

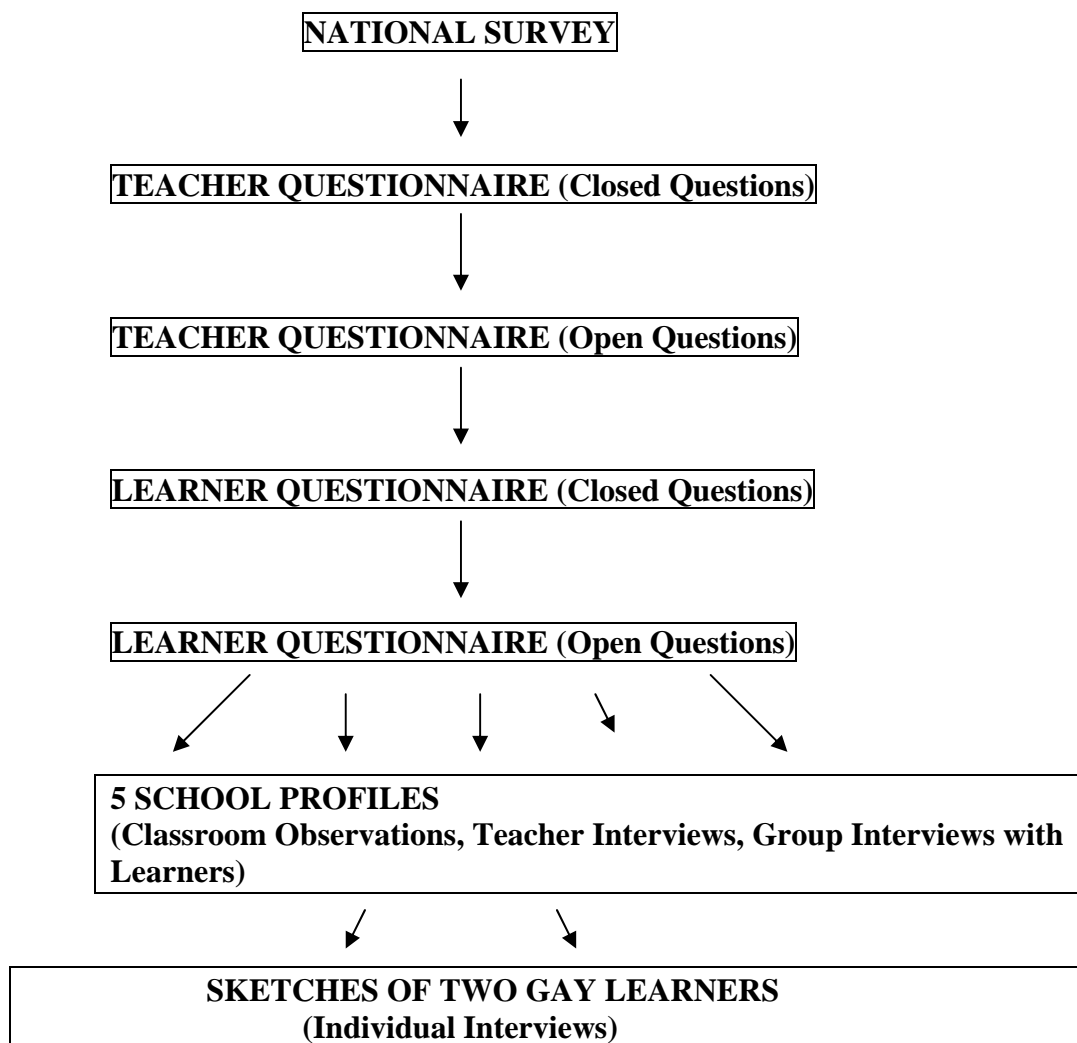
## Chapter 10

### Findings

The findings of the empirical research conducted for this study are presented in this chapter. I first present the findings of the national survey, and then the results of the teacher and learner questionnaires. Thereafter, I present profiles of five schools, including observations in Grade 9 classrooms, individual interviews with Grade 9 teachers of these classes, and group interviews with Grade 9 learners whom these teachers taught. Finally, I present the findings of the individual interviews with Tulani and Dion, the two gay learners in this study. In Chapter 11, I analyse and discuss the data further in relation to the theoretical framework that informs this study.

A few points, however, need to be raised in relation to the presentation of the data. Firstly, it is important to keep in mind what of the data presented here forms a part of the Democracy Project, and which do not. Secondly, as will be noticed in this chapter, I present the data in ways that attempt to allow the micro and macro to be "articulated" with each other, pointing to interconnections and using the suggestions of "portraiture". Thirdly, in an ideal world, research is able to access exactly what was originally intended. In practice, however, researchers need to work with what is actually possible and what is practically achievable.

To reiterate, the teacher and learner questionnaires data presented here only draw on those items in the Democracy Project that directly pertain to human rights. A full report of the South African findings of the Democracy Project can be found in Carrim *et al* (2000) and the comparative analysis and findings of all participating countries in the Democracy Project can be perused in Daun *et al* (2002). The following diagram shows the way in which the data is presented in this chapter.



**Diagram 2: Data sources in this Study**

The presentation of the data in the ways indicated in the above diagram is meant to cover the data gathered from the use of quantitative and qualitative instruments, as well as present data of macro and micro contexts. The quantitative instrument was deployed in the closed questions in the national survey, and teacher and learner questionnaires. The qualitative instruments include the open ended questions in the teacher and learner questionnaires, individual interviews with teachers and group interviews with learners, individual interviews with the gay learners, and classroom observations. In these ways, I present the data to cover macro, national contexts, local school contexts and individual, personal experiences of 2 gay learners. In so doing, I hope to convey the interconnections that influence individual lives and the play of wider forces that at once straddle

national, and local, school contexts. However, whilst the different levels are distinguishable in these terms, it is crucial to keep in mind that they interconnect and articulate with, and influence, each other.

I have chosen to describe the data of the schools as "profiles" and the data of the two gay learners as "sketches". The "profiles" of the schools are meant to provide what Lawrence-Lightfoot and Davis (1997) describe as the "social and cultural contexts" in which "portraits" are placed. It is an attempt to create "a narrative (that) documents human behaviours and experience in context" (Lawrence-Lightfoot and Davis, 1997: 11).

However, as with the accounts of Mandela and Nkoli in Chapter 4, I do not claim that what I present here has the level of detail that Lawrence-Lightfoot and Davis would regard as constituting "portraiture". I provide "profiles" of schools and "sketches" of the two gay learners. I, thus, "paint" the "pictures" revealed in the data in broad strokes, without the use of different colours or shades. Neither do I suggest that any of them are "aesthetic wholes".

Thus, although I only offer profiles and sketches, and not fully-fledged portraits, I show in the presentation of the data the ways in which contexts and individual experiences articulate with each other. In this chapter, though, I am concerned with showing the ways different data revealed through the use of different research instruments relate to each other, "polyangulate", and the pictures they construct.

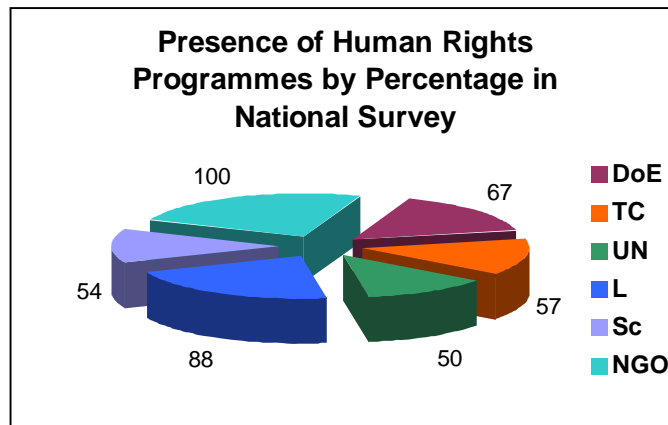
Finally, it may be noted that in Schools 2 and 4 there are no group interviews with the learners, and in the case of School 4, no classroom observations were conducted either. This does make the data seem inconsistent and lacking. However, the lack of data in this regard is due to very real constraints that I encountered when conducting the research, and which I have acknowledged as limitations of this study in Chapter 8. In School 2, I was unable to interview the learners because they were due to write an exam. In the Case of School 4, gun

wielding gangs harassed the school on the Monday morning I visited it, disrupting the school. Given these difficulties, I could not do any group interviews with the learners, neither were classroom observations possible. Also noted in Chapter 8 as a limitation of this study, is my inability to provide a direct correlation between the teachers' and learners' responses to the questionnaire, and which of these belong to which of the selected 5 schools that are reported here. As explained in Chapter 8, I am unable, with accuracy, to state which of the 5 schools filled in which questionnaires, and, thus, I cannot indicate precisely how learners and teachers of the 5 selected schools responded to the questionnaire. This is due to complications related to the irregular way in which data were received and difficulties in classifying the data at the point of computing them. Given this, I am unable to disaggregate the teachers' and learners' responses to the questionnaire and is the reason why I present them first, and then present the data of the selected schools. I, thus, use the results of the teacher and learner questionnaires as part of the "background" context in which the 5 schools are located. Included in this "background", however, are the results of the national survey as well, as will become clearer in what follows. What data are presented here, then, are the data I was able to access, and what was practically achievable.

### **National Survey Findings**

The national survey entailed administering a questionnaire to educational institutions and organisations throughout the country. Tables 1 to 6 in Appendix 2 reflect the findings of the national survey in relation to each of the categories of institutions and organisations surveyed. They point to the following:

There is evidence to suggest that educational interventions in regard to human rights education are present in South African education. These were in existence when the empirical work for this study was done between 1996 and 1998. All categories of institutions/organisations sampled in the survey have programmes in



**KEY:**

DoE = Departments of Education; TC = Teacher Colleges; UN = University Education Faculties; L = Legislatures; Sc = Schools; NGO = Non-governmental organisations

place. The following indicates the extent of the presence of such programmes in the different categories and is shown in the pie chart above.

Human rights programmes are claimed to be present in 67% of national and provincial departments of education; 88% in legislatures; 50% in university education faculties; 57% in teacher colleges; 100% in non-governmental organisations and 54% in schools. It is difficult to say much about the extent of the presence of such programmes in the media due to the low response rate in this category. Leaving, thus, an average of 69% across all categories of institutions/organisations surveyed who have programmes in place.

The target audiences of the programmes offered include teachers, learners, specific groups like trade unions, youth and women organisations, disadvantaged groups and the public at large.

There is a pattern in the data about the ways in which human rights are being framed. **First**, is the predominant emphasis on **legalistic understandings** of human rights. Here the focus is on understanding the Constitution and Bill of Rights of the Republic of South Africa, other legislations like the SAS Act of 1996 and the Employment Equity Act of 1998, voter education and understanding the ways in which parliaments work.

The national parliament and provincial legislatures, for example, have programmes on "youth parliament", where youth are exposed to the workings of

national and provincial parliaments, and they have a similar programme for the wider public, known as the "public participation (in legislature) programme" (see Table 4 in Appendix 2). In these instances, the legalistic emphasis in the programmes is more about how laws are made, and the processes, actors and institutions responsible for them.

However, the legalistic emphasis takes on different forms. In most cases, it is about understanding the laws. Programmes offered by NGOs, for example, include programmes on "human rights for all", "democracy for all" and "Constitution and Bill of Rights Education" (see Table 5 in Appendix 2). In these instances, the legalistic emphasis is in the focus on and exposure to the law. They are directly legalistic in frame and purpose.

In other cases, the existence and implementation of laws in organisational and institutional settings count as an instance of having a programme on human rights. An organisation in the media claimed that the "implementation of the Employment Equity Act of 1998" constituted the human rights programme in their organisation (see Table 1 in Appendix 2). Similarly, C 2005 is also projected as being a programme on human rights; particularly within national and provincial education departments (see Table 2 in Appendix 2). In these instances, the legalistic emphasis is due to the projection of the mere existence of a law or policy as constituting a programme on and for human rights.

**Second**, is the trend to **integrate** human rights, in other programmes or courses. These vary from integrating them into needlework, life orientation, religious and political studies, courses on multiculturalism, to educational and professional studies programmes. This is more the case with faculties and colleges of education, and schools (see Tables 2, 3 and 6 in Appendix 2).

The integrated approach to human rights education is also present in programmes that focus on particular identities and incorporate human rights in those identity contexts. The data show that 'race', gender, youth, worker and ethnic identities

seem to receive the most attention in this regard. Coming from the NGOs mainly this type of integration is present in programmes such as "women and the Constitution" and "workers and human rights" (see Tables 5 in Appendix 2).

**Third**, and coming from the media in particular, is the framing of **human rights as controversial** by focusing on debates, highlighting the dilemmas, tensions and contradictions within human rights. Foci on "abortion", reinstituting "capital punishment", and "minority rights" (see Table 1 in Appendix 2) in the media, both electronic and print, depict the dealing with human rights issues as contested and contestable.

It is important to note that the survey did not include a content analysis of the programmes that are underway neither did it observe the delivery of such programmes in practice. The survey, therefore, is not able to say much about the impact of such programmes, the exact nature of their design or their modes of transmission.

On the basis of the national survey, then, human rights education programmes are present in the South African education system, to the rate of 69%. These are characterised predominantly by legalistic approaches to human rights education. The data suggests that efforts are made to integrate discussion on human rights into the school curriculum and to highlight contestations about human rights occurring in programmes of, and in, the public media.

Given that analysis of the content and delivery of the programmes were not done in the national survey, it is difficult to establish to what extent other approaches to human rights education inform the programmes. It is possible, for example, that the focus on specific identities, in one of the forms of integration used in the surveyed programmes, may use an anti-discrimination rights based approach to human rights education, just as it may equally use a developmental approach (see Chapter 7). The data of the national survey do not reveal whether other approaches to human rights education may be present in such programmes. The

humanitarian approach, however, is noticeable in a programme of one NGO (see Table 5 in Appendix 2) which deals with conflict resolution skills. This, however, is not a tendency, but it is present in the national survey data.

The national survey sought to gauge if there were any interventions in regard to human rights among educational institutions/organisations. It provides a glimpse of what is occurring in human rights education in a national context. It provides the "backdrop" or "background" of the human rights education "picture", within which the "profiles" and "sketches" of teachers' and learners' experiences are situated. Following the national survey, questionnaires were administered to Grade 9 teachers and learners in Gauteng, KwaZulu-Natal and Western Cape to establish how they perceive human rights within the context of their schools.

### **Teachers' Responses to Closed-ended Questions**

The data from the questionnaires were entered into a SAS programme designed by an expert statistician. The analysis of the raw data was generated by the SAS programme, which was instructed by commands entered by the statistician using "Bonferonni (Dunn) T tests". What follows is what was generated statistically.

Table 8 provides the mean scores of the frequency distribution of the sampled teachers' responses to the closed-ended questions in the teachers' questionnaire. It indicates that 94% of the sampled teachers have a correct understanding of laws in general (LW). In this regard, they are aware of the Constitution, the workings of parliaments and electoral processes. The sampled teachers, thus, are aware of human rights provisions in general, and basically understand the workings of democratic systems. However, their understanding of specific human rights provisions (RT) is less than their understanding of laws in general. Here the sampled teachers were not always able to correctly answer specific questions about human rights such as what is the age of consent, ways in which courts work, or the extent to which parents have an obligation to support their children. This means the sampled teachers are more aware of general, formal provisions and less



in terms of specific, substantive provisions. They are able to describe what is in the Constitution, for example, but they would not necessarily be able to state what rights and laws pertain to disabled people, for example.

Category	Rate (%)	Region ((μ) GP KZN WC			Gender (μ) M F		Race (μ) A C I W			
<b>LW</b>	94	3.11	27.44	7.78	5.75	57.75	2.83	1.94	4.67	5.11
<b>RT</b>	60	3.69	31.14	8.89	6	64.5	3	2.36	5.56	5.78
<b>AUTO</b>	29	2.14	13.19	3.06	2	33.75	1	1.25	2.44	2
<b>BEN</b>	65	7	50.14	15.28	10.5	99	5.67	3.75	9.11	9.33
<b>DECI</b>	85	3.11	24.81	8.33	5.25	45.75	2.67	2.08	5.33	4

**Table 9: Teachers' Questionnaire Responses by Percentage Frequency and Mean Scores by Province, Gender and 'Race'.**

**KEY:**

**LW** = Correct understanding of laws in general. This means having a correct understanding of formal equality provisions and which mainly refer to provisions in the Constitution and laws of general applicability.

**RT** = Correct understanding of specific rights. This means having a correct understanding of the legal provisions that exist with regard to specific people or contexts. Laws concerning HIV/AIDS or women or children, for example, are referred to here.

**AUTO** = Do experience autonomy. This refers to whether teachers have a sense of professional autonomy; decide on what and how they teach.

**BEN** = Do receive work benefits. This means that teachers do receive work related benefits such as housing subsidies, medical aid, etc.

**DECI** = Do participate in school decision making. This means that teachers do participate in making decisions in their schools. They are consulted and can play a role in determining the affairs of their school.

**GP** = Gauteng. Name of province in which Johannesburg is located.

**KZN** = KwaZulu-Natal. Name of province in which Durban is located.

**WC** = Western Cape. Name of province in which Cape Town is located.

**M** = Male. Gender of respondent.

**F** = Female. Gender of respondent.

**A** = African. People classified as African, "Bantu" or "black" under apartheid.

**C** = "Coloured". People classified as "Coloured" under apartheid.

**I** = "Indian". People classified as "Indian" or "Asian" under apartheid.

**W** = "White". People classified as "white" under apartheid.

Table 8 also shows that 85% of the sampled teachers claim that they do participate in making decisions (DECI) in their schools. They are consulted about and participate in the governance of their schools. However, only 29% of the sampled teachers feel a sense of professional autonomy (AUTO). This means that they do not feel they have room to decide on what they do in their classrooms, and feel constrained, then, in their actual teaching. 65% of the sampled teachers claim that

they do receive work related benefits such as medical aid, pension and housing subsidies (BEN).

It is not possible to reliably calculate significant differences statistically of the data from the teachers due to the smallness of the sample (N=36). Thus, although there are differences in terms of province, gender and 'race', which may be noticed in Table 8, these are not significant statistically.

Table 9 below, shows the correlation between teachers' responses to the different questions. The correlation was done using 0.5 as the P value in relation to the size of the sample so that the correlation could be made appropriately for this set of data. The "significance" of the P values, it must be noted, does not refer to statistical significance in the data, but significance only of correlation of responses received in relation to the categories identified. Thus, the data reveal the correlation of responses in terms of the categories. They cannot reveal whether the variables of province, gender or 'race' are significant.

	<b>AUTO</b>	<b>BEN</b>	<b>DECI</b>	<b>LW</b>	<b>RT</b>
<b>AUTO</b>	0	<b>0.6*</b>	0.49	<b>-10.5*</b>	<b>0.93*</b>
<b>BEN</b>	<b>-0.6*</b>	0	-0.1	<b>-11.1*</b>	0.32
<b>DECI</b>	<b>-0.5*</b>	0.1	0	<b>-10.99*</b>	0.43
<b>LW</b>	<b>10.5*</b>	<b>11.1*</b>	<b>10.99*</b>	0	<b>11.42*</b>
<b>RT</b>	<b>- 0.93*</b>	-0.92	-0.43	<b>-11.42*</b>	0

**Table 10: Mean Difference Correlation of Categories of Teachers' Questionnaire Responses**  
( $p=0.5$  \*=significance).

There is a discrepancy in the sampled teachers' understanding of human rights. This is suggested by their understanding of laws in general (LW) being negatively related (-11, 42) to their understanding of specific laws (RT). Thus, for example, the sampled teachers may be aware of the provisions of the Constitution (general) but this does not necessarily mean that they are aware of how old someone has to be in order to get married (specific). Their general understandings of human rights correlate negatively with their specific understanding of human rights. Their

knowledge of general human rights does not, thus, lead to a greater understanding of human rights specifically.

The negative correlation between the sampled teachers understanding of human rights in general, and specifically, seems to influence their perceptions of their conditions of work. This means that whilst they may have positive views of human rights in general, these are not linked to their own situations. In each instance, their responses to conditions of work – a sense of having professional autonomy (AUTO, – 10.5), access to work related benefits (BEN, -11.1), and, participation in decision-making (DECI, – 10.99) – correlate negatively with their understanding of laws in general (LW). This means their understanding of general human rights provisions does not directly affect their perception of their specific conditions of work. This negative correlation between the sampled teachers' perceptions of their conditions of work and their opinions of human rights seems to suggest that one cannot assume that if the conditions of work of the teachers in this sample were improved, it would necessarily incline them positively to human rights, that is, teachers will not necessarily be more supportive of human rights if their conditions of work improve.

The sampled teachers' responses to the closed-ended questions in the teachers' questionnaire, thus, indicate three issues. First, they seem to work under relatively stable working environments, but do not feel a sense of professional autonomy. Second, they hold positive views of general human rights provisions, but lack in their understanding of specific human rights provisions. Third, their responses also suggest that one cannot assume that improvements in their conditions of work will necessarily lead to more positive views of human rights by being more supportive of them, in general or specifically.

The teachers' questionnaire also contained open-ended questions that I included to ensure that I would be able to access some of the reasons why teachers' responded to the closed-ended questions the way they did. The closed-ended questions do not provide one with a sense of how the sampled teachers construct their views or

make meaning; neither do they allow the sampled teachers to explain what they mean. Thus, for example, the teachers may say that they are aware of the Constitution, but one is not able to work out what precisely teachers are aware of in the Constitution. The open-ended questions provided a way to probe their responses and gave them a space to articulate their reasons for thinking what they did. However, the questionnaire format allows only limited space for such responses. This is also due to the extent to which questionnaires use language (see Chapter 9). Thus, although the responses to the open-ended questions give one a sense of some of the reasons behind people's responses, these are limited. As may be noted in what follows, the sampled teachers' responses to the open-ended questions tend to be brief and unelaborated.

In the following, I discuss the sampled teachers' responses to the open-ended questions and articulate these with their responses to the closed-ended questions. In general, there is a high degree to (of?) consistency between their responses to the closed-ended and open-ended questions.

### **Teachers' Responses to Open-ended Questions**

The sampled teachers were asked to respond to open-ended questions which sought to solicit more details about their views on human rights, the Constitution, rights in general, rights and responsibilities, protection of rights, children's rights, and racists' right to vote. The following table (Table 10) indicates the frequency of the sampled teachers' responses in relation to the way they viewed the issues.

<b>CATEGORY</b>	<b>VIEWS</b>	<b>FREQUENCY (N=36)</b>
<b>Human Rights</b>	Fair Treatment	14
	Inalienable	11
	Individual freedom	8
	and protection	7
<b>Knowledge of The Constitution</b>	Bill of Rights	22
	As Good	16
	Better than the Past	16
	Excessive	3
	Not being Implemented	2
<b>Rights</b>	As entitlements	13

<b>Rights and Responsibilities</b>	Speech	7
	Learning	8
<b>Protection of Rights</b>	Government	36
	Individuals	11
<b>Children's Rights</b>	Basic human rights	13
	Security and Protection	20
<b>Elections</b>	Needed for democratic Government	16
<b>Racists Voting</b>	They should	15
	They should not	13
	They are also citizens	12
	They deny others' rights	2

**Table 11: Frequency of Teachers' Responses to Open-ended Questions**

Table 11 shows the clustering of the sampled teachers' responses to the open-ended questions in terms of thematic categories and the frequency of their responses. Thus, their responses to what "human rights" mean to them have been thematically categorised in terms of "fair treatment", "inalienable", "individual freedom and protection", and the frequency of how many teachers responded in these ways are indicated. The same was done in relation to each of the categories, and the ways in which their responses were clustered are indicated in the second column in Table 11 called "views". The following, discusses all of the sampled teachers' responses to the open-ended questions in more detail.

