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South African public school teachers' views on right to discipline learners

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In South Africa, the common law principle of *in loco parentis* entitles teachers, as the guardians in the school environment, to discipline learners. However, in view of new legislation advancing children's rights, it is unclear as to the extent to which teachers can or do enact the *loco parentis* role. This study employed a qualitative research approach to explore public school teachers' views related to disciplining learners. A convenience sample of eight teachers (four females and four males) was interviewed using a focus group strategy. A thematic data analysis was applied to identify strands emerging from the discussions. Findings suggest diminished teachers' rights to discipline learners as characterised by learners' lack of respect, morals and values, teacher safety and personal protection, teacher sense of disempowerment, poor classroom management and teaching strategies, and ineffective parental involvement.

Keywords: diminution; *in loco parentis*; teachers' right and duty to discipline; teachers' right and duty to punish

Introduction and Background

Discipline in the classroom is globally considered a norm, ensuring the functionality of education in both public and private schools. The teacher is central to maintaining a classroom environment that enables learning and teaching (Clunies-Ross, Little & Kienhuis, 2008:694); also protecting children from harm or danger (Allen, 2010:6; Baker, 2005:52; Pane, 2010:90). While classrooms are characterised by harmony, sporadic incidence of chaos and ill-discipline do occur. Learners who lack discipline are often those who yearn for attention – whether it be from teacher, parents or peers. The role of the teacher is essentially to establish acceptable behaviour parameters, underpinned by mutual respect, dignity, and tolerance for diversity, to mention a few (Tomlinson & Imbeau, 2010:74).

In some jurisdictions, teachers act *in loco parentis*, which means that in the classroom context, the teacher fulfils the role of the parent of each of their learners. According to Mitchell, Crowson and Shipps (2011:09) parents accede to teachers the right to instil discipline and to ensure the safety of learners while they are in their care. Universally, these two principles are viewed as the basis of teachers' professionalism. *Loco parentis* augments the pedagogical relationship between teacher and learner, which must thrive in order to achieve the educational imperatives (Mokhele, 2006:149). Citing Spaulding (1992), Mokhele (2006) further stresses that teaching is nothing if not about the formation of relationships. However, the recent surge of attacks on teachers by their learners challenges the concept of *loco parentis* (Bowden, 2007:472; Stuart, 2009; Thijs, Koomen & Van der Leij, 2008:244). Recent incidents covered by local media include a learner caught on camera attacking a teacher with a broom (Ngobeni, 2013), and the shooting of a teacher (Pretoria News, 2013). Such attacks have an impact on the safety of teachers and their ability to enforce discipline and create a safe and caring environment for learners. In addition, such attacks disempower teachers in their role as 'stand-in parents' in the character development of learners.

The Constitution of the Republic of South Africa, Act No. 108 of 1996a and the South African Schools Act, Act No. 84 of 1996 (Republic of South Africa, 1996b), protect children's rights to humane treatment and would entail curtailing use of corporal punishment (Conley & Mestry, 2010:2; De Waal, 2011:176; Masitsa, 2011:164; Motseke, 2010:120). Section 10 of the Constitution of the Republic of South Africa, Act No. 108 of 1996a states that everyone has inherent dignity and the right to have the dignity respected and protected. Section 12(1) (c), (d) and (e) stipulates that every person has a right:

- to be free from all forms of violence from either public or private sources;
- not to be tortured in any way; and
- not to be treated or punished in a cruel, inhuman or degrading way.

Section 10 (1) of the South African Schools Act, Act No. 84 of 1996 (Republic of South Africa, 1996b) states that no person may administer corporal punishment at a school to a learner. Teachers used to administering corporal punishment would be frustrated and stressed from limits not to use physical punishment (Olivier & Venter, 2003:189). It could be less stressful to these teachers if they are aware that they are recipients and protectors of human rights and responsibilities. The Department of Basic Education, Republic of South Africa (2010:13) maintains that teachers need to promote respect, tolerance and responsibility in schools. The relationships between teachers and learners must be based on mutual respect and dignity and responsibility. Although teachers have a right to discipline learners, the "discipline should be corrective and educative, rather than punitive and punishing" (Department of Basic Education, Republic of South Africa, 2010:13).

On the other hand, De Klerk and Rens (2003:358), De Wet and Russo (2009:12) and Reyneke (2015:57) suggest that the lack of discipline among learners as well as violent attacks on teachers should rather be ascribed

to the continued decline in a moral upbringing. Bayaga and Jaysveree (2011:207) express similar sentiments, and state that there is a lack of parental involvement in instilling discipline as parents are oblivious to their children's behaviour. They also believe that the decline in morality is exacerbated by the use of drugs, which is prevalent in modern society.

