

UNIVERSITY OF THE FREE STATE

RESTORATIVE DISCIPLINE IN MANGAUNG METRO MUNICIPALITY
SCHOOLING SYSTEM, IMPLEMENTATION AND FACTORS
INFLUENCING EFFICIENCY

A Mini-dissertation Submitted in Partial Compliance of the
Interdisciplinary Master of Human Rights Degree

Shibane Mongezi Patrick
2008064202

Supervisor

Prof Gerard Kamga

LIST OF ACRONYMS

ATCP	Alternatives to Corporal Punishment
HOD	Head of Department
NEPC	National Education Policy Centre
RD	Restorative Discipline
RJ	Restorative Justice
SASA	South African Schools Act
SGB	School Governing Body
STATS SA	Statistics South Africa
TRC	Truth and Reconciliation Commission
AJS	Adversarial Justice System
ARS	African Restorative System
SMT	School Management Teams

Table of Contents

LIST OF ACRONYMS.....	i
CHAPTER ONE - Introduction	5
1.1 Research Problem	5
1.2 Research questions	5
1.3 Motivation of the Research Study	6
1.4 Overview of the Literature	7
1.5 Research Methodology.....	13
1.6 Outline of Chapters	13
Chapter One.....	13
Chapter Two.....	14
Chapter Three.....	14
Chapter Four.....	14
Chapter Five.....	15
Chapter Six.....	15
CHAPTER TWO – Key Concepts, Theoretical Framework and Historical Background Guiding the Study.....	15
2.1 Introduction	15
2.2 Key Concepts	16
2.2.1. Restorative Justice.....	17
2.2.2 Restitution.....	17
2.2.3 Retributive Justice	18
2.2.4 Reconciliation.....	19
2.2.5 Corrective Justice.....	19
2.3 Historical Background for Restorative Justice at International and Domestic Settings	20
2.3.1 International perspective	20
2.3.2 African Perspective	22
2.3.3 Impact of Western Retributive and Adversarial Justice on the African Restorative Conflict Resolution System.....	25
2.4 Theoretical Frameworks Guiding the Research	27
2.4.1 Reversal of Moral Disengagement	27

2.4.2 Re-integrative Shaming.....	28
2.4.3 Social and Moral Development	29
2.4.4 Emotional and Moral Psychological Healing.....	30
CHAPTER THREE - Existing Disciplinary Measures Comparable To Restorative Practices In Terms Of Effectiveness In Improving Learner Behavior In Mangaung Metro Municipality Schools.....	31
3.1 Introduction.....	31
3.2 Causes of poor discipline	31
3.3 Current and Frequently Employed Disciplinary Measures	32
3.4 Restorative Discipline Approaches Utilized in Mangaung Municipality Metro Schooling System In Accordance with Alternatives to Corporal Punishment.....	35
3.4.1 Parental Involvement.....	37
3.4.2 Democratic Classrooms	38
3.4.3 Disciplinary Records	39
3.5 Challenges With Regard To the Implementation of Alternatives to Corporal Punishment.....	40
3.6 Concluding Remarks	42
CHAPTER FOUR – Educator’s Perspectives on Restorative Discipline Approaches	42
4.1 Introduction.....	42
4.2 The Meaning of Policy in the Context of South African Schools	44
4.3 School Governing Bodies and The Infusion of Restorative discipline Principles in Schools.....	44
4.4 Educators’ Perspectives on Restorative Discipline Approaches.....	46
4.4.1 Conceptualisation of Discipline and Related Problems.....	47
4.4.2 Behaviour Modification	48
4.4.3 Learner Obedience	49
4.4.4 Talking to the learner	49
4.4.5 Parental Engagement.....	51
4.4.7 Disciplinary Challenges	52
4.4.8 Stimulating discipline	52
4.5 Concluding Remarks	54
CHAPTER FIVE – Cultural Resistance to Shifting From Traditional Punitive Methods to Restorative Approaches, Affecting both Educators and Students in the Mangaung Metro Municipality Area	55
5.1 Introduction.....	55

5.2 What is Culture?	55
5.3 Cultural Diversity	56
5.3.1 Culturally Responsive Teaching and Discipline.....	58
5.3.2 The Disciplinary Moment in Culturally Responsive Education	58
5.4 School Culture	59
Figure 1	61
5.5 Prevalent Societal Perceptions: “Give them a hiding”	61
5.6 Alternatives to Corporal Punishment as Cultural Tool and a Hindrance to Restorative Discipline	62
CHAPTER SIX- Synopsis of Chapters, Key Findings and Recommendations	63
6.1 Introduction	63
6.2 Synopsis of the Chapters and Key Findings	64
6.3 Remarks and Recommendations in Light of the Findings	66
6.3.1 Behavioral Modeling	67
6.3.2 Positive Re-enforcement.....	68
Figure 2.....	69
6.3.3 The Circle of Courage.....	69
6.3.4 Peer Mediation and the Peacemaking Circles.....	70
6.4 General Research Study Conclusions	71
LIST OF REFERENCES	73

CHAPTER ONE - Introduction

1.1 Research Problem

The majority of educators in South African schools struggle daily to deal with learner misbehaviour.¹ A similar issue of public attention and educational concern is the deteriorated level of discipline in the Mangaung Metro Municipality school system. It is evident that improving student discipline in schools is a major duty of educators, and that aspect of their profession appears to be under intense pressure. As Msimanga² stated, educators at Mangaung schools use different forms of ineffective disciplinary measures, as they are not familiar with the school's code of conduct. Reyneke³ asserts that inappropriate conduct in schools blatantly infringes against the basic rights of both educators and learners. This study aims to examine restorative discipline in the educational system of Mangaung Metro Municipality, its implementation and factors influencing efficiency. Restorative discipline is a restorative justice-based, whole school disciplinary response that focuses on changing school climate through the building of community at the classroom and campus levels.⁴ Restorative discipline reflects a problem-solving and relational approach that focuses on restoring to the degree possible, the victim to wholeness and the offender back to the community.

For the purpose and convenience of this anticipated study, the concept “*Justice and Discipline*”, will be used interchangeably as justice is one aspect of social justice and Social justice theory⁵ is applied as a lens to examine how learner discipline procedures might be made more humane in light of human rights.

1.2 Research questions

1.2.1. What is the theoretical framework and historical background on restorative justice?

¹ Msimanga 2021:1.

² Msimanga 2021:1.

³ Reyneke 2011:129,135.

⁴ Allison and Welch 2015:540-541

⁵ refers to a political and philosophical thought that emphasises the idea of equality in interpersonal relationships within a community as well as equal access to resources, opportunities, and social advantages, <https://corporatefinanceinstitute.com/resources/esg/social-justice/> [Accessed 23.11.2023]

1.2.2. How do existing disciplinary measures compare to restorative practices in terms of effectiveness in improving learner behavior in Mangaung Metro Municipality schools?

1.2.3. What are the educators' perspectives on restorative discipline approaches?

1.2.4. Is there any cultural resistance to shifting from traditional punitive methods to restorative approaches, affecting both educators and students in the Mangaung Metro Municipality area?

1.3 Motivation of the Research Study

About 84% of the one million students who experienced violence at school were subjected to corporal punishment by their teachers, followed by verbal abuse at 13% and physical assault at 10%, according to a Statistics South Africa media release.⁶ Seven out of ten children who experienced physical abuse at the hands of educators in 2019 were in cities, while almost 60% of pupils who experienced physical punishment at school were from rural regions. Coetzee⁷ claims that other students' insulting and socially damaging behaviour frequently affects young people's rights to education. Maphosa and Mammen⁸ discovered that educators may utilise pointless disciplinary procedures that violate students' access to an education because they lack sufficient understanding of South African disciplinary guidelines. Section 29 (1a) of the Republic of South Africa's Constitution upholds the right to education,⁹ which states that *"everyone has the right to a basic education"*.

Mestry and Khumalo¹⁰ argue that many educators in rural schools recognise that punishing learners is tough and that they lack the resources to deal with students' undesirable behaviour. As a result, teachers and school authorities struggle to provide high-quality teaching and learning due to a lack of discipline and awareness of how to apply appropriate intervention/disciplinary measures. This study intends to explore restorative discipline in the Mangaung Metro Municipality schools, its efficiency and

⁶ Statistics South Africa, <https://www.statssa.gov.za/?p=16123> [Accessed 23.11.2023]

⁷ Coetzee 2005: 224.

⁸ Maphosa and Mammen 2011:219.

⁹ RSA, 1996

¹⁰ Mestry & Khumalo 2012:98.

factors that impede the implementation thereof. The findings of this study effort will add to the already existing body of knowledge on the restorative discipline approaches in the Mangaung Metro Municipality schools and aims to substantively contrast and/or concur with past and present academic researchers into the subject.

1.4 Overview of the Literature

The purpose of this review will be to demonstrate that, despite the vast amount of scholarly study material on the subject of restorative discipline in South Africa and the international space, looking into the local sphere of the Mangaung Metro Municipality is necessary to understand the complexities and possibilities around the restorative discipline phenomenon.

What is the theoretical framework and historical background of restorative justice? Mousourakis¹¹ contends that the concept of restorative justice is both new and old. Although current versions have surfaced in the last four decades, the core concept and ethos were significant in ancient Greek, Asian, and Roman societies, all of which acknowledged the significance of making amends for wronged parties. Restorative justice has its roots in 1977, when it was first phrased by Albert Arthur Eglash.¹² This section of the study intends to explore the theories that underpin the restorative justice as well as the retrospective view of the origins and practice of the phenomenon. I will put my focus on both the African and the Western origin and practice of restorative justice and analyze the classic practices that seek solutions to the pervasive problem of ill-discipline in the Mangaung Metro Municipality schooling system. The traditional conflict resolution approaches and their effectiveness and shortcomings will be looked at, with special focus on traditional Africa's conflict resolution mechanisms. The conflicting views on the retributive and restorative justice systems will be discussed and weighed based on their situational merits. As contended by Naudé,¹³ the judiciary is attacked for reflecting a European idea of retributive justice that prioritizes an offender-focused strategy regulated by codified laws and procedural orders above the

¹¹ Mousourakis 2023:55, 56.

¹² Maruna 2014:5.

¹³ Naudé 2006:104-105.

requirements of victims. However, restorative justice is also attacked for potentially compromising victims' rights and for incorporating complex and foreign terminology and criminal law prescripts. The Retributive Adversarial Justice system endorsed by the Western world and its impact on the African Restorative Conflict Resolution System will be mapped out and as Leman¹⁴ asserted, Africa's colonizers believed that because Africans did not have written laws or statute books like those in their own countries, they lacked any legal system, even though every African nation or group had its own set of rules that regulated every part of their existence. Ill-discipline is a moral issue and as argued by Jeong,¹⁵ moral obligation is demonstrated by the proactive capacity to act compassionately as well as the capacity to abstain from inhumane behavior. This study will adopt the Reversal of Moral Disengagement theory initially developed by Bandura.¹⁶

How do existing disciplinary compare to restorative practices in terms of effectiveness in improving learner behavior in Mangaung Metro Municipality schools? Roelf Reyneke¹⁷ contends that adults have a natural desire to penalize undesirable behaviour; parents are of the opinion that it is the greatest approach to teach children good behavior. His research conclusion reveals, however, the effectiveness of punishment is not as high as we would like to think. He further notes that in order to guarantee that our schools are safe places for kids to learn and prosper, the restorative approach may be just what we need for future generations.¹⁸ This section of the study intends to look at the available restorative approaches and the possible effectiveness in the Mangaung Metro Municipality schooling system.

In her article, Mariette Reyneke¹⁹ argues that, Restorative punishment is a good alternative to a dictatorial and power-based, zero-tolerance retributive type of discipline because it provides a context and opportunity that protects both the victims' right to dignity and the offenders' educational rights; meaning that the traditional retributive

¹⁴ Leman 2013:26-27.

¹⁵ Jeong 2022:5.

¹⁶ Bandura 1999:193.

¹⁷ Reyneke 2015: 58-59.

¹⁸ Restoring our children: Why a restorative approach is needed for disciplining South African young people, <https://scholar.ufs.ac.za/server/api/core/bitstreams/520a5028-3619-4d86-bf7b-04c3da991e97/content> (Accessed 21.10.2024)

¹⁹ Reyneke 2011:132-133.

approach to school discipline poses a risk of ignoring the victim and infringement on the right to education for the offender. The retributive discipline aspect will be further explored in the second Chapter of this study.

In particular, restorative discipline holds the key to restoring the dignity of the victim, the offender, and the school community in addition to protecting numerous rights.²⁰ My view is that, this triage approach is vital as it addresses major stakeholders in discipline equation and affords the necessary emotional and cognitive abilities in dealing with ill-discipline and most importantly, sensitize transgressors on the negative implications of their acts. The book authored by both Professors Roelf and Mariette Reyneke titled *Restorative School Discipline: The Law and Practice*²¹ aims to provide alternate methods to discipline.

Circle processes, affective language and conferences are common approaches used in restorative discipline, these approaches are used to manage student misbehavior, and instead of forcing them out of school through suspension or expulsion, a learner whose behavior impacts him or others should be led to support systems that can help them make better decisions in the future. They are seen as responsible yet imperfect members of the community.²² However, in order to adopt this strategy, a full mental shift is required which necessitates knowledge that disciplining learners entails teaching socially acceptable behaviors. Mindfulness,²³ social and emotional learning (SEL) are other alternate approaches to discipline and are currently being further explored by the academic community.²⁴

In reviewing this book, Prof J. Beckmann²⁵ posits that the book examines the issue of school discipline, which has been a strongly challenged topic since 1994, when physical

²⁰ Mousourakis 2023:55.

²¹ Reyneke R & Reyneke M 2020:76-77.

²² Circle processes, Affective language and Conferences are common approaches used in Restorative Discipline <https://greenschoolsnationalnetwork.org/restorative-discipline-classroom-management-for-equity-and-justice/> [Accessed 25.11.2023]

²³ A relationship-centered strategy that help parents become more confident by assisting children in gaining the emotional intelligence, resilience, and self-discipline necessary to establish genuine, meaningful lives <https://www.amazon.com/Mindful-Discipline-Approach-Emotionally-Intelligent/dp/1608828840> [Accessed 25.11.2023]

²⁴ Schonert-Reichl 2017: 180-181

²⁵ Johan Beckmann, <https://www.researchgate.net/profile/Johan-Beckmann> [Accessed 27.11.2023]

punishment was officially banned in schools, supposedly to counter the apartheid mentality of oppression and violence. After 1994, the notion of Alternatives to Corporal Punishment (ATCP)²⁶ became popular, and the idea of replacing restorative school discipline for punitive or retributive punishment gained widespread acceptance. However, Alternatives to Corporal Punishment and subsequent efforts to promote and instill the concept of restorative school discipline did not appear to have much of an influence on disciplinary problems in schools, which became more problematic. The restorative approach comprises shifting from a focus on the ill-disciplined student to a focus on preventing disciplinary problems, altering school culture and mending the harm done to those affected by the wrongdoing. Rather than determining appropriate sanctions, the restorative approach focuses on creating solutions that makes sure that learners who participate in the schooling system have their needs and interests met.

What are the educators' perspectives on restorative discipline approaches? In their co-authored article, Padayachee and Gcelu²⁷ contend that, although approaches to disciplinary administration are in place, the study indicated that including all stakeholders in the implementation of those approaches is critical in assessing their effectiveness. When stakeholders work in isolation and do not collaborate, these strategies or approaches are considered ineffective, and indiscipline remains a source of controversy in schools. However, participants acknowledge that deeper collaboration can lead to better success in managing discipline in schools. This finding further confirms the need to explore more on a myriad of possible issues that could negatively impact restorative discipline's effectiveness in the Mangaung Metro Municipality schooling system.

Research undertaken by Msimanga,²⁸ the focus was to understand learners, using dialogue sessions as a restorative discipline value, modifying disciplinary actions, learning perspectives, individualised conversations, and circles as a restorative justice principle, teaching learners their responsibilities, and using restorative justice as an alternative measure. The programme was presented to educate educators with a

²⁶ Alternatives to Corporal Punishment, Department of Basic Education 2000, 9-19

²⁷ Padayachee and Gcelu 2022:5

²⁸ Msimanga 2021:104-108.

knowledge basis and to get their thoughts on how to employ restorative justice as a disciplinary action.²⁹

Du Toit & Nkomo³⁰ Examine how churches are responding to inequality and poverty in line with restorative justice measures. Uncover how "majority white" congregations in the suburbs understand the role of restorative justice and what lessons they might draw from their current engagement in these situations. I believe that this is a critical area of concern and warrants further exploration with regard to restorative discipline in Mangaung Metro Municipality schools given the historical background of apartheid and unequal distribution of wealth and opportunities.

The National Education Policy Centre examined the international viewpoint on restorative discipline in schools,³¹ considers Restorative Justice in Education (RJE) as a comprehensive, inclusive strategy for changing school culture in a way that places a focus on relational educational methods, justice and equity, strengthening resilience, and general wellness. In order to foster positive interactions, mend harm, resolve conflict, and advance justice and equity, restorative justice in education approaches are both proactive and responsive.³² They are guided by a set of restorative ideals and principles, including justice, accountability, respect, and dignity. Furthermore, there is compelling evidence that restorative programmes can lower suspension rates and have the ability to eliminate racial inequities in exclusionary discipline. Overall, restorative programs appear to be well received by learners as well as teachers, with the majority of them seeing benefits.

In contrary to the previously mentioned notion, Hani Morgan³³ argues that there has been limited detailed investigation into restorative justice programs. A 2017 meta-analysis found that, approximately 20% of the 60 papers examined were randomized controlled trials. While numerous studies on restorative justice suggest that it delivers beneficial consequences, a substantial percentage of the study lacks the validity

²⁹ Msimanga 2021:104-108.

³⁰ Du Toit & Nkomo 2014:103-108.

³¹ Colorado Boulder University, School of Education, <https://nepc.colorado.edu/publication/restorative-justice> (Accessed 09.11.2023)

³² Morgan 2021:159

³³ Morgan 2021:159.

necessary to assess if the implementation of restorative discipline provided the expected benefits. These ideological differences surrounding restorative justice highlight the necessity to learn more about the subject and identify efficiencies or lack thereof, which prompted the need to conduct this study in the Mangaung Metro Municipality schooling environment.³⁴

Is there any cultural resistance to shifting from traditional punitive methods to restorative approaches, affecting both educators and students in the Mangaung Metro Municipality schooling system? According to Carstens,³⁵ it is widely believed that "discipline problems" among young people have become the most prevalent issue in South African schools at the moment, with educators and policymakers expressing disappointment daily about the cultural issues within schools that impact how learners participate in their education. It is also generally acknowledged that it has been shown that using punitive compulsion as a method of discipline is an inefficient way to deal with learners.³⁶ Human actions are impacted by their social surroundings and often cultural affiliations. Since the school is the primary social setting for teenagers, learners' behaviors are inevitably influenced by it to some extent.³⁷

Linda Cox Story³⁸ focused on how school staff members recognise elements of school culture that could negatively affect learner's behavior in and out of the classroom. It has been demonstrated that the primary factors influencing learner's misbehavior at school include peers, teachers, administrators and parental involvement. The study has established that social settings have an impact on human behavior, since schools serve as teenagers' primary social environments; they inevitably have an impact on students' behavior. Students from diverse cultural origins exhibit distinct disciplinary behaviors, according to Jayawardena,³⁹ it is crucial to look at how discipline and culture function in schools and across-cultural settings. Students from diverse cultural origins exhibit distinct disciplinary behaviors, according to a number of researchers. As a result, it is

³⁴ Mothai 2021:60-61.

³⁵ Carstens 2014:5.

³⁶ Marsh 2017:3.

³⁷ Craig 2019:8-10.

³⁸ Story 2010:2.

