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INTEGRATING THE RIGHTS OF THE CHILD WITH LOCAL CULTURAL VALUES: A PRECURSOR FOR MEANINGFUL DISCIPLINE IN MALAWI SCHOOLS

V.Y. Mgonezulu¹

ABSTRACT

Literature review indicated that a gap exists between how different stakeholders understand the universal values espoused in the rights of the child and the place of local values. This affects discipline in primary and secondary schools in Malawi in that school managers are unsure of which set of values they should promote. Guided by the theoretical lens of the theory of incompatibilities and culturally responsive methodology, this conceptual article examines how the gap between some rights of the child and the local values can be bridged. Having examined theories of deliberative pedagogy and democracy, global citizenship education, transformative pedagogy, multiculturalism, and democratic education, negotiation between stakeholders was considered an appropriate approach to analysing the compatibility of the local and universal values with the purpose of adopting values they agree with and rejecting/adapting those that are questionable. In this connection, a model that involves key stakeholders has been developed to guide negotiations. It is hoped that integrating local and universal values will reduce conflict between the stakeholders and therefore improve discipline in schools in Malawi.

Keywords: Incompatibility; integrate; rights of the child; values; learner discipline, culture.

BACKGROUND

Indiscipline in schools is as old as the school system itself (Speakes, 1996). Le Roux and Mokhelele (2011) and Maphosa and Mammen (2011) concur with the observation and add that there are, in fact, growing concerns about escalating cases of indiscipline worldwide. Yet, for many years education institutions have tried to root out indiscipline but the current state of affairs indicates that success has been limited (Sekiwu & Botha, 2013). A case in point, Malawi continues to register numerous incidences of indiscipline, ranging from minor incidents to violent acts, such as burning down and vandalising school property (Mwale, Hauya & Tizifa, 1996; Sabola, 2013).

Many reports attribute learner indiscipline in Malawian schools to their upbringing, substance abuse and peer influence, to mention a few (Mwale *et al*, 1996; Sabola, 2013). However, experience shows that blame for indiscipline in schools can be apportioned to the school authorities and the surrounding communities as well (Salifu & Agbenyega, 2012). For example, indiscipline can come about as a result of school authorities engaging in practices that do not make sense in the eyes of the learners or the surrounding communities. It can also be caused when a new idea is introduced in school without consulting stakeholders. A study in Bangalore City (India) (Nanjunda, 2010) indicates that when stakeholders are not consulted about a change, they are likely to resist it even if it may be in their interest. In the Bangalore City study, 97 per cent of the participants did not know anything about children's rights. When the notion of rights was explained to them, they did not welcome it because according to their understanding, it was incompatible with their way of life.

A similar situation seems to exist in Malawi where some children's rights have been introduced in schools with little prior consultation with the local communities (Phiri, 2012; Nkhata, n.d.).

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Such practice runs against the principles of deliberative democracy which advances the idea that legitimate decisions depend upon well-reasoned discourse that is guided by the desire to understand the perspectives, values and experiences of others (Doherty, 2012). Advances in communication technology have facilitated cross-pollination of cultures amongst communities that were once isolated so that they now have little choice but to begin to ascribe to global identity (UNESCO, 2014). The idea that UNESCO promotes is not that traditionalist values should be discouraged, but rather that individuals should link the local identity and its values to the global identity and multiculturalism. In the following discussion, the terms 'globalisation', 'multiculturalism', 'universalism', 'transculturalism', and 'global citizenship' are used interchangeably.

STATEMENT OF THE PROBLEM

Unlike local identity, global identity and multiculturalism are espoused in the United Nations Human Rights Charter (1989) and the African Charter on the Rights and Welfare of the Child (1999). Local cultural practices and values usually represent the local identity of a community. Dewey (1916) calls the people who want the *status quo* of their local identity 'traditionalists'. Traditionalists tend not to espouse ideas of global identity and multiculturalism because they view them as disrupting the established order and social cohesion (Sekiwu & Botha, 2014). They tend to be defensive about any idea that seems foreign. With a relatively low urbanisation rate of around 4 per cent, an urban population of around 16 per cent (Republic of Malawi, 2016), communication technology penetration of around 10 per cent of Internet users and 21 per cent of cell phone users (University of Witwatersrand, n.d.) that can enhance global identity and multiculturalism (Ogunsola, 2005), Malawi can be said to be traditionalist in the sense that she is low in the indicators of high information uptake that can transform people's perceptions of other cultures. Indications are clear that societies should begin to espouse ideas of global identity and multiculturalism (Umera-Okeke, 2016), yet the primary and secondary schools of Malawi seem not keen or handicapped, given the low communication technology penetration. The local communities and school authorities in Malawi need to appreciate the need for moving towards multiculturalism because the growing facility of transport and telecommunication entails increased interaction with people of other cultures. For this reason, there is a need for a well-reasoned discourse that can lead to negotiating for the hybridisation of values that will include the retention of some local values and the acquisition or adaptation of some universal values.

