

Art. #2166, 11 pages, <https://doi.org/10.15700/saje.v43n2a2166>

“What if we give them too much voice?”: Teachers’ perceptions of the child’s right to participation

Lucia Munongi 

Department of Educational Psychology, University of Johannesburg, Johannesburg, South Africa
luciam@uj.ac.za

Article 12 (1) of the United Nations Convention on the Rights of the Child sets out the right of children who are capable of forming their own views to freely express them in matters that affect them. Such views should be considered in schools when making decisions, paying attention to the child’s age and maturity. In this study we explored teachers’ understanding and perceptions of the implementation of the child’s right to participation in matters that concern them in the school context. Using a qualitative research approach, data were obtained from 12 purposively selected high school teachers from selected schools in the Johannesburg South district through semi-structured individual interviews. The findings indicate that while understanding of this right was limited among teachers, there was a high preference to accord children this right. Opportunities to participate were mainly viewed as very limited and only in minor issues at school. Several challenges to promote this right were highlighted by teachers and are discussed in this article. Recommendations such as educating teachers about children’s rights to participation and creating opportunities for them to participate in decision-making in matters that concern them are made.

Keywords: children’s rights; decision-making; learners; perceptions; right to participation; UNCRC Article 12 (1)

Introduction

The United Nations Convention on the Rights of the Child (UNCRC) which is the world’s most endorsed human rights document, contains a list of articles of children’s rights as well as responsibilities of adults to fulfil these rights. Article 12 (1) specifically refers to the child’s right to be heard. This gives “the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child” (Office of the High Commissioner of Human Rights, 1989:Article 12 (1)). The child’s right to be heard is equated to the child’s right to participate in matters that concern them. Schools are one place where the child’s right to participation should be implemented given that children spend most of their childhood lives in the school environment. Teachers can work as agents of knowledge-sharing and implementation of this right for learners because they are in constant contact with them. However, Rinaldi (2017) acknowledges that this right is still not easily realised in practice. It is against this background that this study was conducted to investigate teachers’ understanding and perceptions of the implementation of the child’s right to participation in selected South African secondary schools. This article presents a literature review, methodological considerations, and a discussion of findings. It also provides recommendations based on the findings of this study.

Objective of the Study

The objective with this study was to explore the understanding and perceptions of the implementation of the child’s right to participation in the school context from the teachers’ point of view. This was achieved by interviewing 12 teachers from a sample of public and independent secondary schools in Johannesburg South educational district to gain understanding and perceptions on this phenomenon.

The Setting

In South Africa, secondary and senior secondary education starts at Grade 7 to 12 with learner age ranging between 12 and 18 years. Due to learners repeating certain grades the age range may vary. In non-combined schools, which were sampled for this study, the grades were from 8 to 12. This is also the stage at which learners are guaranteed the right to participate in decision-making by electing a body, the Representative Council of Learners (RCLs), which is a representative body of learners acting as a link between the learners and the school authorities. This body operates at school level and is incorporated into the School Governing Body (SGBs) as mandated by the South African Schools Act (SASA) (Republic of South Africa [RSA], 1996a). The SASA of 1996 is the legislation on education that regulates children’s right to participate as learners. This Act makes provisions for democratic school governance, through SGBs, where learner representatives are allowed to co-decide with adult members on matters that affect them in their school lives (RSA, 1996a). This system has been implemented in public schools countrywide. Public schools are those that are fully controlled and subsidised by the state in their daily function while independent schools are privately financed and governed but may be partially subsidised by the state (RSA, 1996a).

Literature Review

Child participation is one of the core principles of the UNCRC. According to Reyneke (2013), this is manifested through the child's right to be heard or to express their views. South Africa became a signatory to the UNCRC in 1993 and ratified it in 1995. By so doing, South Africa is bound by its provisions which include promoting the child's right to participation. Although the Constitution of the RSA (1996) (RSA, 1996b) (hereafter, the Constitution) does not include the child's right to participation in s. 28, which is devoted to children's rights, this right is included in the Children's Act 38 of 2005 (Department of Social Development, 2005:s. 10), which specifically refers to child participation. Therefore, in this article the right to be heard and the right to participation will be used interchangeably. According to the United Nations Committee on the Rights of the Child (2009:art. 12, para. 3), child participation refers to: "ongoing processes, which include information-sharing and dialogue between children and adults based on mutual respect, and in which children can learn how their views and those of adults are taken into account and shape the outcome of such processes."

Thus, adults need to create opportunities for such information sharing and dialogue between themselves and the children in a free and non-manipulative environment. Furthermore, these dialogues need to be based on mutual respect and adults should take children's contributions seriously and consider them when making final decisions. In the school context, all relevant authorities such as principals, educators, and the SGB are mandated to fully respect and promote the child's participation rights at all costs. However, as noted by Lundy (2007), this right is quite complex and multifaceted and should not be reduced to just giving children the opportunity to express their views without actually listening to them and giving due weight to their contributions. Hence, there is a need to fully implement this right, bearing in mind that this is not a favour but an inalienable right.