³⁹ Jayawardena 2021:1106-1107.

critical to examine how discipline and culture interact in schools in a cross-cultural context, which is an important issue that warrants more investigation. Lethoko et al⁴⁰ explains school culture as the shared values and beliefs, it may be symbols, rituals and traditions of the school built over a period of time and have an impact on how learners behave and practice their schooling activities.

1.5 Research Methodology

As Kothari⁴¹ contended, the primary goal of the research is to apply scientific methods to find answers to questions that are hidden and yet to be discovered. A list of research questions already mentioned in the previous segment will be explored through The internet-based research approach, as the internet has become a key vehicle for providing information, though the online platforms utilised to obtain the information are continually altering, web usage stays evolving.⁴²

Internet-based research can capture both qualitative and quantitative data, complementing descriptive fields of studies available in research techniques.⁴³ In order to ensure that information design best practices stay relevant in this ever-changing context, there is a continuing need to expand and widen the body of empirical research that provides their foundation. The most feasible way to reach this aim is to employ internet-based research tools, which allow researchers access to relevant data in real-world situations at a substantially lower cost per resource than in the past.⁴⁴

1.6 Outline of Chapters

Chapter One

This chapter of the study, aims to outline the research questions, examined the research problem utilising relevant literature. I present the motivation for this study and a brief discussion of the rationale for establishing the research question. A brief historical context is offered to magnify and clearly point out the severity of the research

⁴⁰ Lethoko et al 2001:311-312.

⁴¹ Kothari 2004:2-3.

⁴² Sella et al 2009:1-3.

⁴³ Parveen 2017:3-4.

⁴⁴ Parveen 2017:3-4.

problem. A synopsis of the literature that answers particular research questions is provided for the study's convenience and direction. After outlining a research approach that will direct and support the study in examining pertinent information sources, a chapter-by-chapter summary is given.

Chapter Two

I will look at the concepts and theoretical structures that underpin the research and, more significantly, take a particular stance about the theory that directs this investigation. In order to better comprehend the restorative discipline's retrospective view, a historical check will be conducted both domestically and internationally. The effects of the adversarial and retributive judicial systems in the West on African dispute resolution processes will be charted, and connections to colonial origins will be demonstrated.

Chapter Three

It is of critical importance not only to focus on the research problem but zoom into the causes of the problem; therefore the causes of discipline in schools will be dealt with. There are obviously currently and frequently utilized disciplinary approaches and a closer look at those will benefit this study. Restorative discipline approaches applied in the Mangaung Metro Municipality schooling system in accordance with alternatives to physical punishment are still a conundrum and focus on the subject is necessary. Alternatives to physical punishment have had challenges since the inception and the implementation thereof deemed ineffective, this study will trace those challenges both at school and the general society.

Chapter Four

Educator's perspectives on restorative discipline approaches are an interest for this study and will be brought to light in the context of Mangaung Metro Municipality schooling system. The meaning of what "Policy" entails within the education spectrum and what it aims to achieve will be examined. The role of policy and code of conduct formulation bodies at schools is essential and the effectiveness thereof will be measured and scaled. It is vital to think about discipline in the context of South African schools, and a better understanding of it may lead to greater empirical outcomes.

Chapter Five

This chapter will examine what culture is and further explore if there are any sociocultural impediments or obstacles in the realization of restorative discipline in the Mangaung Metro Municipality schooling system. The school culture and culturally responsive teaching are essential components of every school and though variable, influence the standard of education, learning, and discipline that a certain school is expected to maintain. I will demonstrate prevalent societal perceptions with respect to retributive justice and how that negatively impacts the restorative path that those schools need to lead. Alternatives to corporal punishment as a cultural tool and how it shadows restorative discipline in schools will critically be inspected.

Chapter Six

In this final chapter, I will also offer a synopsis of all chapters and critical key findings that this study intended to highlight. Recommendations and remarks in light of the findings will be made for future aspirant researchers in the restorative discipline as a subject matter. How this study contributed to the wealth of knowledge on the restorative discipline subject will be emphasized and hopefully pave way for current and future educators in implementing restorative discipline approaches.

CHAPTER TWO – Key Concepts, Theoretical Framework and Historical Background Guiding the Study

2.1 Introduction

What is the theoretical framework and historical background of restorative discipline? The historical background of restorative justice, both locally and globally, is the main topic of this chapter. The effects of the Western Adversarial Justice and Retributive Systems on the African Restorative System will also be examined. I will also discuss the conceptual and theoretical frameworks that drive Restorative Justice as it has been employed in Roman, Greek, and Arab developments, as well as indigenous populations in New Zealand, Australia, Canada as well as South Africa.⁴⁵ The main concepts of focus will be retributive justice, restorative justice, restitution, corrective justice and

⁴⁵ Restorative Justice's History, https://www.cfcj-fcjc.org/sites/default/files/docs/hosted/17445-restorative_justice.pdf (Accessed 11.02.2024)

reconciliation. It will also be relevant to examine several theories that provide a rationale for the effectiveness of restorative discipline procedures in lowering crime and achieving other forms of restoration. As an African-born descendent, morality is an integral part of my being, and I identify strongly with Charles Barton's restorative theories such as Reversal of Moral Disengagement, Re-integrative Shaming, Emotional and Moral Psychological Healing, and Social and Moral Development.⁴⁶ This study will therefore, adapt Reversal of Moral Disengagement as a guide and foundation for the entire dissertation. Further exploration on this theory will be done in the subsequent chapter of the study.

According to Skelton,⁴⁷ One essential benefit of explaining and supporting restorative justice in South Africa is the country's indigenous knowledge of traditional justice procedures. The restorative discipline approach is a more recent comeback to African traditional practices of justice, and the practice's essential concepts are not new. Restorative justice, despite its long history and universal acceptance of its objectives, receives little attention in South Africa's criminal court system.⁴⁸ Braithwaite⁴⁹ stated that no civilisation is without retributive rituals or deeply established restorative behaviours. Perhaps this insight explains why more and more individuals today are exploring their own cultures for models and practices that can be adopted or adjusted to fit a culturally sensitive conflict resolution and reconciliation process.⁵⁰ Therefore, my view is that, the diverse ideologies with regard to the implementation of restorative justice are worth exploring with the ultimate goal of converging to a common benefit of examining effective and acceptable forms of discipline in the Mangaung Metro Municipality schools.

2.2 Key Concepts

In this portion of the study, I will look at three important current ideas of justice: reintegrative shame, reversing moral detachment, emotional and moral psychological

⁴⁶ Charles Barton .Theories of Restorative Justice, [http:// www.voma.org/docs/barton_trj.pdf](http://www.voma.org/docs/barton_trj.pdf) (Accessed 01.04.2024)

⁴⁷ Skelton 2008:40.

⁴⁸ Skelton 2008:40.

⁴⁹ Braithwaite 2002:563-564.

⁵⁰ Braithwaite 2002:566.

recovery, and social and moral growth.⁵¹ These concepts help to explain and map out the variables of interest in my research topic and will help in developing a clear and concise definition of the existing problem, which will in turn help to guide the research process. Before I endeavor to construct a relevant theoretical framework for this study, it will be beneficial to clarify concepts of interest that have a direct bearing on the framework I intend to explore.

2.2.1. Restorative Justice

Although I have mentioned restorative justice in the last chapter and prior portions of this book, I restate it for the sake of consistency and clarity. Restorative justice is commonly described as the antithesis of retributive justice. In his book, Howard Zehr⁵² argues that restorative justice sees crime as "a violation of people and relationships" rather than a legal infraction in which the state is the victim. Restorative justice strives to fulfill the needs of the parties affected, encourage healing, and explain social roles and expectations, rather than convicting and punishing offenders.⁵³ Rather than viewing the judicial system as a win-lose situation in which criminals and law enforcement debate, restorative justice encourages all parties involved in a conflict, including the community, to identify responsibility and remedies. Instead, this creates a win-win scenario by fostering communication and mutual understanding.⁵⁴

2.2.2 Restitution

According to Swartz et al,⁵⁵ restitution is the process of making amends for injustices or damage, or of rebuilding after suffering. One method of attempting to rectify a human-based injustice is through restitution.⁵⁶ It means acknowledging that an injustice has been done, that those responsible were in some way complicit in it, and that the consequences are still being felt. Restitution aims to bring people's humanity, sense of belonging, and healthy relationships back. In common law, restitution refers to the

⁵¹ Charles Barton .Theories of Restorative Justice, [http:// www.voma.org/docs/barton_trj.pdf](http://www.voma.org/docs/barton_trj.pdf) (Accessed 01.04.2024)

⁵² Howard Zehr 1990:80-81.

⁵³ Howard Zehr, 1990:81.

⁵⁴ Braithwaite 2006:25 Zehr 1990:85.

⁵⁵ Swartz et al 2018: 146-152.

⁵⁶ The Restitution Foundation, <https://www.restitution.org.za/questions/> (Accessed 23.03.2024)

return of a wrongfully obtained gain or benefit.⁵⁷ According to justice as restitution, the perpetrator must repay or restore what they have taken from the wronged party. This is because the offender profited at the victim's cost. In the context of this article, it will indicate any unethical enjoyment gained from causing injury or suffering to others.

Restitution subsequently examines our moral instinct that "something has to be done" as requiring that the situation be put back to how it was prior to the wrong happening. The person who has wronged must give back whatever they have taken from the victim of their wrongdoing. The foundation of restitution, according to Van Ness,⁵⁸ is found in legal systems that recognized crime as more of an injury to the victim than to the authority in question. This emphasis on the wrongdoer's actual harm as well as the victim of that harm is also shared by the restorative justice principle.⁵⁹ Restitution and restorative justice, in other words, are outcome-focused approaches that emphasize the outcomes of actions rather than some intrinsic quality of the actions themselves. Restorative justice, on the other hand, broadens its scope to include both the offender, the community in order to alleviate the victim's trauma.

2.2.3 Retributive Justice

Retributive justice is a law theory which says that punishment is appropriate if it is consistent with the offence committed.⁶⁰ In this type of legal system, a crime is sometimes characterised as one committed against the state or government rather than a person or group. As a result, it is incumbent to the state to pursue justice by punishing the offender of the crime. Generally speaking, retributive justice refers to both punishing individuals who have transgressed social norms and restoring the values of society that were harmed by the offence.

In this same expression, Bronsteen et al⁶¹ states that, society punishes criminals by forcing negative experiences on them. Whatever aims the state wishes to achieve, whether retributive or utilitarian, require inflicting negative consequences equal to the

⁵⁷ Llewellyn 1999:100-102.

⁵⁸ Martin & Fowle2020:1017.

⁵⁹ Martin & Fowle2020:1024.

⁶⁰ My Law Questions, <https://www.mylawquestions.com/what-is-retributive-justice.htm> (Accessed 29.03.2024)

⁶¹ Bronsteen et al 2010:1469.

magnitude of the crimes committed. To do so, the state should use the best available evidence to determine the normal amount of negative associated with sanctions such as fines and imprisonment.⁶² This includes foreseeable negative repercussions produced by these punishments, including harm that lingers after offenders complete their time in prison. Therefore, retribution, as opposed to restorative treatment approach, aims to cause a person a reasonable degree of discomfort in order to produce both general and targeted punishment. This discomfort is necessary to "teach a lesson" and provide offenders with what they "deserve."⁶³ Retributive justice depends on the implied assumption that individuals who inflict harm do so voluntarily and should, thus, experience the same discomfort, humiliation, or suffering as their victims may have.

2.2.4 Reconciliation

Reconciliation is a process that fosters open debate of the painful past; on the other hand, fears of the past are acknowledged and put aside in favour of a new relationship, and it is a place where we may build a long-term, intertwined future.⁶⁴ Additionally, it recognises the need to right past wrongs while also promoting the vision of a shared, connected future. Truth commissions have evolved significantly since their inception in the 1970s, and they are now regarded as a legitimate and reliable option for states hoping to address past wrongs.⁶⁵ Post 1994, the Truth and Reconciliation Commission (TRC) in South Africa used a restorative justice approach, to persuade offenders to take ownership of their actions and admit the harm they have caused to victims, their families, and communities. Promoting healing and rehabilitation for all those involved was the aim.⁶⁶

2.2.5 Corrective Justice

The concept of "corrective justice" holds that an individual's obligation should make up for any harm they have caused to another.⁶⁷ It includes maintaining and reinstating the

⁶² Bronsteen et al 2010:1471.

⁶³ KPU, <https://kpu.pressbooks.pub/introcrim/chapter/17-3-the-aims-of-restorative-justice/> (Accessed 29.03.2024)

⁶⁴ Beyond Intractability, <https://beyondintractability.org/library/reconciliation-through-restorative-justice-analyzing-south-africas-truth-and-reconciliation> (Accessed 29.03.2024)

⁶⁵ Johnstone & Van Ness 2007:351.

⁶⁶ Department of Justice and Constitutional Development, <https://www.justice.gov.za/rj/2011rj-booklet-a5-eng.pdf> (Accessed 30.03.2024)

⁶⁷ Weinrib 2002:354-355.

parties' initial fundamental equality. Possession of one's own belongings is a sign of equality, and injustice arises when one party benefits while the other suffers a proportionate loss relative to the previously mentioned baseline.⁶⁸ When the law restores the original equality by taking away a gain from one party and giving it back to the other, it rectifies the injustice. In other words, if A, uses force or deception to take a loaf of bread from B, then B must have his or her demand for justice honored.⁶⁹ Corrective justice, however, aims to prevent the offender from repeating the same crime again.⁷⁰

2.3 Historical Background for Restorative Justice at International and Domestic Settings

2.3.1 International perspective

Albert Arthur Eglash, a psychologist, introduced the phrase "restorative justice" in his 1977 paper "Beyond Restitution: Creative Restitution".⁷¹ Eglash found that the judiciary system for crimes lacked both effectiveness and humanity in working with adults and kids. As an alternative to the system, he proposed the idea of creative restitution, which he later expanded to a justice system through restorative means. According to Mousourakis,⁷² The concept of restorative justice is both traditional and new. Even though modern manifestation has emerged in the past forty years, the basic ethos and philosophy were important in the Greek, Roman, and Asian cultures, all of which recognised the need of making apologies for those who had been mistreated. Furthermore, restorative justice has been embraced by some indigenous societies worldwide, including Native Americans, First Nations (Aborigines) in Canada, Australian and New Zealand Aborigines, and African indigenous people.⁷³

Around 1977, the idea of restorative justice began to acquire acceptance in the mainstream legal systems as an adjunct to conventional criminal prosecution and

⁶⁸ Weinrib 2002:354.

⁶⁹ The Concept of Corrective Justice and its Objectives in Law of Delict https://www.academia.edu/35195771/The_Concept_of_Corrective_Justice_and_its_Objectives_in_Law_of_Delict (Accessed 11.02.2024)

⁷⁰ LawBhoomi. [https:// lawbhoomi.com/corrective-justice-analysis/](https://lawbhoomi.com/corrective-justice-analysis/) (Accessed 30.03.2024)

⁷¹ Omale 2006:36.

⁷² Mousourakis 2023:55-56.

⁷³ Mousourakis 2023:56.

sentence.⁷⁴ In 1989, family group conferencing, a programme founded on the ideas of restorative justice, was instituted by the New Zealand government.⁷⁵ This strategy tries to make the offender more aware of the repercussions of their acts on others and to encourage reconnection between the victim and the offender with essential community support networks.⁷⁶

Following this, Australia implemented family group conferencing in a number of territories.⁷⁷ The Australians understood the approach as addressing the damage that has happened within family systems and fostering well-being and necessitates collaboration between family members, their supports, and professionals at key decision-making points. The Corrections System in Canada also implemented restorative justice programs in its prisons.⁷⁸ According to the correctional services system, crime has a detrimental effect on people, relationships, and communities. In the end, the system will promote healing, restitution, and reintegration while preventing further harm by enabling victims and offenders to discuss the reasons, circumstances, and consequences of crime and attend to their needs.⁷⁹ Thus, the use of restoration justice has grown in acceptance among government organisations and communities.

Naudé⁸⁰ argues that the judicial system is criticised for embodying a European concept of retributive justice that puts the needs of offenders second to an offender-focused approach outlined in codified laws and procedural standards. But restorative justice is also challenged for including criminal law aspects that has potentially to jeopardise criminals' rights. Rodgers⁸¹ contends that, the criminal justice mechanism primarily relies on the state to prosecute crimes. In criminal procedures, the state represents society's interests, whereas the victim is often treated as a source of information and relegated to the role of witness.

⁷⁴ Origins of Restorative Justice, https://www.cfcj-fcjc.org/sites/default/files/docs/hosted/17445-restorative_justicepdf (Accessed 11.02.2024)

⁷⁵ Zehr 2002:37.

⁷⁶ Umbreit 2000:2-3.

⁷⁷ Australian Association for Restorative Justice, <https://www.aarj.org.au/> (13.07.2024)

⁷⁸ Research at a Glance, https://www.justice.gc.ca/eng/rp-pr/jr/urjacoc-rjrplccc/docs/2022-restorative-justice-in-canada_en.pdf (13.07.2024)

⁷⁹ Mousourakis 2023:57.

⁸⁰ Naudé 2006:104-105.

⁸¹ Rodgers 2009:70.

In the 1990s, many Western countries, including Ireland, United States, Britain, Canada, New Zealand, Austria, Germany, Norway, Belgium, Sweden, Finland, Spain, and France, enacted legislation promoting restorative justice.⁸² According to criminologist John Braithwaite,⁸³ for the majority of human history, the model of criminal justice that has been most prevalent for all people globally has been restorative justice. Both non-Western and Western traditions are cited as the sources of restorative conceptions of justice.

Therefore, rather than being a revolutionary "cure-all" for a broken system, perhaps the best way to conceptualise is the shift to an idea of restorative justice.⁸⁴ However, these restorative origins have been obscured by a number of historical narratives about justice and the administration of justice.

It is therefore; crucially essential to note that, restorative justice begins in many schools as a crisis intervention tool for repairing harm and works best in classrooms and across schools when implemented proactively. It promotes meaningful and equitable relationships, as well as a strong sense of community.

2.3.2 African Perspective

Oosthuizen et al argue that the various ethnic groups or countries had their own laws, traditions, and legal systems in place to address conflicts, criminal behaviour, and other social issues prior to colonialists arriving in South Africa.⁸⁵ Their approaches to resolving disputes centered on bringing the parties involved together. This meant that rather than focusing on punishing offenders, the legal systems worked to restore the broken relationships between the parties. Even when the offender was made to pay compensation, the objective of mending damaged or broken relationships remained the same; this was done to demonstrate that the wrongdoer was accepting responsibility rather than benefiting from it.⁸⁶

⁸² Naudé 2006:103.

⁸³ Braithwaite 2002:25.

⁸⁴ McCalpin 2013:117.

⁸⁵ Oosthuizen et al 2003: 457

⁸⁶ Rautenbach 2015:277.

Even when the offender was made to make restitution, the objective of mending damaged or broken relationships remained the same; this was done to show that the wrongdoer was taking responsibility rather than a sense of remorse.⁸⁷

In 1652, the Dutch started to conquer and colonise the areas that are now South Africa, but by 1815, the British had forced them to leave.⁸⁸ The Dutch and the British introduced South Africa to their legal systems, although with minor alterations, and replaced the laws, traditions, and legal systems of the indigenous inhabitants. As a result, South Africa's modern legal system combines Dutch, British, and native African customary law.⁸⁹ As I previously stated, restorative justice practice is not a new notion on the African continent, but it has taken on a new form and shape as a result of deep-rooted colonial remnants. Restorative justice is a paradigm for conflict resolution that brings together offenders, the aggrieved, and community members to talk about and resolve a crime or dispute. It is commonly used in communities throughout Africa.

