



**A CASE STUDY OF POTENTIAL LINK BETWEEN STUDENTS'
UNDERSTANDING OF HUMAN RIGHTS AND BEHAVIOUR IN SELECTED
MALAWIAN SECONDARY SCHOOLS IN MZUZU CITY**

By

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Dedication

To my late sisters Maria, Nqcimezie and my late brother Roosevelt Franklin

And

My husband, Children, father Rev Prof Sibande and my mother Christina Manda Sibande

Declaration

I, **Sarah, Nkana Sibande**, declare that this study is my own original work and has been carried out at Mzuzu University under the supervision of Dr. Foster C.Lungu. It has not been previously submitted to any academic institution for a requirement of completion of any award and that all the sources used or quoted have been acknowledged by complete references.

Signed _____

(Student)

Date: _____

Signed _____

(Supervisor)

Date: _____

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Abstract

Despite all measures taken to curb indiscipline cases in Malawian secondary, students' indiscipline still exists, more especially with their knowledge of human rights. The purpose of the study was to explore the link between students' understanding of human rights and behavior in secondary schools. The study adopted qualitative case study research design. The study was conducted in 2 schools and 2 teachers and 20 students participated in the study sample. Schools and respondents were purposively selected. Data for this study was collected through oral interviews and all the discussions were audio-recorded. The recordings were then transcribed, coded and themes generated on students' perspectives of their rights. From the analysis, the study found out the following: students were aware that they were entitled to human rights but ignorant of the responsibilities attached to the rights. Most students misinterpreted issues of human rights and considered any form of correction as a violation of their wrong deeds in the name of exercising their rights. The main sources of information on children's rights included teachers, peers, media, church, organizations and community. The study has found that the documents that advocate for rights, like the universal declaration of human rights convention, were considered alien to both students and teachers. There was violation of rights in some schools mostly right to education and freedom of expression. Therefore there is need for teachers and organizations concerned with human rights to emphasize on teaching of rights as well as responsibilities.

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List of Abbreviations and Acronym

CRC	Convention on Rights of Children
EFA	Education for All
ICESCR	International Covenant on Economic Social and Cultural Rights
JCE	Junior Certificate Examinations
MANA	Malawi News Agency
MANEB	Malawi National Examinations Board
MDG	Malawi Development Goals
MoEST	Ministry of Education Science and Technology
MSCE	Malawi School Certificate of Education
NASUWT	National Association of School Masters Union of Malawi
NGO	Non-Governmental Organizations
PAD	Positive Approach to Discipline
SUHAKAM	Suruhanjaya Hak Asasi Manusia Malaysia
STL	Student Teacher Learning
TET	Teacher Effective Teaching
UK	United Kingdom
UN	United Nations

UNESCO United Nations Education Scientific Culture Organizations

UNDHR United Nations Development Human Rights

UNISA University of South Africa

USA United States of America

Chapter One: Introduction

1.0 Background information

Indiscipline has for some time been an issue of concern for educators, policy makers and the public at large but the situation has not been as worrisome as it is today in Malawi (Munthali, 2012). Following the thirty years of the one party rule, Malawi adopted political pluralism which led to the first democratic elections in 1994 and for the first time issues of freedoms and rights became part of popular talk of the ordinary Malawians (Mwale, Hauya and Tizifa, 1996). This democracy came with its own challenges to the education system, the most common challenge being the understanding of freedoms and rights. It seems Students have understood this democracy and freedom and interpreted it in their own way. Many learners understand freedoms and rights to mean absence of restraint and control (Mwale, Hauya and Tizifa 1996). This understanding of democracy brought serious problems in schools in attempting to uphold rules and regulations, since this is seen as restricting and violating the supposed freedom of students. Students disregarded school regulations and it has resulted in breakdown of discipline in schools and this has been a major and continuous administrative problem among secondary schools. Most of the cases of indiscipline are from secondary schools. For instance, one time a student was disturbing a class at a secondary school where I was teaching and he was told to go out, he refused and challenged that it was his right to remain in class and learn. This is a problem that has impacted negatively on many schools in societies and the nation at large because students are not aware that rights go hand in hand with responsibilities (Mnthali 2012). This study therefore sought to explore the link between students' understanding of human rights and behaviour amongst secondary students.

It has been observed that there is a high rate of students' dropout in many secondary schools. Students cultivate and demonstrate bad behaviours and may never fulfil their potentials hence they may become a burden to the society all in the course of freedom and rights (Mwale, Hauya and Tizifa 1996). There is high possibility that this brings tension in the minds of most Malawian citizen since children are considered to be the future leaders. Education in Malawi is designed for preparing learners for valuable living conditions within the society and training them for further education so as to enable them live a valuable life within any given community and contribute towards the social economic and political development of the nation (Mwale, Tizifa and Hauya 1996). According to UNESCO (2010) education is a basic need that must be attained and conferred to every child. This is strengthened by the major goals outlined in the Millennium Development Goals (MDGs) that outline and insisted on Education for all by the year 2015 (MDGs, 2009). Thus, education has a definite role to play in the development of people and countries. It has been cited as one of the most important determinants of economic growth. It is both an indicator, and an instrument of development. Education increases labour productivity in both urban and rural sectors, and economic returns to investment in education are typically high. Therefore appropriate skills, values, attitudes, knowledge and competence and rules must be impacted into individuals for a better Malawi. Therefore the main aim of this study is to explore if there is any link between what students understand about their rights and behaviour in secondary schools, and probably suggest the possible solutions to curb these indiscipline cases.

Discipline has been defined in the literature in a variety ways. To some educators, school discipline is prescribed as a standard of behaviour expected of teachers and students. Malawi's

Ministry of Education Science and Technology (MoEST) defines indiscipline as a student's contrary act that breaks school rules and regulations (MoEST, 2014).

Timothy (2008) states that indiscipline can be said to be the unwillingness of students to respect the constituted authority, observe and obey school rules and regulations and to maintain high standard of behaviour's conducive to teaching learning process and essential to the smooth running of the school to achieve the educational objective with ease.

In addition, Nwakoby (2001) also defines indiscipline as "an act of misconduct which not only involves physical act but could also be a thing of the mind". The above definition presupposes that indiscipline is an act of wrong doing and which must not necessarily be seen from a students' action but the mood of such student could be interpreted as an act of indiscipline or misconduct. Indiscipline as "a disregard to lay down standards of behaviours, rules and regulations of a social system" (Nwakoby 2001). From this assertion therefore, it could be said that indiscipline is negligence of norms and cultures of a social system.

In the context of my study, indiscipline will simply be seen as mode of life not in conformity with rules and non-subjection to control and behaviour that is contrary to school rules and regulations which needs to be collected to ensure desired behaviours on the learners and maintain order in schools that is students should know that if they have rights to enjoy, they also have responsibilities on those rights, therefore should not engage in indiscipline in the name of enjoying rights.

According to Article one of the convention of rights of a child (1990), a child is a person under 18 unless national laws recognize the age of majority earlier. Article two of the same convention states that all rights apply to all children without exception, it is therefore the obligation of the state to protect children from any form of discrimination and take action to promote their fights. However, the big question remains, what is the relationship between students' understanding of rights, if any and their conduct and behaviour in schools.

Convention on the Right of a Child which was adopted by General Assembly of the United Nations (1989) has many rights as indicated in the Declaration of the Rights of the Child. "The child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth"

These Rights include, the right to name at birth and should be cared for by parents and the child has the right to express his or her opinion freely and to have that opinion taken into account in any matter or procedure affecting the child, the child has the right to express his or her views, obtain information, and make ideas or information known, regardless of frontiers. Not only that the state shall respect the child's right to freedom of thought, conscience and religion, subject to parental guidance. The Convention on the Rights of the Child(1990) further say that, Children also have the right to meet with others and to join or form associations and have the right to protection from interference with privacy, family, and home and correspondence, and from libel or slander.

The state shall protect the child from all forms of maltreatment by parents or others responsible for the care of the child and establish appropriate social programs for the prevention of abuse and the treatment of wounded.

On the same line, the state is obliged to provide special protection for a child deprived of family environment and to ensure that appropriate alternative family care or institutional placement is available in such cases. Efforts to meet this obligation shall pay due regard to the child's cultural background. A child has a right to education, and the state's duty is to ensure that primary education is free and compulsory; to encourage different forms of secondary education accessible to every child and to make high education available to all on the basis capacity, school discipline shall be consistent with the child's rights and dignity. The state shall engage in international co-operation to implement this right (UN, 1989).

Furthermore, the Convention on the right of a child specifically states that children have a right to be heard in matters that affect them and to have their opinions taken into account according to their age and level of maturity and it advocates that children have a right to standard of living that is good enough to meet their physical and mental needs and the government should help families who cannot afford to provide them.

Despite all the above articulated rights in schools, children must be taught that as much as they have rights to exercise, at the same time they must also respect rights of other people around them and abide by school rules because rights go with responsibilities.

The right to education is a term that is used by many different actors to support different understandings as well as promoting education. According to the Convention of the Rights of Child (1989) on Article 28 agreed that all children and young people have a right to primary education which should be free and wealth countries should help poorer countries to achieve this.

And again discipline in schools should respect children's dignity. Young people should be encouraged to reach the highest level of education they are capable of. And article 29 says that education should be there to develop each child personally and talent to the full. It should also encourage children to respect their parents and their own and others.

Tibbitts (1997) suggests that children rights to education can be expected to affect learners in three ways. First is in the providing of basic information and knowledge on the nature of rights and the specific rights that children are to enjoy. Children can be expected to have a more accurate and deeper understanding of rights. Second is in attitudes, values, and behaviours consistent with the understanding of rights. Children can be expected to have greater respect for the rights of others as shown in their attitudes and behaviours. Third is in empowering children to take action in support of the rights of others. Tibbitts (1997) further refers to this as the 'transformational model' of right to education. Children here are more likely to take a stand in preventing or redressing human rights abuses. An example would be to support a victim of bullying and stand up against a bully in the school playground. As much as we appreciate the fact that students have the right to education but if they misbehave and infringe the rights, students must be punished in order to instil discipline in schools.

According to Embassy of United States (2004) Malawi has three types of institutions that provide Secondary School Education. These are Government Schools, Government Aided Mission

schools, and Private Schools. After two years of Secondary education, students were writing a national examination called the Malawi Junior Certificate Examination (JCE). However, from 2017 students no longer sit for the JC examination since the Ministry of education abolished it. Then, at the end of the four years of secondary school, students write national examination, the Malawi School Certificate of Education Examination (MSCE). When these schools were being expanded in the country during one party system, human rights was a silent issue until 1994 during the dawn of multiparty democracy. Human rights which were suppressed in one party era has now been highlighted but not taught in details in Secondary Schools. Curriculum system in Malawi has many subjects like English, mathematics, Physical Science, Biology, Chemistry, Geography and Social Studies. There are topics of Human Rights in Social studies from form one to form four, unfortunately the coverage is shallow since the topics emphasize much on protecting child's rights and not what these students should do for them not to infringe other people's rights. Furthermore the Secondary School syllabus does not prepare students fully for the understanding of human rights because the topics which tackle issues of human rights are in social studies subject only. It would be better if the teaching of human rights was integrated in all subjects as it is in HIV/AIDS issues. It is also noted that the issue of human rights is emphasized much by the Non-Governmental Organization (NGO), but is this information disseminated to students in secondary schools? However, it is not known how and where students get information. From this observation there is a large gap in terms of student's understanding of human rights and the main sources of information. Therefore, this study intended to fill this gap by exploring the link between students' understanding of human rights and behavior in Malawian secondary schools.

