



## **Exploring the conflicts of human rights between teachers and learners: A case of teachers' vulnerability in South African schools**

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### **Abstract**

This study examined learners' and teachers' experiences of practice related to human rights conflicts in school settings, emphasising teachers' vulnerability. Human rights conflicts arise when one group's human rights are emphasised, limited, or challenged by another within a school setting. In the South African context, these conflicts often arise between teachers' and learners' rights, including the rights to safety, dignity, and professional authority. An interpretivist paradigm with a qualitative approach was used to gain detailed insights into participants' experiences. Data were collected through semi-structured interviews, during which open-ended questions allowed participants to share their understanding of human rights, disciplinary issues, and fairness in schools. The Discipline with Dignity model developed by Curwin and Mendler guided the analysis of this study. The findings revealed that human rights are inconsistently upheld across different schools. Participants indicated that learners' rights are often prioritised during disciplinary actions, sometimes at the expense of teachers' rights. The study concluded that this imbalance perpetuates conflicts, leaving teachers exposed and unsupported. It is recommended that school management teams and governing bodies receive targeted capacity-building programmes and training on human rights and responsibilities. Additionally, schools are advised to establish structured systems to identify and address safety concerns, thereby promoting equality and strengthening a culture of human rights practice.

**Keywords:** human rights, discipline, South African schools, qualitative approach, authority.

### **Introduction**

Human rights provide a strong foundation for democratic South African schools. The Constitution of the Republic of South Africa upholds the values of dignity, freedom, and equality. All institutions within South Africa, including schools, are required to respect and protect these rights. The South African Schools Act (Act 84 of 1996) was enacted to mandate schools to ensure safety further and uphold the human rights of both teachers and learners. This legislative framework encourages balance and mutual accountability within schools. In practice, human rights are interpreted and practised within unequal social and institutional settings. The context of South African schools is characterised by community violence, shifting authority relations, and socioeconomic inequalities. According to research by Hoffmann (2013) and Mollema (2018), studies have reported an increase in verbal abuse, physical threats, and, in some cases, intimidation in South African schools. Malatji, Maphosa, and Mavuso (2016) highlight the strong protection of learners' human rights in national and provincial policies, particularly concerning corporal punishment and discipline. This emphasis stems from the

country's historical commitment to safeguarding learners. However, it also influences disciplinary practices and authority in South African schools. Research has revealed that teachers felt uncertain about how to assert their human rights while respecting learners' rights. Conflicts between learners' and teachers' rights continue to leave teachers vulnerable, despite the existing legislative framework within schools, especially in their classrooms.

This study aims to explore how learners and teachers experience human rights conflicts in South African schools, with attention to teachers' vulnerability. Curwin and Mendler's "Discipline with Dignity" (1999) served as a theoretical framework to guide the analysis, focusing on respect, responsibility, and the application of dignity in school disciplinary processes. The study adopted an interpretivist paradigm with a qualitative approach. A case study design was employed to gain an in-depth understanding of the lived experiences of selected participants. Semi-structured interviews were conducted to gather data from participants. The researcher identified recurrent patterns and meanings in participants' accounts to develop themes. This research is organised as follows: the next section presents the problem statement, followed by the research objective and main question. The literature review then examines prior research, with emphasis on conflicts over human rights between learners and teachers. This is followed by the theoretical framework, which outlines and justifies the model used in this study. The methodology section then details the paradigm, approach, design, sampling techniques, and data collection strategies employed. The findings will be presented next, followed by the discussion. The paper concludes by highlighting key implications and recommendations for future research better to balance learners' and teachers' human rights.