Omale⁹⁰ implies that in pre-colonial Africa, many Africans used informal and customary legal systems to settle their conflicts. At the height of colonialism, these forums were perceived as barriers to development, despite the fact that the approach was well-liked by Africans. As Dalgleish⁹¹ said that formal judicial systems with Western cultural roots that do not recognise African traditional ideals of dispute resolution have replaced African indigenous conflict resolution techniques since colonisation. African nations struggled to meet the worldwide norms of contemporary legal systems, and even after gaining independence, they have shown little respect for their traditional conflict resolution practices. Consequently, in the twenty-first century, restorative justice may be more successful in Africa than legal processes. My view is that, the negative impact of colonialism paradigm has greatly undermined the African way of conflict resolution practices and Africans succumbed to the Western pressure.

⁸⁷ Oosthuizen et al 2003:449-452.

⁸⁸ Colonial Voyage, <https://www.colonialvoyage.com/dutch-south-africa/> (Accessed 29.09.2024)

⁸⁹ The University of Melbourne, the South African Legal System, <https://unimelb.libguides.com/c.php?g=929734&p=6718215> (Accessed 23.07.2024)

⁹⁰ Omale 2006:42.

⁹¹ Dalgleish 2005:55.

Furthermore, Africa would benefit greatly from a restorative justice paradigm as it would lessen dependency on outside assistance, encourage community involvement, and help the continent create its own conflict resolution framework. For instance, restorative justice has been used for thousands of years in Tanzania to resolve internal conflicts among the people led by the King of Southern Tanzania.⁹² The community therefore summoned a conference to mediate disputes between clan families or family members whenever they occurred. The fire area, known as Lugono, served as a sort of court where locals would sit in circles,⁹³ and after the complainant recounted the incident or gave their version of events, the defendant or defendants were given the opportunity to refute the charges and defend themselves.⁹⁴ Depending on the extent of the wrongdoing and the people affected, different conflict resolution and reconciliation techniques were used.⁹⁵ The only people who could attempt to mediate a minor dispute, like one member insulting another, are the parties involved, and by extension, invited mediators. However, major crimes or large-scale disputes necessitated the involvement of the elders and the community. Typically, community people gathered around the fire and listened intently to the parties, interrogating them and assisting them in uncovering the truth and origin of the situation.

In Nigeria, after a mediation-based dispute settlement process, the Council of Elders would mandate that both parties have a meal from the same dish, drink palm-made wine, and consume burukutu⁹⁶, or drink gin from the same cup, or break and consume kola nuts.⁹⁷ They understood that everyone in the community needed to participate in open dialogues on a specific wrong, issue, disagreement, or a group of issues or conflicts, in order to uncover the truth about what happened and why.⁹⁸ Therefore, without intervention from a centralised and wide-ranging governmental authority, the African communities' conflict resolution systems enabled common people to freely

⁹² Ghebretikle & Rammala 2019:325.

⁹³ A kind of court setting where a victim would narrate the incident and the defendant/defendants allowed to respond to the accusations and defending themselves

⁹⁴ Gabagambi 2018:28.

⁹⁵ Gabagambi 2018:26.

⁹⁶ This traditional opaque beverage from Africa is indigenous to the continent and is considered healthful since it includes useful plant elements that help delay the beginning of several chronic degenerative disorders, like hypertension.

⁹⁷ Omale 2006:48.

⁹⁸ Omale 2006:49.

engage in, address, or debate problems and crimes that harmed them. On the other hand, official institutions in African nations that have gained independence today deal with disagreements and conflicts in a combative and punitive way, especially when it comes to criminal justice.⁹⁹ Though not inherently unfair, these foreign legal systems can cause undue delays, particularly in criminal cases where it can be difficult to get state witnesses.

As contended by many African authors and scholars, it is factual to infer that, much of the African traditional social structures and healing practices have been replaced by Western individualistic and retributively oriented systems as a result of colonialism.¹⁰⁰ However, as demonstrated by the Commission for Nigerian Human Rights Violation and Investigation, the South African Truth and Reconciliation Commission, "the umuvumu¹⁰¹ tree project" in Rwanda, which aims to get community members and prisoners accused of genocide ready for the nation's gacaca¹⁰² hearings (judgment on the grass/fields) and eventual reintegration of the prisoners into society. Africans are increasingly turning back toward the restorative approaches embodied in their traditional practices.¹⁰³

2.3.3 Impact of Western Retributive and Adversarial Justice on the African Restorative Conflict Resolution System

According to Leman,¹⁰⁴ the suppression and degradation of restorative justice systems in Africa is one of the evident and severe consequences of the system of adversarial justice¹⁰⁵ from the West. Similarly, decision-making for the privileged under the colonial

⁹⁹ Ajayi & Buhari 2014:151,152.

¹⁰⁰ Ajayi & Buhari 2014:149.

¹⁰¹ The Umuvumu Tree Project was created after Prison Fellowship International's Sycamore Tree Project was modified and implemented in Rwanda, Africa. The Umuvumu Tree Project has served as a vehicle for national healing in genocide-traumatized Rwanda, while the Sycamore Tree Project has been utilized to bring offenders and victims in common criminal scenarios in the United States, New Zealand, England, and other nations. <https://restorativejustice.org/rj-archive/umuvumu-tree-project/> (Accessed 23.07.2024)

¹⁰² The Gacaca proceedings, in contrast to those in the adversarial criminal court system, fostered an atmosphere where criminals were urged to confess to their involvement in the genocide and ask their victims for forgiveness. It is estimated that the procedures have resolved around two million cases in Rwanda. https://www.nyulawglobal.org/globalex/Restorative_Justice_Africa.html#_ENREF_31 (Accessed 21.03.2024)

¹⁰³ Kariuki 2018:2.

¹⁰⁴ Leman 2011:25.

¹⁰⁵ Oraegbunam 2019:29.

power's adversarial justice paradigm became the most common way to administer justice in the territories they had conquered. This scenario arose from grave misunderstandings on the part of the Christian missionaries and the colonial powers who later followed. Even though every African village or nation had its own set of rules that regulated every part of their life, they felt that Africans lacked a legal system since they lacked written laws or statute books like those in their own nations.¹⁰⁶

These laws were transmitted orally and preserved in a variety of mediums, including songs and proverbs, but they were easily recalled since they were successfully conveyed to the community. That being said, the colonial powers had to demolish African legal systems for more terrible reasons.¹⁰⁷ Leman¹⁰⁸ claims that since oral traditions were flexible and open to community adaptation, they presented a danger to colonial power as an alternative normative system. This was evidenced during Kenyatta's trial by the British, where the court had difficulty whether to include as documentary evidence, an audio tape of one of Kenyatta's public addresses given to a group of largely illiterate Kenyans.¹⁰⁹ The question was raised of what the law considers to be a "document," especially in cases when the culture in question is oral. This clearly compromised the evidence expected in formal trials normally carried out by the colonial British trial system.

According to Nuhu,¹¹⁰ any community will inevitably experience disputes due to the diverse needs, interests, and beliefs of its members; yet, each group has its own unique mediation or conflict resolution techniques. African cultures have unique approaches to conflict resolution because they place a strong emphasis on mending relationships or community bonds after a dispute. The idea of African conflict resolution procedures and practices is to foster social harmony and peace among communities.¹¹¹

¹⁰⁶ Ajayi & Buhari 2014:146.

¹⁰⁷ Ajayi & Buhari 2014:149.

¹⁰⁸ Leman 2011:26-27.

¹⁰⁹ Leman 2011:26.

¹¹⁰ Nuhu 2017:86.

¹¹¹ Oraegbunam 2019:35.

Furthermore, Africa's restorative justice systems offer both the aggrieved and the offender the chance to make amends, as well as some reprieve from the truth-telling entailed.¹¹²

Gaye¹¹³ said that many Africans who were educated and nurtured in Western beliefs and ways of life have continued to criticise their own culture, and that the retributive judicial system has been highly significant in the decline of African culture. Due to this adversarial mentality, many affluent Africans struggle to comprehend that repairing damaged relationships is one of the primary goals of African restorative justice rather than determining who is at fault in a dispute. In the African restorative justice framework, disputes are settled, activities aimed at reconciliation are carried out, the truth is revealed, a new chapter is opened, and relationships are restored.¹¹⁴ The social fabric of African communities was firmly based on truth, an awareness of the underlying causes of issues within the group, and reconciliation, which may be attributed to their wisdom.¹¹⁵

However, under adversarial and retributive systems, even after the court has issued its judgment or decision, those who are unhappy with the result will still talk about it outside of court.¹¹⁶ Therefore, in order to understand African discipline mechanisms and support their defence, it is vitally necessary that criminal justice researchers and legal professionals support the resuscitation of restorative justice mechanisms in Africa. This could be realised through cooperative studies involving different communities and leaders.

2.4 Theoretical Frameworks Guiding the Research

2.4.1 Reversal of Moral Disengagement

This study will adapt this theory as a guide and foundation for the entire dissertation. The concept of moral disengagement was developed by Bandura¹¹⁷ as an expansion of social cognitive theory. According to social cognitive theory, people are capable of

¹¹² Omale 2006:44, 45.

¹¹³ Gaye 1998:25.

¹¹⁴ Gaye 1998:26.

¹¹⁵ Gaye 1998:25.

¹¹⁶ Kariuki 2018:3.

¹¹⁷ Bandura 1999:193.

exercising control over their own thoughts and behaviors by using self-regulatory mechanisms. He contends that individuals build a moral self by establishing behavior norms of morality that act as guidelines and/or barriers to such behaviors. They engage in activities that boost their self-esteem and sense of achievement. They resist engaging in ways that go against their moral standards since doing so will make them feel ashamed.¹¹⁸ This positive and negative self-sanction keeps the behaviour consistent with moral standards, however, in a persistent moral contradiction, people from many walks of life engage in negative behaviors while maintaining positive self-esteem and living at peace with themselves. They accomplish this by separating moral self-sanctions from their harmful practices.¹¹⁹

Both at the individual and cultural levels, these psychological mechanisms of moral disengagement are in operation.¹²⁰ Moral disengagement theory explains how people dissociate from their moral norms through intra-psychic conflicts¹²¹. It is a simple yet effective explanation for why people transgress. Both the proactive ability to act humanely and the ability to abstain from behaving inhumanely are examples of moral responsibility.¹²² It is part of a more comprehensive socio-cognitive personality that includes self-organizing, forward-thinking, self-reflective, and self-regulatory mechanisms based on personal norms and self-sanctions. Moral disengagement disconnects our internal norms from how we perceive our behavior, making them ineffective.¹²³

2.4.2 Re-integrative Shaming

Shame is an uncomfortable feeling that the majority of people have at least once encountered in their lifetime.¹²⁴ But we are afraid to talk about our embarrassing experiences. People often say that shame is a taboo topic; ironically, we are ashamed

¹¹⁸ Bandura 1999:193.

¹¹⁹ Jeong 2022:5.

¹²⁰ Schaefer 2020:46.

¹²¹ American Psychology Association Dictionary, The clash of opposing forces within the mind, such as competing urges, desires, or powers. Inner conflict can also be referred to as internal conflict, intrapersonal conflict, or psychological conflict. <https://dictionary.apa.org/intrapsychic-conflict> (Accessed 01.04.2024)

¹²² Jeong 2022:5.

¹²³ Jeong 2022:6.

¹²⁴ Sedighimornani 2018:25.

of our shame. It is typically much easier to say that “I am angry/sad/nervous”, than say “I am ashamed”. According to Braithwaite's re-integrative shaming theory, the most successful approach to crime reduction is community-based temporary shame¹²⁵. It is argued that rather than punishing the offender, justice is better achieved by making amends for the harm inflicted by the offence. ¹²⁶ Affected parties have the ability to choose how to accomplish justice through techniques including offender mediation, family group conferences, and healing circles..¹²⁷ I will emphasise more on these practices in the next part of this work.

2.4.3 Social and Moral Development

According to a theory put out by Lawrence Kohlberg, moral thinking develops in six distinct phases from birth to maturity. ¹²⁸ The three major categories of moral thinking that he distinguished between these stages are pre-conventional, conventional, and post-conventional. Every step is linked to gradually detailed phases of ethical growth. Kohlberg proposed a linear progression of these stages for individuals and a connection between moral awareness and moral understanding. These are the stages of moral development according to Kohlberg:

Children in the pre-conventional period respect the authority and values of others. An action is obviously harmful if it results in punishment. It has to be acceptable if it results in a reward. Additionally, judgments about what is good are sometimes framed in terms of what is best for us.

The Conventional stage: Children believe that societal standards and other people's expectations determine what behaviour is acceptable or unacceptable. Therefore, since social order and relational commitments are seen as desirable, they must have an impact on how people perceive right and wrong. In the Post-conventional stage, a person's perception of universal ethical principles determines what is right. The reaction that most closely adheres to these standards determines what is deemed morally acceptable in any particular circumstance.

¹²⁵ Study.com. [https:// study.com/academy/lesson/reintegrative-shaming-definition-theory-in-criminology.html](https://study.com/academy/lesson/reintegrative-shaming-definition-theory-in-criminology.html) (Accessed 01.04.2024)

¹²⁶ Braithwaite 1998:28.

¹²⁷ Braithwaite 2000:6.

¹²⁸ Kohlberg & Hersch 2009:55-56

2.4.4 Emotional and Moral Psychological Healing

According to Retzinger & Scheff,¹²⁹ restorative justice conferences involve both material and symbolic reparations. Material reparation involves a final settlement between the offender and victim, including compensation and community service agreements. Symbolic reparation is less noticeable. It includes gestures of courtesy, respect, remorse, and forgiveness.¹³⁰ The core sequence of the offender's apology and the victim's forgiveness leads to reconciliation, victim satisfaction, and decreased recurrence. Restorative justice emphasizes closure and emotional healing for key participants, with symbolic reparation playing a crucial role in achieving these outcomes.¹³¹ Symbolic reparation facilitates emotional healing for participants, allowing them to release moral, psychological, and emotional burdens from oppressive and hurtful past experiences.¹³²

Suzuki¹³³ contends that the journey to healing from violent victimization can begin as soon as victims consent to take part in restorative justice. The healing process may be significantly aided by the fundamental recovery elements of restorative justice. A key element of restorative justice rehabilitation is allowing victims to take responsibility for their acts by acknowledging and validating their violent victimisation. Victims also regain their identity by talking about their experiences and expressing their feelings. If any supportive conditions are present, restorative justice's victim recovery process will be further aided. The resilience of the victims, compensation from those involved in the legal system, the victims' support systems, and forgiveness are some of the facilitating elements for the victim recovery process in restorative justice.¹³⁴

¹²⁹ Retzinger & Scheff 1996:22.

¹³⁰ Scheff 2007:101-102.

¹³¹ Scheff 2007:101-102.

¹³² Scheff 2007:101.

¹³³ Suzuki 2023:1894.

¹³⁴ Retzinger & Scheff 1996:30.

CHAPTER THREE - Existing Disciplinary Measures Comparable To Restorative Practices In Terms Of Effectiveness In Improving Learner Behavior In Mangaung Metro Municipality Schools.

3.1 Introduction

Coping with student misconduct is a daily challenge for many educators in South African schools.¹³⁵ Teachers' hands have been tied since the South African Schools Act outlawed physical punishment because of uncertainty on how to maintain order. It is still difficult for teachers to manage student ill-discipline due to a lack of knowledge. Many educators, especially in rural areas, admit they have difficulties disciplining learners and lack the appropriate resources to handle their bad behavior.¹³⁶ As a result, the provision of high-quality teaching and learning is hampered by inappropriate student behaviour and poor insight on the part of teachers and the school governing bodies (SGBs) regarding how to implement suitable intervention/disciplinary measures.¹³⁷ I hold a view that this situation creates frustration and animosity between learners and educators as educators feel overwhelmed by the pervasive level of ill-discipline across the education system.

With this assertion in mind, how do existing disciplinary measures compare to restorative practices in terms of effectiveness in improving learner behavior in Mangaung Metro Municipality Schools? I intend to answer this part of the research question by exploring restorative approaches used in the Mangaung Metro Municipality schooling system and their efficacy, if any, in maintaining school discipline. However, before proceeding, it is prudent to give an overview of the causes of poor discipline and current, frequently employed disciplinary measures that are derogatory but ironically intended to reduce learner ill-discipline.

3.2 Causes of Poor Discipline

Ndamani¹³⁸ highlights the significance of his research because, in order to solve disciplinary issues that develop, educators must first understand the reasons behind a lack of discipline in the Mangaung Metro schools. Inadequate discipline in schools is a

¹³⁵ Msimanga 2021:1.

¹³⁶ Reyneke 2011:129.

¹³⁷ Rossouw 2003:414.

¹³⁸ Ndamani 2017:177.

significant issue. One of the things that contribute to ill-discipline is the lack of parental involvement.¹³⁹ According to the study, parents who perceive their role as being outside of the school setting when it comes to disciplining their children may unintentionally contribute to a lack of discipline by shifting the blame to the teachers. Inversely, teachers who depend on parental support to effectively handle disciplinary matters may face difficulties as a result of this shift in responsibility. Teachers deal with a lot of issues that stem from issues in their own homes, in society, and in the classroom.¹⁴⁰ My view is that, children's background and their upbringing circumstances often shape who they become in their later lives. Their destiny is therefore, consequentially good or bad.

Msimanga argues that classroom misbehavior can be caused by a variety of issues, including the student, the teacher, the school, society, the curriculum, or the parents of the student.¹⁴¹ Misbehavior is a product of how an individual interacts with their surroundings. The child's behavior is heavily influenced by his social environment which amongst others, includes gang activity, racial conflicts, and peer pressure. Some learners may misbehave as a result of peer pressure to challenge authority. Some well-behaved students from good homes may misbehave when they join groups of misbehaving peers whereas some learners often misbehave to meet their peers' expectations and avoid rejection or feel compelled to misbehave in order to blend in with their peers.¹⁴²

3.3 Current and Frequently Employed Disciplinary Measures

In a study titled "*Exploring the Enhancement of Disciplinary Processes in Botshabelo¹⁴³ Primary Schools*", the study found that disciplinary problems exist but their severity varies. Disruptive classroom behavior, vandalism, non-compliance with school regulations, and defiance of authority remain common challenges.¹⁴⁴ According to

¹³⁹ Reyneke 2015:58.

¹⁴⁰ Ndamani 2017:177.

¹⁴¹ Msimanga 2021:28.

¹⁴² Moyo et al 2014:2.

¹⁴³ Botshabelo, meaning "*a place of refuge*", was established as a sizable township in 1979. It is situated in South Africa's modern-day Free State province, east of Bloemfontein. situated in the MMM neighbourhood. https://en.wikipedia.org/wiki/Botshabelo,_Free_State (Accessed 05.04.2024)

¹⁴⁴ Wolhuter 2020:5.

Msimanga,¹⁴⁵ teachers can use detentions to enforce classroom rules, urge unruly learners move from the rear to the front., or clean the floor as a corrective measure. Students stated that disciplinary actions, such as being warned by the administration or referred to the Head of Department (HOD), were seldom employed. Inconsistent and non-uniform implementation disciplinary measures are applied, which shows that the teachers are unaware of the school's code of conduct prescripts.

The public school code of conduct¹⁴⁶ states that the disciplinary process must be fair, just, corrective, consistent, and educative. However, all teachers have different disciplinary measures. Given the persistent rise in indiscipline in schools, the South African education system confronts an almost impossible-to-solve challenge, and because of this, teaching and learning have been so severely compromised that the performance of learners continues to suffer, and teachers' morale continues to decline in the classroom.¹⁴⁷ In the absence of an efficient disciplinary structure, bad learners are encouraged to act in a disruptive and unacceptable manner and get away with it. Educators and school administrators have used a variety of tactics to help reduce indiscipline in schools, but none have proven to be a long-term solution for this prevalent problem. I contend that the National Department of Education, as the custodian of the education system, has an inherent obligation to capacitate educators in realistic disciplinary approaches to ill-discipline.