Through free expression of views, children are given opportunities to participate in co-deciding with adults in matters that affect them. Involving children to participate is not just a UNCRC treaty obligation, but comes with a number of benefits such as increased self-confidence, positive self-esteem, and development of children's skills such as formulation of opinions, collaboration, and reasoning skills (Collins, 2017; Saywitz, Camparo & Romanoff, 2010). In the South African school context there are several opportunities that can be used to promote child participation. For example, learners can participate by expressing their opinions or voicing their complaints or desires through the RCL (RSA, 1996a). From the author's perspective, in their personal capacity, learners can

also express their ideas on choosing subjects they want to pursue, how they prefer to be taught, participating in making classroom rules, and suggesting school activities that they want to do and how they should do them. These activities can include, but are not limited to, celebration of special days, fundraising activities, and school trips. Learners, therefore, are expected to be consulted in matters that affect them before decisions are made. Their views are supposed to be taken seriously and into consideration when making final decisions. However, final decisions should consider the learners' ages and maturity – an aspect which makes the implementation of this right in decision-making challenging. Currently, in South Africa, the role of RCLs is crucial, but their effectiveness has been limited by adult members of SGBs (Gamede, 2020). While participation in their personal capacity is also crucial, research has shown that adults still limit children to do so, both at school and other public spaces (Cherney & Shing, 2008).

Despite South Africa having ratified the UNCRC in 1995 and rolled out the SASA in 1996 to enable learner participation, there is evidence that learner participation is still below par in many schools. This is due to several reasons including the perceptions that adults have of children. For example, Gamede (2020) notes that in rural contexts, culture is one of the major impediments of learner participation in SGBs as learners find themselves not being given enough leeway to express their views freely because adults position them as incapable of contributing reasonable ideas. Literature also shows that children are not given the right to express their views or challenge adults' views as adults view this as unacceptable and inappropriate. This is evidenced in Altinyelken's (2010) study which shows that children in Ugandan societies are raised to respect adults and questioning them is seen as deviant behaviour. Similarly, Van Bijleveld, Dedding and Bunders-Aelen (2015) note that research done in various countries on child participation portrayed that adults view children as not having the necessary skills and competences to make reasonable contributions. Furthermore, Leviner (2018) notes that in youth care and child protection, children's views were only considered if they happened to align with those of adults. Such circumstances deny children their right to be heard and reduces them to mere observers and listeners of adult deliberations.

Reyneke (2013) is of the opinion that the main challenge for children to exercise their right to participation is that they are dependent on adult cooperation who are in most cases reluctant to acknowledge and support this right to children as they see children as incapable of making meaningful decisions. Furthermore, Lundy (2007) cites the lack of awareness and application of this

right as another stumbling block in children exercising their participation rights. Given that adults such as teachers can be agents for or against child participation in schools, there is a need to investigate their understanding and perceptions of the child's right to participation so that necessary steps can be taken to promote this right in schools. In South Africa, research on child participation in schools has been conducted by Carrim (2011), for example, who looked at ways of participation in relation to conceptions of children in the SASA and South African curriculum policy. Mncube (2008) and Pendlebury (2011) further examined learner participation in school governance and Phaswana (2010) explored the RCLs' perspectives and experiences of participation in schools. However, there remains a gap on teachers' perceptions on child participation in schools. It is against this backdrop that this study was done to add to the limited literature and to contribute to establish the understanding and perceptions of teachers of the child's right to participation in a bid to establish whether this right was being implemented in selected South African secondary schools.

An overview of child participation

The issue of child participation is a crucial one because children have the right to participation, yet, research shows that despite acceptance of this right, there is still a general lack of provision of an enabling environment for children to exercise this right (Save the Children Sweden, 2010). In South Africa, during apartheid, children's rights were grossly violated resulting in the arrest of children who participated in political matters (Mestry, 2017). Although non-governmental organisations tried to fight for children's rights, there was little success due to poor organisation and coordination (Rama & Bah, 2000). With the dawn of democracy in South Africa, schools were mandated to teach children about their rights through the school curriculum. Since teachers are the main gatekeepers in teaching children's rights at school level, there is a need to know their understanding and perceptions as this may influence the creation of the required enabling environment or its restriction for child participation.

Children's rights movements have gained significant support globally since the last quarter of the 20th century. Although internationally standards on children's rights have generally escalated, there remain gaps in meeting the set standards. In South Africa, several children's rights movements have been implemented. It is worthy to mention at this point that the scope of this article cannot capture the complex details of the children's rights movements but only highlights a few events. One such crucial event in the history of children's rights movement in South Africa was the Radda Barnen sponsored conference of 1987, entitled

"Children, Repression and the Law in Apartheid South Africa" (Abrahams & Matthews, 2011). This was followed by more events such as the formation of the National Committee on the Rights of the Child (NCRC) in 1990 and the Children's Summit in 1992, which resulted in the adoption of the Children's Charter. Further events led to the ratification of the UNCRC in 1995 with South Africa submitting its initial country report to the United Nations Committee on the Rights of the Child in 1997 (Abrahams & Matthews, 2011). In 1993, South Africa adopted an Interim Constitution which made provisions for the inclusion of children's rights. This resulted in Section 28 of the Constitution, which specifically covers children's civil and socio-economic rights. To this day South Africa continues to advocate for children's rights.

The earliest case on the child's right to participation in matters that affect them was between *Christian Education South Africa v Minister of Education* (CCT4/00) [2000] ZACC 11; 2000 (4) SA 757; 2000 (10) BCLR 1051 where Sachs questioned why children were not consulted on the decision to reintroduce corporal punishment in schools. There have also been several cases where the court has dealt with the child's right to participation, for example in cases involving parents' divorce (Boniface, 2013). For example, in the case of *Godbeer v Godbeer* 2000 3 SA 976 (W), where the mother wanted to take her two daughters from South Africa, the court's final decision was based on what the custodian parent wanted, and the wishes of the children were not considered. In both these cases, failure to consult the children was a violation of their right to participation.