### **Problem statement**

In South African schools, the conflict between teachers' and learners' human rights is a persistent challenge. Although the South African Constitution (1996) guarantees everyone the right to dignity, security, and equality, imbalances are evident in the implementation of these rights in schools. Hoffmann (2013) and Jordaan (2018) indicated that teachers are increasingly exposed to challenges related to intimidation, verbal abuse, and threats from learners in schools, which undermines their well-being and authority. According to Mollema (2018), teachers' withdrawal from professional engagement and emotional distress stem from workplace bullying. South African legislative frameworks, such as the South African Schools Act 84 of 1996 (SASA, 1996), seek to ensure that school environments are safe and orderly. SACE (2000) Found That Fear of infringing on learners' rights and inconsistent enforcement of human rights often discourage the effective implementation of disciplinary measures in schools. This creates hesitation among teachers about how to assert their human rights without facing institutional criticism, leaving many teachers feeling unsupported by school management teams and vulnerable. These ongoing challenges of balancing teachers' and learners' human rights therefore undermine teachers' dignity and safety, as well as threaten the effectiveness of teaching and learning in classrooms.

### **Research objective**

The main objective of this study is to examine how conflicts over human rights between teachers and learners contribute to teachers' vulnerability in South African schools, and to identify strategies that promote a balanced, dignified, and safe school environment for both parties.

### **Research question**

How do conflicts of human rights between teachers and learners contribute to teachers' vulnerability in South African schools?

## Literature review

### *The legislative and constitutional grounds of human rights in schools*

Human rights in South African education are deeply rooted in the Constitution of the Republic of South Africa, which guarantees the dignity, equality, and freedom of all citizens. These constitutional guarantees were given legislative force through the South African Schools Act (Act 84 of 1996), which mandates schools to create a safe and orderly environment that respects the rights of learners and teachers. Beckmann et al. (1995) argue that schools serve as constitutional spaces where human rights must be actively upheld and protected. According to Potgieter et al. (1997), the main role of school governing bodies is to ensure that human rights are fairly practised in schools and to provide a strong foundation for policy development and disciplinary procedures. While these scholars recognise the sophistication of the school's legal frameworks, their assessments often assume that policy intentions can be easily translated into effective implementation. School leadership and culture significantly influence how legislative frameworks and policies are enacted and understood (Malatji, Maphosa & Mavuso, 2016). Variations in how the school's ideas and frameworks are put into practice are evident in many South African schools, particularly those facing socio-economic challenges. The literature highlights a lack of empirical research on how human rights are upheld when conflicts among them occur in South African schools. This gap exists not in the presence of legal frameworks, but in understanding how they are enacted in the specific context, which is characterised by shifts in authority, tension, and competing human rights between teachers and learners.

### *Learners' human rights, power shift and emerging tensions.*

Schools' post-apartheid legal frameworks focus more on protecting learners from abuse and exclusion. According to Jennings and Eichinger (1999), human rights education is a means of promoting democratic participation and empowering learners. Dlamini (1997) similarly links human rights awareness with the development of critical citizens. This perspective suggests that advocating for learners' human rights is an important way to address historical inequalities. Other scholars adopt a more cautious stance. Cothran and Ennis (1997) note that tension can emerge when authority boundaries are unclear, and power relations within schools shift. Hoffmann (2013) stated that some teachers interpret certain learners' human rights as a challenge to their disciplinary authority. Jordaan (2018) observed that when school violence involves teachers' human rights, disputes often arise during disciplinary proceedings. These studies contrast with idealistic views of human rights as inherently liberating. They highlight that a focus on protection might undermine teachers' authority if there is no clear institutional support. The literature rarely systematically examines these conflicting perspectives. As a result, a noticeable gap exists in understanding how teachers' authority and learners' human rights empowerment can coexist within the same South African constitutional framework.

### *Teachers' vulnerability and workplace violence*

An emerging body of research highlights the challenges teachers face in modern school environments. Mollema (2018) identifies workplace bullying as a significant factor affecting teachers' emotional health and their commitment to professional work. Hoffmann (2013) emphasises that student resentment towards teachers is a largely unrecognised challenge, often accompanied by feelings of being left out or unsupported by institutional leaders. According to Will (2018), attacks against teachers can have long-term psychological and functional consequences. These studies show that aggression or attacks against teachers are not isolated incidents but recurring problems in schools. Despite this consensus in these explorations, most of the literature tends to describe such experiences primarily in terms of safety or moral concerns. There is little explicit connection between these issues and the application of

constitutional human rights. If the Constitution of the Republic of South Africa protects dignity, security, and equality, then violations committed against teachers must also be understood as human rights violations. The existing literature loses analytical clarity when safety debates are separated from human rights discussions. In our view, this division weakens the ability to address challenges to teachers' human rights systematically. A more integrated approach is needed. This approach must place teacher vulnerability within a distinct framework of constitutional responsibility and institutional accountability.