Theoretical Framework: Postmodernism

The modernist view of education was based on certainty as to how schools ought to be managed. Schools were managed in an almost mechanical manner, with strict rules and procedures. Harber (2010:8) believes that this mechanistic view of schools is a form of social and political control. The rationale was that, in order for schools to be efficient and productive, there should be different layers of management, viz.: school principal, the head of department, then the class teacher, as well as different grades for learners. Disciplining learners who step out of line was central to academic success. It was believed that schools managed in line with these principles would result in a solid social foundation.

The certainty of modernism and structuralism has, however, been superseded by postmodernism, which is characterised by chaos and complexity. Therefore, one can argue that the decline of morality and values in the school setting can be linked to the decline of modernity and the rise of postmodernism and its confusing, complex postures (Doll, Fleener, Trueit & St. Julien, 2005:2; Sandlin, Schultz & Burdick, 2010:395).

Historically, teachers have used corporal punishment to a limited extent and now less so with the human rights discourse - a postmodern stance. Rossouw (2003:424) states that teachers are confused and afraid to discipline the learners, due to the fact that they might in doing so infringe on their human rights, as outlined in Section 12 and other Sections of the Constitution (Republic of South Africa, 1996a). For this reason, many teachers believe that this postmodern, human rights-directed environment is the source of ill-discipline among learners (Rossouw, 2003:424).

Research Question

In light of the current teaching environment, the researchers asked the following research question:

- What are teachers' views on the right to discipline learners in public schools in South Africa?

Research Methodology

Design

An interpretative, qualitative research design was selected for this research study. This method was deemed appropriate as it embraces the views held by participants in the form of their conscious thoughts (Bunniss & Kelly, 2010:36; Hunt,

2009:1289). In this case, a qualitative approach allowed the teachers to reflect on the research subject and express their feelings and opinion regarding ill-discipline in the classroom, allowing the researcher to study the realities of a post-1994 classroom from the teachers' subjective perspectives. In the context of a qualitative research paradigm, participants were free to provide insight into their own practices, and were allowed to reflect on and be probed to clarify their stances where necessary.

The interpretivist approach resonates with the discourse on learner discipline and teacher authority as it allows participants to converse naturally and subjectively without prejudice (Marshall & Rossman, 2014:64). The researchers understood that in order to gain trust and co-operation from the participants, they needed to treat them with respect and equity.

Sample

A convenience sample of eight South African public school teachers with teaching experience ranging between 0–10 years, 11–20 years and 21 years and above, were selected for study. The intention was not to generalise the findings, but to provide an insightful, rich interpretation and description of the participants' experiences and how they enforce their authority and discipline in the classroom.

Data Collection

A focus group session was utilised to collect data from the participants. Ritchie, Lewis, Nicholls and Ormston (2013:174) define a focus group as a structured, guided discussion with the sole purpose of gathering scientific data. A qualitative interview structure was used to ask questions that relate to learner discipline and teacher authority, and questions were phrased in an open manner that allowed for clarification and probing. The views expressed by participants were not used to draw conclusions, but rather to make sense of and to understand (Masadeh, 2012:64). Note-taking rather than audio recording was selected as the most appropriate data collection method for this study. According to King and Horrocks (2010:106) and Kvale (2006:492), a qualitative interview can be described as a construction site for knowledge and should be regarded as a moral inquiry.

Ethical Considerations

Permission was sought from the Department of Education (Free State) and Central University of Technology's Research and Planning Committee, which was granted. All the participants were informed of the aim, objectives, the research methods of the study, and were made aware of the voluntary nature of their participation, the confidentiality within which information will be

treated, and the possible publication of the results of the study.

Trustworthiness of the Data

The researchers relied on a peer review and member check to ensure the trustworthiness of the data collected. During the peer review, both the researchers and a senior advisor individually transcribed the interviews. For the member check, the researchers went back to the participants to verify and confirm the findings (Burnard, Gill, Stewart, Treasure & Chadwick, 2008:430; Carlson, 2010: 1103).

Data Analysis

The focus of data analysis in a qualitative study is to describe what is being studied (Flick, 2013:11). A thematic data analysis was used to identify patterns and categorise data according to the main themes that emerged from the focus group interview (Braun & Clarke, 2006:9; Grbich, 2013:49).

Findings

The research findings suggest that teachers are unsure about disciplining learners, especially in the light of the human rights principles outlined in the Constitution of the Republic of South Africa, Act No. 108 of 1996a, the South African Schools Act, Act No. 84 of 1996 (Republic of South Africa, 1996b) and the South African Council of Educators' Act, Act No. 31 of 2000 (Republic of South Africa, 2000). It can, in fact, be argued that the teaching profession is handicapped by legislation or teachers' lack of knowledge on human rights, including those that can be linked to discipline and punishment and there is a need to investigate how teachers feel about the profession rather than dictating what the profession holds for teachers.