In a recent case of *AB and Another v Pridwin Preparatory School and Others* (CCT294/18) [2020] ZACC 12; 2020 (9) BCLR 1029 (CC); 2020 (5) SA 327 (CC) (17 June 2020), two learners from Pridwin preparatory school (an independent school) were expelled because of the misconduct of their parents especially during sporting events (Laubscher, 2020). The school used a clause in the enrolment agreement which gave them the right to terminate the contract at any time if it was deemed necessary. However, the South African Constitutional Court ruled that the views of the children must have been heard and their best interests should have been considered before a decision was made that would affect their right to education (*AB and Another v Pridwin Preparatory School and Others* (CCT294/18) [2020] ZACC 12; 2020 (9) BCLR 1029 (CC); 2020 (5) SA 327 (CC) (17 June 2020)). This decision demonstrates the need to uphold the principles of child participation. These three cases prove that children's rights, especially the right to participation and to be heard in matters that affect them, are less known and acknowledged by society and adults.

Unfortunately, these problems are still existing despite South Africa having a progressive democracy. These cases further demonstrate that the exclusion of children from participation is not synonymous with any particular setting in South Africa, rather the challenges are experienced anywhere.

Challenges of child participation are also common in other African countries such as Ghana where children who are vocal are regarded as disrespectful (Twum-Danso, 2009). Findings from a study on child participation in Eastern Africa reveals that despite a general recognition of the child's right to participation, there are insufficient measures in place to implement this right in this region (The African Child Policy Forum, 2015). Similarly, in Southern Africa, there has been a considerable increase in organisations incorporating children's participation into their programmes, but major huddles to children's participation in public spaces and the family remain (Save the Children Sweden, 2010). This is mainly attributed to the influence of culture, which views children's participation rights as externally imposed (Save the Children Sweden, 2010).

Theoretical Framework

Child participation does not happen in isolation, but it is influenced by the environment in which the children are raised. This environment includes their homes, schools, and larger communities which may either facilitate or prohibit their participation. It is from this background that Bronfenbrenner's bioecological systems theory (Bronfenbrenner & Morris, 1998) was chosen as a framework to anchor this study. This theory clearly states the impact of the environment in which the child grows up in on the child's development. In other words, how the child interacts with their environment has a direct or indirect influence on how the child develops. This environment, according to Bronfenbrenner (1994), is presented at different levels namely the child who is in the centre (ontogenic) system, the microsystems which include the child's family, peers, school, neighbourhood and church, the mesosystem which is the relationship between the micro-systems, the exosystem which refers to environments that indirectly influence the child, the macrosystem which comprises of ideologies of culture and society, and the chronosystem which includes changes that occur over time in the child's developmental life. For the purpose of this study, focus is placed on the microsystem and specifically the school aspect.

For Khanare and De Lange (2017), children's development is highly dependent on the degree of reciprocal interactions with their environment. This implies that the interactions between the learners and the school authorities in terms of being given

opportunities to express themselves and co-deciding with adults in the school environment can significantly shape the implementation of their right to be heard. Where interactions, interdependence, and interrelationships between children and school authorities is free and mutual, such children may enjoy their right to participation more than in restricted environments. Children are viewed as creators of their own ideas and active participants in the construction of their societies, hence, they have the capacity to influence events in their environments (Bronfenbrenner, 1994). Thus, this theory can be used to explain the perceptions of teachers of the child's right to participation as their perceptions can either be keys to lock or unlock the way for learners to enjoy this right. The theory also recognises the child as an active participant in the construction of their unique environment (Donald, Lazarus & Lolwana, 2006).

Research Methodology

A qualitative research method with a phenomenological design was used because it enabled the exploration of teachers' understanding and perceptions of the phenomena being studied (Teherani, Martimianakis, Stenfors-Hayes, Wadhwa & Varpio, 2015). As elucidated by Hammarberg, Kirkman and De Lacey (2016), qualitative research enables the researcher to gain a deeper understanding of participants' views and perceptions. This method also allowed a researcher to be present in the research setting (Mackey & Gass, 2016). Therefore, this approach was suitable for getting detailed information on teachers' understanding and perceptions of the child's right to participation in the school environment. Phenomenology design was suitable as it enabled me to explore teachers' perceptions on the child's right to participation.

Four schools from Johannesburg the South educational district in the Gauteng province of South Africa were used. These schools were chosen to gain an understanding of teachers' perceptions in both public and independent school environments. Also, the public schools were all Black in terms of teacher and learner population while the independent schools were predominantly White in their teacher and learner population. This was hoped to provide a view of the perceptions from a variety of population groups. The Johannesburg South district in the Gauteng province was preferred due to its convenience in location for the researcher. Furthermore, the selected public schools were in Soweto, a township that has a historical background of suppression and violation of human rights during apartheid. The two independent schools were also within a radius of 20 km from Soweto, which means that the environmental factors at play were likely to be similar. Twelve teachers (eight females and four

males) were purposively selected from two public secondary schools and two independent secondary schools based on their willingness to participate in the study. Pseudonyms were used to protect the identity of the participants. Although the sample size was small and findings could not be generalised to a wider population, the participants provided valuable insights on their understanding and perceptions of the child's right to participation, which was the purpose of this article. Secondary schools and not primary schools were selected because in South Africa, legally, children are given an opportunity to be involved in participation through the representative body of RCL in Grade 8 to 12 (RSA, 1996a). This could be because secondary school children are deemed to be old

enough to form an opinion, and hence it would be more acceptable to exercise their right to participation. Furthermore, previous research reveals that adults tend to support participation rights for older children rather than the younger ones (Peterson-Badali, Ruck & Ridley, 2003). The schools and participants were also selected as they would provide a balanced view of what was happening in both public and independent urban schools, as well as that they were easily accessible for the study. The use of purposive sampling enabled me to select participants who could provide the required rich information that could address the research questions (Bryman & Bell, 2015). Table 1 below summarises the characteristics of the sample used.