### ***Policy Implementation: Balancing Dignity and Contextual Pressures.***

School legal frameworks, such as the National School Safety Framework (2012) and the guidelines from the South African Council for Educators (2000), aim to protect teachers and learners. Rezandt (2015) argues that teachers' labour protection is clearly documented in the school's legal frameworks; however, the conditions and processes for enforcing these protections vary across different schooling environments. The South African Council for Educators (2000) recognises that pressure from economic status, societal tensions, and parental relationships often enter the school environment. This impacts behaviour and conflict within schools. Reuben and colleagues (2016) also observe that conflicts among teachers and learners often reflect broader societal tensions. International research supports this perspective. Studies by Catana (2015) and Ciuladiene and Kairiene (2017) found that when disciplinary procedures are applied inconsistently, social tension arises, creating uncertainty about authority and justice. This uncertainty can escalate conflicts in schools. These comparisons are particularly relevant to the South African context, where teachers frequently report reluctance to enforce discipline due to fear of legal or disciplinary repercussions from school management. The distinction between comprehensive policy planning and ineffective implementation highlights a structural problem. The existence of a robust legal framework does not ensure institutional protection. Curwin and Mendler's work on Discipline with Dignity offers valuable insights into addressing this inequality. Their approach advocates discipline grounded in mutual respect and the dignity of teachers and learners. Malatji, Maphosa, and Mavuso (2016) also emphasise the importance of dignity to sustain motivation and commitment within the teaching and learning environment. However, few South African empirical studies specifically apply this framework to human rights conflicts between teachers and learners. While the theoretical frameworks are available, their practical implications for actual classroom settings remain limited.

### ***Identification of the gap***

The literature reviewed in this study shows a strong focus on protecting learners' human rights, increasing interest in teacher victimisation, and a thorough analysis of policy guidelines. However, the connection between these aspects has not been thoroughly explored. Limited empirical studies explicitly examine how the simultaneous exercise of learners' and teachers' human rights can lead to conflicts and heighten teachers' vulnerability in everyday school practice. Existing research often separates policies, ethics, or safety issues, rather than analysing them as interconnected parts of a human rights-based system. This study fills this gap by exploring how human rights are interpreted, contested, and implemented in a specific South African school environment. The focus is on how this impacts teachers' dignity, authority, and sense of safety.

## **Theoretical framework.**

### ***Discipline with Dignity Model***

A theoretical framework in this study offers a conceptual structure that shapes how research understands and interprets a problem. Maree et al. (2017) explain that theory guides the

researcher in defining key concepts, organising relationships, and interpreting findings within a coherent perspective. In this study, the focus is on the conflict over human rights between teachers and learners, as well as the vulnerability teachers experience in school practice. The conflict necessitates a clear framework that balances dignity, authority, discipline, and equality within the school environment. Curwin and Mendler's *Discipline with Dignity* (1999) provides a suitable analytical perspective for this study. *Discipline with Dignity* is founded on the belief that both teachers and learners possess inherent worth and should always be treated with respect. According to Curwin and Mendler (1999), traditional punishment-based disciplinary methods often humiliate learners, damaging relationships between teachers and students; consequently, this can foster resistance and negative behaviour in schools. They advocate that discipline should maintain self-respect while holding individuals accountable for their actions. This approach discards authoritarian controls and promotes accountability alongside rights-conscious intervention. In the South African context, this approach aligns with the values and principles outlined in the Constitution of the Republic of South Africa. The Constitution affirms dignity, equality, and freedom as fundamental pillars of a democratic society. The Constitution of the Republic of South Africa (Republic of South Africa, 1996) does not prioritise the human rights of one group over another. However, it recognises that all citizens are custodians of human rights.

