

Some thoughts on the search for just and democratic schools in South Africa

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Abstract

This article posits an intervention in the education system which integrates the theories of justice as fairness and deliberative democracy. The aim is to honour every child's right to learn in freedom, and to ensure that every child becomes a responsible and democratic South African citizen. The education system and the schools in that system are described as a workplace where adults and children can work together as educators and learners towards achieving the goal of justice by practising the principles of democracy. This includes the author's conception of the constructs of ubuntu, solidarity, and an existential awareness of interrelationships. In addition the author explicates her conceptions of justice and democracy and argues that a circular relationship between these concepts exists that is relevant to the South Africa context. Secondly, the author attempts to search for justice and democracy in South African schools. This goal is achieved through portraying the unjust and undemocratic current scenario in South African schools. In response to this scenario, the intervention provides a vision of hope for just and democratic schools in South Africa.

Introduction

Raising and educating children to become just and democratic citizens is a major task for any country. Education is indeed the right of children and the duty of adults. However, children's right to learn is currently being undermined by the ongoing violence in many South African schools. Many South African schools are characterised by violence, gangsterism, substance abuse and general crime. In the past few months the media have reported extensively on learners being killed by co-learners, learners dying from drugs slipped into cooldrinks, and learners being raped, sexually harassed and physically and emotionally bullied. Clearly society is accountable to these victims for the lawlessness in our schools. This conversation piece endeavours to address the phenomenon of violence in South African schools on a philosophical level by applying a number of philosophical theories on justice and democracy to the phenomenon.

Diagnosing the problem of unjust and undemocratic schools in South Africa

The South African Constitution has been universally acclaimed for its protection of human rights and for promoting the establishment of institutions designed to protect democracy and justice such as the Public Protector, the Gender Commission and the Human Rights Commission. Yet it is failing our children because in practical terms it does not guarantee all children lives of dignity and freedom. This failure is abetted by adults who foster a culture of rights without equal focus on responsibility. The upshot is that children are caught up in a culture of entitlement that negates self-reliance and social responsibility.

The socio-historical reality of the political past in South Africa, as it relates to the education system, meant that generations of black children were engulfed by the struggle of their parents against apartheid and in the process sacrificed their basic right to education. Today children are again caught up in injustices – this time, injustices caused by learners involved in crime, violence, gangsterism and substance abuse and by disempowered educators who do not know how to set boundaries, discipline constructively and create just places for learning.

Evidently the current climate of crime and violence in South African schools is unjust and undemocratic. How should our democracy then create the freedom to learn and teach in more favourable circumstances? I believe the answer lies in applying the theories of justice as fairness (Rawls, 2001) and deliberative democracy (Gutmann & Thompson, 1996). Allow me to explain.

Analysis of the character of the problem of unjust and undemocratic schools in South Africa

Rawls (2001) advances the concept of considered convictions based on people's judgments on political justice. Considered convictions are set and refer to wrong actions such as physically harming co-learners or allowing domination and oppression by some groups of learners over others. Rawls (2001) warns that considered judgments (as opposed to considered convictions) not only differ from person to person but sometimes an individual's own judgments can be in conflict with one another. Thus intrinsic reasonableness is a mechanism to overcome conflicting considered convictions.

The violence and ill-discipline in many schools also brings to mind Raidt's contention that "the erosion of values is evident in the everyday life of South Africa" (1997, 13). According to Raidt, the combating of the moral bankruptcy in South African society can be supported by the application of traditional African values enshrined in *ubuntu*. Raidt (1997, 14) states that *ubuntu* is a "hidden treasure, a significant starting point and a value framework for an educational process of the people of South Africa on their way towards a better society".

However, we should not lose sight of the diversity of South African society and the difference between the African collectivistic paradigm and the Western individualistic paradigm. If we wish to embrace both paradigms, they will have to be balanced in schools as seats of initial learning and teaching. According to Raidt (1997), solidarity (which refers to the support by one person or group of people for another because they share the same feelings, opinions and aims) can provide a way of balancing the paradigms while at the same time taking cognizance of the potential conflict inherent in them. The problem of individualism and collectivism can be resolved by solidarity as it subsumes both individualism and collectivism (Raidt, 1997).

Solidarity covers collective involvement as well as the interrelationship between the individual and society. With solidarity as the basis for entrenching the horizontal and vertical structures of schools and the education system, a community of children and adults who care for and interact with one another will be created. The interrelatedness of human beings is

entrenched in *ubuntu*, whereas solidarity involves existential awareness of the meaning of human existence.

Interdependence between learners and teachers and existential awareness of this relationship calls for increased communication between and within all levels of schools as places of learning and teaching. A paradigm shift towards existential thinking and the creation of personal freedom (Heil, Bennis & Stephens, 2000) will facilitate the conceptualisation of person-centred schools for learners and educators in which "the basis of power and control is experienced by each individual as residing with himself" (Rogers, 1978, 103).

Ebenstein and Fogelman (1990, 169) argue that negative freedom implies that a person should be "*free from*" negative influences, and positive freedom implies that a person should be "*able to*" achieve positive development. Learners should accordingly be free from bodily or emotional harm and given the opportunity to study in environments conducive to learning.

Guttman and Thompson (1996) proffer a moral theory of deliberative democracy that is evolving in nature and which allows evaluation and re-evaluation of the principles, conditions and content of deliberations. I believe that by integrating the core elements of these two theories, a vision of hope for South African schools will emerge.