Table 1 Biographical summary of participants

	Name of participant	Gender	School type	Age range	Population group
1	Queen	F	Public	36–40	Black
2	Zowi	F	Public	31–35	Black
3	Xotyiswa	F	Public	24–30	Black
4	Lindiwe	F	Public	51–55	Black
5	John	M	Public	55+	Black
6	Kenny	M	Public	24–30	Black
7	Meme	F	Independent	24–30	Black
8	Lorna	F	Independent	31–35	White
9	Melisa	F	Independent	36–40	White
10	Cornelia	F	Independent	51–55	White
11	Reef	M	Independent	55+	White
12	Tom	M	Independent	41–45	Black

Prior arrangements were made with the principals and the teachers to conduct the interviews during those periods when teachers did not have classes to not disrupt the normal school programme of teaching and learning. Semi-structured individual interviews which had open-ended questions were used to gather data. The following questions, together with follow-up questions used to further probe for clarity or more information guided the interviews:

- 1) What do you understand about the child's right to participation?
- 2) What are your perceptions of the implementation of the child's right to participation at school?
- 3) In what ways can the implementation of the right to participation be improved at school?

Semi-structured interviews were chosen as they allow participants to talk about their perceptions in a guided manner but also allow the researcher to probe for further information on matters that may not be clear or completely answered (O'Leary, 2004). The guiding questions also ensured that all participants were uniformly interviewed. Trustworthiness of the study was ensured by interviewing only those participants who were willing to participate, using the same interviewing format for all participants, and including both male and female participants in the study in order to eliminate gender bias. The teachers signed consent

forms after the study purpose had been explained to them and they had been given the opportunity to ask questions. Interviews were audio-recorded with the participants' permission and pseudonyms were used to protect the participants' identity. Participants were given assurance that all information would be treated with the highest level of confidentiality.

Data were analysed using thematic content analysis following Braun and Clarke's (2006) six steps of familiarising with data, generating initial codes, searching for themes, reviewing themes, defining and naming themes, and producing the report. Data were first transcribed verbatim to preserve the participants' original words and meaning. These were used verbatim in the findings section to represent what was said by participants. Data coding was done by assigning a term on chunks of data that had similar meaning. Themes were then developed by grouping similar categories together. Five themes were finally generated from the data: 1) teachers' understanding of the child's right to participation, 2) views on granting children the right to participation, 3) perceptions on implementation of the child's right to participation at school, 4) reasons for not involving children, and 5) suggestions on improving the implementation of the right to participation in school.

Results and Discussion

Theme 1: Teachers' Understanding of the Child's Right to Participation

Results from the study show varied understanding of the child's right to participation. Two teachers, one from a public and one from an independent school pointed out that children had the right to have their voices heard and to make decisions. For example, Xotyiswa said: *"Well, they have got the right to say something, they have got the right to voice their opinions and also their right to participate in decision-making on things that affect them."*

Others, especially those who were younger (between 24 and 45 years) but from both public and independent schools understood this right in terms of active involvement in classroom activities and taking part in activities such as sports, as expressed by Queen:

Learners should talk like they should ... ask questions where they do not understand. Also, they should be able to answer questions when I ask them as well as doing whatever activity they are expected to do because in Grade 1 they also sing, do aerobics. So, for me participation is being active in class.

Tom also said: *"I'm thinking in terms of their right to participate in sport, in cultural activities...."*

Understanding of the right in terms of evolving capacities of children that must be considered in facilitating children's participation was also prominent among teachers from both public and independent schools. For example, Melisa said:

In terms of participation, they can do what they are supposed to do as children. I cannot say they must do things that they are not supposed to. There are things that they have to do that really suits them as children. But now not having to let them to do things that are beyond their powers that they cannot do. They have to do what is within their powers.

Given such varied understanding of the right, and with no particular inclination to the type of school one belongs to, one can assume that the teachers' responses may have been influenced by their perceptions of humanity, adulthood, childhood and teacher-learner relations, among many other factors which may have an impact on the extent and how children's participation are supported or restricted. There is a high possibility, therefore, that this right was implemented in the selected schools based on how the teachers understood it. Thus, this may result in inconsistency in teaching children about their right to participation. Although teachers' understanding of the child's right to participation did not always necessarily connect to the definitions of the UNCRC Article 12, their definitions provided an insight of how they perceived the right to be. This probably suggests how these teachers would teach children about this right or the way they would implement this right

based on their own understanding thereof. Lundy (2007) notes that a lack of awareness of the child's right to participation hinders its promotion in schools by gatekeepers such as teachers. Pendlebury (2011:47) further points out that "Where adult stakeholders have little experience of children participating as equal partners, an understanding of adults' attitudes towards children's participation is a precondition for enabling a change of mindset." Thus, there is a need to have knowledge of teachers' understanding of children's participation to facilitate a change of mindset and align them with those of Article 12.