1.1 Statement of the problem

With the dawn of multiparty democracy in Malawi as described in the background information, indiscipline cases have increased in secondary schools. This indiscipline has taken the form of vandalism, insubordination to authority, drunkenness, just to mention a few. Several researchers have conducted studies on factors contributing to student's indiscipline in schools. However it was observed that many researchers have not conducted the studies on the potential link between students' understanding of human rights and behaviour. This study explored the connection between understanding of human rights and behaviour of learners in secondary schools.

1.2 Purpose of the study

The purpose of this study was to explore the potential link between student's understanding of human rights and behaviour in Malawian secondary schools.

1.3 Specific objectives

Specifically, the objectives of the study were to:

1. Explore students understanding of human rights in Secondary Schools.
2. Identify the source of student's information on their rights
3. Asses examples of the link between students' understanding of human rights and behavior

1.4 Significance of the study

The findings of the research will provide useful information of the potential link between students' understanding of human rights and behaviour to school managers, curriculum developers, and policy makers in the Ministry of Education Science and Technology, and other stakeholders in Education. The findings of the study will also help Head Teachers and teachers in schools in dealing with issues affecting student's behaviour.

Some misunderstanding of students' about their rights covered, would help policy makers and other stakeholders to reform school management policy to properly address rights education in schools.

This study would also help in curriculum reform if the findings show that certain information in the curricular was missing or misleading and if the findings reveal that students' understand their rights properly then misconduct is not the result of misunderstanding of rights but other factors. This information is important to policy makers, teachers and the public in Malawi in many ways, for instance policymakers will get a perspective of how students understand their rights hence help them by reviewing the curriculum of teacher training institutions and universities, set appropriate Policies on students' discipline in schools.

The study would also help to find out the nature and sources of students' information of human rights and this would help concerned people to know the major sources of students' information, which might be the cause of misunderstanding by students. For instance, peer pressure, teachers, and mass media. If the major source is mass media then planners will put much information on the mass media, if its teachers then more information will be included in curriculums. And also if

students misbehave because of misunderstandings of rights then this should be articulated properly so that students should understand their rights and responsibility. Therefore, this will provide an insight to authorities and policy makers to find ways on how to disseminate information of human rights to students and teachers. More importantly, the study will help policy makers in education to understand how implementation of information on human rights is going on. Hopefully, this would bring positive change in student's conduct and behaviour in Secondary schools if it is indeed caused by misunderstanding of human rights.

The findings of this study would also promote awareness to the teachers as curriculum implementers on appropriate methodologies to use that would emphasize the application of rights to students' daily life. Additionally the researcher has the conviction that the study would help Mzuzu University as an academic institution to increase its knowledge base on human rights and to make sure that human rights knowledge is disseminated appropriately to students and stake holders.

Chapter Two: Literature Review

2.0 Introduction

This chapter on literature review has reflected what other researchers have written on the potential link between students' understanding of human rights and behaviour in secondary schools. The literature review is arranged according to the following sub titles: human rights, children's rights and responsibilities, the influence of knowledge of children rights on students' discipline in secondary schools and student's sources of information on human rights in secondary schools. The review also looked at studies done on human rights in schools in the rest of the world.

2.1 School as a social institution for children

Howe and Covell (2000) describe a school as a major social institution responsible for socializing the young. In keeping with the provisions of the Convention on Child's Rights (CRC) children and young people who spend a great part of their time in schools should therefore share ideas, knowledge and information that affect them. The realization of these participatory rights of school children is one of the most difficult challenges of the Convention. Howe and Covell (2000) further says, meeting this challenge may not be difficult in some countries such as the United Kingdom where the school curricula for citizenship education emphasize the development of skills of participation and responsible action. In some of these countries it has been found that participation by young people in formulation rules that affect them not only

contributes to building Civil Society and strengthening democracy but it also, fosters learning and enables them to build life skills (Selwyn, 2003).

2.2 Convention on the right of a child in Malawi

Malawi is a State Party to the Convention of the Rights on the Child (CRC). Malawi has signed and ratified the Optional Protocol to the Convention on the Rights of the Child. Malawi most recently reported to the Committee on the Rights of the Child in July 1992 (Democracy Consolidation Handbook, 2004). The Committee noted that there is high level of political commitment and resources to respond to the orphans and other vulnerable children crisis in Malawi. The Committee noted the strengthening leadership role of the Ministry of Women and Child Development and the legislative reforms that have been undertaken by the Law

Commission but has concerns that many bills have yet to be introduced to Parliament. The Committee acknowledged the current political environment as cause for delay in promulgating laws of the Convention, However, the Committee reminded Malawi that the State was the principle bearer of upholding children's rights and that Malawi could assert stronger advocacy in ensuring Children's rights. However, it is observed that the CRC has just focused on what nations should do in order for children to be protected and enjoy their rights; little has been said on what responsibilities those rights have.

According to Mkomba & Majamanda (2016), one of the important aspects of CRC, confirms that children have a right to state their views, but it emphasizes that they have a responsibility to respect the views of others, particularly those of parents.

2.3 Education policy framework in Malawi

Malawi like any other country is guided by policies at international and national levels.

According to United Nations (2000) the Education Forum adopted the Dakar, Education for Action, and Education for All. In doing so the participants reaffirmed the vision of the world declaration on Education for All (EFA) goals that targeted every citizen and every society.

According to Republic of Malawi (1994) amended in (2010) the right to education is directly guaranteed and Malawi is a party to the most important regional and international conventions protecting the right to education. The Constitution states that all persons are entitled to education, unless it is considered to be his or her best interest not to do so. In most instances, international human rights treaties are directly part of Malawi's domestic legal system, and can thus be used at the national level to hold the government accountable through administrative, political or legal procedures. However, Malawi has not signed the protocols to CRC and the International Covenant on Economic, Social and Cultural Rights (ICESCR) which open individual communication procedures. It is noted that Malawi government is well equipped with documents of human rights but very slow in implementation. In this case students seems not to understand clearly about rights and that right to education does not guarantee students to engage in misbehaviors.

2.4 Rights and responsibilities

Children's rights are a special case because many of the rights laid down in the Convention on the Rights of the Child have to be provided by adults or the state. However, the Convention also refers to the responsibilities of children, in particular to respect the rights of others, especially their parents UNESCO (2000) Article 29. These are some suggestions of the responsibilities that could accompany rights; if every child, regardless of their sex, ethnic origin, social status, language, age, nationality or religion has these rights, then they also have a responsibility to respect each other in a humane way. If children have a right to be protected from conflict, cruelty, exploitation and neglect, then they also have a responsibility not to bully or harm each other. If children have a right to a clean environment, then they also have a responsibility to do what they can to look after their environment. If children have a right to be educated, then they have the obligation to learn as much as their capabilities allow and, where possible, share their knowledge and experience with others. If all children have a right to a full life, then they should also lend help so the needy, the disadvantaged, and the victims of discrimination also enjoy this right. If children have a right to freedom of thought, conscience and religion, then they also have the obligation to respect other's thoughts or religious principles (Slow and Chang, 2011).

Although some thinkers and NGO have put forward strong arguments for the need of human responsibilities and even codes of declaration to articulate these, the human rights community has generally been reticent about the debate. The reason is that many governments make granting of human rights dependent on certain duties imposed by the state or ruler, in this way making the whole idea of human rights as birth rights meaningless. However, it goes without saying that we need to act responsibly as individuals and groups to respect the rights of others, not to abuse

human rights and to advance the rights of others as well as ourselves in fact this is recognised in article 29 of the Convention on the Right of a Child.

The study conducted in Hampshire on principals and teachers in selected schools where students experience was supported (P1) and students whose experience was compromised (F1) with the aim of finding out if students were taught about their responsibilities was more likely to give emphasis to the teaching of responsibilities. Principals and teachers in the schools where students experience was compromised (F1), did the opposite. They demonstrated their commitment to the Convention by giving emphasis to educating children about their rights and by modelling the practice of children's rights through such means as promoting participatory learning in the classroom, allowing for age-appropriate child participation in school governance and incorporating child rights principles and practices into classroom and school behaviour codes. At the same time, they cultivated a sense of responsibility and a willingness among children to exercise responsibility by allowing the children themselves to discover the connection between rights and responsibilities. If one has a right, others have a responsibility to respect and uphold that right. If one violates the rights of others, one's own rights may be violated.

Discovering this connection and taking ownership of the understanding, children then were in a position to develop a deeper understanding and an appreciation for both rights and responsibilities. Teachers would strengthen this understanding through such means as seeking the input of students at the beginning of the school year in designing a classroom charter of rights and responsibilities. Later in the year, if there was an incident of bullying or disruption, students could be referred to the charter which they helped design as a means of dealing with the incident. If one has a right to education, others have a responsibility not to interfere with the education. If

one has a right to play, others have a responsibility not to disrupt the play. Such concrete practice reinforced what children were learning in the abstract.

In schools where students experience was supports (P1), principals and teachers who had been hesitant about teaching rights were more likely to focus almost exclusively on responsibilities or give emphasis to responsibilities at the expense of rights. With the best of intentions, some of the principals decided that children should be taught their responsibilities prior to learning they have rights. In the words of one head teacher: ‘This year we have done our responsibilities. After the children have learned these, then we will work on rights.’ This, they believed, would be the only way to prevent the sort of challenge to school authority that they anticipated if children were taught they had rights. Where children’s rights were taught in these PI schools, they were taught through the lens of responsibilities by, for example, teaching how fortunate children living in England had a responsibility to help less fortunate children living in Africa.

2.5 Rights and discipline

Students are key stakeholders and the most essential resources in education. It is absolutely necessary to direct students to exhibit acceptable attitude and behaviour within and outside the school. Malawi’s Ministry of Education Science and Technology (MoEST) defines indiscipline as a student’s contrary act that breaks school rules and regulations (MoEST, 2014). While Kochhar (2004) defines it as a breach of social order, good moral behaviour, self-accepted and self-maintained social values of life. In case of this study student’s indiscipline will be looked at as behaviour that is contrary to school rules and regulations, which calls for corrective measures to ensure desired behaviour on the learners and maintain order in schools.

Darlow (2011) explains that it is good to note that students have a role in the discipline process of maintaining order in schools. For instance, he says in New Zealand schools are self-governing each school sets its own school policies and rules to maintain discipline and order. The principles of natural justice in the New Zealand Bill of Rights 1990 and the UN Convention on the Rights of the Child, a student has the right to speak and be heard. The teacher should talk to the student, identifying the problem and explaining how the school rules have been breached.

Darlow adds that the teacher should also explain the effect of the breach, if any, on others at the school. The guide further says the student should be given an opportunity to explain their behaviour and be punished only if he or she cannot give a reasonable explanation. If the misbehaviour is repeated, or there are a number of incidents, the school may keep a record of these which may be used to prove 'continual disobedience' under the Education Act, although such use may be challenged by parents and students.