According to Reyneke,¹⁴⁸ punitive methods, which include extra homework, privilege revocation, minor duties, detention, humiliation, behavioral control contracts, and corporal punishment, are the most commonly used forms of discipline in South African schools. In agreement with Reyneke, Serame et al¹⁴⁹ state that common reversible techniques include reprimands, physical punishment, detention, more work, and isolation in and out of the classroom, informing parents, point demerits, suspension, expulsion, and criminalisation. Applying corporal punishment has been said to instill fear

¹⁴⁵ Msimanga 2021:28.

¹⁴⁶ 2011: s.4.2

¹⁴⁷ Padayachee & Gcelu 2022:1.

¹⁴⁸ Reyneke 2015:58.

¹⁴⁹ Serame et al 2013:3.

in learners.¹⁵⁰ As such, one could argue that the use thereof is problematic and should be rejected with the contempt that it deserves. Lytton,¹⁵¹ as cited by Oosthuizen et al, highlights how corporal punishment is often linked to animosity and rejection, which has a detrimental effect on children's ability to build trustworthy relationships with both their teachers and themselves in terms of the development of low self-esteem and a deteriorating self-image. Numerous studies have also shown a connection between early childhood physical punishment and the emergence of criminal behaviour in later life.¹⁵²

In a recent study conducted at the Free State Township schools¹⁵³, the author discovered that many township schools are seeing a rise in occurrences of ill-discipline and ambiguity about the disciplinary methods to deploy to preserve discipline. Students in township schools are arrogant, violent, destructive, rude, and abusive; they abuse alcohol, play unsupervised, smoke, bring firearms to school, commit rape and burglary, intimidate other students and teachers, break school rules with impunity, and frequently challenge the teacher's authority. Teachers in some of these township schools face pressure to deal with substance abuse, inappropriate sexual behavior, and gang violence. Students are killed by their classmates, and these incidents are becoming more common.

A study in the Mangaung Area of Bloemfontein,¹⁵⁴ Free State, found that educators face significant challenges in dealing with challenging behavior in secondary schools and classrooms. On a daily basis, educators face the issue of a lack of discipline, which they spend far too much time dealing with. This challenging behavior can make educators feel helpless and disempowered, leading to unsuccessful teaching and learning in schools. To address the issue of lack of discipline, educators must investigate the root

¹⁵⁰ Padayachee & Gcelu 2022:2-3.

¹⁵¹ Lytton 1997:12.

¹⁵² Strauss and Donnelly 1993:439; Pete and Du Plessis 2000:111.

¹⁵³ KovsieScholar, Discipline and disciplinary measures in the Free State township schools: unresolved problems, <https://scholar.ufs.ac.za/server/api/core/bitstreams/828c4472-dbae-4eea-9786-6c91c1fad285/content> (Accessed 05.04.2024)

¹⁵⁴ Msimanga 2021:113.

causes before punishing learners.¹⁵⁵ According to Rossouw,¹⁵⁶ Identifying the reasons of misbehaviour will make it simpler for educators to identify remedies.

3.4 Restorative Discipline Approaches Utilized in Mangaung Municipality Metro Schooling System by Alternatives to Corporal Punishment.¹⁵⁷

By its very definition, corporal punishment is a harmful practice that reinforces the idea that using violence to solve all issues in the classroom is anti-human.¹⁵⁸ The rights to equality, freedom, security, and human dignity are guaranteed under the South African Constitution.¹⁵⁹ Using physical or psychological approaches to discipline or punish children violates their fundamental rights. South Africa, like many other democracies, has passed legislation making physical punishment illegal. Educators who abuse children may face assault charges and lawsuits from parents.¹⁶⁰

To produce a classroom suitable to teaching and learning, discipline should provide a variety of approaches. After all, without a suitable classroom, students cannot go about their business of learning¹⁶¹. The widespread problem of inadequate student discipline in the majority of schools across the country surfaced and escalated to concerning proportions following the prohibition of physical punishment. The notable Alternatives to Corporal Punishment (ATCP) were introduced in the year 2000 by the then-Minister of Education, Prof Kader Asmal, in response to the uncontrollably rising disciplinary issues among learners. "Alternatives to Corporal Punishment" is a document designed to help educators come up with alternatives to corporal punishment.¹⁶² It outlines the

¹⁵⁵ Ndamani 2005:180.

¹⁵⁶ Rossouw 2003:416.

¹⁵⁷ Department Of Basic Education

https://www.education.gov.za/Portals/0/Documents/Publications/alternatives_corporal_punishment.pdf?ver=2017-09-01-143902-690 (Accessed 21.04.2024)

¹⁵⁸ Mtonga 2016:2.

¹⁵⁹ South African Government, <https://www.gov.za/documents/constitution/chapter -2 -bill-rights> (Accessed 25.06.2024)

¹⁶⁰ Alternatives to Corporal Punishment,

https://www.education.gov.za/Portals/0/Documents/Publications/alternatives_corporal_punishment.pdf?ver=2017-09-01-143902-690 (Accessed 20.06.2024)

¹⁶¹ Kovsie Scholar, <https://scholar.ufs.ac.za/server/api/core/bitstreams/2f202076-6dcb-4cff-b03a-562170445fe9/content> (Accessed 21.04.2024)

¹⁶² Maphosa & Shumba 2010:389-390.

disciplinary actions that must be taken in South African schools, which are non-harming but intended to curb non-discipline. Prior to South Africa's independence in 1994, physical punishment played a major role in maintaining order in schools, and discipline was frequently associated with punishment.

In order to address learners' inadequate discipline and avoid unfair punishment, which typically results in frustration, rage, and disruptive behavior, the Department of Education¹⁶³ issued a warning which stated that rather than being harsh and punishment-focused, discipline should instead encourage productive learning. The Mangaung Metro Municipality schools are no different from other parts of South African schools that have been struggling to accept and make means to implement the Alternatives to Corporal Punishment initiatives. This notion is affirmed by Moyo et al¹⁶⁴ that, the introduction of the Alternatives to Corporal Punishment ATCP in South Africa was greeted with hostility from teachers, parents, cultural, and religious organisations who thought it undermined their right to consult as crucial stakeholders in their children's education. They also claim that their cultural, religious, and personal experiences (teachers) were overlooked when this approach was first introduced, which is in contradiction with what they stand for and what they want to see their children become.

On the contrary, Msimanga¹⁶⁵ argued that, despite being illegal under the South African Constitution and SASA, corporal punishment is still commonly used as a disciplinary measure in South African schools. It is regarded as an effective disciplinary measure that promotes respect and personal growth among learners. Reyneke¹⁶⁶ argues that corporal punishment causes more harm than benefit and teachers who have experienced it as children are more likely to defend its usage. In light of these opposing viewpoints, I am of the opinion that, the Alternative to Corporal Punishment is an instrument that allows for an accurate assessment of the effectiveness or ineffectiveness of restorative discipline approaches, and that, teachers as proponents of

¹⁶³ Department of Education (DoE), 2012, Alternatives to corporal punishment – positive classroom Discipline and classroom management workbook
https://www.education.gov.za/Portals/0/Documents/Publications/alternatives_corporal_punishment.pdf?ver=2017-09-01-143902-690 (Accessed 23.04.2024)

¹⁶⁴ Moyo et al 2014:3.

¹⁶⁵ Msimanga 2021:29.

¹⁶⁶ Reyneke 2015:60.

discipline, can play a significant role in the enforcement process. The teacher responses in the study¹⁶⁷ carried out at the Botshabelo Primary Schools revealed the following essential topics:

3.4.1 Parental Involvement

Ndamani¹⁶⁸ argued that parents might contribute to their children's lack of discipline by interfering with education and refusing to accept punishment imposed on their children. While parents should have a voice in how their children are educated, they should also believe that most teachers are knowledgeable and support them in their quest to enforce discipline. As previously stated, the restorative discipline approach not only targets the perpetrator and/or the victim, but a restorative effort that affects parents as part of the society. Therefore, parental role is crucial in restorative discipline at schools. According to Reyneke,¹⁶⁹ children from dysfunctional households, such as orphans or households with absent parents, are more likely to believe that education is pointless, which could result in them engaging in actions that get them kicked out of school. Most teachers believe that having a detached home environment is a contributing factor to students' lack of discipline. Reyneke further argues that a significant portion of the learners at School AB (public schools) originate from child-headed households, which lack parental supervision. Joblessness and illiteracy can contribute to a lack of parental care as some parents are unable to assist and keep an eye on their children's behavior and education due to their lack of presence.¹⁷⁰

However, teachers believe that engaging in individual conversations with the offending learner will be the most effective way to resolve the situation. If the confrontational approach fails, they believe it would be best to involve the learner's parents instead, as they believe parental involvement is required to maintain classroom discipline. According to Moloji,¹⁷¹ establishing discipline at home is the responsibility of parents, who are their children's first teachers. By utilizing the school's policies and code of

¹⁶⁷ Kovsky Scholar <https://scholar.ufs.ac.za/server/api/core/bitstreams/2f202076-6dcb-4cff-b03a-562170445fe9/content> (Accessed 23.04..2024)

¹⁶⁸ Ndamani 2005:180.

¹⁶⁹ Reyneke 2015:58.

¹⁷⁰ Reyneke 2015:58.

¹⁷¹ Teise 2016:74.

conduct, they have to guide their children on proper behavior. It is their responsibility to see that their children complete their schoolwork and to assist them whenever they can.

Imasuen¹⁷² argues that the majority of writers think that parents are the most important people in creating a suitable learning environment. Some parents do not participate in their children's education, which implies that a lack of parental participation is a significant contributing factor to school disciplinary troubles. Some parents are unable to attend a disciplinary hearing for their children's misbehaviour because of work-related constraints. Only a few parents collect learners' progress reports. Using family engagement as a restorative technique might motivate parents to be accountable for their kids' education.¹⁷³ Due to this, there is a lack of discipline, poor performance, and high dropout rates in academic institutions.

3.4.2 Democratic Classrooms

According to Omodan,¹⁷⁴ some teachers think that democracy in the classroom is important and critical to give learners an active role in electing who should guide them. A study by Neumann et al, Dempster, and Skinner¹⁷⁵ demonstrates that when other students elect a school leader, they do so with respect and admiration. The researcher supports this point of view because she thinks that designating a class leader encourages other students to look up to them, particularly if the class leader possesses admirable qualities like moral judgment, empathy, leadership skills, and a generally high standard of behavior. My viewpoint is that, prompt and close supervision of the classroom democratization process is critically essential as learners; tend to be misguided if the behavioral boundaries are not solid.

A democratic classroom encourages students to function openly by emphasising values like inclusion, involvement, representation, and participation.¹⁷⁶ This environment fosters student agency, social belonging, and prepares learners to become

¹⁷² Imasuen 2021:88.

¹⁷³ Reyneke 2011:152.

¹⁷⁴ Omodan 2021:6.

¹⁷⁵ Neumann, Dempster, and Skinner 2009:122Griffith University, The Impact of Positional Leadership on Secondary School Captains, <https://research-repository.griffith.edu.au/server/api/core/bitstreams/77215732-9e34-5d77-b439-67ca75dae2e3/content> (Accessed 24.04.2024)

¹⁷⁶ Omodan 2021:7.

active citizens. Such setting establishes free, safe, welcoming learning spaces in which students actively practice the principles of democracy, understand their rights, and accept responsibility for their actions as individuals and members of society.¹⁷⁷ The democratic discipline emphasises participatory and involved processes. Procedures might entail involving learners in the development of a code of conduct, defining consequences for good and bad behavior, aligning the code with other school processes, involving parents, and modifying the process as needed¹⁷⁸. I intend to explore more on these psycho-social aspects of discipline in the subsequent chapter of this study.

3.4.3 Disciplinary Records

The National Guidelines on How to Manage School Records state that, ¹⁷⁹ when disciplinary action is taken against a learner, it is crucial to create an individual record of their misconduct. This record describes the misconduct and rates its seriousness. Disciplinary consequences and actions are also recorded, and parents/guardians must sign a form acknowledging misconduct and subsequent disciplinary action. The learner's disciplinary record should be attached to their profile card. This record outlines the learner's disciplinary history and can guide support interventions. After completing the individual learner misconduct record, the designated member of the School Management Team (SMT) must transcribe the details and disciplinary action in combination with the School Register of Misconduct. The School Register of Misconduct summarizes all disciplinary measures implemented by the school. The register should then be updated after any disciplinary action against a learner and kept in the Principal's SGB File. My view is that the disciplinary record approach can only be effective if the parents/guardians are involved and made aware of any developments in terms of discipline.

¹⁷⁷ Marshall 2021:36.

¹⁷⁸ Department Basic Education https://www.education.gov.za/Portals/0/Documents/Publications/alternatives_corporal_punishment.pdf?ver=2017-09-01-143902-690 (Accessed 27.04.2024)

¹⁷⁹ Positive Discipline & Classroom Management https://eceducation.gov.za/files/modules/000/000/161/1602152341_LFcuMikdqs_SGB-Records-Manual.pdf (Accessed 04.05.2024)

3.5 Challenges about the Implementation of Alternatives to Corporal Punishment.

In an attempt to map out the effectiveness or ineffectiveness of restorative discipline in Mangaung Metro Municipality schools, it is important to further emphasise that Alternatives to Corporal Punishment¹⁸⁰ are a prism through which a proper measurement on restorative discipline can be done. The policy relating to “Alternatives to corporal punishment” of 2001 has three levels.¹⁸¹ The type of punishment issued to learners is determined by the intensity of the misconduct. Misconduct can be categorized into three categories: (i) minor misconduct, (ii) average misconduct and (iii) serious misconduct. The policy states that parental involvement is at the core of the implementation of alternatives to corporal punishment. Despite the new policy being in place, to date, much of the undesirable learners’ behavior is observed on a daily basis by educators and the communities in the rural primary schools.

In a study conducted by the school Principal, in the rural Kwazulu-Natal province,¹⁸² some funny and serious responses to Alternatives to Corporal Punishment practices were highlighted. The problem in rural areas is that some parents work in urban areas and do not live with their children. This makes parental involvement difficult to implement in rural areas. Transport issues, as well as the fact that students in rural areas must walk long distances to and from school, make it even more difficult to implement detention as a form of discipline in these areas. Educators encounter challenges when implementing alternative approaches. Parents are unavailable to assist educators in resolving disciplinary issues with their learners. Some learners live alone with their elder siblings or brothers. Some students live with their pensioner grandparents, who are unable to attend school to address disciplinary issues.

Despite claiming to understand the Department of Education's alternative disciplinary measures, only detention and extra work (manual work) were implemented.¹⁸³ One educator mentioned verbal warnings and card systems in addition to the other two

¹⁸⁰ ATCP enacted to guide all schools within South Africa, irrespective of geographical area, race, ethnicity or economic level of schools.

¹⁸¹ Positive Discipline & Classroom Management, https://eceducation.gov.za/files/modules/000/000/161/1602152341_LFcuMikdqs_SGB-Records-Manual.pdf (Accessed 04.05.2024)

¹⁸² Zulu 2008:18-19.

¹⁸³ Zulu 2008:19.

alternatives. This suggests that teachers were unaware of the various methods employed to discipline learners. Additionally, teachers who are supposed to implement Alternatives to Corporal Punishment Policy may not know the fundamental approaches because of a lack of knowledge.¹⁸⁴ When teachers refrain from taking other measures that could assist in addressing the issues of misbehavior in schools, it can be seen as a sign of a lack of understanding of Alternatives to Corporal Punishment. Some educators stated that the primary issue was that many learners did not see alternative forms of discipline, like manual work and detention, as punishment; instead, they would cheerfully perform their assigned tasks and even crack jokes about them. One educator was quoted as saying, "Learners view manual labor like a joke; they appear to be having fun; you can see them dancing and singing while they are being punished".¹⁸⁵ In rural areas, where physical work was considered the norm, it was difficult to implement Alternatives to Corporal Punishment, and the exercise proved futile.¹⁸⁶

Parents' lack of cooperation in working with other schools was also highlighted as a problem. Effective implementation of the Alternatives to Corporal Punishment Policy requires cooperation and collaboration among all stakeholders.¹⁸⁷ The researcher points out that, when parents are invited to meetings to discuss issues with student discipline, they are often not attending. Educators acknowledged the need for guidance, workshops, and training from the Department of Education. Despite understanding alternative discipline approaches, educators reported inadequate guidance and training. They reported receiving only Alternatives to Corporal Punishment documents. Their efforts to implement the policy were ineffective due to a lack of control over learner misconduct in their school. The general public views a learner's lack of discipline and respect as an indication that the schools are not meeting their discipline standards.¹⁸⁸ Physical punishment was outlawed, but because of the bad reputation of schools, some teachers desperately felt compelled to use it to establish a climate of discipline and

¹⁸⁴ Zulu 2008:18-19.

¹⁸⁵ Zulu 2008:18-19.

¹⁸⁶ Zulu 2008:18-19.

¹⁸⁷ Zulu 2008:18-19.

¹⁸⁸ Moyo et al 2014:2.

respect.¹⁸⁹ On the other hand, the use of physical punishment by educators is problematic since it is a means of earning money for parents. When educators beat their children at school, parents demand large payments from them through government or private litigations.¹⁹⁰

3.6 Concluding Remarks

The effectiveness of restorative discipline approaches in relation to Alternatives to Corporal Punishment is still a challenge in most schools and the Department of Education needs to do more to address the gap. Another pervasive and prevalent challenge in relation to the implementation of restorative discipline in schools is the issue that is often overlooked, the causes of poor discipline. Several literatures were consulted and a myriad of socio-economic issues were tied to the problem of lack of discipline in schools. I explored the causes of discipline and evidently mapped the link between the “deficiency” and the subsequent “problem”, which is ill-discipline

It is evidently clear that the Alternatives to Corporal Punishment’s main emphasis is on creating a respectful and safe classroom environment that can reduce the need for disciplinary action and promote self-discipline among learners. Implementing a proactive approach can safeguard the learning and teaching culture in classrooms. To create a positive learning environment, teachers can follow simple strategies such as preparing lessons, exercising self-discipline, Extra period work, maintaining consistent teaching and learning, motivating students, setting class norms, creating a space for time out or conflict resolution, validating students, and developing strong connections.

CHAPTER FOUR – Educator’s Perspectives on Restorative Discipline Approaches

4.1 Introduction

As I was conversing with one of my female, distant relatives at the funeral, an educator by profession, I intentionally drove the conversation toward the non-discipline handling approaches used at their school. Her school is at Brandford, which is an adjacent place in the Free State region but not within the Mangaung Metro Municipality area. She expressed her frustrations about her job and ill-discipline at school, she said she could

¹⁸⁹ Morel 2001:292.

¹⁹⁰ Lutchman 2021:620-621.

not wait to retire and go rest, she is currently 58 years and ‘cannot wait’ for the last 2 final years as she intends to retire at 60 years. Her perspective was that, a lot of children at her school come from unsupervised, child-headed families and have no regard for any means of discipline imposed on them. She mentioned an incident where two children were mocking on each other about how their parents were having sex. When reprimanded by the principal and deeper understanding sought, the child mentioned that he and his siblings always see and hear his parents having sex because they all sleep in one-roomed shack. As nude as the details of the conversation were, it was a sad situation because the socio-economic aspect surfaces as the cause of poor discipline at schools. In this chapter, I intend to explore more on the educator’s perspectives on restorative discipline.

To deal with the third research question, this chapter will first evaluate the Mangaung Metro Municipality schools’ code of conduct to the current education policy framework for discipline. The objective is to examine how discipline is defined in their code of conduct. The evaluation aims to assess whether the Mangaung Metro Municipality school code of conduct incorporates restorative justice and aligns with current educational policies.¹⁹¹ Mestry and Khumalo¹⁹² claim that a code of conduct for students is a type of subordinate legislation that ought to represent the South African Constitution,¹⁹³ and set out to instill the values of human dignity, equality and freedom. Section 8 of the South African Schools Act,¹⁹⁴ determines that the governing body of a public school must adopt a code of conduct for the learners, which is one of the constitutional changes that necessitated the transformation of the education system and culminated in the development of the new democratic education system – one that would embrace and give effect to the norms, values and principles enshrined in the Constitution of South Africa.¹⁹⁵ The study analysis on relevant internet-based sources will then be done in an attempt to answer the primary question in this chapter, which is: *“What are the educators’ perspectives on restorative discipline approaches”*. In order to

¹⁹¹ Msimanga 2021:56.