Theme 2: Views on Granting an Enabling Environment for the Realisation of the Child's Right to Participation

On whether children should be provided with opportunities to exercise the right to participation, all teachers, despite their age, gender, population group or type of school, unanimously voiced that children should be accorded this right as children have feelings which need to be considered. This unanimous agreement is a good indication of the endorsement of this right among teachers of different backgrounds. However, they expressed that this should be done with caution as this may involve children in stressful situations. Reef had this to say: *"They must put limits because some things are beyond our children and may cause unnecessary stress if we involve them."*

The tendency to exclude children to participate in matters that concern them is also visible outside schools where courts usually show concern in either involving children, or over-involving them in court proceedings fearing the negative impact this may have on the children's welfare (Tisdall, 2016). Such a concern could emanate from the need to protect children but this poses a complex question: when to involve and not to involve children when it comes to matters that concern them. This is complicated by the failure to reach an agreement on the definition of participation despite so many debates and discussions going on (Lansdown, 2010).

Furthermore, some participants felt that not limiting child participation would lead them to lose control due to the children being given too much freedom of expression and in decision-making. This fear and many others were common among all teachers. This is in line with Gamede (2020) who notes that in African societies, adults are leaders while children should follow what adults dictate to them. Hence, giving children the freedom to express themselves and make decisions can be seen as a threat to that adult authority. John had this to say:

There should be a limit because if we give them too much power, we end up not being able to control them. So, we have to be in control because we are the elders, and they are just kids. They may have

suggestions and opinions but it's not all of their opinions that are correct. So, we have to be there to correct them so that we do things in the right way – so there should be some limits.

This fear is also noted by Bajaj (2011:488) who highlights that teaching about human rights may result in “rising demands related to justice.” Similarly, Chamberlain’s (2001) study on human rights education reveals that nursing students were anxious that awareness of rights could lead to individuals demanding a fulfilment and acknowledgement of those rights. This seemed to be the same anxiety shared by participants in my study where they feared that children would increase the demand that their voices be heard if limits were not placed on their right to participation. This poses a danger of partially implementing this right by either not involving children in all matters that concern them or listening to them without necessarily taking into consideration what they say or implementing their wishes.

Theme 3: Perceptions on Implementation of the Child’s Right to Participation at School

Generally, most teachers from both public and independent schools in this study expressed that the right to participation was generally not being implemented in the school context, specifically in areas such as making decisions on the school timetable, school rules, and school uniform. This is in line with Kılıç and Öztürk (2018) who found that in terms of decision-making on matters that concerned children, learners’ participation was not guaranteed as teachers felt that the learners were too young to make such decisions. Although Kılıç and Öztürk’s (2018) study was done in a primary school, it appears that the trend is the same even in high schools. Gamede (2020) found that RCLs’ were not given room to fully participate in school governance as adults judged them according to children’s place in society and hence, they were not supposed to be included to the point of influencing decisions. Lindiwe had this to say:

They are not being given opportunities, but they should be given. Because my thinking is that when they are given that chance, they will be more responsible. Maybe you can say what do you think about something, like their times of school and school uniform is being determined by the SGB.

For the majority of teachers, when it came to crucial issues like making rules, whether at classroom or school level, planning of school activities such as celebration of special days and school trips, the general feeling was that children were not being involved in decision-making. The few who agreed that learners were allowed to participate in some cases were mostly from independent schools and were female teachers. Although the reasons for this were not explored further; this could probably be attributed to the

mothering nature of female teachers who could have been more relaxed than their male counterparts. Petersen (2014) notes that participants perceived male teachers as traditionally responsible for enforcing discipline. This could possibly mean that they could be less open to democratic practices such as treating learners as equals in decision-making. These teachers noted learner involvement in decisions especially on classroom rules at the beginning of the year. Lorna said the following:

But we do try like the classroom rules we formulate together. But I think it should be in all the activities, let’s say we plan to do a show at school, let them plan it and decide on the monies so that even those who are poor and those who are rich they come to the same level because they would be the ones who would have decided. But it’s not happening; what I’m trying to say is if we can try to do that it will be easy for everybody because they will be more responsible.

It is rather sad that, despite knowledge of the importance of learner participation, the teachers were not really involving learners in everything. This could be linked to the teachers’ understanding of the right to participation as noted earlier and fears that are expressed in the next theme.

Theme 4: Reasons for not Involving Children

Several reasons also emerged why adults in the school context were not involving learners in participating in things that affected them as required by Article 12. These included adults looking down on children as immature and incapable of contributing reasonable ideas; fears of losing control of the children if they were given a voice to make decisions or express their views; fears that children would make outrageous suggestions, and adults who were adamant to stick to the old ways where adults decided on children’s issues. Cornelia pointed out:

For many reasons I think fear is one of them because we don’t know what they are gonna come up with. If they decide collectively that we want freedom of hair what is the other schools going to think of us. We allowed purple hair. I think if we give them too much freedom they will become overwhelmed by that freedom and they won’t know what to do with that freedom. It is that fear of ‘what if we give them too much voice?’