### **Human rights**

For the sampled teachers, human rights predominantly meant fair treatment (N=14), expressed in the following way:

(Human rights mean) the right to be treated equally, in a fair and humane way

Human rights were also seen as inalienable (N=11), as individual freedom (N=8) and protection of the individual (N=7), indicated in the following type of responses:

Human rights are inalienable rights that we all have

Human rights are the freedom of individuals

Human rights are there to protect the individual

In these responses, the sampled teachers demonstrate a correct understanding of the formal equality provided by human rights, and their responses employ generalised language where, for example, teachers say that human rights mean being treated equally without any reference to specific people, or as what "we all have". However, for 42% (N=15) of the sampled teachers, human rights are also about individuals, noticeable in their references to "individual freedom" and "protection of the individual". However, the references to the "individual" here are unspecified, and seem to take on the form of an "everyman". This is consistent with the sampled teachers' responses to closed-ended questions, where they demonstrated a more generalised understanding of formal human rights provisions, and less in terms of specific, substantive human rights provisions, such as children's rights, women's rights or the rights of disabled people, for example.

The benefit of the open-ended questions is that we do get some sense of how the sampled teachers view human rights. The closed-ended questions were only able to indicate whether the sampled teachers were aware of human rights and whether they were positively inclined to them. Responses to the open-ended questions, thus, provide more, and different data, that allow one to go deeper into what may possibly lie behind the responses given.

### **The Constitution**

With regard to their understanding of the Constitution, the sampled teachers seem to be aware mainly of the Bill of Rights in the Constitution (N=22), expressed in the following way:

I am aware that the Constitution gives everyone the right to vote,  
education, health and so on

The above quotation indicates the dominant ways in which the sampled teachers saw the Constitution and saw it mainly as that which “enshrines” the “rights of everybody”. They also viewed the Constitution as good (N=16), with the Constitution being seen as an “improvement of what existed in the past” to it being “encouraging”. However, teachers also felt that at times the Constitution is “excessive” (N=3) particularly on the rights given to “criminals” and the right to an “abortion”.

It (the Constitution) is good but it gives too many rights, like for criminals

It (the Constitution) is much better than what was in the past, but it is a bit much at times. Abortion is legal

The sampled teachers also felt that what is in the Constitution is "good" but "it is not being implemented" (N=2).

The Constitution is fine. It is a really good document. But, it is not being implemented. It is there only on paper

These responses to the question about their understanding of the Constitution indicate four issues. First, the sampled teachers are aware of the Constitution, but mainly in relation to the Bill of Rights and generally. Second, they seem to view the Constitution in context. The Constitution is viewed by them (N=16, 44%) in relation to "what existed in the past". In this sense, whilst they have generalised understandings of the Constitution, their understandings of it are, simultaneously, influenced by the particularity of its existence in the South African context. Their understandings of the Constitution are, thus, also context specific. Third, their views of the Constitution also reflect their sense that there are problems in the Constitution. Whilst it may be "good", the Constitution is also viewed by the sampled teachers as "excessive" and "not being implemented". In these responses, the sampled teachers seem to note the tensions and contradictions within the Constitution and its realisation in practice, distinguish it as that which exists

formally and which may not be in practice, and, note the dilemmas and contestations it seems to raise (like abortion).

Thus, in relation to the sampled teachers' views of human rights and the Constitution, they display a generalised understanding. This is consistent with their responses to the closed-ended questions where they demonstrate a greater understanding of laws in general, in comparison to specific laws. However, their responses to the open-ended questions about the Constitution show that they are also not entirely in agreement with all that is in the Constitution and view it as problematic. This could not be discerned from their responses to the closed-ended questions, neither was it possible to gauge what of the Constitution they are aware of or how they felt about its many provisions. The open-ended questions generated data of such views that the sampled teachers hold.

### **Rights**

Of the sampled teachers (N= 36) some teachers tended to view rights as entitlements (N=13), seen as “that which we are entitled to”. This meant that for some (N=13) teachers, rights in general were seen as legal provisions, and how they may relate to one's own experiences were not elaborated. Again, one can note their formal understanding of rights, and the lack of linking of rights with specific situations or experiences. However, when asked to elaborate on how they saw rights linked to responsibilities, the sampled teachers seemed more inclined to be specific. In a sense, though, this question explicitly expected teachers to be more specific and to give concrete examples in their answers. What is worthy of note in this regard, though, is that their examples are related directly to their own experiences, as can be seen below.

### **Rights and responsibilities**

Examples of rights with responsibilities that the sampled teachers cited in their responses include the use of speech (N=7), where what one says needs to take into account the effects it may have on others. Another example they used is of



education, where all people have a right to basic education but have the responsibility to learn (N=8).

In the above responses, the sampled teachers were specific and concrete in their references. They were able to identify specific instances – "speech" and "learning" – in their views. As pointed out above, the question expected this from their responses, but it is noteworthy that their cited examples are directly linked to their experiences as teachers in the context of the school. Both "speech" and "learning" are central in the experiences of teachers and their responses reflect this.

However, the sampled teachers (N=36) tended to see the protection of rights, and by implication, the monitoring of adherence to responsibilities, as mainly the responsibility of the state, as the following responses show.

### **Protection of rights**

All of the sampled teachers (N=36) saw the state as responsible for the protection of rights. This meant that if responsibilities were not being carried out, or if rights were being violated, the sampled teachers expect the state and its apparatuses to respond. However, 31% (N=11) of the sampled teachers also saw individuals themselves being responsible for protecting their rights expressed in the following ways:

One must protect one's own rights

One (must?) stand up for oneself

It is important to note here that these 31% of responses refer to protecting one's own rights. They do not refer to individuals, as opposed to the state, protecting other people's rights. Thus, for these sampled teachers one can protect one's own rights, but the state needs to protect the rights of others. These responses also seem to imply that for the sampled teachers, rights, including human rights, are predominantly macro phenomena, a state related matter, not micro and personal.

The sampled teachers also seem to have correct, but generalised and formal understandings of children's rights as indicated in the following.

### **Children's rights**

The sampled teachers tended to view children's rights as basic human rights (N=13) and that which ensures that children are provided with security and protection (N=20). The following captures these views quite succinctly:

(Children's rights mean) the right to freedom, education, nutrition, home, clothing, love and protection. To be treated fairly and justly

Although the above response indicates a correct understanding of children's rights in formal human rights provisions, none of the sampled teachers' responses distinguished between different kinds of children. Children tend to be viewed in the sampled teachers' responses as homogenised, and in that way are generalised in terms of universal human rights provisions. The sampled teachers, thus, saw children's rights firstly as human rights, and then specified the access and opportunities (nutrition, health, education, etc) to which they were entitled. Children are, then, viewed generally as human beings, and specifically as children, but, all children are homogenised, both as children and human beings.

### **Elections**

44% (N=16) of the teachers saw elections as necessary for the existence of a democratic government in a country. In this regard, the teachers (N=16) were able to link the citizenship rights with forms of government and supported the idea that voting is necessary for democratic governments who are elected by and represent citizens as the following quotation indicates:

Elections are necessary for democracy so that the government is elected by the people and represent them.

## **Racists**

The purpose of getting the sampled teachers to respond to a question about racists' right to vote was to cross-check their degree of inclusivity. Given the prominence of 'race' and racism in South Africa due to apartheid, responses to racists are telling in terms of how inclusivist South Africans may be in their views of human rights. Racists, the sampled teachers believe (N=15), should vote in a country's election because it is their human right to do so. Some (N=12) also saw racists as equal to all other citizens in the country. A few teachers (N=2), though, also felt that racists should not be allowed to vote because "they deny other people's human rights". They (N=16) also saw the purpose of voting in elections as a way of ensuring the existence of a democratic government.

In these responses, the sampled teachers indicate that they view human rights in inclusivist ways, and also demonstrate a correct understanding of the links between citizenship, democracy, rights and electoral processes, in formal terms. This is consistent as well with their responses to the closed-ended questions where they demonstrated a correct understanding of laws, and political systems and processes in general, and were inclusivist in their views.

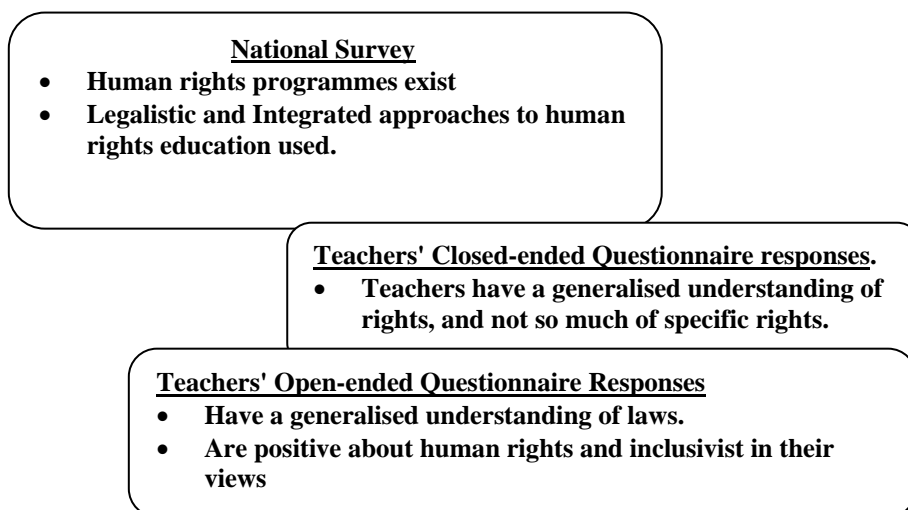
In summary, then, the responses to the open-ended questions are consistent with the findings of the sampled teachers' responses to the closed-ended questions in the questionnaire. The teachers in this sample were in reasonably stable work environments, had a fair degree of participation in decision making in their schools and had access to work benefits. However, they also seem to lack a sense of professional autonomy in their classrooms. The teachers seem to favour inclusivist views of others in their general understanding of formal human rights provisions, and have a basic grasp of knowledge about democratic processes and laws. Their understanding of human rights in more specific terms, however, is lacking, and does not seem to link general human rights provisions with their own experiences. In this regard, it cannot be assumed that if their conditions of work were improved they would be more informed about and positively inclined to

human rights. The sampled teachers also have reservations about the Constitution and find it excessive at points and not being implemented. They remain, however, supportive of human rights and view them as positive in their responses to the closed-ended and open-ended questions.

The above discussion on the responses of teachers to the questionnaire, both their responses to the closed-ended and open-ended questions, seems to imply that teachers are a somewhat homogenised category and that their views may be generalised within the category of being teachers. This is not the intention here. As will be seen in the discussion on the individual interviews with 5 teachers, teachers' views differ among each other. As the discussion on the interviews with them show, the differences in their views are influenced by several factors including their personal histories and specificity of their contexts. Thus, it is important to keep in mind that the responses to the teachers' questionnaire provide a general sense of what teachers' views are and some of their reasons for such views. It does not provide the details of their personal experiences in specific terms or the differences that exist among them.

In relation to the above, the open-ended questions were able to probe the sampled teachers' responses to the closed-ended questions. Their responses to the open-ended questions give one a sense of what some of the reasons are for what they think. However, as already pointed out, the limited format of the questionnaire and its restricted use of language mean that their responses in the open-ended questions are brief and unelaborated. Thus, although the responses to the open-ended questions give one more detail about what teachers' views are and some of their reasons for holding such views, they do not provide one with sufficient depth of what informs the reasons for thinking what they do, or how such views are constructed. It is in the individual interviews with teachers that such level of detail is achieved.

The following diagram summarises the sampled teachers' responses to the questionnaire and articulates it with the findings of the national survey.



**Diagram 3: Articulation between National Survey and Teachers' Questionnaire Results**

As the above diagram depicts, the findings of the national survey provide one layer of background to the sampled teachers' views on human rights, their responses to the closed-ended questions provide another layer, and their responses to the open-ended questions yet another layer. There is a consistency in the picture: generalised, formal and legalistic understandings of human rights seem to prevail throughout. Attention to specific human rights and substantive equality provisions seem to be lacking. However, equally, a positive orientation to human rights exists, and inclusivist views of people predominate.

In addition, given that the sampled teachers' views of human rights do not correlate positively with their conditions of work, it is fair to assume that their views are influenced by factors outside of the school. These outside of school influences could include the programmes offered by organisations/institutions that were reached in the national survey. However, what influences teachers' views about human rights is revealed more specifically in the individual interviews with 5 teachers, where, as the discussion on these interviews show, influences of the media, particular events and personal histories, inter alia, are noted.

In the following I discuss the learners' responses to the questionnaire.

## Learners' Responses to Closed-ended Questions

The learner questionnaire followed the same conceptual frame as the teacher questionnaire. Table 11 shows the mean calculation and distribution of the scores in terms of province, gender, and 'race' in relation to the categories. Table 11 indicates that the sampled learners score the highest in their understanding of laws in general (LW column) and lowest in terms of specific rights (RT column). This means that, like the sampled teachers, the learners in this sample have an understanding of human rights in general, like an awareness of the Constitution, for example, but are not in a position to answer specific human rights questions, like at what age one is able to get a driving licence or get married or till what age can children be expected to be supported by their parents.

CATEGORY	PA	IN	RT	LW
<b>GP</b>	2.44	2.31	1.38	11.81
<b>KZN</b>	2.50	2.30	1.31	10.82
<b>WC</b>	2.59	2.35	1.31	11.74
<b>M</b>	2.54	2.34	1.31	11.19
<b>F</b>	2.49	2.28	1.33	11.25
<b>A</b>	2.50	2.33	1.33	11.70
<b>C</b>	2.61	2.34	1.33	10.59
<b>I</b>	2.43	2.28	1.29	10.40
<b>W</b>	2.59	2.20	1.25	11.62

**Table 12: Mean calculations of Learners' responses to questionnaires in terms of province, gender and 'race'**

**KEY:**

<b>LW =</b>	Correct understanding of laws in general. This means having a correct understanding of formal equality provisions and which mainly refer to provisions in the Constitution and laws of general applicability.
<b>RT =</b>	Correct understanding of specific rights. This means having a correct understanding of the legal provisions that exist with regard to specific people or contexts. Laws concerning HIV/AIDS or women or children, for example, are referred to here.
<b>PA =</b>	Support for democratic participation. This means supporting structures and processes that allow people to make their choices and allow them to participate.
<b>IN =</b>	Belief in inclusivity. This means that people hold views of human rights that include all people. They do not discriminate against anybody and see all people as having human rights, equally, and, no matter who they are.
<b>GP =</b>	Gauteng. Name of province in which Johannesburg is located.
<b>KZN =</b>	KwaZulu-Natal. Name of province in which Durban is located.
<b>WC =</b>	Western Cape. Name of province in which Cape Town is located.
<b>M =</b>	Male. Gender of respondent

<b>F</b> =	Female. Gender of respondent.
<b>A</b> =	African. People classified as African, "Bantu" or "black" under apartheid.
<b>C</b> =	"Coloured". People classified as "Coloured" under apartheid.
<b>I</b> =	"Indian". People classified as "Indian" or "Asian" under apartheid.
<b>W</b> =	"White". People classified as "white" under apartheid.

Table 11 also indicates that the sampled learners' responses to questions about the kind and extent of participation they would favour (PA) and how inclusivist (IN) they are in their views. They were provided with a list of civil society organisations and were asked to indicate which organisations they would support (see Chapter 9 on the discussion about their contradictory responses to supporting gay and lesbian organisations). They were also asked if they saw democratic decision-making and participation in the home, school and community as important, and whether they belonged to any organisation, including student organisations. Their responses to these questions constitute the PA in the tables. The PA, then, indicates the sampled learners' views about the extent of participation they would favour for people in different situations. The IN in the table refers to the sampled learners' views about what kinds of people have a right to be included and participate in different sites, such as whether children should be consulted at home, students be allowed to decide on matters in their schools, whether only some people can vote and whether multi-party political systems are acceptable. The IN, thus, indicates the extent to which the sampled learners are inclusivist in their views, and whether they would exclude some people under any circumstance. Table 12 indicates that the sampled learners' support for participation (PA column) rates slightly higher than their inclusivist beliefs (IN column) about human rights.

Table 13 uses the mean scores and shows the correlation between the responses to the different categories. For example, whether there is a correlation between learners' responses to questions about laws and specific rights, and whether such a correlation is negative or positive.

Correlation was set at a P value of 0.5 according to the T I Bonferonni model.

	IN	PA	LW	RT
IN	0	0.21	-8.89*	1.10*
PA	0.21	0	-8.67*	1.20*
LW	-8.89*	-8.67*	0	-9.89*
RT	1.10*	1.20*	-9.89*	0

**Table 13: Factorial analysis of Responses to categories in Learners' Questionnaire.**

(\* = significance; p= 0.5)

In Table 13, the \* in the table indicates whether there is a significant correlation between the categories. Where the \* does not appear it means that the correlation is not significant. Table 13 shows that the sampled learners' understanding of human rights in general is correlated negatively with their understanding of specific rights (-9.89). In relation to their degree of inclusivism, the sampled learners' responses correlate negatively with their understanding of laws in general (-8.89). This means that the degree of their inclusivity does not depend on their understanding of laws in general. For example, their awareness of the Constitution does not inform how inclusivist they are. Their understanding of the Constitution does not inform whether or not they would favour children's participation in making decisions at home, or whether certain people should not be allowed to vote, as another example. At the same time, the sampled learners' degree of inclusivism correlates positively with their understanding of specific rights (1.10). This suggests that the more they understand specific rights, the more inclusivist they are likely to be. In other words, the more the sampled learners know about specific human rights provisions concerning the aged, for example, the more likely they are to support the participation and inclusion of aged people. Understanding of laws in general (column 3 and row 3) relates negatively to all other categories and understanding of specific rights (column 4 and row 4) positively to them. This suggests that increasing learners' knowledge of specific rights rather than laws in general is more likely to lead to an increase in valuing of human rights and informing their behaviour.



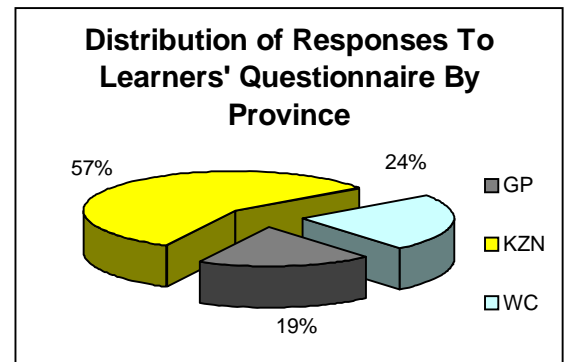
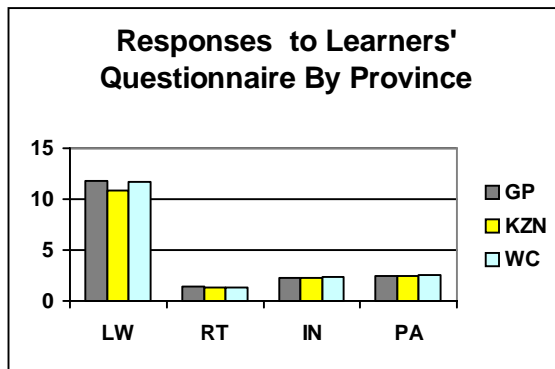
However, as Table 14 below indicates, there is a statistical significance in the learners' responses in terms of 'race'. Gender and provincial location are not statistically significant. It is important to discuss the learners' responses to the questionnaire in terms of this statistical significance.

Category	F value	Probability
Race	1.75	<b>0.0037*</b>
Gender	0.11	0.9999
Province	1.00	0.4676
Race-gender	0.49	0.6895
Race-province	1.20	0.3041
Gender-province	2.05	0.1290

**Table 14: Significance of Variables used in Learners' Questionnaire**  
(p = value of significance = 0.05; \* = significant)

Table 14 indicates the findings of a T III test using the Bonferonni model, with the probability factor being set at 0.05. Values below 0.05 indicate significance. This P value was set in relation to the size of the sample (N=1582) in terms of the Bonferonni model's T III test, to check whether the variables of province, gender and 'race' used in this study affect learners' responses in a statistically significant way. In the table, only 'race' as a category appears to be significant. We can conclude on this basis that differences in learners' views on human rights are influenced significantly by their 'race' only, and not by their gender or provincial location.

The following, discusses the learners' responses to the closed-questions of the learners' questionnaire in terms of correlation. Although provincial location and gender are not statistically significant, I first present these due to the later relevance of these data to findings of the interviews with teachers and learners in the different provinces and gender.



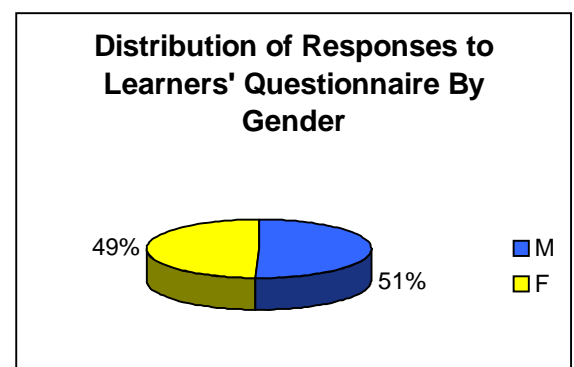
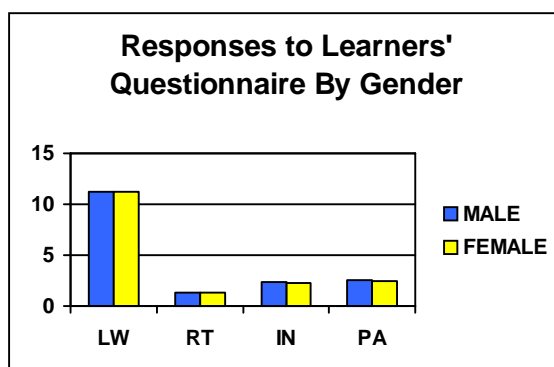
### Province:

(N=1493, Gauteng = 278; KwaZulu = 862; W Cape = 353)

- The highest scores are in regard to understanding of laws. This refers to understanding of laws in general as well as the Constitution of the country.
- The lowest scores are in regard to understanding of rights. This refers to understanding of specific rights in relation to particular people or particular situations such as rights of disabled people or rights of children in homes.
- Inclusivism, that is holding inclusivist conceptions of human rights, is next in the order of ranking of the scores, and this is then followed by learners' positive attitudes towards democracy participation.
- There is no significant difference in the responses in terms of provincial location.

