# Chapter 11
# Analysis of Data

What can one say about the ways in which the sampled Grade 9 teachers and learners in KwaZulu-Natal, the Western Cape and Gauteng understand and experience human rights? What conceptions of human identities and approaches to human rights education emerge from this investigation?

## General and Specific Human Rights

The picture to emerge from the data of this study points to a negative correlation between general and specific understandings of human rights. This picture was constructed on all of the levels of the data. Table 16 below indicates the data sources that revealed the ways in which a generalised understanding of human rights prevailed among the sampled teachers and learners.

| Data Source | Generalisation of Human Rights |
|---|---|
| National Survey | Predominance of a legalistic approach. |
| Teacher Questionnaire (closed-ended questions responses) | Understanding of general laws of the highest frequency and negatively correlated with understanding of specific laws. |
| Teacher Questionnaire (open-ended questions responses) | Predominance of formal equality provisions in views |
| Learner Questionnaire (closed-ended questions responses) | Understanding of general laws of the highest frequency and negatively correlated with understanding of specific laws. |
| Learner Questionnaire (open-ended questions responses) | Predominance of formal equality provisions in views |
| Teacher Interviews | Predominance of formal equality provisions in views |
| Learner Interviews | Predominance of formal equality provisions in views |
| Tulani and Dion | Emphasis on formal equality provisions and abstraction of specific rights into the general |

**Table 17: Data Sources of Generalised views of Human Rights**

In the following I discuss each data source and show how such an understanding of human rights is expressed in them.

The national survey of human rights education programmes among educational institutions and organisations showed (see pages 284 to 288) that the legalistic approach to human rights education predominated. This was reflected in programmes about the legal provisions of human rights such as the Constitution, the ways in which electoral and political systems work and in the existence of particular laws and policies. In these interventions, human rights are projected as universal and generalised claims of equality, noting the formal equality provisions of human rights.

The results of the teacher and learner questionnaires indicate (see pages 288 to 321) that they seem to be aware of formal equality provisions, and less so of specific laws. Teachers and learners can, for example, talk about human rights in the Constitution, but they are not always able to answer questions related to specific rights, such as, up to what age parents are responsible for their children, or what the rights of disabled people entail, for example. Their understanding of laws in general received the highest scores of their questionnaire responses (see Tables 9 and 12), and their understanding of specific rights received the lowest scores. This could mean that the more they know about laws in general, the less they seem to be aware of specific applications of laws. Grade 9 teachers and learners in this sample, thus, have a general understanding of human rights, but not a specific understanding of them.

In the responses to the open-ended questions in the questionnaire, teachers and learners also reflected a general understanding of human rights. In these, teachers and learners viewed human rights in the terms of formal equality provisions and with reference mainly to 1st generation, individual rights. In this regard, teachers and learners responded to questions about human rights in the language of "all people" and "everybody". They tend to see human rights within the register of an

"everyman" and do not see rights in specific terms. Human rights are about the rights everybody has and what everybody is entitled to. When asked about specific rights, such as those that relate to children's rights, for example, they also tended to generalise these. Teachers and learners tend to view the specific rights of children by generalising and formalising their rights in terms of children as human beings. As such, generalising of children's rights happens alongside a displacement and abstraction of specific human rights and identities, and by reference to generalised, formal equality. Their form of thinking looks like this:

> *Children are human beings; they have rights like all human beings would have.*

Children's specific rights are abstracted and can be articulated by the generalised language of human rights.

In the individual interviews with teachers, the teachers reinforced the generalised understanding of human rights. Mr K in KwaZulu-Natal (see pages 327 to 332) holds the most generalised understanding of human rights among all of the interviewed teachers. Ms W expresses her views (see pages 347 to 352) of human rights in terms of the formal equality provisions in the Constitution, although she is able to also express more specific views about human rights when confronted with dilemmas of human rights, such as crime. In contrast, Mr K's confrontation with dilemmas of human rights, such as the position of women in traditional cultures and women's rights, is associated with generalisations about human rights such as "everybody is equal" type of statement. Ms N in KwaZulu-Natal (see pages 340 to 343) and Ms G (see pages 367 to 372) in Gauteng see human rights in formal equality terms. In both of their cases there was an implicit sense of specific human rights, associated particularly with their attempts to implement an anti-racist and anti-discrimination approach. These remain implicitly specific because both Ms N and Ms G do not always link their anti-racist and anti-discrimination attempts to a human rights project. In the case of Mr B (see pages 357 to 359), though, he did not perceive his daily dealings with gangsters, child

abuse and violence as human rights interventions. Thus he tends to view human rights as generalised and abstractly contained in documents like the Constitution.

In the group interviews with learners they also tended to view human rights in their formal equality senses and in generalised terms. In the interviews the sampled learners saw human rights as that which "we all have", and about the freedom "we all have". In the group interviews with learners as well, when confronted with the question of gay and lesbian rights, they were able to regard them as human rights by viewing gays and lesbians in generalised terms of being human, and that "they have rights like everybody else" (see Chapter 9). In this then, and similar to their responses to children's rights in the questionnaire, specific rights are displaced in the generalised abstractions of human rights as formal equality provisions of "all people". However, and I return to this point below, learners, like teachers, were also able to point to specific experiences in their elaboration of what human rights mean in their own contexts.

Dion (see pages 384 to 389) and Tulani (see pages 389 and 400) both saw the inclusion of sexual orientation rights in the Constitution as empowering them and significantly assisting them in asserting their identities and claiming their rights as equal to anybody else. In both Dion's and Tulani's cases formal human rights provisions are personally important. They gave Tulani and Dion the confidence to come "out", to unapologetically assert their gay identities and equipped them with resources to "stand up" for themselves in the face of discrimination. Formal human rights provisions, in themselves, then, can have direct personal effects and significantly impact on people's actual experiences and contexts. It is important to note, though, that this was made possible by the specific mentioning and inclusion of sexual orientation rights in the Constitution of South Africa. The "recognition" by the law of specific rights and identities, thus, is significant personally, even if it is a formal recognition that universalises the specific. But, in their claiming equality with others on the basis of formal human rights, Dion and Tulani become abstracted as part of all of humanity. Ironically, then, whilst Dion and Tulani assert their specific gay identities and experiences, they have generalised

themselves by having recourse to formal human rights provision. They land up being "like everybody else", rather than being specifically gay. As a result, Tulani and Dion, then, also demonstrate a generalised and formal understanding of human rights.