¹⁹² Mestry & Khumalo 2012: 98.

¹⁹³ RSA, 1996

¹⁹⁴ 84 of 1996

¹⁹⁵ Bray 2005:133.

enhance the primary research question, the subsequent two subsidiary research questions were formulated.

4.2 The Meaning of Policy in the Context of South African Schools

Msimanga defines policy as a deliberate course of action or inaction taken by an actor or group of actors to address an issue or matter of concern and is consequently purposeful and goal-oriented rather than being random.¹⁹⁶ Meaning a policy is always intended to achieve a specific, desired outcome. Policies are often reflected in the distribution of resources and can take the form of laws, rules, procedures, administrative actions, incentives, or voluntary practices of governments and other institutions.¹⁹⁷

Policies in many different sectors, for instance, can have an impact on health; and raise the standard of discipline that educators hope to achieve. This suggests that a policy should have a known purpose, be intentional, and give guidance and direction on a particular issue rather than being aimless.¹⁹⁸ Put in a relevant school context, there must be a distinct goal and direction for discipline. Additionally, in order to direct decisions and produce logical results, policies are carefully thought-out sets of rules. Implemented as a protocol or procedure, a policy is a declaration of intent that is often adopted by governance bodies within an organization.¹⁹⁹

4.3 School Governing Bodies and The Infusion of Restorative Discipline Principles in Schools.

The national education system of South Africa underwent a democratic transition which includes the concepts of shared school governance via School Governing Bodies (SGBs) and schools-based governance.²⁰⁰ In relation to the above-mentioned education reform, the South Africa Schools Act (SASA),²⁰¹ and the Constitution of South Africa

¹⁹⁶ Msimanga 2021:50-52.

¹⁹⁷ CDC, Office of Policy, Performance & Evaluation.
<https://www.cdc.gov/policy/paao/process/definition.html> (Accessed 19.06.2024)

¹⁹⁸ Ndamani 2005:183.

¹⁹⁹ Wikipedia, <https://en.wikipedia.org/wiki/Policy> (Accessed 19.06.2024)

²⁰⁰ Du Plessis & Mncube 2011:19-20.

²⁰¹ Act 84 of 1996

Act²⁰² established a decentralised system of school management, giving SGBs the authority to oversee schools and allowing learners to participate in their own education.²⁰³

Under the education policy hierarchy, the Guidelines for the Consideration of Governing Bodies in Adopting a Code of Conduct for Learners,²⁰⁴ (hereinafter, Guidelines) is a subordinate law that is protected by SASA.²⁰⁵ The Guidelines seek to acknowledge the right of educators to monitor student conduct in order to maintain a secure and well-organized learning environment²⁰⁶. The Guidelines, which describe the policy hierarchy, stipulate that the South African School Act, the Constitution of the Republic of South Africa, and provincial laws must all be complied with by the Code of Conduct.²⁰⁷ A code of conduct must be drafted within broader parameters provided by the Supreme Constitution because it is a legal document.²⁰⁸

According to du Plessis & Mncube,²⁰⁹ the code of conduct is recommended as a tool that SGBs can use to maintain discipline among learners. Every learner must follow the school's code of conduct. Furthermore, a code of conduct must include due process provisions that protect the interests of the learners as well as any other parties involved in disciplinary proceedings, such as the disciplinary committee. The code of conduct is an official tool that should be used to promote discipline in a system of democracy. To function effectively, the code should be written in a way that is consistent with the country's current laws.²¹⁰

According to Reyneke,²¹¹ In South Africa, where there are high rates of school violence, bullying, truancy, suspension and expulsion, drug misuse, absenteeism, disturbances in class, and a lack of resources, these regulations have been put into practice. They

²⁰² Act 108 of 1996

²⁰³ Bray 2005:133.

²⁰⁴ RSA, 1998

²⁰⁵ Section 8(3)

²⁰⁶ North West University, Boloka Institutional Repository. <http://hdl.handle.net/10394/3262> (Accessed 19.06.2024)

²⁰⁷ Msimanga 2021:56.

²⁰⁸ Bray 2005: 134.

²⁰⁹ Du Plessis & Mncube 2011:19-20.

²¹⁰ Msimanga 2021:50.

²¹¹ Reyneke 2019:161.

(codes) are therefore, bound and supposedly address and remedy those intended sociopathologies in society. McCluskey and Lephala²¹² argue that while there are political, cultural, and historical differences between South Africa and the United Kingdom, there are similarities in the justice and educational systems due to colonial legacy, which compromises the efficacy of the desired restorative justice effect. The literature review indicates that restorative justice has not been widely implemented in South African schools and that the role of SGB's is compromised in this regard, which explains the continued and pervasive problem of ill-discipline. Therefore, I argue that policies cannot be effective if they are imposed on learners without regard of their socio-cultural and socio-economic background in the context of education, as that will impact negatively on the pursuit restorative discipline in Mangaung Metro Municipality schools. This notion is further reiterated by Msimanga,²¹³ that when it comes to education policy, restorative justice and Ubuntu values should be taken into account. The consequence is that the goals, actions, and way the pertinent rules are applied, as well as how they are expressed in the School AB's code of conduct for students, should all reflect restorative discipline.

4.4 Educators' Perspectives on Restorative Discipline Approaches

In a study conducted by Mothai,²¹⁴ the researcher believed that unruly behavior and ill-discipline in the classroom are to blame for the collapse of classroom discipline and how it affects academic performance, served as the driving force for the study. The data was collected from educator interviews and subsequently analyzed thematically.²¹⁵ The four main themes were highlighted during the course of the study at the center of educators understanding / misunderstanding or non-thereof, these are were conceptualization of discipline, preserving order, disciplinary challenges and stimulating discipline.²¹⁶

²¹² McCluskey & Lephala 2010: 24.

²¹³ Msimanga 2021:48-49.

²¹⁴ Mothai 2021:60.

²¹⁵ Mothai 2021:67.

²¹⁶ Mothai 2021:74.

4.4.1 Conceptualisation of Discipline and Related Problems

In a study conducted at Botshabelo schools²¹⁷, in the Mangaung Metro Municipality, participants were asked to define the concept of discipline within their own educational setting.²¹⁸ The general view of the educators was that, discipline is keeping order in the classroom and punishment is the only way to achieve order and enforce positive behaviour. However, certain sub-themes emerged from the primary question asked, which will be dealt with in the immediate next segments of this study. There were obviously different diverge perceptions on keeping order in the classroom.²¹⁹ According to educators who follow a conventional definition of discipline, it includes all actions taken to regulate student conduct and enforce compliance.²²⁰

On the other hand, proponents of a progressive paradigm view school discipline as any activity aimed at enhancing students' intrinsic drive, self-control, and decision-making abilities. This implies that students should be accountable for their actions and that human values, not harsh regulations, should serve as the foundation for effective discipline. Teachers generally believed that the Department of Education's code of conduct served as a set of rules for controlling student behaviour in classrooms and enforcing sanctions for infractions. The school's Disciplinary Committee is responsible for administering this code of conduct, which applies to all learners.²²¹ From the educator's perceptions, it was vividly clear that the "restorative" aspect of discipline was not well understood as evidenced by vagueness of some answers. Having grown up and been schooled in the same Botshabelo schools, my view is that the punitive approach to discipline has been dominant and seen as the main solution to undesirable behavior. This clearly contradicts the aspirations of restorative discipline in Botshabelo schools.

²¹⁷ This study was conducted at Botshabelo schools, just few kilometers outside Bloemfontein. It is the third largest township in South Africa and falls within the demarcation of Mangaung Metro Municipality. MMM consist of six areas, which is Botshabelo, Bloemfontein, Thaba-Nchu, Dewertsdorp, Wepener & Van Stadensrus

²¹⁸ Mothai 2021:74.

²¹⁹ Mothai 2021:74.

²²⁰ Mothai 2021:74.

²²¹ Msimanga 2021:56.

4.4.2 Behaviour Modification

The common perception that was picked up in Mothai's²²² study was that, despite a myriad of hindrances to realising good conduct in schools, schools such as negative classroom environments, neglect of school, vandalism, and violent behaviour, Mothai²²³ further asserts that most educators are very much adamant to correct skewed behavior and instill acceptable kind of behavior and practice.²²⁴ Maintaining classroom order through obedience and punishment is critical for effective learning and teaching; discipline can help regulate learner behavior while also promoting effective teaching and learning in the classroom.²²⁵ Using discipline to modify behavior improves the learning environment and promotes classroom order, allowing for the achievement of educational goals.

The South Africa Schools Act established a decentralized school management system in which SGBs have the power to govern schools and learners get involved in their own education.²²⁶ Research conducted in various countries like United States of America, United Kingdom, Australia, Canada, Croatia, Japan and Scotland, has demonstrated the importance and benefits of involving all stakeholders in teaching and learning.²²⁷ According to the findings of Msimanga²²⁸ the study, which was conducted at Rockland township in the Mangaung Metro area, learners are viewed as voiceless stakeholders who play a passive role in SGBs.²²⁹ The inconsistent use of standard disciplinary procedures, as indicated by the participants' varied replies, suggests that teachers are not aware of the school's code of behavior. It is ideal that, under the School Act, a public school must adopt a "code of conduct for the learners" after consulting with the school's learners, parents, and educators.²³⁰

²²² Mothai 2021:137-140

²²³ Mothai 2021:159.

²²⁴ Mothai 2021:77.

²²⁵ Reyneke 2015:54.

²²⁶ Act 84 of 1996

²²⁷ Ndamani 2005:177.

²²⁸ Msimanga 2021: 90.

²²⁹ Mothai 2021: 149.

²³⁰ Msimanga 2021: 45.

4.4.3 Learner Obedience

In a study conducted by Ndamani, at selected secondary schools in the Mangaung Metro Area of Bloemfontein, educators indicated that discipline is defined as following the rules, which were created in collaboration with the educator and the learner and applying consequences when rules are broken.²³¹ Mothai²³² contends that teaching students about obeying rules at home is necessary to enable them to adhere to the broader social standards that are likewise observed in the classroom. Establishing rules and limits in schools is essential for managing students' conduct.²³³ It is extremely important that these regulations are tailored to the specific needs of the school, as some disciplinary actions that are effective in one setting might not be appropriate in another.²³⁴ According to what educators have said so far, my view is that the traditional methods of punishment still dominates in their vocabulary and that the modern restorative approach to discipline will take longer to take effect. To create an effective communication plan for learner obedience, it is important to gather the viewpoints of all parties involved, that is, parents, teachers and the society. Effective teaching and learning cannot occur without learner obedience, which is the foundation of every aspect of school life. Society expects that schools will be properly managed and generate educated and sober-minded individuals.

4.4.4 Talking to the learner

Some teachers believe that disciplining learners through conversation is effective.²³⁵ "It depends on the learners, the effective disciplinary approach is having a private meeting with the learners on a personal level where I get to understand the learner on a personal level," said one of the teachers who participated (participant 1). This implies that the educator has to assess the learner's sentiments and then express that knowledge in a language that enriches the learner's current experience. This view was, however, contradicted by another teacher (participant 3) saying; talking to learners can be ineffective as they take advantage of the situation expecting no consequences.²³⁶ My

²³¹ Ndamani 2005:193-194

²³² Mothai 2021:90.

²³³ Mothai 2021:90.

²³⁴ Ndamani 2005:140.

²³⁵ Msimanga Mothai 2021:97145.

²³⁶ Msimanga 2021: 98.Mahaye 2023:554-555.

opinion is that the inconsistent comments of teacher participants indicate a lack of consistent disciplinary procedures. This might imply that teachers are not aware of the school's code of conduct or disciplinary requirements. Sections 8 and 9 of the South African School Act,²³⁷ define verbal warnings and disciplinary talk with the learner respectively. Verbal warnings may be issued for being late, leaving class without permission, minor plagiarism, failure to complete homework, and dishonesty. Disciplinary talks with learners may deal with the following types of misconduct: Frequent misconduct including tobacco use, truancy, cheating, abusive language, threatening others' safety, and discriminatory behavior.²³⁸

Msimanga further argues that, by using assertive communication, an educator is able to "put himself/herself in the learner's shoes." Thus, such an educator can comprehend the learner's emotions and situation without taking his or her position. As this study is guided by the Reversal of Moral Disengagement theory, genuine and respectful conversation with the learner, as one of the core attributes of this theory, has better prospects of yielding positive results.

Another obvious barrier is that educators are not trained on how to communicate with students in an effective and non-harmful manner, which is likely to render the entire exercise ineffective.²³⁹ Disciplinary talk to a learner is one method that might respect the dignity of both the teacher and the learner. The principles of Ubuntu are based on the idea of human dignity, which suggests that putting them into practice could help to implement disciplinary talks in a positive and constructive way that recognizes the dignity of the learner.²⁴⁰ This may make it easier for a teacher and a learner to have disciplinary conversations that are guided by acts of kindness, compassion, generosity, and respect. Eventually, this could help schools develop into places where teaching and learning cultures flourish.

²³⁷ South African School Act 2011

²³⁸ Reyneke 2015: 58.

²³⁹ Mahaye 2023:557.

²⁴⁰ McCluskey and Lephala 2010: 32.

4.4.5 Parental Engagement

One teacher participant in Msimanga's study reported that some parents are not involved in their children's lives and that could be one of the reasons why learner misconduct is an uncomfortable issue at many schools in the Mangaung Metro Municipality schooling system.²⁴¹ He indicated that some parents attend school meetings being under the influence of alcohol. Numerous real socioeconomic issues were identified with this topic.²⁴² A large number of students attending public schools originate from families where the parents provide little care and inadequate parental care can be exacerbated by unemployment and illiteracy.²⁴³ The school's location in an underprivileged area frequently makes it difficult for parents to get to school. Parents who lack literacy may find it more difficult to keep an eye on and direct their children's behavior and education. Parents who lack literacy are unable to fully engage in their children's education. Because their employer would not let them, some parents might not be able to make it to disciplinary school meetings.

This notion is further reiterated by Ndamani, that, in the Mangaung Metro schooling system, parental involvement in learner education is one of the factors that contribute to lack of discipline.²⁴⁴ The active and substantial participation of the parent in all curricular and extracurricular facets of the child's formal education is known as parental engagement. Some of the reasons that came from the questionnaires gathered were that, children grow up in homes where parents are not always available and may not behave well at school, in some instances, children are left to stay on their own after the parents have died or gone to work out of town, lack of support from the parents and lack of commitment by the parents and the learners in education.²⁴⁵ I am of the view that the reality of socio-economic challenges, facing the Mangaung Metro community, has a significant bearing on one of the most fundamental aspects of societal functioning, which is an effective education system.

²⁴¹ Mothai 2021:141Msimanga 2021:99-101.

²⁴² Msimanga 2021:99-101Mahaye 2023:557-556.

²⁴³ Msimanga 2021:99-101, Rambuda 2018:5-6

²⁴⁴ Ndamani 2005:194-195.

²⁴⁵ Ndamani 2005:194-195.

4.4.6 Preserving order

The results of the study conducted by Mothai shows that different educators had different ideas about what discipline should entail.²⁴⁶ Some opinions included following rules or a code of conduct and enforcing discipline when needed, to managing the classroom and abiding by the behavior and school codes. In this sense, there is a common belief that upholding the school's code of conduct is the only way to keep order.²⁴⁷ This suggests that many teachers do not regularly use restorative approaches to discipline.

4.4.7 Disciplinary Challenges

Educators have observed that learners who are preoccupied with making noise, fighting, not completing their assignments or homework, and damaging school property are the main causes of disruption in the classroom.²⁴⁸ Learners are known to vandalize school property and as De Wet states,²⁴⁹ the Free State Department of Education ranked vandalism as the third most common offense among learners, after alcohol use. Research indicates that vandalism can instill fear and powerlessness in both educators and learners.²⁵⁰ Vandalism disrupts school programs by interfering with teaching and learning. Additionally, the economic impact is significant due to the high cost of rebuilding damaged properties or infrastructure.²⁵¹ This has a negative impact on teaching and learning by diverting valuable classroom time. The situation renders educators and some obedient learners desperate and overwhelmed by the education system.

4.4.8 Stimulating discipline

Msimanga²⁵² conducted a study in which a school principal emphasized that, having an alternative to physical punishment is now possible because of restorative justice. It allowed for the understanding of the learner, individual interaction with the learner, and the use of dialogues to determine the reasons behind misbehavior. As a practical and

²⁴⁶ Mothai 2021:143.

²⁴⁷ Kepe 2014:101.

²⁴⁸ Mothai 2021:80.

²⁴⁹ De Wet 2004:207.

²⁵⁰ De Wet 2004:207.

²⁵¹ De Wet 2004:209.

²⁵² Msimanga 2021:92.

critically analysed cultural approach to conflict resolution, Ubuntu may provide insights and answers for understanding discipline, settling offences and disputes, and promoting the idea that "a person is a person because of others" in the setting of a school.²⁵³ Another teacher participant in the restorative justice training reported that he was able to modify how he understood and disciplined his learners as a result of the training. For example, he would ask learners to bring the tool and fix the door when they broke it in his class.²⁵⁴

It could be argued that by emphasizing accountability in terms of having to fix the door, these learners would be less likely to commit the same misconduct again. If a learner destroys or defaces any school property, their parent or legal guardian is responsible for replacing it or covering the cost of the damage.²⁵⁵ However, to incorporate the concept of restorative justice, the sentence that reads, "replace it or pay for the property so damaged," could be changed to, "fix the harm."²⁵⁶ When an offender uses a restorative approach, they accept responsibility for their actions. As a result, simply "replacing" something does not teach them responsibility; rather, "repairing" the harm requires work on their part. They learn from this that they ought not to commit the same mistake again in the future.²⁵⁷

One participant educator in Msimanga²⁵⁸ semi-structured interview mentioned that, a review of the code of conduct is necessary and that it should include restorative justice measures, and all parties involved, educators, learners, the SGB, must have a copy, understand it, and put it into practice. Furthermore, Pitsoe and Letseka²⁵⁹ contend that school discipline policies should be reinterpreted as living documents and that approaches within a restorative justice framework still need to be included. The school's code of conduct has to be reviewed or reinterpreted because it is silent on the process for notifying and granting access to the relevant parties. This suggests the importance of working across stakeholders to map out appropriate codes of conduct while

²⁵³ Nussbaum 2003:2-3.

²⁵⁴ Msimanga 2021:93.

²⁵⁵ Msimanga 2021:93.

²⁵⁶ Nussbaum 2003:5-6.

²⁵⁷ Nussbaum 2003:5-6.

²⁵⁸ Msimanga 2021:93.

²⁵⁹ Pitsoe and Letseka 2014:1528-1529.

integrating restorative discipline.²⁶⁰ Another educator shared that maintaining discipline requires cooperation among learners and educators and should form understanding circles to share their experiences. This can be accomplished by the educator actively engaging with the learners.²⁶¹

4.5 Concluding Remarks

In this chapter, I have attempted to answer the primary question in relation to educator's perspectives on the infusion of restorative discipline in the daily education practice. But first, I needed to address some subsidiary questions linked to the core question in order to enhance understanding and provide proper context. Conceptualisation of discipline through the educator's view was essential as a means of clarity. SGB's code of conduct and the policies aimed at enforcing discipline were evaluated in terms of their alignment with restorative discipline. Educators' perspectives in relation to restorative discipline are vast and diverse, there is noticeable disharmony between the school's code of conduct, policies and the restorative approaches in education practice. Evidently, the situation hampers the intended purpose of restorative discipline in the Mangaung Metro Municipality schooling system. The whole school community as well as the larger educational community should be involved in the complicated task of managing discipline in schools.²⁶² In order to achieve South Africa's democratic ideal, schools, as social institutions and governmental instruments, might be very important. In order for educators to properly oversee classroom behavior, they must understand the subtleties involved. In terms of restorative justice, it is vital to accomplish this since failing to go beyond the fundamental tenets of restorative justice may serve to maintain societal injustices, reproduce oppression, and inactive communities.

