



## Transforming Students to Legal Property: Experiences and Perceptions on the Position of Teachers on Students' Discipline Management in Tanzania

By Dotto Nhandi

*The University of Dodoma*

**Abstract-** This study examines the impact of secondary school students' protective disciplinary laws and regulations on teachers and students' relationship at the expense of teachers' position in managing students' discipline. The study interviewed secondary school teachers and students, and the University of Dodoma (UDOM) lecturers and students at its College of Education. A total of 50 informants were purposively selected for the study. Focus group discussions, face-to-face and mobile phone interviews were used to collect the data from the informants. Data were analyzed by using thematic analysis. The findings revealed that more legal protection on students' welfare increases their rate of misbehaviour and deters teachers' autonomy in managing the students' discipline in and outside classrooms. It was further revealed that such students' much protection has become their umbrella against punishment by teachers.

**Keywords:** *discipline management, child's rights convention, legal protection, teacher autonomy, corporal punishment.*

**GJHSS-G Classification:** *FOR Code: 330199*



*Strictly as per the compliance and regulations of:*



# Transforming Students to Legal Property: Experiences and Perceptions on the Position of Teachers on Students' Discipline Management in Tanzania

Dotto Nhandi

**Abstract** - This study examines the impact of secondary school students' protective disciplinary laws and regulations on teachers and students' relationship at the expense of teachers' position in managing students' discipline. The study interviewed secondary school teachers and students, and the University of Dodoma (UDOM) lecturers and students at its College of Education. A total of 50 informants were purposively selected for the study. Focus Group Discussion, face-to-face and mobile phone interviews were used to collect the data from the informants. Data were analyzed by using thematic analysis. The findings revealed that more legal protection on students' welfare increases their rate of misbehaviour and deters teachers' autonomy in managing the students' discipline in and outside classrooms. It was further revealed that such students' much protection has become their umbrella against punishment by teachers. Basing on its findings, this study recommends that the students' protective laws and regulations should not deter and devalue the positional autonomy of teachers in undertaking their responsibilities. There is a need to establish mechanisms and guidelines which clearly stipulate the scope of the position of teachers in discipline management with immediacy particularly when students react and abuse teachers since currently the laws are silent.

**Keywords:** *discipline management, child's rights convention, legal protection, teacher autonomy, corporal punishment.*

## I. INTRODUCTION

The responsibility of discipline management in secondary schools is becoming an area of serious attention and focus in teaching and learning. Prosperous teaching and learning require learner's attention to understand and get accommodated to the learning environment (Munn, Johnstone, Sharp & Brown, 2007). Likewise, it is imperative that a teacher understands properly the classroom or school environment in which a student learns. In practice, schools and schooling are expected to mould and shape students to be useful individuals to themselves and admirable and depended upon by their society during their adulthood (Munn, et, al., 2007; UNICEF, 2009; Candle, 2010; Oluremi, 2013; Mlowosa,

Kalimang'asi & Mathias, 2014; Hoque, Khanam & Nob, 2017). Such preparation depends on students' desirable behaviour. Well disciplined students are expected to be productive to their society with desirable knowledge and skills. This is the essence as to why education is given to children in the world (Save the Children, 2013). According to Nakpodia (2010) "a disciplined mind is an asset to any society and a school is meant to train the youth to produce a balanced and disciplined citizen" and that "...schools are silent teachers of morals". This implies that, discipline to students is important in teaching and learning process and for overall school management (Kilimci, 2009; Stanley, 2014). It shapes their behaviour and improves achievement of school organizational goals and students' academic performance (Ouma, Simatwa & Serem, 2013; Njoroge & Nyabuto, 2014; Stanley, 2014; Simba, Agak & Kabuka, 2016). This may suggest that good students' behaviour such as respect, friendliness to their teachers, commitment in studies and refraining from drug and physical abuse such as bullying and sexual deeds have a positive impact on students' discipline and teachers' commitment in teaching and learning roles.