As such, and in relation to Table 17, there is a tendency to project human rights in generalised terms of formal equality provisions.

In Part One (see Chapters 1 and 2), I have indicated that the discourse of human rights tends to be formal, generalised, universalised and legalistic. The effect of this construction of the discourse of human rights, I have also argued, is that it renders human rights abstract, non-specific and removed from people's personal experiences. The above discussion indicates how such an effect is operative in the sampled teachers' and learners' views in this study and in the findings of the national survey. The data of this study confirm that formal, generalised, projections of human rights, thus, at once, provide the means to make equality claims of all human beings, as they provide points of displacement so that specific rights become abstracted in the generalisation of human rights formal provisions. This also is consistent with MacKinnon's (1993) argument about formal human rights provisions being too abstract to be personal or specific.

However, when confronted with questions about their own personal experiences of human rights the sampled teachers and learners were able to be more specific in their understanding of human rights. This was more the case in the interviews with them rather than in their responses to the questionnaires. In the interviews, the influences of micro contexts were stark in their experiences, as well as the differences among them. Mr K's experiences (see pages 327 and 332) of human rights are linked to the political violence that occurred between the ANC and IFP at the time, the TRC, him not having the freedom to choose the school he wants to teach in, and coping with conditions marked by poverty. Ms N deals with (see pages 340 to 342) the conservatism of the "old" in a middle class "white" area and issues related to racism. Ms N in the Western Cape deals with the elitism and

sexism of the Afrikaner "white" community and issues of racism. Mr B, also in the Western Cape, deals with gangsterism, violence and child abuse. Ms G in Gauteng deals (see pages 367 to 372) with the frustration she experiences due to the constant privileging of 'race' related issues at the expense of other forms of identities and rights such as those related to gender and sexual orientation, despite having an active human rights and anti-discrimination approach in her school.

Similarly, learners in the group interviews also pointed to specific human rights in their descriptions of their own experiences. In the group interviews the learners pointed to their experiences of school rules and regulations as their experiences of rights, and their experiences of racism and assimilation in their schools. The sampled learners tended to view (see pages 353-355 and 372-376) school rules and regulations as impositions on them, and their views not being taken into account seriously. They felt misrecognised by the school rules and regulation. "Black" learners also complained in the group interviews that they feel discriminated against on the basis of 'race' where people in the school seem to hold prejudicial and inferiorised views of "black" people, and they indicated that they feel they are being made to adapt to and adopt the ethos of their schools.

Tulani and Dion were also able to point to specific experiences (see pages 384 to 400) they have had in the school, at home and the community in relating their experiences as gay people. These ranged from Tulani being disowned by his father, to Dion's harassment by the gangs in school, to both of them experiencing verbal abuse.

In all of these instances, then, the sampled teachers and learners were able to be specific about human rights when confronted with their personal experiences of them. However, these specific experiences of human rights are only brought to the fore when they were asked to specify their own experiences. They did not bring this information of their own lives and experiences to bear when answering questions about human rights. Human rights were seen differently, away from their own experiences and de-linked from their daily lives. Mr B does not see

working with violence and abuse as human rights interventions. Ms N and Ms G do not link their anti-racist and anti-discrimination attempts with human rights. Ms W does not link her anti-sexist attempts with human rights either. In these instances, the discourse of human rights is perceived as being unconnected with their specific interventions and experiences. Human rights are about what are contained in the Constitution and laws and about all human beings in unspecified ways and terms, not in terms of 'race', gender, sexual orientation and specific experiences but about all human beings and decontextualised contexts. The effect of this is both profound and deep. It allows for three things to occur and these indicate some of the effects such a framing of human rights has. Let's look at the effect more specifically.

First, the sampled teachers' and learners' generalised views of human rights were mainly common-sensical – all people are seen as human and, therefore, all people have human rights and are equal. As pointed out in the beginning of this thesis, it is precisely these common-sensical views of human rights that this study attempts to deconstruct and problematise. The generalised, legalistic framework of human rights seems to reinforce these common-sensical views by allowing people the latitude to believe that they have an informed opinion about human rights, even if they are unable to express what they mean in specific terms, experiences or contexts. People, thus, express views of human rights as they are contained in the Constitution and laws, and do not go beyond these. As indicated in Part One, this is the emphasis in the legal formalism, abstraction and generalisation within the developments of the discourse of human rights.

Second, the effect of the framing of human rights in generalised and formal terms is that it renders specific human rights abstract. This was shown in relation to children's rights and gay and lesbian rights. In both instances, the generalised framing of human rights enabled the sampled teachers and learners to view such specific rights by translating children, gays and lesbians into the family of humanity. In the process, the specificities of their experiences and rights are, in fact, ignored.

The above indicates that human rights are not perceived or experienced as specific and personal among the sampled teachers and learners in this study. Instead, what one sees is the way the construction of human rights in generalised, formal and legal terms gets relayed on different levels. The layering happens from global and historical constructions of human rights, to national interventions, to local school contexts and in individuals' own accounts of human rights. The different levels and contexts articulate with each other in informing the sampled teachers' and learner's views of human rights. They do not happen naturally but are constructed in a complex network of relations that expands to the global and reaches the individual.

Nevertheless, the importance of formal equality provisions and the generalised, legal framing of human rights should not be overlooked. Human rights in their abstract legal senses provide the necessary basis for knowledge about human rights. They remain necessary conditions for human rights. However, as argued in Part One, whilst these are necessary, they are insufficient if they are not experienced as meaningful on individual levels. Limited as these may be, they provide a useful basis to develop a more specific understanding of human rights and to deepen the understanding that prevails.