The purpose is to feed the negotiated values into the rules and regulations of primary and secondary schools so that they mould learners for a multicultural society that is bound to evolve in Malawi. When there is no common understanding of the values that must be promoted in schools, indiscipline may breed because there is likely to be a conflict of interest among different social groups. This seems to be the case in Malawian primary and secondary schools. For example, reflecting the traditionalist nature of the general population in Malawi, anecdotal evidence shows that treatment of learners that causes bodily or emotional harm, or both, is still widespread in schools in Malawi (Global Initiative to End All Corporal Punishment of Children, 2016; USAID, 2008). In other words, parents, traditional leaders, and teachers of some schools still hold local values which influence how indiscipline in schools is dealt with. The incompatibility between local and universal values exists probably because values of local communities may not have been taken into account when human rights and children's rights charters were being crafted. Bearing in mind that human rights were proclaimed in 1948, it is probable that local communities were not aware of their right to their way of life. Article 22 (1) of the African Charter of Human Rights and People's Rights (1981) spells out that all people have the right to social and cultural development with due regard to their freedom and identity and in equal enjoyment of the common heritage of humankind. To synchronise local and universal values, negotiation was required so that local communities could retain some of their

practices but also be part of the common heritage of human kind. At a local level, issues of children's rights and local values should have been negotiated to arrive at mutually agreed upon sets of values that would influence how discipline in schools would be managed. The research question is therefore how the stakeholders in Malawian schools can negotiate in addressing the incompatibility between local values and universal values as a means of promoting positive discipline in schools.

Specific research questions

The study addresses the following research questions:

1. How can the local communities, school authorities, students and NGOs engage with one another to bridge the gap between local and universal values?
2. How can the integration of local and universal values improve discipline in Malawian schools?

METHODOLOGY

This is a conceptual paper. Hardcopy libraries in Mzuzu, Malawi were visited and several online sources consulted. Several literary sources were examined, including selected articles of the African Charter on the Rights and Welfare of the Child (1999), the Malawi Education Act of 2012, The Child Care, Protection and Justice Act of 2010 and theories of incompatibilities, culturally responsive methodologies, and restorative practice as possible frameworks for enhancing positive school discipline in Malawian primary and secondary schools. Additional sources were studied regarding issues of school discipline, leadership and management in schools, mentorship, sociology of education and traditional African values. Key concepts that were examined included negotiation, deliberative democracy, global citizenship education, transformative pedagogy, multiculturalism, cultural proficiency and democratic education.

Theoretical framework

The *theory of incompatibilities* (Cardenas & Cardenas, 1977) is considered appropriate as a lens for understanding the dynamics between local cultural values and the rights of the child in Malawian schools. The theory was developed as a result of the experiences migrant Black and Mexican learners had in the United States of American education system. The system was not designed to take care of the interests of migrant learners in terms of rights of the child versus local cultural values recognising their uniqueness, inclusive of their culture. There was a lack of compatibility between the characteristics of migrant children and the instruction programme of the host country. Several incompatibilities between the expectations of migrants and those of the school system were identified, which included culture and societal perceptions. Societal perceptions refer to how schools and families view each other and how this interactive relationship affects the success of children in school. Given the background, the theory states that if education is to be meaningful to the population, education processes should be made compatible with the characteristics of the population rather than requiring the population to adapt to the school. The theory adds that education must be needs-responsive and must also focus on the assets of learners, their families, and communities (Cardenas & Cardenas, 1977).

One may argue that the theory is over-expecting on the education system, that it must unduly bend to the interests of individual communities. The education system is supposed to promote the common good of communities (Lopez-Vasquez, n.d.). In other words, individual communities must be prepared to lose some of their cherished beliefs and practices for the sake of the common good of the wider society. This view raises the question of which is a better common good between what concerns an individual community or concerns a greater population. Freeman (2011) holds the view that there are certain types of common good that are independent of the social consensus. Said differently, there are certain issues that are in the interest of the greater

society that supersede the interests of any single community. Although this may seem to be correct, the theory of incompatibilities provides a useful framework for this study because it presents an important point of view that uniqueness of communities should not be viewed as an impediment to human development, but rather as an asset that should be nurtured. In other words, there are certain aspects of individual communities that are so critical to their identity and existence that they must be protected and promoted. In support of this view, Lopez-Vasquez (n.d.) maintains in relation to school situations that what takes place in class does not exist in a vacuum because schools are influenced by society. In short, the theory will enable an appreciation of the incompatibilities between local and global identities with the aim of exploring ways of bridging the gap between them.