The research that was conducted in Malaysia (2010) revealed that human rights education in schools is seen to be important as there is a growing concern on some school practices that contradict the UNDHR and the CRC. For instance, the Education Act 1996 in Malaysia, states that caning is allowed but to male students only. In using caning as a disciplinary measure, schools are to adhere to the disciplinary procedures set by the Ministry of Education. Whilst disciplinary measures are deemed to be justifiable in Malaysian schools, there were some parents and the general public who voiced their concern on the use of caning as an effective measure and their fear of abuse of power (SUHAKAM, 2006).

A research study on knowledge and practice of human rights in secondary schools was conducted by SUHAKAM in 2003 in Malaysia. It was a survey of which 5,754 secondary students, 2,132 teachers and 142 administrators from 40 urban and rural schools answered the questionnaires.

The results showed that majority of the students, school administrators, and teachers favoured caning of male students. In addition, more than 60% of the students and 50% of the teachers stated that discrimination was practiced in their schools. Discrimination was often based on gender, race, religion, social standing and economic status. For the students, discrimination based on academic ability was common (SUHAKAM, 2006).

According to UNISA (2007) University of South Africa in collaboration with independent schools in Nigeria conducted a research, the study revealed that educators felt disempowered by the new human rights culture education in Nigeria. Some of the attendees said that they were unable to create disciplined schools and classrooms because the learners claimed that they had constitutional rights, and then left principals and educators powerless. (UNISA 2007) further observed that it also became apparent that very few of the attendees knew anything about human rights instruments or were mindful of children's rights when managing learner misbehaviour. In this case, it is contended that it is not human rights culture that leaves educators feeling helpless but inadequate knowledge and skills to create a discipline school or classroom within human rights frame work.

A research conducted by Karanja & Bowen (2012) in Kenya revealed that, there has also been a variety of reactions to the rising incidences of indiscipline and unrests in schools. Various views have been expressed regarding the cause of the indiscipline and possible solutions to the problems have been proposed. The ban on the rod in Kenya as a means of disciplining students in school has been blamed for the increase in indiscipline, and naturally, there have been calls to rethink the decision.

A research commissioned by National Association of Schoolmasters/Union of Women

Teachers (NASUWT) of the UK in 2003 showed that indiscipline was due to many factors both internal and external. Violence was viewed as a contemporary crisis, which was beginning to reflect in trends in USA. The issue of indiscipline is of concern because it does not discriminate. It transcends the boundaries of race, gender and class. The impact has serious implications for schools. Teachers have less time to deliver teaching and have difficulties in effectively managing classroom discipline. The implication is that the quality of education is impaired.

One important study on secondary school discipline and teachers' behavior was conducted by Kuthemba-Mwale, Hauya, & Tizifa (1996). The study, done under the Ministry of Education science and Technology, was prompted by the deterioration of school discipline in secondary schools both by the teachers and the students. The study was conducted to identify and analyze possible causes of indiscipline in the schools, to determine the extent of the discipline problems at various levels, describe the impact the problems had on the school life, property, and society in general, assess the appropriateness of actions taken to solve the indiscipline problems by MoEST and finally to propose recommendations for preventive strategies.

The study involved 3 regions, with two locations urban and rural, and three types of schools, boys only, girls only and co-education secondary schools. The sample interviewed included; head teachers, teachers, support staff, boarding master/mistresses, pupils, parents, guardians, and some politicians. The study used observations, interviews, and focus group discussions to collect the data. The data was analyzed basically through text analysis and organizing findings on emerging themes. In the findings, Kuthemba-Mwale, Hauya, & Tizifa (1996) noted that, "the advent of political pluralism affected both pupil and teacher discipline in secondary schools due to misconceptions of democracy and human rights". The study observed that most teachers saw the advent of political pluralism as a liberation for them to do what they liked and thought right.

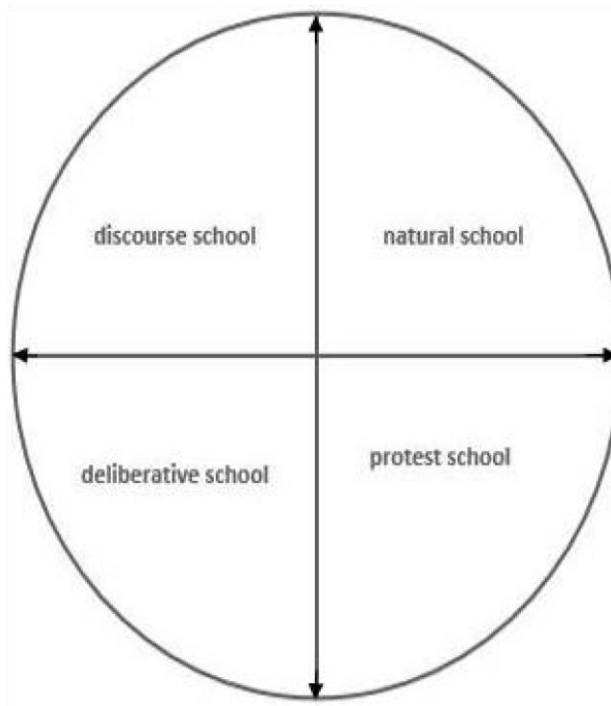
Kachepa also conducted a study on factors contributing to student's indiscipline in boarding schools in the central West Education Division in Malawi in 2015. The study employed a sequential explanatory method research design. The findings revealed that there are different factors related to the home, students, teachers and administration that contributes to student's indiscipline. The factors contribute to indiscipline in different ways. The study established the following home factors as contributing to students' indiscipline: lack of parental attention and guidance on students' behaviour; poor relationship between parents and their children; influence of the media at home; parents not providing desired school resources of students and parental ways of managing misbehaviour. Kachepa identified some factors as contributing to students' indiscipline which include lack of students' interest in school; students' concentration on relationships with the opposite sex; use of drugs and alcohol and peer pressure. In addition she found out that the banning of corporal punishment coupled with children's rights has given much freedom to the learners to the extent that educators are not feared or respected.

2.6 Conclusion

The study has described literature on schools as a Social Institution for Children, Convention on the rights of a child, Education policy framework in Malawi, Rights and Responsibilities and Rights and discipline. Documents on discipline in different schools have also been reviewed. Most of the studies the researcher has read concentrated in African countries and European countries with very limited literature in Malawi hence there is a gap in the area of potential link between students understanding of human rights and behaviour in secondary schools as far as Malawi country is concerned. This has prompted the researcher to conduct a study in this area.

2.7 Theoretical framework

The study was guided by the four schools of thought on human rights as described by Dembour (2010). These four schools of thought are Natural, Deliberate, Protest and Discourse as presented in the table below;



The natural scholars embraces the definition that human rights are those rights one possesses simply by being a human being, where human rights are viewed as given. For most natural scholars, human rights are entitlements. The natural scholar conceive human rights as specific objectives that every individual should have respect for them and are realised through individual enjoyment. Though instead of thinking of human rights as entitlements to particular object, each individual, should ensure that the rights of others are respected. In this study the researcher is emphasizing that much as the students have human rights which needs to be respected, failure to

the understanding of these rights is contributing to their misbehavior in schools. While the theory is emphasizing that when rights are secured, one must ensure that the rights of one neighbor are secured as well as the rights of the neighbor of my neighbor and so on. In the perspective of natural scholars the problem that arises out of human rights is that once individuals enjoy human rights, they often only use them for their own benefit. The loss of sense of obligation to fight for the human rights of others is a forgotten.

The Deliberate school conceive human rights as political values that liberal societies choose to adopt. Deliberate scholars believes that rights comes through societal agreement that's they emerge from agreement. However they would like to see human rights become universal, but recognise that this will require time.

Protest school perceive human rights as rights that articulate rightful claims made by or on behalf of the poor, the unprivileged and the oppressed. Protest scholars look at human rights as claims and aspiration that allow the status to be contested in favour of the oppressed. The scholars are not interested in the fact that human rights are entitlements though they do not reject it and they believe that there is no sign that fighting for human rights will end all injustice.

Lastly, the Discourse school conceive human rights as those that exist only because people talk about them. Discourse School is characterized by its lack of reverence towards human rights.

This framework is relevant to my study since the study was looking at the link between student's understanding of human rights and behavior in Malawian Secondary School. Therefore this theoretical frame work helped the researcher to understand how students understand rights since different people understand human rights from different perspectives. However there is need to

assess how learners in Malawi understand the rights. For instance to which school of thought amongst the four do they perceive human rights.

Chapter Three: Research Design and Methodology

3.0 Introduction

This Chapter outlines the research design, the target population, sampling techniques and the sample size, research instruments, validity and reliability of the instruments, ethical considerations, the conclude has been a discussion on analysis methods.

3.1 Research Design

According to Belle (2008), a research design is defined as a plan or a blue print according to which data is to be collected to investigate a research question in the most economical manner. Whereas Nachmias and Nachmias (1981), defines a research design in three ways: firstly, as the program that guides the investigator in the process of collecting, analysing, and interpreting observations, secondly, it defines it as a logical model of proof that allows the researcher to draw inferences concerning causal relationship among the variables under investigation and lastly, as something that is expresses the domain of generalizability, that is, whether the interpretations can be generalized to a larger population or to different situations.

This study employed the phenomenological qualitative case study design. According to Creswell (2007), a phenomenological study describes the meaning for several individuals of their lived experience of a concept or a phenomenon. This design is appropriate because the main aim of this research was to explore the potential link between students' understanding of human rights and behavior in secondary schools. This design fitted in this research because it was not known

how the two were linked so the researcher had to find out from students Khan (2007), define case study design as an empirical inquiry that investigates a contemporary phenomenon within its real life context especially when the boundary between the phenomenon and the context are not clear the best possibly evident.

The purpose of phenomenology qualitative design case study is to richly describe, explain, or assess and evaluate a phenomenon like event, person or Program, to obtain the best possible understanding of a case no matter how complex it is (Myer, 1997). Case studies are good examples of qualitative research design along with the other design like phenomenology and ethnography. Qualitative research methods are designed to help researchers understand people and the social and cultural contexts within which they live (Myers, 1997). The qualitative approach is indispensable to this research because the researcher attempt to gain an in-depth understanding of ways of addressing the problem of indiscipline in relationship to human rights.

Phenomenological, qualitative case studies is also used where you cannot manipulate the behavior of those involved in the study, where a researcher want to cover contextual conditions, as well as where the boundaries between the phenomenon and the context are not clear (Baxter and Jack 2008).

In summary, the strength of qualitative research method is that it opens and generates new theories and recognizes phenomena ignored by previous researchers and literature. (Baxter & Jack 2008). Although qualitative method of collecting data was favored in usage, they have the following draw backs; they were limited by the sensitivity and integrity of the researcher (Guba & Lincoln 2009) and sometimes case studies can be lengthy which can remove the interest of some readers. Apart from that qualitative research, if not properly organized the research may

generate large volume of data sometimes difficult to analyze, time consuming as much time would be needed to conduct interview and focus group discussion and also in transcribing the recorded data.

3.2 Research Paradigm

The research was situated in an interpretivist paradigm with its emphasis on experience and interpretation. Hennings (2005), states that the assumptions of the interpretative paradigm are that individuals are not considered to be passive vehicles in political and historical affairs but have certain inner capabilities which can allow for individual judgment perceptions and decision making. It also believes that any event or action is explainable in terms of multiple interacting factors event or and processes.