The above discussion seems to imply that part of the reason for generalising human rights is that the sampled teachers and learners hold homogenised understandings of human identities. On the one hand, these homogenised views of human identity are a result of naturalising tendencies and theological views. In this, all people are viewed as the same because we are all "born equal", or because we are all in the "image of God" (see Mr K's responses in the interview with him, and learners' and teachers' views in the open-ended question responses in the questionnaire, for example). As discussed in Part One, such views do not recognise human rights or human identities as constructed socially. Instead, human rights and human identities are treated as if they are naturally given or divinely ordained. On the other hand, such homogenised views of human identity

are reinforced by the universalising tendency in human rights provisions which construct equality among all people on the basis of sameness. There does not seem to be recognition of differences among people and within individuals. The claim to "equality among all", itself a reminiscence of the enlightenment conception of identity, has played a crucial role in building modern democracies but it has also had the effect of not recognising the multiple ways in which human beings experience their humanity, and the various and varying ways in which they define their identities. There does not seem to be sufficient coverage of modern and post-modern views of human identity, either in the hegemonic approaches to human rights or in the views of the sampled teachers and learners. It seems that one of the ways to get people to view human rights more specifically is to enable them to see the differences that mark human identities and experiences. The acknowledgement and authentic recognition (Taylor, 1994) of difference seems critical to take forward the important basis of human rights that exists currently in programmes being conducted and in the views of people.

Human rights, then, are projected in the interventions of educational organisations and institutions in the national survey as generalised and legalistic. These are associated with the sampled teachers' and learners' views of human rights as commonsensical and abstract. Implied in these views of human rights is a homogenised understanding of human identities, and a tendency not to recognise the ways in which human rights and human identities are constructed socially and specifically. As a result, formal equality provisions of human rights receive coverage, but specific human rights and substantive equality provisions are not within the picture.

## 'Race' and Racism

Of the 5 school profiles provided in Chapter 10, 3 of the schools were racially desegregated: School 2 in KwaZulu-Natal, School 3 in the Western Cape and School 5 in Gauteng. In the individual interviews with Ms N, Ms W and Ms G in these 3 schools, and in the group interviews with the selected learners in these

schools, lack of racial integration among learners and experiences of racism were indicated.

In School 2, Ms N indicated (see pages 340 and 342) in the interview with her that she felt excited about the "new" South Africa because she now had the opportunity to deal with questions of 'race' and racism which she pointed out she could not do under apartheid. Ms N adopted an anti-racist approach and explicitly and openly discussed issues related to 'race' and racism in her teaching and with the learners. She indicated that there "was still a lot that needs to be done" in School 2 because learners were not integrating across racial lines and were gravitating in groups of learners who are of their own 'race'. Although Ms N uses her teaching to get the learners to integrate in the class, and to discuss the issues directly during lessons, the lack of racial integration among the learners was still a problem.

In School 3 in the Western Cape, Ms W expressed her concern (see page 349-351) also about the lack of racial integration among the learners. She also indicated that learners tend to stick in "their own groups" and do not "mix". For her, the learners sat in their own 'race' groups when in class, on the playing fields and generally.

In School 5, Ms G was most perturbed (see pages 368 to 373) by the lack of racial integration among the learners and the ways in which they segregated themselves by sticking to their own 'race' groups. Ms G was perturbed about this because School 5 has an anti-racist and anti-discrimination approach, an approach they developed in their struggle to keep School 5 "open". Ms G was also concerned that her attempts to deal with the racism among learners tends to be "undone" when learners go back home to "group areas" and come back to school with racist prejudices which are reinforced when at home. Ms G was also worried about the learners in School 5 being "so racist" despite not being brought up under apartheid.

In the group interviews with the learners in Schools 3 and 5 (interviews with learners in School 2 were not conducted) these concerns of teachers were confirmed. In Schools 3 and 5 learners confirmed that they tend to stick in their own groups and that mixing across the 'races' is not the way they relate to each other.

These concerns and experiences of 'race' and lack of racial integration seem to also suggest some of the possible reasons why the results of the learners' questionnaire indicate that 'race' is the only variable of statistical significant difference in the learners' responses.

In the following, I discuss these experiences of 'race', lack of racial integration and racism in terms of learners' relations with each other, learners' experiences of 'race' and racism with the staff of their schools, and anti-racist attempts that the learners experience. In this discussion I show how 'race' and racism are influenced by assimilationist tendencies in the selected schools, and the ways in which anti-racism is largely de-linked from human rights.

In the group interview with the selected learners in School 3 they pointed out the following when asked about how they get on with other learners:

> **African Girl Learner:** Look we get on, but we don't mix much.
> **I:** Why?
> **White Girl Learner 1:** Well they have their own ways, and we have our own. Our cultures are different.
> **African Girl Learner:** Like the girls have different tastes in music and stuff and the white girls talk about hair styles that we black girls can't even do, so there is very little in common.
> **I:** Does this mean then that you don't really mix?
> **White Girl Learner 2:** Yes we don't have much to say to each other.
> **I:** What happens when you try to mix?

**African Girl Learner:** They think we're trying to be funny and want us to stay in our own group. Once I went to a group of white girls, and they said "what does she want here. Let's go", and they left.

**I:** How did you feel?

**African Girl Learner:** Really bad, but also angry because I didn't do anything, and still they did that.

**I:** What did you do?

**African Girl Learner:** Nothing, and I don't try anymore.

**I:** Do your teachers help?

**African Boy Learner:** Ha, ha (giggles) they don't care, and when we go to them they say what you people want here anyway (Group Interview with Learners, 1999).

In the above extract from the group interview with the selected learners in School 3 in the Western Cape, the learners confirm the lack of racial integration in learner relations with each other. Learners in this school tend to stick in their own racial groups and do not mix. Their explanations as to why this happens include having different "ways" and "tastes", not having "much in common" and blatant refusal to want to mix. Learners in School 3 claim that they don't mix because they do not have the same tastes, and tend to do different things and do not have much in common. Racial differences are translated as cultural differences in these perceptions of there being nothing in common among the learners. In this translation the attempt is to project the lack of racial integration as having nothing to do with 'race' but only to do with culture.

At the same time, though, "black" learners also seem to encounter a blatant refusal to want to mix with them from some of the "white" learners – "what does she want here. Let's go". Thus, from perceptions of not having anything in common to blatant refusal to integrate across 'races', the selected learners in School 3 indicate experiences of racism and racial segregation.

The "black" learners in School 3 also point to the lack of support from the staff of the school when they raise the racism they encounter with other learners. Staff members in School 3 are claimed to also hold prejudicial views of "blacks" and question what "they" are doing in the school anyway. I return to this later in my discussion of racism in encounters with the staff of the selected schools.