The study is also guided by the theory of *culturally responsive methodology* that embraces cultural pluralism, deconstructs Western colonial traditions and recognises the primacy of relationships within a power-sharing dialogical encounter. Culturally responsive methodology aims to bring those who have been marginalised to the centre of determining the best course of action. In this regard, the methodology emphasises building relationships as a way of building communities (of people that were originally in power-rivalry) that can co-construct what is in their best interest (Berryman, SooHoo, Nevin, Barrett, Ford, Nodelman, Valenzuela & Wilson, 2013).

Rights and welfare of the child

The United Nations Human Rights Charter (1989) spells out all the rights that a human being is supposed to enjoy. Recognising the fact that there is diversity of cultures in the world, sub-regional institutions such as the African Union were allowed to adapt the Charter to suit their local circumstances. From this arrangement, the African Charter on the Rights and Welfare of the Child was developed. Furthermore, recognition was given even at sub-regional level, to the fact that owing to diversity, a continental charter could not fully address local variations in culture. In the case of the African Children's Charter, national governments were also allowed to adapt the Charter to address local circumstances (Article 1.1 of African Charter on the Rights and Welfare of the Child, 1999). This study will focus on six articles selected from the African Children's Charter which is fully developed, as opposed to the Malawi Constitution (Law Commission of Malawi, 2006) which does not fully elaborate on the articles that this study intends to examine.

Excerpts related to the rights of the child

The articles have been presented verbatim from the African Charter on the Rights and Welfare of the Child (1999) as a measure of avoiding distortion.

Article 4.1: *In all actions concerning the child undertaken by any person or authority the best interests of the child shall be the primary consideration.*

Article 9.2: *Parents, and where applicable, legal guardians, shall have a duty to provide guidance and direction in the exercise of these rights having regard to the evolving capacities, and best interests of the child.*

Article 11.2(c): *The education of the child shall be directed to the preservation and strengthening of positive African morals, traditional values and cultures.*

Article 11.5: *States party to the present Charter shall take all appropriate measures to ensure that a child who is subjected to schools or parental discipline shall be treated with humanity and with respect for the inherent dignity of the child and in conformity with the present Charter.*

Article 16.1: *States party to the present Charter shall take specific legislative, administrative, social and educational measures to protect the child from all forms of torture, inhuman or degrading treatment and especially physical or mental injury or abuse, neglect or maltreatment including sexual abuse, while in the care of the child.*

Article 21.1: States party to the present Charter shall take all appropriate measures to eliminate harmful social and cultural practices affecting the welfare, dignity, normal growth and development of the child....

The following sections examine how the Malawian cultural values determine practice in promoting discipline in schools and how these values relate to the rights of the child.

Perspectives on values

The term 'values' can be defined in many ways. It is not the intention of this study to delve into all the possible meanings. The intention, though, is to highlight the general sense of the term as a basis for common understanding. One definition is that they are ideas about whether experiences are important or not, good and desirable or not (Haralambos & Holborn, 2013). Values are standards of our actions and the attitudes of our hearts and mind that shape what we are, how we live, and how we treat other people and other living and non-living things in our environment (Eyre & Eyre, 1993). They are, therefore, important guidelines to our decisions and actions.

Since values are the foundation on which practice is built, the way schools deal with issues of discipline will invariably reflect the values espoused by the societies to which they belong. Conceptions of African values and rights of the child may be guided by philosophical positions of *universalism* and *relativism* (Blake, 1993; Freeman, 2011). Universalism advances the idea of sameness of humanity and that every human being should be treated in ways prescribed by the United Nations Human Rights (1948). By extension, universalism is also the main principle driving the idea of children's rights as universal rights. Relativism, however, rejects universalism and recognises the dignity inherent in every cultural grouping. Unlike universalism which promotes individual rights, relativism advances the rights of humanity. Subscribers to this philosophy believe that every culture should be respected as an independent and unique entity, and should not be judged by the standards of another culture (Nsamanang, 2008). By extension, the two philosophical positions also determine the conception of the 'self' in society and the world view. A person from the Western culture would probably think in terms of individuality, competition and independence, while a Malawian would be guided by what is in the interest of the community (Cobbah in Heyns & Stefiszyn, 2006; Lindholt, 2001). Incompatibility between universalism and relativism is clear at this point. It is now important to consider how such incompatibility manifests itself in the value of 'respect for authority'.

The value of respect for authority

Respect is one of the cardinal guiding principles for behaviour in many African cultures (Cobbah in Heyns & Stefiszyn, 2006). In Malawi, subordinates are expected not to question instructions or decisions of their superiors directly (Odonkor, 2012). It is therefore taboo for a child to challenge an adult. The principle is that authority must be obeyed (Salifu & Agbenyega, 2012; Wilson, 1995). This is particularly important in school situations where learners are not expected to openly challenge, for example, the appropriateness of the rules and regulations.