However, there are uncontested debates on students' indiscipline and unmatched violence like sexual abuse, corporal punishment, bullying, lack of respect, absenteeism, strikes, drunkenness, examination fraud, unethical dressing, stigma and discrimination, among others (Wright, Mannathoko & Pasic, 2009; Tweve, 2011; Karanja, & Bowen, 2012; Songela, 2015). Despite the fact that many scholars have addressed the problem of students' indiscipline and criticized the use of corporal and other forms of punishment (Naz, Khan, Daraz, Hussain & Khan, 2011), the state of students' indiscipline and violence in schools is high (Dunne, Humphreys & Leach, 2003). Besides, the actual and an escalating experience in the world sees schools and schooling changing to apertures of conflicts and bullying behaviour (Munn, Johnstone, Sharp & Brown, 2007; Petro, 2009; Ndibalema, 2013b). The schools will likely become and remain places where everyone looks and happily celebrates for the weaknesses of the other; the teacher

**Author:** *Department of Social and Business Studies Education, the University of Dodoma, P.O. Box 523, Dodoma, Tanzania.  
e-mail: lugedenga.dotto@gmail.com*

and his learner. The lovely care and respect expected from and between teachers and students seem to lack. This scenario is also likely to be apparent among secondary schools in the United Republic of Tanzania (URT).

More notably, since the establishment and enactment of the international Convention on the Rights of the Child (CRC) in 1989 and 1990, respectively (Crown, 2009), and the imposition of laws and regulations abiding their conducts and positions in schools (URT, 2004; Livingstone, *et al*, 2015), students and the society have started seeing the position of the teacher in class and society relatively insignificant (Hargreaves, *et al*, 2006; Kadzamira, 2006; Ndibalema, 2013a). Additionally, despite the mild and severe forms of punishment being not effective to reckon the high rates of schools' behavioural misachievement (Peretomode, 1992; Nakpodia, 2010; Stanley, 2014), students themselves know that teachers are not allowed by law to administer corporal punishment to them without recorded permission by the heads of schools. The many directives given by government and non-government educational stakeholders are likely to have an itching-like fate to teachers (Wandela, 2014). Also, parents can question the power of the teacher in disciplining their students and that teachers are even brought before police and courts of law as a consequence of discharging their duties (UNICEF, 2010.; Hargreaves, *et al*, 2006; Nakpodia, 2010; Jeston, 2013; Ndibalema, 2013a; Mcevoy & Zender, 2014; Magwa, 2014). The role of a teacher as a maintainer of security and order in classroom (Nakpodia, 2010) is scarce. For such reasons, students have become more legally prohibited and teachers are now missing authority in students' discipline in teaching and learning (UNICEF, 2009). They are becoming legal properties highly protected by laws and regulations. The researcher's own experience in the education career shows that, teachers punishing students today is risking their life and employment. Such conducts will likely continually erode the authoritative and professional autonomy of teachers in their career.

## II. BACKGROUND TO THE PROBLEM

The question on students' discipline and its definitions are complex and have attracted attention, researches and discussion in many nations (Munn, Johnstone, Sharp & Brown, 2007; Ouma, Simatwa & Serem, 2013; Yaghambe & Tshabangu, 2013; Kinyaduka & Kiwara, 2013, 2014; Magwa, 2014; Simba, Agak & Kabuka, 2016). The definitions of discipline and punishment have further created divergent thinking among children's rights' scholars (Gershoff, 2002; Munn, Johnstone, Sharp & Brown, 2007). Such attention and discussion have groomed to the need for students' rights' protection.

