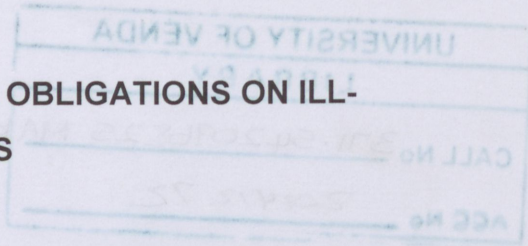




**THE INFLUENCE OF LEARNERS' RIGHTS AND OBLIGATIONS ON ILL-
DISCIPLINE IN SCHOOLS**



BY

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**Mini-dissertation submitted in partial fulfilment of the requirements for the
Degree**

MASTER OF PUBLIC MANAGEMENT

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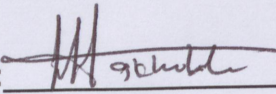
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I, Harry Helani Makhubele, declare that the mini-dissertation hereby submitted to the University of Venda for the degree of Master of Public Management has not been previously submitted by me for a degree at any other University, that it is my own work in design and execution, and that all material contained therein has been duly acknowledged.

Signed:  Date: 05-06-2014

Harry Helani Makhubele

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I dedicate this work to my late parents Gezani Joe and Margarett Marupeng Makhubele and my children Humphrey, Vusi, Masingita, Ashley, Vukosi, Dineo, Kulani, Sammy “Obinnah” and my siblings Maria, Ivy, Betty, Jane, Thomas, Violet, Peter, Jabu and late Sesana.

I would like to thank Mr. C.M. Mkhabela (Academic Services Consultant), and Mrs. Phiso Phiso for their invaluable support in my studies.

I would like to thank my colleagues, especially those who supported me intensely in my studies, but your motivation of high standards, the quest for knowledge, I believe that my research would not have been possible without any exception I thank you all.

I would like to thank you for your support in writing this dissertation. I thank you for your knowledge and wisdom in research enabled me to complete this work because of your support and encouragement when I proceed with my studies next year.

At the University of Venda, I pass my sincere gratitude to all of my colleagues, even though our topics were different, we had a common purpose and goal. We engaged in critical discussions and shared our experiences.



ACKNOWLEDGEMENTS

I would like to thank the Almighty God for giving me the wisdom, will, skill and strength to complete this study.

I also express my gratitude to my Supervisor, Mr Nembudani RS and Co-Supervisor, Prof. M.P. Khwashaba, for his dedication in supporting me in my work. His patience and support of high standard motivated me to dedicate myself in my studies.

I also thank my friend Mr. C.M. Murhombo (Anthonix Business Consultants), Present Mabaso and Dineo Rababalela for their everyday support in my studies. This is your gift, enjoy reading it.

I also say “thank you” to my colleagues at school who supported me immensely in my studies. I experienced many challenges in my studies but your motivation of high standard enabled me to complete the dissertation. I believe that my research findings will improve discipline at our school. Without any exception I thank you all for your support.

I also thank Dr M.M.Ndhlovu, for editing this dissertation. I thank you for your immeasurable support. Your knowledge and wisdom in research enabled me to complete this work. I feel very proud of this work because of your support and believe that you will support me again when I proceed with my studies next year.

To all my classmates at the University of Venda, I pass my sincere gratitude to all of you for your support. Although our topics were different, we had a common purpose of producing outstanding pieces of work. We engaged in critical discussions and supported each other. **May God bless you all!**

This dissertation presents a study on the influence of learners' rights and obligations on ill-discipline in schools in the Man'ombe Circuit. Ill-discipline in educational institutions has become the "buzzword" in the Limpopo Province because of the ill-discipline of learners in the schools. Very few schools have good discipline which is conducive to effective learning. Many learners are forced to repeat classes and move from one school to another because of poor discipline.

The aim of the study is to investigate the influence of learners' rights on ill-discipline in schools. The following objectives were formulated to assist in the realisation of the aim of the study to investigating the nature of learners' rights, the nature of learner discipline, how learner discipline in the Man'ombe Circuit schools is currently managed and to recommending how learner discipline in the in the schools can be better managed.

In the light of the aims of this research, a literature review was used to investigate the influence of learners' rights and obligations on ill-discipline in schools in the Man'ombe Circuit. The literature review consisted of a wide review of relevant writings such as the latest articles, journals, major books on the subject, monographs and dissertations published nationally and internationally.

The study was descriptive and therefore used a quantitative method to establish the influence of learners' rights and obligations on ill-discipline in schools in the Man'ombe Circuit. The empirical component of the research was conducted by means of questionnaires in which the educators participated. The aim of administering the administering questionnaires was to investigate the influence of learners' rights and obligations on ill-discipline in schools in the Man'ombe Circuit.

The findings of the study are:

- The results of the empirical investigation revealed that a major challenge which contributes to ill-discipline in the schools is learners' rights.
- It can therefore be emphasized that this study reveals that the learners' rights are responsible for the poor discipline in Man'ombe Circuit schools.

The recommendations of the study were:

Finally, the researcher gave recommendations for improving discipline in the schools and the suggestions for future research.

DOE Department of Education

NISSF National Norms and Standards for School Funding

OBE Outcome-based Education

SADTU South African Democratic Teachers' Union

LP Limpopo Province

NCS National Curriculum Statements

OBE Outcome-based Education

CAPS Curriculum and Assessment Policy Statement

	PAGE
e.g. ANC	1
SMT	1
SGB	1
RDP	4
NQF	4
RNCS	4
NQF	6
DOE	5
NNSFF	6
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The study aimed to investigate the factors influencing the learning environment in South African schools. The research of teachers is an important aspect that is not always included in studies of learning and teaching. The study also investigated the learning environment in schools in terms of culture, discipline and teacher effectiveness. The study also investigated the relationship between teacher effectiveness and the learning environment. The study further states that "the quality of learning is directly related to the student's environment". In recent research in South Africa, van der Stoep and van der Stoep (2012:2) mentions that "the learners' and teachers' attitudes and their attitudes towards the educators' learner safety, security and discipline in education is often adversely affected by disruptive behaviour in other forms of education by fellow learners.

Discipline of learners in all schools has been and is still regarded as a very important and valuable cornerstone of learning. Discipline refers to the kind of order involved in trying to reach appropriate standards or follow appropriate rules of engaging in a valued activity (Wilson, 1994:79). The democratization of the South African school system upon attainment of independence in 1994 has brought with it emphasis on respect and preservation of children's rights. As a signatory to the Convention on the Rights of the Child, the country is compelled to pass laws and take social, educational and administrative measures to protect the child. Consequently, disciplinary measures like corporal punishment were abolished.

Section 12 of the South African Constitution Act 108 of 1996 states that "everyone has the right not to be treated or punished in a cruel, inhuman or degrading way". In line with the Constitution, the National Education Policy Act of 1996 (Republic of South Africa, 1996:A-47) states that "no person shall administer corporal punishment or subject a student to psychological or physical abuse at any educational institution". Schools have to come up with functional alternative measures in order to deal with discipline.

ORIENTATION TO THE STUDY

1.1 INTRODUCTION

Currently, one of the most prominent factors influencing the learning environment in South African schools is the conduct of learners. In an education system that is still struggling to create a culture of teaching and learning, ill-disciplined behaviour can cancel all well intended efforts to restore or create this culture. Andrews and Taylor (1998:01) point out that students who misbehave tend to perform poorly in school and tend to be absent frequently from school. They further state that “in addition, discipline at school is correlated with student absenteeism”. In recent research in South Africa related to school discipline, Moloi (2002:2) mentions that “the learners lost a culture of respect and trust towards the educators”. Learner safety, security and success in education is often adversely affected by disruptive behaviour or other forms of misconduct by fellow learners.

Discipline of learners in all schools has been and is still regarded as a very important and valuable cornerstone of learning. Discipline refers to the kind of order involved in trying to reach appropriate standards or follow appropriate rules of engaging in a valued activity (Wilson, 1994:79). The democratization of the South African school system upon attainment of independence in 1994 has brought with it emphasis on respect and preservation of children’s rights. As a signatory to the Convention on the Rights of the Child, the country is compelled to pass laws and take social, educational and administrative measures to protect the child. Consequently, disciplinary measures like corporal punishment were abolished.

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This shows the dilemma schools face in trying to respect children's rights and at the same time finding adequate and meaningful measures to deal with learner indiscipline without infringing on the said rights (Chisholm, 2007). Current research shows that cases of learner indiscipline are on the increase in South African schools and in some cases, learners are alleged to have murdered others in school premises (Harber, 2001; Zulu, Urbani, Van der Merwe & Van der Walt, 2004). The learners come late to school, do not do school their work, behave in unacceptable manners, abuse drugs in the school premises and even reportedly carry knives and guns to school, which they use to threaten and fight both the educators and other learners (Mabeba & Prinsloo. 2000:35; SADTU, 2003).

There is also a serious problem of harassment and use of vulgar words, absenteeism and bunking of classes (SADTU, 2003). Violence is another challenge facing some schools in South Africa. According to the press, personal observation and literature review violence is increasing in South African schools. This is confirmed by Thompson (2002:07), who conducted comprehensive research into discipline in primary and secondary education in South Africa, who contends that there has been a breakdown in discipline in schools, and suggests that this should be rectified as soon as possible.

It seems as if many schools in South Africa are failing to cope with the new challenges and demands of the new dispensation because mismanagement, ineffectiveness and chaos characterize them. Many incidents of robbery, attempted murder, murder and rape have been reported in various schools since the beginning of the 2009 academic year (Mphaki & Dlamini, 2009: 02).

Gun-toting pupils, rampant gangsterism, rape on school grounds and intimidation are all part of an ordinary day's work for teachers in South African schools (Pretorius, 1999: 05). The worst part of it is that there is a depressing absence of the culture of teaching and learning in most schools (Gumbi, 1998: 10). In the lower grades, staff members are intimidated by learners who have failed their examinations to such an extent that in some instances, they are compelled to condone students who do not even deserve to go into the next grade (Bridgraj, 1999:06).

Principals are also harassed into dropping investigations into acts of misdemeanour because of grave threats against their person, property and family members by known and hardened students who operate openly at school. Hostility between pupils and teachers, apathy, drug abuse, sexual harassment of girl pupils and a sense of hopelessness have all become the norm in many schools (Garson, 1999: 02). It appears as if most learners are still suffering from a hangover of political resistance and defiance because they misinterpret democracy as license to do as they like, and they do not know that rights have to be balanced with obligations, responsibilities and self-discipline (Makumbila, 1999: 15).

Educators largely argue that all these problems are caused by the abolishment of corporal punishment (Morrel, 2001:292). Consequently, there are those who want corporal punishment to be reinstated. The magnitude of reported cases of learner indiscipline warrants the use of different kinds of punishment-based disciplinary measures and the question still remains on the usefulness of such measures in curbing future occurrences of indiscipline or in helping the perpetrators. Many principals and educators are finding it increasingly difficult to maintain discipline in secondary schools in the wake of new education legislations and regulations that regulate discipline and punishment in schools (Morrel, 2001:292). Many principals and educators find themselves unable to cope with large schools and classes, especially where there has been a complete breakdown of the culture of teaching, learning and discipline (Squelch, 2000:8).

It is important to note that South African schools are from a past of forced learner discipline, through the administration of corporal punishment (Morrel, 2001:293). It was held that corporal punishment was necessary to maintain discipline and was, in most instances, reactive, punitive and humiliating rather than corrective and nurturing (Subbiah, 2004:4). As a result many arguments for and against the use of corporal punishment as a means of instilling learner discipline were advanced and as such resulted in the enactment of the South African Schools Act No. 84 of 1996 and other pieces of legislation which effectively abolished the use of corporal punishment at schools (Department of Education, 20005). There is an urgent need for greater intervention to avoid the crisis.

1.1 DEMARCATION OF THE STUDY

1.2 AIM OF THE STUDY (GENERAL OBJECTIVE)

The aim of this research is to examine the influence of learners' rights and obligations on ill-discipline in schools.

1.3 SPECIFIC OBJECTIVES

- The aim of the study is conceptualised into the following objectives:
- To investigate the nature of learners' rights.
- To investigate the nature of learner discipline.
- To investigate how learner discipline in the Man'ombe Circuit schools is currently managed.
- To recommend how learner discipline in the in the schools can be better managed?

1.4 HYPOTHESIS

Learner's rights contribute to ill-discipline in schools.

1.5 RESEARCH QUESTIONS

This study will thus attempt to answer the following questions:

MAIN QUESTION

What is influence of learners' rights and obligations on ill-discipline in schools?

SUB-QUESTIONS

- What is the nature of learners' rights?
- What is the nature of learner discipline?
- How is learner discipline in the Man'ombe Circuit schools currently managed?
- How can learner discipline in the Man'ombe Circuit schools be better managed?

1.6 DEMARCATATION OF THE STUDY



The study was demarcated to 22 educators of four high schools in the Man'ombe Circuit of Mopani District of the Limpopo Province. The purposive selection of the schools was based on the current discipline of the four high schools. The study also focuses on learners' rights and obligations on ill-discipline in high schools.

1.7 LIMITATION OF THE STUDY

When this study was designed, the researcher became aware of several limitations in the design of the study. The following were identified as limitations of the study:

The study is limited to a sample from four high schools only. A sample from four high schools only may not be fully representative of the perceptions of all educators in the Mopani District.

Demarcating the research area to one circuit only, further limited the generalizability of the research findings. This study was demarcated to one circuit of the Mopani District of the Limpopo Province, namely the Man'ombe Circuit. The Mopani District consists of 24 circuits. It would have been ideal if the study were extended to more circuits.

This study was demarcated to one District of Limpopo Department of Education, namely; Mopani District, while there are presently five districts. It is the view of the researcher that this delimitation has to a certain extent limited the generalizability of the research findings. This study could have been extended to the other districts.

The findings of this study cannot be generalised to the whole of the Mopani District or the entire Limpopo Province. However, the findings may be an indication that there is a serious problem existing in managing discipline in schools in the Limpopo Province, and possibly more widely. Notwithstanding these limitations, the researcher believes that the findings of this study will contribute to enhancing discipline in the Man'ombe Circuit schools.

1.8 SIGNIFICANCE OF THE STUDY



This investigation is relevant to parents, educators and all stakeholders involved in the education of children, who regularly have to deal with the discipline of learners in schools. This study is of importance to people. The study will contribute to an increased awareness of causes of disciplinary problems in learners and thus may help to control bad behaviour and to maintain discipline in schools. The study may also bring about changes in the approach and strategies in maintaining discipline, especially at a time when corporal punishment of children is no longer legal in schools.

The study is not aimed at judging educators for the lack of discipline in their schools, but rather to contribute to an understanding of the importance of the role of discipline, and awareness of the legal aspects concerning the maintenance of discipline and violence in schools. It is hoped that educators will critically analyse the systems and disciplinary procedures at their own schools in order to improve discipline.

1.9 DEFINITION OF CONCEPTS

The following terms will be constantly used in this study:

1.9.1 Discipline

There are several definitions of the word “discipline”, but in this study it will refer to what educators do to assist learners to behave appropriately in classroom situations. The root word of discipline is “disciple”, which means follower. Thus, Rossouw (2003:420) maintains that when educators discipline learners they are making disciples (or disciplined persons). In this sense discipline is regarded as training that develops self-control. For this reason discipline must always be prospective – directed at the development of the adult of the future (Oosthuizen, 1998:66). Thus discipline is about positive behaviour management aimed at promoting appropriate behaviour and developing self-discipline and self-control in learners (Squelch, 2000:02).

1.9.2 Punishment



In this section the concepts of discipline, punishment, learner and teacher will be explained, as well as the meaning of the legal terms used throughout the study. The word “punishment” is defined as systematic training in obedience to regulations and authority. It forms part of an authority-based approach in managing discipline. Punishment involves actions taken in response to inappropriate behaviour in order to correct or modify behaviour that is not appropriate or acceptable (Joubert *et al.*, 2004:78).

1.9.3 Rights

A right implies the ability to claim something you are entitled to or something you are entitled to have done (University of South Africa, 2012:63). A right is also defined as an authority to perform something (Soanes, 2002:772).

1.9.4 In loco parentis

In loco parentis refers to a legal relationship in which a temporary guardian or caretaker of a child takes on all or some of the responsibilities of a parent. The relationships apply to both governmental and non-governmental entities acting in the place of a parent, typically in relation to minors (Lee, 2011:66).

1.9.5 Audi alteram partem

This is a Latin word which means “hear the other side” when translated (Baxter, 1984:457). The *audi alteram partem* rule is an ancient rule that has existed since the dawn of time. This cardinal principle that no man was to be judged without being heard was known to the Greeks.

Chapter One: Orientation of the study

In chapter one the background of the problem under investigation was explored. The problem was formulated and the purpose of the study was set out. The concepts that feature in the study were defined and the research methods were also described.

Chapter Two: Literature review

In chapter two a literature review was conducted in order to elucidate the role of children's rights in influencing ill-discipline in schools. It is also a contemporary overview of existing literature regarding the role of discipline in schools.

Chapter Three: Research Design and Methodology

Chapter three is devoted to the design of the empirical study which includes the research paradigm, research design, research methodology, data collection, research instruments, sampling, data analysis and data interpretation.

Chapter Four: Data Interpretation, Analysis and Interpretation

Chapter four will focus on empirical research. In this chapter, the responses of the respondents will be presented and elucidated by means of charts and tables, which will be accompanied, by a detailed analysis and interpretation.

Chapter Five: Findings, Conclusion and Recommendations

The findings of the investigation and the discussion of those findings, recommendations and conclusions will be presented in chapter five.

LITERATURE REVIEW

2.1 INTRODUCTION

The previous chapter dealt with the contextualization of the study. In this chapter, various literature sources will be reviewed in order to explore the influence of learners' rights and obligations on ill-discipline in schools. Literature review is a review of the existing scholarship or available body of knowledge, which helps the researchers to see how other scholars have investigated the research problem that they are interested in (Mouton, 2001:87). Literature review will enable me to learn how other scholars have demarcated similar problems, collected data, theorized and conceptualised issues related to learners' rights and obligations on ill-discipline in schools. The literature review will include the findings and suggestions yielded and the relevant literature will rationalize the framework of the current study.

Discipline is the backbone of the national unity (Mishra, 2009:12). Citizens of disciplined nations can work more smoothly and are filled with the spirit of unity, brotherhood and co-operation. Similarly discipline is an important component of political and social life. In the political sphere, personal ambitions do come on the way and therefore they pose danger to the society. Even in public places, people create chaos due to indiscipline behaviour. People often show lack of law and order, for example, while boarding buses. Black-marketing and hoarding and adulteration are also some of the examples of indiscipline. Eve-testing is another example of irresponsible behaviour on the part of our youth (Mishra, 2009:12).

Anywhere we go discipline is necessary in any institution whether it is an educational institution, or even in the political field, in social or religious matters, even on street and even while you are sitting in your own house (Bowen, 2009:12). Until and unless everybody follows the rules and regulations proper satisfaction cannot be achieved. However, anywhere you will find people out of their offices, government employees busy in chatting, ladies busy in knitting at the hours of their duty. All workers show indifference to their duties and hence the work and unattended files keep on accumulating (Bowen, 2009:12).

So if each person imposes on himself or herself discipline and performs his or her duty with devotion, there will be no problem. Discipline is important even in domestic life (Bowen, 2009:13).

If children are grown up in an atmosphere of love and brotherhood, they tend to be good citizens. It is the duty of parents to raise their children in an atmosphere conducive for everybody. The children from divorced parents and from broken homes are generally undisciplined and it is therefore very important that parents should bring up their children in a disciplined manner. So in today's society, it is very essential to live with co-operation and brotherhood amongst each-other because an absence of discipline may lead to failure and backwardness of nation (Bowen, 2009:13). But one can overcome these problems if everyone follows a personal code of conduct and maintain self-discipline for prosperity of the society and nation as a whole.

Currently one of the most prominent factors influencing the learning environment in South African schools is the conduct of learners (Bowen, 2009:13). A research which was conducted in South Africa by Moloji (2002:2) related to school discipline, revealed that the learners lost a culture of respect and trust towards the educators. School discipline and behavior management are issues that every school administrator or teacher deals with on a daily basis. They try to ensure that learners are punctual in school and class, come to school every day, do their school work, are not violent, care about others and are cooperative. In some schools there is discipline and order while in others there is chaos anywhere because discipline in those schools has perished. Students do not show respect to their teachers, misbehave in the classroom, organize strikes and try to take law into their hands. So an atmosphere of indiscipline is created which is a great setback not only to the individual, but to the nation also.

The situation is aggravated by the fact that some of the teachers themselves do not show any discipline. In an education system that is still struggling to create a culture of teaching and learning, ill-disciplined behaviour can cancel all well intended efforts to restore or create this culture. According to Andrews and Taylor (1998:01) students who misbehave tend to perform poorly in school and tend to be absent frequently from school.

They further state that “in addition, discipline at school is correlated with student absenteeism”. Learner safety, security and success in education is often adversely affected by disruptive behaviour or other forms of misconduct by fellow learners.

This chapter will focus on the conceptual framework of discipline, learners’ rights with regard to discipline, the importance of discipline in the schools, possible causes of ill-discipline in schools, the possible strategies measures that can be taken to instil, restore or maintain learner discipline.

2.2 CONCEPTUAL FRAMEWORK

The focus of this investigation is the the influence of learners’ rights and obligations on ill-discipline in schools. It is therefore very crucial that the basic concepts of this study be clarified in order to have an unambiguous comprehension of the study, namely; discipline, punishment and learners’ rights. Everything in this world is governed by a definite set of laws. Discipline is one of the basic requirements of a civilized life and every society has to set certain norms for people to follow (Mishra, 2009:12).