In compliance with the African culture, a study by Odonkor (2012) shows how African children have attuned themselves to the value of respect for authority. They believe that:

"...they must respect anyone older than they are, must respect authority, must not interrupt a conversation between adults, speak when spoken to and express their opinion only when asked to, must not tell adults that they are wrong or that they are lying, and do what they are asked to do without protest" (Odonkor, 2012: 65).

The value of respect for authority can better be understood when the relationship between a teacher and a learner is viewed as that of a mentor and a mentee. Noe (in Bozeman & Feeney, 2008) defines a mentor as a senior, experienced person who serves as a role model, and provides support, direction, and feedback to the younger person. The duty of the mentee is to learn from

the mentor as much as s/he can. The relationship between the mentor and mentee also entails a defined power relationship in that the mentor is more powerful than the mentee (Miles, 2011). In this relationship, the mentees must know their limits and appreciate that they are not equals with the mentors.

Ncube (in Freeman, 2011) asserts that African culture has such expectations of the child partly because of the African perception of childhood. Ncube argues that in Africa, childhood is not perceived in terms of age, but children (young and old) will on many occasions depend on their parents and those in authority for wisdom, physiological and psychological needs. In other words, even adults remain children to their parents, uncles and others, and they are expected to respect their authority.

Respect for authority entails that learners must respect their teachers. By extension, they must do what the teacher asks them to do without question; they must not criticise or contradict the actions of their teacher because the understanding is that the teacher is a responsible person and has their best interests at heart. The value of respect for authority can be a useful tool for promoting law and order in a school.

Although there may be genuine reasons why students would not respect elders or authority, the Malawian culture provides methods for dealing with such behaviour. Some of the methods are corporal punishment, manual work and admonition. One could argue that such punishments are in the best interest of the child (Articles 4.1 and 9.2) and that this is in line with Malawian values and culture (Article 11.2c). Another would argue that these punishments violate Article 11.5 which requires that students should be treated humanely. The punishments are degrading (Article 16.1) and harmful to the normal development of the child (Article 21.1). In short, there are clear issues of incompatibility between certain provisions of the rights of the child which have their origins in the Western values and the Malawian value system. Dealing with such a contentious issue may require that stakeholders negotiate in order to arrive at an arrangement that is satisfactory to all.

Theories that could bridge the gap

Basing on the understanding that both local and universal values are important and must be promoted (Lopez-Vasquez, n.d.; UNESCO, 2014), the question is how the gap between these values could be bridged. To address this question, the study presents theories of deliberative democracy, restorative practice, transformational learning, cultural proficiency and negotiation that would bring those who have been marginalised to the centre of determining the best course of action. The theories will inform the model that will guide negotiations.

Given the tenet that all human beings are equal (United Nations Human Rights Charter, 1989), their cultures should also be equal. Unfortunately, human rights are sometimes viewed as a replacement for the local cultures. This may be one of the reasons why local communities resist the notions of human rights because they are viewed as impositions from a foreign power with a sinister agenda. Doherty (2012) believes that *deliberative democracy* may help in co-constructing acceptable values to all the stakeholders.

Deliberation is a practice of inviting everyone affected by an issue to participate as an equal in deepening the understanding of the problem in order to craft a solution. Deliberative democracy therefore minimises the superior/inferior structure and encourages intercultural knowledge and mutual respect (Samuelsson, 2006; Doherty, 2012).

It can be implied that the promotion of the rights of the child may have hurt some local communities in terms of infringing on their values. Such possibility calls for a way of restoring fairness. Ashley and Burke (2009) propose *restorative practice* as an approach that can bring about justice and tolerance. Restorative practice gives people a chance to speak and listen to one another as equals. The restorative approach aims at repairing harm and restoring relationships.

Cooper (2009) suggests *transformational learning* as an approach worth considering, that would benefit stakeholders. According to Mezirow (1991), one of the proponents of the theory, transformational learning is the process of enhancing

“...assessment of alternative perspectives, a decision to negate an old perspective in favour of a new one or make a synthesis of old and new, an ability to take action based upon the new perspective and a desire to fit the new perspective into the broader context of one’s life” (Mezirow, 1991:161).

The definition entails that stakeholders who experience transformative learning would be able to understand themselves and their relationship with others; understand relations of power in structures of race, class and gender; envision alternative approaches and possibilities of social justice; and experience a shift of consciousness that gives them a new identity in the world (O’Sullivan, Morrell & O’Connor, 2002). Transformational learning would therefore develop stakeholders who can look at issues in broad social contexts, think critically and consider multiple viewpoints, and also view social life through a lens of diversity and social justice (Nagda, Gurin & Lopez, 2003).