### Gender

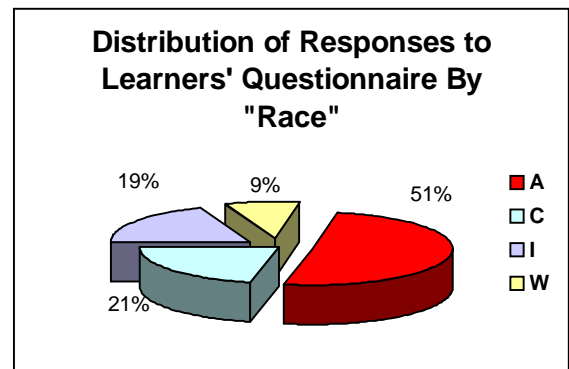
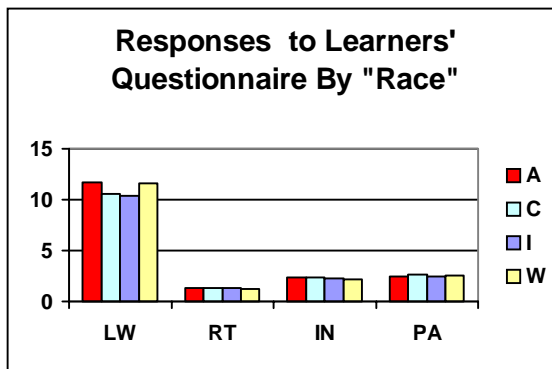
(N=1439; M=728; F=711)



- The highest responses are in terms of understanding laws in general and the lowest in terms of understanding of particular rights in specific situations.
- Beliefs in inclusivity and support for democratic participation then follow in the rank of scores, with responses to these being similar.
- Differences in terms of gender are not significant.

### ‘Race’

(N=1413; A = 713; C = 303; I= 275; W=122)



- The highest ranking score is understanding laws in general and the lowest is understanding specific rights in particular situations. In this regard, Africans scores are highest, followed by "whites", "coloureds" and then "Indians".
- "White" learners have the lowest scores in relation to specific rights, with African, "coloured" and "Indian" learners scoring evenly higher.
- All learners hold almost the same degree of inclusivist views of human rights, although "white" learners' scores are slightly below the rest. Although slightly more than the rest, "coloured" learners are as supportive of democratic participation as "African", "Indian" and "white" learners.
- Differences in terms of ‘race’ only are significant.

The limits of closed-ended questions are again highlighted here. The sampled learners' responses to the closed-ended questions indicate that ‘race’ is a

significant variable in affecting the sampled learners' views. They do not tell one why. One cannot ascertain what are the factors that enable African learners' responses to be different from "white" learners' responses, for example. More qualitative instruments are needed to answer why 'race' is a significant variable. The sampled learners' responses to the closed-ended questions are, thus, useful but limited and need to be supplemented with more qualitative measures to determine why 'race' is of significance in their views. This entails "polyangulation" (see Chapter 9) in order to articulate the responses to the closed-ended questions and other instruments.

In summary, the sampled learners' responses to the closed-ended questions in the learner questionnaire indicate that they have a general, formal understanding of human rights, and lack in their understanding of specific human rights. They also hold positive views of human rights and see the democratic participation of people as human rights. They also hold inclusivist views of people. Their responses also indicate that their views of democratic participation and inclusivity are negatively correlated with their understanding of laws in general, suggesting that the more they know about human rights specifically, the more inclusivist and democratic they are likely to be. Gender and provincial location appear not to be statistically significant. 'Race' is the only variable that is of statistical significance in the sampled learners' responses.

### **Learners' Responses to Open-ended Questions**

Like the teacher questionnaire, in the learner questionnaire, learners were asked for responses to open-ended questions that sought to elicit more information about the views they expressed in the closed-ended questions of the questionnaire. A few additional open-ended questions were, however, included in the learner questionnaire. The open-ended questions in the learner questionnaire included questions on human rights; knowledge of the Constitution of the country; the purpose of elections in countries; what they understand by rights; when they saw rights entailing responsibilities; who protects people's rights; under what

circumstances is it permissible, if at all, to break the law; children's rights; their views on schooling; and, their attitudes towards racists.

Table 15 below indicates the frequency of the sampled learners' responses to the open-ended questions in terms of the thematic categories in which they were collated. For example, the sampled learners' views of the Constitution have been collated in terms of them seeing the Constitution "as good", referring to the Bill of Rights, believing that it is "not being implemented", and, it being "excessive". The frequency of the sampled learners' responses in terms of these categories is indicated in Table 15.

<b>CATEGORY</b>	<b>VIEWS</b>	<b>FREQUENCY (N=1582)</b>
<b>Human Rights</b>	Inalienable	232
	Individual freedom	168
	Fair Treatment	45
<b>The Constitution</b>	Bill of Rights	172
	As Good	156
	Not being Implemented	34
	Excessive	30
<b>Rights</b>	Freedom	192
	As entitlements	85
	Fair Treatment	41
	Necessary for Democracy	24
	What is in the Constitution	18
<b>Rights and Responsibilities</b>	Schooling	46
	Laws	37
	Speech	34
	Decision-making	23
<b>Protection of Rights</b>	Government	347
	Individuals	228
	Civic Organisations	25
<b>Children's Rights</b>	Basic human rights	267
	Security and Protection	261
	Fair Treatment	107
	Love, care and support	102
<b>Elections</b>	To choose government	345
	Necessary for democracy	47
	To protect individuals	15
	To please the majority	14
	To promote country's Interests	10
<b>Breaking the Law</b>	Self defence	134
	No choice	109
	To save another life	67
<b>Schooling</b>	As important	527
	Should be voluntary	150
	A basic right	95
<b>Racists Voting</b>	They should	155

	They should not	139
	They are also citizens	33
	They deny others' rights	31

**Table 15: Frequency of Learners' Responses to Open-ended Questions**

As can be noted in Table 15, questions on "breaking the law" and views of "schooling" were included in the open-ended questions for learners because of their possible relevance to learners. These do not appear in the teacher questionnaire. As can also be noted in Table 15, the highest response rate to any of the open-ended questions is 527 (in the row on "schooling"). Given that the total number of learners in the sample equals 1582, this means that not all learners who filled in the questionnaire answered the open-ended questions, and only answered the closed-ended questions. The sampled learners' responses to the open-ended questions are discussed in what follows.

#### **Human Rights:**

In regard to human rights, learners saw them either as inalienable rights, individual freedom and choice, fair treatment or as a means for individual protection. They also saw human rights as a respect for life and others, and, at moments, as contained in the Constitution of the country. The dominant responses were to view human rights as inalienable rights, reflected in the following responses to the question, what does human rights mean to you?

rights for every human

the rights you have when you are born

everyone has the same rights

the rights people have (N= 232)

Human rights as individual freedom were the second most dominant response, and were reflected in the following comments:

the right to say no

the right to be what you want to (N= 123)

Human rights as reflective of fair treatment was expressed in the following sort of comments:

(Human rights mean) equal treatment

it means being treated equally (N=45)

The above responses indicate that learners' have a correct understanding of the formal equality implications of human rights, and these are consistent with their responses to the closed-ended questions in the questionnaire. In their responses to the closed-ended questions learners also demonstrated a correct understanding of laws in general, and these were the highest of their scores in those questions. The learners' correct understanding of laws in general is also reflected in their open-ended responses to questions about the Constitution and democratic processes, such as elections.

### **Knowledge of Constitution:**

Learners were asked to specify what they were aware of in the Constitution of South Africa and whether they saw it as a good or desirable thing. The majority of responses indicated that they saw the Constitution as a good thing (N=156). The dominant response, however, was to specify what is contained in the Bill of Rights (N=172). Here responses were of the following order:

You can now live wherever you want to. I think it is good

You have the right to choose a new president. I think it is a good idea

I am aware that when you want to say no, you can. If you say yes, that's also okay. Nobody can change that besides you yourself. Everyone has their own rights. It is nice!

Some (N=30), however, also saw the Constitution as somewhat excessive, expressed in the following sorts of comments:

The Constitution gives everybody their rights, even criminals. This makes it easy for criminals to get free and I don't think that is a good thing

Others (N=34) also saw the Constitution as something that is not being implemented. The following comment captures this:

We all have our rights, but nothing has changed. Things still go on the way they use to

Awareness of the Constitution is prevalent among the sampled learners and their understandings seem to be of the Constitution in general terms. They also raise reservations about both the extent to which it is practised and whether it should be as inclusivist as it is. These responses are consistent with the learners' responses to the closed-ended questions and also similar to the teachers' responses. In the closed-ended questions the sampled learners responded correctly in their answers about laws in general, and they were aware of the Constitution. The sampled teachers also tended to see the Constitution in terms of generalised, formal equality provisions and with reference to the Bill of Rights. The sampled teachers also saw the Constitution as being excessive at points, and as not being implemented. The sampled learners' views about the Constitution are, thus, consistent with their responses to the closed-ended questions and the teachers' responses. Their correct understanding of laws in general is also reflected in the learners' answers to questions about elections.



**Elections:**

The purpose of elections in a country was seen by the sampled learners as necessary to let people choose their governments themselves (N=345); as necessary for a democratic government (N=47); and, as a way of protecting individual rights (N=15). Other views in this regard were to see elections as a way "to please the majority" (N=14) and as important to promote "the country's interests" (N=10).

In these responses, the learners indicate that they have an understanding of the ways in which elections lead to the establishment of governments and that they are necessary in democracies. They also see elections as important for promoting "the country's interests" and as a means to "protect individual rights". Some learners, however, view elections as a way of "pleasing the majority" and by implication, suggesting that minorities do not enjoy the same as majorities because of elections. The learners, however, do understand how elections work and the main purposes it serves.

**Rights:**

In order to further probe what learners understood by rights, the questionnaire asked them to specify what they meant to them. In order of ranking, rights seem to mean the following to them: Rights mean freedom (N=192) which was expressed as:

rights mean freedom to do what you want to

To be free

To be free to be who you want to be

Rights also mean entitlement (N=85). Here comments made were in the following vein:

Rights mean getting what you deserve

Getting what you want to be yourself

What you are entitled to

Rights were also seen as allowing fair treatment (N=41) and as what is contained in the Constitution (N=18). Some (N=24) also saw rights as necessary for democracies. These responses are consistent with the sampled learners' responses to the closed-ended questions where they demonstrate a more generalised, formal understanding of human rights provisions. At the same time, though, these learners' responses are also consistent with the sampled teachers' views of rights, which also tended to be more about formal equality, than specific and substantive. Also, like the sampled teachers, when the sampled learners refer to "individuals" as in "individual freedom", these are in unspecified senses, and take on the register of the generic "everyman". The sampled learners' views of rights, thus, are more general and formal, rather than specific and substantive.

### **Rights and Responsibilities:**

Questions sought to gauge whether learners saw rights being accompanied by responsibilities, and, if so, what examples they could cite in this regard. Of those that answered this, the dominant example given of rights which entailed responsibilities was that of schooling (N=46). Here are examples of how this tended to be expressed:

You have the right to education but you must learn

You have the right to go to school but you have to do your homework

Other examples of rights with responsibilities included the law (N=37), where laws were seen as granting people rights but also controlling their actions. Speech was another example (N=34), where people have the right to say what they want

to but they must consider other people's feelings when they say what they want to. And, decision making (N=23), where people have the right to decision making processes but have the responsibility to abide by the decisions that are made.

Two of the examples cited by the sampled learners of rights and responsibilities are the same as those cited by the sampled teachers. The sampled teachers also cited schooling or "learning" as they phrased it, and "speech" as instances of having rights with responsibilities. As pointed out in the discussion of the sampled teachers' responses, these responses seem to indicate that learners' views are influenced by the context of the school in this regard. Their experiences of rights and responsibilities in the school seem to influence their views. Learners, unlike the teachers, also cited "laws" and "decision making" as giving people rights and entailing responsibilities.

### **Protection of Rights:**

Who protects people's rights? Most of the sampled learners (N=347) saw the government through the judicial system as responsible for protecting people's rights. Individuals (N=228) were also seen as responsible for protecting individual's rights, and for a few (N=25), civic organisations were seen to have a role in this regard.

These responses are also consistent with the sampled teachers' responses. All the sampled teachers saw the government as responsible for protecting people's rights, and also like the sampled teachers; the sampled learners also see it as necessary for individuals to protect their own rights, if their own rights are affected. Like the teachers, this does not mean individuals protecting other individuals' rights, but individuals protecting their own rights. The state, according to them, ought to protect other individuals' rights. Unlike the sampled teachers, though, the sampled learners also saw particular organisations as protecting rights, particularly the "child protection unit" and "social welfare". Whilst these are official state apparatuses, learners seemed to have misunderstood these as being separate from government.

**Breaking the Law:**

Learners were also asked when they thought it was appropriate to break the law. There were only three instances that the sampled learners found to be acceptable for people to break the law. These were when one's own life is under threat i.e. for self defence (N=134), when one does not have a choice (N= 109) – the details of this was not specified – and when breaking the law becomes necessary in order to save someone else's life (N=67).

You can break the law if you have to save somebody's life, like when you have to go pass a red robot to save someone on the other side of the road

The sampled learners' responses to this question indicate that the law can only be broken under exceptional circumstances. In this sense, then, they continue to demonstrate a correct understanding of laws in general, which, as pointed out, is consistent with their responses to the closed-ended questions. They also seem to indicate that the exceptional circumstances that may allow one to break the law are related to "life" – when one's own life or somebody else's life is under threat. The right to life is among the first of 1<sup>st</sup> generation human rights that are provided in the United Nations Universal Declaration of Human Rights, the South African Constitution, and human rights provisions in general. The sampled learners are, thus, correct in pointing out that the right to life takes precedence.

**Schooling:**

Learners were also asked to express their views about schooling. Their responses indicate that they saw schooling as important (N=527) and as a basic right (N=95), schooling should be voluntary for learners (N=150) to schooling as a basic right (N=95). Here are some of their responses to this question:

'Cause I think it's better for children to go to school. Today you can't get a job without education. Education is important these days

Education is important

Everyone has a right to be educated

Some learners (N=150) also saw schooling as voluntary for learners (N=150)

Children should have the right to choose if they want to go to school because it is their life and future

Some children hate school and should not be forced to go to school

Everybody has the right to do what he (sic) wants

The sampled learners' views of schooling indicate that they note the instrumental value of schooling as being "important" and because "you can't get a job" without schooling. In this sense, the sampled learners demonstrate a positive view of schooling. However, some of learners' views point out that schooling should be a choice and "not forced" on to learners. Here they do not see the provision of education as a human right, neither do they see that not having access to education is a denial of human rights. Freedom to do what one wants to, not to do what one does not "like", seem be sufficient reasons for some learners not to want schooling. The majority of the sampled learners' responses, however, indicate schooling being viewed as positive and as instrumentally important.

### **Children's Rights:**

Children's rights were seen predominantly as basic human rights (N=267). This was followed by children's rights referring to providing security and protection (N=261) to children indicated in the following responses:

Children have the right to be safe and protected

Children must be kept safe

Children must not get harmed

Then, the sampled learners (N=107) saw children deserving to be treated fairly.

Children must be treated fair

Children must be treated like everyone else

Children's rights were also seen as children being in need of care and support (N=102), and this was distinguished from security and protection where the latter was more to prevent abuse of children and the former being what were seen as needed by all children.

Children have a right to care

Children must be loved and supported

Access to education (N=46) and children's rights as those laws which protect children (N=23) were also some of the views expressed.

The sampled learners, like the sampled teachers, have a correct understanding of children's rights in their formal equality senses. In both the sampled learners' and teachers' views of children's rights, however, there is an affective sense that may be discerned in their references to "care", "love" and "support". In these affective references, the sampled teachers' and learners' views of children's rights go beyond the rationalism of the law and attempt to express specific affective needs that children may have.

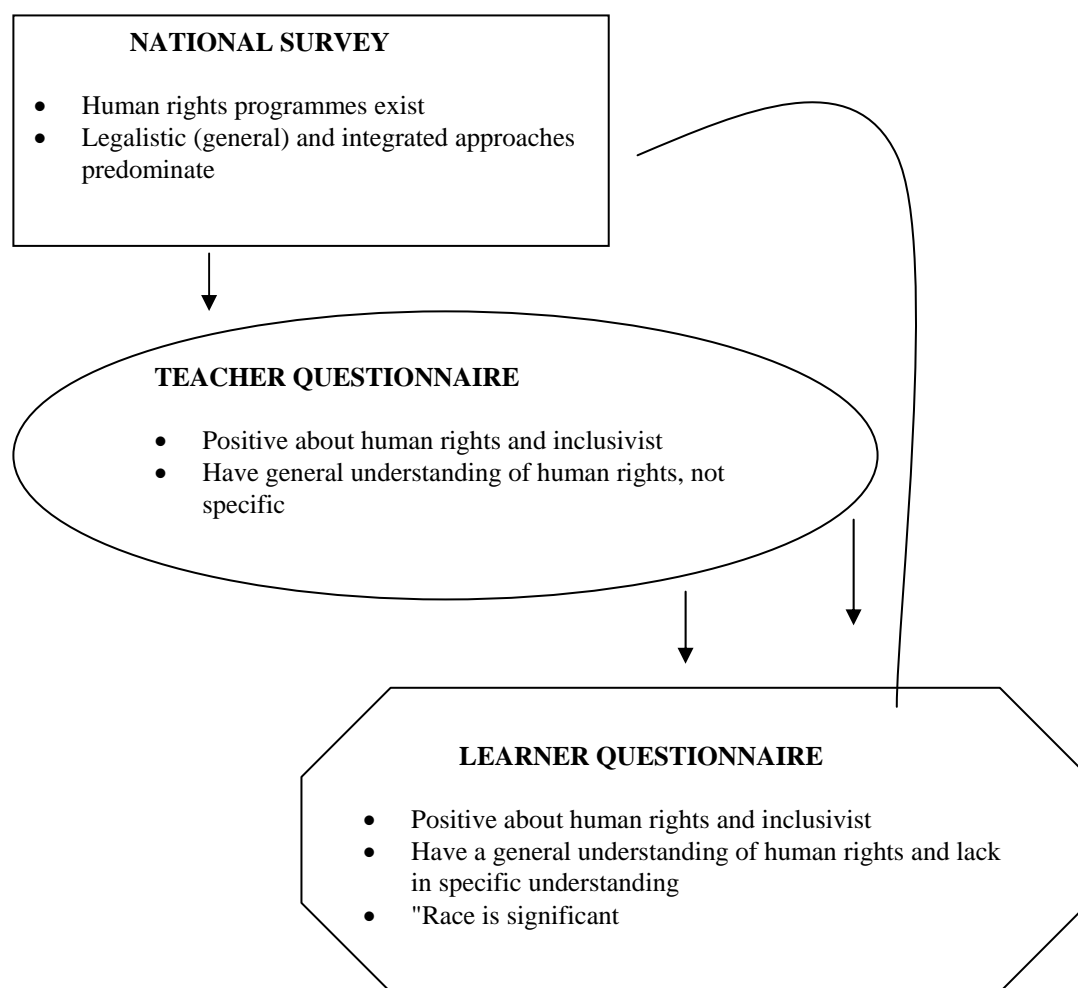
### **Racists:**

Learners were asked whether racists had a right to vote in order to gauge the extent to which they are inclusivist in their views of human rights. The highest

response was to view racists as having human rights and thus should be allowed to vote (N=155). However, a comparable amount of responses also indicated that they felt racists should not be allowed to vote because they are themselves biased (N=139) and would thereby not acknowledge the rights of others. This was also reinforced by the idea that racists should not be allowed to vote because they deny other people their rights (N=31). However, a fair number also indicated that racists should vote because they are also citizens of countries (N=33). In this regard, the views expressed by the sampled learners seem to suggest a more or less even distribution of those in favour of and against racists being allowed to vote.

The sampled teachers saw racists in inclusivist ways, but it is difficult to measure whether the sampled teachers are more inclusivist than the sampled learners in relation to racists because of differences in sample sizes. The sampled learners, like teachers, however, cite similar reasons for not granting racists the right to vote such as "they deny other people their rights" and "they are themselves biased". Their reasons for allowing racists the right to vote are also similar, "they are also human beings" and "they are citizens too".

As can be noted in the above discussion, there is a correlation and consistency between the sampled learners' responses to the close-ended and open-ended questions in the questionnaire, the sampled teachers' responses to the closed-ended and open-ended questions in the questionnaire, and the findings of the national survey. There is, thus, an internal consistency in the sampled learners' responses and the sampled teachers' responses. There is also a consistency across the learner questionnaire, teacher questionnaire and national survey findings. The following diagram indicates the articulation across these instruments and data revealed by them.



**Diagram 4: Articulation between National Survey and Questionnaire Responses**

There appears to be a positive correlation between the findings of the national survey and the responses to the sampled learners' and teachers' questionnaires. The predominance of generalised views of human rights is consistent. In addition, the sampled learners' and teachers' responses also show a general positive attitude to human rights and democracy. Both the sampled learners and sampled teachers were found to be inclusivist in their views of human rights. However, both teachers' and learners' responses pointed to the disjuncture between the general and the particular, where the data showed that the more people are equipped with specific understandings of particular rights, the more likely they are to view human rights positively. This means that there is a positive correlation between understanding of specific rights, such as children's rights for example, and being



supportive of human rights. Mere exposure to laws in general, then, does not necessarily lead to behaviour being based on, or positive views of, human rights.

‘Race’, gender and regional location were not significant in the sampled teachers’ responses, neither were their conditions of work in determining either their knowledge of or attitudes towards human rights. However, in the instance of the sampled learners, ‘race’ was found to be significant in influencing their views and attitudes to human rights. Gender and provincial location were not significant in determining learners’ responses.

In the light of the above, then, one can see the value, and the limitation, of quantitative instruments that were used in this study. The national survey and questionnaires used closed-ended questions, responses to which enable one to get a sense of what may be operating in national contexts and in general terms. They offer a background for understanding human rights education in South Africa and within which schools are positioned. However, what these quantitative instruments offer is also limited. They provide one with a background, not with pictures or portraits. One is not able to gain a more detailed view of what prevails, and, most importantly, one is not able to fathom why things exist the way they do or what are the reasons that inform them.

The open-ended responses in the teacher and learner questionnaire do provide some of the reasons in the background. The sampled teachers’ and learners’ responses to the open-ended questions were able to provide more details and, in a sense, provided colour and texture to the background. They are also constrained by the limitation of the questionnaire format and the restricted use of language. However, they still provide more than what is possible in responses to closed-ended questions.

Nonetheless, what is of crucial importance is that the articulation between the quantitative instruments gives one a useful way to verify claims being made and to check for coherence across them. Thus, as the discussion above indicated, one

can check for consistency in responses to closed-ended questions and open-ended questions and across different questionnaires (teacher and learner). In this light, then, whilst the quantitative instruments may not reveal detailed data, they provide important ways to check the reliability and validity of data.

The 5 school "profiles" which are discussed in what follows are constructed using the observations of Grade 9 classes, individual interviews with teachers, and group interviews with learners. They are located within the background provided by the data from the quantitative instruments. As will become clearer in the profiles, the use of qualitative instruments reveals different data, which enliven the background and begins to construct "pictures". They bring things to the foreground and provide more detail. I now turn attention to the data that was generated using the qualitative instruments of interviews and observations in relation to 5 school profiles.