Discipline of learners in all schools has been and is still regarded as a very important and valuable cornerstone of learning. The word discipline has its origins in Latin. Disco means to learn and disciplina refers to the communication of knowledge to the learner (Department of Education, 2007:07). Discipline refers to the kind of order involved in trying to reach appropriate standards or follow appropriate rules of engaging in a valued activity (Wilson (1994:79). It is the understanding of what is right and wrong or self-discipline more than obedience to rules (Sonn, 2002:26). According to Wilson (1994:38) discipline is a kind of ‘moral compulsion’ that one should submit to, otherwise it would be difficult to engage themselves in any ‘valued activity’. Le Mottee (2005) provides a valuable explanation of discipline as follows:

- Discipline has nothing to do with controlling disruptive or other unacceptable bad behaviour. It has everything to do with ensuring a safe and valuing environment so that the rights and needs of people are respected, vindicated and safeguarded.

Motte's definition is in congruence with the problem of this investigation, namely "the influence of learners' rights and obligations on ill-discipline in schools in the Man'ombe Circuit." This implies that discipline and learners' rights go together because discipline is aimed at ensuring learners' rights and both of them influence each other.

Discipline does not mean strictly, the withdrawal of personal liberty and authority; on the other hand it provides one with the guideline to use its freedom in a right manner. But that too is possible only if the learners do not take law in their own hands. Discipline means that educators must exercise their authority in the best interest of the learner with emphasis on the development of self-discipline, independence and maturity. According to Reader's Digest Complete Wordfinder (1994:187), discipline means order exercised over people and the system of rules used to maintain control and it is also equated with punishment. This is indeed confusing if we wish to distinguish between punishment and discipline. This interpretation is in line with the definition given in the Oxford Concise Dictionary (2002) in which discipline is defined as the practice of training people to obey the rules or a code of behaviour.

Understanding and managing learner behaviour has however become a challenge for schools in South Africa as ill-discipline is clearly prevalent in many schools. Teachers are facing a huge challenge in the discharge of this important duty because of the contemporary culture of children's rights. There are numerous documents dealing with the rights of learners. Section 12 of the Bill of Rights, as stated in the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996), provides that every person has the right to freedom and security. Section 24 refers to the right to an environment that is not harmful to a person's health or wellbeing.

The South African Schools Act, 1996 (Act 84 of 1996) places a duty on school governing bodies and educators to ensure that discipline is maintained within schools. The Code for Educators, as drawn up by the South African Council of Educators (SACE), places a duty on educators to place the security and the best interest of learners first at all times. It is expected of an educator to take the same measure of care in respect of learners as would be taken by a reasonable caring parent.

In light of the Bill of Rights, disciplinary measures are regarded as being unreasonable when they are excessive and administered in an irresponsible manner because they cause physical or psychological pain and damage, there is no clear reason for the punishment measure and it is not age-appropriate. The Bill of Rights determines that positive discipline should be promoted, self-discipline should be developed and exemplary actions should be established through the regulation of behaviour.

An important shift of focus in the effective management of learner behaviour is the development and management of positive relationships, between children and between children and adults (Department of Education, 2007:05). A climate of trust and understanding of each other is essential as a basis for the building of relationships and it must be developed and implemented by the whole school and class. If this is the case, mutual respect, caring, knowledge of each other's feelings, an "I belong"-feeling and the willingness to take responsibility for own actions and deeds can be achieved more easily. In a positive school situation a breaking of school rules is therefore viewed as not only a negative action towards the school, but also a negative action towards fellow learners and teachers and the disruption of mutual relationships (Department of Education, 2007:05).

Punishment on the other hand refers to a corrective measure or penalty inflicted upon an offender who has to suffer the consequences of misconduct in order to maintain an orderly society of a school (South Africa, 1998). The proponents of punishment believe that if children are subjected to suffering for doing wrong, they will not repeat their inappropriate behaviour (Department of Education, 2000:05). The main differences between discipline and punishment are provided by Le Motee (2005) as follows:

- Discipline is intrinsic, while punishment is extrinsic,
- Discipline is educative, while punishment is punitive,
- Discipline is about self-control for the purpose of self-actualisation, while punishment is the exercise of control over people for the sake of compliance.

The focus of this investigation is the influence of learners' rights on discipline in schools.

The Bill of Rights in the Constitution of the Republic of South Africa, Act No. 108 of 1996, enshrines the rights of all people, including learners, and affirms the democratic values of human dignity, equality and freedom South Africa, 1996. It is the duty of the school to protect, promote and fulfil the rights identified in the Bill of Rights. The issue of rights is unfortunately creating confusion in many schools as many learners and even educators do not understand their rights. This has resulted in many problems in many schools because many learners misinterpret or abuse their rights.

The concepts of rights and duties are significant when there is a relationship between legal subjects (University of South Africa, 2012:83). In terms of this relationship, the term “rights” implies the ability to claim something you are entitled to or something you are entitled to have done (University of South Africa, 2012:83). The term “duty” implies an obligation to perform something you are expected or require doing (University of South Africa, 2012:83). For example, a child’s constitutional right to education places an obligation on the state to provide that education and on the parents to see that the child attends school; and it places an obligation on the child to learn. The following are some of the rights of children in schools:

- (a) **Non-Discrimination and Equality:** No person may unfairly discriminate against a learner. All learners shall enjoy equal treatment before the law and shall receive equal protection and benefits of the law.
- (b) **Privacy, Respect and Dignity:** Every learner has inherent dignity and has the right to his or her human dignity respected. That implies mutual respect including respect for one another's convictions and cultural traditions. Every learner has the right to privacy, which includes the right not to have his or her person or property searched or his/her property seized. However the principal or educator may search learners based on his or her reasonable suspicion followed the use of search methods that are reasonable in scope.
- (c) **Non-violence and the freedom and security of a person:** Every learner has the rights not to be treated or punished in a cruel, inhuman or degrading manner. Corporal punishment has been abolished. Educators and learners have to learn the importance of mediation and co-operation, to seek and negotiate non-violent solutions to conflict and differences and to make use of due process of law.

Learners have the right not to be locked up in solitary confinement or detention. The philosophy of the disciplinary system is based on human dignity and on respect and consideration for others and not on fear or assault.

- (d) **Freedom of expression and right to demonstrate and present petitions:** Freedom of expression is more than freedom of speech. The freedom of expression includes the rights to seek, hear, read and wear. The freedom of expression is intended to forms of outward expression as seen in clothing selections and hairstyles. It very important to indicate that the learners' rights to enjoy freedom of expression are not absolute. Vulgar words, insubordination and insults are not protected speech. When the expression leads to a material and substantial disruption in school operations, activities or the rights of others, this right can be limited as the disruption of schools are unacceptable. Learners have the right to agreed procedures with the governing body for expressing and resolving school-related grievances, including due process, a method of appeal and right to assemble peacefully on the school property at a possible, be resolved at school but the disruption of schools is unacceptable.
- (e) **School Environment:** Learners have the right to a clean and safe environment that is conducive to education. Security of property , well cared for school facilities, school furniture and equipment , clean toilet facilities, water and a green environment, absence of harassment in attending classes and writing tests and examinations, all create an atmosphere that is conducive for education and training.
- (f) **Education:** The Constitution enshrines the right of every one to education and to further education which the State must make progressively available and accessible. The South African Schools act provides that education is compulsory for learner from the year in which such learners reach the age of 7 years until the last school day of the year in which such learners turn 15 years or the ninth grade whichever comes first. It also makes provision for due process before a learner may be removed or expelled from school. The right of a learner to education cannot be taken away when a learner is expelled from school. Therefore, in case

of expulsion, the Head of Department must find a school in place for an expelled learner who is of school-going age.



Suspension with the intent to expel a learner is part of a process to be decided by the Head of Department and the Governing body may suspend a learner as a punitive measure if due process has been followed. The right to education includes the right to attend classes, to learn and be taught in all approved subjects, to be informed regularly about school progress, to make use of school facilities, and to have the potential of all learners fully developed.

(g) **School and Classroom rules:** School rules are designed to regulate the general organization of the school, and the relationship between the principal, educators and learners. The learner must be involved in the formulation of school and classroom rules and must conform to such rules. All rules are to be consistent with the overall Code of Conduct, be clear and understandable and make provision for fair warning. Each learner should be provided with a copy of the school rules at the beginning of each school year and younger learners at primary schools should be informed verbally of school rules; Classroom rules should be posted in the classroom. The consequence for breaking these rules should also be included. The punishment must fit the offence and be graded to make provisions for repeated offences. These rules should make provisions for fundamental fairness and fair warning; and Learners must be expected to know and to adhere to school and classroom rules. Ignorance of these rules is not an acceptable excuse.

2.3 POLICY FRAMEWORK ON LEARNERS RIGHTS AND OBLIGATIONS

Many people mistakenly equate 'punishment' with 'discipline'. Disciplined behaviour means ways of behaving that show respect and responsibility. Self-discipline means achieving disciplined behaviour through one's own efforts rather than through external monitoring or force. Punishment does not promote self-discipline. It only stops misbehaviour for that moment. Punishment may fulfil a short-term goal, but actually interferes with the accomplishment of the long-term goal of self-control (Vally, 2009:11). In schools, the most common punishment during the previous

dispensation was corporal punishment. Since 1994, there have been several laws passed that outlaw the physical and psychological abuse of young people.



2.3.5 Article 16 of the African Charter on the Rights and Welfare of the Child states:

2.3.1 The National Education Policy Act (1996) states: “No person shall administer corporal punishment, or subject a student to psychological or physical abuse at any educational institution.”

2.3.2 The South African Schools Act (1996) reads:

1. No person may administer corporal punishment at a school to a learner.
2. Any person who contravenes this is guilty of an offence, and liable on conviction to a sentence which could be imposed for assault.

2.3.3. The Abolition of Corporal Punishment Act 33 of 1997 repealed all legislation that authorised the imposition of corporal punishment by courts, including courts convened by traditional leaders.

2.3.4 The Regulations Promulgated under the Child Care Act 74 of 1983 were amended during 1998 to prohibit corporal punishment of children in the residential care system including children in children’s homes, schools of industry and reform schools. The regulations also prohibit foster parents from using physical punishment upon children in their care.

2.3.5 South Africa is also a signatory to various international laws and conventions: Article 19, Section 1 of the Convention on the Rights of the Child pledges to “take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical and mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation including sexual abuse”. In relation to school discipline, it affirms, “school discipline is administered in a manner consistent with the child’s human dignity and in conformity with the spirit of the Convention...The Committee on the Rights of the Child, monitoring the implementation, also reiterates that corporal punishment in any form is a violation of the Convention” (Article 28, Section 7).

2.3.6 Article 16 of the African Charter on the Rights and Welfare of the Child states: “State parties shall take specific legislative, administrative, social and educational measures to protect the child from all forms of torture, inhuman or degrading treatment and especially physical or mental injury or abuse, while in the care of a parent, legal guardian or school authority or any other person who has care of the child.”

2.3.7 Article 11.5 of the African Charter also addresses the issue: “State parties to the present Charter shall take all appropriate measures to ensure that a child who is subjected to school or parental discipline shall be treated with humanity and with respect for the inherent dignity of the child and in conformity with the present Charter.”

2.3.8 In 1982 the United Nations amended its definition of ‘torture’ prohibited under various covenants by adding “the prohibition [of torture] must extend to corporal punishment, including excessive *chastisement* as an educational or disciplinary measure.” (Vally, 2009:13).

The first case after 1994 involved the constitutionality of whipping as a sentence imposed by criminal courts (Vally, 2009:11). Constitutional Court Judge, Pius Langa, before finding on the matter, reviewed international cases. In 1995 he found that judicial whipping not only violated the constitutional right to respect and personal dignity but that it is a violation of international law as well.

He further said that Corporal punishment is a practice which debases everyone involved in it, so close to the 21st century, juvenile whipping is cruel, it is inhuman and it is degrading. No compelling interest has been proved which can justify the practice. Nor has it been shown to be a significantly effective deterrent. Its effect is likely to be coarsening and degrading rather than rehabilitative. In 2000, an organisation called Christian Education South Africa, representing close to 200 private schools took the case in support of corporal punishment to the High Court (Vally, 2009:11).

Their view was that corporal punishment is necessary for their religion. They argued that many biblical texts spell out the 'corrective' role of corporal punishment. Well-known tracts from the Book of Proverbs, especially, were quoted in support of the view, such as: "Spare the rod and spoil the child." The court found no religious grounds for the belief that educators have the right to use corporal punishment. Also, the judge, quoting from an example from Deuteronomy found that Christians themselves do not consider all the biblical guidelines on punishment to be part of modern day religious practice.

The quote is as follows then his father and his mother shall take hold of him and bring him out to the elders of his city to the gate of his city, And they shall say to the elders of his city, This son of ours is stubborn and rebellious; he will not obey our voice, then all the men of his city shall stone him to death with stones. Subject to law and to the rules of the Department of Education each teacher has authority for the control and discipline of students. The teacher is expected to keep good order in the classroom and in other places in which he or she is to be in charge of students.

2.4 LEARNERS' RIGHTS IN RELATION TO SCHOOL DISCIPLINE AND PUNISHMENT

One of the most important characteristics of an effective school is good discipline. In terms of section 8 (2) of the South African Schools Act, a schools' code of conduct must aim at establishing a disciplined and purposeful school environment, dedicated to the improvement and maintenance of the quality of the learning process (Department of Education, 1996). Consequently, the emphasis must be on positive discipline. Although the principal and educators are responsible for the day to day discipline in the school, the school governing body has a legal duty to make sure that the school adopts a code of conduct (Department of Education, 1996). According to section 8(1) of the Schools Act, a governing body of a public school must adopt a code of conduct for the learners after consultation with learners, parents and educators. It is important for all the stakeholders to know and understand the code of conduct. The learners' rights which are emphasized in the Constitution and the Schools Act are the following:

2.4.1 Right to due process



Section 8.5(5) of the Schools Act grants learners the right to due process when they are suspended or expelled from a school (Department of Education, 1996).

2.4.2 The right to representation

A due process is defined as doctrine which requires all persons to be treated according to proper legal processes and due protection which is mostly procedural in nature (University of South Africa, 2012:160).

In South Africa, we are more familiar with the concept of “natural justice” which are essentially the rules of procedure consisting of the “audi alteram partem”: rule, which means “let us hear the other side and the “nemo iudex in sua causa rule, which means, “no one may be the judge in his or her own case” (University of South Africa, 2012:160). In the school situation the rules of natural justice are applied in situations concerning discipline. In the light of Section 33, due process should be interpreted as guaranteeing both substantive fairness and procedural fairness (ibid). There are several standards of procedural fairness.

- **Hearing and notice**

This rule requires the opportunity to be heard and to be given adequate notice of any administrative action. One of the requirements is that a child who is charged with an offence must be informed in writing of the details of the alleged charge including the date, time and place of the hearing. If the child is not given a fair hearing, the charge can be set aside.

- **Impartial disciplinary committee**

Fairness require that all decisions in the learners’ case should be heard by an impartial body. A partial body is the one which has a personal interest in the case. Usually, the principal and the school governing body are regarded as impartial, but provided that they do not have a personal stake in the case.

It is however recommended that the principal and the school governing body should not participate in cases involving expulsion. A special disciplinary committee should be appointed for such cases (University of South Africa, 2012:160).

2.4.2 The right to representation

Learners have a right to legal representation if such assistance is required to ensure a fair hearing.

- **Reasons for the decisions**

If the administrative body makes decisions that affect the rights of the learner, that administrative body is required to provide that person with reasons for its decisions.

According to Section 33(2), of the Constitution, reasons must be fair, just and based on relevant information. Vague, inappropriate and insubstantial reasons are likely to be challenged and declared invalid (South African Constitution, 1996). In such cases an appeal committee is constituted, consisting of members who were not part of the disciplinary committee.

2.5 THE IMPORTANCE OF DISCIPLINE IN SCHOOLS

The importance of positive discipline as the cornerstone of the creation and maintenance of a positive learning environment in schools cannot be ignored. Research by Nxumalo (2001:77) indicates the need for both learners and teachers to be disciplined for effective functioning of schools. According to Nxumalo, discipline is vitally important for teaching and learning in class to be effective. Discipline problems can be defined as “disruptive behaviour that significantly affects fundamental rights to feel safe, to be treated with respect and to learn” (Mabeba & Prinsloo, 2000:34). Research by Maree (2000:01) highlights that, “some South African schools are increasingly beginning to resemble war zones. It has become clear that all schools are not free to teach and all pupils are not free to learn”. It is however very important to note that although discipline is a serious problem in this country, discipline problems are not limited to the South African public school system only.

The prevalence and gravity of discipline problems in schools is a universal concern (Van Wyk, 2001:196). An important shift of focus in the effective management of learner behaviour is the development and management of positive relationships, between children and between children and adults (Department of Education, 2007:05). A climate of trust and understanding of each other is essential as a basis for the building of relationships and it must be developed and implemented by the whole school and class.

If this is the case, mutual respect, caring, knowledge of each other's feelings, an "I belong"-feeling and the willingness to take responsibility for own actions and deeds can be achieved more easily (Department of Education, 2007:05). Schools have an important task to teach children to differentiate between acceptable and unacceptable behaviour. Opportunity must also be given for the development of insight and learning. In a positive school situation a breaking of school rules is therefore viewed as not only a negative action towards the school, but also a negative action towards fellow learners and teachers and the disruption of mutual relationships. In a positive school climate, school rules are instrumental to the whole development of the learner.

According to Greater Horn Horizon (2012:02), discipline is closely linked to education because it is the very foundation of education. The educational process is assumed to impose limits on the actions of individuals, in order to search for efficiency. This is because acting with discipline leads to intelligent action. When we are disciplined we are able to organize our actions, which lead to higher efficiency. The person who is disorganized expends more energy to perform their tasks and takes longer to execute them, which means that it becomes less productive. The individual raised with discipline is more effective to act, sets goals and follows with more determination than one who follows his impulses.

This is a consequence of their training that gave him the sense of duty and the value of persistence to achieve their goals. Greater Horn Horizon (2012:02) further indicates that discipline is responsible for controlling students' actions and behavior. Therefore, discipline means one's confinement within particular parameters so as to avoid infringing with other people's peace.

Particularly in a school situation, a learner has to understand that not all his likes and principles are going to be accepted by his peers and his teachers.



2.6 CAUSES OF DISCIPLINARY PROBLEMS

There are various causes of disciplinary problems in schools. Many students are not disciplined because they believe that teachers don't care about them, others don't consider success in school important anymore while others just don't want to be at school. In an attempt to determine the causes of the increase in ill-disciplined behaviour, Moloi (2002:2) states that the involvement of the youth in the liberation struggle which ended in 1994 caused them to develop "arrogance towards adults, that is, both the educators and the parents". However, the following factors have been identified by numerous studies as the major causes of ill-discipline in schools:

2.6.1 Home background

Literature reveals that the home background is a major cause of disciplinary problems in schools. According to Robertson (1999:78), some children are disruptive at schools because they have been subject to distorted or inadequate care throughout childhood due to a variety of family and economic difficulties. It is because of that neglect that they are now demanding attention in the classroom. In addition, he says that school failure and behaviour problems that may have their origin on home background are strongly associated. When children with similar problems are not doing well in their learning areas or subjects, they have a tendency to disrupt the attentive and concentrating learners.

Some parents also contribute to disciplinary problems in schools. Children coming from 'homes with no tradition of valuing education' often develop learning problems (Guiness, 1994:08). Such a child fails to see the value or importance of education and this negatively influences the child's interest towards education. Social factors such as family break-ups, poverty, stressful lives and substance abuse, also contributes to indiscipline in schools (Jones & Jones, 1995:06).

2.6.2 Lack of self-esteem



The lack of self-esteem also contribute to ill-discipline in schools. According to Van Der Aardwag and Van Der Aardwag (1990:206), self-esteem is a degree of positive or negative feelings that one has on evaluation of oneself or how we feel about ourselves. One develops self-esteem if he is able to perform better than others. Such feelings are concrete and obvious when we compare ourselves with others. A positive self-esteem may also be as a result of one's history of success. There are unfortunately some learners who do not know what is expected of them to do. Others are still looking for the appropriate role-model while others suffer from an identity crisis because they want to imitate others as they are not happy about who they are.

2.6.3 Overemphasis on rights

Many studies reveal that learners who lack a positive self-esteem cause many disciplinary problems in school. A study conducted by Steyn (1993:11) reveals that learners with negative self-esteem become aggressive and defensive if educators try to shape their personality. Steyn indicates that these learners regard teacher intervention as an attack on their self-worth. Another study conducted by Els and Els (1993:171-172) indicates that children with discipline and learning problems often regard the school as the cause of all their unhappiness. These children hate the schools, feel insecure, helpless and neglected and eventually become ill-disciplined. Their negative attitude towards the school results in disobedience to teachers and behavioural problems such as alcohol, drug abuse and delinquency.

Unfortunately the overemphasis of rights is also visible in the educational

of teachers and parents. Some principals are under pressure to recognise the learners' rights and do not know up to which point they should be

2.6.3 Violence in society

Our children are constantly exposed to violence in the communities. This is caused by the fact that societies resolve their problems through shootings, knifings, fist fights, extortion, threats and injury (Curwin & Mendler, 1999). Byron and Rozemeijer (2001) indicates in this regard that children learn by imitating adults, and young people are thus exposed to behaviour that is a role model of brutal behaviour on the parts of adults. It can be asserted on this basis,

The big numbers of learners that teachers have to deal with in one classroom are a 'daunting and intimidating prospect' (Fontana 1985:11). People who take interest in the education of children are aware of this problem. Generally teachers agree that once the class size rises above 35, it is impossible to maintain discipline, or even an acceptable low noise in the classroom. According to Obediant (in Ohsako 1997:30) under qualified teachers in overcrowded classes and the teachers' 'use of fixed and predetermined curricula, can lead to violence in schools.