In School 5, in the observation of the lesson in Ms G's class, Ms G confronted learners in the class with the question as to why they do not mix across the 'races' and the following transpired:

> **Ms G:** Then why are there racialised groupings in this school? On the playgrounds you people are in your own racial groups, you go to different raves and parties and don't mix outside of school either. Why?
> **African Boy Learner 1:** They think we blacks are stupid you know.
> **Ms G:** Who thinks that?
> **African Boy Learner 1:** In this school, ma'am, they think we have black brains, and can't do what they do, and they think we are stupid.
> **African Boy Learner 2:** That's right, ma'am, they say blacks are driving Mercedes but they don't know what they are supposed to be doing. They ignore that there are so many black doctors and highly qualified black people (Classroom Observation, 1997).

As the above extract from the classroom observation of Ms G's Grade 9 class indicates, the learners confirm that there is lack of racial integration among them. The African boy learners indicated that this is due to "white" people in the school viewing "black" people as deficient and lacking, thereby holding inferiorised and discriminatory conceptions of "black" people. "Black" people are seen as being "stupid", having "black brains" and "not knowing what they are doing".

Similarly, in the group interview with learners in School 5 they also confirmed the lack of racial integration in learners' relations with each other:

**African Girl Learner 2:** This morning when we came from geography, one white girl was pushed by a black girl by mistake and she was about to say sorry. The white girl said, "Oh, I hate you blacks" I asked her, "Why do you say that?" She said, "I hate her and I also hate you, and I don't want to speak with you." I said to her, "Do you know that, that is cruel, and she said, "You can say whatever you want to say". If this could have happened to a white girl, she would have gone to Mrs Z and Mrs Z would punish/expel the black girl.

**African Boy Learner 6:** There was a girl in our class who called us "kaffirs". We went to Mrs Z and she would not do anything about the girl. Mrs Z kept on saying, she would punish the girl, but she wouldn't (Group Interview with Learners, 1997).

In the above extract of the group interview with the selected learners in School 5 they report acts of blatant discrimination based on racism. They also confirm the views that were expressed in the lesson that was observed. In the group interview the "black" learners confirm that they are viewed in discriminatory and racist ways as "kaffirs" and as people who are "hated". Their experiences, however, are of blatant racism, where they are referred to in derogatory terms ("kaffirs") and in the refusal to want to mix with "them".

There are three issues in these selected learners' accounts of racism that I want to address. First, there is a tendency to deny 'race' by projecting racism as more to do with differences in culture rather than being due to prejudicial beliefs about "black" people. This shift to culture (or ethnicity) from 'race' is quite common and is discussed below as an aspect of assimilation. Second, the selected learners indicate that "black" people are viewed as deficient and in inferiorised ways. This is consistent with the social construction of racism where "white" people are projected as superior and able and "black" people are projected as deficient and inferior. The discussion of the construction of racism under apartheid in Chapter 4 noted that this deficit view of "black" people and the inferiorisation of "blackness" was justified ideologically on the "fields" of theology, science and political

economy, and characteristic of a colonial mentality and apartheid. These selected learners' views indicate the ongoing prevalence of such racist constructions in their internalisation of such inferiorised conceptions of, and relations to "black" people. Third, the selected learners also report on acts of blatant racism. In these acts "black" people are "hated", they are called derogatory names, and "white" learners refuse to associate with "black" learners. These blatant forms of racism is what Stuart Hall (1976) describes as "old fashioned" forms racisms. Old fashioned forms are direct, explicit, segregationist and blatant. This is contrasted with "inferential forms of racisms" which are for Hall "new" and more subtle, inferred, implicit and indirect. "Black" learners in the selected samples seem to be experiencing both old fashioned forms of racism in instances of blatant and explicit racism and inferential forms of racism in the more subtle ways in which they see themselves has having nothing in common and cannot mix with each other.

In the case of the selected learners' experiences of racism with the school establishment their experiences seem to converge on the issue of "hair". "Black" girls have ongoing problems with school principals and teachers about the way they wear their hair. In Gauteng in School 5, "black" girls complained about how the principal and/or the teachers don't understand what a "black" girl has to go through to make her hair look decent. They also saw "white" girls being treated differently in this regard. "White" girls could dye their hair "pink" and it would be accepted, but if "black" girls dye their hair or use relaxers on them it would be objected to, explicitly and vociferously. These were expressed in the following ways:

> **African Girl Learner1:** In the school, we've got seniors at sport, cultural activities etc. Last time we had a meeting; Mrs Z said bad things about Africans. She criticised Africans saying black girls do funny hairstyles. Lots of girls raised their voices.
> **African Girl Learner 2:** They did not like it.
> **African Boy Learner 3:** She must not criticise about their hair styles.

**African Girl Learner 4:** The way we do our hair we like it. We think it is right for us, we look beautiful in it and sometimes Mrs Z says whatever she feels without letting us decide what we like.

**White Girl Learner 5:** Before when Mrs Z was a principal, we were allowed to dye our hairstyles in natural colour, but then we were not and she did not bother to let us know about that, she did that for her own benefit (Group Interview with Learners, 1997).

Later in the interview the selected learners again pointed out:

**African Girl Learner 3:** I did something to my braids and they shouted at me saying, "If whites cannot do it, why must I do it. They said I must take it off. If it was a white, they would have understood.

**African Girl Learner 8:** There was a white girl who dyed her hair purple and they did nothing about her. We complained and Mrs Z said if we keep on complaining, she will chase us out of the school. She said we must tell our parents that we came to school to dye our hair and not for education.

**African Girl Learner 10**: We told her that, we are not trying to be funny, but are trying to prove the point that, you are racist. She became very angry (Group Interview with Learners, 1997).

Hair, then, becomes the object of experiences of racism and the mode in which racism is symbolically articulated. In School 3, hair was also the point of experiences of racism for "black" girl learners in the school. In the group interview with the selected learners in School 3, one African girl learner pointed out the following:

**African Girl Learner:** Okay, like for us black girls, Mrs X always says "you black girls all think you are on the cat walk and think you are all models". You see she doesn't understand what we have to go through to make our hair look nice. She thinks when we use relaxers and stuff we trying to be funny. But she doesn't realise that I don't have straight hair,

and I can't just wake up in the morning, put water on my hair and it will be fine. When I wake up my hair is all over the place, and I have to use relaxers and stuff to make it look nice. But, Mrs X doesn't understand that (Group Interview with Learners, 1999).

