TEACHERS' ROLES IN REALISING HUMAN RIGHTS IN CHALLENGING CONTEXTS

Dikeledi Emily Mogorosi[1], & Annamagriet de Wet[2]
[1]*Department of Education, North West Province (South Africa)*
[2]*Faculty of Education, North-West University (South Africa)*

Abstract

The promotion and protection of human rights is a critical issue, particularly in contexts such as South Africa's township classrooms where there are unique challenges that make it difficult for teachers to fulfil their responsibilities in this regard. Therefore, there is a need to equip teachers with the appropriate knowledge and training to enable them to carry out their roles effectively.

The purpose of this paper is to report on a study that explored the role of teachers in promoting and protecting human rights in township classrooms. The study drew on theoretical concepts in the domains of human rights literacy, human rights education, and legal literacy to conceptualize the roles that teachers play in the realization of human rights in the classroom.

The research was conducted using a qualitative research design in the form of narrative inquiry, with 29 purposively selected township teachers who work in challenging school contexts in a South African township. Participants were asked to provide written narratives of their positive and negative experiences, opportunities and barriers related to realizing human rights in their classrooms.

Six main themes emerged from the data, including support, safety, discipline, resources, and resilience. The findings revealed that teachers lack support from the Ministry of Education and parents, and they struggle with unacceptable student behaviour. This lack of support and the challenges they face in their classrooms drive teachers towards prohibited measures to control unruly students. Additionally, the study found that teachers feel unsafe in schools and that they rely on divine intervention to perform their roles effectively.

The paper concludes with practical guidelines that can assist teachers in effectively fulfilling their role in the realization of human rights. The guidelines focus on the need for adequate training and support for teachers, as well as the importance of creating a safe and supportive learning environment. The study highlights the importance of promoting human rights in township classrooms and the need for teachers to be equipped with the necessary skills and knowledge to fulfil their roles effectively.

Keywords: Human rights, social justice, township school/classroom, teacher.

1. Introduction and problem statement

Ensuring the promotion and safeguarding of human rights is a crucial concern, particularly in challenging settings such as post-conflict contexts, young democracies, and societies characterised by high levels of inequality and poverty. South African township schools are examples of settings where educators face unique challenges that impede their ability to fulfil their duties in regard to the rights of students. Township schools in South Africa are characterised by poverty, poor health, lack of infrastructure and technology, violence, and inferior education amongst other factors (Mdletshe, 2012). They are often dysfunctional and lack resources, leading to compromised teaching and learning environments (Carrim, 1999). Such challenges can negatively impact the realisation of human rights in schools, which are meant to promote principles of dignity, fairness and non-discrimination (UNESCO, 2012). Specific challenges must be acknowledged to address barriers to the realisation of human rights in these contexts. Teachers in such contexts may need particular training and support, which warrants a deeper understanding of how they experience their roles in this regard.

This paper reports on a narrative study that explored the role of teachers in promoting and protecting human rights in township classrooms and aim to make some recommendations that can assist teachers in effectively fulfilling their role in the realization of human rights.

2. Theoretical perspectives

Human rights are defined as rights that are owned by virtue of being human (United Nations, 1948). Smit and Oosthuizen (2013:51) are of the opinion that although human rights are accepted as universal across contexts, the application of the respective rights may vary in differing contexts. To ensure the realisation of human rights in different contexts, it is necessary to have an understanding of how human rights and contextual factors interact. Human rights education (HRE) plays a vital role in this regard.

2.1. Human rights education

HRE involves imparting knowledge and skills, instilling values, beliefs, and attitudes, and encouraging action to defend against violations of human rights (Tibbitts, 2014:130). Various models for the teaching and learning of human rights have been identified, including (a) value awareness models, which include information about what to teach, (b) awareness models, which focus on the legal perspective and politics, and (3) an activism transformation model, which focuses on the psychological and social perspective of human rights. (Freedman & Keevey, 2012; Simmonds & Du Preez, 2017; Tibbitts & Kirchschlaeger, 2010). HRE needs to focus on content, context, and processes of grappling with human rights and its application from a critical stance and the decolonization of rights (Keet, 2015; Mignolo, 2009:157, Zembylas, 2017:1).

However, learning about human rights can provide a deeper understanding of unjust treatment and help learners make sense of injustices. In challenging contexts, such as South Africa's township schools, it is important to grapple with the discrepancies between human rights instruments and law on the one hand and the material experiences of people who live in conditions that deprive them of human dignity. Human rights literacy considers the gaps between what is and what can be in terms of human rights realisation.