## **5 School Profiles**

### **SCHOOL 1 – KwaZulu-Natal, rural, under-resourced**

School 1 is located in a remote area of KwaZulu-Natal. It is located on a hilltop that is difficult to reach due to insufficient infrastructure in the area and roads not being tarred and in bad condition. The school lacks basic facilities. It does not have any library, laboratory, classrooms do not have furniture, the ceiling, windows and doors are broken and there is no electricity or functional toilets. There is no staff room and teachers use a classroom during breaks. There is no fence or wall around the school and the school is exposed to weather problems, like rain and wind, and constant interference from the people from the surrounding community. There are few textbooks in the school, and all learners are from very poor families. This school is also situated in an area that experienced high levels of political violence, between the ANC and IFP (in the late 1980s and early 1990s), and the nearest town is an hour away by public transport, that is usually unreliable and inconsistent. The people of the area are

poor and from working class backgrounds. However, most are unemployed and men in households are usually migrant workers, working in other areas. There are, thus, more females than males in the surrounding school community.

School 1 has 33 teachers and approximately 1600 learners, all of whom are African and (first language) Zulu speaking. The teacher: pupil ratio is 1:48. Three of the teachers (2 males and one female, with the principal being male) are in management positions of the school, and 20 teachers are female and 10 are male. All teachers are qualified and have been teaching, on average, in excess of 5 years, and have access to work related benefits. There are no secretaries, administrative staff or cleaning staff in the school.

The teachers of School 1 have been taken on one workshop about C 2005 where they were informed about the new curriculum and outcomes based education (OBE). Although this workshop provided them with information about C 2005, it concentrated mainly on Foundation Phase teaching and learning. Other grades were not covered. School 1 has not had a programme on human rights education, neither have they been exposed to human rights programmes offered by others from outside of the school.

Mr K's classroom was in an appalling condition. There were only 3 very old desks that were in a rickety and poor state, about 10 chairs and there was no covering on the sand floor. There was no chalkboard in the class, no electricity and all the windows were broken. There were 37 learners present in the class and about 15 sat around the 3 desks they had, some on chairs and the rest of the learners sat on the floor.

When I walked into the classroom, a female learner immediately jumped up without any prompting from anybody to clean my chair before I sat down. While this was happening, Mr K asked a boy to clean the wall, which they use as a chalkboard.

The lesson I observed was part of a series of lessons on the use of emotive language and advertising.

**Mr K:** Right class, today we are going to carry on with our lesson on advertising, so go into the groups you were working in yesterday (Classroom Observation, 1998).

The learners were broken up into groups of 5, and all groups were gender based, i.e. boys worked together and girls were in their own groups. Once they were in their groups, Mr K said:

**Mr K:** Now you are going to make a poster. You have to design your poster and you must show what you are going to have on it. Your posters must advertise a pop star coming to our area.

**Boy Learner:** Sir, can we choose our own stars?

**Mr K:** Yes, it can be any star you want. Now do your poster. Remember you have to report to the whole class later (Classroom Observation, 1998).

All groups had leaders, who also acted as their scribe, and who were also tasked with reporting back on their behalf. Mr K walked around the groups and responded to questions the learners raised, and just monitored what they were doing. The learners were very excited and busy in their groups, laughing a lot and having fun discussing their pop stars, parties and music. All learners created posters advertising the coming of stars that would perform a musical concert in their area, and the learners' posters portrayed Michael Jackson, TKZee, The Twins, Lucky Dube, Sesi Fekile and the Spice Girls.

It was extremely painful and heartbreaking to watch what these learners were using to make their posters. They literally used rubbish from bins. They used scraps of paper, wrappers from chocolates and sweets and used cardboard from empty washing detergent and crisps boxes to make their posters. One learner used the bubble gum he was chewing to stick things on to their poster.

After about 20 minutes of working excitedly in groups and Mr K walking around noting what each group did, and with minimal exchanges with them, Mr K noted that all groups were more or less ready with their posters. He said:

**Mr K:** It looks like you are done with the posters. Put all of your posters up here (*pointing*) on the front wall (Classroom Observation, 1998).

The lesson ended with all groups putting up their posters on the front wall, and the group leader reporting back on their behalf. Mr K then led a whole class discussion on what concerts mean to the learners and gave them the task of writing a composition about their experiences of concerts.

**Mr K:** Do you like going to concerts? You like music? What kind of music do you like?

*Lots of activity among learners. They were talking to each other, laughing and then most raised their hands eager to respond.*

**Boy Learner 1:** We like the concerts, sir, and TKZee, sir, are the best.

**Boy Learner 2:** Naah, sir, Lucky Dube, sir, Lucky Dube.

**Boy Learner 3:** We like the Spice girls also ...eh...all our group.

**Girl Learner 1:** We like music, sir, and the stars make us feel nice.

**Boy Learner 5:** Jaa, it makes us feel good.

**Girls Learner2:** But, sir, we like Zulu music.

**Boy Learner 6:** And gospel and choir.

**Mr K:** Ok, now I want you to write a composition on your experiences of a concert (Classroom Observation, 1998).

During this discussion, 8 boys and 4 girls spoke. They also indicated that they liked concerts because they "meet their friends there", they have "so much fun" and "we are happy when we listen to music", and noted their preference for Zulu, gospel and choir music. Almost all of the learners indicated that they would "love to be a music star". Mr K noted these responses on the wall.

Mr K is the Grade 9 English language and history teacher in School 1 and I interviewed him after I observed the lesson on "advertisements" described above. Mr K believes that he is implementing the new curriculum, C 2005, by using group work and OBE. He views these positively and as yielding multiple benefits from developing "creativity" to "skills" among the learners. In the interview with Mr K he said:

**Mr K:** I am using the OBE approach and I get the learners to work in groups now. The fact that I have divided them into groups, I feel that will improve their speaking skills. Not only that, it will also improve their creativity. When they do things in groups, that brings a lot of relationship in the group work. So I feel that it stimulates their thinking and improves their creativity. Again, the activity that I did with them also improves their writing skills, where I have asked them to write a composition. Having started in groups, they individually collect all these ideas brought up in the group and write them and they will learn to write a composition in logically where I have told them to have an introduction, body and conclusion. (Interview with Mr K, 1998).

Mr K views C 2005 and OBE as positive interventions for his teaching, and appears to be supportive of it. He also believes that it allows learners the opportunities to develop multiple skills.

In this response of Mr K, one can also note that the provision of programmes related to C 2005 from organisations outside of the school has impacted on School 1 and Mr K's teaching. This also verifies the claim made by national and provincial departments of education in the national survey (see Appendix 2 Table 2) that they were providing workshops on C 2005, which they claimed was a human rights programme in their institutions.

I then turned the focus of the interview to Mr K's views and experiences of human rights. Mr K's encounter with human rights was through exposure to the Truth and Reconciliation Commission (TRC).

**I:** When did you first come across the notion of human rights?

**Mr K:** I just come across it in the TRC, when they were talking about violations of human rights.

**I:** Before that? No?

**Mr K:** Nothing (Interview with Mr K, 1998).

However, Mr K's response to the question, what does human rights mean to you, was answered in the following way:

**Mr K:** Human rights are when a person has freedom of doing things, freedom of choice, education (Interview with Mr K, 1998).

This view of human rights is elaborated a bit in Mr K's experiences of human rights. His first reference is to conflicts experienced during the 1994 national elections.

**Mr K:** I think it is because it (human rights) gives people to choose what they like instead to put somebody there, people just tell you that somebody is in charge without knowing, choosing. I think is better off because making people fight because the other people don't like the party so they will make people to fight like ANC and IFP. They are staying in a place like KwaMashu. The IFP are fighting with the ANC people, so is not nice because people are fighting over the others.

**I:** But the ANC and IFP were fighting before 1994. So, why are you blaming the elections for that?

**Mr K:** I am not blaming the elections but it is still there because nobody does nothing. They are still fighting.

**I:** Ok, so?

**Mr K:** I think it is right to vote but the local area take advantage of the opportunity that we have because they are stealing things, breaking the new station. Stealing property and try to make the IFP to win the election which is very wrong 'because I know in my own almost half of people are ANC and I will be hurt for IFP to win the election. Fight will start going on now, we don't know what we suppose to do, we suffer.

**I:** Ok, I understand that there were problems, but the question is, do you think people should not have any voting or elections?

**Mr K:** I think they should have voting, but they should be done properly because people are taking advantage of it (Interview with Mr K, 1998).

Mr K's experiences of human rights are tied to IFP-ANC conflicts that he encountered. The TRC attempted to address the human rights violations that occurred in this violence and provide a means for reconciliation, and Mr K seems to be aware of this. Mr K's awareness of human rights was increased through the workings of the TRC. In this light, Mr K's exposure to human rights is specific, and context related.

Mr K also notes that conflict increased at the time of elections, and it makes him feel apprehensive about elections. The violence causes him (and others) to "suffer" and he needs conditions of impartiality and safety to be met – "they should be done properly", that is, to actually meet the conditions of elections being "free and fair" for him to feel positive about them as exercises of human rights. In these responses, Mr K's view of human rights are related directly to his context, and the important events for him are the TRC, political violence in his area and the difficulties encountered in elections.

Mr K's views take one to some of the basic conditions for human rights: that is, the existence of relative peace and stability, and legitimacy of processes related to choosing people to represent one in fair and just ways – the basic conditions for a "social contract". Mr K's experiences, then, seem to be more about the frustration of human rights in practices within his context, rather than positive experiences of



them. However, as indicated in my probing of his responses, this does not mean that he is not inclined positively to human rights. He is, but he thinks they are "not done properly". In this regard, Mr K's views of human rights are consistent with the sampled teachers' responses to the questionnaire where a positive view of human rights in generalised terms is noted. Mr K is only able to view human rights in positive ways when they are seen as abstract and generalised. He does not experience them as existent in the context of the area in which he lives. On this level of his experiences, he does not have a positive experience of human rights. Thus, whilst the sampled teachers' responses to the questionnaire indicate that they are positively inclined to human rights, it is in the interview that one notices that such a positive view is not necessarily linked to their own experiences. This reinforces the data that suggested that the sampled teachers' views of human rights correlate negatively with specific conditions. As is the case with Mr K, positive orientations to human rights may be de-linked from their own situations.

The second reference Mr K made in relation to his experiences of human rights was in terms of him as a teacher.

**I:** What are your experiences of rights? Do you feel that your rights are being upheld? Do you fight for your rights?

**Mr K:** Some of the rights are not being upheld in a school situation. Like working in a place like this one which is very distant.

**I:** Where do you live?

**Mr K:** I am living at Amanzimtoti. I travel a long distance coming to school, about 56 km coming to school and going back.

**I:** Hang on, there is a difference between things being difficult and your rights being violated. How do you think the distance from the school violates your rights?

**Mr K:** I cannot understand that.

**I:** Why do you link your distance and your rights?

**Mr K:** There are schools nearby my place of living, but I can hardly work there because the government says, you stay where you are.

**I:** So you say, you don't want to teach here?

**Mr K:** Yes

**I:** Where do you think your rights are protected, respected and upheld? As well as where do you think your rights are not protected, respected and upheld? For example my rights as a South African citizen are protected. I can now vote. Where do you find your rights being protected and where do you find your rights not being protected?

**Mr K:** I find my rights being protected because I can now join any labour union which will protect me.

**I:** What rights do you consider most important to you?

**Mr K:** The right to have choice (Interview with Mr K, 1998).

Mr K's experiences of human rights are also tied to him being a teacher and teacher unions are what he views as protections of his rights. He also feels that he does not have choice and freedom in relation to his conditions of work, particularly in regard to choice of school, and sees the educational bureaucracy as imposing things on him and violating his rights. For him then, "the right to have choice" is of paramount importance.

The data of the sampled teachers' responses to the questionnaire indicated that they are in relatively stable work environments and have access to work related benefits. Mr K, however, does not view his access to work related benefits as significant because he thinks he is being "forced" to teach in a school that is not of his choice. Mr K, then, sees the teacher union to which he belongs as protecting his rights, and not the government. However, like the sampled teachers' responses to the open-ended questions in the questionnaire indicated, "freedom of choice" is regarded as important to them (42%), and Mr K's views are consistent with these.

When asked about what concerned him most about human rights Mr K pointed to two issues: cultural positionings of women and the need for people to work for what they get.

**I:** What do you think of women's rights?

**Mr K:** It depends on the culture.

**I:** Explain.

**Mr K:** In other cultures, the place of the woman they say is in the kitchen. Women have no rights to do other things.

**I:** Do you agree with that?

**Mr K:** I don't agree with that, but at some stage, the man becomes the person who has the final word, because he is the one who is doing major things.

**I:** Do you agree with that?

**Mr K:** Yes, at some stages, otherwise the woman has to negotiate with the man, but most of the time the man has got the final word (Interview with Mr K, 1998).

Mr K indicates his concerns about the perceived clashes between cultural views and human rights, and lapses into a patriarchal view. However, Mr K's views are not entirely sexist as his views on sexual orientation indicate:

**I:** Do you think gays and lesbians should have rights?

**Mr K:** They should have rights. They are human beings. They are images of God. It is natural. They should have rights (Interview with Mr K, 1998).

Thus, although Mr K seems to hold sexist assumptions about women's rights, his views are not necessarily heterosexist as indicated above. Two things are important to note in the above. Although Mr K notes that "most of the time the man has the final word", he also notes that it is important for men and women to "negotiate" things among themselves. Mr K, then, has a view of gender relations needing to function in democratic ways, with both men and women jointly

contributing to decisions about their affairs, albeit with "the man still having the final word". This seems to be consistent with the inclusivist views that the sampled teachers indicated in their responses to the questionnaire. This is reinforced by Mr K's views about gays and lesbians, whom he viewed as "human beings too". However, Mr K's views tend to invert the dominant views of sexual orientation. Mr K does not view gays and lesbians as "unnatural" or "ungodly", instead he views them as "natural" and "in the image of God". Thus, whilst these views of Mr K are consistent with the inclusivity noted in the sampled teachers' responses to the questionnaire, his views of sexual orientation indicate that he does not accept dominant projections of homosexuality and makes meaning of it through his own agency.

Mr K also had concerns about human rights giving things to people without making people work for what they get. This is the way he expressed this:

**Mr K:** Because, people must understand that things do not come easily, they should work for them. If you just offer them everything, people will just think things just come easily (Interview with Mr K, 1998).

In this response, Mr K indicates that for him rights need to be accompanied by responsibilities, and human rights do not mean not having any responsibilities. This is also consistent with the sampled teachers' responses to the questionnaire where they agreed that rights entail responsibilities.

The interview with Mr K shows that his views and experiences are tied to his own context of being in KwaZulu-Natal and as a teacher in a very poor school. He is inclined positively to human rights, but sees the government as violating his rights and not offering the freedom of choice he requires in relation to choosing where he wants to work. It is the teacher union that he belongs to that protects his rights, for him. Whilst displaying somewhat patriarchal views about women, Mr K still holds inclusivist views of women's, gay's and lesbian's rights, and is, thus, not necessarily heterosexist. He is of the view that rights can be abused, when people

in the "local area take advantage" and when "people think things come easily" and do not take responsibility and exert themselves. Mr K also has minimal exposure to formal human rights provisions and his views are informed more by his experiences of political violence in his area, the TRC, his perception that elections are "not done properly", and, him not having the freedom of choice in relation to his place of work.

The group interview with the learners in School 1 was with learners from the Grade 9 English language class I observed. It was the most difficult and painful of all the interviews I conducted for this study. These learners struggled to express themselves in English and were visibly embarrassed because they could not speak in English. Despite all the reassurances I gave to them that it was alright for them to express themselves the way they wanted to, they still felt "bad" about not being able to speak to me in English. One boy in the group said:

**L 1:** But, we like to but we don't know. Everybody speaks in English, we want to also (Group Interview with Learners, 1998).

Finally, they agreed to let Mr K act as interpreter for us in the interview. I have no way of working out whether Mr K translated what I or the learners said accurately, but simply trusted that he was doing so. There is no reason to doubt that he was not, and the learners seemed to agree that he was translating what they were trying to say, because I asked them about this after the interview. Nonetheless, the barrier of language, as indicated in Chapter 8, is a limitation. I could have obtained more data from these learners otherwise.

There were 3 boys and 2 girls in the group, and all of them were African and first language Zulu speakers. Due to the problems with language, this interview was not able to reveal much and due to the time that translations took, it meant that most of the questions I would have liked them to respond to, were not asked, due to the lack of time.

**I:** What do you think human rights mean to you?

*(silence)*

**Boy Learner 1:** We are all equal in South Africa now.

**I:** Is it only in South Africa?

**Boy Learner 1:** No, in the whole world

**I:** So everybody in the world has got rights?

**Girl Learner 1:** Yes

**I:** What do rights mean?

**Girl Learner 2:** You can say what you want

**I:** So rights mean to have an opportunity to say what you want.

What else do rights mean?

**Boy Learner 2:** So you can do what you want.

**I:** So far you say rights give you the opportunity to do what you want to, to say what you want to say. Anything else?

**Whole Group:** No

**I:** Have any of you seen or read the new South African Constitution? Are you aware of it?

**Whole Group:** No

**Boy Learner 1:** Please tell us of the Constitution (Group Interview with learners, 1998)

Given the above, not only did this group of learners have difficulties with language, but they were not aware of the Constitution, and requested to be given information about it. This contradicts the findings from the sampled learners' responses to the questionnaire where they demonstrated an awareness of the Constitution. These learners on a remote hilltop of an area in KwaZulu-Natal did not have any exposure to the Constitution. I decided to provide them with this information and the rest of what would have been an interview landed up with me giving them input about the Constitution and human rights. I spent about ten minutes talking to them about how the Constitution came about, how it aims to change South Africa and what made it different from apartheid, emphasising 'race' and segregation. I then spoke to them about the equality claims of human

rights in their formal senses and pointed out that they are in the Constitution. Mr K translated all of this. Indeed a far cry from what was supposed to be done in the interview in the first place. I decided to do this since it was clear that not much was going to come from this interview, and there was no point in pursuing it.

Nonetheless, these learners were able to prioritise two issues in regard to human rights, as the above extract indicates: freedom of expression and opportunity. In this regard, this group of learners' views is consistent with the sampled learners' responses to the questionnaire. In the responses to the open-ended questions in the questionnaire, the sampled learners (N=123) indicated that individual freedom is among their meanings of human rights. The views of the group of learners in School 1 are in agreement with this. No other inferences can be made from this group interview.

School 1 and the people within it are characterised by deprivation, poverty, isolation and violations of human rights. The area in which School 1 is located is very poor and the school lacks in basic facilities. Their lives are constrained by the deprivations they experience and the poverty they endure. This deprivation and their isolation has also had the effect of learners in School 1 not having any exposure to the Constitution, either in the school or from outside. At the same time, their experiences of political violence are critical in informing their perceptions of human rights, particularly with Mr K. They find that even when the rest of South Africa celebrates democracy with the first democratic elections in the country's history, the people of School 1 note that violence is fuelled during the elections and they do not get to experience the achievement of human rights in positive ways. However, they remain positive about human rights and inclusivist in their views. Their positive views of human rights and inclusivity are more in generalised and abstract terms, rather than what they experience in their own context. It is evident, nonetheless, that the context has a profound effect on their experiences and views.

## **School 2 – KwaZulu-Natal, suburban, resourced**

School 2 is an all-girls school that is well resourced and located in a "white" area in Durban, KwaZulu-Natal. Although the school is predominantly "white", there are close to 20% of the learners who are "black". The school has the state of the art technology available; from computer laboratories, gymnasium, swimming pool and media centre. Located in an affluent "white" suburb the school's population comes from wealthy, middle class homes, with parents who are professionals, in senior management positions in the corporate sector, and who are owners of capital. The school has a reputation for being among the "top all-girls school" in the province.

School 2 has English as its first language and a population of 1050 learners and 42 teachers, all of whom are women. There are 3 "white" women on the administrative staff, and 5 "black" women who are part of its cleaning staff. The teacher: pupil ratio is 1:25. All teachers are "white" and qualified, some of whom have postgraduate qualifications as well. All teachers have access to work-related benefits and generally live in the surrounding community. 20% of the learners are "black", of which 20% are African, 20% "Coloured" and 60% "Indian". All the "black" learners come from areas away from the immediate school community and commute to the school daily. They are, however, brought to school by their parents and do not use public transport. The school has been an ex-Model C school and has steadily increased the number of "black" students in the school.

Teachers in School 2 have had several workshops on C 2005, and on "diversity". Most of the time, though, the workshops were more directed at school governance and not classroom practice. School 2 has had human rights programmes to commemorate Human Rights Day (21 March), Freedom Day (27 April), Youth Day (June 16) and Women's Day (09 August). These, however, have been marked by celebratory events such as concerts, exhibitions and excursions. No other human rights programme has been put into place in School 2 and none have been offered to them by people from outside of the school.



Ms N is one of Grade 9 English language teachers in School 2, and I was able to observe her in one of her Grade 9 English language classes and interviewed her after the observation was conducted. As indicated earlier on in this chapter, unfortunately I was unable to have a group interview with the Grade 9 learners in this school because the girls were due to write an exam after I conducted the observation in their class.

There were 27 learners in the class: 4 "Indians", 4 "Coloureds", 11 Africans and 8 "whites". All learners were girls. The learners were in 5 groups, and 2 of these were all African groups, and 2 were mixed. 1 group was made up of "Coloureds" and "Indians" only, thus, also another all "black" group. The desks in the class were arranged in a circular manner allowing the learners to sit around the desks. Ms N sat at one of desks at the back of the classroom, with me, but in full view of all the learners.

The lesson I observed focused on a novel that the Grade 9s were using as one of their literature texts for the year. This novel is written by Brenda Kali, a South African author, and focuses on a "black" girl's experiences in an ex-Model C school that had been desegregated. It tells the story of the racism she encounters in the school and the difficulties she experiences balancing her positions in school and in her community.

The lesson was a continuation of a series of lessons they have had on the novel. They seemed to have covered the plot and characters in the novel already, and were now at the point of exploring the themes within it.

**Ms N:** We are looking at the themes of culture and the school. How do you see this in the novel and what are your own experiences of it in this school? (Classroom Observation, 1998).

Ms N's entry into the lesson was to get the girls to apply their views to their own experiences. This set the tone for the entire lesson:

**African Girl Learner 1:** Well, miss, the girl got into problems with the school because she wanted her own culture to be recognised by the school and it is just like us, miss.

**Ms N:** What do you mean "like us"?

**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.

**Ms N:** Then why do you think it is still being kept?

**White Girl Learner 2:** Aargh, it is just a hangover from the past, miss, and not everybody is ready for the change yet, like they still want to hold on or something.

**Ms N:** But, why should it be so hard to change?

**White Girl Learner 2:** Because, miss, it's hard to give up old ways.

**African Girl Learner 2:** Because, miss, they still want to hold on to the apartheid ways and don't want to accept that we are all equal.

**Ms N:** That is very interesting. So, you people think this school is holding on the past and has still not changed to fit into the new South Africa. Is that right?