Accordingly, Cunin and Mendler (1999) observe that most children's popular television shows glamorise and glorify anti-protagonists as they behave

2.6.5 Overemphasis on rights

is that of learners who spend hours watching television and who take less interest in

One of the causes of ill-discipline is the overemphasis on human rights by many stakeholders. Since human rights became an issue, the situation has changed dramatically in schools, homes and in the community. It manifests in the fact that many learners are very much aware of their rights, but show little responsibility to meet their obligations.

According to Byron and Rozarreyer (2001), the amount of time spent between

Associated problems that an overemphasis of rights may cause, is a "don't-care attitude" and lack of insight regarding their role in the learning process. Some of these learners do not strive to excel and rather try to influence their classmates to do the same. Unfortunately the overemphasis of rights is also visible in the educational approach of some educators and parents. Some principals are under pressure to recognise the learners' rights and do not know up to which point they should be allowed to demand more of their pupils. Educators report that they are uncertain, confused and afraid, because they might unknowingly infringe upon their rights.

Peer pressure also has a significant impact on discipline in schools. According to Charles (2002:47) learners are pressurised to be undisciplined in the following ways:

(a) *Provocation*: Provocation occurs when learners are often incited to misbehave by peers or school mates or certain situations and they react improperly to annoyance, lack of attention, insult, threat and boredom.

2.6.6 Effects of the media



Television also contributes to ill-discipline in schools because it seems to have the most effect on children's behaviour especially regarding violence. Chidley (1996) points out that it has been established that violence on television affects the behaviour of children and reports for instance that by the time they are adolescents, children would have viewed over 15 000 acts of television violence and this has implications for the classroom and school.

Accordingly, Curwin and Mendler (1999) observe that most children's popular television shows glamorise and glorify anti-protagonists as they behave irresponsibly. Apart from affecting children's behaviour, the writer's own experience is that of learners who spend hours watching television and who take less interest in things such as sports and studying, which are themselves aspects of schooling that are known to instil self-discipline in learners.

2.6.7 Limited interaction between parents and children

According to Byron and Rozemeijer (2001), the amount of time spent between parents and children has been declining during the past decade and as a result, children spend more time in interaction with other adults at school than with their own parents. This is due to among other reasons, working parents and this result in children and adolescents lacking clear parental guidance on behaviour and discipline. This definitely contributes to discipline problems at schools as the old adage goes. "charity begins at home."

2.6.8 Peer pressure

Peer pressure also has a significant impact on discipline in schools. According to Charles (2002:47) learners are pressurised to be undisciplined in the following ways: (a) *Provocation*: Provocation occurs when learners are often incited to misbehave by peers or school mates or certain situations and they react improperly to annoyance, lack of attention, insult, threat and boredom.

(b) *Group behaviour*. This is when learners often succumb to peer pressure or get caught up in group emotion and at such times tend to behave in ways they would not if they were by themselves.

2.6.9 Physically and mentally affected learners

There are several studies which reveal that learners who are mentally and physical challenged, may create indiscipline in schools. According to Steenkamp & Steenkamp (1992:01), although the child is educable, a mentally disabled child should not attend an ordinary class in an ordinary school he or she may be harmful to himself or herself and others in class. A mentally and physically child becomes obstinate and aggressive because he or she believes that people are undermining him or her.

A study conducted by Smith (in Kapp 2003:430) revealed that physically disabled children often have a poor self-image which results in the formation of a negative self-concept which leads to a feeling of uselessness. The poor self-concept ultimately destroys intrinsic motivation and may even cause the child to distance himself from others and the child may experience socializing problems. The researchers recommend that these children should be admitted in special schools.

2.6.10 Poor school administration

Poor school administration also contributes to ill-discipline in schools. This is supported by Jones (in Tattum 1986:76) schools without firm and fair code of conduct or no code of conduct at all, which is enforced consistently, give learners a chance to misbehave. The schools also find it very difficult to respond to disruptive behaviour.

The need for status by other learners may also contribute to ill-discipline in schools. Authors such as Fontana (1985:9-11) draw our attention to the causes of bad behaviour. One of the causes of bad behaviour 'is the children's need for status and prestige in the eyes of the class'. According to Cowley (2001:81), as children grow up, this need for status and prestige grows and this implies that they want to be recognized by their friends. Many learners want to be recognized because it is at this stage of growth that children try to establish their own identities.

In the process they become hostile and aggressive towards their teachers and other learners in the class. Cowley (2001:81) further indicates that learners who are at this stage of development always criticise adult behaviour and always look up at teachers as people who cannot fulfil learner demands.

Such learners even manage to make the whole class laugh at the teacher and thereby gaining a great deal of status within the group. All this behaviour contributes to ill-discipline in the class. He argues that all these factors contribute to behaviour problems in the class. All these causes of ill-discipline create a major challenge for the teachers, parents and the community. It is therefore one of the duties of the teachers to develop effective strategies for instilling discipline in the school.

2.7 POSSIBLE STRATEGIES FOR THE EFFECTIVE INSTILLING OF DISCIPLINE IN SCHOOL

Good school discipline is one of the most important features of effective schooling. This is supported by Squelch and Lemmer (1994:40) who asserts that good discipline maintains order and harmony in a school and provides a climate in which learners can learn free from disruptions and chaos.

It is therefore very crucial that the school management, teachers, parents and the community devise various strategies for maintaining good discipline in schools. There are various approaches and strategies for maintaining discipline in the schools.

2.7.1 Code of conduct



In every situation in life, rules are essential for creating order and discipline. The schools also require a set of rules which are aimed at setting limits on what can or cannot be done as well as maintaining order and discipline. As is the case with many other aspects of our lives, the effective inculcation of discipline in schools or classroom is dependent on certain rules. Rules for behaviour are needed to set limits on what can or cannot be done. Chaplain (2003:140-141) indicates that the goal pursued with school and classroom rules is a safe environment and good working relationship. In order to be effective, rules should be clear, achievable and be subject to the school policy and government regulations.

A school code of conduct can maintain or improve an existing positive learning situation. According to the South African Schools Act Number 84 of 1996, the School Governing Body of each school should draw up a code of conduct for its school (Department of Education 2001:20). The code of conduct should be drawn up as required by and in terms of the South African Schools Act of 1996. In the code of conduct 'disciplinary procedures to be followed by the school must be set out.

The aim of the code conduct should be to maintain the disciplined and purposeful school environment that exists at a school (Department of Education, 2001:21). The code of conduct should set standards of moral behaviour, promote self-discipline and constructive learning and be based in mutual respect and tolerance (Department of Education, 2001:12). It is the duty of the teachers to implement the code of conduct of a school.

2.7.2 The role of parents

Parents are also responsible for maintaining good discipline in schools. According to Rogers (2002:72) home-school approach can achieve good outcomes. Parents should always be informed about their children's behaviour patterns. Teachers are advised to invite some parents to school to assist in disciplining certain disruptive children. During their stay at the school their children can recite or repeat the schools' attitude pledge or whatever is about the schools' basic rules.

Parents and schools need to compile and agree on strategies that contain clear expectations from learners towards attaining acceptable behaviour. When this sense of community has been built up, groups will work co-operatively without feeling aggressive to other members of the class and with less tension.

2.7.3 Reduced class sizes

Another strategy for maintain discipline in a school is to comply with class size requirement. Small classes have a positive effect on student behaviour (Alexander & Carla, 1995:2). In addition to small classes, the above-mentioned authors also recommend that schools that are smaller and whose curriculum is easy to adjust may contain programmes aimed at changing perpetrators or aimed at prevention of ill-discipline. Such programmes may be those that can promote social and cognitive skills in learners and are easily applied.

2.7.4 Role modelling

Role modelling also contributes to the maintenance of good discipline in schools. Vockell (1991:278 - 283) recommends that parents and teachers should reinforce behaviours that are compatible with any desirable behaviours in children through being exemplary. Role modelling refers to refer to the display of teachers' behaviour that is consistent with what students expect from adults.

Normally, students or children expect from adults a type of behaviour that is characterised by good manners and a helping hand to others. This is supported by Wolfgang (1999:95) who contends that a teacher should at all times be exemplary in being responsible and committed to people around him or her. The above is based on the fact that learners or children in general, worship their heroes and imitate those whom they appreciate and admire.

2.7.5 Detention and revocation of privileges

The detention and revocation of privileges are very crucial in maintaining discipline and they are preferred by many teachers because they are more enlightened and constructive than beating learners.

These authors share Mercure (1995) ideas with respect to in-school isolation. Withholding a privilege in order to lessen unproductive social behaviour is also recommended as one of the effective strategies for maintaining discipline in schools. A privilege that can be revoked can be any popular or desired activity and it should be restored provided an appropriate behaviour has been displayed again. An example of this strategy, is to take about five learners involved in bad behaviour, remove them from other learners and ask them to do their class work or assignments in isolated classrooms or halls.

2.7.5 Praise as reinforcement of good behaviour

2.7.6 Empathy

Praising is also significant in maintaining good behaviour of learners. According to This is one of the most effective strategies for maintaining good behaviour. Feshback (1983:267), in her approach to the disruptive aggressive child, suggests This view is supported by the promotion of empathy among children and control of aggression through empathy. She defines empathy as the ability to assume the perspective and role of another person and the ability to respond effectively. She says that empathy improves behaviours that are incompatible with aggression. An emotional empathetic response can act as an inhibitor of learner individuals' aggressive words and action. To be a good empathiser, the teacher would have to understand the background of the learner (Macnamar & Moreton 1995:25). To know the motives behind the child's behaviour, the teacher must be aware of the child's background, and any problems that do exist.

Egginton also suggests a school-wide discipline policy supported by teamwork and a visible principal. A visible principal is the one who is present when

2.7.7 Use of merits and demerits system (Taking points away / response cost) :

responsibilities to the Head of department or Deputy Principal.

Using demerits is one of the most effective strategies for maintaining good discipline in schools. This aim of this strategy is to show learners that bad behavioural manifestations can cost them something (Smith & Laslett (1995:109). Any child who misbehaves at a school where the demerit system in maintaining discipline is used, is penalised. After being penalised his or her behaviour status changes from good to bad depending on how many times he or she has been penalised for misbehaving.

counselling and remedial assistance

The behaviour status on record of such a penalised individual child is no longer at the same level with that of a person not yet been penalised.

Good behaviour points that have been taken away can only be recovered by the wrongdoer or restored by the school authorities dealing with discipline through an acceptable behaviour of the child over a certain period as determined by the disciplinary committee. The name of a habitual offender is also displayed on the notice board of the disciplinary committee as further punishment (Emmer, et al, 2003:177). If the learner continues to misbehave, he or she is referred to school management or the school governing body.

2.7.8 Praise as reinforcement of good behaviour

Praising is also significant in maintaining good behaviour of learners. According to Docking (1996:42) praising good behaviour in the classroom 'maintains appropriate behaviour' and reduces behaviour problems. Docking (1996:42) also warns against criticizing bad behaviour while ignoring good behaviour. This view is supported by Wragg (2001:18) who asserts a teacher should promote good behaviour by a reward or praise.

2.7.9 Effective Instruction

Effective instruction, accompanied by wide effective classroom management contributes to effective management of discipline in schools (Eggleton, 2001:01). Furthermore, Eggleton also suggests a school-wide discipline policy supported by teamwork and a 'visible principal'. A visible principal is the one who is present when disciplinary problems need to be attended to, without always delegating disciplinary responsibilities to the Head of department or Deputy Principal.

This view is supported by Zabel & Zabel (1996:208) who assert that effective instructional approaches also assist in monitoring behaviour in learners and that such measures usually lead to an effective classroom management and the possible creation of order in a particular classroom. Effective instruction should be accompanied by disciplinary strategies for reform which include therapeutic counselling and remedial assistance.

2.7.10 Punishment

As punishment for any inappropriate behaviour, learners could be punished by requiring them do some repetitious work, for example, a written passage or paragraph (Evertson et al 2003:180). However, the authors warn that if such a task has been defined as punishment, it may negatively affect students' attitude towards that task. This may be detrimental to the learner who needs to approach all his or her school work positively. There are different forms of punishments that may be meted to the learners, namely; detention,

- Detention or exclusion is a method that teachers, in many countries, including South Africa, use as a punitive measure to punish learners who misbehave. Oosthuizen *et al.* (2003:473) describe detention as a disciplinary process where a learner has to sacrifice his or her free time due to misconduct or unruly behaviour from his or her side. The procedural fairness and equal opportunity laws need to be considered when there is a possibility of a learner being excluded (Stewart, 2004:327). Detention usually take place after school or during break-times, but some schools even run it over a weekend (Stewart, 2004:328).

Research conducted in the United States of America on the effectiveness of detention showed that lunchtime detention appears to be a potential alternative programme that could be effective because it places less of an administrative burden on teachers than some other punitive methods (Oosthuizen *et al.*, 2003:473).

- Suspension and expulsion is defined as the temporary refusal by a school governing body to admit a learner to a school and its hostel, while expulsion is the permanent removal of a learner from a school or hostel. Suspension usually precedes expulsion (Oosthuizen et al., 2003:82).

- Suspension and expulsion as forms of punitive measures are aimed at correction, and not at retribution as in the case of corporal punishment according (Oosthuizen, *et al.*, 1998:66). Oosthuizen *et al.* (1998:66) emphasizes that discipline should be administered in a prospective way, directed at the development of the adult of the future.

The improvement of behaviour might also change after a learner has reflected on his behaviour during the time of suspension, and he or she might decide to change his or her behaviour. However, Klump (2007:2), in his research on the effectiveness of out-of school suspensions, found that suspension does little to change a learner's behaviour. In South Africa, all schools are required to comply with all the provisions of suspension in the South African Schools Act Number 84 of 1996. Subject to this Act and any applicable provincial law, the governing body of a public school may, after a fair hearing, suspend a learner from attending the school;

1. as a correctional measure for a period not longer than one week, or
2. pending a decision as to whether the learner is to be expelled from the school by the Head of Department.

Furthermore, subject to any applicable provincial law, a learner at a public school may be expelled only by the Head of Department and if found guilty of serious misconduct after a fair hearing. However, a learner or the parent of a learner who has been expelled from a public school may appeal against the decision of the Head of Department to the Member of the Executive Council.

- Corporal punishment In Current research shows that cases of learner indiscipline are on the increase in South African schools and in some cases, learners are alleged to have murdered others in school premises (Harber, 2001; Zulu, Urbani, Van der Merwe & Van der Walt, 2004). Consequently, a lot of learner indiscipline cases have been reported in schools and this has raised concerns about the safety of schools and classroom environments. In many countries, corporal punishment is used as one of the normal disciplinary measure. In South Africa, corporal punishment was one of the favourite disciplinary measures before 1994.

The democratization of the South African school system in line with the new democratic constitution enacted upon attainment of independence in 1994 has brought with it emphasis on respect and preservation of children's rights. As a signatory to the Convention on the Rights of the Child, the country is compelled to pass laws and take social, educational and administrative measures to protect the child.

Disciplinary measures like corporal punishment were consequently abolished. Section 12 of the South African Constitution Act 108 of 1996 states that "everyone has the right not to be treated or punished in a cruel, inhuman or degrading way". In line with the Constitution, the National Education Policy Act of 1996 (Republic of South Africa, 1996: A-47) states that "no person shall administer corporal punishment or subject a student to psychological or physical abuse at any educational institution".

The South African Schools Act Number 84 of 1996, also emphasize the abolishing of corporal punishment. Section 10.2.1 of the South African Schools Act Number 84 of 1996, declares that "No person may administer corporal punishment at a school to a learner" and that "any person who contravenes subsection (1) is guilty of an offence and liable on conviction to a sentence which could be imposed for assault". Schools are advised to come up look for alternative disciplinary measures. This shows the dilemma schools face in trying to respect children's rights and at the same time finding adequate and meaningful measures to deal with learner indiscipline without infringing on the said rights (Chisholm, 2007).

- Time-out is another disciplinary measure used to punish learners in schools. It involves educators, out of pure desperation, removing a disruptive learner from the classroom. The learners are usually instructed to stand outside the class until the next lesson begins or until the educator decides to call them back.

It is very important to realize that all the disciplinary measures used should be fair, appropriate and do not unlawfully infringe upon the learners' fundamental rights.

2.8 CONCLUSION

Chapter 2 focussed on the conceptual framework of discipline, learners' rights with regard to discipline, the importance of discipline in the schools, possible causes of ill-discipline in schools, the possible strategies or measures that can be taken to instil, restore or maintain learner discipline. The above literature review shows some depth of the research problem proposed. This is in line with what has been said before that discipline in schools has been and is still a concern to all those interested in the schooling of children. The next chapter will focus on research design and methodology.

and how it was executed. The philosophical foundations of this study, research design, research methodology, sampling, data collection, reliability and validity, ethical considerations of the study and data analysis are discussed in this chapter.

3.2 RESEARCH DESIGN

Research design is the conceptual structure within which research would be conducted (Dawson, 2002:19). Accordingly, the function of research design is to provide for the collection of relevant information with minimal expenditure of effort, time and money. Dawson asserts that the preparation of research design, appropriate for a particular research problem, involves the consideration of the following: Objectives of the research study, Method of Data Collection to be adopted, Source of Information—Sample Design, Tool for Data collection and Data Analysis—qualitative and quantitative.

Babbie (2004:87) concurs with Dawson, when he defines research design as a plan of what you are going to observe during the research process while Mouton (2002:107) describe it as a set of guidelines and instructions to be followed in addressing the research problem. A descriptive design was used in this study to investigate the influence of learners' rights and obligations on ill-discipline in schools in the Man'ombe Circuit.

3.1 INTRODUCTION

Chapter Two provided the review of literature. Various literature sources were reviewed in order to explore and learn how other scholars have said, theorized and conceptualised issues related to the the influence of learners' rights and obligations on ill-discipline in schools. This chapter aims to provide an explication of the research plan and how it was executed. The philosophical foundations of this study, research design, research methodology, sampling, data collection, reliability and validity, ethical considerations of the study and data analysis are discussed in this chapter.

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3.3 RESEARCH METHODOLOGY

Cohen and Manion (1994:29) describe research as the process of arriving at dependable solutions to problems through planned and systematic collection, analysis and interpretation of data. It is regarded as a family of methodologies each of which leads to statements of knowledge. Methodology on the other hand, refers to a system of methods used in a particular field to reach a valid and reliable perception of phenomena, events, processes or issues at many different levels (Soanes, 2002:565). The survey method of research will be used in this investigation. Questionnaires will be administered to the learners and teachers of all high schools in the Man’ombe Circuit. According to Van Rensburg (2010:126), any research methodology is influenced by the research approach of the researcher, namely; the qualitative or quantitative approach.

- **Quantitative Approach**

This is a formal objective, systematic process in which numerical data are used to obtain information about the phenomenon under investigation (Van Rensburg, 2010:85). Creswell (2003:18) concurs when he asserts that a quantitative approach is one in which the researcher primarily uses post positivist claims for developing knowledge and collects data on predetermined instruments that yield statistical data.

Creswell (2003:02) adds that quantitative methods are used chiefly to test or verify theories or explanations, identify variables to study, relate variables in questions or hypotheses, use statistical standards of validity and reliability, and employ statistical procedures for analysis. Quantitative approach makes our observations more explicit, makes easier to aggregate, compare and summarize data and it opens up the use of statistical analyses ranging from simple averages to complex formulaes and mathematical models (Babbie, 2004:27).

• Qualitative Approach



This implies an emphasis on the qualities of entities and processes and on meanings that are not experimentally examined or measured (if measured at all) in terms of quantity, amount, intensity or frequency. Qualitative researchers stress the socially constructed nature of reality, the intimate relationships between the researcher and what is studied, and the situational constraints that shape inquiry (Denzin and Lincoln, 2003:10). According to (Babbie, 2004:26) the distinction between quantitative and qualitative data in social research is the distinction between numerical and non-numerical data; for instance, when you say someone is ugly, you have made a qualitative assertion.

When you say he or she is “a size 9”, you are attempting to quantify your qualitative assessment. Streubert Speziale and Carpenter (2003:15-17) identify the following principles of qualitative approach:

- Believing in multiple realities.
- Conducting the research in a way that limits disruption of the natural context of the phenomenon under study,
- Acknowledgement of the participants’ viewpoints in the research process, and
- Reporting data in a literary style rich with participants’ commentaries.

Brynard & Hanekom (2005:02) add that qualitative research produces descriptive data – generally people’s own written or spoken words. In qualitative approach, literature and theory are used to understand what is going on in the field and to discover theoretical perspectives and concepts and data collection takes place by means of interviews and observation (Hodkinson, 2000:13).

Due to the aim and design of the study, a quantitative approach was used in this study to investigate the influence of learners’ rights and obligations on ill-discipline in schools in the Man’ombe circuit.

3.3.1 Study area

This study will be conducted in four schools in the Man’ombe Circuit of Mopani District, Limpopo Province. Which are Giyani High School, Risinga High School, High Quality Education Centre and Ritlhabile High School.

3.3.4 Sample size

3.3.2 Population of the study

In this study, the sample consisted of 22 participants from four schools in the Man'ombe Circuit. The term population refers to the entire group of persons or set of objects and events the researcher wants to study (Van Rensburg, 2010:150). Mouton (2002:134) defines a population as a collection of objects, events or individuals having some common characteristic that the researcher is interested in studying. The population in this study are all educators of four high schools in the Man'ombe Circuit.