Five themes emerged from the study, each of which is discussed below:

- Theme 1: Learners' lack of respect, morals and values
- Theme 2: Teacher safety and personal protection
- Theme 3: Teacher sense of disempowerment
- Theme 4: Poor classroom management and teaching strategies
- Theme 5: Ineffective parental involvement

Theme 1: Learners' Lack of Respect, Morals and Values

Respect for others and respect for self is central to our values system. Yet, the research participants responded that there was a total lack of respect from learners at their respective schools. One of the male teachers responded in the following way:

At my school the majority of learners, especially boys seem to care less about how they talk and address the teachers. When you instruct them to do some work they just look at you as if you don't exist. As a teacher I feel helpless and I feel that

there is not a lot that I can do to help my rebellious learners. [Teacher 1, male]

This view was echoed by female Teacher 2 when she pointed out that learners are not prepared to take any orders from her. She responded that a lack of respect for the school rules has become an everyday occurrence. This is what she had to say:

I normally refer to the learners' Code of Conduct and the classroom rules when learners transgress them. However, it looks as if the [school rules] do not have any effect on them. They are just rules that have gathered dust and it is futile to manage learners' disrespect and misconduct through rules of the school. [Teacher 2, female]

Despite having commendable teaching experience of more than five years, the two teachers seem to have lost hope in instilling discipline to their learners. One would expect that teachers with extensive teaching experience will have better strategies to cope with the ill-discipline and lack of respect in their classrooms. N Singh (2014:79) also finds that learners have arrogant attitudes towards their teachers. Learners are disrespectful and lacking in moral and values. Learners also tease and disrespect one another (Singh, N 2014:76). This being the case, Harmse (2013:105) reported that some teachers feel that there are not sufficient sanctions to deal with anti-social behaviour and disciplinary problems in schools.

These incidents are proof that there is a lack of respect among learners, not only for their teachers, but also for each other. Important rights, such as the right to humanity or dignity and the right to a safe environment at the schools, are not respected. Moreover, it seems that teachers are unable to instill the necessary morals and values that will enhance good self-discipline amongst learners.

One of the teachers with 27 years of teaching experience, lamented that it was expected of teachers to teach, play the role of the parent, priest, provider and counsellor, which leads to burn-out.

Parents are the primary teachers of their children long before they enter the schooling system. As such, parents are responsible for instilling values and morals in their children. Moral and values underpin the individual's ability to differentiate between what is perceived as right or wrong by the society. Teachers cannot be expected to instil moral and values in their learners without the help of the parents. Teacher 3 with a minimal experience (0–5) years commented as follows:

I feel that I cannot be expected to be a parent to my learners as their parents have failed to teach them basic values. In my classroom learners insult each other as they like. I am afraid they will tell me that I am not their parent and I should mind my own business. [Teacher 3, male]

The statement by Teacher 3 reinforces the finding that there is a lack of values among learners, which should have been instilled at home and permeate

through to the classroom. Parents should instil moral and values that support teachers in building the character of their children. Teacher 4 also raised some concerns in this regard:

There are times when you seriously talk to the learner regarding his or her misbehaviour and you invite the parent to the school to assist. During the meeting one senses that the parent is taking the side of his/her child and you are left with no option but to withdraw from the whole situation. As a person you also feel that this is not your child and not your problem. I feel parents have failed their own children. Maybe they are afraid of their children and fear that they may hurt their feelings.
[Teacher 4, male]

The views of Teacher 4 are mirrored by N Singh (2014:80), who found that negative home environment and life style played an important role in the manner in which children behave at school.

The researchers believe that the above statements make it clear that not all teachers are equipped to instil positive morals and values, and the problem is exacerbated by parents are instilling no or negative values.

Theme 2: Teacher Safety and Personal Protection
Teachers feel that they are no longer safe, as some learners display criminal, violent behaviour:

I feel it is important to have surveillance cameras in the classrooms in order to have a good reflection of what is happening in the classrooms, our word, as the teacher is not enough. [Teacher 5, female]

It is difficult to mediate when learners are fighting or threatening other learners in the class as you may be the next target. [Teacher 6, male]

Attempting to discipline learners is challenging for many South African teachers, and they fear the potential repercussions of their actions. The fact that, under current legislation, teachers run the risk of being accused of abuse when disciplining learners deserves serious scrutiny. The teachers participating in this study made it clear that they do not feel safe to exert their authority to discipline learners in their classrooms.

Participants mentioned that they were unable to protect themselves against attacks from learners, and cannot even retaliate when provoked:

At times I personally feel that I'm being attacked verbally by the learners through the comments that learners who assume that my role is only to teach them and to ignore their moral development.
[Teacher 7, female]

Another female teacher had this to say:

Teachers are defenceless, they are being abused by the learners, it is difficult to reprimand them.
[Teacher 8, female]

These statements suggest that teachers, particularly females, feel vulnerable and their personal safety is more important than trying to discipline violent learners who are placed in their care.