*General agreement from the learners.*

**Ms N:** So what can be done about it?

**African Girl Learner 3:** The policy of the school must change, we must allow for all cultures.

**White Girl Learner 3:** The policy must be against all forms of discrimination.

**Ms N:** That's very insightful (Classroom Observation, 1998).

In the above interactions several issues come to the surface. First, is that Ms N allows the issues of 'race' to be dealt with explicitly and personally. She allows the learners to talk about 'race' and explicitly apply it to their own experiences in the school. This is similar to an anti-discrimination rights-based approach to human rights. Second, the discussion among the learners indicates that the "black" girls in the school feel they are being assimilated into a culture that is foreign to their own. They are conscious of adopting the "tradition" of the school and being made to adapt to it, and view this assimilation as discriminatory. Third, differences within 'race' groups are also noted by the learners, where a "white" learner claims not being able to "relate to" the "tradition" of the school despite being "white". The learners do not, then, necessarily homogenise people in terms of their perceived racial groups. Fourth, Ms N and the learners display an awareness of the changes in South Africa, and about matters related to "discrimination" and equality. Given their application of these to their own experiences, Ms N seems to get them to explore these in their own personal terms and not only in formal, abstract senses. In this regard, Ms N's views are consistent with the sampled teachers' views in the questionnaire where they indicated both an awareness of formal equality provisions, were inclusivist in their views and supportive of human rights. There is a similar consistency with the learners in this class and the sampled learners' views in the questionnaire where they also were supportive of human rights, inclusivist and aware of formal human rights provisions. At the same time, though, Ms N's and the learners' attempts to make issues more specific and personal, deviates from the data of the sampled teachers' and learners' responses to the questionnaire, which tended to be more generalised.

The debates they had during the lesson revolved around being allowed to wear traditional garb or uniforms at school. Ms N constantly affirmed each of the learner's views in a very supportive manner, by using phrases like "I hear you", or "I see your hand Bongi, I'll come to you", or "That is a very interesting view". But Ms N probed their responses all of the time and did not impose answers on the learners. She made them answer questions about tensions in religions, customs and traditions. She asked them to look at whether they are used in schools to protect "white" interests and keep "black" learners out. She made the learners explore how such approaches and attitudes were constructed under apartheid and for them to give examples of how they experienced these.

There was a free-flowing conversation between the learners and Ms N and among the learners themselves. Girls from all the racial groups participated in the lesson. During the course of the lesson, each learner got a chance to say something. The atmosphere in the class was interactive and respectful. They were also open in the ways they responded, saying what they thought, being open to views that challenged their own, and prepared to share their personal experiences. They all concluded that everybody has a right to be who they want to be and that schools should have non-discriminatory policies that allow learners from all 'races' and cultures to feel they belong in the school.

When I asked Ms N about what she did during the lesson, the following transpired:

**I:** To start with the observation of the class. Is the approach that you used a conscious choice on your part? Can you say something about the approach you used?

**Ms N:** I enjoy having the "black" girls in the class because with them I can raise a lot of issues for everybody to look at. I talk to them about apartheid and what it did to "blacks", and the "black" girls just add so much to the story. But, I can do this, before it was a huge problem to even try it. It has

helped my teaching a lot, and I am now using so much South African stuff in my teaching. It's just wonderful. I couldn't stand being under apartheid and now I am delighted with the changes. Although we don't have that many, but our school is getting more "black" learners and it just feels so much better that our school is no longer for whites only. I really am so excited about what's happening. It is so good to be in a country that is really trying to do the right thing (Interview with Ms N, 1998).

Ms N is "excited" about the changes in the country. She also consciously uses an anti-discrimination and anti-racist framework to inform her teaching. She claims to use every opportunity she can to promote human rights and to inform her learners about constitutional provisions and, in lessons, to engage them about their prejudices and forms of discrimination. However, she was also of the view that "lots more needed to be done".

**I:** And, in the school itself, outside the classroom?

**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.

**I:** Do you feel your rights are protected in the school?

**Ms N:** I don't need the school to protect my rights; I will do something if anybody tries to discriminate against me.

**I:** Have you found the need to do so in the school?

**Ms N:** Well, I have always been seen as too liberal in my views and had to always fight against the tide. But, now most people can see things and I don't fight so much. I had to recently because one of the teachers was really being racist in her remarks about the "black" girls and I really got in a huff and puff about it and she just stormed off.

**I:** Other than that?

**Ms N:** No not really (Interview with Ms N, 1998).

In these statements Ms N's experiences of human rights in the school is on the basis of her promoting them herself. Like some (31%) of the sampled teachers' responses to the questionnaire (see Table 11 on page 292), Ms N sees it as her own responsibility to stand up for and protect her rights. She does not expect or depend on the government, or the school, to protect her rights. For Ms N, then, it seems human rights are about one's own attitudes and actions, of which one has one's own responsibility. She does not have a formalistic view of human rights in abstract terms, but is more specific and personal about her relation to and views of human rights. Ms N, however, also feels that the changes in South Africa help her to raise issues about human rights in her teaching, and legitimate her views. 'Race', however, is predominant in the human rights issues that she deals with. Ms N also does not personally experience discrimination in the school. She also intimated that she has a history of being pro-human rights ("too liberal") and has always been "against the tide". Ms N's orientation to human rights is, thus, personal and historical as well.

### **School 3 – Western Cape, semi-urban, resourced**

School 3 is in an extremely affluent area located in the picturesque landscapes of the wine valleys of Cape Town. The school is so well endowed that the entrance hall of the school, which is of 19<sup>th</sup> century colonial architecture, expands the size of one quarter of a soccer field. The entrance is furnished with antique furniture and displays many ornaments, paintings and portraits, all of which are framed in solid gold. The surrounding school community is extremely wealthy, being owners of farms, professionals and corporate executives. Homes that they live in are more farm estates expanding acres of land. The community is extremely proud of the School 3 because it is among the oldest buildings in the country, and because the school has "kept up its tradition".

School 3 has all the facilities imaginable. They have an Olympic size swimming pool, an extremely large and well equipped gymnasium, with very impressive locker rooms, including saunas and Jacuzzis, many sports fields, a media centre, a computer centre, a big library and each classroom has a TV monitor and 3 computers. There are 40 teachers in the school, who are all "white" and all of them live in the surrounding community. Of these 30 are female and 10 are male. Quite a few of them were once students at the school. All teachers are qualified with many of them having postgraduate qualifications. They all also have access to work-related benefits.

The 850 learners in the school are made up of girls and boys and they all come from the surrounding community as well. Of these about 5% are made up of "black" learners, of which 40% are African, 50% Coloured and 10% "Indian". The learners are children of farm owners and the wealthy in the community, but they are also children of farm workers who live on the farms. The teacher: pupil ratio in the school is 1:15.

School 3 also has a permanent cleaning staff of 10 workers who are all "black", 3 of whom are male and 7 female. The school also employs 4 gardeners and has three secretaries, one that deals with the principal's affairs, another for dealing with learners and teachers and another for dealing with sports and public relations. 2 security guards are also employed by the school. In almost every respect School 3 manifests the character and features of being a private, elite school, but it has chosen to remain in the public schooling sector.

School 3 has had programmes on C 2005 that were conducted with them by the provincial department of education as well as independent consultants whom the school contracted. These have mainly covered the official stipulations in the C 2005 policy. Independent consultants have been brought into the school to inform them about implications of the new learning areas in C 2005 and continuous forms of assessment. The school has not had any programmes on human rights education, either within the school or offered to them from outside.

I observed Ms W's Grade 9 English language class. There were 16 learners in the class: 13 girls and 3 boys. Of these one girl was African and one "coloured", and 1 boy was "white" and the other two boys were African. The boys were in one group in the front of the class and the girls were in groups of four. Both the "black" girls were in the same group with two other "white" girls. Unbeknown to me, Ms W's lesson was also on "advertisements" and the use of emotive language in adverts. They have been covering the topic for a while and the learners were in this lesson displaying and discussing the adverts that they created on their own. Coincidentally, then, this lesson provided a useful comparison between Mr K's and Ms W's classrooms.

Ms W had the learners' posters put up on the chalkboard. These were full size glossy posters displaying collages of known designer label products of perfumes and clothing, and a few on movie, music and sports stars. The learners used computer-aided design to construct the posters and laminated the posters using the resources within the school. Their "workbook" on this activity, which I was shown, indicated the use of various sources of information, from the internet, libraries and magazines. A far cry from the scraps of paper and waste cardboard that Mr K's learners used. Although the posters and workbooks of Ms W's learners speak of extreme privilege, their work also indicated a tremendous amount of effort, creativity and care being taken in their work. Ms W asked the learners to respond to these posters and indicate how emotive language and imagery are used in them.

The whole group discussion was very open and participative, although it was led by Ms W, in a teacher-dominated manner. They explored explicitly the "American influence" in the media, the ways in which adverts promote gender stereotyping and the ways personality types are projected in adverts. Learners and Ms W repeatedly made comments like "rather sexist, hey", "how snooty can one get", "really, we imitate the American stuff all the time" and "you don't expect women to accept this". In this interaction the girls' voices dominated, and only 1 African



boy said something, which was then followed by the other African boy who agreed with the point that was made by his mate. The "white" boy did not say anything, and although Ms W did direct a question at him he remained silent.

**Ms W:** Ok let's start with this one (*pointing to the chalkboard*). What does it depict? What are the emotive aspects about it?

**White Girl Learner 1:** Miss, it is an advert of perfume for women, and they use beautiful women to make it have appeal and attract people.

**White Girl Learner 2:** But, the woman in the poster (Claudia Schaeffer) is a star, miss, I mean she's a top class model.

**Ms W:** So, she does not represent ordinary women?

**White Girl Learner 3:** No, miss, she does not, but all adverts do that. They don't represent ordinary people, and they are filled with American stuff, and we imitate the American stuff all the time.

**Ms W:** Yes, and that's the way they project stereotypes and that's how they play with people's emotions making them believe that they are like the stars or can become like them by using the product, hey?

**Coloured Girl Learner 1:** Yes, miss, but in the other poster they are advertising a car and they use a woman in it to sell the car. It is quite disgusting.

**White Girl Learner 4:** It is as if that is all that women are about and what they are worth. I mean do they really expect women to fall for that, to accept that?

**Ms W:** It's all rather sexist, hey?

*General agreement among learners*

**Ms W:** Ok, let's look at this one. Who is this? (*looks at African Boy learner*). What's this about?

**African Boy Learner 1:** Miss that's Dr Khumalo. He is a big soccer star.

**Ms W:** Ok, what are the emotive aspects in this advert?

**African Boy Learner 1:** Miss, he is advertising soccer boots and they try to make us believe that we can be like Dr Khumalo if we use the same boots, but the boots don't make you a good soccer player (*giggles*).

**African Boy Learner 2:** Yes, miss, they are trying to make us believe that we can be soccer stars if we buy the soccer boots.

**Ms W:** And, what about this one, (*pointing to the poster*) the one with the hunky man?

**White Girl Learner 5:** Oh, miss, he is gorgeous and hunky and that is what they are hoping will attract people to buy the stuff.

**Ms W:** And, what do the boys think? Does it work? (*looks directly at white boy learner, who continues to look down and remains silent, not responding to Ms W*)

**Ms W:** It looks like all of these adverts use gender stereotypes and they make people believe they can be like the people they depict by just using the products they advertise (Classroom Observation, 1999).

Ms W "controlled" the discussion throughout. Although she solicited responses from the learners, these were not always probed and Ms W tended to "tell" them what was "correct".

**I:** You made a statement at one point, "It's rather sexist, isn't it", hey? And I thought that's exactly the point, I mean all these pictures and adverts up there are very stereotypical. They are fantasy, and very far from reality and they project stereotypical kinds of values. You made this statement, but you did not pursue it. My question is why didn't you?

**Ms W:** To be honest, I have no idea. I was trying to lead them.

**I:** Do you want to expand on that? Do you feel that you do, lead them far too much?

**Ms W:** Yes, indeed.

**I:** How do you cope with that?

**Ms W:** It's very hard to change it, because I suppose...uh.....all habits die hard, and I am really trying to move out of it, but it is so difficult.

**I:** Do you find OBE helping you in that regard?

**Ms W:** Yes, it is helping us, but once in a while you fall back in the old ways.

**I:** Another thing, and please keep in mind these are just observations, and I just want to find out if you were conscious of them, and if so, what were your intentions. When you got to the Doctor Khumalo advert, do you remember who you directed your question to?

**Ms W:** (*Silence*) One of the boys.....

**I:** Yes, which boy? Do you remember?

(*Silence*)

**I:** Ok, you directed it at the African boy who sat in front. It gave the impression, to me that only black people know who Doctor Khumalo is and are interested in soccer?

**Ms W:** It was not ... it was not conscious (Interview with Ms W, 1999).

In the above extract of the interview with Ms W, Ms W indicates her awareness of the need to work in learner centred ways as required by C 2005 and OBE, and to allow for more learner participation. However, she notes that she struggles to shift out of a teacher dominated style of teaching and views this as "habits" and is finding it difficult to change. But, she wants to and is trying to change to more learner centred ways of teaching. This also verifies the findings of the national survey where national and provincial departments of education claimed to have embarked on programmes regarding C 2005. Ms W seems to have been made aware of the features of C 2005 in workshops that she attended and which were conducted with School 3.

The extract also indicates that Ms W raises issues of gender stereotyping explicitly in the class, although she does not always pursue this. Unlike Ms N, though, Ms W does not employ the language of anti/discrimination, equality or rights, and her coverage of gender issues is more integrated than anti-discrimination or rights based in its approach. One can also note here, that depending on the kind of integration used, human rights may become totally diffused, to the point of not being present, as seems to have been the case in this lesson with Ms W. Also unlike Ms N, Ms W does not deal explicitly with 'race'

issues and seemed not to have been "conscious" of the ways in which she may be stereotyping learners in terms of 'race'.

Ms W's experiences of human rights in the school are indicated in the following:

**I:** Ok. In terms of how much of your rights are being upheld at the school, do you have access to decision making in the school?

**Ms W:** Yes, I have. But, it's only recently. Until a year and a half ago, we had an Afrikaner Broederbond principal who had a totally different view, who believed that the woman's place is at home and not in the office. Now, we have a very progressive thinker in the office.

**I:** What you are saying is that the manage-----

**Ms W:** The management is so important.

**I:** Among the staff as a woman do you find-----

**Ms W:** Tremendous discrimination.

**I:** How do you cope with that?

**Ms W:** I keep on doing my best.

**I:** How do you respond to this?

**Ms W:** If it is very bad, I will stand up and respond to it.

**I:** Can you give an example as to how it happens?

**Ms W:** As soon as a woman does something and it is mentioned in the staff room, the men will say something "oh, blowing her own trumpet again". I was elected to serve in a governing body at J Primary School. I told the principal about it, some of the male teachers overheard this and they commented "blowing her own trumpet again". They have to move with the times. We have two groups, older and younger generations. The younger generation will always ask for advice, but the older ones never, never ever (Interview with Ms W, 1999).

Ms W notes the impact of the political orientation of the school on her experiences, from being under an Afrikaner Broederbond conservative principal to a more "progressive" principal, and the tensions and differences between old

and new orders, reflected in her references to "older and younger generations". This she also sees as being linked to the changes in the country and the new principal represents such change in Ms W's experiences. She experiences discrimination, as a woman, with the staff of her school. Ms W also notes that "management" of the school plays a critical role in the school, and that she does participate in making decisions in the school. This is consistent with the sampled teachers' views in the questionnaire where they indicated that they do have access to participate in decision-making in their schools. Ms W also sees it as her own responsibility to stand up for her own rights, which is also consistent with 31% of the sampled teachers' views in the questionnaire which also indicated that they saw "individuals" beings responsible for the protection of rights.

**I:** What are your views on human rights?

**Ms W:** We all have to have same opportunities. For me in the school system it has changed so much that I still find my coloured pupils not integrating with others. They still sit together during breaks. I would like you to ask questions about that when you talk to pupils as well. Human rights mean each child in my class should have exactly the same rights. They must all have access to exactly the same technology. They are entitled to have the same amount of attention from the teacher. We have teachers who have been teaching here for a very long time. They have problems with democratisation of the country. As soon as the pupil does not do well, the pupil is dismissed as not being clever.

**I:** They work with the deficit view?

**Ms W:** Yes, they work with the deficit view instead of helping the child to achieve his potential; the child is just read off. I can not stand that. That is why I am so much in favour of the bridging programme in the schools. We have many socio-economic groupings here. We have children coming from farms, their parents are farm workers. At the same time we have farmers' sons and daughters.

**I:** What do human rights mean to you? You answered it in terms of what it ought to mean for the learners.

**Ms W:** Values are very important to me that is why I am a teacher.

**I:** For you, your rights, what are the most important things?

**Ms W:** I must have work, I must have a roof over my head, and I must be safe at home. I must be able to go wherever I want to at night. I must be able to travel without threats. I've got the same rights that I always had. I am allowed to work where I want, to stay where I want to stay, I have the right to vote, I have a passport, citizenship of the country and I don't feel like a first, second or third class citizen. I am a citizen of this country (interview with Ms W, 1999).

In the light of the above, Ms W's experiences formal human rights that she enjoyed all of her life as a "white" South African and she spells out her 1<sup>st</sup> and 2<sup>nd</sup> generation rights. She believes that all people should have the same, and she is pleased that it is offered to all South Africans. She places more emphasis on the rights of learners and she is concerned about the lack of "integration" among the learners and notes class differences among the learners as an important factor. She wants to develop substantive equality measures by way of "bridging classes" and for "integration". Her views emphasise formal equality and fair treatment, which she considers to be "values".

Ms W's views of human rights are consistent with the sampled teachers' responses to the questionnaire where they indicated an awareness of formal equality provisions and human rights in general terms (see Table 10 on page 290). Ms W's views are also consistent with the sampled teachers' views in that she is also supportive of human rights and inclusivist in her views (see page 301). However, Ms W is keen to put substantive measures into place for "(her) coloured pupils" by establishing "bridging" programmes for them and in this respect her views are different from those expressed by the sampled teachers in the questionnaire. Here Ms W also reflects a substantive and specific orientation to human rights. At the same time she does not homogenise all learners, but notes the differences among them, from being "sons and daughters of farmers" and "farm workers".

Ms W also indicates that "black" learners in the school tend to be viewed in "deficit" ways and implies that they may be experiencing discrimination in this regard. This was confirmed by the learners as will be seen below in the discussion of the group interview with the learners. Ms W notes that there are teachers in School 3 who have "problems with democratisation" implying that they are not supportive of changes in the country. This contradicts the findings of the sampled teachers' responses to the questionnaire that indicated (see Table 11 and pages 293-296) that teachers were supportive of human rights provisions in the Constitution of the new South Africa. Ms W's references to "values" also imply her approach to human rights education. For her, it ought to be values based, which is characteristic of an integrated approach and which was demonstrated in the lesson I observed as well. This integrated approach is consistent with the national survey findings that indicated (see page 286 and Tables 2, 3 and 6 in Appendix 2) that the integrated approach is one of the approaches that dominates in human rights programmes underway in South Africa.

Ms W's views about sexual orientation were also indicated in the interview as being constituted in her experience with her sister:

**Ms W:** My sister is a lesbian and married to a homosexual. I have been in that kind of situation for the last 20 years of my life. I love my sister as much as I have always loved her. It makes no difference to me. My children have been exposed to her life style. They spent holidays with her. If it can happen in my immediate family, I will not be hurt or offended.

**I:** An absolutely wonderful experience.

**Ms W:** Do you know that my sister and her husband left the country because of the fact that they could not pursue their own life style? My sister is also a teacher.

**I:** She can now come back you know, to the only country in the world that has sexual orientation in the Constitution?

**Ms W:** I am looking forward to that (Interview with Ms W, 1999).

Ms W's experiences and approach to sexual orientation are due to her relation with her lesbian sister. For Ms W sexual orientation does not raise a dilemma of human rights. Ms W, however, did indicate that she faces dilemmas when conditions in the country make her "wonder":

**I:** How would you respond to the death penalty? Should it be brought back?

**Ms W:** I have difficulty with that as well. I still believe in certainty of human life. I look at papers I start wondering.

**I:** Go on, what makes you wonder?

**Ms W:** I am wondering, why so much crime. Why crime cannot be stopped in any way? (Interview with Ms W, 1999)

Thus, whilst positively disposed to human rights, Ms W is concerned about the lack of safety and security in the country which for her are due to high levels of crime. These views are consistent with the sampled teachers' views in the questionnaire where they indicated (see Table 10 and page 295-297) that at times the Constitution is excessive because of the rights given to "criminals". For Ms W, the high rate of crime gives her reason to "wonder" about human rights provisions, and plunges her into dilemmas about them.

Ms W, then, is exposed to the changes brought about by C 2005 and is supportive of human rights, inclusivist and attempts to put into place substantive measures for "black" learners in her school in regard to "bridging programmes". She notices the changes in the country, and is pleased with now having a "progressive thinker" as a principal and moving away from the "Afrikaner Broederbond" that dominated in the past. She experiences gender discrimination most of the time in the school and is concerned about the lack of "integration" among the different racial groups of the learners. She also has supportive and inclusivist views with regard to sexual orientation because of her personal experiences with her sister who is a lesbian.



There were 5 learners in the group interview that I conducted with the Grade 9 learners from Ms W's class: 2 "white" girls, one "black" girl, one "white" boy and one "black" boy. These learners were chosen by the learners of Grade 9 class. These learners pointed to 'race' as an important factor in their daily schooling lives, and difficulties they had with their school's rules and regulations. In this interview, however, class differences also emerged as a critical factor in their lives.

**I:** How do you experience human rights in the school?

**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.

**I:** Can you give me examples?

**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.

**White Boy Learner:** And, they want us to cut our hair, and when my hair is long they think I am trying to be a problem. But it costs a lot to go the hairdresser to cut my hair, and we can't afford to. My family is not so rich. And, they don't understand this. When my mother cuts my hair they also laugh because I didn't go the hairdresser, but it is expensive and I can't. For us boys it is like that.

**I:** Do you encounter other problems as a boy in the school?

**African Boy Learner:** Ja, you must always do what they want and they don't want to see your side. The rules don't allow us to do anything and they say we must be real men and keep up the tradition.

**I:** Can you give me examples?

**White Boy Learner:** We can't play the sports we want to, we all have to play rugby, and that is the school's tradition. But I don't want to.

**African Boy Learner:** The rules force us to do what we don't want to. And, they don't listen to us. I mean we don't even sit on our SGB and they decide everything, you know.

**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.

**I:** 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 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.

**African Girl Learner:** But Mrs Y is not like that.

**African Boy Learner:** Mrs Y is the only one, but she is not here most of the time (Group Interview with Learners, 1999).

In the above, these learners experience the "tradition" of the school as constraining and the rules and regulations that emerge from it as impositions and denial of the rights of learners. They feel forced to adapt to the "tradition" of the school which they describe as "white and Afrikaner", and which they are being made to adopt. They feel assimilated into the "tradition" of School 3 and view this as discriminatory. "Black" learners are also made to feel that they don't belong in the school – "what are you doing here anyway" – and should be grateful – "say thank you" – for being allowed into the school in the first place. They, thus, feel misrecognised in the school.