3.3.3 Sampling methods

Sampling is a method or process of selecting certain objects, events, units, people or members to represent the whole group (Van Rensburg, 2010:149). A sample is part of the whole or a subset of measurements drawn from the population). De Vos et. al. (2002:198) defines sampling as taking any portion of a population as a representative of that population. We study the sample in an effort to understand the population in which we are interested (Bless and Higson-Smith, 2000: 86, Brink, Van der Walt and Van Rensburg, 2006:124).

There are two methods of sampling, namely; probability sampling and non-probability sampling (Babbie, 2004:182). Probability sampling method is any method of sampling that utilizes some form of random selection from a list containing the names of everyone in the population being sampled (Babbie, 2004:182). Examples of probability sampling are systematic random sampling, simple random sampling, cluster random sampling, and multi-stage sampling and stratified sampling (Babbie, 2004:201-212). Non-probability sampling does not involve random selection. Examples of non-probability sampling are convenience sampling, snowball sampling and purposive sampling (Schultze, 2002:35). In this study, simple random sampling was used to select the sample of this study which consisted of 22 educators from the four high schools in the Man'ombe Circuit.

3.3.4 Sample size



In this study, the sample consisted of 22 participants from four schools in the Man'ombe Circuit. The following table illustrates the sample size of this study:

Table 3.1: Sample size

Schools	CS Educators	Senior Educators	HOD'S	Deputy Principals	Principals	Total
School A	3		1	1		5
School B	3		1		1	5
School C	3		1	1		5
School D	4	1		1	1	7
Total	13	1	3	3	2	22

3.3.5 Access to the sites

According to Creswell (2009:148), before a researcher begins with research, it is important to gain access to research or archival sites by seeking the approval of "gatekeepers". In the case of this study, the researcher first contacted the Man'ombe Circuit office of the Department of Education, in Giyani to give them a detailed explanation about the research and to request permission to conduct the study. The participants of the study were also contacted to explain to them in detail the purpose of the research and also request them to participate in the project. The following methods of data collection were adopted for the study:

3.3.6 Data Collection

To supplement the literature review, an empirical investigation was conducted to collect data. The survey method of data collection was used to collect the data in this investigation. A survey research method is a systematic collection of specific information, obtained through asking a sample of respondents the same questions at a particular point in time (Van Rensburg, 2010:179). In this study, questionnaires were used to collect data. Having done this, it was necessary that the researcher designed appropriate instruments which would be used to collect the data.

In this study, a questionnaire were designed and administered to the participants, namely; the educators. A questionnaire is a printed document that contains instructions, questions and statements that are compiled to obtain answers from the respondents (Van Rensburg, 2010). Macmillan & Schumacher (2010) add that questionnaires are used in assessing attitudes, opinions, beliefs and biographical information of people. The questionnaires are also designed mainly to gather numerical data or data that can easily be converted into numerical values Basit (2010).

Respondents were asked to select an answer from among a list provided as well as to provide qualitative responses to some open ended questions. Questionnaires were preferred in this study because they are relatively economical in their design and implementation, has the same questions for all subjects, ensures anonymity, it is able to produce very rapid turn-out in data collection; it also eliminated my subjective bias, and the respondents had adequate time to think through their answers.

After compiling the list of questions, I conducted a pretest, by asking some thoughtful individuals to read and respond to the questions. When they completed the responses I asked them about the clarity and wording of the questions. Based on the responses I revised the questions. I also conducted a pilot study. A pilot study is a small scale study using a small sample of the population but not the same group that will eventually form part of the sample group in the actual research (McMillan and Schumacher, 2010:206). In this study a pilot study was conducted with five educators from one of the neighbouring high school.

The educators were invited to freely give their comments and criticism. According to McMillan and Schumacher a pilot study is necessary as a check for bias in the procedures and the questions. During the pilot test the procedures should be identical to those that will be implemented in the study. In this study I took special note of any cues which suggested that the respondent was uncomfortable or did not fully understand the questions.

The pilot study assisted me to establish the face validity of an instrument and to improve questions, format and the scales (Creswell, 1994:121).



3.3.7 Data analysis

In every study the data collected need to be analysed before they can be interpreted. Corbin & Strauss (2008:01) define data analysis as a process of examining and interpreting data in order to derive meaning, gain understanding and develop empirical knowledge. The purpose of data analysis is to describe the data clearly, identify what is typical and atypical of the data, bring to light differences, relationships and other consistent patterns existing in the data and ultimately answer research questions. Once data collection had been completed, the researcher began the process of data analysis and interpretation. The data collected in this study through the questionnaires was analysed quantitatively and the results were expressed in statistical terminology and explained through descriptive statistics. The Statistical Product for Service Solutions or SPSS computer programme was used for capturing and analysis of the data of this study.

The programme was selected because of its applicability to educational and social science research, its relative simplicity of use and the complete labelling which it provides. The descriptive statistics assisted the researcher to understand the frequency distribution as well as the central tendency in the data collected.

3.4 VALIDITY AND RELIABILITY OF THE STUDY

Determining the accuracy of the data, discussing the generalizability of it, and advancing the possibilities of replicating a study, are considered as the scientific evidence of a scholarly study (Creswell, 1994:157). This is achieved by establishing the validity and reliability of the study. Validity in quantitative research refers to the accuracy of the inferences, interpretations or actions made on the basis of quantitative data (McMillan & Schumacher, 2010:331).

In this study, the validity of the investigation was ensured by reviewing the relevant literature on the problem in order to establish their findings; using a heterogeneous sample (male and female, literate and illiterate and younger and older respondents); assuring the respondents that their identities will not be revealed; and ensuring that the instruments that are used to collect the data are valid. According to De Vos (2002:166), a valid measuring instrument is the one which measures what it is supposed to measure, and yields scores whose differences reflect the true differences of the variable or concept being measured rather than random or constant errors.

The reliability of the investigation was also ensured. The term reliability means that measurements made are consistent and if the same experiment is performed under the same conditions, the same measurements will be obtained (De Vos et.al.2005:41). In this study, reliability was achieved by subjecting the instruments to a pilot study. The aim of the pilot study was to determine possible flaws in terms of ambiguity and the possibility of repetition of questions. At the end of the pilot study, I determined if there is a need to refine some research questions.

3.5 ETHICAL CONSIDERATIONS

Ethics is a matter associated with morality and ethical guidelines serve as standard which form the basis for the research to evaluate one's conduct (Babbie, 2001:118). In this study the researcher adhered to the following most important ethical standards of research described by Babbie (2007:118), Bless and Higson-Smith (2010:100) and Welman, Kruger, and Mitchell (2006:201):

3.5.1 Informed consent: In this study respondents were informed about the purpose and importance of the study, the benefit of participation and they were requested to sign a consent form. As Bless and Higson-Smith (2010:101) assert, I assured the respondents that the research data would only be used for the stated purposes of the research.

3.5.2 Voluntary participation: The respondents were informed of their right to participate voluntarily. Participants were free to terminate their participation at any stage without any consequences.

3.5.3 Right to privacy (confidentiality): Participants were assured of their anonymity and in this regard assured the participants that their names or identities and the name of the school would not be disclosed. Confidentiality was also ensured by protecting all data gathered and by not making the data available to outsiders where it might have embarrassing or damaging consequences.

All the hard data were stored in a locked cabinet and the data were destroyed after completion of analysis. All electronic data were stored on a computer requiring password access.

3.5.4 Protection from harm: I also assured the respondents that their participation in this research would not cause them any physical discomfort, humiliation and emotional stress.

3.6 CONCLUSION

Chapter three has provided an overview of the selected research design and methodology. The philosophical foundations of this study, research design, research methodology, sampling, data collection, reliability and validity, ethical considerations of the study and data analysis were discussed in this chapter. The findings of the empirical investigation are presented in the subsequent chapter.

		Percentage
CS 1 Educators: Male	3	13.6
CS 1 Educator: Female	10	45.5
Senior Educator: Male	0	0
Senior Educator: Female	1	4.5
HOD's: Male	1	4.5
HOD's: Female	2	9.1
Deputy Principal: Male	3	13.6
Deputy Principal: Female	0	0
Principal: Male	2	9.1
Principal: Female	0	0
Total	22	100

DATA PRESENTATION, ANALYSIS AND INTERPRETATION

4.1. INTRODUCTION

In Chapter 03, a description of the research paradigm, research questions, research design, sampling, the data collection methods and the methods for data analysis were discussed. In this chapter, the analyses of the quantitative data are reported. the general aim of the study was to investigate the influence of learners' rights and obligations on ill-discipline in schools. The results will be presented by means of charts and tables encompassing categories of respondents who represented perceptions held by their groups with regard to a particular view.

4.2 DATA PRESENTATION

4.2.1 Details on gender representation of respondents.

Figure 4.1. Gender representation of the respondents

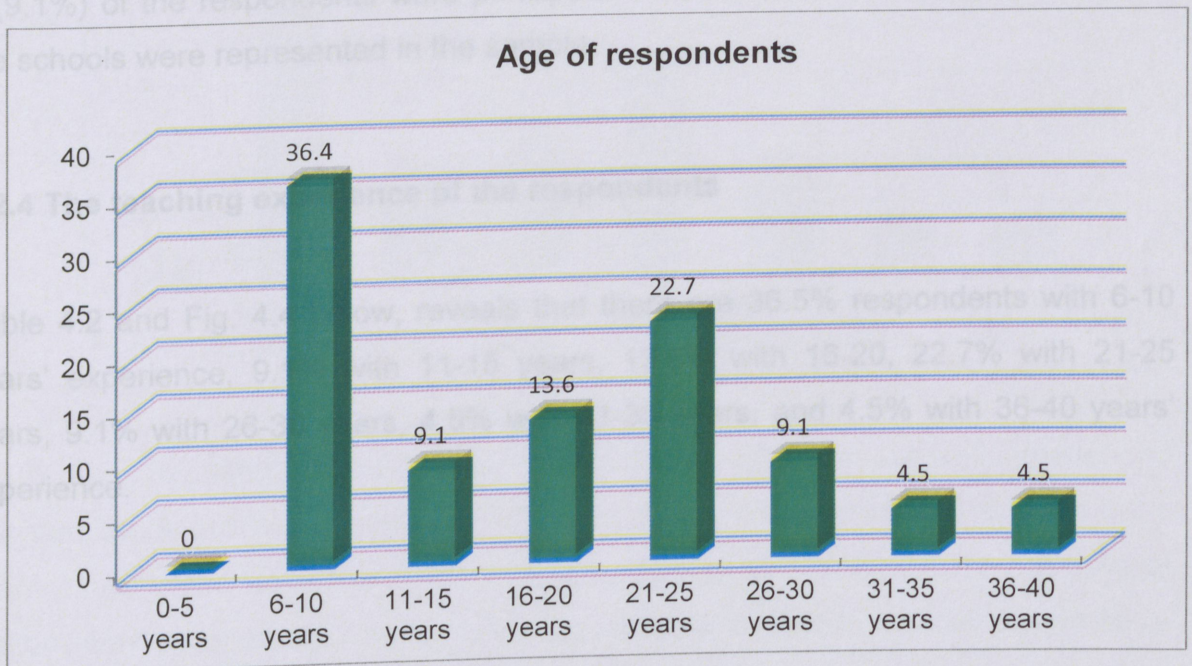
Participants	Frequency	Percentage
CS 1 Educators: Male	3	13.6
CS 1 Educator: Female	10	45.5
Senior Educator: Male	0	0
Senior Educator: Female	1	4.5
HOD's: Male	1	4.5
HOD's: Female	2	9.1
Deputy Principal: Male	3	13.6
Deputy Principal: Female	0	0
Principal: Male	2	9.1
Principal: Female	0	0
Total	22	100

Figure 4.1 above, indicates that 22 respondents from four schools participated in the study. The table further indicates that thirteen male and ten female CS1 educators, one female Senior teacher, one male and two female heads of department, three male deputy principals and two male principals, participated in the study. As figure 1 above indicates, there were more female respondents than the male respondents. With an insignificant difference of 18.2%, both male and female respondents were well represented in the study.

4.2.2 Age of the respondents

Figure 4.1 below, reveals that there are many respondents between 41-50 years age-group, followed by respondents between 31-40 years age-group, which reveals that most teachers are matured and can handle disciplinary challenges wisely without infringement of the rights of learners. The study also revealed that there is one respondent who is above sixty years old who provides valuable guidance to the young teachers between 20-25 years age-group (9.1%). Figure 2 illustrates the various age-groups of the respondents.

Figure 4.2: Age of the respondents



4.2.3 Details of the positions of the respondents at their work places



Table Number 4.2 : Details of the experience of the respondents.

Figure 4.3 Details of the positions of the respondents at their work places

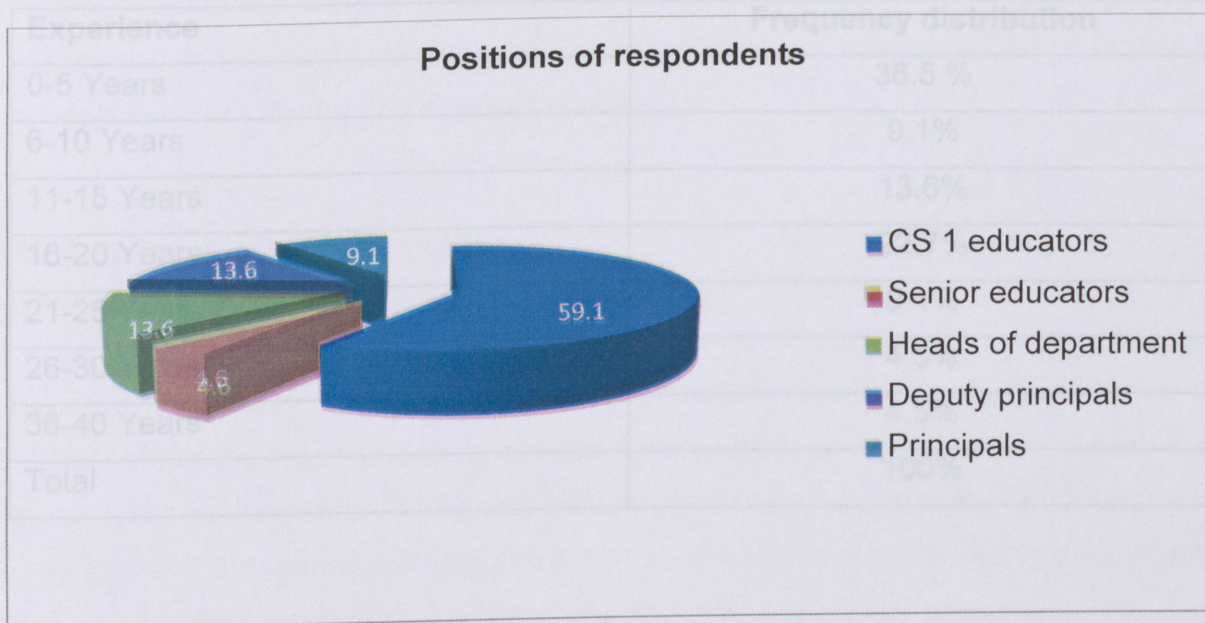


Figure 4.4: Details of the experience of the respondents

Figure 4.3 above, illustrates that 13 (59.1%) of the respondents were CS1 educators, 1 (4.6%) of the respondents were senior educators and 3 (13.6%) of the respondents were heads of department, 3 (13.6%) of the respondents were deputy principals and 2 (9.1%) of the respondents were principals. This indicates that all the positions in the schools were represented in the sample.

4.2.4 The teaching experience of the respondents

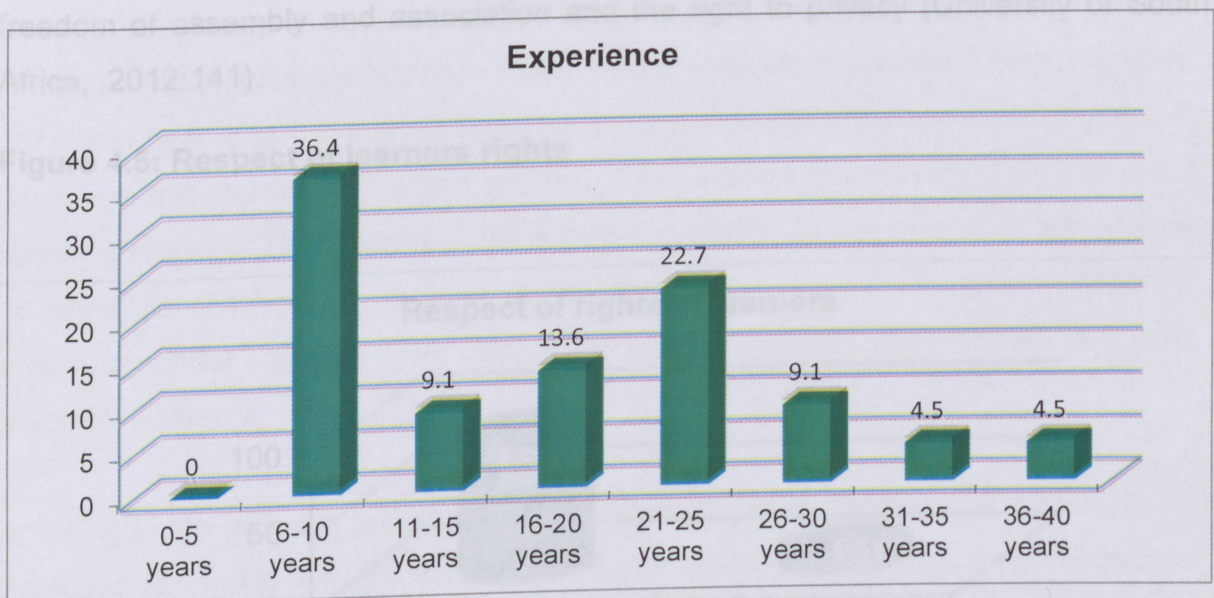
Table 4.2 and Fig. 4.4 below, reveals that there are 36.5% respondents with 6-10 years' experience, 9.1% with 11-15 years, 13.6% with 16-20, 22.7% with 21-25 years, 9.1% with 26-30 years, 4.5% with 31-35 years, and 4.5% with 36-40 years' experience.

The results revealed that the respondents in this investigation are well experienced and that there are more teachers with 6-10 years' experience and few teachers within 31-40 years' experience. According to Bastien (2006: 01), there are several reasons why experienced workers can help maintain a reliable, dedicated work force and provide a significant cost savings for both short-term and long term.

Table Number 4.2 : Details of the experience of the respondents

Experience	Frequency distribution
0-5 Years	36.5 %
6-10 Years	9.1%
11-15 Years	13.6%
16-20 Years	22.7%
21-25 Years	9.1%
26-30 Years	4.5%
36-40 Years	4.5%
Total	100%

Figure 4.4: Details of the experience of the respondents



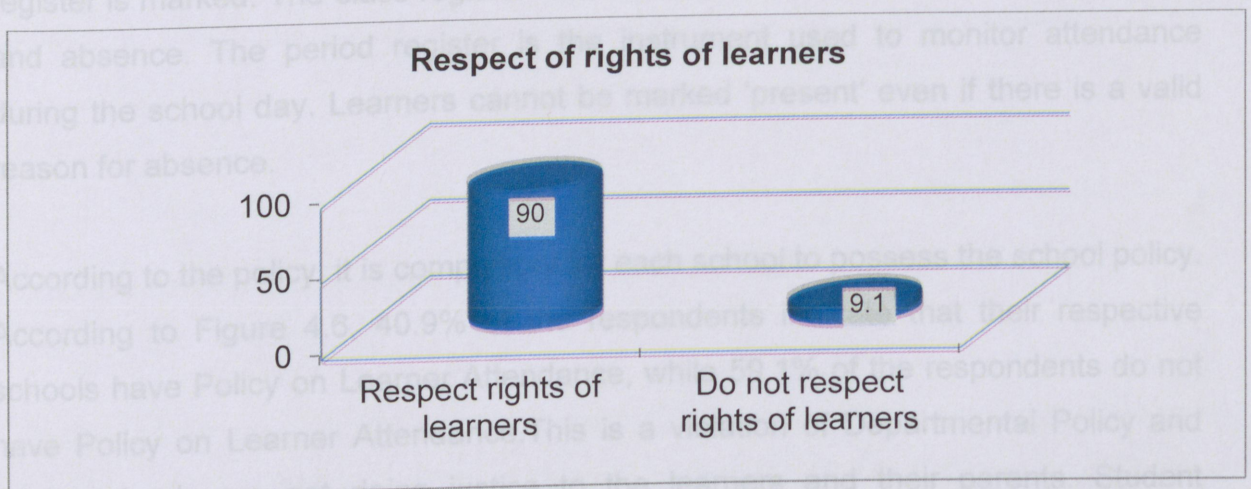
The findings revealed that the respondents in this investigation are well experienced and that there are more teachers with 6-10 years' experience and few teachers within 31-40 years' experience. According to Bastien (2006: 01), there are several reasons why experienced workers can help maintain a reliable, dedicated work force and provide a significant cost savings for both short-term and long term.

Experienced workers are usually dedicated to their work, efficient and confident, have organisational skills, are proud of their work, are always punctual, honest, focused, detail oriented and attentive, good listeners, mature, exemplary, with good communication skills. As is shown in this table, all the respondents had significant experience in teaching and are therefore capable of maintaining sound discipline in schools without violating the rights of learners.

4.2.5 Respect of learners rights

Figure 4.5 indicates that 90.9% of the respondents respect the rights of learners, while 9.1% of the respondents do not respect the rights of learners. This implies that many teachers and schools respect the learners' rights and this might contribute to ill-discipline if the learners abuse those rights. The learners rights that are respected include, the right to equality, the right to education and school attendance, the right to pregnancy, the right to religious freedom and drug testing, freedom of expression, freedom of assembly and association and the right to privacy (University of South Africa, 2012:141).