In these accounts of experiences with staff in the schools, the African girl learner notes that she is being misrecognised because of the misunderstanding among the staff about African girl learners' hair and hair styles. The selected "black" learners in the group interviews also indicated that "white" girl learners' hair and hair styles were tolerated and not so with "black" girls, and these they saw as unfair treatment and acts of discrimination against them. There are two issues in regard to hair and 'race' that I want to draw attention to: hair and racist science; and the implicit assimilationism in responses to "black" girl learners' hair by school staff.

Hair, which is a mark of the body, was used in the attempts to "prove" that 'races' and racism were natural phenomena. Known as the "pencil test", racist science used the passing of a pencil through the hair of a person to classify which race they belonged to. If the pencil slid through the hair without difficulty the person was "Caucasoid", if it passes through but with some difficulty then the person was "mongoloid", and, if it did not pass through the hair at all then the person was classified "Negroid" (see also Du Bois, 1969; and, Bowser, 1995). Of course, the "pencil test" was accompanied by other "tests" as well, such as nose shape and size, eye shape and size and so on. The linking of hair and 'race' is, thus, not new. However, they have been linked in racist science attempts to prove racism is natural and the "black" learners' experiences of responses to their hair as racist is justifiable and understandable in the light of historical attempts to link hair with 'race'. See also the discussion of racism and science in Chapter 4.

However, apart from the racism in responses to "black" learners' hair and hair styles, there is also an implicit assimilationism in these staff responses. "Black" learners are made to wear their hair in terms of the school's norm. They have to do whatever it takes to fit in with the school's image of acceptable hair styles. These

are normally the styles of straight haired people and usually of "white" people. "Black" learners are then made to adapt to and adopt the "white", straight hair norms and assimilate themselves in the ethos of their school, which are different from their own senses of themselves.

However, hair also came up in other ways in this study. Dion dyed his hair orange (see page 385) to assert his presence and gay identity. In addition, the "white" boy learner in School 3 in the Western Cape indicated in the group interview with the selected learners that he could not afford to cut his hair at hairdressers. This was experienced by him as the class difference between him and other learners. He experienced this as discrimination against him. Hair, then, is a mark of the body. In terms of the selected learners in this study, it marks 'race', sexuality and class.

In the above extracts from the group interviews with the selected learners they also point to other experiences of racism with the staff. These include experiences among "black" learners that they are made to feel as if they do not belong in the school and that they should be grateful for being allowed in the school in the first place. One of the selected learners from School 3 said the following in the group interview:

> **African Girl Learner:** This school doesn't like us blacks, and they say we are here and we must say thank you and be part of the tradition if we want to stay here (Group Interview with Learners, 1999).

In addition, in the interviews with Ms N (see page 341) and Ms W (see pages 348 to 352), they also indicated that some of the members of their staff hold prejudicial views of "black" learners, have difficulties with the "democratisation of the country" and make racist comments about "black" learners at times. As a result, the selected learners seem to experience racism at moments in their encounters with staff as well. In the case of School 5, the previous principal, Mrs Z, was consistently projected in the group interview with the selected learners as

being racist. These experiences of racism with the staff members in the selected schools lead to the issue of assimilation.

Schools 2, 3 and 5 seem to promote an assimilationist approach in their schools. In the Western Cape and the all-girls school in KwaZulu-Natal, the "tradition" and "reputation" of the school, respectively, were sacrosanct and "black" learners were expected to assimilate into these traditions.

> **African Girl Learner 1:** I mean in this school we have to keep to the tradition and it has nothing to do with our culture and we are not allowed to practice our culture in this school.
> **Indian Girl Learner 1:** Yes, miss, we can't either. I mean I can't wear a scarf if I want to even if that's what my religion demands. It's the same.
> **Ms N:** And, what do you think about this?
> **African Girl Learner 2:** It's discrimination, miss. You can't discriminate against somebody's culture, you know.
> **Ms N:** Do you think this school discriminates, then?
> **African Girl Learner 2:** Yes, because they still stick to the tradition and we can't do what our cultures want.
> **White Girl Learner 1:** But, miss, I am "white" but the school's tradition is not even my culture. I mean it is so ancient, and like old fashioned and I don't even relate to it (Classroom Observation, 1998).

In the above extract, School 2 learners experience the pressures of having to uphold the "reputation" of the school. They view this reputation as "ancient", and as being different from their own "cultures" and "religions". They are assimilated into the ethos that the school's reputation expects, which misrecognises their own "cultures" and "religions".

In the following, Ms N pointed to the "reputation" of School 2 and the pressure this "reputation" has on the school actors.

> **Ms N**: Well, there's a lot we need to do, and this is a very conservative community, and it has this reputation, you know. But, things are changing slowly. At least we are talking about the challenges. There is a lot of wealth in this school and they don't see why they should be changing. But we have changed the mission of the school and there are "black" parents on the board. So things are changing a bit (Interview with Ms N, 1998).

In the above extract Ms N points out that upholding the "reputation" of the school is an obstacle to changing and perceives this as among the "challenges" School 2 faces. Learners in School 2 are expected to uphold and reproduce the "reputation" of the school. They are assimilated into it.

In the group interview with the selected learners in School 3 learners pointed out:

> **African Girl Learner:** This is a very old school with a long tradition, and everybody has to keep up this tradition. We don't like it, but they say if you want to be here you must keep to the tradition.
> **I:** What kind of tradition is this?
> **African Girl Learner:** It is a very Afrikaner white tradition, and it is so old. Really these people don't know about what's going on now.
> **I:** But how does this tradition affect you?
> **White Girl Learner 1:** We have to do everything the tradition says.
> **I:** Like what?
> **White Girl Learner 2:** You have to be rich, come from this area and do what they do.
> **African Boy Learner:** Well we have to wear the uniform all the time, we have to cut our hair and we have to use the manners they ask for. Aaargh … it is such old fashioned stuff, you know (Group Interview with Learners, 1999)

In the above the selected learners point to the pressure on them to adapt to the "tradition" of the school, to adopt it and reproduce it.