The relevance of this theoretical framework to the phenomena studied lies in its focus on mutuality. It proposes that discipline should not be a one-sided practice but an interpersonal system based on mutual respect. Learners often resort to defiance and aggression as a form of retaliation when they feel humiliated. Teachers' professional confidence and motivation decline when they feel disrespected, threatened, or unsupported. Malatji, Maphosa, and Mavuso (2016) note that diminished professional self-worth can negatively influence teaching effectiveness and emotional well-being. According to this theory, human dignity serves both as a moral principle and an essential condition for successful teaching and learning. In many South African schools, the increased emphasis on safeguarding learners' human rights has altered classroom management. While this change was necessary to prevent abuse and discrimination, it has also created uncertainty regarding the limits of teachers' authority. Some teachers report hesitance to implement disciplinary measures, fearing legal violations and complaints. With this model, teachers' reluctance to discipline learners can be seen as a failure of institutional support to uphold dignity. These models imply that the relational balance required for stable discipline may break down when teachers' dignity is not equally protected.

The vulnerability of teachers is then regarded as a dignity issue rather than merely a safety concern. Curwin and Mendler (1999) outline three broad processes: first, prevention, which involves creating a respectful and supportive classroom environment before any conflict occurs. Second, action, which requires a fair and consistent response to violations within the school setting. Finally, resolution focuses on restoring relationships rather than escalating conflicts. These processes align well with a human rights-based education system, where accountability and protection must coexist. When analysing the findings of this study, these procedures provide a framework for assessing whether school practices uphold or undermine dignity. For example, teachers who feel intimidated or silenced may highlight weaknesses in prevention and support systems. Conversely, if a learner describes punishment as severe or disproportionate, it may suggest that dignity was not properly maintained during disciplinary procedures. An important strength of the *Discipline with Dignity* approach is that it does not view teachers solely as authority figures nor students solely as individuals to be protected. Instead, the model considers both as participants in a shared moral environment governed by respect and responsibility. However, despite its significance, this work has rarely been directly applied in empirical studies examining rights conflicts between teachers and learners in South

African schools. This study, grounded in the principles of Discipline with Dignity, links foundational values, classroom discipline, and teacher vulnerability within a single conceptual framework. Such an approach allows for analysis that extends beyond simply describing conflict events. It explores how dignity is maintained or compromised in everyday practice and offers an ethical basis for assessing current school practices. Consequently, this conceptual framework enhances the study's capacity to interpret human rights conflicts, not merely as ethical dilemmas, but as fundamental struggles for dignity, authority, and security within South African school environments. This balance is especially vital in a constitutional democracy like South Africa, where rights play a central role in educational policies.

### **Methodology**

The interpretivist paradigm was employed in this study. Maree et al. (2017) explain that interpretivist research aims to understand participants' actual experiences. This study aimed to understand how teachers and learners interpret and experience human rights conflicts in their school environment. A qualitative approach was used, offering an opportunity to analyse assumptions, explanatory mechanisms, and participants' personal experiences in depth. A case study design was chosen, which allowed the researcher to examine one secondary school in detail. This design was appropriate because the study focused on understanding the specific conditions within the school environment, rather than generalising findings across all schools.

### ***Population and sampling***

The study was conducted at a public secondary school with a student population of 331. A non-probability sampling method, purposive sampling, was used to select participants with direct experience of human rights conflicts. Maree et al. (2017) explain that purposive sampling allows researchers to choose participants who provide rich, relevant information for the research question. A total of 10 participants were selected. This included the principal representing the School Management Team, four teachers, and six learners from grades 10 to 12. The participants were chosen because they had previously experienced or been directly involved in human rights conflicts within the school setting.

### ***Methods of Data Collection***

The data were gathered through semi-structured interviews. Maree et al. (2017) explain that this method provides flexibility while maintaining a focus on predetermined topics. Open-ended questions were utilised to collect information about participants' understanding of human rights, their experiences with human rights conflicts, procedures for reporting incidents, and their attitudes towards safety and dignity in the school environment.

### ***Research Trustworthiness***

To ensure credibility, the researcher dedicated sufficient time to the study area and maintained detailed field records. Dependability was enhanced by thoroughly documenting the research process and decisions made during data collection and analysis. Transferability was supported by providing a comprehensive description of the research setting. Authenticity was fostered by presenting participants' genuine voices that reflected their real experiences.