Figure 4.5: Respect of learners rights



4.2.6 Policy on Learner Attendance



The Learner Attendance Policy was compiled by the Department of Basic Education and Training in 2010 and distributed to all schools in South Africa. The aim of the policy is to promote punctual and regular school attendance and provides standardised procedures for recording and monitoring learner attendance. The policy also ensures that learners and their parents will be treated equitably across provinces.

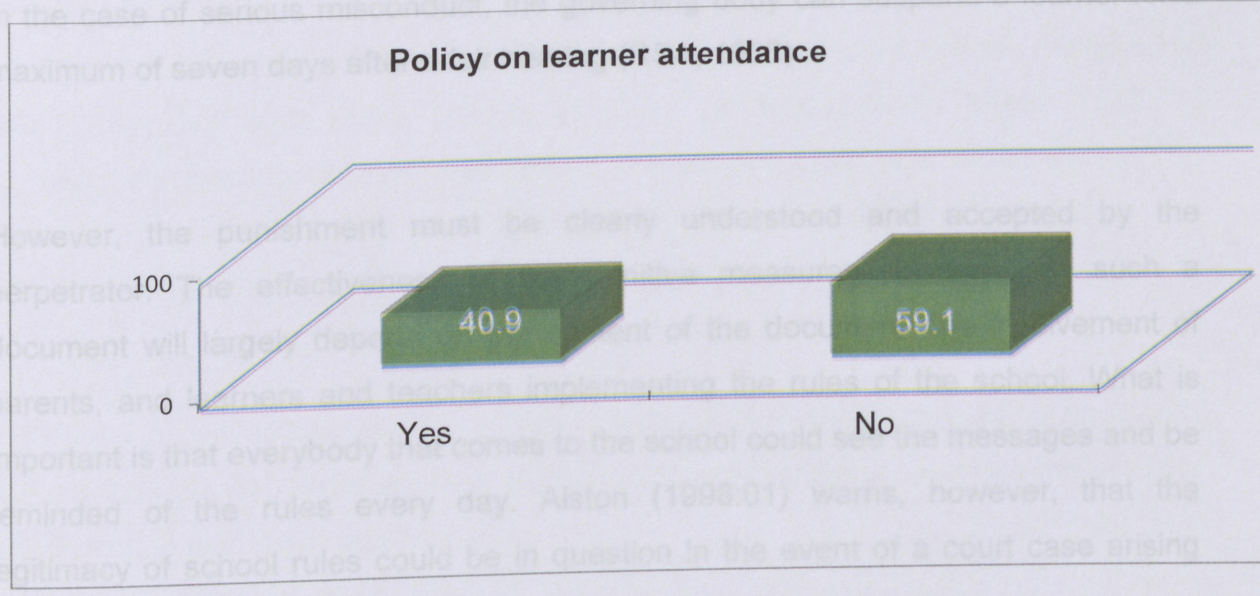
The policy stipulates that it is the responsibility of the parent to ensure that the learner attends school daily. Schools are required by the policy to use the standard class and period registers with the provincial logo. The school time-table must indicate the time when the class register will be marked. Learners are expected to attend school on time and must be required to do so. Learners should be made aware that if they are not present during the registration period they will be marked absent.

A learner is deemed to be 'present' at school when the learner is present in class or is participating in a school activity when the class register is marked. The policy does not specify how long the learner must be at school in order to be marked present. It states that the learner is marked present if the learner is in class when the class register is marked. The class register is thus the official record of learner attendance and absence. The period register is the instrument used to monitor attendance during the school day. Learners cannot be marked 'present' even if there is a valid reason for absence.

According to the policy, it is compulsory for each school to possess the school policy. According to Figure 4.6, 40.9% of the respondents indicate that their respective schools have Policy on Learner Attendance, while 59.1% of the respondents do not have Policy on Learner Attendance. This is a violation of Departmental Policy and these schools are not doing justice to the learners and their parents. Student discipline also contributes to poor academic performance. A school is a social institution and as such it must have certain basic regulations governing, controlling and directing the behaviour of its members most of whom are learners (Mamwenda, 1995: 311).

In most schools educators complain that some learners are ill-disciplined and difficult to work with. This affects the relationship between teachers and learners and leads to uncontrollable learners in the classroom where some learners intimidate teachers. Some learners are insubordinate and disobedient to school authority, tend to arrive late at school and leave before the end of school day, stay away from school for a couple of days and deliberately violate class and school regulations (Tylherleigh, 2005:32). Absenteeism due to ill-health is one of the major causes of under performances in schools. After the abolishment of corporal punishment, most learners abuse their rights and the teachers have not developed other skills to ensure discipline. Most teachers spend more time on student discipline issues rather than curriculum issues (Legotlo, Maaga & Sebege, 2002:118).

Figure 4.6: Policy on learner attendance



4.2.7 South African Schools Act Number 84 of 1996

The South African Schools Act, No. 84 of 1996 was promulgated and delivered to all schools in South Africa in 1996. The main objectives of the Act is to provide for a uniform system for the organisation, governance and funding of schools, to amend and repeal certain laws relating to schools and to provide for matters connected therewith. Amongst others, the Act discusses corporal punishment, learner attendance, suspension and expulsion.

Any school operating without the South African Schools Act is violating Departmental policy because they will not be able to maintain discipline in schools in accordance with government policy. The South Africa Schools Act (1996b) requires in Section 8 that the governing body of a school has to adopt a code of conduct for learners after consultation with learners, educators and parents.

The Department of Education in South Africa provides schools with an example of a code of conduct as part of its guidelines for constructing their own codes of conduct (Department of Education, 2007). Duties of parents, disciplinary steps, accepting responsibilities, and the payment of school fees are some of the matters that need to be discussed with learners, parents and educators of the school (RSA, 1996) before drawing up a code of conduct for the school. The governing body is also empowered to maintain and enforce school discipline in accordance with the code. For instance, in the case of serious misconduct, the governing body can suspend a learner for a maximum of seven days after a fair hearing (RSA, 1996).

However, the punishment must be clearly understood and accepted by the perpetrator. The effectiveness of the punitive measures described in such a document will largely depend on the content of the document, the involvement of parents, and learners and teachers implementing the rules of the school. What is important is that everybody that comes to the school could see the messages and be reminded of the rules every day. Alston (1998:01) warns, however, that the legitimacy of school rules could be in question in the event of a court case arising over the application of school rules.

Schools today are challenged, not only in the application of their school rules, but also in the drafting of their school rules, which need to serve as a legally valid document. Therefore, this implies that those responsible for drafting the school rules need to have a knowledge and understanding of the basic law principles to draft rules that will conform to such\ original legislation.

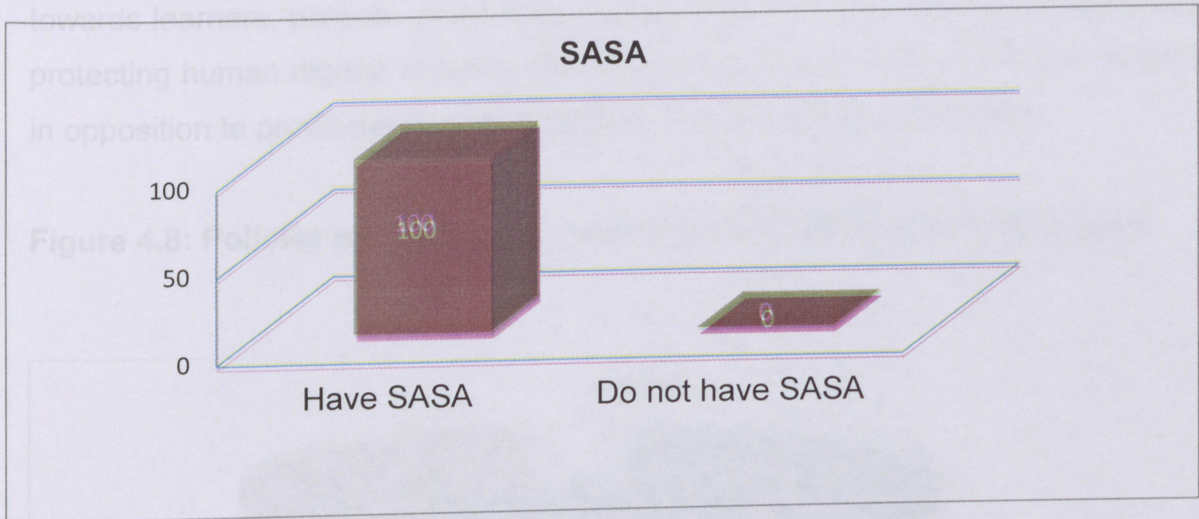
Parental involvement in the drafting of a code of conduct could, in fact, play an important role in establishing a safe school environment. The positive input of parents in the drafting of school rules is crucial in establishing a safe environment for their children, also in ensuring that they understand and agree with what is expected of their children, regarding the rules of the school.

Thus, the duties of parents, as stipulated in the South African Schools Act 84 of 1996 should also be listed in the code. Language and parental illiteracy should be taken into consideration so that everybody involved in the school will be able to understand the rules of the school as clearly stipulated in the code of conduct. The wording should therefore be as simple as possible, so that even younger learners would know what is expected of them and what is permitted at their school.

Furthermore, school rules should not just be a set of legal rules that are designed to avoid future law suits rather than to establish classroom order. Alston (1998:51) suggests that parents and learners should at least give a moral if not legally binding agreement to abide by the rules and support the school in their application; the school may also request parents and learners to sign their acceptance of the rules.

Figure 4.7 below, illustrates that all the schools under investigation have the South African Schools Act Number 84 of 1996. This is commendable because the schools are operating with government policy.

Figure 4.7: South African Schools Act Number 84 of 1996



4.2.8 The effect of The Policy on learner Attendance and South African Schools Act Number 84 of 1996 in improving discipline in schools

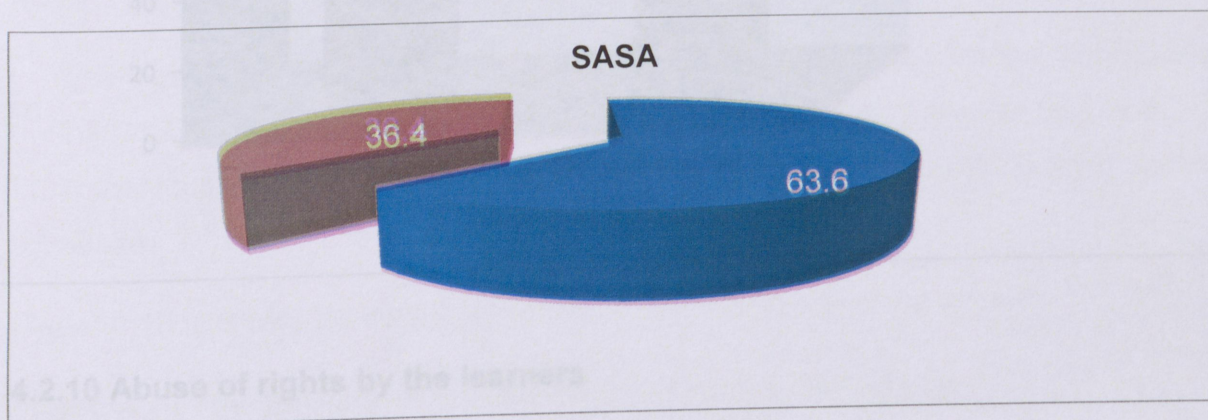
The findings of the study (Figure 4.8) reveals that the majority of the schools (63.6%), have improved discipline after receiving the South Africa Schools Act Number 84 of 1996 and the Policy on learner Attendance, while 36.4% never improved its discipline. This is an indication that school policies and rules are necessary for improving the discipline of schools.

It is the duty of a school's governing body to adopt a code of conduct that will be a legal instrument, regulating the maintenance of discipline in the school. This implies that the schools are able to comply with the regulations pertaining to learner attendance and maintenance of discipline. Section 8. (1) of the South African Schools Act Number 84 of 1996 reads as follows: "Subject to any applicable provincial law, a governing body of a public school must adopt a code of conduct for the learners after consultation with the learners, parents and educators of the school. According to (2), a code of conduct referred to in subsection (1) must be aimed at establishing a disciplined and purposeful school environment, dedicated to the improvement and maintenance of the quality of the learning process.

All schools must also note that a school code of conduct cannot be in opposition or contradiction to the country's Constitution.

This means that, for example, a school code of conduct cannot unfairly discriminate on the basis of gender, colour or religion. All the actions of the school at all times; towards learners, parents, or educators; must respect the Constitutional principles of protecting human dignity, equality and freedom. A school code of conduct cannot be in opposition to provincial and national laws, regulations and guidelines.

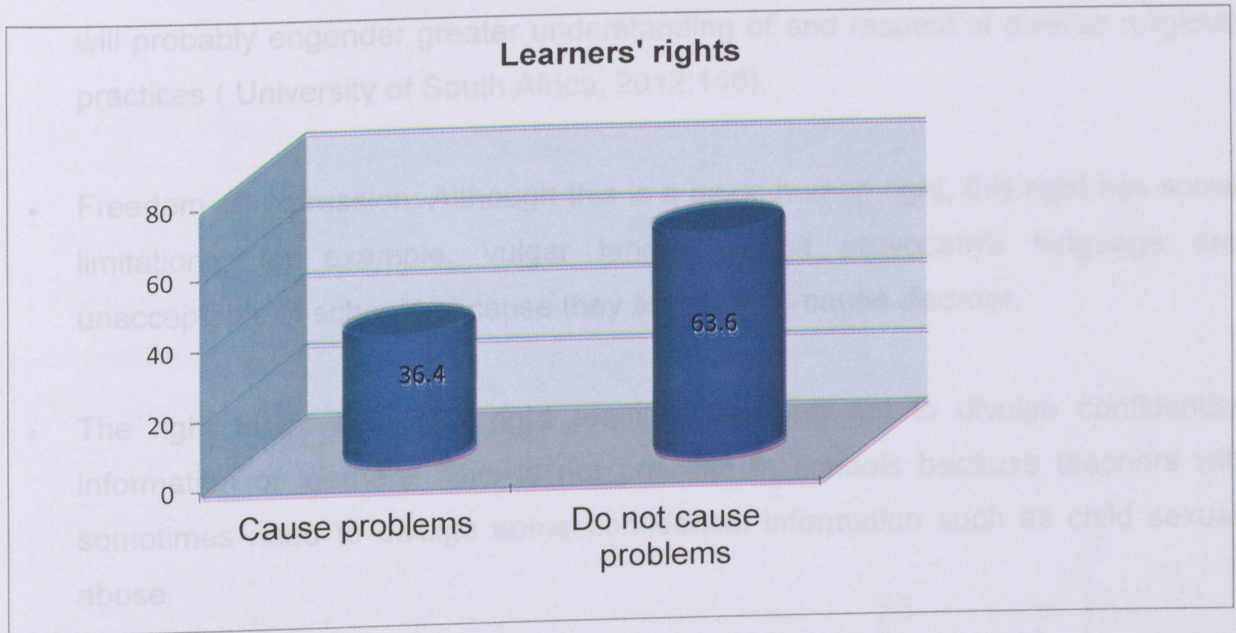
Figure 4.8: Policies on learner attendance and South African Schools Act



4.2.9 Effect of learners' rights on school discipline

According to the findings of this study (Figure 4.9), 63.6.2% of the respondents indicate that the learners' rights do not cause disciplinary problems whereas 36.4% indicate that they cause disciplinary problems. This implies that more than half of the respondents recognize the role of the learners' rights in schools. There is however a great concern that more than a third of the respondents think that learners' rights cause disciplinary problems in their schools. This may be due to the fact that some learners' rights openly contribute to disciplinary problems, for example, the freedom of association and assembly. In South Africa each year a number of weeks of the academic year are lost as a result of student demonstrations and boycotts. Although the learners have the right to demonstrate, this does have a negative and disruptive effect on the educational process. Figure 4.9 below, illustrates the effects of learners' rights on school discipline.

Figure 4.9: Effect of learners' rights on school discipline



4.2.10 Abuse of rights by the learners

The findings of this study reveal that 51.1% of the respondents indicate that learners abuse their rights meanwhile 40.9% indicate that they don't abuse their rights. The following are the rights which are usually abused by the learners:

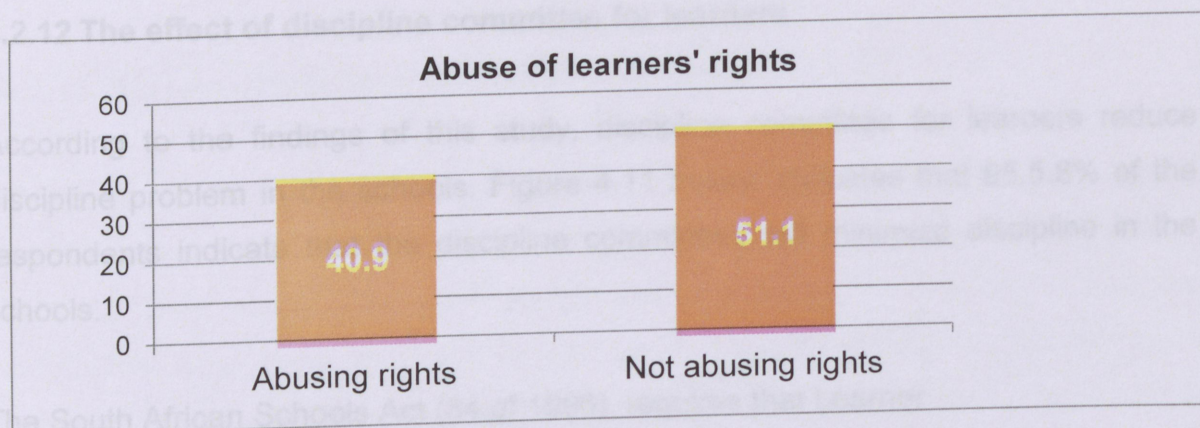
- The right to education and pregnancy: This right prohibit any school from expelling any learner who is pregnant. Many parents and teachers indicate that this particular right promotes high rate of pregnancy in schools.
- The right to religious freedom: In some schools there are learners who claim to be Rastafarians and in an article entitled “ Drug testing in public schools”, Coetzee (2005:282) commented as follows on this subject:
If a learner is a Rastafarian drug testing may infringe upon his or her right to freedom of religion since cannabis is an essential part of their religion.
- Wearing of religious clothing in schools: A more vexing question that is often raised with regard to religious practices in schools is whether learners should be allowed to wear distinctly religious clothing in public schools.

The general feeling is that it is very unlikely that allowing learners to wear certain items of religious clothing will lead to disruptions in school. It is felt that, instead it will probably engender greater understanding of and respect of diverse religious practices (University of South Africa, 2012:146).

- Freedom of expression: Although this is a basic human right, this right has some limitations, for example, vulgar language and provocative language are unacceptable in schools because they are likely to cause disorder.
- The right to privacy: This right requires teachers not to divulge confidential information of learners. This is not possible in schools because teachers will sometimes need to divulge some confidential information such as child sexual abuse.

Figure 4.10 illustrate the extent of abuse of learners' rights in the schools.

Figure 4.10 The learners of our school are abusing their rights



4.2.11 Learners' rights

Table Number 4.3 below, indicates that most of the rights are regarded as bad, unsuitable or not fit for the learners by the respondents of this study. This indicates that most educators are against learners' rights.

Table Number 4.3: Learners' rights

Learners' rights	Good		Bad		Total
	No.	%	No	%	%
The right to equality	2	9.1	20	90.9	100
The right to education and school attendance	3	13.6	19	86.4	100
The right to pregnancy	13	59.1	9	41.9	100
The right to religious freedom	5	22.7	17	77.3	100
The right to freedom of expression and association	2	9.1	20	90.9	100
The right to privacy	3	13.6	19	86.4	100
The right to appeal	3	13.6	19	86.4	100
The right to information	3	13.6	19	86.4	100

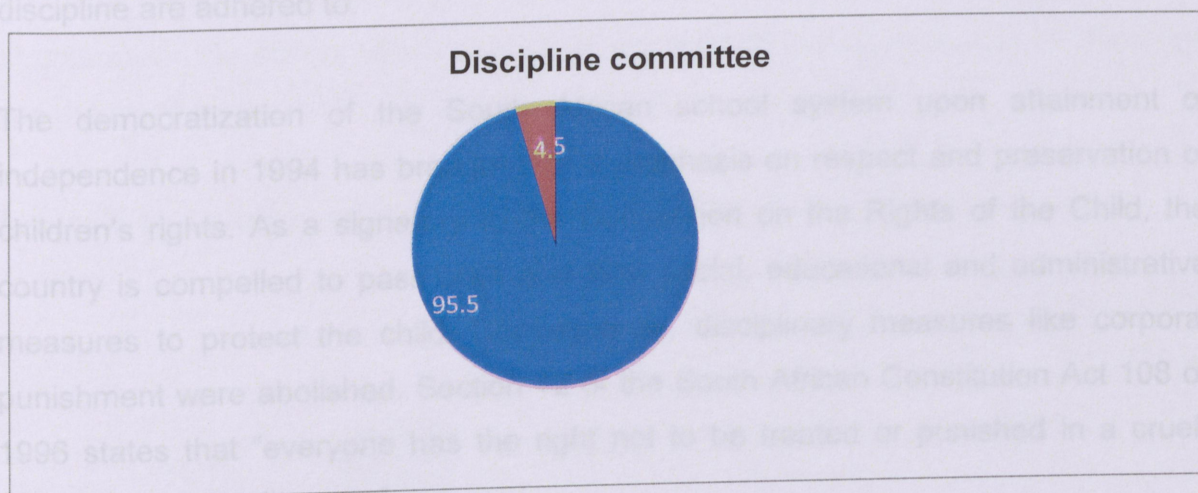
4.2.12 The effect of discipline committee for learners

According to the findings of this study, discipline committee for learners reduce discipline problem in the schools. Figure 4.11 below, indicates that 95.5.8% of the respondents indicate that the discipline committees will minimize discipline in the schools.