Working alongside transformational learning is the principle of *cultural proficiency*. Cultural proficiency is “...having the capacity to teach and to learn about differences in ways that acknowledge and honour all the people and the groups they represent, holding culture in high esteem” (Lindsey, Robins & Terrell, 2003). Cultural proficiency can be viewed as a tool for promoting pro-activeness as a way of preparing stakeholders, particularly learners, for future opportunities (Lindsey *et al*, 2003).

Since stakeholders will be dealing with a contentious matter, a process of *negotiation* may help them find solutions. There are many definitions of the term ‘negotiation’. This study adopts the meaning of ‘good faith bargaining’. In good faith bargaining, parties meet with the intent to settle a dispute. It does not mean that either side must concede to anything but it means that both sides must tell the truth so that each side can appreciate the other’s viewpoint (Grand Valley State University, n.d.). It is hoped that when parties appreciate each other’s situation, they will then be able to make concessions in order to reach agreement. In this regard, the approach that is recommended is *integrative negotiation*. This approach aims at finding solutions that best meet the needs of all or most of the stakeholders. In other words, it will be necessary that stakeholders compromise between satisfying their own needs and the needs of the other stakeholders. To achieve meaningful compromise, some form of full, open and truthful exchange (FOTE) is necessary (Raleigh, 2005). Open exchange among stakeholders spurs creativity in finding solutions.

Discussion

In the context of educational institutions in Malawi, it becomes problematic for school authorities to wholly espouse the universalist understanding of children’s rights. Advancing such views may not succeed because they are founded on the presumption that the local communities will leave their cultural practices, including their forms of maintaining discipline in schools. Abandoning long held practices may be difficult in the short term. The polarisation of the two philosophies sums up the incompatibility of the universalist world view of the rights of the child, and the local cultural values as demonstrated in ways of maintaining discipline in schools (Kaime, 2009). For example, in practical terms, the universalist view is that no teacher is allowed to inflict physical or mental pain on a learner (see Article 16.1) whilst the relativist views (local culture in which the teacher may have grown up) allows a teacher to use corporal punishment. Such situations create a dilemma for teachers as to which of the two expectations they should align their practice. For fear of being found guilty of siding with one view, some teachers have resorted to overlooking or turning a blind eye to learners’ acts of indiscipline in order to avoid trouble

(Wilson, 1995). One of the effects of the dilemma is that wrong signals are sent to the learners, namely that they can misbehave without negative consequences.

Another challenge lies in defining some of the terms in the articles. For example, who is to determine whether a practice is harmful (see Article 21.1)? It may well be that school authorities in Malawi may not view punishment that causes bodily pain as inhuman, degrading and torturous (see Articles 16.1 and 11.5). For instance, in a study in 40 schools, involving interviews with 800 students and 288 teachers, 68.5 per cent of students reported having been whipped (20.5% in the home, 48% in school) (DevTech Systems, Inc. and Centre for Educational Research and Training, 2007). According to a 2014 survey, 42.9 per cent of 1 to 14 year olds were subjected to physical punishment during the month preceding the survey in the home and at school, with 6.4 per cent subjected to severe physical punishment (National Statistical Office, 2015). One can argue that corporal punishment in schools is not ending because the Education Act (2012) is silent on the issue of corporal punishment. Furthermore, the Child Care, Protection and Justice Act (2010) is not explicit in prohibiting corporal punishment in the home. Put together, the two Acts implicitly condone corporal punishment in the home and school. The two Acts are in line with the local forms of instilling discipline in the children. In other words, the parents and teachers believe that they are doing it in the best interest of the child (see Articles 4.1 and 9.2) and to remind learners that their rights are not absolute. The learners must recognise that the exercise of their individual rights in certain circumstances might infringe the rights of other individuals or community (Mutua, in Heyns & Stefiszyn, 2006). These are the types of challenges teachers and school authorities in Malawi face, and this may be the reason that punishments that cause bodily pain continue to be practised.

It is clear that the Malawian culture and the African Children's Charter have vested interests in ensuring that a child is raised in a manner that will make him/her a responsible citizen. The dilemma is that the school authorities have difficulties in satisfying the expectations of the local cultures which primarily promote communal rights as well as those of the African Children's Charter which prioritise individual rights in how discipline is promoted.

Since the African Children's Charter and the local cultural values cannot be wished away, school authorities need to engage in a culturally responsive approach (Berryman, *et al*, 2013) to find ways how the school system can benefit from both systems. Pollis and Schwab (Heyns & Stefiszyn, 2006) support such an approach because not only will it consider the child's rights, but it will also scrutinise the local cultural values that may have a bearing on school discipline. Sycara (1988) advises that taking such a stand may entail that the school authorities, traditional leaders, learners and NGO representatives should negotiate how promoting discipline in schools can be more effective, bearing in mind the rights of the child and the local cultural values.