²⁶⁰ Msimanga 2021:93.

²⁶¹ Msimanga 2021:93.

²⁶² Pitsoe & Letseka 2014: 1529

CHAPTER FIVE – Cultural Resistance to Shifting From Traditional Punitive Methods to Restorative Approaches, Affecting both Educators and Students in the Mangaung Metro Municipality Area

5.1 Introduction

In the previous chapter, I looked at the restorative discipline through the eyes of the educators, how they conceptualise the concept and the possible problems related to restorative practices. In this chapter, I wish to focus on the cultural and social obstacles to the implementation of restorative discipline in Mangaung Metro Municipality area schools. In a study conducted at the University of the Free State, Faculty of Education, Williams²⁶³ asserts that human learning is seen as a social activity due to interactions between developing people and their culture, and that sociocultural constructivism, a variation of social constructivism, is a new psychological theory that examines the significant contributions society makes to individual development. Sociocultural theory examines how cultural attitudes and ideas affect how education and learning occur in addition to how peers and adults affect individual learning.²⁶⁴ This study will attempt to map out the cultural challenges that affect the transition from traditional punitive methods to restorative approaches of discipline, which often affect critical stakeholders in school, learners and educators in the Mangaung Metro Municipality schooling system.

5.2 What is Culture?

Knowledge, beliefs, the arts, morality, laws, conventions, and any other skills and behaviours that a person acquires as a member of society make up this multifaceted totality.²⁶⁵ According to Ramakhula,²⁶⁶ children are modelled and imprinted with cultural normative expectations from an early age, until they become ingrained in their minds and become the norm, even in situations where they witness outliers. Through means like education and language use, the cultural normative standards are ingrained in the children's minds. Given the afore-mentioned notions, it is safe to say that culture is

²⁶³ Williams 2020:12.

²⁶⁴ Cherry, 2018:45.

²⁶⁵ Kien, 2014:8.

²⁶⁶ Ramakhula 2022:22.

engraved in an individual's mind from the onset of their lives and subsequently, adulthood. Meaning, culture has a strong effect in shaping who we become in future.

5.3 Cultural Diversity

In his scholarly article, "The Unbearable Burden of Diversity", Erasmus²⁶⁷ relives the moment when the so-called "nauseating Rietz video" hit the campus of the University of the Free State with momentum that shocked the domestic and the international world. The alleged racially motivated video was about a number of black employees, on their knees eating food that had been urinated upon by white students at the campus. For the purpose of this study, I will not explore much on the merits or demerits of the video. I will rather point out one of the lessons learned from various deliberations subsequent to the video, which is the need for an acknowledgment of cultural diversity in the University of the Free State and by extension, the Mangaung Metro Municipality schools. The community of Mangaung Metro Municipality is diverse in cultural practices²⁶⁸ and Morrison et al contend that culture is a consequence of signals received regarding what is genuinely important and in order to blend in, people coordinate their actions with these signals.²⁶⁹ My view is that people often derive some form of benefit from holding on to their cultural practices and that explains their conservative character and the difficulty to let go.

In a study conducted at Mangaung-University of the Free State Community Partnership Programme (MUCPP), in the Mangaung Metro area, Erasmus²⁷⁰ emphasised that the initiative's goals are to get young people off the streets, teach them self-discipline, help them develop leadership skills, and let them enjoy being young and feeling good about themselves. It also aims to engage young people, especially in the learning and reinforcement of significant aspects of their culture. This community-university partnership acknowledged the importance of education, discipline and culture in the advancement of young people in the community of Mangaung.

²⁶⁷ Erasmus 2009:41.

²⁶⁸ Mangaung African Cultural Festival, https://en.wikipedia.org/wiki/Mangaung_African_Cultural_Festival (Accessed 20.11.2024)

²⁶⁹ Morrison et al 2005:6.

²⁷⁰ Erasmus 2005:151.

In a study conducted at Mangaung schools, Grobler²⁷¹ notes that parents are seen as essential participants in their children's learning process under the sociocultural theory of learning. In order to maximise the sociocultural processes at work in children's education, she also stressed the significance of better parent-teacher relationships, whether the instruction is conducted in-person or remotely.²⁷² The diverse sociocultural dynamics that were highlighted in the study, ranged from difficulty in communicating with parents, difficulty in working with parents to support learning; and insufficient parental commitment. In this context, the sociocultural dynamics that were referred to are all the challenges that learners had to endure during the COVID-19 pandemic in the Mangaung Metro schools.

Meier²⁷³ asserts that to effectively manage cultural diversity in education, educators must acknowledge the significance of cultural differences. To enable and manage learner diversity, personal and institutional ideas and perspectives must be evaluated, alongside a strong commitment to this goal. She goes on to suggest that in order to accommodate cultural diversity in educational institutions, educators must teach and manage students from various cultures, languages, and origins. Exposing schools to other races does not always result in mutual understanding and acceptance between instructors and pupils, but rather might lead to conflict and prejudice. ²⁷⁴Given the above-mentioned assertions, my view is that culture is learned and carried over from one generation to the next. Factors like language, geographical area, socio-economic circumstances, religious beliefs and education system influence cultural practices. It is my contention that, poor handling of cultural diversity in Mangaung Metro schooling system impedes the smooth implementation of restorative approaches in schools. It is therefore, critical that proponents of restorative discipline in the Mangaung Metro schooling system, acknowledge diverse cultures so as to relevantly address ill-discipline.

²⁷¹ Grobler 2022:1.

²⁷² Grobler 2022:1.

²⁷³ Meier 2009:180.

²⁷⁴ Meier 2009:180.

5.3.1 Culturally Responsive Teaching and Discipline

Culturally responsive teaching (CRT) attempts to close the gap between an educator and a learner by supporting an educator in recognising the cultural peculiarities that may cause a relationship to fail, resulting in poorer learner achievement.²⁷⁵ In a study conducted at the Central University of Technology, in the Free State, including Mangaung schools, Williams's²⁷⁶ study revealed that, understanding learners' cultural, socio-economic and religious background practices, would make the managing of discipline in the classroom easier. During the classroom observations, he observed that the participants from all race groups had challenges with discipline in multicultural classrooms.

The Mangaung Local Municipality, Youth Development Policy²⁷⁷ asserts that young people should not be viewed as a rigid group, but rather as a diverse social group with varying interests and demands. Of course, there are fundamental commonalities among young people, but distinctions must also be acknowledged. This cultural diversification is evident in many schools in the Mangaung Metro Municipality area. I share the view that the Mangaung Local Municipality, the Free State Department of Education and the civil societies should play an important role in developing multi-culturalism in the Mangaung Metro Municipality education system, allowing for meaningful engagement amongst the various groups. Teaching and discipline approaches should therefore, respond to the culture spectrum within the Mangaung Metro Municipality schooling system.

5.3.2 The Disciplinary Moment in Culturally Responsive Education

Msimanga²⁷⁸ argues that, classroom management entails organizing tangible and non-tangible resources that makes learning possible, which includes a comprehensive awareness of socio-cultural background of learners in the classroom. Ineffective educators who employ the wrong punishment strategy at the wrong moment may have a detrimental or unclear effect on the education of pupils. Educators who actively

²⁷⁵ Hammond 2015:87.7

²⁷⁶ Williams 2020: 179.

²⁷⁷ MLM Youth Development Policy, <https://www.mangaung.co.za/wp-content/uploads/2013/09/Youth-Policy.pdf> (Accessed 20.11.2024)

²⁷⁸ Msimanga 2021:97.

implement classroom management strategies receive better academic results.²⁷⁹ My view is that, acknowledgement of cultural differences in the Mangaung Metro schooling system, over the course of time, will equip educators with experiential skills and task maturity in managing restorative discipline effectively. Responding to a learner's misbehaviour is less effective than treating them as someone who is still growing and avoiding the misbehavior before committed.²⁸⁰ The conduct of learners should improve if they are clearly taught how to express emotions, manage relationships with classmates and educators, and solve issues. In this educational view, the disciplinary moment is transformed from an educational obstacle into an educational instrument and opportunity. Therefore, It is in this context that, disciplining a learner, not only improves appropriate behavior, but provides a chance for an educational moment as well. The "disciplinary moment" is a "teachable moment," one that should be handled in a way that adheres to the school's values and that the pupil would identify as appropriate and encouraging given their experiences with the school, family, and community.²⁸¹ According to Vavrus and Cole,²⁸² sociocultural variables significantly influence the disciplinary moment of a classroom conversation. To be effective in diverse contexts, educators should reflect on their own racism and cultural prejudices during disciplinary conversations with learners and incorporate these aspects as necessary. Ladson-Billings defines culturally relevant education as aligning curriculum with learners' home contexts.²⁸³ Modeling and fostering critical consciousness in young people can lead to academic success and a commitment to addressing societal inequities.

5.4 School Culture

Cooray defines school culture as the shared values and beliefs, symbols, traditions and rituals of the school built over time and understanding among the school's members of an institution.²⁸⁴ A research study conducted by an aspirant psychologist Mohlahle,²⁸⁵ at the University of the Free State, in the Mangaung area, explained that in most

²⁷⁹ Msimanga 2021:97.

²⁸⁰ Lustick 2016:5.

²⁸¹ Lustick 2016:4-5.

²⁸² Vavrus and Cole 2002:88-89.

²⁸³ Ladson-Billings 1996:466-467.

²⁸⁴ Cooray 2023:7-8.

²⁸⁵ Mohlahle 1993:45.

situations, Culture and normality are determined by the dominant, while the others are considered abnormal. Acculturation of minority cultures results from this pressure on others to fit in with the prevailing group. Normality will be categorised and distributed according to the culture that establishes the standards.²⁸⁶ With this notion in mind, I assert that if the majority of learners at school are obedient and do not misbehave and educators have self-discipline and respect their school environment, mischievous learners are most likely to change and conduct themselves appropriately. Should this favourable situation prevail, restorative discipline will have fertile soil to grow on in the Mangaung Metro Municipality schooling system. According to Barnes et al,²⁸⁷ Instead of being static, school culture should be seen as a self-replicating cycle that reflects the communal ideas, presumptions, and beliefs that define the identity and expected behavioural results.

According to Williams,²⁸⁸ as a variation of social constructivism, sociocultural constructivism is a new psychological theory that examines the significant role society plays in a person's development. Because human learning involves interactions between developing individuals and their society, it is considered a social activity. Daries asserts that school principals have an important role in maintaining and shaping the school culture and teacher performance, which fosters discipline and academic compliance in schools.²⁸⁹

According to Leo and Wickenberg,²⁹⁰ "change agents" and "culture builders" are what principals do. Good administration, a learning culture, sufficient learning resources, teacher content expertise, a finished curriculum, appropriate student achievement, and a low dropout rate are all characteristics of a great accountability school culture, according to Spaul.²⁹¹ In this chapter, I have explained what culture entails, culturally responsive education, school culture and a glimpse of theory on socio-cultural aspects.

²⁸⁶ Mohlahle 1993:45.

²⁸⁷ Barnes et al 2012:7.

²⁸⁸ Williams 2020:12-14.

²⁸⁹ Daries 2021:5,6.

²⁹⁰ Leo & Wickenberg 2013:407.

²⁹¹ Spaul 2013:25.

The relationship between the cultural influences that society has on the overall results of the educational system is depicted in the figure below.

Figure 1 Cultural framework of an organization/school

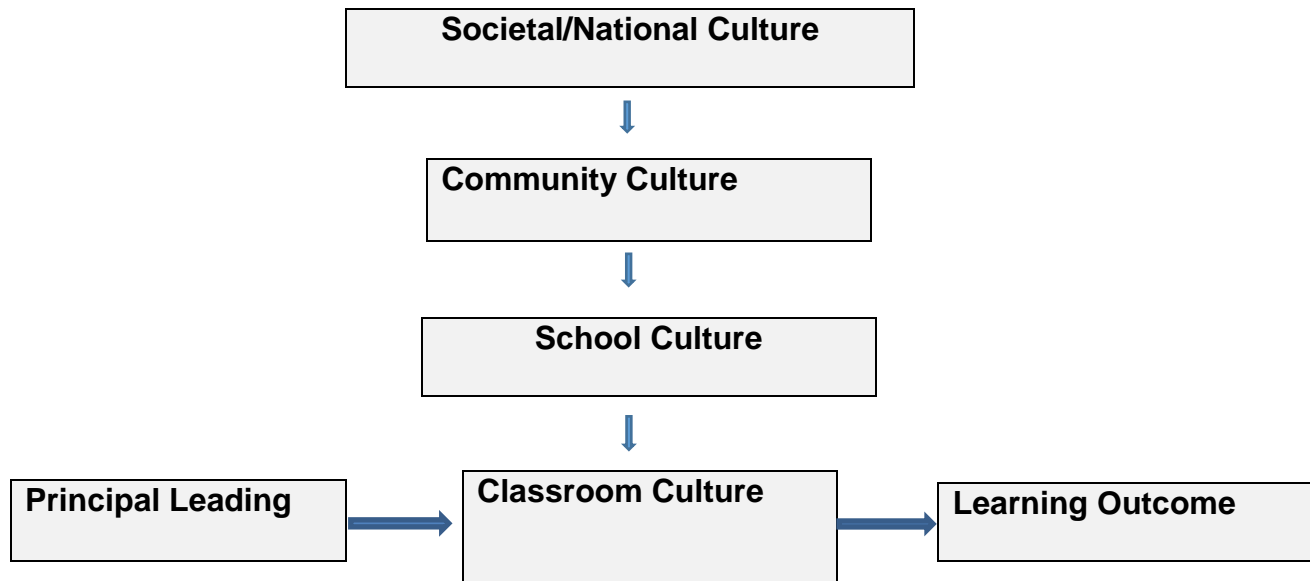


Diagram Adapted from Cheong Organizational Culture Model²⁹².

The next segment of the study will focus on sociocultural hindrances on restorative discipline and the impact on schooling system in the Mangaung Metro Municipality area.

5.5 Prevalent Societal Perceptions: “Give them a hiding”

In a study conducted by Msimanga²⁹³ at the schools in Rockland and Phahameng, in the Mangaung Metro Municipality area, several teachers indicated how they often resort to harsher punitive measures like hitting learners with a duster, fighting with the learners and using vulgar language. Based on the study's responses from learners and

²⁹² Cheong Organizational Culture Model
<https://www.bing.com/images/search?q=cheong+cultural+framework+of+an+organisation&form=HDRSC4&first=1> (Accessed 15.08.2024)

²⁹³ Msimanga 2021:92.

educators, it is evident that the chosen Mangaung Metro schools frequently employ verbal reprimands to address student infractions, as well as corporal punishment, student swearing, and parental involvement.

In a study conducted by Davids²⁹⁴ in Bloemfontein, in the Mangaung Metro Municipality area, the majority of parents stated that, in comparison to their own school days, school discipline has altered significantly. Additionally, parents may believe that learners are "a law unto themselves" and that their lack of discipline is costing them the victory.²⁹⁵ The inference that can be drawn from the phrase "discipline has changed substantially" is that some parents still believe in corporal punishment as the appropriate and effective way of disciplining learners at schools. This is further affirmed by the study conducted by Mayisela,²⁹⁶ in a village meeting conducted by the chief, one of the parents raised dissatisfaction about the pace at which children take whilst going to school, resulting in lateness. The chief stipulated that they should give children a hiding so that they do not get out of control. The community works as a collective, with educators representing the school at community meetings organized by the chief.²⁹⁷ My opinion is that, schools are governed by both legislation and traditional leadership, making them inherently influenced by both schools under the chief's supervision and more prone to utilize physical punishment as a discipline method.

5.6 Alternatives to Corporal Punishment as Cultural Tool²⁹⁸ and a Hindrance to Restorative Discipline

As argued by Msimanga in Chapter 3,²⁹⁹ the South African Department of Education has placed a growing focus on a shift in attitudes towards discipline and punishment during the last 10 years. The publication of Alternatives to corporal punishment necessitated paying closer attention to the application of alternative disciplinary

²⁹⁴ Davids 2017: 51-52.

²⁹⁵ Davids 2017: 51-52.

²⁹⁶ Mayisela 2017:91.

²⁹⁷ Mayisela 2017:91.

²⁹⁸ Cultural tools are supplementary means used to accomplish a certain goal or job. Vygotsky uses the use of mnemonic operations, such as a knot as a cultural tool to improve memory or language as a cultural tool to mediate development, in an effort to explain the significance of the idea of cultural tool. (Vygotsky, 1999).

²⁹⁹ Msimanga 2021:106.

techniques.³⁰⁰ However, it appears that this emphasis did not materialise in the classroom setting, since four of the five teacher participants stated that, neither the Free State Department of Education nor the National Department of Education had provided them with any training in such form of disciplinary measures. According to Ndamani,³⁰¹ because of all the disciplinary problems in the Mangaung Metro Municipality schools, the majority of educators feel that corporal punishment should never have been abolished, but can be administered carefully and cautiously for the benefit of learners.

The assertion by Mestry and Khumalo is that a lot of teachers in schools in rural areas admit that they find it difficult to discipline students and are discouraged from dealing with their disruptive behaviour since the Department of Education does not help them.³⁰² In my opinion, since the Department of Education is focused on Alternatives to Corporal Punishment, which has not been adequately understood and implemented in the South African educational system for the past 24 years, the uncertainty and inexperience surrounding the use of Alternatives to Corporal Punishment by educators stands in the way of restorative discipline. Educators often utilize meaningless disciplinary procedures that violate the rights of learners to an education because of their insufficient understanding of disciplinary measures, according to Maphosa and Mammen.³⁰³

CHAPTER SIX- Synopsis of Chapters, Key Findings and Recommendations

6.1 Introduction

The key research issues are addressed in this final chapter. I also offer insights and recommendations on how the learner's code of conduct at Mangaung Metro Municipality schools should include the principles of restorative justice. In addition, I outline the study's limitations and discuss how this research contributes to the field of education policy studies and restorative education. Finally, I consider future research directions and evaluate how the study has helped me improve academically and professionally.

³⁰⁰ SACE 2000

³⁰¹ Ndamani 2005:61.

³⁰² Mestry & khumalo 2012:99.

³⁰³ Maphosa and Mammen 2011:219.

6.2 Synopsis of the Chapters and Key Findings

In Chapter 1

This is an introductory section where the major research problem is outlined and the need for the study. The research questions were introduced and the accompanying justification of the study was emphasized for the community of Margaung Metro Municipality area. The internet-based research method is presented and the importance thereof highlighted. According to Markham,³⁰⁴ a network of computers that enabled the decentralised transfer of information was referred to as the "internet." The phrase acts as a catch-all for countless technologies, capabilities, applications, and social contexts. Qualitative researchers find it important to define the idea more precisely within specific studies since the kinds of social contact made available by the internet vary so greatly. This is complicated by the fact that the study of the Internet cuts across all academic disciplines.³⁰⁵ There are no central methodological or theoretical guidelines and research findings are widely distributed and decentralized. This internet-based research study is confined to a designated geographical area of Margaung Metro Municipality and the demarcation is clearly illustrated to provide a psychological picture of how far the researcher intends to stretch. The internet will inevitably grow in importance as a "venue" and data source for human study. Journal editors as well as individuals who carry out and evaluate the study require guidance on how to perform such studies ethically.³⁰⁶ It is important that guidelines exist to ensure that internet-based research meets the same ethical and publication standards set for other research involving human subjects.³⁰⁷

In Chapter 2

This chapter will look at the conceptual frameworks and principles that are the pillars of the study, and most importantly, assume a specific position on which theory guides this study. The retrospective view of the restorative discipline was examined through

³⁰⁴ Markham 2011:39.