The consequential result of high demand for students' rights' protection has emanated from many nations to adopt the CRC in order to enhance attainment and protection of civil, cultural, economic, political and social rights (Kilimci, 2009). The aims of the Convention and other regulations are, among others, to develop the child to the fullest potential and enable him/her engage in family, cultural and social life (URT, 2008; UNICEF, 2009). However, despite the good aims of the Convention, the legal protection of secondary school students is more alarming and even terrifying the position and authority of teachers (Nakpodia, 2010; Machumu & Killugwe, 2013). There are many laws, regulations and spokespersons that monitor more the safety of the learner in school than teachers (Thomas, 2011; Livingstone, *et al*. 2015). Such monitoring centers more on students' learning affairs.

Indeed, the protection of students' rights is much conducted worldwide because many school students are exposed to risk settings of torture and difficult learning environment. CRC prohibits students' rights' violation in schools and home places and provides some articles which prevent corporal punishment (Wright, Mannathoko & Pasic, 2009). Many nations like Iceland, Israel, Germany, Croatia, Latvia, Cyprus, Austria, Norway, Denmark, Finland and Sweden have banned the use of physical punishment to children in schools and homes (Durrant, 2004). In Scotland, as it is in other nations, handling of students' violence in schools has been an etymological implicate of political sensitivity and concern (Munn, Johnstone, Sharp & Brown, 2007). Further, there are nations which consider corporal punishment an important and useful tool for managing and correcting students' discipline (Dunne, Humphreys & Leach, 2003; Naz, *et al.*, 2011) while others see it to be causing much externalizing behavioural problems (Wright, Mannathoko & Pasic, 2009; Hecker, Hermenau, Isele & Elbert, 2014). In countries like USA, Turkey, Sweden, Netherlands, China and Nigeria, school and home environments' advocacy and use of corporal punishment to discipline children are still a norm (Research and Analysis Working Group, Kilimci, 2009; UNICEF, 2010; Hecker, Hermenau, Isele & Elbert, 2014). Interestingly, in Turkey, for example, although students are embraced through the welfare approach, the rate of their disruptive behaviour is still high (Munn, Johnstone, Sharp & Brown, 2007). To reckon the situation, some studies have gone further to suggest correction mechanisms towards students' discipline improvement such as through team teaching for coaching and mentorship (Munn, Johnstone, Sharp & Brown, 2007), positive parenting and non-violent caregiving strategies (Hecker, Hermenau, Isele & Elbert, 2014). However, despite the fact that teachers and students' indiscipline conducts are variably and highly reported in countries like USA, Germany, China, Bangladesh and Sub-Saharan Africa (Betweli, 2013), teachers' loss of authority and loco-parentship is hardly

legally acknowledged. In the U.S. for example, although 80 percent of teachers are victimized at least every year (American Psychological Association, 2016), the efforts to redress the matter seem to be little.

It is important to note that, the western based studies center on looking at students' academic achievement in terms of more socializing environment in which punishing students becomes a legal question. Contrastingly, the traditional African experiences on children and students' discipline management in many instances are taken as a society role in which punishing students is part of their learning venture. It means therefore that, most of the western studies on students' discipline in learning give a new and opposite look to Africa whose students' discipline in schools and homes still attract much attention and sometimes develop blames. Such attraction becomes useful to the present study which seeks to examine the position of teachers in managing discipline of secondary school students.