In this study interpretive research was employed to probe more on students' understanding of their rights and probably the change in conduct and behaviour. The researcher involved an extensive interaction with the participants during the study through interviews and focus group discussion and it was purely descriptive because of the nature of information which was collected. This method fits in this research because of its qualitative nature. Hennings (2005) states that the interpretative paradigm points to the use of qualitative research method both in collecting and analysing data. The method also helped the researcher to learn more of what students know about children's rights and the responsibilities and the link between the eminent and fast changing conduct and behaviour of students in schools since the introduction of multiparty system in Malawi.

3.3 Research site

The study was conducted in Mzuzu City because of proximity and convenience for the researcher since the researcher stays in the same City, This saved time and money.

3.4 Population and Sample

According to Mugenda (1999), a target population is a complete set of individuals, cases of objects with some common observable characteristics. The study targeted two secondary schools that were one Community Day and one boarding School with mixed and single sex secondary schools, one teacher from each school and ten students from each school making a total of twenty two participants. In each school, equal number of boys and girls were selected.

As for Nachimias and Nachimias (1981), a sample is the target or accessible population that has been procedurally selected to represent it. After the researcher reviewed various techniques used in qualitative and quantitative research, purposive sampling was chosen for this study. To get the sample of schools the researcher used the list of all the names of Secondary School in Mzuzu City and two schools were selected. After the Schools were selected, the researcher obtained the list of students from teachers where equal number of female and male learners were chosen through random sampling for equal representation to guard against gender bias. (Kalenk Garza 2016). Purposive sampling was applied to choose Teachers with extensive experience to give information from the past and the present.

3.5 Data Collection Methods

The study utilized interviews and focus group discussions with the teachers, and students in the sampled Schools. Interviews were done with teachers and focus group discussions with students.

The section details the two data sources used in the study.

3.5.1 Interview

Kamanga, (2012), defines interviews as a conversation usually between two people. In this research teachers were interviewed. The interviews were characterized as being semi-structured because they were open ended and flexible. Semi-structured interviews, generally starts with some defined questioning plan, but pursue a more conversational style that may see questions answered in an order merely natural to the flow of conversation. The interviewee on the other hand has freedom to say whatever comes to mind (Cohen and Manion, 1986). The interview used an interview guide which the researcher developed.

From the interviews the following questions were presented and answered by the sample;

1. What was the relationship between misinterpretation of human rights and discipline in Secondary schools?
2. What respondents understood about rights and responsibilities?
3. Where the respondents got information on human rights?

4. Which rights were mostly misinterpreted by students in Secondary Schools?

The researcher's main role was getting involved in asking questions, recording down the responses using a tape recorder, phone and writing down responses wherever possible. Even though certain questions were asked, the respondents were given freedom to talk about the topic and give their own time. Expressions like, how why, explain more, any additions, what about it, what else etc., were used to ensure that interviewees provided in-depth responses. The length of each interview varied between 10 minutes to 40 minutes depending on the response of participants.

3.5.2 Focus group interview guide

The study also adopted focus group discussions for students where the researcher was engaged in in-depth discussions through questions as the discussions were being recorded. Kamanga (2012) define focus group discussion as a group of people gathered from similar setting to discuss a topic of interest to the researcher with the purpose of collecting in-depth information about a groups' perception of a given phenomenon. The advantage of focus group discussions is that it brings about an array of rich diverse views from many participants which could not be obtained from individual interview. The major limitation of the method however is that if not properly guided no one would feel responsible to give responses leading to a problem of social loafing (Brabeck and Rogers, (2000).

The following questions were answered during focus group discussion: human rights are often misinterpreted by students in secondary schools and this can cause indiscipline.

1. Explain the link between understanding of human rights and behavior in secondary schools?
2. What are the source of their information on human rights and how effective the information was?
3. Why do students' mostly talk of enjoying human rights not human responsibilities?

3.6. Data Analysis

Data analysis involves organizing, accounting for and explaining the data; in short, making sense of the data in terms of the participants, definition of the situations, noting patterns, themes and regularities (Cohen, Manion and Morrison, 2005). Data from both interview and focus group discussions was subjected to open coding and analytical technique. The recorded data would initially be transcribed in the original language and verified for accuracy and completeness after which they were to be translated to English by the researcher. Content analysis was carried out by the researcher to analyse the data. Weber (1990) define content analysis as a systematic research method for analyzing textual information in standardized way that allowed evaluators to make inferences about that information. The author further explains that content analysis is a systematic; replicable technique used to compress many words of the text into fewer content categories based on explicit rules of coding.

Stake (1995), defines coding as a process of dividing or segmenting data into topics or categories. The different colours would represent different themes. The coding procedural assisted in reducing and categorizing large quantity of data into more meaningful units for

interpretation. Inductive qualitative content analysis was used in an attempt to produce a detailed and systematic list of categories arising from the interviews and focus groups. (Miles & Huberman (1994). In this case the researcher reviewed all transcript carefully that was the transcript were read to understand the picture that would come out, then read again to get the main ideas that were coming in relation to the research question. The text that appeared to describe each category was highlighted. Names were assigned to these ideas; this name would be a code, at the end there was so many ideas. Similar codes were grouped under one group name which formed themes. The researcher used guidelines identified by Atkinson (1998), to prepare the quotation in the result. The guidelines include the use of participants own words while using correct sentence structure and paragraph form, using standard spelling for words rather than how they sound, deleting unnecessary words and editing for readability while maintaining the original meaning. This procedure allows omission of the researcher's questions and reorganization of certain words so that related subject matter remains together. Finally, the data collected was analysed manually through the computer.

3.7 Issues of Trustworthiness

Credibility reflects the degree to which the results of the study are factual and is an indication of whether they truly reflect the goal of the research and the social reality of the participants (Hollaney & Wheeler 2002). To ensure credibility I had prolonged engagement of about two months in the focus group discussions and individual interviews. Credibility was also realised through triangulation, whereby the researcher employed two methods of collecting data that's focus group discussion and interviews in order to get true information on the topic. The triangulation helped the researcher to have enriched information as well as crosschecking the information gathered.

Dependability shows that the findings of the study are consistent and could be repeated if someone conducts the same study (Shenton, 2003). In the study, focus group discussion and interviews were used so that one method could cover the weaknesses of the other. The students willingly participated in the study. The learners were very active and were able to express their views with open minded. Those who were finding it difficult to speak in English were encouraged by the researcher to speak on the language they were comfortable with.

3.8 Ethical Issues.

The following ethical considerations were taken into account during the study:

The need for approval of the research proposal by the Mzuzu University was essential and mandatory to give validity to the document and to show that the study was according to approved research standards and practices. Before conducting the study in the schools permission was

sought from all relevant gate keepers. The permission was sought from the Northern Education Division before having entry into schools. In all Schools, permission was got from Head teachers and all the respondents were informed. I made sure that I explained to all the participants about the importance of the research as a way of seeking consent. The researcher ensured that participants participate in the research without being forced. According to Creswell (2010) Informed consent is important in any research. Observation and maintenance of confidentiality was vital, especially for participants who would like to remain anonymous for either official or personal reasons, for fear of reprisals or otherwise so pseudonym names were used instead of real names. MacNeil (2003), writes that the respondents have the right to privacy.

Chapter Four: Data Analysis and Presentation of Findings

4.0 Introduction.

This chapter presents the findings that was collected during the exploring of potential link between Students' understanding of human rights and behaviour in Malawian secondary schools, a case study of selected secondary schools within Mzuzu City. Based on the data generated during the interviews and focus group discussions, a number of categories were generated which were further put into major themes that explain the interpersonal, intra-personal and social environmental factors which influenced human rights understanding on students' behaviour. The findings were discussed using the theoretical framework as a lens, which helped in understanding my respondents on how they perceived human rights. The anonymity and confidentiality of the participants in this study was considered, so each participant was given a pseudonym that was letters A and B for two schools respectively. AS1 and BS1 were students in schools A and B respectively. Table 1 shows schools, teachers and students who participated in the study.

Table 1: Summary of participants

School A	School B
Teacher AT1	Teacher BT1
Teacher AT2	Teacher BT2

Students	Students
As1	Bs1
As2	Bs2
As3	Bs3
As4	Bs4
As5	Bs5
As6	Bs6
As7	Bs7
As8	Bs8
As9	Bs9
As10	Bs10

The findings of the study reflected the responses from the following questions:

1. What did students understand about their rights in secondary schools?
2. What were the nature and sources of information regarding human rights among secondary students?

3. What was the link between students’ understanding of human rights and their and behaviour?

The results from focus group discussion and interviews were presented with the themes which came out from the research questions. This section provides themes, category, and sub category that were found during the data analysis in order to understand the link between students’ understanding of human rights and behaviour in secondary schools in the northern education division. The analysis generated four themes and twenty categories. Theme 1 examined students’ understanding of human rights. Theme 2 explored students’ views on rights and responsibilities.

Table 2: Themes and Categories of Human Rights

Questions / Themes	Students’ Responses
1.examples of students’ understanding of types of human rights	<ul style="list-style-type: none"> -Freedom of expression -Right to liberty -Right to education -Right to access information -Right to association -Right to dressing

	<ul style="list-style-type: none"> -Right to religion -Right to relax
<p>2.Students views on rights and responsibilities</p>	<ul style="list-style-type: none"> - Responsibilities are for people above them - are Ignorant on responsibilities. - deliberately ignore irresponsible

From the responses it was observed that students knew that rights were entitlements and they were able to mention the types of rights which they knew but had poor understanding of the responsibilities attached to human rights.

Sources of information regarding human rights among secondary students

This section presents the findings on students sources of information on human rights in order to explore the topic of the potential link between students' understand of human rights and behaviour. The summary of the sources of information have been presented in the table 3 below.

Table 3. Shows Students' sources of information and frequency

Students' sources of information	Frequency
Teachers	16
Peers	18
Media	9
Organizations	18
Community	6
Church	3

On the students sources of information on human rights, 16 students out of 20 indicated that they get information on human rights from teachers, 18 students out of 20 indicated that they get information from peers, 9 students indicated that they get information from media, 18 students

said they get information from organizations, 6 students indicated that they get information from community and lastly 3 out of 20 indicated that they get information from church.

Table 4: The link between students understanding of human rights and behavior

Case	Student's reaction	The link between students understanding of human rights and behavior
<p>□ One day, a student was listening to music in class, using earphones while the teacher was teaching. He was told to go out and wait for the decision of the administration on what punishment to be given. He was suspended from school for two weeks.</p>	<p>The student said teachers had violated his right to education because two weeks was too much for him to be out of class.</p>	<p>Students' are not allowed to bring phones in public schools. Therefore bringing phones in class and listening to music in class is breaking school rules. Yes, he had a right to education but he had to be disciplined on that.</p>

<p>□ One time girls were caught watching pornographies in the hostels. They were suspended from school, and the head teacher advised us to search their bags and they found that many girls brought phones from their homes.</p>	<p>They said we had violated their rights to access information, as one student was quoted saying “uku nkutiphwanyila ufulu wathu, aona!”</p>	<p>As already said above students are not allowed to bring phones at school and worse still, they were not accessing the right information but watching pornographies. This is indiscipline. Student hide behind their rights for their wrong doing.</p>
<p>At a certain boarding schools student were given beans while the menu indicated that they were supposed to eat meat on Wednesday. Students started demonstrating and vandalizing school property</p>	<p>They justified it that they had right to freedom of expression saying that, that was the only way that their grievances could be heard</p>	<p>Students are supposed to negotiate with the administration peacefully or ask why it has happened like that. In this case students did not express their rights in a right manner otherwise it is indiscipline. Worse still, some of the parents of those who were suspended reported to some organization and students were called back before the</p>

		period of suspension. This made students to look as if they had some powers over the teachers and it's very difficult to control students in schools.
One student was told to go out of the classroom because she was making noise disturbing others in class.	The girl refused to go out saying she had a right to be in class to learn.	When students make noise in class without mindful of others, it is indiscipline because the right of others to learn is violated. This is in line with the natural scholar of four school of thoughts which stipulates that when enjoying rights, ensure that rights of others are also respected.

