

# Children and school governance: Representation, participation and power

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Children's right to participate in matters that concern them extends to collective decision-making in the governance of institutions and services for children. In South Africa, this is a legally established right. The Children's Act and the South African Schools Act make provision, respectively, for children's participation in the governance of child and youth care centres and schools.

The terms "government" and "governance" are often confused. "Government" refers to the institutions that govern; in South Africa, these include the national, provincial and local governments, the legislatures, and the judiciary. "Governance" encompasses the relationships and procedures that determine how authority is exercised and resources are managed, how other role-players make their voices heard, and how those in authority are held accountable.

Governance is necessary whenever authority is exercised for the common good – in a region, a country, a municipality, or any of a wide range of institutions and organisations, including schools, clinics and businesses. It encompasses the framework

for ruling; the principles and values that shape the relationships between holders of power and society at large; and also how power dynamics play out within governing structures.

This essay focuses on schools, as schools are major spaces of participation for children – through formal governance structures as well as in various curricula and extra-curricula activities. The next essay on pp. 49 – 53 considers children as role-players in the governance of the country.

In South Africa, school governance has long been a contested terrain.<sup>1</sup> Although legislation establishes the form of school governance and the role of learner representation, there are still widely differing views on the nature and extent of children's participation in school governance, as well as widely differing practices.

Meaningful representation is not easy. Even when the enabling conditions for meaningful representation are present, representation remains a limited and exclusive form of participation. This essay thus considers the key challenges of representation, power and diversity, and suggests how they can be addressed.



**Poster making:** Using children's words and images to create a poster

First it describes the legal context for children's participation in the governance of the schools they attend, and makes the case for the importance of their participation.

Five questions structure the essay:

- How does the law provide for children's participation in school governance?
- Why should children participate in governance?
- What hinders meaningful participation in school governance?
- How do power dynamics affect participation?
- What conditions enable effective dialogue?

### How does the law provide for children's participation in school governance?

In South Africa, an electoral model of school governance allows for the limited participation of children as representatives of learners enrolled at secondary school. There is no legal provision for a representative body for children in classes below grade 8. However, there is nothing to prohibit schools from establishing structures where primary school children can participate in ways appropriate to their evolving capacities.

Education law provides for children to participate in school governance in three ways, through representation on (i) the Representative Council of Learners and (ii) the School Governing Body, and (iii) through participation in developing and adopting a school code of conduct.

#### The Representative Council of Learners (RCL)

The South African Schools Act of 1996 requires an RCL to be established at every public school with learners in grade 8 and

higher. The Education Amendment Act<sup>2</sup> establishes the RCL as the only legally recognised representative body for learners at school and requires the Member of the Executive for Education in each province (provincial Ministers of Education) to publish the functions and procedures for RCL elections.

Learners in each grade elect their representatives under the guidance of an electoral officer (either the school principal or a delegated teacher liaison officer). RCL membership varies slightly from province to province, and in some cases within provinces. For instance, Western Cape guidelines<sup>3</sup> require three representatives from each grade, from grade 8 upwards; whereas in Gauteng the RCL must have two representatives per grade, one boy and one girl, except in single-sex schools<sup>4</sup>. A Limpopo-based study<sup>5</sup> included a township school with an RCL of 10 members, most of whom were in grade 12; a former model C school in a racially mixed neighbourhood with representatives from each grade; and an independent school with 30 learner representatives, elected from each class in each grade.

The RCL has demanding responsibilities. Apart from representing fellow learners, the RCL is expected to promote good relations and communication among learners, staff, and the school community; assist in maintaining order; and promote responsible "learnership", both by positive example and by helping to ensure that learners abide by school rules. Respect, loyalty, co-operation and active participation in school activities are ways in which learner representatives are expected to set a positive example.<sup>6</sup>

RCLs may co-opt additional members and establish sub-committees, and thus extend the scope of participation to learners who are not elected.



**Sculpture:** Creating a world where children talk and adults listen

### Learner representation on the School Governing Body (SGB)

Annually the RCL must elect from its ranks two representatives to serve on the SGB. The term of office for learner members is one year. This gives them very little time to become familiar enough with SGB proceedings to take an active and confident role in school governance. By contrast, adult members have a longer term of office. While the one-year limitation on learners' term of office may suggest they are not regarded as equal partners, learners and teachers have parity of representation on the SGB – two representatives each (except in schools with five or fewer teachers).