The experiences of racism in desegregated schools in South Africa have been well documented. Christie (1990) has shown the prevalence of assimilationist approaches in Catholic schools. I have shown the same in "Coloured" and "Indian" schools in the Western Cape and Gauteng (cf. Carrim, 1992) and in ex-Model C schools also in Gauteng (Carrim, 1995; Carrim and Soudien, 1999). Soudien (1998) has also shown the same in schools in the Western Cape. The South African Human Rights Commission's (Vally and Dalambo, 1999) report on racism in public secondary schools also noted the prevalence of assimilationism in schools, the lack of integration and experiences of racism in schools. In these studies, assimilationism is noted to be linked to the "tradition" and "reputation" of schools which are projected as superior and in no need of change. These are also cultural constructions of the school and its public image, and are projected as representations of quality. These images of the school are also noted to be mainly "white", Western, European and middle-class constructions, and position the cultural heritages of "black" school based actors, whether teachers, learners or parents, as deficient and inferior in comparison. As a result, "black" school based actors are expected to adapt to and adopt the ethos of the school, to which they are expected to assimilate. My findings in this study confirm these conclusions.

The use of assimilationism, however, has the effect of displacing issues of 'race' and racism into "culture", and thus transposes racial considerations within the register and frame of "culture". In this, "tastes", "styles" and having things in "common" with others so that one can share and dialogue with them get emphasised. This shift from 'race' to culture (or ethnicity) has been noted to be consistent within assimilationism globally (see Carrim, 1995). This shift has also been noted in the multiculturalists' critiques of assimilation which have pointed out that if "culture" is to be made the point of emphasis, then a multicultural approach that recognises the equality of all "cultures" should be adopted (see also May, 1999). The assimilationist approach in this light is not only a perpetuation of racism, but is also a misrecognition of "cultures" people have.

In concluding this section on 'race' and racism in the sampled schools I want to turn attention to the antiracist approaches that seem prevalent in the selected learners' and teachers' experiences in their schools.

Ms N in School 2 in KwaZulu-Natal, used an anti-racist and anti-discrimination approach. Similarly Ms G in School 5 in Gauteng, also was anti-racist and anti-discriminationist in her approach. These were noted in the classroom observations (see Chapter 10 pages 337 to 341, 344 to 348 and 364 to 370) and in the individual interviews with them. In the classroom observation, both Ms N and Ms G openly discussed issues of 'race' and racism with the learners and allowed them to express their own experiences of racism, including those experiences of racism they had in their schools. In these interactions, Ms G and Ms N used an anti-racist and anti-discrimination approach. However, neither Ms N nor Ms G linked antiracism to human rights, and 'race' and racism were not seen in relation to human rights. In both cases, the management of the school professes an anti-racist and anti-discrimination approach. The management supports anti-racism and anti-discrimination, with this being the case more with School 5 than with School 2. In both schools as well, apart from the interventions that teachers attempt in their own teaching to deal with issues of 'race' and racism, there does not seem to be specific programmes in the schools to assist in establishing an anti-racist, discrimination free environment in their schools. Although, School 5 has had several programmes to "raise awareness" among school based actors, programmes to help develop an anti-racist ethos in the school were not indicated. In addition, at the time of conducting the empirical research for this study, no substantive legal provisions concerning 'race' and racism in schools were in place, and there were no specific support or interventions for teachers and learners in schools in this regard.

Two effects seem to result in such situations. First, 'race' and racism are not seen as aspects of human rights. Not only do views and treatment of and relation with "blacks" get disassociated from human rights, but human rights continue to be projected as general and abstract and not viewed in specific and substantive ways.

Due to this, learners and teachers could easily make claims about equality of all people in formal terms, and also continue to be racist. Racism gets dissociated from human rights. Secondly, no specific substantive measures are put into place to deal with violations of human rights on the basis of discrimination on the grounds of 'race'. Ms W in School 3 in the Western Cape was the only teacher in the sampled teachers to indicate her wanting to set up "bridging classes" to help her "coloured pupils". The need to put into place "bridging" classes is an attempt to implement a specific measure to overcome particular forms of inequalities and respond to particular needs. It is more practical as opposed to being generalized and abstract. This was the only instance when reference to some form of substantive provision in regard to 'race' and racism was mentioned. The de-linking of issues related to 'race' and racism from human rights, thus, allow for the contradiction between being racist, and still claiming that all people are equal to be constructed. It also prevents the development of more substantive measures that address the specificities of the ways in which 'race' and racism are experienced in particular contexts.

The data also shows that when antiracist interventions are attempted these are not tied to human rights. Ms G and Ms N were explicitly antiracist, but they explored the construction of racism in the context of apartheid and did not link these to human rights specifically. The effect of this is that their antiracist interventions are not experienced as interventions in and for human rights. The discourse and practice of antiracism is separated and de-linked from human rights. In those instances when racism is linked to human rights, it is linked to formal equality claims which universalise people and thus do not enable 'race' and racism to be treated specifically enough; with the result that racism also becomes de-linked from human rights interventions.

It is possible, though, that given the transition from apartheid, the question of 'race' and racism is more about racism being a denial of the formal equality of human rights. In this way, anti-racist attempts may seem to emphasise the need to view "black" and "white" people as equal, a view that concentrates on "old

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fashioned" forms of racisms, which are blatant, segregationist and direct. But the selected learners in Schools 2, 3 and 5 indicated that they are also subjected to "inferential" forms of racisms, which are subtle and indirect. Particularly, in the case of School 5 where an antiracist history and approach is emphasised, but also to a lesser extent in Schools 2 and 3, such an anti-racist approach seems to be more in the general terms of equality and more about old fashioned forms of racisms. The increase in experiences of inferential racism among learners, and the predominance of assimilationist tendencies, point to the importance of dealing with racisms which are more subtle, specific and particular. Again, in this regard, generalised claims of equality among 'races' on the basis of formal equality provisions of human rights do not assist in dealing with inferential forms of racisms which require specific engagement and substantive interventions. The absence of such a specific and substantive approach to dealing with 'race' and racisms, such as the anti-racist approaches of Ms N and Ms G, and the attempts at implementing "bridging" programmes of Ms W, means that it will be possible for people to continue to claim that they are not racist, but can't mix with "black" people because their "cultures" are different. They can also blissfully continue to assume that one supports human rights when one does this. The contradiction can only be addressed if 'race' and racism are linked to human rights, and dealt with specifically and substantively.