2.2. Human rights literacies

Human rights literacy is recognized as a crucial element for human rights education and the promotion of human rights by teachers. Human rights literacy is paramount for the facilitation of human rights since it can address the gap between what is written regarding human rights and what is lived or experienced as the material realities of dominance, exclusion, and marginalization. (Simmonds, 2013:70, Keet, 2017:11, Becker and Roux, 2019:1). Roux and Becker (2017:4) suggest that robust debates are necessary where in particular the voices of marginalised people should be heard. To quote Becker and Roux (2019:26): "new meanings, new understandings, new evolutionary processes and new language should be determined by the subjects of the rights as they grapple with both the written ideals and their own lived experiences of the (non)existence of human rights." According to De Wet and Simmonds (2018:187), transformative theory, post-conflict theory and anti-oppressive pedagogy can inform a bottom-up approach based on the lived experiences of the subjects of rights, where people are allowed to make meaning of human rights through their daily lives. In a school context, teachers should afford learners safe spaces where they can actively take part in disrupting, rejecting and defending human rights violations in their classrooms.

2.3. Legal literacy

De Wet (2018:15) poses that legal literacy is necessary as part of human rights education and the empowerment of teachers to protect human rights at school. Legal literacy involves knowledge of Education Law and the process of informing others of their rights and responsibilities in any setting (Jananeethi, 2014:94; Rapatsa, 2015:209). Legal literacy is a tool to bring about qualitative change, healing the wounds of the past and promoting change towards a better future (Langa, 2006:390). Improved legal literacy helps people work together effectively in diverse environments (Jananeethi, 2014:95) as it contributes to a better understanding of human rights of role players in the school environment, providing legal certainty with regards to the enforcement of own rights and the promotion and protection of the rights of others (De Wet, 2018:14). Legal knowledge and understanding also protect teachers and contribute to a human rights culture in schools (Jananeethi, 2014:1). Teachers understand their legal position and role regarding human rights promotion are better equipped to create an environment in the school within which the rights of learners are also respected, protected and promoted (Oosthuizen, 2015:6). The ability to interpret and implement relevant legal rules and competencies to make use of the processes and mechanisms associated with the enforcement of the law can enable teachers to advance the protection of human rights in their classrooms (De Wet, 2018:15).

3. Research methods

The exploratory empirical study was aimed at gaining a better understanding of the ongoing realization of human rights in township classrooms, using qualitative data to gain a better understanding of the topic, as outlined in the problem statement. Framed by an advocacy paradigm (Oosthuizen, 2020:367) a narrative study as the chosen research design allowed for a better understanding of teachers' experiences through based on their rich, insightful, and meaningful stories (Garvis, 2017:2-4).

In this study, the population referred to all teachers in township schools in the Lejweleputswa District in the Free State Province in South Africa (N=4516), and the preferred sample size was 20 teachers. Using non-probability and purposive sampling (Nieuwenhuis, 2010:79) a total of 29 teachers from two selected schools participated, one primary and one secondary school situated in a township and representing low-income contexts.

For the purpose of this study, the narratives were obtained in writing. Participants were provided with the following prompt: "*Please write your story in which you share your experiences about teachers' roles in realising human rights in township classrooms. The experiences you write about can either be positive or negative. In the story that you write, you could also refer to opportunities and barriers that teachers at township schools experience in playing their roles towards realising human rights in their classrooms. The length of your story should be 3-5 pages.*"

Care was taken to adhere to ethical requirements as per the policy of the hosting university, giving attention to no-harm principles, privacy, confidentiality, and informed consent. Thematic analysis was used to uncover prominent themes and create categories beyond what was initially anticipated. Narrative analysis complemented the thematic analysis by identifying shared themes across narratives. Researchers act as instruments in data generation, so measures such as member checking, reflexivity, and an audit trail were taken to ensure trustworthiness (Nieuwenhuis, 2010:80).

4. Findings

Six main themes resulted from the analysis: parental support, safety, discipline, resources, resilience, and culture.

The findings of the study suggest that parental support is crucial for the education and development of children. Participants of the study emphasized that parents (n=14/29) should not shift their responsibilities to teachers and instead offer moral support. The study also revealed that parents often misunderstand their role in supporting the education and development of their children and verbally assault teachers in front of their classes on matters involving their children's conduct.

Support from state departments was found to be a key factor for realizing human rights in township classrooms. However, the study highlighted that the support provided by the Department of Basic Education (n=10/29) is insufficient, and the department focuses only on protecting the rights of learners, neglecting those of teachers. Participants felt that the department should strike a balance in protecting these rights. Despite acknowledging the department's efforts in supporting schools by allocating bursaries for teacher development and budgets for the school's needs, the participants believed that more needs to be done to realize human rights. They expressed the need for workshops for professional development and training of teachers to handle the pressure and stress brought about by the difficult circumstances they face while practicing.