### ***Ethical Considerations***

Ethical approval was obtained from the relevant educational authorities and school management teams. Participants were informed about the study's objectives and signed consent forms before taking part. For pupils under 18 years old, parental consent was obtained. Participation was voluntary. Participants were assured that their information would be kept

confidential and that their names would not be disclosed. Pseudonyms were used in reporting findings, and data were securely stored to protect participants' identities.

### Findings

***This section focuses on individual cases of human rights violations and teachers' experiences in the school environment.***

During the interview sessions, each participant had the opportunity to share how cases were handled and their outcomes; however, their responses indicated that human rights violations were the norm and normalised within the school environment. They provided little evidence of measures taken to address human rights violations. Furthermore, they believed that accepting human rights violations in schools would allow them to avoid confrontation and work in a less contentious environment.

**T1 shared that:** *"I was told to play a pastoral role to understand and give support to learners, provide them with direction whenever they misbehave and disrespect me."*

**L2 asserted that:** *"At times, teachers beat us, sent us out of the classroom, and whenever we are late for school, they just close the gate on us. This makes us angry, and some learners choose to retaliate, while I accept the result of my mistakes."*

**P1 claimed that:** *"Our children always offend the teachers. However, teachers are tired, and they choose to let it go and move on...but their methods of punishment are too harsh, and, at times, they injure our children."*

The participants further indicated that the acceptance and neglect of rights in schools by both teachers and learners destabilise the practice. This could lead to a situation where the rights of both teachers and learners are threatened. However, it is well documented that there are more policies in place to protect learners' rights than to safeguard teachers' rights; as a result, these conflicts often leave teachers vulnerable and compromise their safety.

**L5 noted that:** *"At least, learners have backup policies that are effective and ready to attend to their needs. Teachers are often told that they are like parents, and yet no one is willing to examine a single policy to protect teachers against learners"*.

The school reported numerous cases directly linked to human rights violations. They believed this challenge received biased attention; learners were given more platforms to raise their complaints than teachers. When cases were reported to management, they often offered alternative solutions but did not address the root causes. According to the participants, only learners were listened to when reporting their cases, because management was afraid to face higher authorities on issues related to children's rights; therefore, only learners' matters were closely monitored and addressed.

### ***Challenges during the reporting of the teachers' challenges***

During the interviews, the way rights reporting was handled raised concerns about bias. The participants reported bias within the school when discussing these challenges. They described restrictions on the school's smooth operation and practice, including limitations on teachers' and learners' movements and on the availability of relevant departmental offices for reporting matters. These challenges, however, did not consistently receive appropriate responses. This creates a void for learners, giving them considerably more freedom compared with teachers. According to the participants, there were more restrictions on teachers than on learners regarding the reporting of human rights challenges.

**T2 shared that:** *“If a teacher wanted to report the incident to the principal's office, it is impossible, especially after being told to play parent at all costs by the school management.”*

**T3 recounted that:** *“I once attempted to speak to the circuit manager, but I was referred back to the school's principal, who does little about our reports.”*

**L4 revealed that:** *“I reported once to the school's principal about how teachers chase us out of the class during school hours, and the matter was solved, but if it were not attended, I would have gone to the circuit office.”*

The challenges teachers face in reporting and addressing human rights issues within the school environment have led to increasingly conflicting rights. Participants reported being compelled to accept rights violations and to normalise them in the school setting.

### ***Participants' understanding of the causes of conflicts of human rights between learners and teachers in a school environment***

Four of the interviewees stated that everyone has their own human rights and that the law protects them from violations by others. The application of rights in schools can be challenged, as teachers face dangers under departmental policies that often prioritise learners' interests over teachers'. Teachers are continuously left in the lurch and have received limited support from the Department of Education (DoE). This view is expressed in the following excerpts.

**T4 declared that:** *“Teachers at school are always in fear of bullying learners...”* and continues stating that: *“At times teachers are threatened and insulted by these learners and the principal is always advising teachers to understand that they are dealing with arrogant learners”*. Moreover, further said: *“What about our rights? All the policies have created a bridge between teachers and learners' rights.”*

**L3 indicated that:** *“Teachers always want to be right, we have human rights, and the circuit manager told us the door to her office is always open, and we are always welcome. Our human rights are more important, and teachers must understand”*.