When the stakeholders negotiate, it is hoped that more areas of agreement would be established. In such a forum they would be able to deal with concepts with multiple meanings, such as "the best interest of the child" (see Articles 4.1 and 9.2) and "positive African values" (see Article 11.2c), to mention a few. From such agreements, it may then be necessary to recraft the school rules and regulations so that they reflect the co-constructed values. By extension, this should make it easier for the school authorities to enforce discipline because the new school rules and regulations would have received support from key stakeholders. Through negotiation, the rights of the child and the local cultural values would not only have been made compatible with each other, but also made needs-responsive (Cardenas & Cardenas, 1977) and culturally responsive (Berryman *et al*, 2013). Through negotiation, the teachers would not only be made more accountable, but their authority would be more recognised by the stakeholders. The following paragraph presents a model that can guide negotiations in integrating local and universal values.

Integrating the rights of the child with the local values

The process of integrating local and universal values assumes that (i) the Malawian Ministry of Education will permit the negotiations to take place; and (ii) all the stakeholders will have adequate knowledge and skills to engage in meaningful negotiations as equal partners.

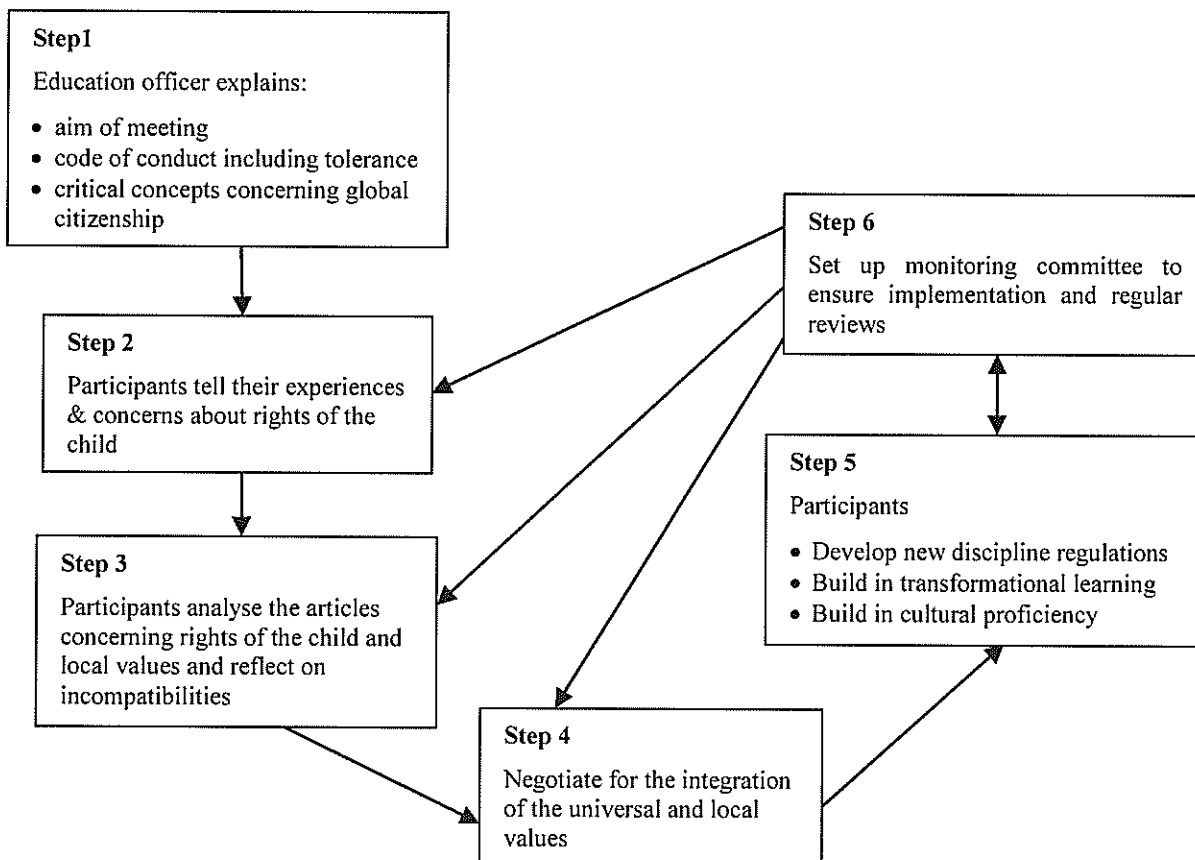
Education in Malawi has been decentralised to division and district levels. A division covers several districts. In Malawi, issues of local culture and values can be so fragmented that a district may have several communities of distinct cultures. The challenge may be that if officers at the division office are tasked to convene stakeholder meetings at local levels, the officers may be overstretched. The study proposes that officers from a district office convene such meetings.