The South African Schools Act (84 of 1996), requires that Learner Representative Councils must be established in every public school (Department of education, 1996). These are the only legitimate, legal learner leadership structures in schools. Currently most schools elect Learner Representative Councils but these learners are not equipped with the knowledge, skills and values with which to effectively carry out their roles and responsibilities. One of the roles of the learner Representative Councils is to work with the educators to ensure that there is good discipline in the schools. This can be done by establishing committees in the Learner Representative Councils, such as disciplinary Committee, Sports Committee, Excursions Committee and Financial Committee.

The role disciplinary committee of the learner representative Council is therefore a legal structure of the school. The school principal must ensure that the learner Representative Council have this committee which will assist educators in maintaining discipline in the schools.

Figure 4.11: Discipline committee for learners



4.2.13 The role of teachers' disciplinary committee

The findings of this study (Figure 4.12) reveal that 86.4% of the respondents indicate that educators do need a disciplinary committee in order to maintain discipline in the schools. Their views are supported by many management experts. A discipline committee is a good example of teamwork. Literature reveals that teamwork between all stakeholders in organisations is regarded as a major contributor to organisational effectiveness. The concept teamwork refers to a working relationship in which people from various parts of an organisation work together to achieve a common goal (Johns, 1996:573).

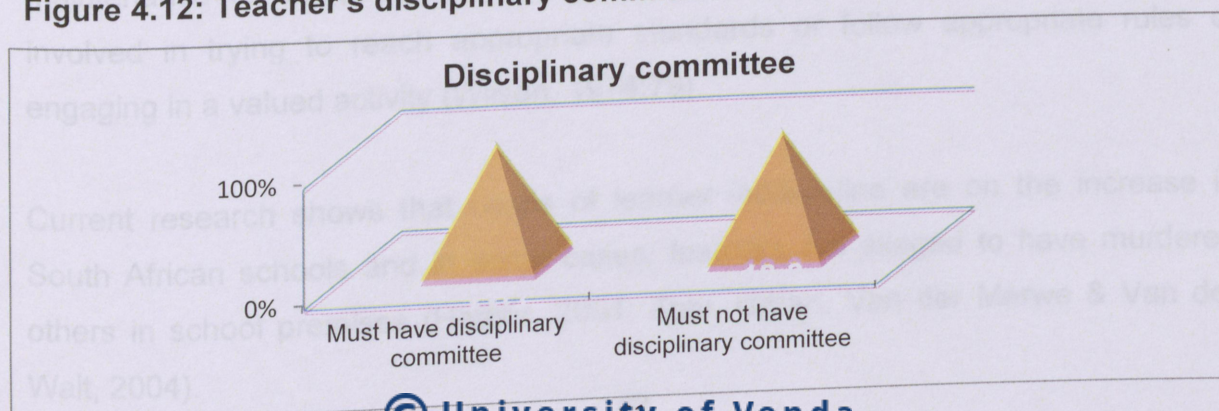
A team usually consists of a small number of people who work together in a coordinated effort (Foundation for professional development, 2012:112). The main aim of the team is not to compete against other teams in the organisation, but to compete against poor quality, low productivity and the competition in the industry.

A team focus on the collective has a common goal, operate by a set of norms, have linked roles and responsibilities, share strong bonds and share leadership roles. There is a significant difference between a team and a group. A group is defined as two or more individuals who interact with the primary purpose of sharing information and making decisions to assist each other perform within a given area of responsibility (Foundation for professional development, 2012:113). Disciplinary committee enables educators to ensure that the rules and regulations for maintaining discipline are adhered to.

The democratization of the South African school system upon attainment of independence in 1994 has brought with it emphasis on respect and preservation of children's rights. As a signatory to the Convention on the Rights of the Child, the country is compelled to pass laws and take social, educational and administrative measures to protect the child. Consequently, disciplinary measures like corporal punishment were abolished. Section 12 of the South African Constitution Act 108 of 1996 states that "everyone has the right not to be treated or punished in a cruel, inhuman or degrading way".

In line with the Constitution, the National Education Policy Act of 1996 (Republic of South Africa, 1996a: A-47) states that "no person shall administer corporal punishment or subject a student to psychological or physical abuse at any educational institution". Schools have to come up with functional alternative measures in order to deal with indiscipline. This shows the dilemma schools face in trying to respect children's rights and at the same time finding adequate and meaningful measures to deal with learner indiscipline without infringing on the said rights (Chisholm, 2007).

Figure 4.12: Teacher's disciplinary committees of in schools

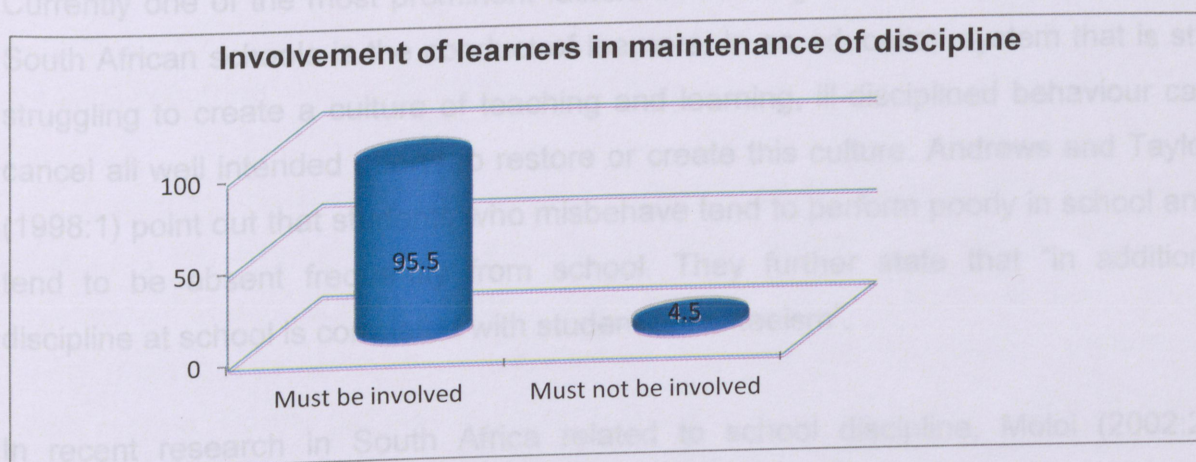


4.2.14 Involvement of learners in the maintenance of discipline in a school



The findings of this study reveal that learners should be involved in the maintenance of discipline in the schools. According to the findings of this study, 95.5% indicate that learners should be involved in the maintenance of discipline in the schools while 4.5% indicate that learners should not be involved. It should be emphasized that the Learner Representative Council is not the only structure of the learners which should be involved in the maintenance of discipline in the school. Examples of other structures of the school which should be involved in the maintenance of discipline are the class monitors, library assistants and laboratory leaders.

Figure 4.13. Involvement of learners in maintenance of discipline



4.2.15 Duties of the school

A school is an organisation which is composed of various groups of people such as educators, learners, administrators, school governing body, security staff and other stakeholders. All these groups are directly and also indirectly responsible for the maintenance of discipline in the schools. Discipline refers to the kind of order involved in trying to reach appropriate standards or follow appropriate rules of engaging in a valued activity (Wilson, 1974:79).

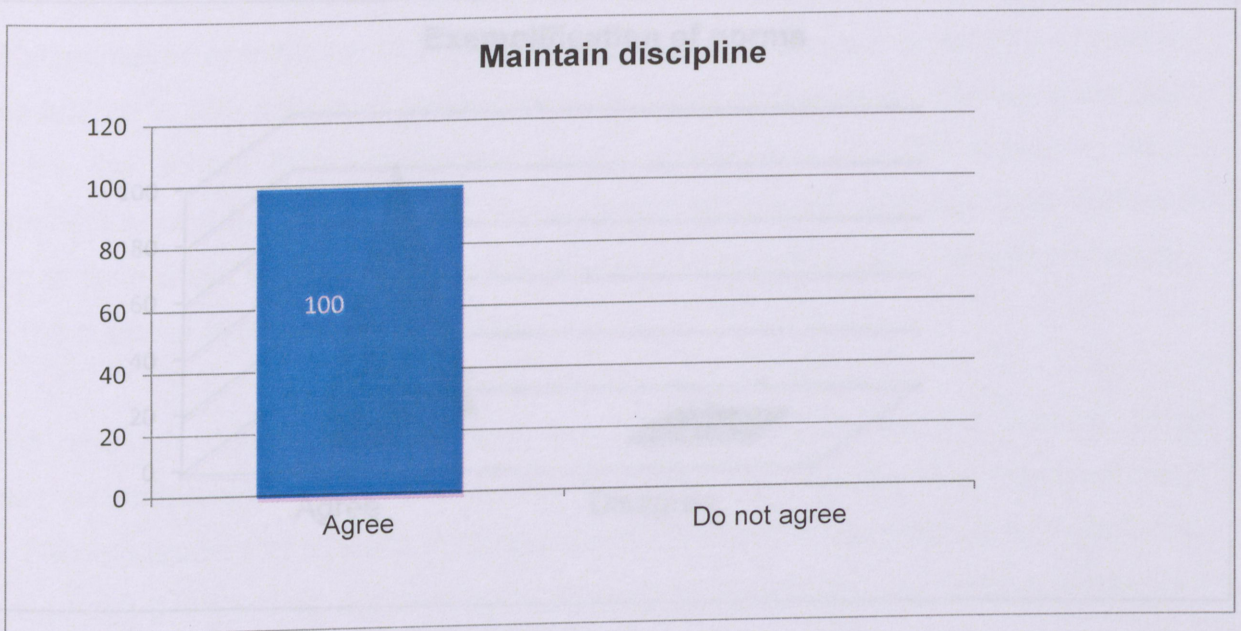
Current research shows that cases of learner indiscipline are on the increase in South African schools and in some cases, learners are alleged to have murdered others in school premises (Harber, 2001; Zulu, Urban, Van der Merwe & Van der Walt, 2004).

The learners come late to school, do not do school their work, behave in unacceptable manners, abuse drugs in the school premises and even reportedly carry knives and guns to school, which they use to threaten and fight both the educators and other learners (Mabeba & Prinsloo. 2000:35; SADTU, 2003). The educators as managers of the school are directly responsible for maintaining discipline in the schools. According to Figure 4.14, all the respondents (100%) believe that the school is responsible for the maintenance of discipline in the schools. This implies that the educators assisted by other stakeholders are responsible for maintenance of discipline in the school.

Currently one of the most prominent factors influencing the learning environment in South African schools is the conduct of learners. In an education system that is still struggling to create a culture of teaching and learning, ill-disciplined behaviour can cancel all well intended efforts to restore or create this culture. Andrews and Taylor (1998:1) point out that students who misbehave tend to perform poorly in school and tend to be absent frequently from school. They further state that “in addition, discipline at school is correlated with student absenteeism”.

In recent research in South Africa related to school discipline, Moloi (2002:2) mentions that “the learners lost a culture of respect and trust towards the educators”. Learner safety, security and success in education is often adversely affected by disruptive behaviour or other forms of misconduct by fellow learners. Discipline of learners in all schools has been and is still regarded as a very important and valuable cornerstone of learning.

Figure 4.14: Maintenance of discipline in schools

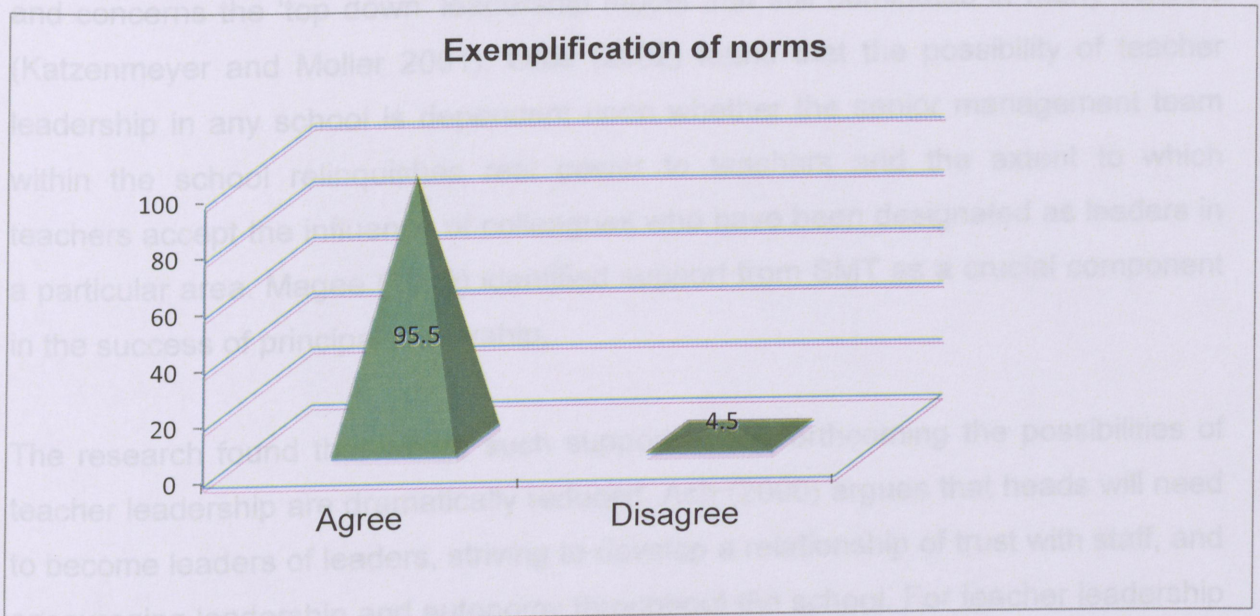


4.2.16 Teachers' exemplification of norms

According to the findings of this study, 95.5% of the respondents indicate that teachers must be exemplary when maintaining discipline in school, while 4.5% disagree. Many studies indicate that another major cause of poor learner performance is displayed by lack of teacher discipline and low educator commitment and morale. Poorly performing schools are characterized by high rates of teacher absenteeism and truancy (Legotlo, Maaga & Sebego, 2002:118).

In such schools learners are occasionally left without educators in some subjects for days and when teachers are late or absent from work teaching time is reduced. Blauw (1998:08), indicates that a poor culture of teaching and learning has been developed in many schools. Most schools in which the culture of teaching and learning has broken down are characterized by educators who do not have the desire to teach (Chisholm and Vally (1996:01). The poor school culture, poor working conditions, inadequate curricula materials, unclear and confusing government policies particularly the right sizing policy affect the morale of teachers (Legotlo, Maaga & Sebego, 2002:118). Figure 4.15 illustrate the respondents' responses to the need for norm exemplification.

Figure 4.15: Exemplification of norms



4.2.17 The role of the principal in maintaining discipline

Figure 4.16 below, illustrates the views of the participants with regard to the role of the principal in the maintenance of discipline in Schools. According to Figure 4.16, 86.4% of the respondents believe that the principal alone must maintain discipline at school while 13.6% of the respondents disagree. The views of the majority of the respondents are supported by many researchers who believe in participative or collaborative leadership.

There are many studies that reveal that school discipline improvement and effectiveness is the role of school principals. Christie (1998:291), for example, indicates that there is a dominant belief in government and educational circles that principals are in a better position to add value and make a difference in the performance of schools. According to Christie (1998:291) principals as instructional leaders are responsible for improving discipline and academic performance of learners.

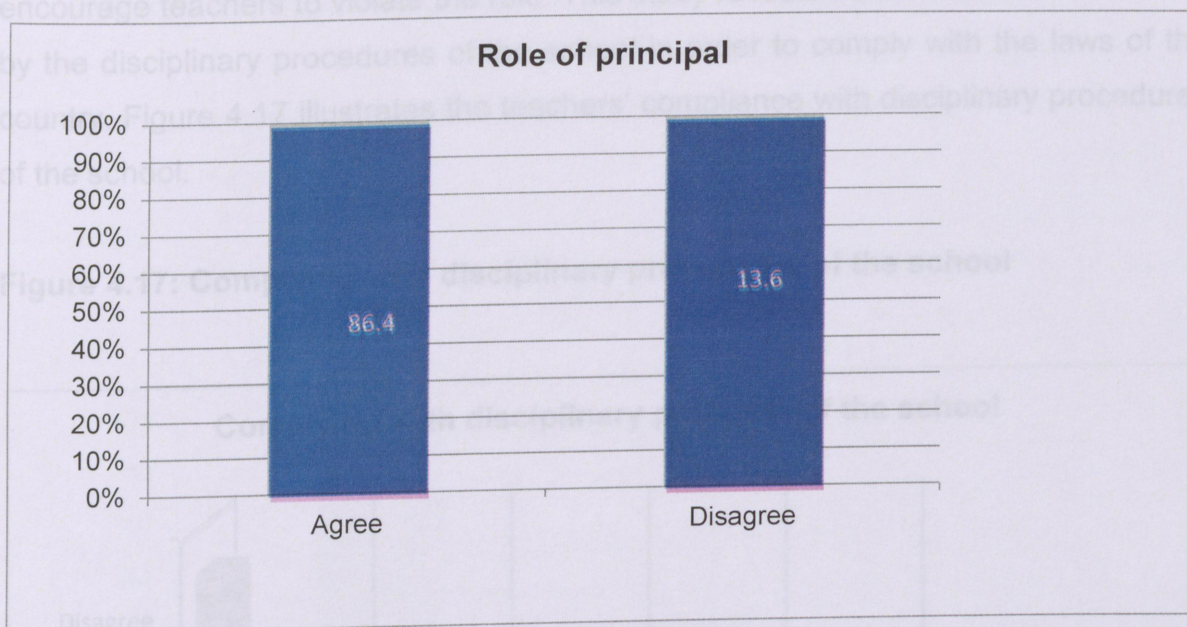
One of the main barriers to principal leadership identified in the literature is structural and concerns the 'top down' leadership model that still dominates in many schools (Katzenmeyer and Moller 2001). Little (2002) found that the possibility of teacher leadership in any school is dependent upon whether the senior management team within the school relinquishes real power to teachers and the extent to which teachers accept the influence of colleagues who have been designated as leaders in a particular area. Magee (1999) identified support from SMT as a crucial component in the success of principal leadership.

The research found that where such support is not forthcoming the possibilities of teacher leadership are dramatically reduced. Ash (2000) argues that heads will need to become leaders of leaders, striving to develop a relationship of trust with staff, and encouraging leadership and autonomy throughout the school. For teacher leadership to develop, heads must also be willing to allow leadership from those who are not part of their 'inner circle', and might not necessarily agree with them (Barth 1999). Weiss and Cambone (2000) found that in a number of schools heads started to impose more autocratic forms of leadership after about 2 years, following strong resistance from teachers to the reforms they were trying to implement.

However, the principal's main responsibility is to create conditions conducive to effective teaching and learning in which the learners can receive quality instruction in the school (Olson, 2000:01). According to Christie, Butler and Potterton (2007:26), effective schools are characterised by competent use of traditional methods, firm belief that disadvantages can be overcome, by recognising the school as a vital modern institution in a depressed and deprived environment, subject knowledge of teachers, promoting hard work and discipline, motivation on the part of the principal, head of department, teachers and learners and positive ethos.

This implies some imagination and the ability to win the trust and commitment of all stakeholders and unite them in a shared dedication to excellence. In most schools, this has been very difficult to achieve, as schools have been turned into battlefields for power between principals and the school governors.

Figure 4.16: The role of the principal in maintaining discipline



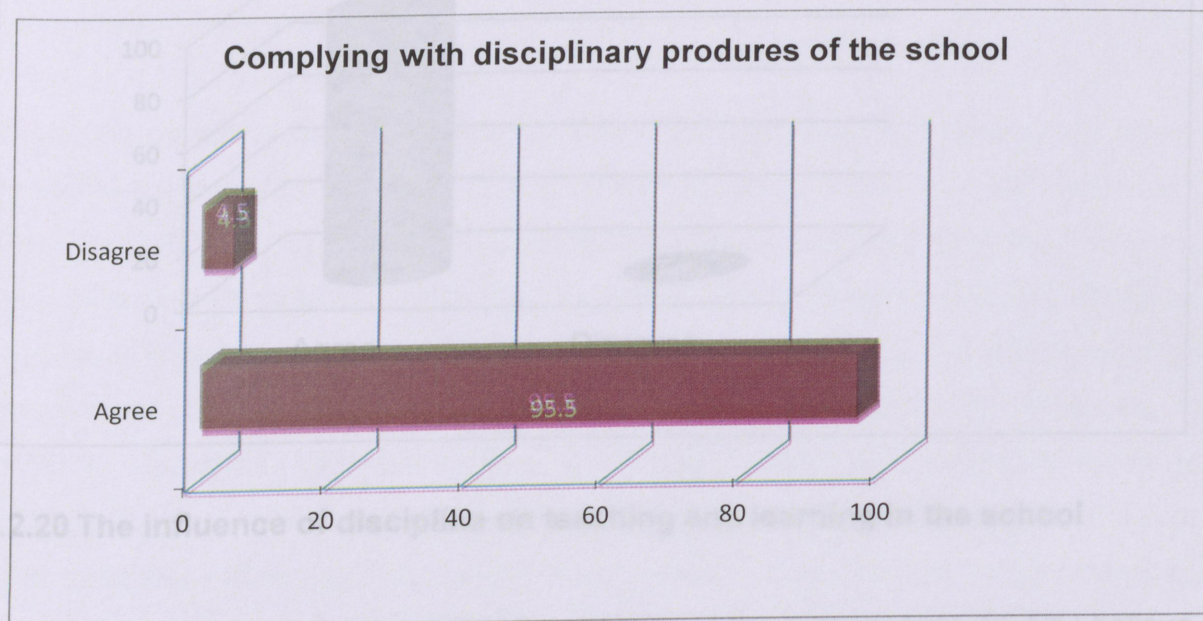
4.2.18 Educators' compliance of the disciplinary procedures of the school

The findings of this study reveal that an overwhelming majority of the respondents 95.5% indicates that educators and learners should abide by the disciplinary procedures of the school. According to section 8(1) of the Schools Act, a governing body of a public school must adopt a code of conduct for the learners after consultation with learners, parents and educators. It is important for all the stakeholders to know, understand the code of conduct and also comply with the disciplinary procedures of the school.