Regarding differing perceptions of how human rights should be observed in a school, this participant demonstrates an understanding of their human rights, including their aims within the school setting.

**L1 asserted that:** *“Human rights are here as an umbrella to protect us from all forms of harm, which includes providing a free platform in schools for the expression of views on all aspects.”*

**L6 declared that:** *“Human rights are for all of us, including teachers, but the government puts learners first; teachers are like our parents, they should make sure we are safe in school, and our rights are respected”*. Further said that *“Learners must avoid crossing each other's rights as this could be against the law of South Africa.”*

**T3 remarked that:** *“Teachers must ensure that the South African Constitution is observed and protected in schools. At our school, we have developed policies covering learners' rights, teacher discipline, and culture, religion, and beliefs. And Teachers should be protected by their employer (DOE)”*

All the participants clearly demonstrate an understanding of their human rights. They recognise that rights are embedded in South African law; therefore, schools have a duty to ensure these rights are respected and upheld. Parents, learners, and teachers are aware of their rights within schools; however, teachers' rights are often overlooked, and they are expected to relinquish their own rights to protect all learners' rights. This is likely the root cause of conflicts between learners' and teachers' rights. Learners continually assert their rights to challenge teachers through various policies designed to safeguard learners' rights in schools, despite ongoing difficulties. Teachers' rights are frequently ignored during these processes. The conflicts

identified in the interviews showed that teachers felt vulnerable concerning safety issues within the school environment. The causes of these concerns were identified, and the findings highlighted a persistent sense of vulnerability, as these issues remain unaddressed. The cases reported were viewed by interviewees not as human rights violations but as typical challenges faced in schools. Teachers became more vulnerable when they accepted these challenges as part of their routine tasks. Consequently, teachers have lost confidence in the available school authorities and in the educational councils that serve teachers and parents. This shift has empowered learners over teachers, enabling them to behave irrationally without facing proper consequences. When teachers attempted to discipline learners, learners often responded with violence; thus, teachers often accepted the status quo to avoid further trouble, thereby increasing their vulnerability. Unresolved challenges for teachers create a more stressful environment, leading to fears for their safety. During the interviews, victims expressed their fears and explained how these fears affected their daily lives. Some teachers were considering leaving their positions through transfers or resignations because they felt unsafe. Additionally, some chose to distance themselves from disruptive learners, which further disadvantaged the teachers.

### ***Summary of findings***

This study found that conflicts between teachers' and learners' human rights are deeply embedded in daily school practices and are widespread. Teachers reported instances of verbal harassment, intimidation, and discipline issues. However, these incidents are often regarded as normal work occurrences rather than human rights violations. Teachers felt that students' human rights were given precedence over their own, creating an inequality that increased teachers' vulnerability. Participants described the incident reporting systems as unbalanced and consistently ineffective. Consequently, teachers felt unsupported by both the school administration and the Department of Basic Education. While participants expressed a positive understanding of human rights, differing interpretations of how these rights should be exercised have heightened tensions in classroom management. The findings reveal that teachers' professional authority is frequently undermined when they attempt to enforce discipline, leading to feelings of panic, depression, and work withdrawal. Some teachers reported reducing their engagement with disruptive students to prevent escalation, thereby diminishing their authority in the classroom. The study also identified a lack of conflict-resolution mechanisms, resulting in many disputes remaining unresolved. When the Discipline with Dignity framework was applied, it became clear that the prevention and resolution processes were inadequate. This weakens respect for equality and compromises the safety of both teachers and learners. Overall, this study demonstrates that without a balanced system for implementing rights, teachers' authority diminishes, institutional confidence declines, and the democratic ideals that education aims to promote are eroding.