The district officer will invite representatives of the teaching staff, community/traditional leaders, students and non-governmental organisations (NGOs) that advocate for the rights of the child.

The district officer is the right person to convene the meeting because by virtue of his or her position, people would feel obliged to attend the meetings. It is assumed that the officer would have understood his or her duties well. In these meetings, the officer will play the role of moderator so that his or her personal opinions do not interfere with the process. Meetings could be held at a school because they are usually centrally placed and a classroom would be ideal.

The purpose of these meetings would be to negotiate for a set of new values that reflect local values as well. The model can act as a platform for a well-reasoned discourse that is guided by the desire to understand the values and experiences of others (Doherty, 2012). The model has the capacity to make the local communities and teachers appreciate the notion of rights of the child. Furthermore, it can make NGOs appreciate the local values.

Figure 1: Integrating local and universal values through negotiation



Step 1:

The officer will introduce the agenda of the meeting, namely that it is about building new understanding of the local and universal values through the framework of culturally responsive methodology (Berryman *et al*, 2013). She or he will encourage participants (teachers, learners, community leaders and NGOs) to feel free to express themselves and emphasise that they should treat one another as equals (Kidde & Alfred, 2011). In this regard, each opinion matters. The officer should explain that diversity should be viewed as an asset (Freeman, 2011; Lopez-Vasquez, n.d.). The officer will also stress the need to be prepared to repair harm and restore relationships if people had wronged one another (Ashley & Burke, 2009).

The officer will spell out restorative peace guidelines as follows (Nuri-Robins, Lindsay, Terrell & Lindsay, 2007; Kidde & Alfred, 2011):

- Respect: everyone should respect others by listening to other opinions and valuing them;
- Responsibility: everyone should accept responsibility for their own actions; and
- Repair: everyone should endeavour to find solutions to whatever damage their actions caused and ensure that such behaviour is not repeated.

The officer will also provide some insights into the ideas of global culture, global citizenship (UNESCO, 2014) and the need for communities and schools to be moving in the direction of building a multicultural society. By taking participants through the above steps, the officer would have put them in the right frame of mind to participate in the deliberations in a meaningful manner.

Step 2:

The teachers will begin to explain the challenges they face in promoting the rights of the child and the local values. The community leaders will follow, explaining why local cultural values are important for society. The learners will explain how they are caught in the middle and that this confuses them. The NGOs will explain why it is important to abide by what the rights of the child stipulate. A free-flow deliberation will follow with the aim of allowing participants to express themselves freely (FOTE) (Raleigh, 2005). Apart from hearing each other's opinions, this phase will act as an opportunity for deliberative democracy (Samuelsson, 2006; Doherty, 2012) and a restorative process in that the participants will feel they have spoken their minds, someone has heard their concerns and needs and that solutions will be worked out (Nuri-Robins *et al*, 2007; Kidde & Alfred, 2011). The importance of this step is that it brings those who have been marginalised to the centre of determining the best course of action (Berryman *et al*, 2013). Incompatibility between local and universal values is expected to surface at this point. Many benefits can accrue from centring on the marginalised, in that we would be promoting equality, repairing harm and restoring relationships as people feel good about their concerns being addressed (Kidde & Alfred, 2011; Ashley & Burke, 2009). It is possible that new challenges could arise that may necessitate the monitoring team (see Step 6) to revisit the situation.

Step 3:

The meeting will discuss the appropriateness of some Articles relating to the rights of the child, for example, what is meant by "in the best interest of a child" (Articles 4.1 and 9.2); "positive African values" (Article 11.2c); "to be treated with humanity and with respect" (Article 11.5); "protect the child from all forms of torture, inhuman or degrading treatment" (article 16.1); and "harmful social and cultural practices affecting the welfare, dignity, normal growth and development of the child" (Article 21.1). Since students are the beneficiaries of these Articles, they should be encouraged to speak their minds so that a different perspective informs the debate. This is a critical step in that it examines the incompatibility of the Articles with regard to the local values (Cardenas & Cardenas, 1977).

It is expected that the NGOs will have a different understanding of the Articles from those of the other stakeholders. This will be a transformational learning process for all the stakeholders in that they will have an opportunity to assess alternative perspectives and be able to take action based upon the new perspectives. They will be able to understand their relationships with others, look at issues in a broad social context, and view social life from a perspective of diversity and social justice (O'Sullivan *et al*, 2002; Nagda *et al*, 2003; Mezirow, 1991). With increasing globalisation, the understanding of these articles may change. This may justify the monitoring team's (see Step 6) re-looking at the situation.