These reasons were also seen as challenges that led some adults to disregard the call to implement Article 12. Other research on attitudes towards children’s rights show that adults tend to support participation rights for older children rather than younger ones (Peterson-Badali et al., 2003). This poses a danger of excluding certain children from exercising their participation rights, yet Article 12 advocates that every child’s voice should be heard as long as they are capable of forming a reasonable opinion. As noted by Cherney and Shing (2008), children remain the most vulnerable part of human

society because they are subordinates in nature and their rights are usually defined and controlled by adults. Based on this status, some adults continue to look down on them as incapable of participating meaningfully, hence they end up making decisions for them without consulting them.

Theme 5: Suggestions on Improving the Implementation of the Right to Participation in Schools

In an endeavour to improve the current situation, participants suggested that children should be given more opportunities to be heard from an early age and increasing participation in decision-making as they grow older and more mature. This concurs with Moletsane (2012) who notes a growing realisation for young people to act as key participants in resolving challenges that they face in all contexts of their lives, including at school level. Thus, schools should be responsible for creating opportunities for learners to exercise their right to participation since they accommodate them for most of their childhood period. According to some participants, this could be done through rights awareness campaigns to make children aware of their right to participation and by exposing children to as many opportunities to participate as possible at school level. To this effect Kenny said:

I think we should start by doing participation awareness. ... Not even the government, not even the parents not even us teachers are promoting this right enough, that's why I am saying why can't they make an awareness like the HIV [human immunodeficiency virus] awareness; participation awareness where all these children can come together maybe by zones and get people who can teach them.

Involving children more in decision-making was accepted by many participants as an avenue to develop the characteristic of responsibility within the learners as they would respect their own decisions more. This finding supports Khanare and De Lange's (2017) observation that good dialogue between teachers and learners can make formulation of school policies much easier and results in learners becoming more accountable and responsible. Furthermore, Chabilall (2012) points out the importance of listening to children and taking them seriously, which empowers them to become co-decision-makers and take ownership of their own decisions. Given that schools directly influence the child both at the microsystem and mesosystem levels, they need to play an active role in teaching learners to exercise their right to participation. Hence, values learnt at schools could also be applied at other levels resulting in a holistic approach to the development of the child at all levels.

This study reveals that the sampled teachers in both public and independent high schools had a limited understanding of the child's right to

participation. However, they supported the implementation of this right by placing some limits on the degree that children should be given a voice as they were sceptical of fully involving learners to make certain sound decisions due to their age and cognitive maturity. The study also shows that due to a lack of understanding and the many reasons for not affording children this right, these act as stumbling blocks to the effective implementation of Article 12 in the sampled schools.

Conclusion

With the article I aimed to explore teachers' understanding and perceptions on the child's right to participation in the South African school environment. Although teachers varied in their understanding of this right, they accepted that learners should be given the right to be heard in matters that affect them. There was unanimous agreement that this right should be given with some limits, taking into consideration the child's age and maturity as well as the matters at hand. This is in line with what the UNCRC commended when implementing this right. The study also reveals that very little was being done in schools as far as implementing this right was concerned. This was mainly due to reservations from adult authorities on the imagined consequences of giving children a voice in decision-making. Again, other studies have observed the same scenario where some adults turned to undermining children's ability to act as co-decision-makers in matters that concern them, which has led to children being side-lined and reduced to recipients and passive participants in adult-formulated decisions.

The reported reasons for failure to implement this right in schools can be translated to challenges that contribute to a lack of implementation of this very important right. Nonetheless, some teachers strongly felt that successful implementation of this right from an early age would make things better as this would groom learners to make responsible decisions and take responsibility to honour their own decisions. This was seen to be a good way of preparing learners for responsible citizenship rather than waiting until they were 18 years old and then expecting them to suddenly be reasonable decision-makers. The study has, therefore, shown that despite South Africa being a signatory of the UNCRC and the government advocating for child participation in schools through such avenues as the RCLs, a lot still needs to be done for learners to realise their right to be heard and participate in matters that affect them.

Recommendations

In light of the findings of this study, I recommend that teachers be taught about the child's right to participate in matters that affect them so that they are able to educate learners about this right and

afford them the opportunities to participate in the school context. This can be done in the form of workshops and awareness campaigns. The workshops could focus on explaining this right and training teachers on how to implement it in schools. Furthermore, teacher training institutions should include and implement courses with legal content as part of their role in training teachers to teach children's rights in schools. Educational authorities should support and control the realisation of children's participation in school decision-making processes by providing more opportunities for learners to exercise their right to participation. Schools need to create many opportunities for learners to exercise this right, for example, by involving them when discussing school programmes and activities. Teachers should then guide learners in making informed decisions when they are included in such deliberations. I further recommend the active role of the Department of Education in establishing such education programmes on the child's right to participation for both teachers and learners and ensuring that schools provide a safe environment for learners to exercise this right so that they may do so with proper adult guidance.

Limitation of the Study

A major limitation of this study was the small sample size which was female dominated and from one school district, which prohibited generalisation of findings on a national level. However, valuable insights on teachers' understanding and perceptions of the children's right to participation in the school context were provided, which can form the basis of broader studies. I recommend that future studies expand the geographical borders, use a larger sample and other research approaches.

Acknowledgement

I would like to acknowledge the participants who took part in this study. This work was sponsored by University Research Council (URC) Grant number 215703.

Notes

- i. Published under a Creative Commons Attribution Licence.
- ii. DATES: Received: 12 February 2020; Revised: 1 November 2022; Accepted: 18 April 2023; Published: 31 May 2023.