The study highlighted that creating an environment free from violence, such as bullying, and resting upon the principle of safety and security, is essential to realize human rights in township classrooms. Participants echoed that township schools are not safe (n=4/29), as motivated by accounts that visitors have entered the school premises without proper access control, and of dangerous objects and drugs frequently carried by learners (n=3/29).

A lack of discipline (n=13/29) was described as a prevailing sentiment shared among the participants and attending school in townships was found to have a negative impact on both teachers and learners. The findings revealed that township classrooms are associated with gangsters (n=7/29), drug addicts (n=3/29), and bunkers (n=10/29), which are likely to demotivate teachers and result in disciplinary measures that are contrary to the law. Participants believed corporal punishment, although illegal, would regulate learner behaviour (n=6/29), which they justified on the basis of having been brought up the same way. A need for training on lawful disciplinary measures were expressed.

As a fifth theme it was suggested that the training that teachers received at tertiary institutions was not sufficient to equip teachers to play their role effectively in realizing human rights in township classrooms (n=13/29). Teachers feel they are placed at the mercy of unruly learners and feel powerless to implement any form of effective disciplinary measures. Participants indicated that there is a gap between policy maker's intentions and teachers' understanding of human rights values in that realization of human

rights is left solely in the hands of teachers (Participant 5). It is, therefore, essential that teachers receive sufficient training that will impart knowledge of human rights necessary for successful teaching and learning of human rights as well as implementation and application of rights (Participant 23).

Finally. the study highlighted lack of resources (n=3/29) and infrastructure (n=4/29) as a specific challenge that township classrooms face in the effective implementation of human rights. Despite some upgrades to school facilities (Participant 4), these are not sufficient, amidst increasing numbers of learners, many of whom face learning barriers (Participant 9). Participants expressed that the misallocation of funds, unhealthy environments, and poor working conditions that are associated with a lack of resources and infrastructure in township classrooms continue to weigh on the teachers, thereby affecting the right to basic education and safety of learners (Participants 9 and 24).

5. Recommendations

The recommendations presented in this paper emanated from literature as well as empirical research and address the following:

The first recommendation is to present human rights as a subject in its own right, allowing learners sufficient time and attention to internalize the concepts of human rights. By integrating human rights education into the school curriculum, students can gain a deeper understanding of human rights concepts and be better prepared to become responsible citizens who respect and promote human rights.

Secondly, it is recommended that the Department of Education should establish a specific directorate responsible for ensuring adequate in-service training, monitoring, and evaluation of the effectiveness of such a venture. Workshops, seminars, and training conducted by the Department and all other stakeholders of education should be offered for further professional development through which teachers can enhance their knowledge and skills related to human rights and become better equipped to implement human rights education in their classrooms.

Teachers should take their responsibility to keep themselves informed on new developments regarding human rights seriously, attending workshops, subscribing to online content and staying informed on NGOs dealing with human rights (Pretorius, 2016:3).

The fourth recommendation is for teachers to further their studies at higher educational institutions to advance their human rights literacy and legal literacy. Teachers can share the knowledge they have gained from their studies with their peers and start communities of practice through which teachers come together to enhance their human rights knowledge and skills. This will promote a culture of continuous learning and professional growth among teachers.

Parental participation is also crucial, and parental involvement workshops should be conducted in the language that most parents understand in that school, encouraging parents to take an active role in their child's development and education. Where parents lack the means or time to become involved in face-to-face events or meetings, teachers and schools should be creative and innovative in designing platforms that would make parental participation feasible and motivating (Modisaotsile, 2012:3).

The sixth recommendation is the establishment of a wellness program for teachers to counsel and support them, address staffing issues, and to learn from and support one another in a district. This could alleviate teachers' stress levels, which is a right step in the direction of the effective realization of human rights. Secondly, a school-based support team should function effectively to deal with an array of problems that learners may encounter, from health issues to psychosocial issues and human rights violations.

6. Conclusion

In conclusion, this study proposes an integrated model for realizing human rights in township classrooms. The recommendations presented in this study focus on promoting human rights education, providing professional development opportunities for teachers, encouraging parental involvement, and supporting the well-being of teachers. By implementing these recommendations, it is hoped that township classrooms will become more inclusive and promote respect for human rights among learners. This study serves as a starting point for further research and dialogue on how best to realize human rights in education.