From the table above, we see students reacting differently. In general when students does something against the rules they tend to hide behind their rights, especially right to education. However students misuse their rights because they hid behind their rights without realizing that there is a limitation in how they can exercise these rights.

4.1 Students understanding of Human Rights

Respondents were asked to explain what they understood about human rights as enshrined in the Constitution of the Republic of Malawi and the United Convention on the rights of the child. Students knew very well that every person including themselves had rights which they had to enjoy without being interrupted by anyone because it was their entitlement. These rights influenced their behaviour. In this context **Student AS1** was quoted saying:

Human rights actually in my understanding is an entitlement that everyone must have and as students we know that every person must have rights to live, right to liberty and right to education. So especially on aaah let me just give an example on right to liberty like, we know that every person has freedom like to walk and go anywhere, everybody should be able to have access to watch or co-social services but let me say this that right to liberty is making most students go out of bounds. They say if teachers find them hanging around town the teachers will say students are out of bounds, students will go like, I have the right to liberty but then we are forgetting our responsibility as students to seek permission first before going out.” How did you make sense of this quotation?

4.1.1 Freedom of Expression

The study found out that students felt that they had the freedom of expression and had the mandate to do anything like making noise in class without being mindful of other students and

when they were told to stop whatever they were doing; they said it was their right. This was indicated by **Student BS3**, who said:

“Ya!ya! Human Rights can actually cause indiscipline especially in Secondary Schools in the sense that once one knows that he/she has rights claiming that you can do anything you like for instance you can choose to make noise in class instead of listening actively to what the teacher is teaching, by doing so it is a case of indiscipline.” **Student AS4** added that:

“Some students tend to misunderstand freedom of expression. They misinterpret it in the way that, if they want to express their views to others instead of doing it in a proper way they start destroying school property”

In the same vein, the study found out that many students felt that teachers did not respect their right of freedom of expression because they forbade them to speak vernacular language at school and forced them to speak English which was very difficult to them.

Student BS3 had this to say during our discussion:

“Ife timadziwa kuti tili ndi right to freedom of expression oti titha kuyankhura language iliyonse koma amatikakamiza kumayankhura English ndiye timalephela kucheza momasuka ndi anzathu nde tikaona aphunzitsi timayankhulira dala chitumbuka or Chichewa chifukwa ndi ufulu wathu kutero oti munthu sangatiletse. Zimenezi zimabweletsa ma indiscipline pa school pano, chifukwa timakhala tikuphwanya

malamulo omwe anaikidwa pa school pano kkkk eh” (we know that we have the right to speak in any language because it’s our right but teachers force us to speak English which makes us not to be comfortable when chatting with friends so when we see teachers coming we deliberately speak vernacular, this causes indiscipline because it means we are breaking school rules)

It was also found out that students because of their rights, they felt that demonstrations were a healthy forum through which ideas could be exchanged and grievances could be voiced to the authorities of the school. This was as indicated by **Student BS8** who said:

“Let me add on freedom of expression. “In 2016 we had our financial problem here and this financial problem denied us having adequate resources especially in terms of food and that made most of the students to be furious because they were not given the proper diet which they deserve to be given and it was I guess.... It was on what? On Thursday when we had aaah! A few bags of flour and a few bags of rice, so it was demarcated that the girls were going to be having rice but then boys were going to be having nsima because we had few girls compared to boys. (Laughing) so instead of students negotiating with the administration the boys went to vandalise the school because they knew that they had freedom of expression to expressing their concern but then it wasn’t a right approach. So misunderstanding of freedom of expression is what made vandalism of the school in 2016.”

Freedom of expression was seen to be mostly not understood by students according to the findings.

In addition **Student BS7**, said:

“I do not have any valid reasons why I am in school. I would have left school way back but because my parents continue forcing me to come here I have no better thing to do in class other than noise making. I know that noise making disturbs those who are ready to learn but with this democracy, what I can do is to make noise in class. I know it is against school rules and regulations to do that but on the other hand I know I have the right to do what I want at a time I want ndiye I make noise so as to make my time go. Ndimafuna ndizipanga business ine school imangotichedwetsa. Kkkk! (laughing).” (I just want to be doing business; school is just a waste of time).

Teachers violate students’ right to be heard and it so happens that we are in class and we have complaints and if we try to report to teachers they usually say “What can you tell us? We are going to do what we want? What we know. In this way our rights are violated by teachers.”

Student AS5 said:

“Here at our school, teachers do not involve us when formulating their rules and regulations to be followed at school; they just come to say these are our rules, just imposing on us. It could be better if they were involving some students like prefects so that we could also share our views on some of the rules. Ali ndi timalamulo tawo tina tosakhala bwino (they have some rules which are not good at all) very strict rules that’s why amaona ngati anafe pena pake tikuvuta chifukwa sitingawatsutsenso (That’s why they say students are troublesome somehow because we can’t question them). In this way

our freedom of expression is violated. On the same freedom of expression students said sometimes teachers punish them without asking them what really happened or the cause why one has done that particular thing.

This was as quoted from **Student AS3** who complained that:

“ One time I was sent back from school because of coming late, I tried to explain why I did that but teachers on duty just sent me back and told me to come early the next day. Koma ndinachedwa chifukwa amai anga amadwala nde ndimagwila kaye ntchito. (But, actually I was late because my mother was sick and I was doing some household chores.) sanandipatse mpata oti ndifotokoze eee! Apa they violated my right to freedom of expression and right to education. Students complained that this happen many time and in many cases. They said they were not given a chance to explain when something comes up, therefore they end up being punished without any apparent reason.

4.1.2 Right to Liberty

It was also discovered that little understanding among students on the Right to Liberty, also influence students' behaviour. This was shown through the response of **Student AS4**, who said:

“One of the rights that many students misunderstand was the right to Liberty. Let me just give an example on this right to liberty like we know that every person has freedom to walk and go anywhere, everybody should be able to have access to watch or co-social services but let me say this, that right to liberty is making most students go out of bounds. They say if teachers find them hanging around town and teachers asks them why they are

found there without exits, students will go like, I have the right to liberty why should I ask for permission to go out but then we are forgetting our responsibility as students to seek permission first before going out. aaa! This is causing a lot of problems madam,”

4.1.3 Right to Education

On this right, students explained very well that they knew that they had right to education and it was emphasised very much, however the research discovered that this right was mostly misunderstood by students. For instance **Student BS3** said:

“Most of the times when it comes to class issues, they tend to be making noise all in the name of being in class while the teacher was teaching and if a teacher intends to send them out or to give them a punishment or suspending them for any wrong they had done, they said that, they can’t be suspended or be punished because they had a right to education so if they were suspended it meant their right to education had been depilated from them.”

But in real sense this was a misuse of right to education because they were supposed to be responsible for their rights and not misusing them. Another example that **Student AS7**, gave was that:

“Each and every school has a fixed time of going to school but some of the student don’t abide with this school rule, they come to school late, so going with the school rules, students were not allowed to go in because they were late but students don’t bear with it instead they start chaos saying it’s their right to education and they were supposed to go

in class in anyway, but it was not supposed to be like that because they are late so despite being their right to education, but they should also respect the school rules.”

The research found out that although students misinterpreted rights, they were free to do anything without any obstacles but there were also some of the rights which were mostly violated in schools. This was shown through the responses of students. For instance, **Student**

AS5 said:

“Sometimes it so happens that some teachers miss their classes and when we go to the staffroom to check on them we discover that they are not there. Later on they come to say we should have a makeup class! But the challenge now is that the time they have makeup classes we are committed with other things so in this way teachers violate our rights to learn because when teachers fail to teach the class at a set time they are violating learners right to education”

To add on that, **Student BS6** commented that:

“For example there is right to education which says every child has to be educated and it so happens that such rights as these are greatly violated by teachers in the sense that sometimes when a student misbehaves in class he or she is sent out of the class and given punishment. I personally feel that this is wrong because we have the right to learn and as such therefore teachers need to give us punishments after classes’.

4.1.4 Right to Access Information

The study revealed that students felt that children had the right to access any information which was very correct but students abused this right because in Malawian public schools students are not allowed to be carrying phones at school, because they used them for other purposes rather than accessing information for their education. For instance students sometimes listened to music in class using earphones while the teacher was teaching and sometimes they were found busy showing each other pornographic pictures from the phones or magazines while the teacher was teaching in the name of accessing information this was indicated by Student **BS6**, who said

“The other thing is okay, I thought that everyone has the right to access information and as Malawians we have the right to access information but the school rules do not allow us to bring phones at school because instead of accessing information, students use the phones to communicate to their boyfriends or girlfriends especially to boarders this is an indiscipline case.”

In terms of respect the research found out that, in terms of respect there was a great need that students needed to respect elders and these included teachers. But nowadays students have no respect for elders; this conquers with the response of **Student BS10** who said:

“My understanding is that learners are rude mainly because of democracy and freedoms and this other thing mmmmm what is that? Democracy they say empowers us to exercise freedom of association to the maximum as such learners usually bring phones to school and sometimes they put headsets in class and they listen to music. These conducts can

bring indiscipline in school because when teachers grab the phones most students plan to fight them on the way. But I personally feels that grabbing their phones is the best strategy because during prep most learners who have phones do not read but rather they just listen to music.”

4.1.5 Freedom of worship

Freedom of worship was a principle that supports the freedom of an individual or community, in public or private, to manifest religion or belief in teaching practice, worship and observation without government or anyone influence or intervention. This freedom of worship seemed to be misunderstood by many students as **Student AS9** said:

“It has been found out that these days the power of Satanism has taken over in schools, more especially boarding schools, so due to this we are advised by our parents at home to be praying harder which we understand is good but it must be done at the right time, however it has been shown that students have taken advantage of this freedom eee! Instead of praying at the right time we extent the time up to class or prep time and then we miss classes or prep, when questioned, students say, they have freedom of worship forgetting kuti they are also violating ma school rules. This we can say is indiscipline”

4.1.6 Right to freedom of dressing

Wearing a uniform was a badge of pride, creates an identity for a school and was an important part of being a student. Uniforms gave students a sense of belonging to a particular school and created identity for the school in the community. A school uniform teaches students to dress

smartly and take pride in their appearance; however the research found out that students put on these uniforms in the way they want, for instance **Student BS3** said:

'Most of the boys these days they come to school with their trousers too low showing the underwear's which sometimes are not even clean kkkk madam (laughing). And even the girls they come to school wearing Mini-skirts and these conducts make their friends to lose concentration. They rob their friends right to education because instead of learning they will be busy watching what their friends are wearing'.

These scenarios negatively affects their friends concentration who instead of paying attention to what teachers are saying lose focus and in the long run miss what the teachers intend to teach them.