## Sex, Gender and Sexuality

In the experiences of Dion and Tulani, the issues of sex, gender and sexuality are noticeable. These are, however, raised in different ways and seem to point to a conflation of them. Dion and Tulani are "drag queens", effeminate and see themselves as "women". Dion and Tulani spend most of their times with "the girls" and their "sisters" with whom they see themselves as having much in common and "a lot to talk about". Dion and Tulani do not play with boys, do "boys' things" and do not see themselves as "boys".

> **Dion:** The girls don't mind me, and I get along well with them. You know we are like sisters and they like being with me, because they think I am funny and fun to be with. They also know that I don't want to get into their panties so it is okay to be with me. We share a lot, like make-up and talk about boys and stuff (Interview with Dion, 1999).

In the above Dion indicates seeing himself as being one of the "sisters" and takes on female personae. Tulani indicated the same. Consider the following:

> **Tulani:** Then one day, a sister (gay friend) came to visit me and we were sitting on the couch and my father walked in. Oooo, that day, I tell you my father couldn't handle it. Me and my sister were painted, I mean we were like really made up hey, lipstick, our hair, Oooo, the wigs we had were fab and cutex on our nails and jong you should have seen what we did with our eyes, the mascara and shadow and eyelashes. Then my father walked in and looked so shocked and said out loud, "what's that?" He couldn't believe it was me, and then threw my sister out. I couldn't believe what he did. O, then we just never got along. He said that he will never have any grandchildren because of me, because I was a "tabane" and he was so ashamed of me (Interview with Tulani, 1997).

In the above Tulani indicates the "fun" he had with this "sister" when they got into "drag". It also indicates his taking on of female personae, which is reinforced when he chooses to associate with the girls in the school and "dress up" over the weekends when he gets together with his "sisters" in Ipengeni. There is a spectrum of possible forms of gayness which this study has not been able to access. Connell (1995) and Mac an Ghaill (1994) have distinguished between different types of masculinities ranging from militaristic commander types, sporty, coach types, to father and husband types. Nel (2003) has also demarcated types of gayness including "out gays", "in the closet gays" and "straight acting gays". In this regard, Tulani and Dion represent a particular type of gayness, that of the "femme-man" type.

However, the femme-type gay raises some critical issues in relation to sex, gender and sexuality, and suggests a degree of conflation among them. Tulani and Dion, in seeing themselves as women, seem to confuse that because they are sexually oriented to other men, they must be women. They also seem to suggest that because they are so feminine in their ways and preferences, they are feminine and their gender is not within the frame of masculinities. This means that Dion and Tulani, by seeing themselves as women land up conflating sex, gender and sexuality. In this regard, Tulani and Dion do not see the possibilities that a man may be femme, and dress up in women's clothes, but still have sex with women. Neither do they see the possibility of masculine type men who may not necessarily be "straight" at all. However, in this conflation of sex, gender and sexuality, Dion and Tulani, in seeing themselves as women, also reinforce heterosexist patriarchal norms. They take on the role of women and position themselves as women in their gay relations, and thereby reproduce dominant heterosexist patterns of behaviour.

This conflation of sex, gender and sexuality as representations of "straight" heterosexism was also indicated by Ms W in School 3. Ms W described her sister's partner as "her husband" and sees the lesbian she is involved with as the "man" in the relationship. Sex, gender and sexuality are conflated again in terms of a heterosexist worldview.

In the above extract of the interview with Tulani, Tulani's father also viewed him as a woman, as "tabane", a feminine man who cannot continue the family name by giving Tulani's father grandchildren. Tulani is not a man, for his father. Sex, gender and sexuality are conflated in Tulani's father's views as well.

Gevisser and Cameron (1994) point out that due to the silencing of homosexuality in Africa, there are no words in the African languages that capture gayness. Gays are referred to in South African languages as "tabane", which is feminine man, not homosexual. Gevisser and Cameron also point out that this denotes the hegemony

of heterosexism and the invisibilisation of homosexuality. It seems that it is easier to see two men or two women in a pseudo-"straight" relationship than to acknowledge the homosexuality in the relationship.

The conflation of sex, gender and sexuality has the effect of reinforcing heterosexist norms. It also denies gayness in re-articulating same sex relations in the image of "straight" relations. The effect of this is that homosexuality does not get recognised and the specificities of gayness are displaced, re-articulated and denied in order to reinforce and reproduce heterosexist and genderised stereotypes. The substantive equality provisions that may be needed for homosexuals are not recognised in the process. There is no need to address the issue of same-sex relations in terms of human rights, since these are "just like other normal relations" between men and women anyway. Sexual orientation, then, in these cases, do not provide the basis for making human rights specific. Instead, sexual orientation here is a way of reproducing dominant heterosexist worldviews and stereotypes.

It is not surprising, then, the assertion of Tulani's and Dion's gayness gets subsumed in formal equality provisions of a universalised humanity, since their type of gayness rests on recognition by and inclusion within an existing dominant heterosexist framework. Both Tulani and Dion saw themselves as "everybody else" in their coming "out" in their schools. This was more explicitly the case with Tulani than Dion who referred directly to formal equality provisions. Ironically, then, Dion's and Tulani's assertion of gayness is not an assertion of difference or particularity. It is an assertion of inclusion in a heterosexist order, and their generalised views of formal equality provisions and their presence in them reinforce such an assimilation into heterosexism. Formal equality, for Tulani and Dion, allows them entry into and recognition by the "straight" world as "women" in a heterosexist frame.

Tulani's and Dion's experiences also point to the ongoing influences of pathologising, medicalising and demonising gayness. As pointed out in the

discussion about homosexuality in Chapter 4, homosexuality has been viewed and projected as "abnormal", "deviant", "evil", a "curse", "canker", "disease", genetically imbalanced and psychologically dysfunctional. Dion was described by the boy learner who beat him up as being "worse than an animal". The school Tulani attended when he was younger attempted to take him to a "sangoma" so that he could get "cured". Tulani's grandmother intervened in this instance and prevented him from being taken to the "sangoma". In these experiences one notices the perpetuation of misrecognition of homosexuality and continuing attempts to pathologise it. Mr K in KwaZulu-Natal inverted this in his views on homosexuality by stating that for him homosexuals were "in the image of God" and that being gay was "natural". Despite the continuing pathologisation of homosexuality, these views also indicate the attempts to naturalise and theologise views of human identities and experiences. The discourses of science and theology, thus, continue to inform views of human identities and experiences in relation to sex, gender and sexuality.