Learners have full voting rights but, because they are minors, they may not vote on resolutions which impose liabilities on third parties or the school. A conflict of interest clause requires any member, and not just minors, to withdraw from discussion on any issue in which they have a personal interest. However, this clause is sometimes used to exclude learners from deliberations that adult members consider sensitive and best kept confidential.<sup>7</sup>

### Learner participation in adopting a school code of conduct

The primary form of democratic participation envisaged by the South African Schools Act is conventional representative democracy, but it also provides for instances of direct participatory democracy in the adoption of a code of conduct. Sub-section 8(a) states that the SGB must adopt a code of conduct for learners “after consultation with learners, parents and educators of the school”. The rationale for this “higher standard of democratic participation” is that consultation will deepen learners' commitment to the rules which govern them.<sup>8</sup>

### Why should children participate in governance?

Apart from legal imperatives, why should children participate in school governance? The short answer is that they should participate because they have the right to do so. Article 12 of the United National Convention of the Rights of the Child (CRC) establishes participation as both a *substantive* and a *procedural* right for children. As a substantive right children are entitled (as a matter of principle) to be listened to and taken seriously in matters that concern them; as a procedural right participation is a vehicle through which children protect and promote their other rights.

### Benefits of children's participation in governance

There are other strong reasons why children should participate in governance. Under the right conditions, participation in governance is good for children, good for the school and good for sustaining a democratic culture in South Africa. Participation in collective decision-making and joint action can enhance children's evolving capacities and provide opportunities for children to deve-

lop social competence, independence and shared responsibility.<sup>9</sup>

Children who participate in learners' councils appear to benefit from increased confidence, a sense of personal control and better relationships with teachers.<sup>10</sup> Participation is associated with greater educational commitment, higher educational expectations, improved practical reasoning skills and the promotion of democratic values and procedures.<sup>11</sup> Children's participation can also contribute to a better functioning school and, more broadly, to promoting social cohesion.<sup>12</sup> Case 1 illustrates how participation develops the skills needed for effective democratic dialogue.

#### Case 1: Learning through participation

Learner councillors in Limpopo<sup>13</sup> reported that they had become more skilled in communicating through their involvement in the RCL:

*I learnt how to communicate on the table. And I learnt how to communicate with the mob ... if the students are angry, what I can do to turn things right.*<sup>14</sup>

They also realised that the art of decision-making depends on considering multiple perspectives:

*I have learnt that when decisions are taken we as young people need to realise that other views are important. We should not think that adults are all out to make our lives difficult. We need to listen to their side of the story.*<sup>15</sup>

**Source:** Phaswana E (2010) Learner councillors' perspectives on learner participation. *South African Journal of Education*, 30: 105-122.

### A continuum of participation

Only a limited number of children can be directly involved in formal representative structures. So if participation in the activities of collective action and decision-making is good for children and for schools, then it is important to extend opportunities for participation beyond those available to elected representatives.

RCL sub-committees, school clubs and the joint drafting of classroom codes of conduct are examples of other forms of participation that help to contribute to a more cohesive school community where children's views and joint activities are taken seriously. Even the youngest children, in the foundation phase, can be given opportunities for collective action and decision-making in the classroom. There are many ways of doing this. For example, philosophy for children is an educational approach that supports children to build on each other's ideas democratically from a very early age.<sup>16</sup>

Children of all ages can also participate in school and community development initiatives. Case 2 on the next page illustrates the benefits of such participation for adolescents living in difficult social circumstances.

## Case 2: Participation – A two-way benefit

Learners from three secondary schools on the Cape Flats are participating in an action-research project associated with the Health Promoting Schools initiative.<sup>17</sup> Learners and teachers are engaged in various activities at their own schools and in interschool activities, such as peace clubs, recycling clubs, tuberculosis and HIV-awareness activities. Learners' participation has extended their involvement in the life of their schools and deepened their understanding of complex social issues including "drug abuse, gangsterism and violence".<sup>18</sup>

This project recognises that, while adolescence is a formative period for making life-shaping choices, adolescents are often marginalised in discussions that affect their lives.