References

- Abrahams K & Matthews T 2011. *Child rights manual: Handbook for parliamentarians*. Cape Town: Parliament of the Republic of South Africa
- Altinyelken HK 2010. Pedagogical renewal in sub-Saharan Africa: The case of Uganda. *Comparative Education*, 46(2):151–171. <https://doi.org/10.1080/03050061003775454>
- Bajaj M 2011. Human rights education: Ideology, location, and approaches. *Human Rights Quarterly*, 33(2):481–508. <https://doi.org/10.1353/hrq.2011.0019>
- Boniface AE 2013. Resolving disputes with regards to child participation in divorce mediation. *Speculum Juris*, 1(1):130–147.
- Braun V & Clarke V 2006. Using thematic analysis in psychology. *Qualitative Research in Psychology*, 3(2):77–101. <https://doi.org/10.1191/1478088706qp063oa>
- Bronfenbrenner U 1994. Ecological models of human development. In M Gauvain & M Cole (eds). *Readings on the development of children* (2nd ed). New York, NY: Freeman.
- Bronfenbrenner U & Morris PA 1998. The ecology of developmental processes. In W Damon & RM Lerner (eds). *Handbook of child psychology: Theoretical models of human development*. New York, NY: John Wiley & Sons.
- Bryman A & Bell E 2015. *Business research methods* (4th ed). Oxford, England: Oxford University Press.
- Carrim N 2011. Modes of participation and conceptions of children in South African education. *Perspectives in Education*, 29(1):74–82. Available at <https://www.ajol.info/index.php/pie/article/view/76955>. Accessed 31 May 2023.
- Chabilall J 2012. Educators' roles in developing adolescent HIV/AIDS knowledge and attitudes within school culture. *South African Journal of Education*, 32(1):121–131. <https://doi.org/10.15700/saje.v32n1a524>
- Chamberlain M 2001. Human rights education for nursing students. *Nursing Ethics*, 8(3):211–222. <https://doi.org/10.1177/096973300100800306>
- Cherney ID & Shing YL 2008. Children's nurturance and self-determination rights: A cross-cultural perspective. *Journal of Social Issues*, 64(4):835–856. <https://doi.org/10.1111/j.1540-4560.2008.00591.x>
- Collins TM 2017. A child's right to participate: Implications for international child protection [Special issue]. *The International Journal of Human Rights*, 21(1):14–46. <https://doi.org/10.1080/13642987.2016.1248122>
- Department of Social Development 2005. *The Children's Act, 2005 (Act No. 38. of 2005)*. Pretoria, South Africa: Author.
- Donald D, Lazarus S & Lolwana P 2006. *Educational psychology in social context* (3rd ed). Cape Town, South Africa: Oxford University Press.
- Gamede VW 2020. Cultural implications for learners' effectiveness as governors of schools in rural South Africa. *South African Journal of Education*, 40(3):Art. #1655, 8 pages. <https://doi.org/10.15700/saje.v40n3a1655>
- Hammarberg K, Kirkman M & De Lacey S 2016. Qualitative research methods: When to use them and how to judge them. *Human Reproduction*, 31(3):498–501. <https://doi.org/10.1093/humrep/dev334>
- Khanare FP & De Lange N 2017. 'We are never invited': School children using collage to envision care and support in rural schools. *South African Journal of Education*, 37(1):Art. # 1271, 11 pages. <https://doi.org/10.15700/saje.v37n1a1271>