The democratization of the South African school system in line with the new democratic constitution enacted upon attainment of independence in 1994 has brought with it emphasis on respect and preservation of children's rights. Disciplinary measures like corporal punishment were consequently abolished. Schools are advised to come up look for alternative disciplinary measures. However, there are some teachers who do not abide to this provision and continue to apply corporal punishment because it was one of the favourite disciplinary measures before 1994.

Many parents are also against the banning of corporal punishment and therefore encourage teachers to violate the rule. This study reveals that it is advisable to abide by the disciplinary procedures of the school in order to comply with the laws of the country. Figure 4.17 illustrates the teachers' compliance with disciplinary procedures of the school.

Figure 4.17: Complying with disciplinary procedures of the school

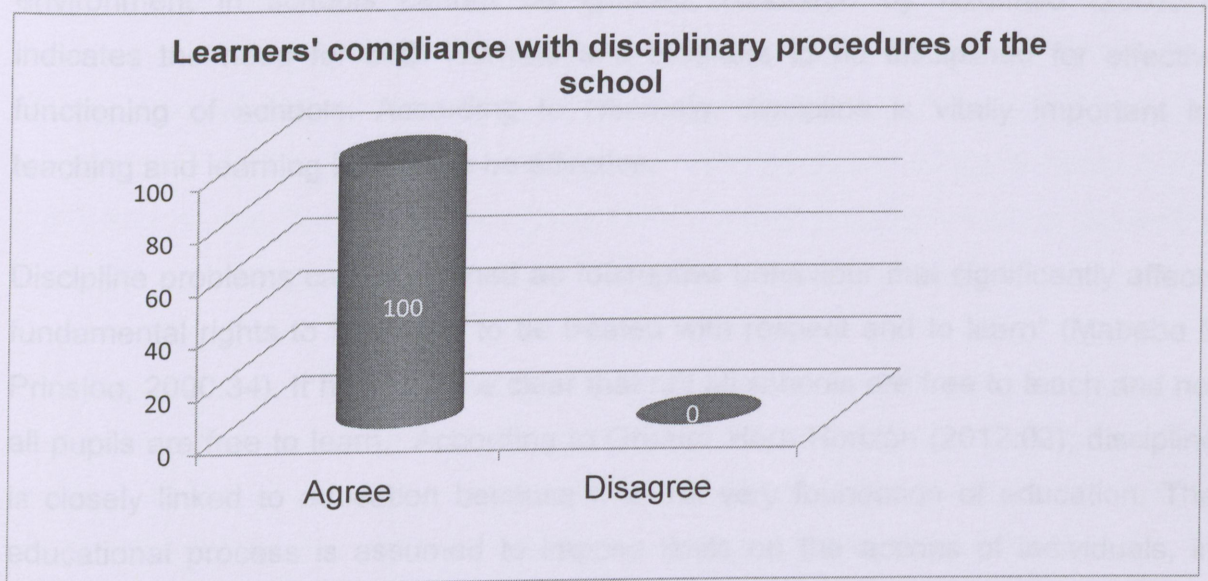


4.2.19 Learners must abide by disciplinary procedures of the school

Figure 4.18 below, reveals that all the respondents do agree that learners should comply with the disciplinary procedures of the school. Current research shows that cases of learner indiscipline are on the increase in South African schools and in some cases, learners are alleged to have murdered others in school premises (Harber, 2001; Zulu, Urbani, Van der Merwe & Van der Walt, 2004). Schools are advised to come up with alternative disciplinary measures. The problem encountered by teachers is that most learners refuse to comply with the alternative disciplinary measures. This shows the dilemma teachers face in trying to respect children's rights and at the same time finding adequate and meaningful measures to deal with learner indiscipline without infringing on the said rights (Chisholm, 2007).

It is hoped that this attitude will gradually discontinue because most learners agree that it their duty to comply with the disciplinary procedures of the school.

Figure 4.18 Learners' compliance with disciplinary procedures



4.2.20 The influence of discipline on teaching and learning in the school

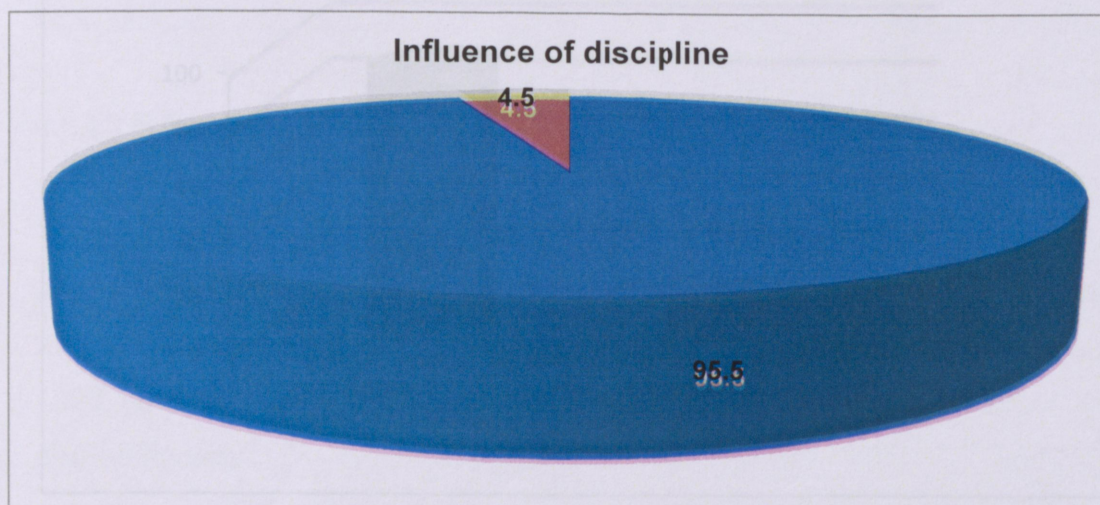
The findings of this study reveal that the majority of the respondents (95.5%) believe that discipline influences teaching and learning in the schools. This is supported by many studies which indicate that effective school discipline is a key to school effectiveness and good performance. As has already been mentioned, student indiscipline contributes to poor academic performance. A school is a social institution and as such it must have certain basic regulations governing, controlling and directing the behaviour of its members most of whom are learners (Mamwenda, 1995:311). In most schools educators complain that some learners are ill-disciplined and difficult to work with. This affects the relationship between teachers and learners and leads to uncontrollable learners in the classroom where some learners intimidate teachers.

Some learners are insubordinate and disobedient to school authority, tend to arrive late at school and leave before the end of school day, stay away from school for a couple of days and deliberately violate class and school regulations (Tytherleigh, 2005:32).

Absenteeism due to ill-health is one of the major causes of under performances in schools. After the abolishment of corporal punishment, most learners abuse their rights and most teachers spend more time on student discipline issues rather than curriculum issues (Legotlo, Maaga & Sebege, 2002:118). The importance of positive discipline as the cornerstone of the creation and maintenance of a positive learning environment in schools cannot be ignored. Research by Nxumalo (2001:77) indicates the need for both learners and teachers to be disciplined for effective functioning of schools. According to Nxumalo, discipline is vitally important for teaching and learning in class to be effective.

Discipline problems can be defined as “disruptive behaviour that significantly affects fundamental rights to feel safe, to be treated with respect and to learn” (Mabeba & Prinsloo, 2000:34). It has become clear that not all schools are free to teach and not all pupils are free to learn. According to Greater Horn Horizon (2012:02), discipline is closely linked to education because it is the very foundation of education. The educational process is assumed to impose limits on the actions of individuals, in order to search for efficiency. This is because acting with discipline leads to intelligent action. When we are disciplined we are able to organize our actions, which lead to higher efficiency. The person who is disorganized expends more energy to perform their tasks and takes longer to execute them, which means that it becomes less productive.

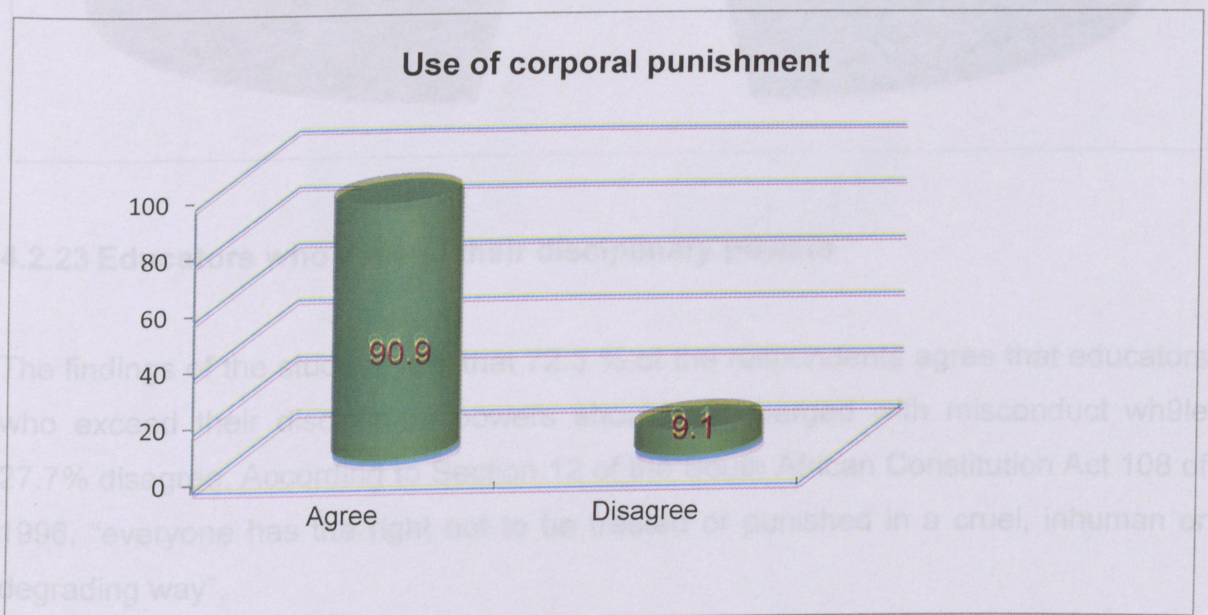
Figure 4.19 Influence of discipline on teaching and learning



According to the respondents of this investigation corporal punishment is the best disciplinary measure for learners who behave inappropriately. This is supported by the findings of the study which indicates that 90.9% of the respondents believe that inappropriate behaviour by a learner can only be eradicated by the use of corporal punishment, while only 9.1% of the respondents disagree. The views of the majority of the respondents contradict the government policy on the use of corporal punishment. National Education Policy Act of 1996 (Republic of South Africa, 1996: A-47) states that “no person shall administer corporal punishment or subject a student to psychological or physical abuse at any educational institution.

However, the views of the respondents indicate that implementers of policies are the best people to judge government policies. It is advisable that educators, as field workers should be consulted before policies are made because the response of educators indicate that there is indeed a major problem in the maintenance of discipline in our schools. An overemphasis of the rights of learners will eventually destroy effective teaching and learning in the schools. Figure 4.20 illustrate the use of corporal punishment in the schools under investigation.

Figure 4.20: The use of corporal punishment



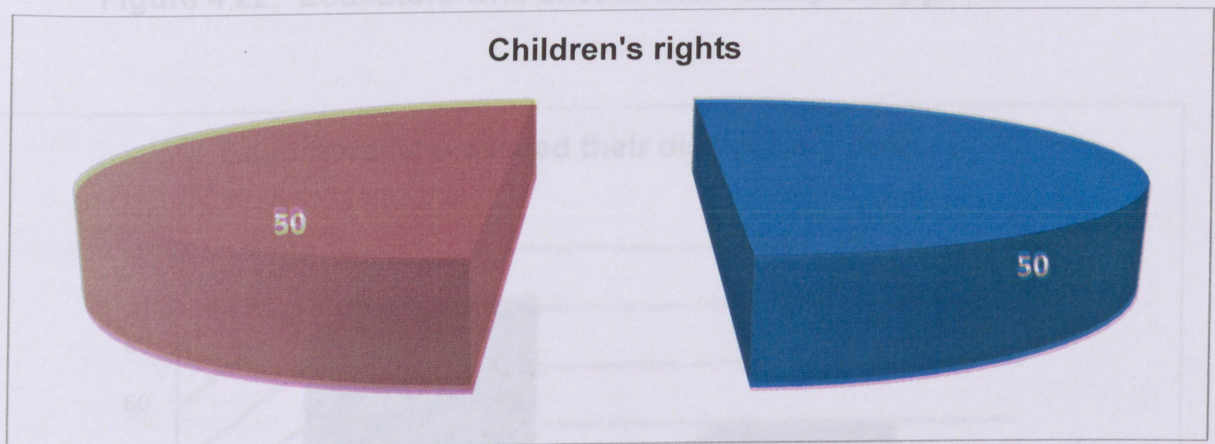
4.2.22 Learners' /children' rights



According to the findings of this study, half of the respondents believe that learners' rights are not good for learners, while the other half disagree. This is indicated by 50% of the respondents who indicate that rights are good for the learners while 50% disagree. The respondents who agrees are supported by Section 28 of the Bill of Rights of the South African Constitution which lists amongst others the following functions of rights of children: Every child has the right to:

- (a) be protected from maltreatment, neglect, abuse or degradation
- (b) family care or parental care, or to appropriate alternative care when removed from the family environment
- (c) basic nutrition, shelter, basic health care services and social service.

Figure 4.21: Children's rights



4.2.23 Educators who exceed their disciplinary powers

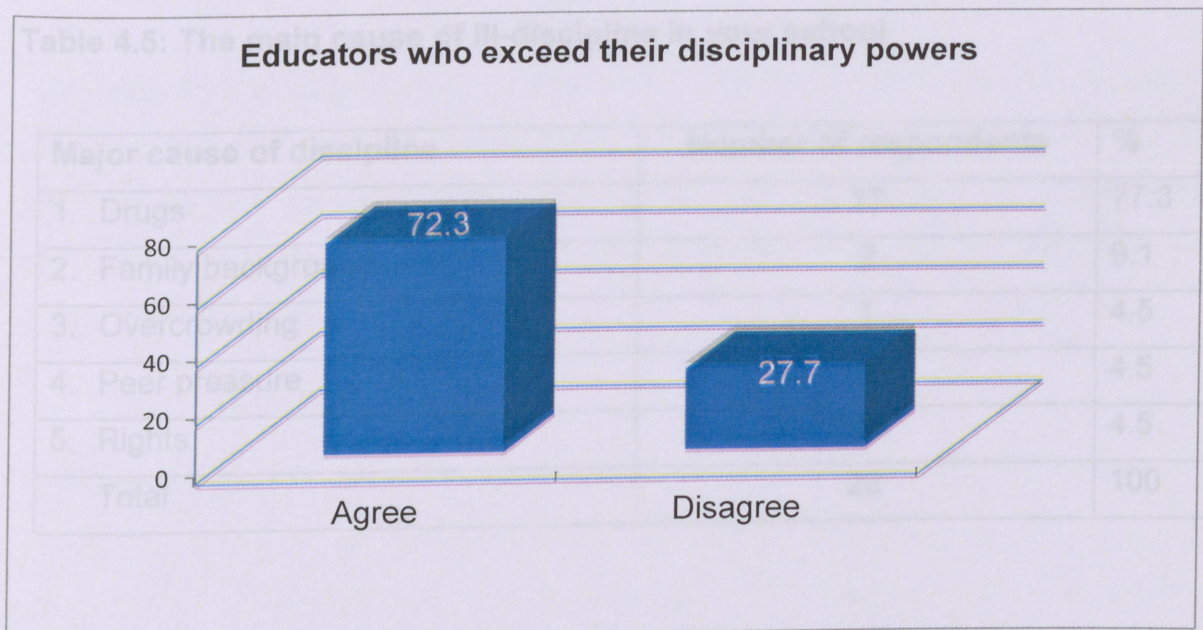
The findings of the study reveal that 72.3 % of the respondents agree that educators who exceed their disciplinary powers should be charged with misconduct while 27.7% disagree. According to Section 12 of the South African Constitution Act 108 of 1996, "everyone has the right not to be treated or punished in a cruel, inhuman or degrading way".

In line with the Constitution, the National Education Policy Act of 1996 (Republic of South Africa, 1996: A-47) states that “no person shall administer corporal punishment or subject a student to psychological or physical abuse at any educational institution”. The South African Schools Act Number 84 of 1996, also emphasize the abolishing of corporal punishment. Section 10.2.1 of the South African Schools Act Number 84 of 1996, declares that “No person may administer corporal punishment at a school to a learner” and that “any person who contravenes subsection (1) is guilty of an offence and liable on conviction to a sentence which could be imposed for assault”.

6. Peer influence

It is therefore reasonable that educators who exceed their disciplinary powers be (a) subjected to legal proceedings by the state and thereafter (b) charged with misconduct by the Department of Education. It is also obvious that the 27.7% of the respondents think that educators should not be subjected to double judgement.

Figure 4.22: Educators who exceed their disciplinary powers



4.2.24 The causes of ill-discipline in schools

According to the findings of this study, the following are the major causes of discipline in schools:

Table 4.4: The causes of ill-discipline in schools

Causes of ill-discipline	Number of respondents	%
1. Learners' rights	8	36.4
2. Family background	4	18.2
3. Lack of parental involvement	3	13.6
4. Poor management	2	9.1
5. Drugs	2	9.1
6. Peer influence	2	9.1
7. Abolishing corporal punishment	1	4.5
Total	22	100

4.2.25 The main causes of ill-discipline in your school

The findings of this study reveal that the use of drugs is a major cause of ill-discipline in the school. According to the findings

Table 4.5: The main cause of ill-discipline in your school

Major cause of discipline	Number of respondents	%
1. Drugs	17	77.3
2. Family background	2	9.1
3. Overcrowding	1	4.5
4. Peer pressure	1	4.5
5. Rights	1	4.5
Total	22	100

4.2.26 The effect of discipline in the school



The findings of the study reveal that ill-discipline disrupts effective learning and teaching in the classroom and consequently leads to poor performance of the learners. The other bad effects of ill-discipline are that it complicates the management of the school and damage the social fabric of the schools. Figure number illustrates the negative effects of ill-discipline for the school.

Table 4.6: Major causes of ill-discipline

Major cause of ill-discipline	Number of respondents	%
1. Disrupts of effective learning and teaching	18	81.8
2. Damage the social fabric of the school	3	13.6
3. Complicates the management of the school	1	4.6
Total	22	100

4.2.27 How educators can eradicate ill-discipline in a school

According to the respondents of this study, the best strategy for eradicating ill-discipline is the effective implementation of the code of conduct of the school. The other strategies for eradicating ill-discipline are consultation of the parents, exemplification of norms by educators, counselling and ensuring that there is always an educator in a class.

4.2.28 The importance of discipline for the learners

According to the respondents, discipline is important for ensuring effective learning, protection and self-esteem of learners. Table illustrates the views of the respondents.

What educators can do to eradicate ill-discipline in school	Number of respondents	%
1. The effective implementation of the code of conduct of the school	12	54.5
2. Consultation of parents	5	22.7
6. Exemplification of norms by educators	2	9.1
7. Counselling of learners	2	9.1
8. Ensuring that there is always an educator in each class.	1	4.6
Total	22	100

4.2.28 Learners' rights

The findings of this study reveal the following rights of the learners:

Table 4.8: Rights of learners

Rights of learners	Number of respondents	%
1. Education	14	63.6
2. Freedom of expression	5	22.7
3. Safety, shelter and security	2	9.1
4. Freedom of association	1	4.6
Total	22	100

4.2.29 The importance of discipline for the learners

According to the respondents rights are important for ensuring effective learning, protection and self-esteem of learners. Table, illustrates the views of the respondents.

Table 4.9: The significance of learners' rights



The significance of learners' rights	Number of respondents	%
1. Protection	18	81.8
2. Freedom	2	9.1
3. Self-esteem	2	9.1
Total	22	100

4.2.30 Action to be taken against a teacher who violates the rights of learners

According to the findings of this study, a teacher who violates learners' rights should be disciplined by the school management. Table illustrates the actions that could be taken against the teacher who violates learners' rights.

Table 4.10: Action to be taken against a teacher who violates the rights of learners

Action to be taken against a teacher who violates the rights of learners	Number of respondents	%
1. Disciplinary steps should be taken	17	77.2
2. Warning	3	13.6
3. Immediate dismissal	1	4.6
4. Punishment	1	4.6
Total	22	100

4.2.31 Methods of relaying discipline information in schools

The findings of this study reveals that discipline information in schools should be relayed to learners by mainly talking to the learners In the assembly and also by school policy. Table 4.11, illustrates the methods that could be used to transmit disciplinary information to the learners.