According to Guttman and Thompson (1996, 357), the "theory of deliberative democracy partly constitutes its own practice". This is because the design of institutions in a modern democracy like South Africa is informed by the continuity between theory and practice. Gutmann and Thompson (1996, 358) maintain that "the essential idea is that all institutions of government have a responsibility for deliberation".

By integrating aspects of the two theories – deliberative democracy (Guttman & Thompson, 1996) and justice as fairness (Rawls, 2001) – justice and democracy can be served. This relationship will extend also to the conditions of deliberation.

The justice as fairness theory helps us understand the claims of liberty and equality by introducing the principles of justice. According to Rawls (2001, 7), "the role of the principles of justice is to specify the fair terms of cooperation". The two principles of justice as fairness are the "same indefensible claim to a fully adequate scheme of basic liberties". "Equal liberty" and social and economic inequalities have to satisfy two conditions, namely conditions of fair equality of opportunity for the least advantaged members of society and "justified inequalities" (Rawls, 2001, 42). Certainly, these two principles are applicable to education in South Africa.

Here, we should note Walzer's (1983, XII) argument that equality cannot be understood literally. I understand Walzer's (1983) conception of equality to incorporate the constructs of power and domination. The problem is not that disparity in wealth and power exists in schools and education but that some learners and educators have the power to dominate their fellow learners and educators.

Critical response to the problem of unjust and undemocratic schools in South Africa

On 20 October 2006 the Minister of Education announced her intention to amend regulations in order to allow schools and educators to take stronger action against severely disruptive children. Subsequently on 20 September 2007 the Education Laws Amendment Bill was introduced in the National Assembly, providing an essential framework for facilitating quality education in our schools. This Bill provides a step towards balancing rights with responsibilities and promoting justice for all stakeholders in South Africa's education system.

A just and democratic education system will promote reflective discourse; and the participation of learners, teachers, parents, policy makers and government officials in the development of guidelines, regulations and policies will call to account unruly learners, unethical

teachers and uninvolved parents. All learners will then be able freely and equally to exercise their right to education, and all educators will be able to teach without hindrance while maintaining their dignity and personal integrity for the benefit of all.

I believe that every time an act of violence or crime is committed by a learner or group of learners, the right of the rest of South Africa's children to physical and personal integrity is violated. While protecting the rights of the perpetrators of violence or crime to learn, the state is also responsible for protecting the rights of those learners who are affected by crime and violence in schools. Further analysis of the situation reveals tension between two core values of democracy, namely freedom and equality.

If the conditions of the new deliberations on the basic structure of the Department of Education and on regulations on crime in schools are to be upheld by all stakeholders, namely learners, teachers, parents, legislators and government officials, these deliberations will have to adhere to the requirements of "accountability" (Gutmann & Thompson, 1996, 28), "reciprocity" (Gutmann & Thompson, 1996, 55) and "publicity" (Gutmann & Thompson, 1996, 97).

I believe that the lack of equality in opportunity and the injustice of this inequality should not be allowed to prevent South African society from debating the issue. Equal liberties as well as the justified inequalities in the current educational scenario can be protected and enhanced through democratic processes. When considering new regulations designed to protect the democratic right of learners and teachers to deal with perpetrators of violence/crime without violating their rights, it is important to decide whose integrity is more important. Gutmann and Thompson (1996, 294) cite the egalitarian view that the "greatest benefit of the least advantaged members of society" should be ensured by deliberative democracy. The Rawlsian rationale for protecting particular liberties such as those of children is based also on a consideration of "which liberties are essential social conditions for the adequate development of moral personality over a complete life" (Gutmann & Thompson, 1996, 213). Gutmann and Thompson (1996, 212) further encourage us, in the face of competing values, to decide "who counts as the least advantaged, and justify the maximization of their life chances".

Forbidding individuals and gang members from carrying weapons, possessing or selling illegal drugs, terrorising co-learners or inflicting bodily harm in any way on learners or educators does not violate their basic physical or mental integrity. The inclusion of parents and educators in deliberations on new regulations will encourage all stakeholders to find new, more constructive ways to teach learners respect, fairness and the democratic values of equality.

The deliberation process will hopefully be shaped by discussion and will help the participants (parents, learners, educators and officials) to specify and apply new approaches, identify issues, set priorities and identify a range of options for the provisional resolutions of issues (Gutmann & Thompson, 1996, 199-229).

In the final instance, all people are responsible for each other and are accountable to society for their individual and collective conduct. The dilemma manifested in South African schools is accordingly not restricted to particular schools, educators or even the system of education; it permeates society as a whole. Therefore, society as a whole and every South African citizen should become part of democratic deliberations aimed at creating a just environment in which South African children can learn optimally.

Learners, parents, educators, school bodies, legislators, officials of the Department of Education and consultants such as psychologists can be considered stakeholders. If these stakeholders reach conclusions through deliberation and formulate just policies and regulations on democratic principles, the role of justice in the deliberation process should also be determined.

South Africans should cease denying their duties and responsibilities in educating the country's children. The time has come for South African society to own the privileges as well as the responsibilities of democracy. By fully embracing justice and democracy, South Africans

can live up to the ideals of the country's acclaimed constitution. Every citizen of South Africa should be accountable to the country's children by participating in public deliberations and by adopting a moral, non-neutral position. I dare to dream of a country where every child's right to learn in freedom is honoured. I also dare to dream of a future where all children are raised and educated to become just and democratic South African citizens.

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