There are cases of students and teachers' indiscipline like sexual and other forms of harassment in many African nations like South Africa, Zambia, Kenya, Ghana, Zimbabwe and Malawi, on one hand (Dunne, Humphreys & Leach, 2003; Chege, 2006; Smith & DU Plessis, 2011). On the other hand, Nigeria, Kenya and Tanzania have laws which still propagate for the regulated use of corporal punishment in schools (URT, 2002, 2008; Nakpodia, 2010; Hakielimu, 2011; Newell, 2011; Kinyaduka & Kiwara, 2013; Hecker, Hermenau, Isele & Elbert, 2014; Mlyakado & Timothy, 2014; Stanley, 2014). This may likely pose students' indiscipline problems in schools due to divergent multiple instructions given by divergent legal directives from divergent authorities. Indeed, there is enough and startling evidence of students' mistreatment of their teachers in and outside classrooms (UNESCO, 1998; Dunne, Humphreys & Leach, 2003). In Tanzania experience shows that the rate of violence and misbehavioural conducts among students against their teachers is common and emotively attracts social and political tension, violence and hatred among political and government educational officials, heads of schools, teachers, students and parents in and out of school settings (Akyeampong, n.d.; Kiyao, 1981; UNESCO, 1998; Mulford, 2003; Hargreaves, et al, 2006; Makule, 2008; Mushi, 2009; Karanja & Bowen, 2012; Osaki, 2012; Machumu & Killugwe, 2013; Mlyakado, 2013; Ndibalema, 2013a; Youze, Fanta, Balyage & Makewa, 2014). Still in many parts of the world, parents, too, are swiftly leaving their role of disciplining and guiding students at homes and such impact negatively impacts their behaviour (Barbara, 2008; Nhandi, 2017; Wright, Mannathoko & Pasic, 2009; Laddunuri, 2013).

Furthermore, there are several reports about students' misbehaviour, voluntary absenteeism from school, intensive drug abuse, sexual harassment and

verbal and physical abuse to their teachers in the nation which demoralize and make the latter worry about their life (Machumu & Killugwe, 2013; Mlowosa, Kalimang'asi & Mathias, 2014; Stanley, 2014). Teachers are sexually and physically abused and their authority being muscularly protested by students without many of these cases being reported (Dunne, Humphreys & Leach, 2003; Machumu & Killugwe, 2013; Magwa, 2014). Also, since students have become legal properties protected by 'strict' laws and conventions, they know and value more about their rights than the role and position of the teacher in and outside school and classrooms (UNICEF, 2009, Article 38; Nakpodia, 2010; Magwa, 2014). Eventually, teachers teach students in a way that is friendly enough to allow them not to be blamed (Nakpodia, 2010). The likelihood flaw is to make the students less listening to and respecting their teachers. In classrooms, teachers have become passive because heads of schools are not all the time omnipresent to inflict corporal punishment to misbehaving students (Nakpodia, 2010). Accordingly, the teaching codes in many nations position a teacher as a misconduct and criticism bound, but not as a professional learner for clear professional growth and accountability (Van Nuland, 2009).

In fact, teaching and learning environments in schools have become like sport ground. Everyone has put his eyes away from the target ball; the demand for quality and individual-responsive education to both teachers and students (Candle, 2010; Ndibalema, 2013a:45). The teachers are lamenting on the fouls played by their learners, as the latter are being oppressive to the former. Students, too, see teachers not welcome as they are thought to be harsh and incompetent without authority. Every part is blaming the other parts (Akyeampong, n.d). The educational officials, government, parents and non-governmental organizations are all over the playground looking keenly on the fouls played by teachers against their students (Mlowosa, Kalimang'asi & Mathias, 2014). Much defense and protection are on students.

More practically, there are cases of teachers being punished before their students by government officials. For example in 2009, the District Commissioner in Bukoba, Tanzania ordered the police to cane seven female teachers and 12 male teachers before students due to tardiness and students' poor performance in national examinations (Ndibalema, 2013a). Likewise, the actual experience in October 2016 of the University practicing teachers who corporally punished a secondary school student in Mbeya Region, Tanzania and the scenario attracted a severe national attention. There was attention from three Government Ministries, police officers and the Regional Commissioner and the student-teachers were apprehended (<https://www.youtube.com/watch?v=e3LZF4f2WSI>; <http://www.bbc.co>

m/swahili/habari37575984). Ultimately, the head of school was eventually demoted because of mishandling the matter by purport that she was like letting the matter go unreported. However, the later report from the Regional Commissioner showed that there were serious incidences of students' misconduct in the school so much that it rendered students' discipline management by teachers impossible (<https://swahilitimes.com/taarifampya-ya-mkuu-wa-mkoa-kuhusu-tukio-la-kupigwa-kwa-mwanafunzi-mbeya-day/>).

