for foundation phase teachers*. Heinemann.
- Umry, N. F., & Cahyati, W. (2023). The role of the teacher in upholding human rights values in elementary school students. *International Journal of Students Education*, 1(3), 155–158.

- Van Vollenhoven, W. J., Beckmann, J. L., & Blignaut, A. S. (2006). Freedom of expression and the survival of democracy: Has the death knell sounded for democracy in South African schools? *Journal of Education*, 40, 120–143.
- Van Vollenhoven, W. J., & Glenn, C. I. (2004). Learners' right to freedom of written expression. *South African Journal of Education*, 24, 148–152.
- Weltzien, M. E., Duncan, S. F., & Tollerud, T. R. (2014). Age and the life course: Perspectives on aging. In *Handbook of adult development and learning* (2nd ed. pp. 74–92). Springer.
- Young, I. M. (2005). *On female body experience: "throwing like a girl" and other essays*. Oxford University Press.