4.1.7 Right to Freedom of Association

The research also discovered that freedom of association could lead to children to learn inappropriate behaviour from one another. For instance **Student AS6** was quoted saying:

"Most students tend to misunderstand especially the right to association, they tend to group themselves in bad groups. Ana amati titha kupanga associate koma ma associations awo are not good, they teach each other bad things, like this other time teachers were searching students' bags in the hostels, they found chamba (Indian hemp), sachets phones and the like. Students were expelled but when their parents reported to organisations, they were re-admitted."

On freedom of association a student from **School AS5** said:

“We have specific time of doing things here at school but since we have freedom of association which allows us to associate with anyone, it means we don’t have to be outside chatting with friends during class times but we misinterpret it to say by making our own time which is actually not the right time to be chatting outside instead of attending classes”

4.1.8 Right to Relax

On this right, Student AS5 said:

“Yaa misunderstanding of human rights has brought a lot of indiscipline in schools these days and aaa! Eti democracy, in the sense that students say they have the right to relax or leisure so they stay at home eti relaxing forgetting that they are missing a lot here at school, but when they are punished they start shouting at teachers. Sometimes when they are in class and the teacher is coming, they just go out without asking for permission eti chifukwa phunzitsiyo samamufuna (they hate that teacher) but we forget that, that is our future.’ Sometimes they stay in class but they just make noise disturbing others who wants to learn but when the teacher is telling them to stop or to go out, students start answering back rudely, kkkk makamaka kwa a zimadamu eee!”(Especially to lady teachers)

4.2 Students' views on Rights and Responsibilities

This theme examines what students already knew and understood about their responsibility in relation to their behaviour in schools. Six categories were established in this theme and these are; responsibility are for people above them, they are ignorant about them, right have no responsibility on them, respecting teachers, attending classes and studies, coming to school in time.

4.2.1 Responsibilities are for people above them.

The responses of the participants showed that students knew quite well that rights go with responsibilities but their thinking was that responsibilities do not apply to them but only enjoying their rights. For instance **Student BS5** commented that:

“Oh! Infact the word responsibility or “udindo” when we hear about it most of the times what we think is that responsibility is for older people. Yaaa! Only that when we Younger ones hear about responsibility we think that it is only for older people above our age like our parents and teachers. You know responsibility is a big word kkkkkkkkkk so we take it as for only older people.”

On a similar note **StudentAS3** from said:

“Anaso amakhala ndi udindo? Ndimayesa inu aphunzitsi ndi omwe muli ndi ma responsibilities on rights not us?” “This shows that students do not know that they also have to observe responsibilities in the course of enjoying their rights.

4.2.2 Ignorant on responsibilities

On Ignorance students pointed out that they were not aware that they can be punished or penalised for exercising their rights because they knew that there were a lot of rights which protect them but they did not know that they also had to be responsible students.

Student AS7 said:

“Madam ine sindinamvepo kuti ma rights athu alinso ndi zinazake kkk (madam,I have never heard that rights have ... something’s)

4.2.3 Irresponsible

The study indicated that some students knew that rights go with responsibilities but they deliberately ignored responsibilities because they wanted to show that they also had some certain powers. This was shown through responses of some students.

For instance **Student AS9** said:

“We know that we have the right to education and the responsibility to attend classes, respect teachers, coming to school but we don’t respect that, timaona kuti ngati tili ndi ma rights athu nafe tili ndi timphamvu tina take pa school pano.(if we have our rights, it means that we have some powers at this school).

On the same, **Student AS7** was quoted saying:

“Students know that if they misbehave at school, like stealing, speaking obscene languages, fighting and teachers punish or suspend them from school, their parents will go to some organisations to sue the teachers and they will be fired kkkk timauzana zimenezi tu”(we tell each other these things) student As7 further said” Yes, we can say we have the right to learn , so when teachers miss classes students talk behind their back and sometimes even write letters to the head teacher so as to report them. But initially it is expected that monitors have to be the first to approach form teachers to find out why he/she is not coming to class, it might be adwara (is sick), then later to the head teacher.

But they say they have the right to go anywhere and report whatever they want.”

(Laughing) aphunzitsi nawo penapake amabowa kumangocheza or kumwa tea mu

staffroom (sometimes teachers are also boring, they just stay in the staffroom drinking tea or charting)

4.3 Teachers views on students’ rights

Human rights are indeed often misinterpreted by students in secondary schools and this is causing a lot if indiscipline. During an interview **Teacher BT1** revealed that students don’t understand the concept of human rights, therefore teachers face a lot of problems because of this.

She said:

“Human rights is indeed a cause of many problems on students especially here in Malawi as a social studies teacher, I teach human rights but still more I have blame on them just

because am trying to compare the aaah! With the previous education which we used to have here in Malawi where students respected teachers not this time. In those days we had the Government where human rights were not emphasised but schools were moving very well and students were well disciplined but these days, because of human rights, students are saying, if they are punished, you have violated their right to education. Students say they are not supposed to be punished whether by beating or giving something to do with disciplining them.

So they take advantage of that and indeed it's a problem because many students are very stubborn. And because of these organisations which deal with human rights like the office of Umbuzman where by one can go to complain. These students are taking advantage of that just because they know kuti if they are punished, they have somewhere to go to report that their right have been violated and teachers can be sued. Eeee! This brings a lot of problems because teachers are working with fear.”

The response of teachers showed that students seem not to be aware of the importance of rules at school because most of the times students did things which were contrary to what the school expect them to do, they were very unruly. For instance when there was an issue they did not wait to discuss with the responsible people but rush to vandalise properties. This issue was also raised by **Teacher BT1** who explained that:

“Students these days do not understand how to exercise their rights; I think they are not aware that as they are enjoying their rights, they also have to respect the rights of others. For instance our school is a mixture of boarding and day, so when may be the food has

not been prepared well ku kitchen or they just don't like the food, students will just start shouting and destroying things eti it's their right to eat good food.

This include the boys who are not boarders and are not concerned with the food at the kitchen because them, they eat at home. Students act in this way without negotiating with teacher to see what can be done or sometimes they do this while they have not even completed paying school fees, nde zakudyazo agula bwanji kopanda ndarama (How will the school sustain their needs in terms of food without money?)

Teacher AT2 complained very much on students' rights they said:

'Ee! A lot of rights are abused here, what happens is that, students do not actually relate their rights with responsibilities. These days' students have no respect for teachers and elderly people with these issues of democracy and rights. Parents are also in problems, l tells you. Just imagine, every young child coming at home very late at night but when asked, they say "don't disturb me, just mind your business this is my right" student even come to school drunk or carrying sachets of beer'.

Teacher AT1 further said: students were taught about human rights in social studies subject. There were several topics on human rights and responsibilities in the syllabus but most of them emphasises on rights not responsibilities. She said:

"Of course we teach about responsibilities though not much but students tend to ignore them which is bad. And also these days we teachers teach with great fear because we are

afraid that students will rise against us because of their right, unlike in the past before the multiparty type of government, when students used to respect teachers and elderly people”

4.4 Nature and sources of Human Rights Information

When students were asked to indicate the sources of human rights information, they came up with six sources and they were: Teachers, peers, media, church, organisations and communities.

4.4.1 Teachers

Respondents (students) when asked about their source of information on human rights they indicated that teachers were among their sources of information on human rights. From teachers in class as explained before that human right was taught in social and development studies but the information was not enough as the researcher observed. It was learned from social studies **Teacher AT2** that students were taught about human rights and responsibilities in class but only that students select only the rights that they can use to threaten teachers. For instance students used abusive languages to their fellow students as well as to teachers saying this was freedom of expression. **Student BS2** also said:

“I see to it that we learn more about human rights from teachers, but we copy and learn more about human rights from our friends just because most of us do not have access to Media or Technology so because of this we learn most of the things from teachers as they teach us various aspects through subjects like social studies, the teachers tell us that

Yaaa! So it happens that most of the students choose only rights highly disregarding responsibilities.

However the information that teachers teach is not enough because we as students we have human rights. But the way I analyse teachers teaching they just do it partially mainly emphasizing on those aspects which they regard as a little important to us only those which they regard as beneficial to them and it so happens that they are only emphasizing on such things as we as learners we need to respect them ya!ya!ya!. They I do not explain most factors well.

4.4.2 Peers Pressure

On the influence of peers, the researcher found out of that peer pressure was the most influential source. Students said when they are chatting or playing with friends at home or school, they tell each other that they had rights but they really do not know what they are. For instance, **Student AS3** said:

“monga mzathu akamakalipira makoro ake kuti mwina wabwela mochedwa pakhomo or a phunzitsi ku school timati asamakutero, ife tili ndi ufulu wakuti, wakuti apopo chonchi akuphwanyira ufulu wako”

(When our friends have been shouted at by parents or teachers we tell them that in doing so, teachers and parents had violated your right but we don't know which right. We cheat each other) the rights that they mentioned were right to food, right to come home late and many more. However they fail to differentiate between a right and a privilege.

4.4.3 Media

The study also revealed that student get information on human rights from the media like radios, magazine and television but they said in these sources they don't talk about responsibilities but only child protection. As one **Student AS4** said:

“Nkhani za Human rights timamvera kwambiri mma radio ndi ma television but timawelenganso mma newspaper koma ngati amatchulapo kuti anafe tili ndiudindo ayi!”

4.4.4 Organizations

The two focus group discussion pointed out that they got the information from organisations through public campaigns as **Student AS5**, said:

“We also get information through public campaign awareness by institutions and organizations that promote human rights. These organisations conduct workshops where they sensitize people on Human Rights; they talk of both rights and responsibilities. We also get information from other sources like media when we go home.”

4.4.5 Community

Students explained that some of the information of human, rights was known from their communities. They said when sometimes they were punished by teachers at school, our parents tell us that teachers should not treat us in such away because we are protected by our rights as **Student Bs7** said;

‘Tsiku lina ndinaweluka mochedwa atandifunsa amai l said ndimagwira kaye chibalo chifukwa timalongolora m’class, nde anati asambizi awo wakumanya kuti mungakawanenela kumabungwe? Muna ufulu winu tu mwawana lero’”(I had a punishment for making noise in class then my mother said, do those teachers know that you can report them to some organisation and they can land in hot soup, do they know that you have rights)?’

4.4.6 Church

Students were quick to say some of the information of human rights was heard from their pastors in church this was shown through the response of **Student BS6** who explained that “sometimes we hear about our rights from our pastors when they are preaching. He said sometimes pastors would say:

“Makoro tiyeni tisawaphwanyire ana ufulu wao, tisaiwale kuti anawa ndiotetezedwa ndiye tisamaapangire nkhanza atha kukatisumira ku mabungwe” (parents’ let’s not

violate children’s rights because children are protected by their rights and they can report us to some organisations)’. ”

4.5 Conclusion

The findings of this study showed that there is link between students’ understanding of human rights and behaviour due to misconceptions that they have on human rights. Almost all the students interviewed understood that human rights granted them freedom to do whatever they

wanted disregarding the responsibilities that were attached to them, that's the reason why indiscipline continued to persists despite the researches that had been conducted and the recommendations made. Students misbehaved because they knew that they had their rights which protected them, therefore teachers felt that they had less powers over students.

Chapter Five: Discussion, Conclusion and Recommendations

5.0 Introduction

The previous Chapter presented the findings of this study, themes and their categories of the data collected. In this chapter the findings are discussed according to research questions. The chapter further outlined summary of the findings, conclusion, and recommendations for the study. The link between secondary school students' understanding of human rights and behaviour is discussed in the light of the literature reviewed and the theoretical framework.