Eventually, with such students' rights' legal protectionism, and because little is written about its impact on teachers' students' discipline management, specifically the central role of this paper was to examine the impact of the legal rights' protectionist systems on teaching and learning and on teachers' authority in students' discipline management when executing their noble career roles.

### III. OBJECTIVE OF THE STUDY

This study examines the position of teachers in management of discipline of secondary school students who have much legal protection in the process of teaching and learning. The study objective is guided by two questions.

- (a) What is the actual state of legal protection of students' rights in discipline management in secondary schools in Tanzania?
- (b) What is the position of teachers in effectively managing students' discipline in secondary schools in the nation?

### IV. METHODS

#### a) *Research approach, sampling process and data collection*

This study employed a qualitative approach to enable more complex aspects of experience to be studied including the nature of the informants' experiences in the position of teachers' discipline management among secondary school students (Barker, Pistrang & Elliott, 2002). The target population was purposively selected from secondary school teachers and students, and UDOM lecturers and students from the College of Education. There were 10 University lecturers, 5 secondary school heads, 10 secondary school teachers, 10 university undergraduate students and 15 secondary school students who were interviewed. Purposive sampling and data collection were done on an ongoing iterative basis to saturation level (Cohen, Manion & Morrison, 2007; Glaser and Strauss 1967; Barker, Pistrang & Elliott, 2002) in order to get randomly targeted informants to avail their perceptions on the study. Sampling was concluded when saturation was reached especially when observed situations appeared to be repeating (Cohen, Manion &

Morrison, 2007). This helped in easing the selection of the common themes obtained from the informants.

The data were collected by using Focus Group Discussion (FGD), face to face and phone interviews. The interviews enabled to gain informants' inner feelings about students' discipline and the position of teachers in maintaining and managing their roles. Individual and group informants were selected based on their potential and ability to significant contribution to the study. Only in certain circumstances, observation and data collection continued to find the most to the least common behaviours observed over time to maintain data trustworthiness (Cohen, Manion & Morrison, 2007). In order to adhere to research ethics, informants' anonymity was considered. Also, the researcher first sought a letter of permission from the Postgraduate Office of the College of Education responsible for research to enable him collect these data.

#### b) *Data analysis and presentation*

The data were analyzed by using thematic analysis in relation with the two specific research questions and researchers' own cognitive style and talents without causing vagueness to the phenomenon under examination (Barker, Pistrang & Elliott, 2002). The analysis of data was first done by transcribing the recorded interviews and their meanings (Barker, Pistrang & Elliott, 2002).

Since this study went beyond the descriptive level, cross-case analysis was used across informants in order to identify common themes about the students' discipline across schools and informants' experiences and perceptions in order to see which aspects were shared. The common themes that appeared to be reiterated by many of the informants were: the fate of students' legal protection on the management of their discipline, political interference and contradicting directives when teachers execute their duties, position of teachers and the teaching is not good, low socio-economic status of teachers and poor quality of teachers and large class sizes. In order to express the informants' perceptions freely, the findings were presented and synthesized using the informants' own quoted voices.

### V. RESULTS AND DISCUSSION

#### a) *The actual state of legal protection of students rights in discipline management in secondary schools in Tanzania*

##### *The fate of students' legal protection on teachers' discipline management*

Out of 15 interviewed students, 14 (93.3%) agreed that students' discipline was poor. Such problem creates impact for poor academic performance. The problem was placed onto students. One male student from secondary school Z when interviewed said:

"students do not follow instructions given by their teachers". It was further informed that the directives from the higher authorities do not help students to improve their discipline. Another student said:

*In my school, if a student does wrong, discipline masters/mistresses will act and punish students without any permission from the head of school. And students' discipline is good* (A female student of secondary school Y in FGD).