Wealth is also an issue, since for these learners, not everybody in the school can afford to do what the "tradition" expects of them. The "white" boy learner cannot afford to have his hair cut by hairdressers and this brings up the class differences he experiences in the school. What is important to note here is that the "white" boy learner is not among the privileged in the school, suggesting that one cannot assume all the "white" learners are necessarily the wealthy ones in the school. A useful caution against homogenising people. The learners are also segregated in

racial terms and do not mix much across the 'races', confirming Ms W's view that learners do not "integrate". "Black" learners seem to be positioned as "outsiders" of the school and are made to justify their presence in the school – "what does she want here?" All of these learners, though, prioritised freedom of choice and expression as the most important to them. They do not believe they are being consulted, or that their views are being taken into account – "we are not even on the SGB" – and experience the school's rules and regulations negatively.

### **School 4 – Western Cape, semi-urban, under-resourced**

School 4 is a "coloured" school in a "coloured" township, on the "other" side of "the mountain" of the school where Ms W teaches. School 4 is generally under-developed. It has a sound building: functional electricity, sufficient furniture, a staff room and playing fields. However, the playing fields have no sports facilities or infrastructure and are in disrepair. There is no library, media or computer centre in the school and the two functional toilets in the school serve a population of about 1700. Books are also in short supply.

There are 1650 learners in the school and 35 teachers. The teacher: pupil ratio is 1:47. Generally, all the "coloured" learners and teachers in the school come from the surrounding school community. There are less than 15% African learners in the school as well, and they commute to the school from African "townships" in the neighbouring areas. All teachers in the school are "coloured" and are qualified. They all also have access to work related benefits. There is one administrative secretary who is attached to the principal. There is no other staff in the school.

School 4 is located in an area with a high rate of drug and alcohol abuse, sexual violence and gangsterism. Most of the members of the community are unemployed and the rate of unemployment in the area has steadily increased over the years and now stands at 76%.

There are active political and civic organisations in the community that surrounds School 4. These tend to focus on remediating the problems in the community and they link up with School 4 as well. Gangsterism, substance abuse, violence and the abuse of children are the main areas that the community organisations deal with and with which School 4 also contends. In these school-community links, School 4 has experienced programmes conducted by NGOs that deal with violence, children's rights and substance abuse. They have also been addressed on these matters by the police, social workers and the Child Protection Unit. The staff of School 4 has also had workshops on C 2005 with the provincial department of education.

On the Monday morning when I arrived at the school and walked through the corridors of the school, there seemed to have been something that just happened and everybody, staff and learners, were scurrying about with very concerned looks on their faces. Mr B is the principal of School 4 and teaches Grades 9s to 12s rushed through the corridor, saw me and said:

**Mr B:** I have to see to this first. Another child abuse case. I'll be back in about 15 minutes.

I waited for Mr B to return, and when he did, he had to see to two groups of gangs that were harassing pupils in the school through the fence around the school and trying to jump over it into the school. This lasted for about half an hour, guns were waved around and the police were also called in. Mr B then had to deal with the Child Protection Unit, social workers and the police – all within the first 3 hours of a Monday morning at a school.

On the way to meet with the social workers who were waiting for him in the staff room, Mr B said to me:

**Mr B:** You know we can talk about human rights and that but this is what I deal with on a daily basis. There is no respect for anything in these

people's lives. 3 cases of sexual abuse at home, just this morning, and one girl being raped by her uncle. We have to deal with this and all the people that draw up these fancy policies must look at these conditions. I had a kid point a gun at me this morning; your life is even at risk here (Interview with Mr B, 1999).

This is the only data I have with Mr B, but I have chosen to include this because it depicts a rather exceptional circumstance. Although I do not have a full interview with Mr B, and neither was I able to observe him teaching, nor interview the learners in School 4, the brief encounter with Mr B and exposure to the conditions prevalent in the school and surroundings are worth noting here. There are three issues in this encounter with School 4 that I want to highlight: implications for substantive equality provisions; human rights in the home; and, polyangulating the limited data from School 4 with other instruments used in this study.

School 4 has had programmes by government and NGOs about substance abuse, child abuse, violence and gangsterism. These programmes have attempted to respond to the problems within the context of School 4. On the one hand, this verifies the findings of the national survey that indicated that NGOs (see Appendix 2, Table 5) are conducting programmes in regard to human rights. On the other hand, the programmes School 4 experiences are specific and substantive. They are specific because they deal directly with the problems of people in the context. They are substantive because they include measures of support that go beyond formal equality provisions. Of particular importance are the Child Protection Unit (CPU) and the social workers. The CPU arrived at the school when I was there, so did the social workers, and this indicated the awareness in School 4 of the ways in which the CPU functions and when to call on them. The CPU was called in to assist with the child abuse cases that School 4 was dealing with on that Monday morning. In this case, School 4 deals with children's rights not by reference to the Convention on the Rights of the Child or the Constitution but in the daily experiences of individual children. In this regard, it also seems that School 4 does not homogenise all the learners as if they are all the same. This

is mainly because the school has to distinguish between child abuse cases, rape, domestic abuse and substance abuse. The school cannot treat all the learners as if all of them are rape victims, for example. As such, not only do the conditions of School 4 propel a more substantive approach to human rights, they also compel the differences among the learners to be recognised.

However, whilst School 4 seems to deal with human rights in specific and substantive ways, this does not necessarily incline the people in School 4 positively to human rights. Mr B says, "you know we can talk about human rights and that but this is what I deal with on a daily basis". In this response, Mr B does not view the work of the CPU and dealing with the issues that he does as human rights interventions. This suggests that Mr B seems to work with a formal, generalised sense of human rights. Later, Mr B also says, "we have to deal with this and all the people that draw up these fancy policies must look at these conditions" which suggests that again he does not see what he and the school's support services are doing as linked to human rights, and views human rights provisions as "fancy policies" which do not speak to the "conditions" he experiences. In this regard, then, whilst specific and substantive approaches to human rights may be prevalent in situations, these may not be viewed as human rights interventions, if that link is not made explicitly. This is consistent with the United Nations 1999 report on the EFA which noted that for programmes to be considered as human rights education they need to make explicit references to human rights and human rights provisions.

It is also significant to note that the experiences of human rights and abuses thereof by people in School 4 point to the site of the home as the place where human rights are experienced. Following MacKinnon (1993) this is consistent with the argument that human rights are not just about "state actions" but are also personal and in the "private" spaces of the home. For the people of School 4, human rights are not just what is on display on Constitution Hill or what is formally provided on the paper of the Constitution, but it is about their lives in personal spaces, in private and at the home.

Lastly, the limited data of School 4 indicate that the teachers of School 4 do have access to work related benefits. This is consistent with the findings of the sampled teachers' responses in the questionnaire where they indicated that they do have access to work related benefits. The School 4 data is also consistent with the national survey findings that indicated (see Table 2 in Appendix 2 and page 285) that provincial education departments claim to have conducted workshops on C 2005. This has been the experience of School 4 too because the teachers have had a workshop on C 2005. As indicated above, School 4 also verifies the national survey findings that indicated (see Table 5 in Appendix 2 and page 285) that NGOs do have programmes on human rights, since School 4 has experienced these as well. School 4 has worked with NGOs dealing with conflict resolution and child abuse.

Mr B deals with difficult and trying conditions. Although Mr B and School 4 are in the same province as Ms W and School 3, and despite being only about 18km away from each other and separated by a mountain, they are entirely different contexts. Generalisations in terms of provincial locations are, thus, inappropriate and dangerously misleading. This was also the case for KwaZulu-Natal and Schools 1 and 2 which were equally very different from each other. Schools 3 and 4 may very well have been in two different worlds because they are so different. The privilege and stability of School 3 are not features of School 4. School 3 learners do not live their lives in fear and do not dread going home where they are likely to be physically beaten up, sexually abused or raped. Generalisations in terms of provincial location, thus, need to be treated with caution. The statistical measure of the teachers' and learners' questionnaire also points (see Tables 9 and 14 and page 306) out that provincial location is not of statistical significance either. Only 'race' in relation to the sampled learners' questionnaire responses is. It is, however, difficult to establish how much of School 4's experiences are 'race' based, given the limitations of data. School 4 may be predominantly "Coloured" and located in an ex-apartheid "Coloured" group area, but whether 'race' is a



significant variable in influencing the people of School 4's views on human rights cannot be assumed.

### **School 5 – Gauteng, urban, resourced**

School 5 is located in the urban area of Johannesburg. Initially an all-girls "white" school, School 5 was threatened with closure in the late 1980s because it was under-utilised. Student enrolment rates began to drop in the late 1980s because of the demographic changes in the area that surrounds School 5 which was increasingly becoming more "black". Given that School 5 was a "whites" only school, and because apartheid education prevented "black" people to be enrolled in a "whites" only school, School 5 embarked on an anti-apartheid campaign to enrol "black" learners in order to "save" the school. School 5 was "saved" in 1990 because of the Clase models which enabled "whites" only schools to enrol "black" learners through the Model B option of the Clase models and later (1991) also through Model C (see also Carrim and Sayed, 1991 for more on the Clase models).

Although the campaign School 5 embarked upon was aimed at survival, its anti-apartheid stance positioned it as actively upholding, promoting and fighting for human rights. Teachers, learners and parents fought to have all learners', including "black" learners' right to education recognised, and resisted the discrimination on the basis of 'race'. It is not surprising, then, to find that School 5 actively and explicitly promotes anti-discrimination, is supportive of human rights and is composed of teachers who are liberal minded, and who have a history of anti-apartheid activism. The principal of the school, a "white" female, is described by teachers in School 5 as being "driven" by ensuring not only that the school continues to exist but that it would be in the "forefront of transformation in the country". The school actively promotes human rights and is supportive of the changes in South African society and the educational system.

School 5 is a resourced school. It has sound infrastructural provisions, has most facilities available to it, including a library, music and computer centres, a tennis court, sports grounds and a swimming pool. Although still regarded popularly as a "white" ex-Model C school, 80% of the learners in School 5 are "black" and almost 50% of the staff is "black". There are 870 learners in the school, roughly even in terms of gender and close to 95% of the learners live in the area surrounding the school. The surrounding community from which most learners come is lower middle class and middle class, with a high level of professional "black" people. However, there is also a high level of HIV/AIDS in the area and School 5 deals with this among its parent body and its learners. There are about 30% of the learners in the school that are not South African. Most of these learners are Mozambican and the remainder of the 30% of these learners are from other countries in Africa.

There are 37 teachers in the school, 50% are "black". 30% of the teachers are male and 70% female. The teacher: pupil ratio in the school is 1:25. The "white", female principal points out that the staff and learner profile of the school are conscious interventions by the school and its governing body. The school consciously enrolls non-South African Africans to combat the increase in xenophobia against "other" Africans by South Africans, and gives women and "black" people access to teaching posts and management positions. The teachers of School 5, however, come from areas away from the school, and unlike the learners they do not live in the areas surrounding the school. All teachers are qualified and have access to work related benefits. This correlates with the sampled teachers' responses to the questionnaire that indicated (see Tables 9 and 10 and pages 290 and 292) that they are in relatively stable work environments and have access to work related benefits. School 5 also employs three "black" females and 1 "black" male as part of the cleaning staff, and another "black" male as a security guard. There is one "Coloured" female, administrative secretary in the school as well.

School 5 is active in its promotion of human rights. They regularly conduct "awareness raising" programmes with parents, teachers and learners, some times recruiting the services of NGOs but mainly running such programmes on their own. They celebrate days that mark human rights by arranging special activities such as taking learners on excursions, running workshops, concerts and exhibitions. Teaching in all learning areas is also used to provide information and tasks for learners in regard to the human rights days that the school chooses to highlight.

Learners' involvement in the affairs of the school is explicitly supported. Learners sit on the school governing body, they have a Representative Council of Learners and various clubs and societies exist in the school to which learners may belong. School 5 also had the only gay and lesbian organisation for learners in the country, and which Tulani, one of the gay learners in this study, helped establish. This organisation was supported by the staff and governing body of School 5, after a series of "awareness raising" programmes on sexual orientation, sexuality, gender and Constitutional provisions regarding these. These programmes were conducted with learners, teachers and parents, and were done by teachers and learners of the school.

The teachers attempt to integrate human rights in their teaching, and try to respond to topical issues in the country or the learners' lives. All instances of discrimination in the school are responded to through disciplinary action of the school's disciplinary committee. The school has a "zero tolerance" policy towards acts of discrimination. Offenders, if found guilty, are suspended and put through "rehabilitation" for which the teachers take joint responsibility. These "rehabilitation" programmes include awareness raising, exposure to alternatives and activities which the learners need to complete and which address the issue/s at hand.

School 5 has been given programmes and supported by the South African Human Rights Commission, NGOs dealing with children's rights, HIV/AIDS and racism.

Teachers of School 5 have also been to workshops on C 2005. Given the history of School 5, it is well connected to and known by various education organisations and institutions. In this network School 5 accesses support for programmes in the school. School 5, thus, is easily able to get people from outside to run programmes in the school or advise them. School 5 is special in this respect, since, generally, most schools do not have such easy access to resources and support. Being located in Johannesburg where most organisations have their head offices is also an advantage for School 5. This, however, is consistent with the findings of the national survey (see Appendix 2, Table 5) which indicate that NGOs offer programmes on human rights education, and that national and provincial departments of education offer programmes in regard to C 2005.

Ms G is one of the Grade 9 English language and History teachers in School 5. I observed Ms G in one of her Grade 9 History classes. Ms G was busy covering the "experiences of ordinary people under apartheid" in order to give learners a sense of the history of apartheid and the social construction of racism. The focus was on the experiences under apartheid in Johannesburg, and learners were asked to interview "older" people in the Johannesburg area, which is where they also live, and to access information from them about what their experiences of apartheid were. The learners did these in groups of two, had written reports on their findings and discussed them.

In the lesson I observed Ms G gave the learners a worksheet they had completed and asked them to discuss these in their groups. The content in the worksheet covered experiences of "black" people in desegregated environments and the differences in cultures between people. The purpose of the worksheet was to get the learners to apply what they discovered about experiences under apartheid to their own situations and lives. It was also a way to raise the learners' awareness of the continuing influence of the "legacies of apartheid" and how these affected them.

Ms G's class had 26 learners who were more or less evenly numbered in terms of gender, and there were 17 "black" learners and 9 "white" learners. Learners were arranged in groups of 4 and there was one group with African learners only and who were all female. Ms G broke up the all girls, African group and spread them into other groups, ensuring that each group was racially mixed.

The discussions in the groups and the whole class were free flowing, open and honest. The learners treated each other with respect and all of them, including Ms G, had a very friendly, endearing manner, and without any visible sign of tension or awkwardness among them. They shared their views openly.

**Ms G:** Ok, so, is there agreement among you about what you have put down on your worksheets?

**African Girl Learner 1:** Ma'am, our group agrees but we also think that colour doesn't matter, personality does, and that apartheid is just so wrong, you know.

**African Girl Learner 2:** But, ma'am, it really doesn't matter what your personality is because apartheid affects everyone and it doesn't matter who you are.

**White Girl Learner 1:** Racists are actually selfish and it is because they come from apartheid, but blacks are racist too, ma'am.

**Ms G:** Hold it, now we are saying different things. Some of you are saying that racism has to do with personality, and some of you are saying it has nothing to do with who you are.

**African Girl Learner 2:** Racism is a system, ma'am, apartheid was a system and nobody had a choice about it. So, it didn't matter who you are.

**White Girl Learner 1:** That's right ma'am, but not everybody is racist and it also depends on the personality you have if you become a racist. Some whites are not racist and there are blacks who are also racists.

**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.

**Ms G:** Is that because of apartheid?

**White Girl Learner 2:** It is, because people have been made to think like that and they still do.

**Ms G:** But we are now in a "new" South Africa, so why should this still be the case?

**African Girl Learner 3:** Oh well, the parliamentarians say so but practically it doesn't happen.

**White Girl Learner 1:** It will take time (Classroom Observation, 1997).

As the above extract indicates, the question of 'race', racism and apartheid were discussed openly in the class. The approach was also anti-racist, and attempted to bring issues to the level of personal experiences. The learners' responses point to an engagement with these issues and they note the continuities with apartheid in their own experiences, and the disjuncture between what is expected formally of the "new" South Africa and what exists "practically". This is consistent with the sampled learners' responses to the open-ended questions in the questionnaire, where some of them indicated that whilst they think the Constitution is "good" it was "not being implemented". The learners' also note that there are ongoing forms of racist assumptions in the school which view "black" people as inferior and deficient. They note also, however, that these are the ways in which people are "made to think" and the social construction implicit in it. "Black" learners also indicate that they are being made to feel as if they do not belong, and that their own ways of doing things are illegitimated in the school and misrecognised, particularly by Mrs Z. In this regard, School 5 tends to promote an assimilation of

"black" learners in the school, despite its own declared anti-discrimination and anti-racist policies.

The learners, however, also think that "personality" matters and try to fathom if there is room for individual agency in socially constructed systems of racism. In this attempt they also try not to homogenise people and note that not all "white" people are the same, and that "black" people may be racist too.

In the interview with Ms G, after the observation of the lesson, she indicated that she was using her teaching to get the "kids to mix". She was concerned about the racial separation that prevailed among the learners in and outside of the school. She said:

**Ms G:** These are kids you know. None of them were even born when apartheid was around, yet they are so racist. They stick with their own races and of course when they go home they go into separate worlds, which make things worse. I mean they get along well but it is not a real interaction and they hold so many prejudices about each other. It really is amazing. But you know we spend so much time on the race thing that so much other stuff just doesn't get attention. We don't spend as much time, ha, if any time, on gender issues, HIV/AIDS and sexuality. Race dominates, and sometimes I really get tired of it (Interview with Ms G, 1997).

Like Ms N in School 2 in KwaZulu-Natal, Ms G consciously promotes human rights and frames her teaching in an anti-discrimination and anti-racist manner. Ms G consciously and explicitly addresses perceived racism among the learners and notes that whilst they were not brought up under apartheid, the infrastructure of apartheid is still very much intact, which means that the learners go back home to "separate worlds". Ms G also confirms the views of the learners in the observed class, that the learners hold prejudicial and racist views. Ms G is concerned most

about the lack of meaningful interactions among the learners across racial lines. Later Ms G also said:

**Ms G:** I make these kids look at race issues in the class, because I just don't like the way they group themselves in their own race groups all the time. They sit together in the class and stick together on the playgrounds during breaks. I consciously make them relate to each other and make them question why they don't. But, the kids are willing and eventually they do come around. But, it is tough. We have a very progressive school, because we had to go out of our way to survive, the management and SGB are all in support of the changes in the country, but the kids themselves find it difficult to break out of apartheid (Interview with Ms G, 1997).

In the above, Ms G again indicates her concern about the racialised groupings and interactions among the learners, and indicates that she tries to use her teaching to get them to "mix" more and "break out of apartheid". Ms G also points out that her school is "progressive" and supportive of anti-racism, implying that her anti-racist efforts with the learners are supported by the management of the school, but more seems to be needed to assist learners overcome their racist prejudices. In the following, Ms G points out that most of the time she finds herself dealing with outside of the school influences, which have the effect of undoing what she tries to achieve with the learners in the school. Ms G said:

**Ms G:** Getting these learners to mix is really tough. They are not aware of how their own views are shaped by their own socialisation and backgrounds, and they are young, and it is really difficult to get them to mix. You see when they leave the school, they go back to their own areas which are still apartheid areas and their prejudices get reinforced. So, even if I am able to get somewhere with them, on Monday morning we are back to square one. But, this frustrates me because the only thing that gets to be addressed is race, and everything else just gets ignored. I mean we have a gay and lesbian learners' club in this school, gender is also an issue among



the learners and staff, but we would rather focus on race. Look, I know it is important and I am anti-racist, but there is more to life than race. It really makes me angry sometimes because I wonder when we are going to deal with the other stuff (Interview with Ms G, 1997).

In the above, Ms G indicates her understanding of the social construction of racism and notes "socialisation" in wider society as being a significant factor in this regard. Ms G reiterates her "frustration" with having to deal with 'race' all of the time, because for her "there is more to life than race". She finds herself getting "angry" because of the privileging of 'race' at the expense of other issues like "gender" and "sexuality" which she believes also need attention. Ms G, then, displays a multiple view of human identities and is anti-discriminatory and inclusivist in her views. Ms G's inclusivist views correspond (page 300 and 301) with the sampled teachers' responses to the questionnaire where they also demonstrated inclusivist tendencies.

On the question of how these issues affect her teaching, Ms G said:

**Ms G:** Well in my teaching I try to focus on the other stuff but the learners bring me back to look at race. I have a tough time with the whole OBE story and of course I like the freedom it offers for learning and teaching, but because of their backgrounds many of our black learners need basic input and it is not easy to give this to them in an OBE way. They can't be critical about things they don't even know and sometimes they just need to be given input. But, I am expected to make them do things on their own, and this just does not work (Interview with Ms G, 1997).

In the above, Ms G confirms her exposure to C 2005 and OBE and highlights "critical thinking" as central within them. This is consistent with the national survey findings as pointed out already in that C 2005 is claimed to be the human rights programme of national and provincial departments of education. Ms G's emphasis on "critical thinking" is also consistent with the most emphasised skills

in C 2005. However, Ms G claims to have a "tough time" implementing C 2005 and OBE and believes that they work better when learners have basic "input" because learners cannot work on their own if they do not have a basic understanding of what is needed in the tasks they are given. Ms G also notes that she "like(s) the freedom it offers for learning and teaching", and, thus is positively inclined to C 2005 and OBE. Ms G, nonetheless, also indicates that despite her attempts to deal with "other stuff" learners tend to "bring" her "back to look at race". This indicates the privileging of 'race' in the experiences of learners and, in a sense, provides some indication of why 'race' is the only statistically significant variable in the sampled learners' responses to the questionnaire. 'Race' permeates the experiences of the learners and is confirmed by them in the group interview with them, which is discussed later.

I then tried to probe Ms G's views more directly on human rights and she said the following:

**I:** Do you deal with any human rights violations in your class?

**Ms G:** By now everybody knows where I stand and they know I won't tolerate such things in my class. I have to deal with kids calling each other names, and these are usually racist. These kids can really be cruel, you know. But, I don't allow these things to continue unchecked and I make it clear to them that it is unacceptable.

**I:** How do you do that?

**Ms G:** Okay, let me give you an example. A white girl lost her pen and she thought a black boy stole it. There was a huge fight between them, and I intervened. I looked at the situation, realised there was racism here and also made sure that the black boy actually did not have the pen. I then brought this into my teaching by making the kids question why it is that people assume blacks are always thieves, and what this means. We had a week long of activities that made them realise what their prejudices were, how they become afraid at the mere sight of black people, and how this has happened (Interview with Ms G, 1997).

Ms G's approach seems to deal with human rights in a direct, anti-discriminatory and situated way. She attempts to apply human rights in the experiences of learners (a lost pen) and uses her teaching to further reinforce her attempts to get learners to understand how prejudice gets constructed and how it plays itself out in forms of discriminations. In this respect, Ms G is similar to Ms N of School 2 in KwaZulu-Natal. Like Ms N, Ms G uses her teaching to actively promote anti-racism and also like Ms N, Ms G does not expect the state, or the management of the school to protect rights; she does so herself. This is also consistent with the sampled teachers' responses to the questionnaire where 31% of the responses to the open-ended questions pointed out that individuals should take responsibility for the protection of human rights. Ms G, however, does not seem to have a rights-based approach to human rights, which suggests that she may not necessarily always give learners exposure to formal human rights provisions in laws.