## **Discussions**

### ***Acceptance and normalisation of human rights violations in schools***

The findings of this study revealed that human rights violations were common in schools. Participants described verbal harassment, exclusion from classes, gate closing, and retaliatory behaviours as regular problems. These incidents were usually not considered constitutional violations; instead, they were seen as routine school challenges. This normalisation risks undermining the constitutional foundation of schooling. The Constitution of the Republic of South Africa (1996) guarantees the dignity, equality, and safety of all individuals, including teachers. When teachers accept intimidation or disrespect as part of daily work, their right to dignity is undermined. Hoffmann (2013) also found that student-on-teacher bullying was often

minimised within schools. Mollema (2018) demonstrated that prolonged exposure to unresolved work conflicts led to emotional withdrawal and lower work engagement. According to the Discipline with Dignity approach, prevention depends on creating a respectful environment before misbehaviour arises (Curwin & Mendler, 1999). When rights violations are accepted as normal in schools, it signals weak institutional protection systems. Dignity is not actively safeguarded. In this study, teachers reported tolerating violations of their human rights to avoid conflicts escalating. This made them more vulnerable. Malatji, Maphosa, and Mavuso (2016) argued that when professional self-worth drops, teaching capacity also suffers. When disrespect becomes commonplace, professional trust diminishes. In such cases, human rights are reduced to mere paper concepts rather than actual protections for teachers' daily lives.

### ***Challenges and bias in reporting teachers' human rights violations.***

Participants highlighted the main barriers to reporting incidents targeting teachers. Teachers were often referred to the principal or told to “act like a parent” rather than address their complaints. Conversely, systems for students to report incidents were accessible, and responses were prompt. This contrast underscored the tensions in implementing post-apartheid education policies. The South African Schools Act 84 of 1996 mandates that schools should be safe and manageable environments for both teachers and learners. The National School Safety Framework (2012) stresses that responsibility must be shared among all stakeholders. Rezandt (2015) noted that labour protections for teachers were not uniformly enforced across regions. Ciuladiene and Kairiene (2017) observed that inconsistent punishment systems undermined fairness and authority. When teachers perceived that school management was unwilling to take decisive action to address their challenges, trust in internal channels diminished. The South African Council for Educators (2000) acknowledged teachers' right to professional protection, but teachers contended that this right was not truly exercised. Within the Discipline with Dignity framework, behaviour management demanded consistent actions and the best possible solutions (Curwin & Mendler, 1999). When reporting mechanisms seemed biased, responses could become distorted. Teachers may respond informally or react hastily without proper planning. Responses such as closing doors or removing students from class might lead to further disciplinary issues. Consequently, teachers' vulnerabilities grow. The problem was not a lack of regulations but the inadequate implementation of policies. As Beckmann et al. (1995) explained, schools are governed by constitutional principles. When internal institutional practices did not uphold constitutional concepts of equity, trust and fairness suffered.

### ***Different understanding of the causes of human rights conflicts.***

The study findings indicated that both teachers and students recognised human rights. Students described rights as protective mechanisms that give them a voice and safety. Teachers, meanwhile, emphasised the responsibility to respect constitutional laws, while also expecting the same protection from the Department of Basic Education. Conflict arose from different interpretations of how rights applied in everyday school life. Some students viewed their rights as too important to be denied. Teachers, in turn, perceived human rights experiences as restricting their authority in the classroom. Cothran and Ennis (1997) noted that when authority boundaries are unclear, conflicts could emerge in the classroom. The findings of this study confirmed that mere knowledge of rights did not prevent conflict. Dlamini (1997) connects human rights education to democratic citizenship. Jennings and Eichinger (1999) also highlight that human rights-based education empowers learners. These perspectives indicated notable liberal progress. However, they did not fully explain how student empowerment intersected with teacher authority in everyday classroom settings. Curwin and Mendler (1999) emphasised reciprocity, arguing that human rights should not be ranked hierarchically but should regulate relationships based on mutual respect. When one group perceives its rights as overriding those

of others, equality and respect are compromised. The findings suggested that prioritising learners' protection through educational policy, although historically justified, fostered feelings of inequality among teachers and learners.