Theme 3: Teacher Sense of Disempowerment

Teachers, like other professionals, want to feel a sense of meaning and purpose in their careers. However, since the abolishment of corporal punishment and the increased focus on human rights, teachers are feeling disempowered and alternative discipline strategies seem to be ineffective. This has a significant impact on their wellbeing. The below comment is a troubling example of the pressure teachers feel:

I was hospitalised for two weeks for stress, I needed help, and it was not there as I could not tolerate the behaviour of learners in my class.
[Teacher 6, male]

N Singh (2014:84) discovered that teachers' morale was low and some teachers considered leaving the profession as a result of learner misbehaviour. However, Roberts (2014:76) found that 79% of teachers were not thinking of leaving the profession owing to learner disruptive behaviour. These findings show that different groups of teachers are differently affected by learner misbehaviour.

Theme 4: Poor Classroom Management and Teaching Strategies

The participants felt that they were unable to manage some of the large classes and their teaching strategies tended to be teacher-centred.

I have opted for a rigid teacher centred approach as I do not want to interfere with the lives of the learners I teach. [Teacher 7, female]

Roberts (2014:59) notes that teachers reportedly felt that dealing with disruptive behaviour was taking too much of their teaching time. This could be the reason the teacher mentioned above opted the teacher-centred approach.

The above assertion suggests that there is a discrepancy between theory, policy and practice. There could be a number of contributing factors as to why teachers prefer a teacher-centred approach, among others, overcrowded classrooms and the inability to teach under such conditions. Teachers are forced to forsake the teaching methods prescribed by the policy for what they feel is appropriate under the circumstances.

Theme 5: Ineffective Parental Involvement

Parents should play a central role in the development of their children's character and their overall wellbeing. For this reason, Section 20 of the South African Schools Act, Act No. 84 of 1996 (Republic of South Africa, 1996b), state that parents have a great say in the governance and ethos of their children's schools. Despite this concession, parents, especially those from the working class, tend to be detached from the school's vision and mission (Hornby & Lafaele, 2011:39). This is reinforced by the following statements by a 43-year-old male teacher and 39-year-old female teacher:

There is a looming disconnection between what parents and what teachers say, parents are deliberately absconding their responsibilities to teachers. [Teacher 6, male]

Sometimes you can feel that parents listen to their children more than teachers, thus, demeaning the integrity of teachers. [Teacher 8, female]

From these comments, one can surmise that parents are not supporting teachers in the moral development of their children. Marais and Meier (2010:51) established that learner disrespect of their teachers originated from home as the children also disrespected their parents. Robarts (2014:76) found that 77% of teachers agreed or strongly agreed that disruptive learner behaviour was a result of lack of parental discipline at home. Kingwill (2016:59) found that teachers believed that where both parents work, could have a negative effect on academic performance as the children might do their homework late and sleep late. This could lead to poor concentration in the classroom the following day. The views of these teachers are buttressed by empirical evidence that parents residing in townships tends to place even more of their parental duties in the hands of the teachers, who are not empowered to take on such responsibilities, particularly when it comes to discipline and the instilling of morals and values (Cucchiara & Horvat, 2009:976; Engelbrecht, Oswald & Forlin, 2006:125; Singh, P, Mbokodi & Msila, 2004:304). There appears to be a dichotomy between what the parents claim to teach at home and what is transferred to the school environment.

Conclusion and Recommendations

The findings of this study expose the threat posed by legislation and its impact on teachers' rights to discipline learners. The findings also expose the threat posed by a lack of discipline in South African public schools and its impact on the morale and competence of teachers. Such a lack of discipline and basic morals and values erodes the country's social capital and its culture of discipline and hard work.

Teachers are appointed as the guardians of their learners in the school environment and need to play a significant role in their social and moral upbringing. Yet, the present spate of ill-discipline, exacerbated by the limitations enforced by current legislation, render teachers helpless and ineffective in executing their duties. The result is that these individuals no longer teach with conviction and enthusiasm. It should however be noted that the inculcation of morals and values cannot rest solely on the shoulders of teachers. Parents need to take responsibility for the behaviour of their children, and should work with the teachers and schools towards the same ethos and values system.

The researchers recommend the following:

- Officials from the Department of Basic Education should offer workshops to teachers on the relation-

ships between human rights and teachers' rights and responsibilities in disciplining learners.

- Schools and parents should meet on a quarterly basis to deliberate on the ethos and values that the school would like to instil to ensure that what is taught at home pulls through to the school environment and vice versa.
- Teachers should continue to display acceptable levels of professionalism, even when faced with ill-discipline.
- Teachers should review and refresh their understanding of how discipline can be enforced and should work on finding new ways of effectively minimising incidents of misbehaviour.

Note

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