Table 4.11: Methods of relaying discipline information in schools

Methods of relaying discipline information in schools	Number of respondents	%
1. Talking to the learners I the assembly	11	45
2. School policy	5	27.6
3. Letters	1	4.6
4. LRC	3	13.6
5. Parents	1	4.6
6. Class teacher	1	4.6
Total	22	100

4.2.32 Preferred disciplinary procedures

The findings of this study reveal the following preferred disciplinary procedures:

Table 4.12: Preferred disciplinary procedures

Preferred disciplinary procedures	Number of respondents	%
7. Taking learner to disciplinary committee	8	36.4
8. Detention	4	18.2
9. Warning	3	13.6
10. Parental involvement	3	13.6
11. Suspension	2	9.1
12. Manual labour	2	9.1
Total	22	100

4.2.33 Disciplinary measures applied in schools

According to the respondents, the following disciplinary measures are applied in the schools investigated:

Table 4.13: Disciplinary procedures applied in schools

Disciplinary procedures applied in schools		Number of respondents	%
5	Suspension	10	45.5
6	Withdrawal of learners' rights	4	18.2
7	Expulsion	4	18.2
8	Detention	3	13.6
9	Corporal punishment	1	4.5
Total		22	100

4.3 CONCLUSION

Chapter four presented the statistical and descriptive data emanating from the responses in the questionnaires. SPSS was used as the statistical technique for analysing the data. Various figures and tables showing the results of the questionnaires were discussed. The figures and tables revealed the perceptions of the various respondents of the study. The following issues were revealed during analysis of the data:

- The respondents answered all the questions in the questionnaire. This indicates that the language used in the questionnaire was understandable to all the respondents and that the questions were deemed relevant and worthy of answering.
- The respondents' responses were widely scattered across the various measuring scales used. Clearly respondents had different views and perspectives on the issues being examined. This suggests too that the instrument did not direct their answers towards any particular responses.

The findings of the study, recommendations and conclusions, will be presented in the following chapter.

FINDINGS OF THE STUDY, RECOMMENDATIONS AND CONCLUSIONS

5.1. INTRODUCTION

The findings of the investigation and the discussion of those findings, recommendations and conclusions will be presented in this chapter. In this chapter, it is also important that I present a brief overview of the key contents of each chapter which lead to this final chapter.

5.2 OVERVIEW OF THE STUDY

In chapter one the background of the problem under investigation was explored. Most critically I referred to the background of the problem under investigation. The problem was formulated and the purpose of the study was set out. The concepts that feature in the study were defined and the research methods were also described.

In chapter two a literature review was conducted in order to elucidate the role of children's rights in influencing ill-discipline in schools. The chapter highlighted critical inputs for the study with regard to the influence of learners' rights on discipline in schools and served as a guideline for the next chapters. It was also a contemporary overview of existing literature regarding the role of discipline in schools. The chapter also described some indicators of the discipline such as the causes of ill-discipline in schools and the theoretical and conceptual frameworks of the study.

Chapter three is about the design of the empirical study and was devoted to research methodology and design. In this chapter research methodology, specific procedures, paradigm, research design, research population and sample, data collection and treatment, instrumentation, data analysis and data interpretation were outlined and described.

Chapter four will focus on empirical research. In this chapter, the responses of the respondents will be presented and elucidated by means of charts and tables, which will be accompanied, by a detailed analysis and interpretation.

5.3 THE AIM AND QUESTIONS OF THE STUDY

As mentioned in the first chapter of this study, the aim of this research is to examine the influence of learners' rights and obligations on ill-discipline in selected schools in the Man'ombe Circuit and the following research questions constituted the statement of the problem:

- How do learners' rights and obligations influence ill-discipline in schools?
- What is the nature of learner discipline?
- How is learner discipline in the Man'ombe Circuit schools currently managed?
- How can learner discipline in the Man'ombe Circuit schools be better managed?

5.4 MAJOR FINDINGS

The major findings of this study seek to respond to the research question as stated in section 5.3 above. In the light of the above mentioned aim and research questions, the following are the major findings of this study:

(a) How do learners' rights and obligations influence ill-discipline in schools?

The findings of this study reveal that the learners' rights in schools are interfering with the maintenance of sound discipline in many schools in the Man'ombe Circuit. Our learners in South Africa have taken a very long time living under very harsh disciplinary measures such as corporal punishment and expulsion without any appeal in the previous political dispensation. The new Constitution recognizes the rights of learners, such as "non-discrimination and equality, privacy, respect and dignity, non-violence and the freedom and security of a person, freedom of expression and right to demonstrate and present petitions, the right to a clean and safe environment that is conducive to education and the right of every one to education and to further education which the State must make progressively available and accessible.

The right of a learner to education cannot be taken away when a learner is expelled from school. All these rights are confusing for learners because in the past they did not have any rights. The learners are therefore abusing these rights and making it difficult to perform their duties effectively. The abuse of learners' rights is therefore influencing ill-discipline in many schools in the Man'ombe Circuit.

(b) What is the nature of learner discipline?

The findings of this study reveal that discipline is a necessity in all organisations and therefore all schools should maintain effective discipline. The schools should however, note that maintaining discipline is not necessarily "punishment", for example, teachers should remember that "discipline is intrinsic, while punishment is extrinsic, discipline is educative, while punishment is punitive and discipline is about self-control for the purpose of self-actualisation, while punishment is the exercise of control over people for the sake of compliance". The aim of discipline in schools is to prevent disruptions of teaching and learning. For effective teaching and learning to take place there should be order, respect and understanding. Good discipline in schools ensures that there is sound culture of teaching and learning.

(c) How is learner discipline in the Man'ombe Circuit schools currently managed?

Five strategies are used to manage learner discipline in the Man'ombe Circuit. The schools in the Man'ombe Circuit have a code of conduct which informs the learners and the parents about the required conduct in their schools. Learners who violate the code of conduct are dealt with according to the departmental regulations. Learners who are guilty of misconduct are first given a warning and repeated violation of school rules result in the withdrawal of learners' privileges such as banning them from educational excursions. Depending on the seriousness of the offence, learners who continue to violate school regulations are either given detention, sent home to call the parents or suspended for five days. There are some teachers who still apply corporal punishment, which is against departmental regulations. Other serious offences result in suspension. No learner was expelled in the past three years.

(d) How can learner discipline in the Man'ombe Circuit schools be better managed?



The findings of this study reveals that to better manage learner discipline in the Man'ombe Circuit schools, the School Governing Body and the schools should comply with all the departmental legislation and policies, namely; The National Education Policy Act (1996), The South African Schools Act (1996) and The Abolition of Corporal Punishment Act 33 of 1997. These legislations and policies have been discussed extensively in the literature review (Chapter 3).

5.5 RECOMMENDATIONS

- Educators should educate learners about their rights and obligations.
- Educators should not violate legislation and policies.
- All stakeholders should be involved in maintenance of discipline.
- Drugs should be eliminated in schools as they are a major cause of ill-discipline in schools.
- Strategies for eradication of ill-discipline in schools should be applied as follows; effective implementation of the code of conduct of the school, consultation of parents, exemplification of norms by educators, counselling of learners and ensuring that there is always an educator in each class.
- Teachers must be exemplary in discipline and principal must work with other educators and stakeholders in maintaining discipline, and not alone, so as adhere and abide by disciplinary procedures of the school.

5.5 CONCLUSIONS

5.6 RECOMMENDATION FOR FURTHER RESEARCH

This study focussed on the influence of learners' rights and obligations on ill-discipline in selected schools in the Man'ombe Circuit. Since the study was mainly focussed on the influence of learners' rights and obligations on ill-discipline in the Man'ombe Circuit Circuits only, it would be ideal if the study could be extended to the other areas of the Mopani District and even the other districts of the Limpopo Province. The findings of such a study could be vital in improving discipline in schools.

5.7 CONCLUDING REMARKS

This study explored the perceptions of educators and circuit managers with regard to the influence of learners' rights and obligations on ill-discipline in selected schools in the Man'ombe Circuit.

The findings of the research revealed that the factors that contributed to ill-discipline in schools are not only complex in nature but are also intertwined. It became apparent from the literature review and the findings of this study that the learner's rights are responsible for the ill-discipline of learners. The abuse of learners' rights militates against improving the quality and effectiveness of schools. It is therefore imperative that all people charged with the task of leading and managing schools should explore effective strategies for fighting against the abuse of learners' rights.

Good discipline also depends on the way the way the teachers behave in front of learners. Much demand and emphasis is therefore placed on the teacher to be exemplary and committed in eradicating ill-discipline in schools. From the analysis of the empirical data presented in this study, the major causes of ill-discipline in schools are related to the abuse of learners' rights and the harsh realities of managing schools. Finally, this study suggests that policy makers should consider the strategies for preventing the abuse of learners' rights in order to improve discipline in schools.

5.8 CONCLUSIONS

In the light of the above mentioned aim and research questions, the following conclusions can be drawn from this study:

The schools investigated respect of learners rights though they do not have the Policy on respecting learner and attendance. The South African Schools Act Number 84 of 1996: states that all the schools under investigation must have SASA document, so as to improve discipline after implementation of the policies.

Further findings on most schools under investigation have improved schools discipline after implementation of the policies. According to the findings of the study, learners' rights do not cause disciplinary problems in the schools under investigation.

Andrews, S.P. & Taylor, P.H. 1989. Evaluation of an alternate discipline

Abuse of rights by learners in the study have revealed that in almost half of the under investigation schools, learners abuse their rights. The study also revealed that almost all learners' rights are not good for school discipline. Learners' disciplinary committees reduce disciplinary problems in many schools.

All schools need educators' disciplinary measures to maintain teacher discipline and not involvement of learners in maintenance of discipline. Teachers must be exemplary in discipline and principal must work with other educators and stakeholders in maintaining discipline, and not alone, so as adhere and abide by disciplinary procedures of the school. However, the findings prove that effective discipline impact positively on teaching and learning.

Baxter, L. 1984. Administrative Law. Cape Town: Juta

The study reveals that although corporal punishment is banned, it is a best method for eradicating inappropriate behaviour of learners. Learners' rights, family background, parental involvement in school affairs, peer influence, poor management, drugs and abolishment of corporal punishment, are major causes of ill-discipline in schools. When learners are ill-disciplined they disrupt effective learning and teaching, damage the social fabric of the school and complication of the management of the school

Strategies for eradication of ill-discipline in schools are; effective implementation of the code of conduct of the school, consultation of parents, exemplification of norms by educators, counselling of learners and ensuring that there is always an educator in each class. Rights of learners are Education, freedom of expression, safety, shelter and security, and freedom of association. Preferred disciplinary procedures are taking learners to disciplinary committee, detention, warning, parental involvement, suspension and manual labour.

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P.O. Box 1167

Giyani

0626

24 March 2013

Contact : 0797441644

Email: nelaniharry@webmail.co.za

The District Manager

Mopani District

P/Bag x 578

Giyani, 0626

Dear Sir/Madam

PERMISSION TO DO RESEARCH AT MANKOMBE CIRCUIT

I am requesting permission to conduct research in Mankombe Circuit schools. The topic of my research is "THE INFLUENCE OF LEARNERS' RIGHTS AND OBLIGATIONS ON ILL-DISCIPLINE IN SCHOOLS".

The research is part of my Master's Degree in Public Administration at the University of Venda. The research project would involve 22 schools and their educators in the public primary schools. The research will be conducted from the 1st June to 30th June 2013. The data collected will be used for research purposes only and the names of the circuit, school and participants will remain anonymous. The participants will complete questionnaires after school in their homes and this study will never interfere with school activities.

Yours Faithfully,

Makhubele H.H.

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ANNEXTURE A

LETTER TO THE DISTRICT SENIOR MANAGER ASKING PERMISSION TO CONDUCT RESEARCH

Enq: Makhubele HH
Contact : 0797441644
Email:helaniharry@webmail.co.za

P.O. Box 1167
Giyani
0826
24 March 2013

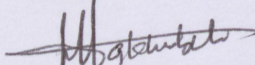
The District Manager
Mopani District
P/Bag x 578
Giyani, 0826
Dear Sir/Madam

PERMISSION TO DO RESEARCH AT MAN'OMBE CIRCUIT

I am requesting permission to conduct research in Man'ombe Circuit schools. The topic of my research is **"THE INFLUENCE OF LEARNERS' RIGHTS AND OBLIGATIONS ON ILL-DISCIPLINE IN SCHOOLS"**.

The research is part of my Master's Degree in Public Administration at the University of Venda. The research project would involve 22 female and male educators in the public primary schools. The research will be conducted from the 1st June to 30th June 2013. The data collected will be used for academic purposes only and the names of the circuit, school and participants will remain anonymous. The participants will complete questionnaires after school in their homes and this study will never interfere with school activities.

Yours Faithfully,


.....
Makhubele H.H

A LETTER TO THE PRINCIPALS REQUESTING TO CONDUCT RESEARCH IN THE SCHOOLS

P.O. Box 1167

Giyani

0826

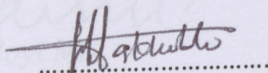
The principal

Dear Sir/Madam

RE: REQUEST TO CONDUCT RESEARCH AT YOUR SCHOOL

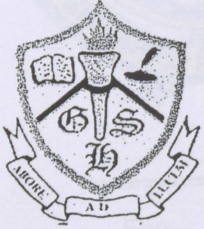
1. The above matter bears reference.
2. I am Master's Degree student at the University of Venda.
3. The title of my dissertation is: **"THE INFLUENCE OF LEARNERS' RIGHTS AND OBLIGATIONS ON ILL-DISCIPLINE IN SCHOOLS"**.
3. I have planned to conduct my research from the 1st June 2013 to 30th June 2013.
4. I request five of your educators to complete questionnaires after school. Their participation will not occur during working hours as they will complete at home. All the resulting information will be held in the strictest confidentiality and the names of the participants and the school will remain anonymous.
5. The information collected will be used for academic purposes only.

Yours sincerely,


.....
Makhubele HH

ANNEXTURE C

Department of Education - Limpopo Province
ATLWAVILLE SECONDARY SCHOOL



GIYANI HIGH SCHOOL

Private Bag X9597

GIYANI

0826

☎(015) 812-3259;0381

FAX (015) 812 2011

Ref. No: 81090803

Enquiries: Baloyi MS

27 February 2014

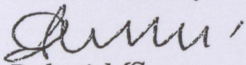
Dear Mr Makhubele HH

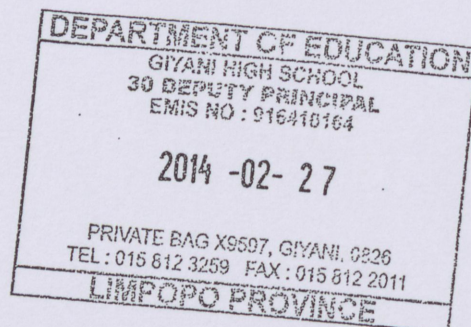
RE: REQUEST TO CONDUCT A RESEARCH IN OUR SCHOOL

In respect to the above subject, it is our pleasure to grant you permeation as follows:

1. As per your request the said research is restricted to the period starting from 1 June 2013 to 30 June 2013.
2. Only five educators should be engaged in the research.
3. The information gathered during the research should be held in confidence.
4. We wish you well in your quest for academic development.
5. Thank you.

Yours Sincerely


Baloyi MS





Department of Education - Limpopo Province
RITLHAVILE SECONDARY SCHOOL

STAND NO. 1047
GIYANI
SECTION E

P O BOX 3605
GIYANI
0826

Tel/ Fax: 015 814 0545

EMIS NO: 916410980

email: ritlhavile.sec@ananzi.co.za 2013 February 27

Enq: Risimati H. A.
Cell: 078 423 9525/082 5382239

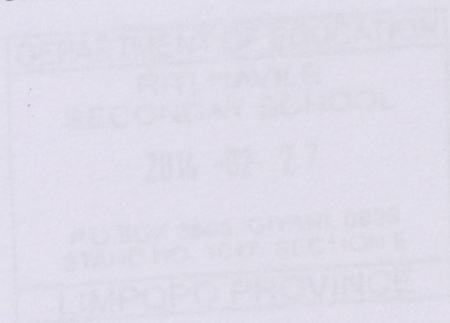
TO WHOM IT MAY CONCERN
Mr Makhubele H.H.

RE: REQUEST TO CONDUCT RESEARCH AT OUR SCHOOL

It gives me pleasure to inform that your request to conduct research at our school for your Masters degree has been approved.

The school wishes you the best in your studies.

PRINCIPAL: RITLHAVILE SECONDARY SCHOOL





Department of Education - Limpopo Province
RITLHAVILE SECONDARY SCHOOL

STAND NO. 1047
GIYANI
SECTION E

EMIS NO: 916410980

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email: ritlhavile.sec@ananzi.co.za 2014 February 27

Enq: Risimati H. A.
Cell: 078 423 9525/082 5382239

TO WHOM IT MAY CONCERN

This serves to confirm that Mr H.H. Makhubele conduct research for the Masters degree at our school from the 1st June to the 30st 2013.

We hope you will find this information useful.

PRINCIPAL: RITLHAVILE SECONDARY SCHOOL

DEPARTMENT OF EDUCATION
RITLHAVILE
SECONDARY SCHOOL
2014 -02- 27
P.O.BOX 3605, GIYANI, 0826
STAND NO. 1047, SECTION E
LIMPOPO PROVINCE

**LETTER TO THE PARTICIPANTS REQUESTING THEM TO PARTICIPATE IN A
STUDY**

P.O.Box 1167

Giyani

0826

Dear Madam

RE: INVITATION TO PARTICIPATE IN RESEARCH

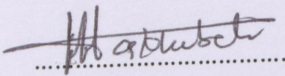
I hereby request you to participate in a one day academic research which I will conduct at your school.

I am a masters' student working on a dissertation with the title, **"THE INFLUENCE OF LEARNERS' RIGHTS AND OBLIGATIONS ON ILL-DISCIPLINE IN SCHOOLS"**, and I would like share your views, opinions and experiences.

You are therefore requested to complete a questionnaire which will take about 10 minutes to complete. All the resulting information will be held in the strictest confidentiality.

Thank you. I anticipate talking to you.

Yours sincerely



Makhubele HH

CONSENT FORM

QUESTIONNAIRE

I have read and understand the purpose of the research project and accept to partake in the study as requested. I understand the rules governing this research and give my consent for participating in the study.

The purpose of this questionnaire is to investigate the influence of teachers' roles. I understand that my identity and that of my school will be kept anonymous and that all information provided by me will be treated as confidentiality.

I understand that my participation is voluntary and that I am not obliged to share information that I do not feel comfortable to say.

1. Your gender 2. Your name

3. Your age Date

26-25	
26-30	
31-40	
51-50	
51-60	

3. Your position

C&T Educator	
Senior teacher	
Head of Department	
Deputy Principal	
Principal	

4. Your experience

5-10	
11-15	
16-20	
21-25	
26-30	
31-35	
36-40	

QUESTIONNAIRE

THE INFLUENCE OF LEARNERS' RIGHTS AND OBLIGATIONS ON ILL-DISCIPLINE IN SCHOOLS

The purpose of this questionnaire is to investigate the influence of learners' rights and obligations on ill-discipline in schools in the Man'ombe Circuit.

SECTION A

PERSONAL PARTICULARS

Make a cross where necessary.

1. Your gender

Male	Female
------	--------

2. Your age

20-25	
26-30	
31-40	
51-50	
51-60	

3. Your position

CS1 Educator	
Senior teacher	
Head of Department	
Deputy Principal	
Principal	

4. Your experience

5-10	
11-15	
16-20	
21-25	
26-30	
31-35	
36-40	

SECTION B



Respond to the following questions by writing 1 or 2 at the end of each statement.
(1=agree and 2=disagree).

1. Our school respects all the rights of our learners.
2. Our school has the Policy on Learner Attendance.
3. Our school has South African Schools Act Number 84 of 1996.
4. The Policy on learner Attendance and South African Schools Act Number 84 of 1996 has improved discipline in our school.
5. Learners' rights cause disciplinary problems in our schools
6. The learners of our school are abusing their rights.
7. The following learners' rights are not good for school discipline.

The right to equality	
The right to education and school attendance	
The right to pregnancy	
The right to religious freedom	
He right to freedom of expression	
The right to freedom of expression and association	
The right to privacy	
The right to appeal	
The right to information	

8. Discipline committee for learners minimizes discipline problems.
9. Educators must have a disciplinary committee to maintain teacher discipline.
10. Learners must be involved in the maintenance of discipline in a school.
11. One of the duties of the school is to maintain discipline.
12. Teachers must be exemplary in maintaining discipline.
13. The principal alone must maintain discipline
14. Educators must abide by disciplinary procedures of the school.
15. Learners must abide by disciplinary procedures of the school.
16. Discipline influences teaching and learning in school.
17. Inappropriate behaviour by a learner can only be eradicated by the use of corporal punishment.
18. I prefer corporal punishment in school.
19. The learners of our school are ill-disciplined.

20. Rights are not good for learners.

21. Educators who exceed their disciplinary powers must be charged with misconduct.

22. Corporal punishment maintains discipline in school.

Respond to the following questions by writing short and specific sentences.

23. The following are the causes of ill-discipline in schools:

.....
.....
.....

23. What is the main cause of ill-discipline in your school?

.....
.....
.....

24. Why is ill-discipline bad for the school?

.....
.....
.....

26. In your opinion what can the educator do to eradicate ill-discipline in your school?

.....
.....
.....

27. Our learners have the following rights:

.....
.....
.....

28. Why are rights important for the learners?

.....
.....
.....

29. What should be done if a teacher violates the rights of learners?

.....
.....
.....

30. Discipline information in schools should be relayed to learners through:

.....
.....
.....

31. Name the discipline procedures that you may prefer in a school.

.....
.....
.....

32. Which of the following have been applied in your school in the past twelve months (Tick the correct one):

Suspension	
Expulsion	
Corporal punishment	
Detention	
Withdrawal of privileges	

Thank you very much for your time