**Source:** Sonn B, Santens A & Ravau S (2011) Hearing learner voice in health promoting schools through participatory action research. *Perspectives in Education*, 29(2): 94-105.

## What hinders meaningful participation in school governance?

While educational legislation defines, enables and regulates participation in school governance, legislation alone cannot address difficulties that arise in practice. Especially challenging are issues of representation and power.

In school governance, possibilities for participation flow from, and so are constrained by, modes of representation.<sup>19</sup> This means that children's participation in governance is institutionally sanctioned and positioned within existing organisational structures. Although these structures are initiated by adults, children's interests are mediated and represented by children. On the face of it, this is a good thing, but meaningful representation is not easy.

Three key challenges are those of *choice*, *voice* and *accountability*. The first concerns *who* stands for election and *who* is elected; the second concerns *whose* views inform decision-making; and the third concerns *reciprocal responsibilities* of elected and electorate. Who participates, with accountability to whom, is the crucial concern. A representative model of governance assumes that people elect representatives who will speak on their behalf, but in practice representatives may speak "in their own voices" rather than on behalf of those they represent.<sup>20</sup>

Underpinning all three challenges is the importance of recognising diversity amongst children. School governance policy tends to treat children as a homogenous group, differentiated only by age.<sup>21</sup> Yet children's social circumstances and how they participate

in everyday activities at home influence how they respond to opportunities to participate in school governance. Studies, in South Africa and the United Kingdom, suggest that representative structures may reinforce existing social inequalities among children and fail to articulate children's diverse perspectives.<sup>22</sup> Children who are doing well academically, or who have considerable social capital, are those who commonly stand for election.<sup>23</sup>

A key reason for including children in school governance is to ensure that their voices are heard and that the school promotes the good of all its members. This is why it is crucial to address diversity and to counteract a tendency for representative structures to "inhibit the voices of children" who are on the school's social margins.<sup>24</sup>

## How do power dynamics affect participation?

The representative model of governance assumes that representatives participate in the structures to which they are elected. In practice, learner representatives are often silent, or even absent, and thus not actually participating or engaging with other – adult – stakeholder representatives. This is partly because the representative model reproduces hierarchical relations – between adults (the principal, teachers and parents), learner representatives and their peers.<sup>25</sup>

More broadly, inter-generational power relations, coupled with misconceptions about children's capacities, are among the main barriers to participation. Children's relationships with adults are located within social, political and economic frameworks that shape the institutional arrangements "through which children's daily lives unfold".<sup>26</sup>

Unequal power relations can restrict the scope, quality and arenas for children's participation in school governance.<sup>27</sup> In South Africa, by law, parents comprise the majority group (51%) on the SGB, and their beliefs and attitudes are crucial to whether and how learner representatives engage in the SGB. Examples from a study in Mthatha, Eastern Cape,<sup>28</sup> show learner representatives did not always attend SGB meetings:

*...because parents and some adults believe that the SGB committee is only meant for adults. Sometimes learners are not even invited to meetings when their input and participation is not needed.*<sup>29</sup>

Teacher representatives described parents as clinging to the past:

*In our society, children will always be children, and are not allowed to speak when parents or adults are speaking, in fact they are not even supposed to be in the room when adults are speaking, unless they are invited.*<sup>30</sup>

In principle, meeting procedure is supposed to guard against inappropriate exercises of power that may diminish or exclude children's engagement. In practice, meeting procedure may be used to silence children. Case 3 shows how language can be used both to challenge and to reassert power.

### Case 3: Language and power

Learner councillors in selected Limpopo schools noted how teachers used English as a form of exclusion in SGB meetings:

*The problem is if you are telling them the truth about something they are doing wrong they will use this rule like hey English, point of order, and you see everyone will just agree 'yes, point of order, point of order .... use English' you see.<sup>31</sup>*

This focus group believed that teachers realised many learners can be very articulate in local languages. Insisting on English put the teachers at an advantage but prevented learner councillors from presenting their views clearly.

**Source:** Phaswana E (2010) Learner councillors' perspectives on learner participation. *South African Journal of Education*, 30: 105-122.