5.1 Understanding of Human Rights

Research question 1: What do students understand about human rights in secondary schools?

Respondents were asked to explain what they understood about human rights as enshrined in the 1994 Constitution of the Republic of Malawi and the United Convention on the rights of the child. Students were quoted that they were aware that they were entitled to their rights. Eight categories of human rights were established and these were right of expression, right to education, right to liberty, right to access information, right to freedom of association, right to freedom of dressing, right to relax and right to freedom of worship. These were the rights that many students mentioned that they had to enjoy, that made them to indulge in several indiscipline activities. Students further said they knew very well that every person including

themselves had rights which they must enjoy without somebody disturbing them because it was an entitlement.

According to the findings of this study many students in secondary schools had wrong perception when it came to understanding of human rights. They failed to connect their rights with that of others. Lack of proper understanding remained a critical factor amongst students. Human rights involve responsibility and duties towards other people and the community at large. Individuals, including students often have a responsibility to ensure that they exercise their rights with due regard and respect for the rights of others. For example, exercising freedom of speech should not infringe on someone else's right to privacy.

The study revealed that over three quarters of students interviewed were unaware of the existence of the Constitution. Findings on whether they have the Constitution indicated that teachers and the majority of students had little knowledge of the fundamental Human rights as entrenched in the Constitution. The Constitution of any nation as it is the highest legal frame of reference in regard to law and rights including Education laws. This was also observed in Nigeria as Akiri (2003), Enaohwo and Eferakeja (1989) observed that education laws are defined as a range of rules and regulations guiding the operation and administration of schools. The Federal Constitution of Nigeria in 1999 contained the fundamental human rights of all Nigerians including students.

To avoid the breakdown of law and order, violence, anarchy and indiscipline in the school setting, it was important that both students and teachers needed to know their fundamental human right as stipulated in the Constitution. The fundamental human rights were equally

referred to as bill of rights, civil rights and the civil liberties. These were legal and constitutional protestations of individuals against government and other institutional powers including the school environment.

Findings on the awareness of the fundamental human rights showed that many of the students in secondary schools in Mzuzu were not aware of their rights. Despite that these were entrenched in the Constitution, a good number of teachers were aware that there were human rights in the 1999 Constitution but there was no dissemination of the constitution. This was in the light of these rights especially in the area of students' discipline so that teachers as well as students do not infringe each other's rights. Nwagwu (1987) alluded to the need for education workers to have an understanding of the constitutional rights of the citizens including students.

5.2 Sources of Information on Human Rights

Research question 2: What are the sources of information on human rights among secondary students?

This question examined the source of information on human rights students have. Six categories were established in this theme and these were; teachers, peers, media, church, organizations and the community.

From the results most learners said that their main source of information on Human Rights were teachers. They indicated that they learned a lot of information about Human Rights from their teachers in subjects like Social and Development Studies which comprises broader topics

tackling the subject of Human Rights. From this perspective as learners they were able to know some of their rights and responsibilities as indicated in the subject content of particular subjects. For instance they learned about freedom of expression as one of the human rights for students however one of these rights was regarded an entitlement to them.

In another development indicated that they taught students about both rights and responsibilities but students shunned away from their responsibilities saying that their rights were dominant over responsibilities. This came about mainly because of the abolition of corporal punishment in schools. Other teachers reported that students sued teachers who claimed to have their rights abused by those teachers. These developments hindered teachers' empowerment and greatly increased indiscipline cases in schools. These findings were in line with those conducted by the University of S.A in collaboration with schools in Nigeria. Some teachers revealed that they were unable to create a disciplined school and classroom environment because the learners claimed that they had constitutional rights, which left principals and educators powerless. (UNISA 2007).

Munthali, G, C (2012) pointed out that the coming in of democracy had brought along various new developments amongst which were human rights issues among school going students. Although such developments were good for the nation in the sense that they have managed to eliminate brutal conduct of teachers towards learners. The tendency has led to decreased educational standards in Malawi. On the other hand such developments have led to more conflicting situations amongst students, teachers, parents and the community at large. From the analysis it has been discovered that most learners rely on information provided by teachers mainly because most of them do not have access to media and technology which would broaden their source of information.

Having limited information made the students unable to expand their knowledge to be aware of their core responsibilities of the entitled rights. Howe and Covell (2000) study discovered that school was a major social institution responsible for socializing the youth providing information with regard to their rights. Young people who spend a great deal of their time in schools share power in matters that affect them. Howe and Covell, (2000) however discovered that the realization of these participatory rights of school children is one of the most difficult challenges of the Convention of human rights. The challenge mainly lies on the fact that in most African schools the curriculum is not so well developed to impart knowledge with regard to human rights. However meeting this challenge may not be difficult in some countries such as the United Kingdom where the school curriculum for citizenship education emphasizes the development of skills of participation and responsible action.

In some of these countries it has been found that participation by young people in the society's activities not only contributed to building civil Society and strengthening democracy but it also, added to other benefits and fosters learning and enabled students to build life skills (Selwyn, 2003). As such, there was need for a great deal of sensitization, implementation and accommodation of human rights in schools in order to successfully have the operational students have access and input on human rights issues.

On the same note some learners reported to say their main source of information was church organizations. They were able to hear about rights and responsibilities from church announcements when at certain incidents pastors emphasized on the impacts of misuse of human rights. On this category the study found out that some students heard about Human Rights at one of their churches in town where the pastor in the course of his preaching indicated that most of

the youths nowadays were going astray mainly because they were in a position to misinterpret their human rights. He said their core focus was on human rights other than responsibilities.

These findings were in line with those of Okoye, G. (2010) whose study in Nigeria revealed that one of the main sources of information about human rights amongst school going students was the church. In his findings he stipulated that various church organisations across the country worked hand-in-hand with other faith based organisations in the quest for spreading and unveiling human rights amongst the youth. This was so mainly because the church was one of the organizations which accommodates large population of youths in the world especially in developing countries henceforth acts as a good platform for disseminating information about human rights. However these findings contradict those of Berger (2000), whose study conducted in United Kingdom revealed that the church does not play a crucial role in spreading Human rights issues amongst the youth mainly because most youths are not found in the churches henceforth the church plays a minor role in disseminating information with regard to human rights issues amongst the youth may be because of their high literate rate unlike Malawi.. However, the church's importance cannot be fully denied in the sense that though the church a few numbers of youths still play a role in spreading information on human rights issues.

5.3 Students understanding of human rights and responsibilities

Research question 3. What do students understand about human rights and responsibilities?

This theme examines student's understandings of human rights in relation to their responsibilities in schools. Four areas were established in this theme and these were:

- Students thought that they did not have responsibilities for their behaviours but people above them have.
- They said they were ignorant about their human rights,
- They thought human rights had no responsibility on their behaviours,
- Their understanding of human rights sometimes influenced them not to respect teachers,

The research discovered that some students knew quite well about their responsibilities over their rights. However, the main challenge was how to exercise their responsibilities. To most students the term responsibility meant activity that has to be done by older people than them. They felt that they were so young to be responsible to other. These findings were in line with those discovered by the University of South Africa (2008) whose study in Nigeria established that increased cases of indiscipline in Schools come along mainly because of the students' denial of responsibilities mainly because they regarded themselves as very young members of the society henceforth they feel they do not qualify to be responsible citizens. These findings were also in line with the responses given by one of the teachers during an interview. He stipulated that learners were taught about being responsible members in both their classes and neighborhood. However the main challenges lied in the fact that many students felt so young to be responsible. Such a perception in students lead to continued misbehaviour and disregarded of other peoples' rights in most secondary schools of Malawi.

On the other hand, the study found out that other students did not know that rights were attached to responsibilities. Consequently as they were enjoying their rights, they also had to respect the rights of others around them. For instance, they did not believe that generating noise in class when the teacher was teaching was violating the right of other students who were ready

to learn. They understood rights as a guarantee to do whatever they pleased. This was in line with what was stipulated in Democracy Consolidation Handbook (2004) that if one had a right to an education; others had a responsibility not to interfere with their education. However, it was observed that the UNESCO (2000) Convention on the rights of the Child, had just focused on what nations should do in order for children to be protected and enjoy their rights little has been said on what responsibilities those rights have. The findings are also in line with thoughts of natural scholars in human rights, which describes and explains the different ways in which people understand human rights and related implications.

5.4 Potential link between Students understanding of Human Rights and Behaviour

Research question 4. What is the link between students understanding of human rights and their behaviour in secondary school?

The question tackled the relationship between students' understanding of human rights and their conduct and behaviour in secondary schools. There is a thin line between term *conduct* and *behaviour* in the sense that behaviour denotes immediate interactions of someone while conduct on the other hand implies a kept record or continual observation of a person (Howe and Covell, 2000). According to the findings of this study, it has been discovered that most students greatly abused human rights and the end result was that they behaved in a way that was very unbecoming in the presence of both their friends and teachers. For example most learners' deliberately wear clothes that do not conform to the standards of the school set up and when

questioned about their conduct, they argued that they had the ultimate right to any dressing. This argument is in line with the theoretical frame work used in the study specifically the protest school.

Interview revealed that learners confuse between rights and what was expected of them as students and as a result there were several Indiscipline cases in schools. This was shown through the responses of some students who complained that they did not like the way their school was run because in most scenarios their rights were mostly violated by teachers other than being respected. Student explained that Teachers expect them to wear school uniform and they welcome the idea because it is the teacher's duty to ensure that students put on uniform but the most difficult point for them was to come to consensus between the teacher and students on how the uniform should look like. Some students prefer to have min skirts uniform while others go for long skirts. The students through group discussions they had with researcher revealed that much as the teachers expect students to be in uniform, the teachers have to leave it open by not limiting them to have the uniform on different styles because they had the ultimate right to choose any style of their uniform as it was their right to choose a style that was comfortable with as long as the colour is the same. The restrictions on the styles makes them to have contradicting views on the dressing code. This results in having conflicting scenarios between teachers and students.

However the findings contradicted those found in Canada in a study done by Darlow (2011), which revealed that dressing amongst school going children was not necessarily a problem in the sense that the school uniforms were sawn according to children's culture. In this context the Canadian culture permits wearing of Mini-skirts. When school uniforms for girls were sawn, they were made in such a way that the uniforms were shorter and since this matches with their

culture there were no contradicting views on the wishes of the girls when mini-skirts were worn because even the boys in that particular cultural setup already knew that their culture permitted wearing of short skirts. Henceforth despite having rights to dressing the way uniforms had to be worn was not an issue in Canada than it was in Malawi where cultural tradition regards wearing of mini-skirts amongst girls as a taboo. In this case, Canada learners are neither affected psychologically nor physically with regard to dressing code. Therefore the way human rights issues were understood and handled varied amongst both teachers and students across the variations in culture. This is in line with the theoretical framework used in this study that different people understand human rights from different perspective.

Students' highlighted that they had the right to freedom of expression. Another example of freedom of expression was in which students indicated they had such a right to talk freely anywhere they wanted. The behaviour had been an issue of discussion in most Malawian schools leading to never ending conflicting scenarios within classrooms because apart from teachers being affected with such a conduct fellow students were also not happy from the development.