On the question of her own experiences in the school, Ms G pointed out:

**Ms G:** I am a lesbian and the whole school knows that, and they are very supportive and accepting of me. I am also black and they have welcomed that. I am fortunate because I get the support I need. Occasionally there is a snide comment from a fellow staff member, always about me being lesbian, but most of the time; it is not bad at all. I am lucky to be here (Interview with Ms G, 1997).

As can be seen from the above Ms G, due to being a lesbian, also makes sexual orientation issues more visible. The "gay and lesbian learners club" that was set up by Tulani, and that he indicated in the interview with him, discussed later, was made possible to a great extent by Ms G's support, interest and advice. Ms G also is in a relatively secure environment and despite occasional verbal taunts she does not experience discrimination personally. However, the above extract also reinforces the multiple view of human identity that Ms G seems to hold. In the

above, Ms G describes herself as being "black" and a "lesbian". Ms G, then, seems not to see herself or others in singularised ways, and seems to work with more complex conceptions of human identities.

Ms G actively promotes human rights and transformation in the country and educational system. She is not a spectator to these changes; neither is she a subject being acted upon by these processes. Instead, she actively participates in and develops them.

Given the active promotion of human rights in the school by the staff and management of the school, I received a lot of support to conduct my research in the school. The learners were also enthusiastic about participating in it and they decided to get a learner representative from each grade in the school, in addition to the 5 Grade 9 learners I requested. Eventually, the entire executive of the Representative Council of Learners (RCL) in the school, a representative from each grade, and the 5 Grade 9 learners, I requested, made up the group that was interviewed. Due to executive members also being representatives of their grades, this meant that executive members were present in the interview as executive members of the RCL and representatives of their grades. In total, 12 learners were interviewed in this group. Two issues predominated in this group interview: 'race' and "school rules and regulations".

**I:** What are your experiences of human rights? Try to answer the question in three ways: 1) Experiences of your rights in the school. Be assured that this is confidential. Your identities are going to be kept anonymous. Feel free. Do you have a chance to be free, to choose what you want to choose, say what you want to say? 2) What are your experiences with your family? 3) What are your experiences with your community? And I am also interested in your experiences with your friends?

**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.

**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.

**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 that 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.

**I:** This is giving the impression that only black learners' rights are being violated. I'm sure there are other things going on in the school that are not necessarily about race. For example, do you think white girls in the school have their rights protected? Is that true?

**African Boy Learner 9:** Yes, because they do what they want to do.

**I:** Would you agree with that?

**African Girl Learner 7:** Yes, because there is this white girl, she smokes in the toilets.

**African Girl Learner 6:** Another thing, one day we were chased out of the class, because we were late, from PE class, Mrs Z called us to her office. She started questioning us about why were we late. We explained to her that, we were still changing. She said why were we late when others were on time? She started checking at our uniform. Whenever you go to Mrs Z's office you must look at your uniform and check what might be wrong. She then asked L what happened to her hair. L had just put relaxer on her hair and it just changed the colour. It almost happened. Mrs Z said it is because you used those cheap stuff for you hair. She said next time she will expel us.

**African Boy Learner 10:** If you don't pay your school fees, maybe you have problems at home, she will say if you have problems, why don't you go to your black schools?

**White Boy Learner 12:** You see the rules and regulations of the school do not take our interests for real, they don't take our views seriously. They don't really consult us about what we think and want, and they don't understand us.

**African Boy Learner 11:** Ja, they don't know what it is like to be a teenager today, and a lot of the rules are not what we want.

**I:** Are you saying that you were not consulted when the rules were drawn up?

**White Boy Learner 12:** They did consult us, but everything we asked for they didn't take.

**African Boy Learner 11:** They treat us like children and don't take us seriously (Group Interview with Learners, 1997).

These learners indicate that they don't feel their views are represented in the school's rules and regulations, and experience these as impositions and violations of their own rights. Despite being represented by the RCL and the RCL being a part of the management of the school, unlike the learners of School 3 in the Western Cape that did not have representation in the management of the school, learners in School 5, including RCL members, feel that their views are not taken seriously and that their requests tend to get ignored. They, thus, feel misrecognised by the schools' rules and regulations.

The learners also indicate that 'race' is a major concern in their daily lives in the school, both in relation to other learners and Mrs Z, who was once the principal of School 5. Mrs Z left the school at the time of the interview and learners hoped that the new principal, whom they liked, would change things for them. This confirms Ms G's concerns about racist tendencies among the learners' experiences and the views that were expressed in the lesson I observed. However, these learners were also of the view that they would not deny racists their rights to exist, despite their own experiences of racism. They said:

**I:** I am a racist. I believe that I can say whatever I want to say to whoever I want to say it and however I want to say it. Do you think I've got a right to express myself the way I want?

**African Girl Learner 2:** Yes, but you must not express your feelings because if it hurts others it is not right, then you must look at that also.

**I:** So you will not stop a racist from existing.

**African Girl Learner 2:** No.

*General agreement in the group* (Group Interview with Learners, 1997).

In relation to the above, the learners indicate that they will not deny the human rights of racists. Their responses are consistent with the sampled learners' responses to the questionnaire where they indicated (see Table 15 and pages 318 and 319) the same inclusivity in relation to racists. In addition, the above also indicates the learners' references to "speech" as entailing rights and responsibilities. Like the sampled learners' responses to the questionnaire which indicated (see Table 15 and page 314) that "speech" is an example of rights and responsibilities, in that whilst one has the right to freedom of expression, one needs to be mindful that such expression does not hurt other people's feelings. The group of learners interviewed in School 5 indicate the same in the above.

In regard to experiences outside of the school, they had the following to say:

**I:** Do you feel that your rights are being protected at home? Do you do what you want to do, say what you want to say or choose what you want to choose?

**African Girl Learner 1:** I respect, I don't say what I want to say to my mother but say to my friends.

**White Girl Learner 5:** At home we just talk, if we are like watching the news, my mother will just tell us what happened in the past like when she got married. We don't hide anything because our mother is also open to us.

**African Girl Learner 3:** My mother is like strict. She just thinks of when she was a little girl and she does not want those things to happen to us (Group Interview with Learners, 1997).

There seems to be variations in these learners' experiences of their rights at home, ranging from parents being "open" to being "strict". But in their accounts these relations are based on "respect" and learners assume that whatever is done to them at home is for their benefit and for their own good. They do not experience any of these as violations of their rights. These learners, then, do not experience the level of domestic violence and abuse such as the learners in School 4, Mr B's school in the Western Cape.



In summary, then, School 5 is an urban resourced school that has a history of anti-apartheid activism which was developed in its struggle to keep the school "open". It has a pro-human rights ethos and learners and teachers display inclusivist views and are supportive of human rights. However, despite School 5's declared anti-racism and anti-discrimination, and its claimed "zero tolerance" policy on discrimination, learners' experiences in the school highlight that racism is prevalent in the school. Both Ms G and the interviewed learners confirm this. However, Ms G notices the racism among the learners in their social relations with each other, and the "black" learners point to the racism they encounter with staff of the school and other learners. Mrs Z who was once the principal of the school, and who has now left the school, is mentioned particularly by the learners as the person with whom they have most of their perceived racist encounters. School 5, however, has an active human rights approach. They have had programmes on human rights issues, for which the teachers and learners also take responsibility, and they have had several workshops with people from outside of the school. The teachers are also exposed to C 2005 and OBE and are generally supportive of them although they find it difficult to implement. Ms G demonstrates an anti-racist and anti-discrimination approach in her views and teaching practices. She, however, feels frustrated by the privileging of 'race' and racism in her school experiences and finds the influences on the learners outside of the school as undoing what she tries to achieve with them. The learners of School 5 do have an understanding of human rights, although their views tend to be generalised, and they have inclusivist views about people as well.

What, then, can one say about the 5 school profiles? What are the "pictures" to emerge from the profiles? How useful have the research instruments been? How do the school profiles articulate with the findings of other instruments used in this study? It is to these issues that I now turn attention by way of summarising the 5 school profiles.

Table 16 provides a quick overview of the dominant features of each school's profile and the research instruments that were used with them. Table 15 indicates the provincial location of the 5 schools, the type of schools they are and the teacher in the school that I was able to reach. It also indicates that classroom observations, individual interviews with teachers, and group interviews with learners, were the instruments that were used to access data from the schools. Teacher interviews were conducted in all schools, learner group interviews were only used in Schools 1, 3 and 5, and classroom observations were done in Schools 1, 2, 3 and 5.

	SCHOOL 1	SCHOOL 2	SCHOOL 3	SCHOOL 4	SCHOOL 5
Province	KwaZulu-Natal	KwaZulu-Natal	Western Cape	Western Cape	Gauteng
Type of School	Rural, under-resourced	Suburban, resourced	Suburban, very resourced	Suburban, under-resourced	Urban, resourced
Teacher	Mr K	Ms N	Ms W	Mr B	Ms G
<i>Instrument Used</i>					
Classroom Observation	Yes	Yes	Yes	No	Yes
Teacher Interview	Yes	Yes	Yes	Yes	Yes
Learner Interview	Yes	No	Yes	No	Yes
Existence of Human Rights Programme	No	Yes	No	No	Yes
Exposure to C2005	Yes	Yes	Yes	Yes	Yes
<i>Teachers: Dominant Patterns</i>					
Human Rights Education Approach	Integrated	Anti-discrimination Anti-racist Personal Specific	Anti-discrimination Integrated	Humanitarian Specific	Anti-discrimination Anti-racist Specific
Views of Human Rights	General, Abstract	Specific, Personal	General,	General, Abstract	Specific,
Experiences	Political violence, poverty	Learner Racism	Learner Racism Staff sexism	Violence Abuse	Learner Racism
<i>Learners: Dominant Patterns</i>					
Human Rights Awareness	No	Yes	Yes	-	Yes
Views of Human Rights	General, Abstract	-	General,	-	General
Experiences	Political violence Poverty	Racism Assimilation	Racism Assimilation Rules	Violence Abuse	Racism Assimilation Rules

**Table 16: Summary of 5 School Profiles**

Table 16 also shows whether the school had any human rights programmes in the school, that is, whether human rights feature in the teaching and learning activities of the school as opposed to programmes being offered to them from outside of the school. The dominant patterns to emerge from the teachers' and learners' views are also briefly indicated in the table.

Only Schools 2 and 5 have their own human rights programmes. In the case of School 5 this seems due to the history of anti-apartheid activism in its struggles to

keep School 5 "open". School 2, however, has human rights programmes to mainly mark human rights days and are generally more symbolic and celebratory. School 3 does not have a human rights programme and this seems due to the conservative approach of the previous principal of the school and among the "older" teaching staff, and the resistance to change the elitist, "white" Afrikaner "tradition" of the school. Schools 1 and 4 do not have their own programmes of human rights because it seems that their conditions and contexts make them difficult to put into place. School 4 is riddled with problems of gangsterism, domestic violence and abuse, and substance abuse. School 1, on the other hand, is in a deprived and poverty stricken context which seems to make development of human rights programmes difficult within the school. In this regard, the context and history of the school seems to have a bearing on its ability to develop human rights programmes on its own. This, however, is consistent with the national survey findings that noted that 54% of schools sampled in the survey indicated that they have human rights programmes in their schools. This suggests that not all schools could have been expected to have human rights programmes in place.

All schools, however, have exposure to C 2005 and OBE. This confirms the national survey findings that indicated (see Table 2 in Appendix 2) that national and provincial education departments' claim that they are conducting programmes about OBE and C 2005 as their human rights education interventions. The implementation of OBE and C 2005 was found to be prevalent in the classrooms observed. This means that the exposure to OBE and C 2005 is impacting on classroom practices, although the quality of such programmes has not been explored in this study.

In relation to the dominant patterns among the teachers, Table 16 shows that their experiences are linked to their contexts. Mr K's experiences of human rights are tied to political violence and poverty in his area. Ms N deals with the tensions between "older" and "younger" generations of "white" teachers and their responses to changes in South African education and society. Ms W deals with the elitism and conservatism of the Afrikaner community in which School 3 is

located. Mr B's experiences of human rights are linked to his ongoing battles in School 4 to deal with violence and abuse. Ms G's experiences are linked to the pro-human rights history that School 5 has in its resistances to apartheid education. Teachers' experiences, thus, are influenced by the forces at work in their contexts and histories.

Whilst the contexts in which the school is located and its history influence teachers' experiences in these schools, it should be noted that the provincial location of schools does not seem to have the same of influence on these experiences. School 1 and 2 are both in KwaZulu-Natal, but are dramatically different from each other. This is also the case for Schools 3 and 4 which are located in the Western Cape, and the differences between them are stark. It seems, then, that the teachers' experiences in these schools are influenced more by micro contexts in which they are located, as opposed to more macro contexts of provincial location.

Table 16 also shows that the sampled teachers in the 5 schools adopt particular approaches to human rights education. In the case of Mr K, his approach is integrated because it is informed only and directly by C 2005. In his attempts to implement OBE, Mr K believes he is doing human rights education. In this regard, Mr K's approach is consistent with the national and provincial departments' claim in the national survey (see Table 2 in Appendix 2) that C 2005 constituted their programme on human rights education. For Ms N and Ms G their approaches are explicitly anti-discrimination and anti-racist. In both of these instances, though, there is not necessarily an accompanying rights-based approach to human rights. This suggests that like Mr K, Ms N and Ms G, do not necessarily or always provide their learners with the necessary knowledge of human rights in terms of their legal provisions. In other words, their approach is not legalistic. This contradicts the national survey findings to some extent. The national survey indicated that a legalistic approach to human rights education predominates nationally. Ms N, Ms G and Mr K do not use a legalistic approach to human rights. This is also the case with Mr B and Ms W. Mr B's approach to human

rights is implicit since he does not seem to recognise what he does in the school as human rights interventions. His approach approximates a humanitarian approach to human rights education, since he tends to deal with resolving conflicts and deals with issues of violence and abuse, all of which are central features of a humanitarian approach. Ms W's approach tends to be integrated and not legalistic. She integrates specific concerns, such as gender and sexism, in her teaching, whereas, Mr K integrates human rights in his implementation of C 2005. The integration approach, then, used by Mr K and Ms W are similar in that they are both integrated, but they are different because of the different ways in which they integrate and with what integration is used. The use of the integrated approach to human rights education, however, is consistent with the national survey findings that indicated (see Table 2 in Appendix 2) that in addition to the legalistic approach to human rights education, the integration approach is also prominent.

The sampled teachers' views of human rights are inclusivist and positive, but their points of emphases are different. Both Ms G and Ms N have an anti-racist and anti-discrimination approach to human rights that provide them with a substantive view of human rights. In both of their cases, combating racism among the learners is their specific human rights focus. In the case of Ms W, however, whilst racism among the learners is a point of emphasis as well, she also wants to put substantive measures in place such as "bridging programmes". Thus, Ms W displays a substantive and practical view of human rights. Mr B deals substantively with the specific experiences of the learners in his school, although Mr B does not view what he does as human rights linked and displays a more generalised and abstract sense of human rights. All teachers, however, do have a generalised and abstract view of human rights and this is consistent with the responses to the teachers' questionnaire. The sampled teachers' responses to the questionnaire indicated (see Tables 9 and 10) that views of human rights laws and provisions in general are of the highest frequency. What is interesting to note, though, is that despite having a general and abstract understanding of human rights, none of the sampled teachers provided their learners with direct and explicit information about human rights provisions, laws or the Constitution.

Thus, although specific human rights issues and concerns are dealt with, like racism and sexism for example, these are not necessarily linked to human rights provisions and laws. The approach then tends to be anti-discrimination based, and not rights-based. Mr K, however, demonstrated the most generalised and abstract view of human rights among the sampled teachers.

Table 16 also indicates that the learners in 2 of the 5 schools are aware of human rights provisions in generalised and abstract terms. Nothing can be said about the learners of Schools 2 and 4 since they were not interviewed. The learners of School 1, however, did not have a general view of human rights. They were not even exposed to the Constitution. Schools 3 and 5 learners' views of human rights are, however, consistent with the sampled learners' responses to the questionnaire where their understanding of human rights in generalised terms was of the highest frequency.

However, the data from Schools 3 and 5 indicate that learners in these schools experience human rights in specific ways. In both cases learners experience their human rights being violated due to their experiences of racism and assimilation in their schools. This suggests some of the reasons why the sampled learners' responses to the questionnaire were statistically significant only in relation to the variable of 'race' (see page 307). 'Race' is significant in the learners' responses in the group interviews – 'race' is predominant in their school experiences most of the time.

The learners also do not seem to be participants in making decisions in their schools or, if they are participants, then they feel their views are not taken into account or treated seriously. They also view the rules and regulations of the school as impositions on them, as undemocratic restrictions, if not denial, of their rights.

Although the learners of School 4 were not interviewed, given the contextual features of their lives, one can infer that School 4's learners experience human

rights in terms of violations and abuse in their personal lives and in their homes. Their experiences of human rights are, thus, also specific.

Like the teachers' experiences, then, the learners' experiences in the school profiles are also linked to the contexts and the conditions in their schools. Their experiences of human rights are linked to what they deal with on a daily basis and are specific to their particular micro situations. It should be noted, though, that whilst their experiences of human rights are influenced by their micro contexts, it does not mean that they have a substantive understanding of human rights. They do not necessarily use or are aware of the substantive human rights provisions that may exist in relation to the specific issues they deal with.

The above discussion of Table 16 which summarises the 5 school profiles, verifies that there is an articulation between instruments used in this study, between context and experiences, and among the different actors in and levels of the school. The classroom observation, individual interviews with teachers, and 3 group interviews with learners, "speak to" the national survey, the sampled teachers' and learners' responses to the open-ended and closed-ended questions of the questionnaire. There are, as the school profiles indicate, many points of correlation between the instruments, but there are also points of inconsistency such as Ms W approaching human rights in more specific ways by implementing "bridging" programmes rather than just seeing human rights in generalised and abstract terms. Nonetheless, the use of qualitative instruments has been able to generate more detailed data about particular schools and specific actors' experiences and views of human rights. Whilst the quantitative instruments were able to provide the layers of the background of the school profiles, it is the qualitative instruments that provide a more textured picture of the ways in which lives are lived in the sampled schools' environments. It is through the use of qualitative instruments that the school profiles are able to generate data on people's reasons for thinking what they do or the actions that they engage in. It is within such a frame that the "sketches" of 2 particular learners' experiences and



views of human rights are situated. These are the sketches of Dion and Tulani, the 2 gay learners in this study.

Their sketches give us an account of how some of the experiences indicated by the sampled teachers and learners in the school profiles are viewed from the particular perspective of specific kinds of learners. Unfortunately, though, the school from which Dion came was not part of the sample of schools where research was conducted. Thus, in the case of Dion the correlation between school profile and his sketch cannot be made. However, Dion's experiences as a gay learner resonate with Tulani's, who is also a gay learner. In the case of Tulani, though, his school is part of the sample of the school profiles. Tulani came from School 5 in Gauteng, and correlation between Tulani's sketch and the profile of School 5 is appropriate. The sketches of Dion and Tulani follow.

### **Dion**

I was able to identify Dion through a teacher in a school in the Western Cape who also answered the teacher's questionnaire and whose Grade 9 class responded to the learners' questionnaire.

Initially Dion did not want to be interviewed, because he did "not want to talk about it". However, after a few months Dion was willing to be interviewed. Dion seemed to have changed his attitude and approach. One Monday morning Dion arrived at school with his hair dyed "shocking orange", and went around saying "I am not scared anymore. I am what I am and I am proud". Dion "outed" himself. His orange hair was a symbol of him being unapologetic about being gay. It was only then that he was prepared to be interviewed.

**I:** Tell me about the orange hair.

**Dion:** I just had enough you know, and I said I am tired of being afraid all the time and I am just going to be myself no matter what it takes.

**I:** What were you afraid of?

**Dion:** As you know our school is filled with gangs and they always threaten to rape me and insult me, laugh at me and, Here ("My God"), harass me all the time. I was just gatvol ("sick and tired") of this and said, you know, how long must I walk around feeling scared. So, I decided to dye my hair orange to show them that I am not afraid and I am proud to be gay and who I am. I am here to stay.

**I:** How did they react?

**Dion:** Now they think I am just crazy, you know, like mad. But they got the message. I told this guy, the big shot in the gang, I am here to stay and he better get used to that, and he just looked at me completely shocked. Ooo ... (*giggles*) I just loved it.

**I:** So, has the harassment stopped?

**Dion:** Yes, but they still make comments, but it is not as bad as it was because they know that now I will stand up for myself and I won't take any shit from them anymore (Interview with Dion, 1999).

In the above extract from the interview with Dion one can notice that his experiences as a gay learner are significant in his life and predominates his relations with others and himself. Dion refers to the gangsters in his school and the harassment that they subject him to. His relation with them, and them to him, is informed by his sexual orientation. It is also important to note that the harassment Dion experiences are mainly verbal. He is not subjected to physical abuse or violence. However, Dion's dying his hair orange seems to suggest the focus on the "body" in his understanding of himself and his perception that his "body" is being judged by others. Dion "marks" his body with the orange hair to both assert his own sexual orientation and to indicate to others that he wants to take control of his own "body". Thus, the marking of the orange hair seems to suggest not only that Dion chose to "out" himself, but also re-presents his claim of ownership of his body, sexuality and self.

However, the pathologising of Dion seems to still prevail despite the orange marking of his body. Dion's indication in the above is that "others" now see him

as being "mad" – "they think I am just crazy, you know, like mad". This maintains the misrecognition that Dion seems to experience. "They" do not seem to bother with Dion being gay, but see him as "mad". In this, then, one can note that the "others" continue to distance Dion from the "normal" and "sane". Sexual orientation continues to be viewed as an aberration of the norm, and although Dion is now tolerated more by his peers, he is not regarded as one of "them". Dion's sexual orientation also seems to inform his experiences with other learners, as the following indicates.

**I:** In your class, Dion, do you experience discrimination?

**Dion:** Everyday you know there must be somebody that's going to do the "ladies first number". I get to the door and the boys and girls go "ladies first" or they will pull out the chair for me to sit and say "here my lady, sit", and then when I sit they pull the chair away and just laugh. But now it is not so bad, and Mrs Q doesn't take any nonsense from them, and they don't do that so much.

**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, shit) 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.

**I:** Besides the gangs, how do you think other learners see you being gay?

**Dion:** A long time ago, this guy just came up to me and punched me in the face. I didn't do anything and he just said "you moffies (gays) make me naar (sick, nauseous)". Mrs Q told him this was not acceptable and told him that I am also a human being. You know what he said?

**I:** What did he say?

**Dion:** He said I am worse than an animal. He has more respect for his dog than me. I said, hello, like this guy didn't even think I was human. Really you know how backward can people be?

**I:** But is this the general view of gays among the learners?

**Dion:** No, no, no. That was just with that guy and that's so long ago. The others in the school are okay really. They don't mind me, as long as I don't try my thing with them, they're fine. They are also actually very, very interested to find out what gays do, and always want me to tell them, you know, how we do "it". I just laugh and tell them "come I'll show you" and then they turn away and leave me alone.