Power dynamics come into play not only between adults and children, but also among children who serve on RCLs, as well as between those who are elected and those who are not. Age, gender, ability, social class and ethnicity shape power relations among children in complex ways that vary from one context to another. For example, in an Eastern Cape study, interviews with SGB members and observations of meetings indicated that "female learner governors tended to be less vocal than male learner governors and relinquished decision-making activities to male learner governors". This paralleled a pattern of male dominance among adult members of the SGB.<sup>32</sup> By contrast, an extensive study of RCLs in the Western Cape found a greater number of females in the records of elected RCL members.<sup>33</sup> Similarly, in an Irish Aid project with the Limpopo Department of Education, girls have leading positions within several school RCLs and in the provincial RCL.<sup>34</sup>

Peer pressure also influences power dynamics. Learners elected to the RCL may be challenged or disregarded by their peers, who see them as exercising privilege within a structure that supports school authorities.<sup>35</sup>

## What conditions enable effective dialogue?

A supportive school ethos is essential to encourage participation in the election of the RCL and acceptance of its legitimacy. Support for election campaigning, inauguration ceremonies, acceptance speeches, and mechanisms for representatives to consult with and report back to their constituents all help to encourage effective participation and dialogue among children – before, during and after elections.<sup>36</sup>

Effective dialogue requires more than mechanisms to enable elections and subsequent accountability to the electorate. All stakeholders in school governance, including children themselves, need to understand the purpose and benefits of children's participation. A challenge for adult SGB members is to accept learner representatives as equal partners, who are competent to contribute to decisions and joint action, but who may need additional time, resources and information to enable them to participate meaningfully.<sup>37</sup>

Where adult stakeholders have little experience of children participating as equal partners, an understanding of adults' attitudes towards children's participation is a precondition for enabling a change of mindset. The school principal, teacher liaison officer and other champions have a critical role to play in modelling good practice and promoting an understanding of how learners' participation can contribute to better functioning schools. As children stand in an unequal relation of power to adults, the principal and teacher liaison officer have a particular obligation to protect children from possible harm that could result from their speaking out in SGBs and other participatory forums.

The following indicators,<sup>38</sup> among others, can be used to assess whether an RCL can fulfil its role in representing learners and in expanding opportunities for meaningful dialogue and action:

- Does the RCL have a constitution and a code of conduct for its members?
- Does the RCL have a copy of the SGB constitution and do its members understand the functions and procedures of the SGB?
- Does the RCL have a copy of the school's code of conduct for learners?
- Does the RCL make use of sub-committees and co-opted members to share work and extend opportunities for learners to participate?
- Is the RCL membership representative of diverse groups of learners?
- Does the RCL have effective channels of communication with the full body of learners as well as the SGB?
- Does the school, and its SGB, support learners' participation by providing timely information in a learner-friendly format?

## Conclusion

School governance is a contested matter. At one extreme is the view that “what was meant to promote participatory democracy” at school level “turns out to be an exercise in marginalisation and silencing”.<sup>39</sup> An alternative view is that SGBs, and related structures, are sites of representative, participatory and direct democracy “where democracy takes place every day for the vast majority of us”.<sup>40</sup> Realising this possibility depends on creating and maintaining conditions that enable learners to engage in effective dialogue – with one another, and with adults involved in school governance.

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- 6 The responsibilities listed here are drawn from *Western Cape Provincial Gazette Extraordinary No. 5946 of 31 January 2003* (see no. 3 above).
- 7 For example, see cases in: Mabovula N (2009) Giving voice to the voiceless through deliberative democratic school governance. *South African Journal of Education*, 29: 219-233.
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- 15 See no. 5 above: 115.
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- 17 Sonn B, Santens A & Ravau S (2011) Hearing learner voice in health promoting schools through participatory action research. *Perspectives in Education*, 29(2): 94-105.
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- 19 Carrim N (2011) Modes of participation and conceptions of children in South African education. *Perspectives in Education*, 29(2): 75-83.
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- 21 See no. 19 above.
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- 35 See no. 32 above.
- 36 See no. 1 above (Carr).
- 37 See no. 1 above (Carr).
- 38 Derived from Carr, see no. 1 above: 137.
- 39 See no.19 above: 78.
- 40 See no. 1 above (Woolman & Fleisch): 51.