References

Becker, A. & Roux, C. (2019). Human rights literacies research: (re)think approaches and methodologies. In C. Roux, & A. Becker (Eds.), *Human rights literacies: future directions* (pp. 90-106). Switzerland: Springer International Publishing.

Carrim, N. (1999). School effectiveness in South Africa. *International Journal of Qualitative Studies in Education*, *12(1)*, 59-83.

De Wet, A. & Simmonds, S. (2018). Human rights in South African higher education context: (im)possibilities for human rights literacies. In In C. Roux, & A. Becker (Eds.), *Human rights literacies: future directions* (pp. 181-209). Switzerland: Springer International Publishing.

De Wet, A. (2018). Contextualizing education law in a diverse South African educational environment. In A. De Wet (Ed.), *Diversity and difference in South African schools: an education law perspective* (pp. 4-15). Claremont: Juta.

Freedman, W. & Keevey, W. (2012). The testing of legal rules against the Constitution. In T. Humby, L. Kotzé, & A. Du Plessis (Eds.), *Introduction to law and legal skills in South Africa* (pp. 281-310). Cape Town: Oxford University Press.

Garvis, S. (2017). *Narrative constellations: exploring lived experiences in education.* London: Sense Publishers.

Jananeethi. (2014). *Legal literacy: social empowerment for democracy and good governance.* https://www.hurights.or.jp/archives/asia-pacific/section1/08Jananeethi.pdf

Keet, A. (2015). It is time: critical human rights education in an age of counter-hegemonic distrust. *Education as Change, 19*(3). doi:10.1080/16823206.2015.1085621

Keet, A. (2017). Does human rights education exist? *International Journal of Human Rights Education, 1*(1), 1-19.

Langa, P. (2006, October 9). *The challenges facing transformative constitutionalism in South Africa.* Lecture delivered at Stellenbosch University.

Mdletshe, K. D. (2012). *Characteristics of an effective township school for quality assurance* [Doctoral dissertation, University of Johannesburg].

Mignolo, W. D. (2009). Coloniality of power and de-colonial thinking. *Cultural Studies, 21*(2-3), 155-167.

Modisaotsile, B. M. (2012). *The failing standard of basic education in South Africa.* Pretoria: Africa Institute of South Africa

Nieuwenhuis, J. (2010). Qualitative research designs and data gathering techniques. In K. Maree (Ed.), *First step in research* (pp. 79-80). Pretoria: Van Schaik.

Oosthuizen, I. J. (2020). Foundations of research in education law. In I. J. Oosthuizen, M. H. Smit, M. C. Roos, & J. P. Rossouw (Eds.), *Aspects of education law* (5th ed., pp. 15-24). Pretoria: Van Schaik.

Oosthuizen, I. J. (Ed). (2015). *Introduction to education law (*4th rev. ed.). Pretoria: Van Schaik.

Pretorius, T. (2016). *Towards a deeper understanding of resilience: Resilient South African township-dwelling adolescents' understanding of positive adjustment to hardship* [Doctoral dissertation, North-West University Vaal].

Rapatsa, M. (2015). South Africa's transformative constitution: from civil and political rights doctrines to socio-economic rights promises. *Juridical Tribune, 5*(10), 219-215.

Roux, C. & Becker, A. (2017). On critique, dissensus and human rights. *South African Journal of Higher Education, 31*(6), 1-8.

Simmonds, S. & Du Preez, P. (2017). Discoveries shaping human rights education research in South African: future consideration. *South African Journal of Higher Education, 31*(6), 9-24.

Simmonds, S. R. (2013). *Curriculum implications for gender equity in Human Rights Education* [Doctoral dissertation, North-West University].

Smit, M. H. & Oosthuizen, I. J. (Eds.) (2013). *Fundamentals of human rights and democracy in education – a South African perspective*. Pretoria: Van Schaik.

Tibbitts, F. & Kirschslaeger, P. G. (2010). Perspective of research on human rights education. *Journal of Human Rights Education, 2*(1), 8-9.

Tibbitts, F. (2014). Human rights education here and now: U.S. practices and international processes. *Journal of International Social Studies, 4*(2).

UNESCO. (2012). *World programme for human rights education: second phase plan of action*. Geneva: United Nations.

United Nations. (1948). *Universal Declaration of Human Rights*. New York: United Nations. http://www.ohchr.org/en/udhr/pages/introduction.aspx

Zembylas, M. (2017). Re-contextualising human rights education: some decolonial strategies and pedagogical/curricular possibilities. *Pedagogy, Culture & Society, 25*(4), 487-499.