**I:** Do you get support at all in school for being gay?

**Dion:** Mrs Q is just fab (fabulous). She has always been there for me. She always supports me and fights for me with the teachers and she really puts those thugs in their places.

**I:** Besides Mrs Q?

**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. Oooo, the boys don't want to be anywhere near me. But, I like being with the girls (Interview with Dion, 1999).

There are several issues that come up in the above extract of the interview with Dion. First, Dion indicates that others learners tend to treat him like a woman – "ladies first". This is the case it seems with both male and female learners. To both male and female learners Dion is like a woman. Dion, however, seems to collude with this in his choice to be with the "girls" rather than the boys. Dion views the girls in the school as his "sisters" and implies that he sees himself as one of them. With the girls, Dion compares notes, talks about boys and shares make up. Dion sees himself, and is seen by others, as a woman, rather than a man who has sex with and loves other men.

Second, Dion also indicates that in the past – "so long ago" – he was physically abused by another learner. This means that although Dion only experiences verbal forms of abuse currently, it does not mean that he has not been physically beaten

up in the school by other learners before. However, as he notes, this is not the case anymore. In this encounter with the learner who beat him up is the perception of Dion as being "worse than an animal". Dion's humanity was denied in this situation. However, Dion responds to this by viewing the denial of his humanity as a "backward" tendency. Thus, whilst Dion is hurt and angered by being viewed as being "worse than an animal", he does not accept this view of himself and resists the denial of his humanity. This is similar to the way in which Dion seems to respond to the content of knowledge he is taught in the school.

Third, Dion sees the projection of dominant norms and views in the knowledge he is taught in the school as rubbish ("kak") and he does not "take it seriously at all". He "laughs it off". In this regard, Dion sees gays as being "more clever" because gays are aware that there are alternative views besides the dominant ones. Instead, Dion views the dominant projections as a joke, and does not internalise them. He "sees through them". Dion, then, makes meaning of his own identity and experiences through his own agency and is not a pawn in the hegemonic constructions of ideological representations.

Fourth, Dion consistently indicates the support Mrs Q gives to him. Mrs Q is the one who defended him against the boy who beat him up and who thought he was "worse than an animal". Mrs Q is the one who is "always there" for Dion, she "always supports" him and "fights" for him "with the teachers" and "those thugs". This indicates the important role the support of teacher can have on the experiences of a gay learner, as much as it also indicates that Dion's experiences would have been worse had there been no such support for him. It should also be noted that Mrs Q's support is active, interventionist and anti-discrimination based. Mrs Q intervenes in the relations among the learners, and she does so actively. She also does not allow forms of abuse or discrimination to continue, and stops these if and when it happens. Thus, for Dion, Mrs Q does not only provide moral, ideological or symbolic support, which tends to be abstract and general. Rather, Mrs Q's support is specific, concrete and, in that sense, substantive.

Finally, it is in the interview with Dion (and as will be seen later with Tulani as well) that I was able to get some sense of what could lie behind the sampled learners' responses to the questionnaire which indicated a high level of resistance to accepting or supporting gays and lesbians (see Chapter 9). Dion's experiences indicate that learners tend to view homosexuality as abnormal and inhuman. They tend, therefore, to pathologise homosexuality and their views are consistent with dominant projections of homosexuality. The individual interview with Dion (and Tulani), thus, provides a way to go deeper into what informs the responses in the other instruments and, thus, is also useful in cross-checking and triangulating the data. Although, then, the data about Dion is somewhat limited they remain useful to this study and reveal important details about the experiences of human rights from the perspective of a gay learner. However, given that Dion's school was not investigated, no further correlation with the interview with Dion can be made.

I could not extend the interview with Dion because Dion had to leave. I have also not been able to secure another time with Dion because it was difficult to contact him since then. I had to end the interview with him and was not able to ask him about his home or outside of school experiences. Dion did indicate, though, that he goes to gay clubs over the weekend and "can't wait for the weekends to be with other gays and just be part of the family. We have such a jorl (party) and grill (gossip, fun talk) with each other. I am with my sisters then you know, and it really is good" (Interview with Dion, 1999).

## **Tulani**

I was able to identify Tulani, a gay learner in a school, because he had done two things that are outstanding and unique. Tulani delivered a speech for his matric examination on the topic "Coming Out". Tulani has also been responsible for setting up the only gay and lesbian club for learners in a school. No such club existed or exists in another school in the country, either in the past or currently. In addition, I was, at the time, in close contact with one of the teachers (Ms G) who

confirmed that Tulani was responsible for these brave and remarkable acts. I was able to get access to Tulani through Ms G and he was willing to be interviewed from the first time we approached him.

**I:** I must say that I find the fact that you delivered a speech called “Coming Out” really brave and actually quite amazing. It is unique, Tulani, not only in South Africa but internationally for a learner to come out so explicitly about their gayness in a school. This is truly unique Tulani, and I need you to know you are an exceptional person for doing so. I really am interested in your experiences of being gay, in school mainly, but also more generally. Can you tell me how you first became aware that you were gay?

**Tulani:** Thanks, well, I always was different ...eh.. When I was still very small I didn’t want to go outside and play like the other boys did and I used to stay in the house and help clean up, cook and just help out in the house. My father used to say I was a “tabane” (gay, hermaphrodite) because I did women’s things. He used to tell my mother that there was something wrong with me, and I just carried on.

**I:** Did your father actually call you that?

**Tulani:** Yes, all the time. He was very ashamed of it and always made me feel that I needed to change. “Tabane” is what he used to call me, and he used to say that he does not have a son but only a daughter.

**I:** Are there other children in your family?

**Tulani:** No, I am the only one.

**I:** How did your mother react?

**Tulani:** Me and my mother get along well. She has always supported me and used to fight with my father. 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. I really couldn’t take it you know and then I moved to my grandmother because she really liked me, and I stayed with her. My mother said it was better, because then it would be easier with my father.

**I:** How did you feel about this?

**Tulani:** I was really hurt, but my father gave me all I needed to deal with the discrimination I got all over. He made me strong. He made me feel the discrimination in my own house and he was my own father. If I could deal with it from him, I could handle it with anybody (Interview with Tulani, 1997).

The intersection between sex, gender and sexuality are highlighted in Tulani's childhood experiences at home. He could not identify with rituals that socialise males as and into men, chose to stay at home and did "women's things". Tulani's father refused to see Tulani as his "son" but rather as his "daughter" and this also led to views of Tulani's father not having grandchildren because of Tulani being a "tabane". Tulani also internalised this and saw himself as a "woman" linking up with "sisters" and "dressing up" in "drag" as a woman. This perception of being a woman is also similar to Dion, who also tended to see himself as a woman, rather than being a gay man who has sex with and loves other men. Of note, though, is the way Tulani inverts what are painful experiences of discrimination as experiences that develops strength and resources in Tulani – "it made me strong" and "I can deal with anybody".

**I:** Did you experience a lot of discrimination?

**Tulani:** Well, ja, I did but it wasn't so bad. People always make comments, sometimes they say really ugly things, and I feel hurt, but they get used to it after a while, and then it is okay.



**I:** And, in school, do you experience any discrimination?

**Tulani:** It is the same, like you know, people make comments when you walk pass, they insult you sometimes and then they bother me all the time to find out what it is like.

**I:** What do you mean, what it feels like?

**Tulani:** Ha, (*giggles*) Ooo, you know like what it is like being gay and (*giggles*) you know how we do it. They are always so curious you know, and I just tell them to “hamba wena” (go away) and tell them to leave me alone.

**I:** And, now how are things at home and the community?

**Tulani:** The most sad thing in my life is that my grandmother passed away, and it was very hard for me, because she was my support, my everything. Now I live with my aunt. My father doesn't want me near the house, but now he understands a little about us gays and we kinda get on. In the location, haai, they are very strange. My sisters and me go to Ipengeni (fictitious name) and a lot of my sisters are there, and meet over the weekends most of the time. At the beginning the community used to hassle us, like you know, whistle at us when we walk down the street, and make comments and laugh at us. But, now, hey wena, we rule the location. They know Ipengeni is our area and they now really accept us. You know when we're not there, they miss us and ask where we are and why we not coming. So, it is getting better. You see they understand after a while and it is okay (Interview with Tulani, 1997).

In the above, like Dion, Tulani also points to verbal abuse as the way in which he experiences discrimination, in the school and the township. He also indicates that most of the time people are curious about gay life and how they "do it". This is also similar to what Dion reported. Tulani views this as an irritation, but also sees it as an advantage he has over others and does not view himself as lacking or deficient in relation to them. Tulani also points out that he has a support network with his grandmother, when she was alive, his aunt, and "sisters". In this network Tulani not only gets support but views himself positively.

In the Ipengeni experiences Tulani's responses point to the increasing acceptance of gays in the community. From being verbally abused, taunted and teased, the Ipengeni community now "misses" Tulani and his "sisters" when they are not there. Like Dion, then, Tulani also seems to experience a decrease in the frequency and intensity of abuse. Both experiences indicate that people's attitudes to homosexuality are changing and that they are being more accepted. However, this also seems to be linked to Tulani, like Dion, being more assertive as well, as the following indicates.

**I:** Do you experience any discrimination in the township now?

**Tulani:** Not really, but I am out and I won't stand for it.

**I:** What would you do?

**Tulani:** Harw? I have my rights now, they can't do what they want to do like before. Now I can take them to the police and they are "bang" (scared).

**I:** Would you do that, I mean would you take them to the police?

**Tulani:** Of course, I have my rights, I am like they are and if they do something to me that is like really bad, I will take them.

**I:** Have you reported anybody to the police so far?

**Tulani:** No I haven't (Interview with Tulani, 1997).

Tulani explicitly refers to his "rights" in defence of himself, and views instruments of the law – "the police" – as "now" being there for the protection of his rights. Tulani views these rights as establishing equality between him and others – "I am like they are". He also views this as being different from the past. The perceived increased acceptance among community members has to also be seen in the light of greater confidence and assertion on the part of Tulani, as well as the existence of formal equality provisions which recognise sexual orientation as a human right, and which Tulani refers to explicitly. In comparison, though, Dion did not refer to formal human rights provisions regarding sexual orientation,

and tended, instead, to display a more generalised sense of human rights and him being equal to all human beings.

**I:** Coming back to the school, how do you respond to the ways things are taught in school, you know they always just give you a “straight” picture.

**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).

Again Tulani views the "curious" questions from others about gayness to be an irritation and views himself as being able to "think" and others "just don't think". He believes he has answers which others need to discover for themselves. He again inverts the verbal abuse as indications of his own advantages and others lack of knowledge. This resonates with Dion's views as well. Dion also sees gays as "more clever", Dion also "laughs off" what he is being told and Dion also inverts the dominant projections to his own advantage. However, Tulani also points out that he does this because he does not want to "confirm" other people's views of him. He does not want to be "outed" by them saying things like "I told you he is tabane". Tulani raises the important point about gays "outing" themselves and defining their own identity for themselves, rather than have this determined for them by others.

**I:** How do you get along with the learners?

**Tulani:** I only hang out with the girls. We get along and they like my company. The boys, ah, they just want to know how we do it, and that is all they're interested in, and they just waste my time. So I spend all the time with the girls, and we have lots to talk about.

**I:** And with the teachers? How do you get along with them?

**Tulani:** Here in this school they really give me support, like Ms G, and they like me. But in the other school, like when I was small, they used to make feel like there was something wrong with me and one teacher also said that somebody did "muti" (witchcraft) on me, I must go to a sangoma (witchdoctor/traditional healer). Haai, I cried and then my grandmother told them to leave me alone.

**I:** And ... sorry, carry on?

**Tulani:** Ja, and then there was this one day when the PE teacher wanted to force to take off my clothes in front of the other boys, and I screamed and ran away, and went to the principal. The PE teacher was trying to make a man out of me, and I told him he mustn't even think about it, because he can try but he is not going to get anywhere (Interview with Tulani, 1997).

In the above, Tulani notes the intersections between sex, gender and sexual orientation, and like his early experiences at home, in school he experiences not being able to fit in male socialisation rituals. He objects to the rituals of the PE class, finds boys "wasting his time" and spends his time with girls with whom he has "lots to talk about". He also receives support from the staff of his current school, but points out that in other schools he went to, his gayness was viewed as an act of "muti" and as of him being in need of being cleansed of an evil that was thought to be bewitching him. The support his grandmother provided to Tulani is indicated here by his grandmother stopping Tulani being forced to be taken to a "sangoma" for healing.

There are consistencies between what Tulani reports and what Dion said. Tulani and Dion choose to stay with the girls, both are subjected to "curious" questions about how they "do it", and both have support from teachers in the school. In the

case of Tulani, though, the support he gets in his school includes the management of the school.

Tulani confirms the School 5 data about the management's and staff's support for human rights in general, and gays and lesbians in particular (see page 363), as well as their anti-discrimination and inclusivist approaches. This is unlike the previous school(s) Tulani experienced.

**I:** Do you find being “out” in school makes things easier for you or does it make it more difficult for you?

**Tulani:** Definitely easier. Most of the time people just hassle you because they want you to admit you’re gay, like you know, so they can say “see I told you”. Then they ask you questions, bother you and make comments. Now when I am “out”, they know and that’s it, and this time I am telling them, so they mustn't come and say I told you so. This is me, and I am proud. Now they know it. They leave me alone. And then they only come to me to do something for them, or ask me about something, but it’s much easier being “out”.

**I:** Okay, tell me about your speech that was called “coming out”?

**Tulani:** We worked on it in a group, and I presented it to two teachers and a group of matric learners, then they asked questions and that was it.

**I:** What questions did they ask you?

**Tulani:** There was only one, and the girl wanted to know what it feels like to be gay.

**I:** And after that?

**Tulani:** Nothing really. Lots of learners came up to me to say congrats (congratulation) and stuff like that, but nothing hectic happened. It was like okay.

**I:** Tell me about the gay and lesbian club you set up.

**Tulani:** Two years ago my friend who is lesbian and was also in this school, she left last year because she finished her matric. So, we decided that as a gay and lesbian we could form our own club and we told the

teacher and principal and before they could say anything we went ahead and formed the club. We were only four but we made people aware of gays and lesbians, and lots of people also wrote articles about this, and asked us questions, and it has helped a lot. Now my friend is gone and the club has kinda died down, but I am still here. It is not like it was when we started.

**I:** Are there other gays and lesbians in the school?

**Tulani:** He, he (*giggles*) I don't know, how do you know?

**I:** Ha, Ha, okay has anybody else come forward to help with the club or to join it?

**Tulani:** No (Interview with Tulani, 1997).

Being "out" for Tulani has made things easier and rather than being "outed" by others he feels he is in control by taking the initiative to "out" himself. This is similar to Dion's dying his hair orange. Dion took control of "outing" himself by dying his hair; he thinks that things are much better for him because of doing so.

Tulani also indicates that he set up the club with a fellow learner who was lesbian and the club provided a support for them and a basis to make others "aware" of gay and lesbian issues. They also seemed to have initiated debates and discussions around such issues and received contributions from others. This confirms the earlier data about School 5 that indicated (see page 363) that "awareness raising" programmes were conducted in the school among all actors when the gay and lesbian club was established. The club seems to be dwindling, due mainly to the lesbian learner leaving the school. After Tulani matriculated the club became totally inactive. I was able to establish this in contact with teachers from School 5 after the empirical work with School 5 was conducted.

**I:** My last question, I know you need to go. What do you do when you are out of school, especially over the weekends?

**Tulani:** I go to Skyline (once a gay club in Johannesburg) sometimes, and I like it there, but the transport is a problem and there are no taxis late so I

can't go. But, I spend most weekends with my sisters in the location and we just have such fun, you know, dress up, and laugh and laugh and laugh. This weekend I am going to meet my sisters in Ipengeni. So watch out Soweto the sisters are out this weekend again (Interview with Tulani, 1997).

In the above, Tulani points to the support network provided by gay clubs in Johannesburg and his "sisters". Tulani is also unafraid and confident about himself and his "sisters" with whom he seems to have a "lot of fun". He also views their presence in Ipengeni as shocking the community, as causing a stir, and warns that "Soweto needs to watch out because the sisters are out". Dion also indicated the fun he has with his "sisters" and the support that they provide. Indeed both Dion and Tulani are gay, proud and "out".

The interviews with Dion and Tulani provide more specific details about experiences in schools about human rights. It is tempting to assume that 'race' and racism are the only significant factors in learners' and teachers' experiences in schools, given the privileging of them in, for example, Schools 2, 3 and 5, and educational legislation and policies. However, the interviews with Dion and Tulani indicate that in their lives, sexual orientation is prominent and not 'race'. In fact, neither Dion nor Tulani made any references to 'race' in their accounts of their own school experiences. The interviews with Dion and Tulani, then, were able to point to what normally would not become visible. They indicate that there is more than 'race' that may be at work in schools in terms of experiences of human rights.

In the case of Tulani, more than that of Dion, the interview was able to reinforce the data gathered using other instruments. Tulani confirms the pro-human rights, anti-discrimination approach of School 5 and Ms G. Tulani also confirms that the management and staff of the schools are supportive of sexual orientation rights, and also confirms the programmes that were conducted to raise the awareness of the school actors in regard to questions of sexual orientation, sex and gender (see

page 363). These are also reinforced by his confirmation that the school allowed the establishment of a gay and lesbian learners' club in the school, as well as legitimated officially his choice to present a speech, for examination and accreditation, on "coming out". Tulani, and to a lesser extent Dion, also verifies that although the learners hold prejudices about homosexuality, they are increasingly becoming more accepting of homosexuality and inclusivist in their views. Thus, whilst the sampled learners' responses to the questionnaire indicated (see pages 304 to 309) their inclusivist views, it is in the interviews with Tulani and Dion that these reveal that this inclusivism among the learners still harbours deep level prejudices. This also confirms how it is possible for the sampled learners to indicate that they will not support gay and lesbian organisations and still remain inclusivist in their views. Tulani and Dion note the ongoing pathologising of their gayness, from being abnormal, "worse than a dog", to being bewitched. These provide some of the factors that seemed to have informed the uncalled for, insulting comments about gays and lesbians that some learners chose to write in their responses to the closed-ended questions in the questionnaire. It is also through these interviews with Dion and Tulani that one gets a clearer picture of what lies behind the learners' responses in the group interview which indicated that they "don't mind them (gays and lesbians)", so long as "they don't try their stuff with me". Thus, although more accepting of gays and lesbians than previously, learners continue to distance themselves from "them" and hold prejudicial views about "them". In this regard, the individual interviews with Dion and Tulani confirm some of the data from the other instruments, and give more details in ways that would not have been possible otherwise.

Dion and Tulani, in varying degrees and ways, do get institutional support from their schools. Both have the support and protection of their teachers, which plays a direct and significant role in their lives. In Tulani's case the management also backs him up. Both also indicate that there is an increasing acceptance of them being gay, and that "things are not so bad anymore". The decrease in frequency and intensity of the abuse that they experience, which is mainly verbal, is linked to these softening of attitudes towards them. Tulani sees this, however, as being a



consequence of sexual orientation rights being provided in the Constitution's equality clause.

Dion and Tulani also invert hegemonic projections of gender, sex and sexuality and "see through" them, viewing these as rubbish. In this inversion, Dion and Tulani exert their own human agency in making meaning of and for themselves, and, it is also in this inversion that they view themselves as "better" than the "others", as being able to "think" and being "more clever". They are, thus, not passive in the face of the knowledge they are subjected to in the curriculum, but critical and opposed to them.

Both Dion and Tulani are what may be regarded as "femme type" gays, transsexuals. This means that they see themselves as women and want to be like women. Dion and Tulani dress up in "drag", enjoy being with the girls and do not see themselves as being men. Dion and Tulani, then, are not like other gay men who see themselves as men who have sex with and love other men. Dion and Tulani internalise, ironically, a feminine persona and, in that sense, reproduce dominant sexist patterns of gender relations, by playing the female.

Tulani, more than Dion, seems to have more of an understanding of human rights provisions. He explicitly noted the formal equality provisions that protect gays, is aware of the possibilities of using the police in the event of him being discriminated against, and of being entitled to things others are as well. Tulani also has a substantive sense of human rights as indicated in the establishment of the gay and lesbian learners' club which he notes as providing support, and the awareness programmes that accompanied this. Dion's views of human rights are more implicit, and there are no substantive equality views in his account.

In this chapter, I have presented the findings of the empirical research of this study, and in the next chapter I analyse these findings in the light of the review of the literature discussed in Part One. It will be useful, though, to synthesise the issues raised in this chapter by way of concluding it. However, rather than

presenting the findings again in summary form now, it is more useful to recap on the many areas and levels this chapter has traversed.

In this chapter I have provided the data from:

1. The National Survey Questionnaire
2. The sampled teachers' responses to closed-ended questions in the questionnaire
3. The sampled teachers' responses to the open-ended questions in the questionnaire.
4. The sampled learners' responses to the closed-ended questions in the questionnaire.
5. The sampled learners' responses to the open-ended questions in the questionnaire.
6. Classroom observations.
7. Individual interviews with the selected Grade 9 teachers.
8. Group interviews with the selected Grade 9 learners.
9. 5 School profiles.
10. 2 sketches of gay learners constructed through the individual interviews with them.

In going down the paths opened by the above, I have attempted to bring together qualitative and quantitative data and instruments by way of demonstrating the ways in which they polyangulate. I have been most concerned about showing how the national, local and individual contexts articulate with each other and how they construct the portraits of the selected schools and the actors within them. These have provided the background, frame and images of the 2 gay learners whose sketches give texture, colour, shading and the directions of strokes on the canvas. The portrait to emerge from these is by no means a neat picture. The portrait is a complex picture, with many images, with different colours, shades and strokes, and with many points of correlation and inconsistency. As Lawrence-Lightfoot and Davis point out, “portraiture” is “an effort to capture the

complexity, dynamics and subtlety of human experience” (Lawrence-Lightfoot and Davis, 1997: xv).

In the portrait, the national survey provides one layer of the background, and shows the existence of human rights education programmes in South Africa and the predominance of legalistic and integrated approaches in them. The teacher and learner questionnaire data provide the next layer in the background, and indicates that generalised and abstract views of human rights are prominent, and that teachers and learners hold inclusivist conceptions of human rights and people. The 5 school profiles portray the contexts in which learners' and teachers' experiences are located, enlivened by the interviews with the teachers and the 3 groups of learners, and classroom observations. The faces of Dion and Tulani are then situated on this canvas. Together all of these construct the portrait of human rights education in South Africa.

However, the strokes go in different directions. The images overlap and they contradict each other all the time. The complexity of the portrait, and indeed being able to construct a portrait in the first instance, has been made possible by the use of different research approaches and techniques. It is in the use of these multiple methodological tools and polyangulation that the portrait and its complexity could be captured.

Human rights programmes are underway and Grade 9 teachers and learners are positively inclined to human rights and inclusivist in their views. However, it is not as straight forward as that. There are particular approaches to human rights education that are being used, teachers' views are different and learners have differences among themselves. Whilst aware of human rights, the understanding tends to be generalised and abstract. Whilst inclusivist in their views, prejudices are still prevalent and acts of discrimination still occur. Whilst gays (and lesbians) seem to be in a more tolerant environment, the pathologising of homosexuality continues. Whilst apartheid is officially abolished, racism is still a feature of learners' experiences. The portrait is complex.