Step 4:

Guided by the culturally responsive methodology that tries to bring the marginalised groups to the centre of attention (Berryman *et al*, 2013), the moderator will steer the debate to select the key issues from both the rights of the child and local values that will be integrated in the upcoming disciplinary guidelines. At this stage, stakeholders will have to negotiate why their values should be integrated into the new guidelines. The negotiation should also consider that every culture should be respected as an independent and unique entity and that it should not be judged by the standards of another culture (Nsamanang, 2008). Taking the participants through such a contentious issue could help them appreciate that they need to compromise if they have to make progress. They may have to surrender certain values previously held important. Realising that many values are social constructs and therefore not cast in stone may perhaps be a very important revelation in bridging the gap between global and local values. The theory of deliberative democracy comes into play in that stakeholders will have to treat each other respectfully if the negotiations are to succeed (Samuelsson, 2006; Doherty, 2012). There is need for all the stakeholders to move from their extreme positions to a win-win position (Raleigh, 2005). In this regard, good faith bargaining and full, open, and truthful exchange and compromise can achieve the desired results.

Transformational learning theory also features in that stakeholders will have to assess alternative perspectives and take action based on the new perspectives (Mezirow, 1991). An important expectation at this stage is that teachers should prepare learners for a multicultural future. The theory of cultural proficiency emphasises that schools should help learners to develop the capacity to appreciate social/cultural differences in ways that acknowledge and honour other cultural groups (Lindsey *et al*, 2003). With the passage of time key issues could change so much that there may be a need for the monitoring committee (see Step 6) to examine the situation.

Step 5:

The stakeholders will:

- develop school regulations that reflect the universal and local values (Freeman, 2011; Nsamanang, 2008; Kaime, 2009);
- build in the school curriculum elements of transformational learning such as advancing diversity and social justice (Mezirow, 1991); and
- include in the school curriculum elements of cultural proficiency such as appreciation of other cultures, trends in global citizenship, and being of service to others (Lindsay *et al*, 2003).

Because culture is dynamic, new practices could necessitate the monitoring committee (see Step 6) to examine what that would mean for the education system.

Step 6:

A monitoring mechanism would be set up to ensure that the integrated structure of the rights of the child and the local values are being implemented and reviewed once at the end of an academic year. Depending on the issues that may arise, the review procedure may take the process to other steps. In other words, the process is cyclical (see Figure 1).

Implications for school discipline

The expectation is that discipline in primary and secondary schools would improve because there would be fewer areas of incompatibility between the local and universal values. Implementing the model (Figure 1) would help to bridge the gap between the local and universal values in the following ways:

- The learners have been involved in the process of deciding what is acceptable or not, and in integrating local with universal values (Berryman *et al*, 2013). It is hoped that the learners will take greater ownership of the values which should have a positive impact on the school discipline;
- Through involvement in the negotiations of diverse interests, learners would have been assisted to appreciate that diversity does not mean enmity but strength (Freeman, 2011; Lopez-Vasquez, n.d.). The fact that the views of the students who were victims of the incompatibility between local and universal values were sought conjures up a sense of social justice where the victim was allowed to contribute to the construction of the new values;
- The stakeholders would be transformed because they would appreciate how some of the practices they used to justify were retrogressive;
- Involving the stakeholders in deliberating in an open-minded fashion can be a healing process for the stakeholders for having hurt one another over the issue of values (Hamilton, 2010); and
- Curriculum content will be built into the primary and secondary school that can prepare students for cultural proficiency and global citizenship.

The changed mindsets of the students, teachers, traditional leaders and NGOs would form a synergy of common purpose regarding what is indeed in the best interest of the students in and after school.

RECOMMENDATIONS AND CAUTION

The model is recommended for secondary and primary schools. It can be replicated in different cultural settings. The district education officer must pay particular care not to include cultural values that do not advance the welfare of the child, antagonise other cultures or undermine national interests. It is hoped that the officer will be sufficiently tactful to be able to convince participants why certain practices are not helpful to the future of the students.

Resistance to the ideas of universal values can be expected because humans are usually suspicious of new ideas (Internet Encyclopaedia of Philosophy, n.d.). Schools are better placed to address such resistance among the students by incorporating aspects of local and universal values into subject content. Through forums of parent-teacher associations (PTAs), school authorities can educate parents and community leaders about the importance of espousing universal values.

CONCLUSION

The study examined how the local values contained in the Malawian traditional culture can be integrated with the universal values reflected in the rights of the child. A six-step model was developed as a platform for a well-reasoned discourse where key stakeholders are involved in addressing areas of incompatibility between the local and universal values in primary and secondary schools in Malawi. The model would also reform the stakeholders into people who appreciate diversity, social justice, and are culturally proficient. By bridging the gap between the local and universal values and reforming the stakeholders into citizens who subscribe to the ideals of multiculturalism, it is hoped that there will be greater acceptance of the values of other cultures and continued objective analysis of their own values which should translate to improved school discipline.

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