- Kılıç A & Öztürk A 2018. An analysis of children's right to participation at primary schools in Turkey: A case study. *Qualitative Research in Education*, 7(3):265–303.
<https://doi.org/10.17583/qre.2018.3528>
- Lansdown G 2010. The realisation of children's participation rights: Critical reflections. In B Percy-Smith & N Thomas (eds). *A handbook of children and young people's participation: Perspectives from theory and practice*. London, England: Routledge.
- Laubscher M 2020. Is the sanctity of contract cast in stone? An evaluation of *AB v Pridwin Preparatory School* (1134/2017) [2018] ZASCA 150; [2019] 1 All SA 1 (SCA); 2019 (1) SA 327 (SCA) (1 November 2018). *Obiter*, 41(2):436–446. Available at <https://journals.co.za/doi/epdf/10.10520/EJC-20b8cf4300>. Accessed 31 May 2023.
- Leviner P 2018. Child participation in the Swedish child protection system. *The International Journal of Children's Rights*, 26(1):136–158.
<https://doi.org/10.1163/15718182-02601002>
- Lundy L 2007. 'Voice' is not enough: Conceptualising Article 12 of the United Nations Convention on the Rights of the Child. *British Educational Research Journal*, 33(6):927–942.
<https://doi.org/10.1080/01411920701657033>
- Mackey A & Gass SM 2016. *Second language research: Methodology and design* (2nd ed). New York, NY: Routledge.
- Mestry R 2017. A critical analysis of the learners' constitutional rights to basic education in South African public schools. *KOERS – Bulletin for Christian Scholarship*, 82(3):1–12.
<https://doi.org/10.19108/KOERS.82.3.2327>
- Mncube V 2008. Democratisation of education in South Africa: Issues of social justice and the voice of learners? *South African Journal of Education*, 28(1):77–90. Available at <https://www.sajournalofeducation.co.za/index.php/saje/article/view/149/97>. Accessed 31 May 2023.
- Moletsane R 2012. Repositioning educational research on rurality and rural education in South Africa: Beyond deficit paradigms. *Perspectives in Education*, 30(1):1–8. Available at <https://www.ajol.info/index.php/pie/article/view/77005>. Accessed 31 May 2023.
- Office of the High Commissioner of Human Rights 1989. *Convention on the rights of the child: Adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989. Entry into force 2 September 1990, in accordance with article 49*. Geneva, Switzerland: Author. Available at <https://www.ohchr.org/en/professionalinterest/page/s/crc.aspx>. Accessed 11 November 2021.
- O'Leary Z 2004. *The essential guide to doing research*. London, England: Sage.
- Pendlebury S 2011. Children and school governance: Representation, participation and power. In L Jamieson, R Bray, A Viviers, L Lake, S Pendlebury & C Smith (eds). *South African Child Gauge 2010/2011*. Cape Town, South Africa: Children's Institute, University of Cape Town. Available at https://open.uct.ac.za/bitstream/handle/11427/2411/SA_Child_Gauge_2010.pdf?sequence=1#page=45. Accessed 31 May 2023.
- Petersen N 2014. The 'good', the 'bad' and the 'ugly'? Views on male teachers in foundation phase education. *South African Journal of Education*, 34(1):Art. # 772, 13 pages.
<https://doi.org/10.15700/201412120926>
- Peterson-Badali M, Ruck MD & Ridley E 2003. College students' attitudes towards children's nurturance and self-determination rights¹. *Journal of Applied Social Psychology*, 33(4):730–755.
<https://doi.org/10.1111/j.1559-1816.2003.tb01922.x>
- Phaswana E 2010. Learner councillors' perspectives on learner participation. *South African Journal of Education*, 30(1):105–122. Available at <https://www.sajournalofeducation.co.za/index.php/saje/article/view/251/176>. Accessed 31 May 2023.
- Rama S & Bah S 2000. *Strategic monitoring and evaluation document for the implementation of the Convention on the Rights of the Child in South Africa, 1999-2004*. Pretoria, South Africa: The Presidency.
- Republic of South Africa 1996a. Act No. 84, 1996: South African Schools Act, 1996. *Government Gazette*, 377(17579), November 15.
- Republic of South Africa 1996b. *The Constitution of the Republic of South Africa (Act 108 of 1996)*. Pretoria: Government Printer.
- Reyneke M 2013. Children's right to participate: Implications for school discipline. *De Jure Law Journal*, 46(1):206–236. Available at <https://journals.co.za/doi/epdf/10.10520/EJC136266>. Accessed 31 May 2023.
- Rinaldi S 2017. Challenges for human rights education in Swiss secondary schools from a teacher perspective. *Prospects*, 47:87–100.
<https://doi.org/10.1007/s11225-018-9419-z>
- Save the Children Sweden 2010. *Regional study of children's participation in Southern Africa: South Africa, Swaziland and Zambia*. Available at <https://bettercarenetwork.org/sites/default/files/Regional%20Study%20of%20Children%27s%20Participation%20in%20Southern%20Africa.pdf>. Accessed 31 May 2023.
- Saywitz K, Camparo LB & Romanoff A 2010. Interviewing children in custody cases: Implications of research and policy for practice [Special issue]. *Behavioral Sciences & the Law*, 28(4):542–562. <https://doi.org/10.1002/bsl.945>
- Teherani A, Martimianakis T, Stenfors-Hayes T, Wadhwa A & Varpio L 2015. Choosing a qualitative research approach. *Journal of Graduate Medical Education*, 7(4):669–670.
<https://doi.org/10.4300/JGME-D-15-00414.1>
- The African Child Policy Forum 2015. *A study on child participation in Eastern Africa*. Addis Ababa, Ethiopia: Author. Available at <https://app.box.com/s/agbasad14dvxuakgtxxnk96cxzdyn7v1>. Accessed 31 May 2023.
- Tisdall EKM 2016. Subjects with agency? Children's participation in family law proceedings. *Journal of Social Welfare and Family Law*, 38(4):362–379.
<https://doi.org/10.1080/09649069.2016.1239345>
- Twum-Danso A 2009. Reciprocity, respect and responsibility: The 3Rs underlying parent-child relationships in Ghana and the implications for

children's rights. *The International Journal of Children's Rights*, 17(3):415–432.

<https://doi.org/10.1163/157181809X430337>

United Nations Committee on the Rights of the Child

2009. *Convention on the rights of the child.*

General Comment No. 12: The right of the child to be heard. Geneva, Switzerland: United Nations.

Available at

<https://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/CRC-C-GC-12.pdf>. Accessed 15 November 2021.

Van Bijleveld GG, Deddin CWM & Bunders-Aelen JFG 2015. Children's and young people's participation within child welfare and child protection services:

A state-of-the-art review. *Child & Family Social Work*, 20(2):129–138.

<https://doi.org/10.1111/cfs.12082>

Legal Authorities

AB and Another v Pridwin Preparatory School and Others (CCT294/18) [2020] ZACC 12; 2020 (9) BCLR 1029 (CC); 2020 (5) SA 327 (CC) (17 June 2020).

Christian Education South Africa v Minister of Education (CCT4/00) [2000] ZACC 11; 2000 (4) SA 757; 2000 (10) BCLR 1051.

Godbeer v Godbeer 2000 3 SA 976 (W).