At the same time, though, it is not as if Tulani and Dion submissively accept such hegemonic descriptions of homosexuality. Instead they actively invert them and this inversion is seen by both of them as one of their strengths – an indication that they are "more clever".

> **I:** What do you think about the kind of things you learn in school, like for example in the Biology class and there are you know discussions about what makes a man and woman. How do you respond to these?
> **Dion:** Argh it is such kak (rubbish) that I don't even bother. Most of the time I just giggle and laugh it off. I don't take it seriously at all. I know it is very different from what they say, and really us gays are more clever and we can see through all of this (Interview with Dion, 1999).

Dion is critical of the dominant projections of men and women and does not accept these views. He sees them as rubbish and because he is critical of them he believes he, and other gays, are "more clever". Rather than being instances of

shame and self-effacement Dion reconstitutes his own gayness and through his agency converts experiences that attempt to illegitimate him as indications of his own assets. Tulani did the same:

> **Tulani:** I know they do that, and I just sit and watch them, because it is so funny (*giggles*). They want me to say something, and I know they are waiting for me to say something about gays, but I just keep quite, because I know they are curious and they just expect me to give them all the answers. Huh-uh I won't, I just look at them and say to myself "go and find out on your own".
> **I:** But why do you do that?
> **Tulani:** Because they don't think, you know, they must also learn to think. And, when I say something, then they will say, "you see, I told you, he is 'tabane'", then they use what I say to just confirm for themselves. Haai, they must go (Interview with Tulani, 1997).

In the above, Tulani, like Dion, not only inverts attempts to illegitimate him as indications of his own strengths of being able to "think" and not be duped by dominant representations, but he also notes that such instances are used to "out" homosexuals, so that "they" can say "I told you he is like that". In this, (loose ref) Tulani points to the importance of homosexuals taking control of "outing" themselves and notes implicitly that the definition of identity is a person's own right, and cannot be done in order to confirm the misrecognition of identities by others.

In relation to the above there are contradictions in Dion's and Tulani's representations of sex, gender and sexuality. On the one hand, they are critical of dominant ideological projections of heterosexism and patriarchy, and construct their own meanings in this regard. On the other hand, though, their adoption of female personae reinforces precisely these heterosexist stereotypes. Thus, whilst Tulani and Dion are critical, they are not necessarily alternatives.

It seems, then, that Simon Nkoli would have to contend with homophobic responses if he were in contemporary South African schools. He would have to deal with attempts to send him to a sangoma, as was the case with Tulani, be ostracised from other men, and would have to be willing to become a "woman". Since recognition of sexual orientation is more in terms of a heterosexist framework and about formal equality provisions, Simon would not be able to be a "man" and still be gay. "The homosexual" is still critically invisibilised, and Simon would have to contend with being "gay the straight way", since being "gay the gay way" would be difficult, if not impossible.

## Approaches to Human Rights Education

The approaches to human rights education have been largely implicit in the 5 selected schools. None of the selected schools have programmes that deal directly and explicitly with human rights as human rights. The following table indicates what human rights approaches were found to be prevalent on the different levels covered in this study.

| APPROACH | DATA SOURCE |
|---|---|
| Legalistic | National Survey |
| Integrated | National Survey<br>Mr K – interview and classroom observation<br>Ms W – interview and classroom observation |
| Anti-racist, anti-discrimination | Ms N – interview and classroom observation<br>Ms G – interview and classroom observation |

**Table 18: Data Sources of Approaches to Human Rights Education**

Table 18 shows that in the national survey the legalistic approach was prevalent. This was in the propagation of the Constitution and laws, and developing an understanding of political structures, processes and elections. The national survey also indicated that an integrated approach to human rights education was used.

This was indicated in the attempts to integrate human rights in relation to specific groups of people, such as youth, women and workers, and in the integration of human rights in C 2005. The integrated approach in relation to C 2005 was also the approach that Mr K indicated (see pages 326 and 327) in his approaches to teaching, as observed in this Grade 9 class and in the interview with him.

The table also shows that Ms W used an integrated approach. She integrated human rights in her coverage of gender stereotypes in the classroom observation done with her, and in her view that human rights are about "values" which she indicated in the interview with her (see pages 350 to 351). Thus although the integrated approach seems to be used in these instances, they are used differently, and different issues are integrated in varying ways. The discussion of the integrated approach to human rights education in Chapter 7 also indicated such variations in the integrated approaches in programmes that were reviewed.

Ms G (see pages 367 to 372) and Ms N (see pages 340 to 343) used an anti-racist and anti-discrimination approach. They explicitly dealt with issues related to 'race' and racism and were interventionist and direct in their encounters with instances of discrimination, either against them individually, in relations with learners, among the staff or among the learners. This was indicated in both the classroom observations that were conducted with them and the individual interviews with them.

However, there was no instance in any of the schools reached where human rights education were dealt with specifically, neither did any of the schools have a workedout strategy for human rights education in the school.

Ms G integrates human rights issues and concerns in dealing with apartheid and racism in the school. Ms N integrates them in teaching literature and also in exploring racial divisions in the school. Ms W integrates human rights when looking at gender stereotypes. None of them, though, provide specific content about human rights provisions, and in the terms of the United Nation's EFA

reports (1999, for example) these would not be regarded as instances of human rights education, per se, because they do not specifically mention human rights provisions and/or instruments.

The integrationist approach used in the researched schools allow for a **diffusion** of human rights issues and concerns in that human rights tend to disappear from the focus, and the intervention is de-linked from human rights. Thus, as in Ms N's and Ms G's classes, they are antiracist interventions, but not necessarily human rights education interventions.

In the national survey, though, a more formal **legalistic** approach seems prevalent. In this approach the necessary, legal knowledge about human rights provisions and the projection of laws as programmes are discernable.

It would be fair to say that there is a dearth of human rights education programmes in South African schools. It is not surprising, then, that teachers and learners use their own resources to apply human rights in their teaching and learning experience, since there is no sustained approach, strategy or support they can turn to.

Given this kind of situation, teachers and learners can only hold generalised, inclusivist conceptions of human rights which are based on formal equality provisions. Human rights can only mean "everybody has rights", since the substantive provisions of human rights and the explication of what they mean specifically in particular situations are absent.