³⁰⁵ Harriman and Patel 2014:2.

³⁰⁶ Harriman and Patel 2014:3.

³⁰⁷ Gupta 2017:4.

historical checks, both at the international and domestic spheres to better establish understanding. The impact of Western retributive and adversarial justice system on the African conflict resolution mechanisms was mapped out and linkages on colonial roots established.

In Chapter 3

In Chapter 3, I addressed the maiden research question with special focus on the local and global historical background of the restorative discipline. I examined at how restorative justice compares to the difficulties facing the African Adversarial Justice System (AJS). Various concepts and theories of restorative discipline were explored and this study adopted the Reversal of moral disengagement as the guiding theory for this study. In answering the question of the availability of restorative discipline approaches in Mangaung Metro Municipality area, I saw it appropriate and convenient to first examine the causes of ill-discipline, current and frequently employed disciplinary measures which are intended to curb learner ill-discipline. The approach allowed a better understanding of the prevalent causes of discipline and the possible measures to address such ill-discipline-related problems. The Alternatives to Corporal Punishment were explored with an intention of mapping out their influence on the restorative discipline in Mangaung Metro Municipality schooling system. This study found that the attempt to introduce restorative discipline in schools is clouded by the already existing Alternatives to Corporal Punishment measures which are currently deemed vague and ineffective by educators.

In chapter 4

I focused on the perspectives of educators on restorative discipline and whether the school's code of conduct and education policy framework have any regard for restorative discipline or not. The understanding of what policy is, from the educator's perspective was sought so that a common purpose is established. The conceptualization of what "discipline" is, is unclear as evidenced by vague, uncertain accounts of answers provided. Educators' attitudes toward restorative discipline are broad and varied, and there is a clear disparity between the school's code of conduct, rules, and restorative approaches to educational practice. This current setup clearly

undermines the original goal of restorative discipline in the Mangaung Metro Municipality educational system.

In chapter 5

I explored the socio-cultural factors that might have a bearing on the implementation of or realization of restorative discipline in Mangaung Metro Municipality schooling system. It was important to examine first what “culture” is from a diverse perspective of authors. I established that a culture is a system that encompasses all of a person's learned skills and behaviors as a member of a society, as well as their knowledge, beliefs, arts, morals, laws, and regulations. The concept of “culturally responsive teaching” (CRT) was explored, which is critically essential in supporting an educator comprehend social factors that might lead to a relationship failure between educators and learners, resulting in poorer learner achievement. The benefits of culturally responsive teaching were outlined, which seeks to encourage learners to develop social-emotional abilities that complement academic capabilities, and encourage both learners and educators to share their viewpoints on disciplinary occurrences before establishing sanctions. Additionally, this study identified the relationship between society, school culture and the subsequent positive learning outcomes, should the relationship be of a healthy nature. Most importantly, this chapter explored the common socio-cultural hindrances on restorative discipline and the impact on the schooling system in the Mangaung Metro Municipality area. The conclusive remark is that, indeed there are sociocultural obstacles that stand on the way of the pursuit restorative discipline in the Mangaung Metro Municipality schooling system.

6.3 Remarks and Recommendations in Light of the Findings

This section of the study intends to offer comments and suggestions based on the information I found in chapters three to four. In Chapter 3, the study found that the vague and impractical Alternatives to Corporal Punishment (ATCP) approaches, which are challenged by several issues and ultimately determined to be ineffective, cast a shadow on the implementation of restorative discipline and practices in Mangaung Metro Municipality schools. The alternatives to corporal punishment approaches were published in 2000 by the then Minister of Education, Kader Asmal, 24 years down the

line, a review is necessary to accommodate restorative discipline practices as envisaged and recommended by a variety of stakeholders, some legal practitioners, and some members of the society. Additionally, alternatives to corporal punishment approaches should be learner-appropriate in relation to the current generation of learners, meaning that they should address the current behavioral challenges confronted by the current learner generation.

Therefore, in order to facilitate the seamless integration of restorative discipline into the Mangaung Metro Municipality educational system, I will make an effort to provide my recommendations about ways to increase the effectiveness of alternatives to corporal punishment.

6.3.1 Behavioral Modeling

Another barrier that was picked up in this study is that, educators are not trained on how to communicate with students in an effective and non-harmful manner, which is likely to compromise the educator-learner relationship.³⁰⁸ If a learner is not permitted to use vulgar language or swear, neither should you. Essentially, you need to practice what you preach.³⁰⁹ Teachers may favorably influence children's social behavior by acting as role models and creating purposeful interactions in the classroom that promote pleasure over dissatisfaction. Teachers who understand the importance of classroom experiences for children's social and academic development are more likely to foster collaboration, efficiency, trust, and mutual identification.³¹⁰ According to Salisu and Ransom,³¹¹ when a teacher models a new subject or method of instruction, students pick up knowledge via observation. Modelling is the process of picking up new skills, behaviours, or information via observation as opposed to firsthand experience or trial and error. Additionally, Sibanda and Mathwasa state that, because learners learn from role models, educators have an obligation to be living examples of the kind of behavior that is expected.³¹² Modeling is a good educational strategy for teaching learners how to

³⁰⁸ Msimanga 2021: 128.

³⁰⁹ Childline South Africa, <https://www.childlinesa.org.za/wp-content/uploads/alternatives-to-corporal-punishment-for-parents.pdf> (Accessed 21.08.2024)

³¹⁰ Wolf 1999:25.

³¹¹ Salisu and Ransom 2014:55-57.

³¹² Sibanda and Mathwasa 2020:309.

accomplish something. The teacher demonstrates, learners observe, and then they do accordingly.

6.3.2 Positive Re-enforcement

The theory of positive reinforcement is linked to the work of behaviorist psychologist B.F. Skinner.³¹³ During the 1930s and 1940s, Skinner investigated how to modify behavior by treating people differently based on what they did. Positive reinforcement is the use of desirable or pleasurable stimuli following the performance of a behavior. This incentive can be used to reinforce or modify an existing behavior. In Chapter 3, the study found out that some teachers believe that disciplining learners through conversation is effective and can be strengthened through the incorporation of positive re-enforcement approaches. Praise learners for good conduct, which encourages them to mimic positive behavior.³¹⁴ In order to make a behavior more likely to recur in the future for learners, positive reinforcement involves rewarding desired actions with something pleasurable or desirable.³¹⁵

According to Skinner,³¹⁶ learning is a dynamic process. There are consequences for the actions that people take on their environment. They repeat the behavior when the results are favorable; yet, they stop when the results are unfavorable.

For further clarity and emphasis, refer to the figure below.

³¹³ Gordan 2014:682.

³¹⁴ Salisu and Ransom 2014:55.

³¹⁵ Gordan 2014:682.

³¹⁶ Reyneke 2019:85.

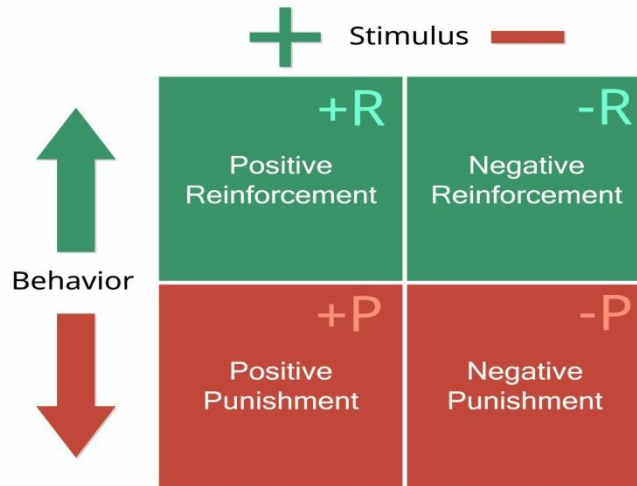


Figure 2: *Courtesy of Simply Psychology*³¹⁷

6.3.3 The Circle of Courage

As I have mentioned previously, this study adopted the reversal of moral disengagement theory and this complements the idea that learners need to be reared to be respectful and courageous without using coercive discipline.³¹⁸ One of the concluding remarks in Chapter 3 is that educators' perspectives in relation to restorative discipline are vast and diverse; there is noticeable disharmony between the school's code of conduct, policies and the restorative approaches in education practice.³¹⁹ Our understanding of learner's fundamental developmental requirements is aided by the Circle of Courage concept.³²⁰ It sheds light on the risks associated with a harsh approach to discipline. This philosophy views freedom, generosity, mastery, and belonging as the essential and key qualities to support the development of a healthy educational culture in educational settings.³²¹

One may wonder what relevance this has for young people in South Africa. In response to the presentation, Brokenleg notes that Zulu, Xhosa, and Sotho speakers in South Africa said that this ideology embodied elements of their cultural customs around raising

³¹⁷ Simply Psychology, <http://www.simplypsychology.org/positive-reinforcement.html> (Accessed 20.11.2024)

³¹⁸ Reyneke 2015:55.

³¹⁹ Brendtro et al 2013:68-69.

³²⁰ Brokenleg 2006:130-131.

³²¹ Brendtro et al 2002: 45; Brokenleg 2010:9.

children.³²² Brokenleg further adds that he received similar comments from others with European ancestry. Thus, it is possible to draw the conclusion that the Circle of Courage is an example of a paradigm that benefits all South African demographic groupings. According to Brendtro et al,³²³ the Circle of Courage addresses the four fundamental human needs of mastery, generosity, independence, and belonging. Belonging is the intense desire to fit in with something or someone. Children are more willing to study and follow authority figures' commands when they have a connection to the school. Understanding one's surroundings is referred to as mastery. Children may feel more capable and inspired to succeed when they are guided by a caring adult. In contrast, disturbed behavior may manifest as feelings of inadequacy and powerlessness when accomplishment is not felt.³²⁴ When disciplining learners, educators should focus on teaching them social responsibility and self-control and the approaches utilized should be psychologically appealing and beneficial to children's growth.³²⁵ Children from broken households often face socio-economic issues, leading to high levels of stress and therefore, typical punitive approach to disciplinary problems in schools is worsening their situation and increases children's stress.³²⁶

6.3.4 Peer Mediation and the Peacemaking Circles

In chapter 3, I quoted Pitsoe & Letseka in that the whole school community as well as the larger educational community should be involved in the complicated task of managing discipline in schools.³²⁷ A democratic and responsible society must empower future generations on a social and emotional level. Conflict resolution education in childhood and teenage years should be regarded as an educational instrument for social transformation due to its significant potential for society's present and future needs. The desire for peace might require the use of particular educational practices, such as school mediation, which may be integrated into regular school activities.³²⁸ Peace-making circles bring learners together and demonstrate how different the

³²² Brokenleg 2010:9.

³²³ Brendtro et al 2005:102.

³²⁴ Sibanda and Mathwasa 2020:309.

³²⁵ Salisu and Ransom 2014:55.

³²⁶ Gordan 2014:682.

³²⁷ Pitsoe & Letseka 2014:1528.

³²⁸ Msimanga 2021: 45.

process is from the usual teacher-dominated classroom. There is a chance for everyone to be heard. The process of taking turns speaking and listening respectfully to one another helps some learners overcome feelings of isolation and encourages the development of healthy relationships.³²⁹

With the socio-cultural impediments that were identified and discussed in the previous section of this chapter, it is critically essential to emphasize that educators and learners can work together to identify underlying issues that lead to inappropriate conduct, enhance accountability among learners for actions, and allow for innovative community responses to problems or conflicts.³³⁰ Educators who employ circle procedures will see that their position evolves from rule enforcer to facilitator, and learners will become more conscious of how their actions affect others.³³¹ These significant changes convert the classroom and school atmosphere into one more related to a community, where problems are handled collaboratively rather than sending children to the office for disciplinary action.

6.4 General Research Study Conclusions

In this chapter of the study, I have discussed what culture entails from different author's perspectives, what culturally responsive education is and the benefits associated with. School culture as one of the most direct influences on restorative discipline was also examined. Through different literature on studies conducted in Mangaung Metro Municipality area, the study established some fundamental societal and school-based hindrances to restorative discipline in the Mangaung Metro Municipality area. These include Alternatives to Corporal Punishment, which were reasonably explored in the third chapter of this work, how the inefficiencies in their pursuit of implementation affect restorative form of discipline in schools. The cultural organizational framework was provided to theoretically emphasize the often illusive relationship between what the society offers and what the school produces.

It has been explored that, one of the major issues facing teachers in schools is the absence of discipline and dominant disruptive behavior. Educators who encounter this

³²⁹ Pitsoe & Letseka 2014:1529.

³³⁰ Reyneke 2019:85.

³³¹ Ndamani 2017:177.

difficult behavior often feel powerless and hopeless, which makes teaching and learning in the classroom ineffective.³³² It is important to emphasize the significance of the parent-school relationship in the accomplishment of any school discipline strategy. With parental support, a wide range of restorative approaches can succeed.³³³ Most student disciplinary problems at the school may be effectively and promptly handled if parents and the school assist one another in these situations.

For this relationship to succeed, when discipline issues arise at school, the parent must accept the responsibility and discipline measures employed by the school.³³⁴ In a comparable manner, the school must have confidence that parents will use every effort to help the school ensure that learners have a positive, successful, and educational experience.³³⁵ Because learner's behavior frequently reflects that of the community, Noguera³³⁶ contends that disciplinary issues at schools frequently have resemblances to social problems prevalent in the community where learners reside. One runs the danger of missing some of the most crucial elements that contribute to the behavior when they just identify disciplinary issues in learners while disregarding the setting in which problematic behavior arises.³³⁷ Therefore, if behavioral issues are initially addressed in the townships where learners reside, they may be addressed in schools more successfully. The Alternatives to Corporal Punishment approaches were published in 2000 by the then Minister of Education, Kader Asmal, a review is necessary to accommodate restorative discipline practices as envisaged and recommended by a variety of stakeholders, some legal practitioners and some members of the society.

³³² Msimanga 2021:113.

³³³ Msimanga 2021:113.

³³⁴ Ndamani 2017:178.

³³⁵ Reyneke 2015:54.

³³⁶ Noguera 2003:342.

³³⁷ Noguera 2003:347.

LIST OF REFERENCES

Ajayi A.T & Buhari L.O

2014. *Methods of Conflict Resolution in African Traditional Society*. An International Multi-disciplinary Journal, vol.8 (2) serial no.33, <http://dx.doi.org/10.4314/afrev.v8i2.9> (Accessed 05.11.2024)

Allais L.

2011. *Restorative Justice, Retributive Justice, and the South African Truth and Reconciliation Commission*. *Philosophy & Public Affairs*, 39: 331–363. doi: 10.1111/j.1088-4963.2012.01211.x

Allison A.P & Welch K

2015. *Restorative Justice in Schools: The Influence of Race on Restorative Discipline*. *Youth & Society*, Vol 47(4) 539-564

Bandura, A

1991. *Social cognitive theory of moral thought and action, Handbook of moral behavior and development*. (Vol. 1, pp. 45-103) Hillsdale, NJ: Erlbaum.

Bandura, A

1999. *Moral Disengagement in the Perpetration of Inhumanities, Personality and Social Psychology Review*, 3(3), 193-209. https://doi.org/10.1207/s15327957pspr0303_3 (Accessed 01.04.2024)

Barnes K, Brynard S & de Wet, C

2012. *The influence of school culture and school climate on violence in schools of the Eastern Cape Province*. *South African Journal of Education*, 32(1), 69-82.

Berry J. W

2017. *"Theories And Models of Acculturation,"* Oxford Handbook of Acculturation and Health, eds S. J. Schwartz and J. B. Unger (New York: Oxford University Press), 15–28.

Bray E

2005. *Codes of Conduct in Public Schools: A Legal Perspective.* South African Journal of Education, Vol.25 (3) 133-138

Brendtro L.K, Ness, A & Mitchell M

2005. *No Disposable Kids.* Bloomington, Indiana: Solution Tree.

Brokenleg, M

2010. *The Resilience Revolution: Our Original Collaboration. Reclaiming Children and Youth,* 18(4): 8-11.

Brown-Jeffy S & Cooper J.E

2011. *"Toward a Conceptual Framework of Culturally Relevant Pedagogy: An Overview of the Conceptual and Theoretical Literature."* Teacher Education Quarterly, Winter 65–86.

Braithwaite, J

2002. *Setting Standards for Restorative Justice.* British Journal of Criminology, 42(3), 563-577. doi: 10.1093/bjc/42.3.563

Bronsteen J, Buccafusco C & Masur J

2010. *Retribution and the Experience of Punishment.* California Law Review, 98, 10.2307/257999

Carlsmith KM, Maphosa C & Mammen J

2011. *Learner's Views on the Effects of Disciplinary Measures in South African Schools*. Journal of Social Sciences, DOI:1080/09718923.2011.11892940 (Accessed 10.11.2024)

Carstens C

2013. *Youth Culture and Discipline at a School in the Western Cape*. Stellenbosch University, <https://scholar.sun.ac.za/server/api/core/bitstreams/50fc89f9-07ed-46d7-abbe-6c15800c2639/content> (Accessed 21.10.2024)

Cherry K

2018. *What Was Lev Vygotsky's Influence on Psychology?* Verywell Mind. Available at: <https://www.verywellmind.com/lev-vygotsky-biography-2795533> (Accessed 09.08.2024)

Cooray, P

2023. *School Culture and Leadership*. https://www.researchgate.net/publication/371639809_SCHOOL_CULTURE_AND_LEADERSHIP (Accessed 09.08.2024)

Christie N

1977. *Conflicts as Property*, The British Journal of Criminology, Volume 17, Issue 1, J, Pages 1–15, <https://doi.org/10.1093/oxfordjournals.bjc.a046783> (Accessed 29.03.2024)

Cohen L, Manion L & Morrison K

2000. *Research Methods in Education*. 5th edition, Routledge Falmer

Cilliers L & Viljoen, K

2021. *A framework of ethical issues to consider when conducting internet-based research*. South African Journal of Information Management 23(1), a1215, <https://scielo.org.za/pdf/sajim/v23n1/04.pdf> (Accessed 18.06.2024)

Craig A.C

2019. *Discipline Reform, School Culture, and Student Achievement*. University of Michigan Dalglish,

David P

2005. *Pre-Colonial Criminal Justice In West Africa: Eurocentric Thought Versus Africentric Evidence*.

Daries A.E

2021. *The Role of Principals in Cultivating a Positive School Culture*. <https://scholar.sun.ac.za/server/api/core/bitstreams/78c0db9c-ac33-47cc-beff-cabf7a486993/content> (Accessed 09.08.2024)

Dauids G.E

2017. *Collective ownership: how parents and schools can maintain discipline within the existing policy framework*. School of Education Studies, Faculty of Education: University of the Free State

De Wet C

2004. *The extent and causes of learner vandalism at schools*. 24. 10.4314/saje.v24i3.24990
https://www.researchgate.net/publication/277757642_The_extent_and_causes_of_learner_vandalism_at_schools/citation/download (Accessed 25.06.2024)

Duncan-Noakes T

2016. *The Emergence of Restorative Justice in Ecclesial Practice*. Journal of Moral Theology, vol. 5 no 2, 1-21

Durden T & Truscott D

2013. "Critical Reflexivity and the Development of New Culturally Relevant Teachers." *Multicultural Perspectives* 15 (2): 73–80

Erasmus P

2005. "Cultural Development" In *Mangaung: Reflections on the Discourse of a Development Agency*. University of the Free State, Department of Anthropology

Erasmus P

2009. *The Unbearable Burden of Diversity*. University of the Free State, vol.41 no.4, <https://doi.org/10.38140/aa.v41i4.1226> (Accessed 21.11.2024)

Gabagambi J.J

2018. *A Comparative Analysis of Restorative Justice Practices in Africa*. https://www.nyulawglobal.org/globalex/Restorative_Justice_Africa.html (Accessed 22.07.2024)

Gaye M

1998. *Western Influences and Activities in Africa*. *Journal of Third World Studies*, 15(1), 65–78. <http://www.jstor.org/stable/45197784> (Accessed 24.07.2024)

Ghebretkle T & Rammala M

2019. *Traditional African Conflict Resolution: The Case of South Africa and Ethiopia*. *Mizan Law Review*. 12. 325. 10.4314/mlr.v12i2.4.