Noise making was another behaviour student claimed as their human right. The behaviour in class disturbed those learners who were ready to learn. The study discovered that most of the learners who indulge in noise making were those who performed below average and were deliberately confusing their fellow students with the intention of increasing the number of failures. The findings were similar to those discovered by Rogers (1994), who revealed that most learners who were not ready to be in school greatly violated their human rights by misbehaving at school in the name of expressing their rights. Suhakam (2006), concurs with these ideas by saying that most of the learners who indulged in alcohol and drug abuse in the United States

were mainly those learners who were below average in terms of performance in class. It therefore followed that there was a greater correlation between learner's behaviour and performance.

In most of the schools, it was revealed that most of the trouble makers in class were those learners whose ability was mostly below average. On the other hand those learners who performed better others in class were seen to be well behaved. The study also revealed that in most cases learners who were able to successfully carry out class assigned tasks such as home works and assessments were those who were well behaved and on the contrary those who did not successfully perform class work as expected were the ones who indulged in delinquent behaviours such as alcohol abuse, noise making and rudeness towards teachers.

In another development one girl said that girls have the right to freedom of association as such they indulge in sexual relationship with boys, when teachers advise them to stop indulging in sexual relations they argue that they had the ultimate right to freedom of association and later along they get trapped in situations of dilemma such as pregnancy. Still, after becoming pregnant, girls still had the negative thoughts of saying they had the right to education and consequently they go for abortion to save their image and still remain in school. Such conducts still infringe the rights of the unborn child to life.

On the same freedom of association most students indulge in bad groups like the ones where they teach each other unbecoming behaviours such as smoking and drinking beer. When discovered with items like sachets for beer, students get angry and they usually complain that their rights are being infringed upon. For instance, sometimes at a certain periods within the term students' hostels were searched and it was a trend that items like beer sachets and cigarettes were

usually found in possession of students. When such items had been grabbed from them the students complain that their rights had been infringed upon, this usually came about because the students luggage were searched by teachers without their prior knowledge, for example this usually happens during class schedules when all students were in class and because of the human rights issues most students argue that touching and opening their luggage in their absence was abuse of teachers authority and an escape goat to power exercise. However, it is important to search learners bags and withdraw all the unnecessary materials they poses because this is the only way for dealing with such hidden cases in secondary schools is with the intention of eradicating the bad behaviours amongst learners.

Students indicated that teachers infringed on their rights. For example they narrated that as students they had the right to education however teachers infringed their rights by imposing tough rules in the learning environment. For instance, learners were instructed to come to school by half past seven, others came from very far distances and upon reaching the gate they were denied entry by the gatemen because the gates were locked. Learners felt that it was total torture because some students had to walk all the way from their homes to school only to be sent back for arriving at the school late.

Teachers pointed out that students' discipline was affected by the child rights awareness and the abolition of corporal punishment in secondary schools. There were malicious breaking of school rules, for example, some students rejected punishment, others deliberately disobeyed authority, some misinterpreted issues and considered any form of correction as a violation of their rights. Others did wrong acts in the name of exercising their rights, others with slight provocation revolted against the school, poor performance during exams and assessment was registered due

to indiscipline and students who were aware of their rights were more responsible. Others avoided conflicts and saved a lot of their time by engaging in meaningful activities. This was in line with the studies that were conducted by Kamayi (2012), in Kenya on child's rights awareness among teachers and students. The study revealed that rising cases of students' unrest in secondary schools arose from students' rights violation. It was established that intra-student rivalry which had resulted to a lot of suffering and sometimes deaths was associated with those violations. He found out that lack of avenue for dialogue in most schools on rights was one of the factors that lead to students' unrest behaviors. However the study that was carried out by Onyancha (2001) on corporal punishment revealed that in some rehabilitation school homes, children live in unhealthy conditions in which they were subjected to overcrowding, lack of clothing, medical services food and they suffered maltreatment by staff. They did not receive quality education as in Kenyas' public schools. Moreover some teachers did not possess the necessary skills such as counseling to habilitate children effectively.

On the same line, the study also established that children's rights continue to be violated in secondary schools by both teachers and students themselves. Students indicated that rising cases of students' indiscipline in secondary schools is influenced from students' rights violations. From the investigation carried out, further indicated that the most form of violated student's right was the "right to education".

Most students said that teachers greatly violate learners' right to education in various ways. They said, teachers' failure to teach at an allocated time was one of the ways teachers violate learners' right to education. For example, many learners indicated that sometimes teachers were not readily available in the classroom and in such cases most of their learning periods went

unattended to. When asked what efforts learners put in place to curb the development. Learners responded that, sometimes they would go to fetch or call the concerned teachers in question. However, the learners indicated that their wish to have their rights addressed, were further violated because in most cases students got shouted at by the teachers. In this way they felt their rights were further violated by teachers.

On the right of freedom of expression, the constitution and international agreement guarantee everyone the right to freedom of expression; however it was not the case in schools. The study found out that students complained that their voices were not heard in schools. They were sometimes punished because of the crimes they did not commit because teachers did not give them chances to explain. They further indicated that it would have been fairer if they were involved in formulating school rules, but they were not. This was similar to the study which was carried out by Carla, R. M, (2006) in the USA in which the study indicated that students were involved in formulating school rules and it helped in curbing some of the indiscipline cases.

5.5 Conclusion of the study

The first objective was to explore what students understand about their right. The research found out that students understood that they were entitled to their rights and some of them were: freedom of expression, right to liberty, right to education, right to access information, freedom of association, right to dressing, right to religion and right to leisure.

The second objective was to identify the sources of students' information on their rights and responsibilities. The study found out that their major source of knowledge for human rights were

teachers through the courses and subjects they took in school, media, church, peers, community and non-governmental organizations.

The study has shown that teachers' view of child's rights in schools is accompanied by a myriad of challenges with regard to student's behaviour. This could be attributed to the fact that instead of students behaving responsibly they tend to challenge the administration and teachers on a number of issues and if corrective measures are undertaken against their wrong deeds they question and lament that their rights are being trampled upon.

Lastly on the last objective the study found that there was direct link between secondary school students' understanding of human rights and behaviour. Students knew their rights and their sources but lacked knowledge on how they can responsibly act on them. For example they were not aware that they can be punished or penalised for enjoying their rights because they know that their rights will always be there to protect them even when they do something wrong. The study revealed that students took advantage of their rights while ignoring responsibilities that accompany these rights. This is in line with what the theoretical framework the researcher has used of human rights theory. The theory is saying that people use human rights to their benefit and not to the benefit of others.

This has further revealed that the level of understanding about human rights and the responsibilities that accompany the rights were attributed to lack of awareness and proper understanding on the issues concerning their rights because it has been observed that their understanding was very low. From these findings it was apparent that teachers viewed students as a lot that required guidance and awareness of these rights among students should be

accompanied with responsibilities in order for students to act in a mature and responsible manner. This is in support with natural scholars of human rights theory which describes and explains the different ways in which people understand human rights and related implications. So if people understand human rights and related implications they need to be guided in order to have an awareness and proper understanding of issues of human rights.

5.6 Recommendation

The government in conjunction with the ministry of education should come up with strategies to sensitise students in understanding of duties and responsibilities on human rights

We need to have systems in schools which can help students to realize the importance of human rights, that is, if they infringe rights of others they have to be disciplined.

Teachers should be oriented on how to manage students who abuse rights of others.

Civic education as already introduced into the school curriculum should be mandatory especially in the basic school, to enable children to imbibe the knowledge of their rights early enough as children.

Schools and other stake holders to provide students to access credible sources of information of human rights.

School curriculum must focus on the following:

Emphasize much on learner's responsibilities besides their human rights.

Human rights topics must be integrated in other subjects rather than social studies only so as to provide wider coverage of the subject in question.

5.7 Suggestion for areas for further studies

Explore how students can be helped for not to abuse rights

Replicate the same research in another area

Comparative study of primary, secondary and university on understanding of human rights

5.8 Limitations of the study

The study had a number of limitations, there was a national teachers strike during the time the study was conducted, and this created a lot of challenges. It was difficult to organise students in groups in the schools the researcher had earlier planned. The researcher had planned to conduct the study at Katoto secondary school and Chibabvi Community Day secondary school but because it was difficult to find teachers in the school the researcher had to conduct the research in different schools which were not planned. This impacted the quality in such a way that I ended up having very few focus group discussion.

The researcher also relied on a cell phone to record data however the cell phone developed a fault in the process of collecting data as a result the researcher relied much on collecting data through writing in the note pad. This affected the quality of data collected as I could miss some of the important information. So in order to get correct information the researcher kept on visiting the schools to cross check on the information given.

Lastly another limitation was on the failure of students to express themselves in English and this also affected the quality of information collected as a result in order to get the information I wanted I allowed them to express everything in the language they were comfortable with so most of them spoke in Chichewa. This affected the quality of the research since some the words I translated may not necessarily mean exact what was being referred to.

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Appendices

Appendix A: Request and Declaration of Research Participants

This is a data collection process of research study on factors contributing to students understanding of human rights and behaviour in Secondary Schools in Malawi. It is being undertaken to fulfil the requirements of Master's Degree in Teacher Education at Mzuzu University. The information given will be used for academic purposes only and will be treated utmost confidentiality.

You are being requested to offer your agreement or disagreement to participate in the study. You are however free to withdraw your participation at time. I also request that the interview/ focus group discussion will be recorded using a phone. However, you are also free to stop the recording in answering any question.

Declaration

I have understood the contents of this declaration; therefore I declare that I will:

Participate ()

Not Participate ()

(Tick where appropriate)

Appendix B: Focus Group Discussion Questions for the Students

Core question

Human rights are often misinterpreted by students in Secondary Schools and this can cause indiscipline in Schools. Can you share?

What do you think is the link between students' understanding of human rights and conduct/behaviour in schools?

The following will be the follow up questions:

1. Do you know that human rights have responsibilities?
2. If yes, what are the responsibilities on human rights?
3. Why do we only talk of enjoying human rights not responsibilities?
4. What are the rights that you think are violated in schools on both teachers and students?
5. Where do you get messages of human rights? How effective are they?

Appendix C: Interview Questions for Teachers

Core questions

Human rights are often misinterpreted by students in Secondary Schools and this can cause indiscipline in Schools. Can you share?

What is the link between misinterpretation of human rights and discipline in Secondary Schools?

The following will be follow up question:

1. What issues of human rights are taught in schools?
2. Which are the rights that are mostly abused by both teachers and students?

in Secondary Schools?
3. What is the nature and source of students' information on human rights

Appendix D: Letter of permission to the Education Division Manager to Conduct Research in Mzuzu City.

My name is Sarah Sibande a Masters of Education student at Mzuzu University. I am currently working to complete my master's degree requirements. In this attempt, I am conducting research to explore students understanding of human rights and how it influences their behaviour and conduct in Secondary Schools in my Mzuzu City.

The results of the study will be an eye opener to policy makers, teachers and the public in Malawi to have perspective of how students understand their rights hence help them by reviewing the curriculum and set appropriate policies on students discipline in schools.

I am writing this letter first to inform you of the research and second to obtain your permission to solicit teacher participants and students from your division and conduct a research.

If you have any question or you would like to discuss this research, you should contact me on

0888126320/0995230803 or Dr D.M Ndengu (Dissertation Supervisor) 0888395596.

Please complete the portion of the consent form below:

Date: -----Name: -----

Name-----Tittle: -----

Signature

Name of Division: -----

Name of the researcher: -----