### ***Teachers' vulnerability and its consequences.***

The consequences of human rights conflicts increased teachers' feelings of vulnerability. Participants expressed fear, depression, and thoughts of being transferred or quitting in their responses. Some mentioned withdrawing from students who appeared to be struggling. Hoffmann (2013) highlighted that teacher abuse caused lasting damage to psychological well-being or caused long-lasting psychological distress. Mollema (2018) connected workplace abuse with professional withdrawal. Will (2018) reported that attacks on teachers had a significant emotional impact. These studies consistently showed that violations directed at teachers had consequences affecting their psychological well-being. Malatji, Maphosa, and Mavuso (2016) associated professional dignity and career motivation with success in classroom teaching. When teachers feel unsupported, the quality of education can decline. The findings of this study reinforce this link. Vulnerability extends beyond physical safety to include emotional insecurity and the undermining of teachers' professional authority. The Discipline with Dignity model emphasised conflict resolution through rebuilding relationships (Curwin & Mendler, 1999). However, findings indicated a lack of restorative systems in South African schools, leaving conflicts unresolved. This lack of closure fostered distrust among teachers. Teachers withdrew, and learners tested the limits of school rules. This cycle perpetuated itself. Teachers' vulnerability in these environments should be understood as a structural condition of the system. The frequent violations of teachers' human rights were influenced by perceived bias and inconsistent interpretation. Potgieter et al. (1997) contended that school governing bodies have a duty to embed human rights into policies and practices. When school management fails to address human rights issues, teachers' vulnerability becomes apparent.

## **Conclusion**

This study found that conflicts between teachers' and learners' human rights are rooted in everyday school practices and are often normalised. Incident reporting systems were reported to be inadequate, which further increased teachers' sense that the institution did not support them. While participants understood constitutional rights, they interpreted them differently, creating tension in the disciplinary process and contributing to teachers' vulnerability. The effects of teachers' vulnerability included anxiety, feelings of marginalisation, and withdrawal from their work. The findings of this study enhance understanding of the Discipline with Dignity framework. The study shows that dignity must be protected so authority and safety can prevail in schools. In terms of policy and implementation, schools lack transparency, effective incident-reporting systems, and stable managerial support for both teachers and learners. Human rights education should emphasise shared responsibility rather than the protection of one group over another. Future research should explore multiple school settings and evaluate intervention practices that promote the balanced implementation of rights.

## **Recommendations**

*Establishing balanced reporting systems and transparency is essential.* South African schools must develop and formalise clear, time-bound reporting mechanisms that ensure equal protection for both teachers and learners. All complaints from teachers and learners should be documented, managed, monitored, and reviewed by institutional leaders. Escalation procedures must be clarified to prevent delays and bias.

*Providing structured training on managing mutual human rights and discipline.* Learners, the school governing body, school management, and teachers need ongoing institutional training to address conflicting human rights within the boundaries of the constitution. These programmes should focus on balancing human dignity, accountability, and authority. Such training programmes should be incorporated into existing school policies.

*Strengthening and Promoting the School's Code of Conduct.* The code of conduct must clearly define lawful disciplinary procedures and the corresponding legal consequences for misconduct. Clear operational guidelines can reduce the need for reactive disciplinary measures.

*Introduce institutional support for teachers' mental health.* The Department of Basic Education should prioritise psychosocial support for teachers facing challenges such as bullying, stress, and exhaustion. Access to counselling and wellness programmes can help restore professional confidence and reduce emotional withdrawal.

*Promote a culture of mutual accountability through human rights education.* Human rights education programmes should explicitly connect rights to responsibilities. Learners and teachers need guidance to understand that dignity is mutual and applies to all parties. It is not about one group over another. This approach can be integrated into school assemblies, classroom discussions, and policy announcements. Such an approach can help reduce conflicting interpretations of human rights within the Constitution of the Republic of South Africa.

### Study limitations

This study is limited by its single-site case study design, which restricts the generalisability of its findings beyond the specific school environment. The small purposively selected sample did not include the views of parents, district administrators, or unions. Data were collected through semi-structured interviews, which could be biased or influenced by the researcher's defensiveness due to the dynamic nature of the phenomenon. The case study design also offers a limited understanding of how these conflicts evolve. The 'Discipline with Dignity' framework shaped the analysis, and employing another theoretical framework might have provided different empirical insights. These limitations highlight the need for broader, comparative, and longitudinal research across diverse South African school environments.

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