González, T.

2015. *Socializing Schools: Addressing Racial Disparities in Discipline through Restorative Justice*.

Gupta S

2017. *Ethical Issues in Designing Internet-Based Research: Recommendations for Good Practice*. Journal of Research Practice, vol.13, issue 2

Gregory A & Evans, K.R

2020. *The Starts and Stumbles of Restorative Justice in Education: Where Do We Go from Here?* National Education Policy Center: Boulder, CO, USA

Grobler A

2022. *Challenges for Foundation Phase Teachers in Interacting with Parents during the COVID-19 Pandemic: A Case Study of Mangaung Primary Schools, South Africa*. The African Journal of Information and Communication, 29, 1-15. <https://dx.doi.org/10.23962/ajic.i29.13746> (Accessed 25.10.2024)

Gromet D.M & Darley J.M

2009. *Retributive and Restorative Justice: Importance Of Crime Severity And Shared Identity In People's Justice Responses*, Australian Journal of Psychology, 61:1, 50-57, DOI: 10.1080/00049530802607662

Harriman S & Patel J

2014. *The Ethics and Editorial Challenges of Internet-Based Research*. BMC Medicine, <http://www.biomedcentral.com/1741-7015/12/124> (Accessed 26.08.2024)

Imasuen K

2021. *Management of Disciplinary Problems in Primary and Secondary Schools in Nigeria*. 33-47, <file:///C:/Users/nes/Downloads/ManagementofDisciplinaryProblemmsinPrimaryandSecondarySchools.pdf> (24.04.2024)

Jayawardena N.S

2021. *The Role of Culture in Student Discipline of Secondary Schools in Cross-Cultural Context: A Systematic Literature Review and Future Research Agenda*. Department of Marketing, Griffith University, Gold Coast, Australia

Johnston G & Van Ness D.W

2007. *Handbook of Restorative Justice*. p 351, Willan Publishing

Kepe H.M

2014. *Perceptions Of Learners And Teachers On The Alternatives To The Alternatives To Corporal Punishment: A case study of two high schools in King William's Town Education District in the Eastern Cape*. University of Fort Hare

Kien D.N

2014. *Organizational culture: A case study of Standard Chartered Bank (Vietnam) Ltd*. Unpublished BA thesis, City: Turku University of Applied Sciences.

Kothari C.R

2004. *Research Methodology, Methods and Techniques*. 2nd Revised edition, New Age International Publishers

Ladson-Billings G

1996. "Toward a Theory of Culturally Relevant Pedagogy." *American Educational Research Journal* 32 (3): 465–491

Leman, P

2011. *African Law and the Critique of Colonial Modernity in the Trial of Jomo Kenyatta*. Law and Literature

Lethoko M.X, Heystek J & Maree J.G

2001. *The role of the principal, teachers and students in restoring the culture of learning, teaching and service (COLT) in black secondary schools in the Pretoria region.* South African Journal of Education, 21(4)

Llewellyn J.J & Howse R.L

1999. *Restorative Justice: A Conceptual Framework.*

Lodi E, Perrella L, Lepri G.L, Scarpa M.L, Patrizi P.

2022. *Use of Restorative Justice and Restorative Practices at School: A Systematic Literature Review.* Int. J. Environ. Res., 19, 96, <https://doi.org/10.3390/ijerph19010096> (Accessed 17.11.2024)

Lumadi RI

2020. *Turnaround learner discipline practices through epistemic social justice in schools.* *Education as Change*, 24(1), 1-21. <https://dx.doi.org/10.25159/1947-9417/4892>
[Accessed 28.11.2023]

Lustick H

2016. *Making discipline relevant: toward a theory of culturally responsive positive school wide discipline,* *Race Ethnicity and Education*, DOI:10.1080/13613324.2016.1150828
<http://dx.doi.org/10.1080/13613324.2016.1150828> (08.08.2024)

Lutchman S

2021. *Corporal Punishment in the Home: Is there a Legal Duty on the Medical Doctor to Report it?* Faculty of Law, University of Cape Town, South Africa, <https://doi.org/107196/SAMJ.2021.v111i7.15528> (Accessed 08.08.2024)

Mahaye N.E

2023. *Exploring Educator's Perception on Learner's Right Affecting Discipline in Secondary Schools*. International Journal of Research in Business and Social Science

Maphosa C and Mammen K.J

2011. *Maintaining Discipline: How Do Learners View the Way Teachers Operate in South African?* Journal of social sciences, 29(3): 213-222.

Marcelle C

2015. *Ethical Considerations in Research*. 10.1007/978-94-6300-112-0_4
https://www.researchgate.net/publication/285531674_Ethical_Considerations_in_Research/citation/download (Accessed 12.05.2024)

Marschall C

2021. *The Power of a Democratic Classroom*.
<https://www.edutopia.org/article/power-democratic-classroom> (Accessed 24.04.2024)

Masitsa G

2008. *Discipline and Disciplinary Measures in the Free State Township Schools: Unresolved Problems*, KovsieScholar,
<https://scholar.ufs.ac.za/server/api/core/bitstreams/828c4472-dbae-4eea-9786-6c91c1fad285/content> (Accessed 05.04.2024)

Meier C & Hartell C

2009. *Handling Cultural Diversity in Education in South Africa*. 6. 180-192,
https://www.researchgate.net/publication/228974473_Handling_cultural_diversity_in_education_in_South_Africa/citation/download (Accessed 03.07.2024)

Mestry R

2018. *The Role of Governing Bodies in the Management of Financial Resources in South African No-Fee Public Schools*. *Educational Management Administration & Leadership*, 46(3): 385-400.

McCalpin J

2013. *Written into Amnesia? The truth and reconciliation commission of Grenada*. *Social and Economic Studies* 62.113-140

Mccluskey G.

2018. *Restorative Approaches in Schools: Current Practices, Future Directions*. 10.1007/978-3-319-71559-9_29, https://www.researchgate.net/publication/326960728_Restorative_Approaches_in_Schools_Current_Practices_Future_Directions/citation/download (Accessed 25.06.2024)

Mohlale S.J

1993. *The Performance of a Group of Mangaung Children in the Gesell Preschool Test*. University of the Orange Free State.

Morgan H

2021. *Restorative Justice and the School-to-Prison Pipeline: A Review of Existing Literature*. *Educ. Sci.* 2021, 11, 159, <https://doi.org/10.3390/educsci11040159> (Accessed 21.10.2024)

Mlambo A S & Parson N

2018. *A History of Southern Africa*. https://disa.ukzn.ac.za/sites/default/files/pdf_files/remay82.6.pdf (22.07.2024)

Mncube V, Harber, C, & du Plessis, P

2011. *Effective school governing bodies: Parental involvement*. Acta Academica, 43(3), 210-242. <https://pure.uj.ac.za/en/publications/effective-school-governing-bodies-parental-involvement> (Accessed 19.06.2024)

Moloi P.I.M

2002. *The Role of Parents in Discipline as an Aspect of School Safety*. Faculty of Education and Nursing, University of Johannesburg

Mothai S.A

2021. *Exploring the Enhancement of Disciplinary Processes in Botshabelo Primary Schools*, KovsieScholar, <https://scholar.ufs.ac.za/server/api/core/bitstreams/2f202076-6dcb-4cff-b03a-562170445fe9/content> (Accessed 05.04.2024)

Moyo G, Khewu N.P.D & Bayaga A

2014. *Disciplinary practices in schools and principles of alternatives to corporal punishment strategies*, South African Journal of Education; 2014; 34(1)

Morrell R

2001. *Corporal punishment in South African schools: A neglected explanation for its persistence*. South African Journal of Education, 21(4), 292-299.

Morrison B, Blood P & Thorsborne E

2005. *Practicing Restorative Justice in School Communities: Addressing the Challenge of Culture Change*. Public Organization Review 5, 335-357. 10.1007/s11115-005-5095-6

Mousourakis G

2020. *Restorative Justice: Domestic and International Perspectives*.
<https://www.researchgate.net/publication/368988178> Restorative Justice Domestic and International Perspectives. Accessed 11.02.2024)

Mousourakis G

2023. *Restorative Justice Conferencing in New Zealand: Theoretical Foundations and Practical Implications*.

Msimanga M.J

2021. *Exploring the infusion of restorative justice in a secondary school's code of conduct*. School of Education Studies, University of the Free State

Mtonga D.E

2016. *Abolishment of Corporal Punishment in Zambia: Evaluating Alternative Modes of Discipline in Selected Government Secondary Schools in Lusaka District*. The University of Zambia

Nakpodia E.D

2010. *Teacher's Disciplinary Approaches to Student's Discipline Problems in Nigerian Secondary Schools*. International NGO Journal, vol.5 (6)

Nene F.Z

2013. *The Challenges of Managing Learner Discipline: The Case of Two Schools in Pinetown District*.
<https://researchspace.ukzn.ac.za/server/api/core/bitstreams/36a435bc-562d-462c-a286-0832d6bf8d3e/content> (Accessed 13.10.2024)

Naudé B

2006. *An international perspective of restorative justice practices and research outcomes*. Journal for Juridical Science 31(1): 101-120

Ndamani P.L

2005. *Factors Contributing To Lack Of Discipline In Selected Secondary Schools In The Mangaung Area Of Bloemfontein And Possible Solutions*. Central University of Technology, https://journals.co.za/doi/pdf/10.10520/AJA1684498X_22 (Accessed 06.04.2024)

Ness, D.W & Strong K.H

2014. *Restoring Justice: An Introduction to Restorative Justice*: Fifth Edition. 1-235

Noguera P. A.

2003. *Schools, Prisons, and Social Implications of Punishment: Rethinking Disciplinary Practices*. *Theory into Practice*, 42(4), 341-350. https://doi.org/10.1207/s15430421tip4204_12 (Accessed 03.07.2024)

Noakes-Duncan T

2016. *The Emergence of Restorative Justice in Ecclesial Practice*, *Journal of Moral Theology*, Vol. 5, No. 2 (2016): 1-21

Nuhu A

2017. *Indigenous Knowledge and Conflict Management in Africa: A Study of Proverbs Use in Conflict Management among Hausas of Northern Nigeria*. *International Journal of History and Cultural Studies*, 3(4)

Nussbaum B

2003. *African Culture and Ubuntu, Reflections of a South African in America*. *World Business Academy*, Volume 17, Issue 1

Otto K

2016. *The Role of Restorative Discipline in the School System*. *BU Journal of Graduate Studies in Education*, vol.8, issue 2

Oluwabusayo T.W

2018. *Revisiting the Effects of Colonialism on the Development of Customary Laws in Nigeria*. KIU Journal of Humanities, Kampala International University ISSN: 2415-0843; 3(1): 105–111

Omale D.J

2006. *Justice in History: An Examination of 'African Restorative Traditions' and the Emerging 'Restorative Justice' Paradigm*. 2. African Journal of Criminology & Justice Studies. AJCJS; Volume 2, No. 2

Omodan B

2021. *Managing Diversity in Schools: The Place of Democratic Education and Ubuntuism in South Africa*. <http://doi.org/10.4102/td.v17i1.854> (Accessed 05.11.2024)

Oraegbunam I

2019. *The Jurisprudence of Adversarial Justice*. African Journals Online, <http://dx.doi.org/104314/og.v15i1.2> Accessed 04.10.2024

Oosthuizen I.J, Wolhunter C.C. & Du Toit P

2003. *Preventive Or Punitive Disciplinary Measures In South African Schools: Which Should Be Favored?* Koers - Bulletin for Christian Scholarship, 68, 10.4102/koers.v68i4.352

Parveen H & Showkat N.

2017. *Data Collection*. https://www.researchgate.net/publication/319128325_Data_Collection (Accessed 01.05.2024)

Padayachee A.S & Gcelu N

2022. *Collaboration: The key to managing discipline in South African schools*. South African Journal of Education, Volume 42, Department of Education Management and Leadership, Faculty of Education, University of the Free State

Pitsoe V J & Letseka M

2014. *Foucault and School Discipline: Reflections on South Africa*. Mediterranean Journal of Social Science 5, 1525-1532. 10.5901/mjss.2014.v5n23p1525.

Plessis P & Mncube V

2018. *Formulation and Implementation of a Code of Conduct for Learners: A Strategy for Improving Discipline in Schools*. International Journal of Training and Development

Ramakhula T

2022. *The Impact of Customary Law and Its Constitutional Protection on the Social Status and Political Participation of Women in Lesotho*. Department of Public Law in the Faculty of Law, University of the Free State, <https://scholar.ufs.ac.za/server/api/core/bitstreams/d6d545f3-d630-479b-8fd9-4efcdb9b3bec/content> (Accessed 15.06.2024)

Rambuda A.M

2018. *South African Public School Teacher's Views on Right to Discipline Learners*. South African Journal of Education, vol.38, no.2

Rautenbach C

2015. *Legal Reform of Traditional Courts in South Africa: Exploring the Links between Ubuntu, Restorative Justice and Therapeutic Jurisprudence*. Journal of International and Comparative Law, 275

Retzinger S. M & Scheff T. J

1996. *Strategy for Community Conferences: Emotions and Social Bonds. Restorative Justice: International Perspectives*. Monsey, NY: Criminal Justice Press. (315 – 336)

Reyneke M

2011. *The Right to Dignity and Restorative Justice in Schools*. Volume 14 No 6, <http://dx.doi.org/10.4314/pej.v14i6.5> [Accessed 05.11.2023]

Reyneke, R & Reyneke, M

2014. *Evaluating the Application of Restorative Justice at the Mangaung One-Stop Child Justice Centre*. Social Work/Maatskaplike Werk. 46. 10.15270/46-3-165.

Reyneke R.P

2015. *Restoring our children: Why a restorative approach is needed to discipline South African children*. Perspectives in Education 2015: 33(1) ISSN 0258-2236. University of the Free State

Reyneke M

2019. *Critiquing the Guidelines for Adopting a Code of Conduct for Learners: A Legal Perspective*. Africa Education Review, DOI:10.1080/18146627.2018.1477510

Reyneke R & Reyneke M

2020. *Restorative School Discipline: The Law and Practice*. Juta Publications

Rodgers M.B

2009. *The Role Of The Victim In The South African System Of Plea And Sentence Agreements: A Critique Of Section 105a Of The Criminal Procedure Act*. Faculty of Law, University of the Western Cape, South Africa

Rossouw J.P

2003. *Learner discipline in South African public schools – a qualitative study.*
Koers - Bulletin for Christian Scholarship, 68, 10.4102/koers.v68i4.350

Salisu A & Ransom E. N

2014. *The Role of Modeling towards Impacting Quality Education.* International Letters of Social and Humanistic Sciences, 32, 54-61.

Schaefer, U & Bouwmeester O

2021. *Conceptualizing Moral Disengagement as a Process: Transcending Overly Liberal and Overly Conservative Practice in the Field.* J Bus Ethics 172, 525–543. <https://doi.org/10.1007/s10551-020-04520-6> (Accessed 28.03.2024)

Schonert-Reichl, Kimberly.

2017. *Social and Emotional Learning and Teachers, Future of Children.* 27. 137-155. 10.1353/foc.2017.0007
https://www.researchgate.net/publication/319481149_Social_and_Emotional_Learning_and_Teachers/citation/download (Accessed 13.10.2024)

Serame N, Oosthuizen I, Wolhuter C & Zulu C

2012. *An Investigation into the Disciplinary Methods Used by Teachers in a Secondary township school in South Africa.* Koers 78, 1-6. 10.4102/koers.v78i3.450.

Shukla S

2020. *Concept of Population and Sample.*
https://www.researchgate.net/publication/346426707_CONCEPT_OF_POPULATION_AND_SAMPLE {Accessed 01.05.2024)

Sella R, Sajanee H, Brett M, Elisabeth C, Jaayden H, Mobrand K & Spyridakis J.

2009. *Internet-Based Research for the Desktop and Beyond: Building a Foundation of Excellence for Information Design on the Web*. International Professional Communication Conference, 1-5. 10.1109/IPCC.2009.5208683

Sideris, M.

2015. *Restorative Justice: Engaging Communities*. Maine bar Journal.

Skelton A & Sekhonyane M

2007. *Human rights and restorative justice*. Handbook of Restorative Justice, 580-597

Skinner B. F

1938. *The behavior of organisms: An experimental analysis*. New York: Appleton-Century.

Skinner, B. F.

1948. *Superstition in the pigeon*. Journal of Experimental Psychology, 38, 168-172.

Story L.C

2010. *A Study of the Perceived Effects of School Culture on Student Behaviors*. Electronic Theses and Dissertations, Paper 2249, <https://dc.etsu.edu/etd/2249> (Accessed 21.10.2024)

Suzuki, M

2023. *Victim Recovery in Restorative Justice: A Theoretical Framework*. Criminal Justice and Behavior, 50.10.1177/00938548231206828

Swartz S & Scott D

2012. *Restitution: A revised paradigm for the transformation of poverty and inequality in South Africa*.

Taherdoost H

2020. *Different Types of Data Analysis; Data Analysis Methods and Techniques in Research Projects*. 2296-1747.

Teise K

2016. *Creating Safe and Well-organized Multicultural School Environments in South Africa through Restorative Discipline*, Faculty of Education. University of the Free State

Umbreit M.S

2000. *Family Group Conferencing, Implications for Crime Victims*. Centre for Restorative & Peace-making. University of Minnesota

Van Elzakker C

2004. *The use of maps in the exploration of geographic data*. Nederlandse Geografische Studies

Van Wyk L

2015. *Restorative justice in South Africa: An attitude survey among legal professionals*. Department of Psychology in the Faculty of Humanities at the University of the Free State

Vanderstoep S.W & Johnston D.D

2009. *Research Methods for Everyday Life. Blending Qualitative and Quantitative Approaches*, Jossey-Bass Publishers, San Francisco

Vavrus F & Cole K

2002. *"I Didn't Do Nothin, The Discursive Construction of School Suspension"* The Urban Review 34 (2): 87–111.

Vincent, Sprague, Pavel, Tobin and Gau

2015. "Effectiveness of School Wide Positive Behaviour Interventions and Supports in Reducing Racially Inequitable Disciplinary Exclusion", *closing the school Discipline Gap: Equitable Remedies for Excessive Exclusion*, pp. 207-221.

Weinrib, E. J

2002. *Corrective Justice in a Nutshell*, the University of Toronto Law Journal, 52(4), 349–356, <https://doi.org/10.2307/825933> (Accessed 27.04.2024)

Wentzel M, Okimoto T.G, Feather N.T & Platow M.J

2007. *Retributive and Restorative Justice*. American Psychology, Law Society.

Williams T

2020. *Social Justice Considerations for the Teaching of Controversial Social Science Topics in Multicultural Primary School Settings: A Case Study of University Teacher Education Students*. Central University of Technology, Faculty of Humanities

Wolff S

1999. *Children under stress*. London: Penguin Press, www.aaca.org/aacap/policy/statements, www.NewsDay.co.za, October 15, 2015

Wolhuter C.C & Van der Walt J.L

2020. *Indiscipline in South African Schools: The Parental / Community Perspective*. KOERS — Bulletin for Christian Scholarship, 85(1) <https://doi.org/10.19108/KOERS.85.1.2436> (Accessed 22.06.2024)

Wyk D. L. a. L. v

2016. *The Perspectives of South African Legal Professionals on Restorative Justice: An Explorative Qualitative Study*. 52(4)

Zehr H

2005. *Changing Lenses: A Focus for Crime and Justice*: Scotdale.

Zulu G.K

2008. *The Challenges in the Implementation of the Alternatives to Corporal Punishment in the Rural Primary Schools in Kwazulu-Natal*. University of KwaZulu-Natal, Durban