When asked if there is a need to maintain punishment in schools, 8 lecturers (80%) insisted that it has to continue. More emphasis was put on the effective use of corporal punishment and its importance of immediacy. One lecturer had this to affirm:

*If corporal punishment is to be maintained, procedures should be followed in a meaningful context and with immediacy. Punishment is not only for the misbehaving student, but also a lesson to other students. In Tanzania, the government procedures on punishment are too long...For example, if a student misbehaves in class while the teacher is teaching, at what time will the punishment be rewarded to the student for immediate effect? What will other students in the class learn if the misbehaved is punished later and may be out of the context of the mistake?* (A male lecturer in FGD).

Generally, upon seeing the seriousness of secondary schools' misbehaviour problems among students, many informants of this study vied for support of use of corporal punishment more than ever before. There were different voices from the informants. Contradictions and enmity among students and their teachers were reported to be a serious problem. Another lecturer said:

*Nowadays students are in a winning side. Most of the laws and regulations are in their support and address their matters positively. Teachers are glaringly losing the battle. Indeed, teaching and learning relationship between teachers and students is creating a battle field; a student wins because he has the laws, the teacher loses because he has no laws in his support* (A female lecturer in FGD)

The above sentiments are in line with the studies by Hargreaves, *et al*, (2006), Kadzamura, (2006) and Ndibalema, (2013a) that teachers are losing their authority in students' discipline management before the latter's protective laws. Similarly, students are also not happy with and do not support the too protective laws and regulations done on their favour. To aid this, one female student participant remarked:

*The laws and regulations which strictly defend students do not help in bringing up obedient and good behaving student-citizens. These laws are destructive...They make teachers fear from being punished or terminated from their employment...* (A

female student of secondary school Z in a face to face interview).

Experiences from majority of the informants of this study showed that if discipline management is carefully done, there is likelihood of making students perform well in their educational endeavors. One remark from a lecturer was hinted:

*Corporal punishment is highly required. If I had that opportunity, I could suggest that more corporal punishment is needed. Students today are driven by this ICT world and they know everything. They completely do not value the presence and authority of their teachers. I have my own experience when teaching in one secondary school in Kilimanjaro where I severely punished two students who were drug abusers. They reported to their parent. When the parent came and gave me support after getting my full explanation, today these students are in universities pursuing their bachelor degrees. The parent has become my friend who all the time contacts and thanks me for that* (A male lecturer in a face to face interview).

The great constraint is that many education stakeholders including NGOs and other government organizations write and center more on students' rights and protection while paying little attention to the needed positive student-teacher interactions in and out of school settings. Such poor teacher-student's relationship is also reported by other researchers (Nakpodia, 2010; UNICEF, 2009). The informants' experiences and perceptions portray further that students' rights' activism conducted by various educational stakeholders endanger teachers' effectiveness in discipline management among secondary school students.

The above responses indicate clearly that, the state of students' discipline in schools is not good. All the interviewed informants had a view that, students have become aware that they are legally protected and therefore they no longer have a fear of their teachers. However, the informants affirmed that it is important that all stakeholders collaborate together to ensure that management of students' discipline is a responsibility of every individual. A student is a society member who after his/ her journey of studies, he/she is expected to join and serve his/her people and the nation. Thus, quality preparation of learners with admirable attitudes and discipline is required to make them accountable and close to their people.

*Political interference and directives on teachers' management of students' discipline*

Political interference in administration of school activities is becoming apparent. In course of that, various directives are given but they are not uni-directional. All these are making teachers miss their core

target. In a group discussion with four lecturers from UDOM, emphasis on the use of laws and regulations in running schools was upheld. The discussants had a view that lack of discipline in many secondary schools in Tanzania is partly due to low enforcement of school rules and regulations. In one point, they hinted:

*Corporal punishment should be controlled with laws and regulations and teachers need to stick on them. Good behaviour and learning to students require abiding by the instructions and schooling culture. There should be a limit of democracy in learning when school rules and culture are violated by learners. Students should be told to have a mandatory requirement to study and follow the school regulations. There is a problem with our policies that affect the leadership system in decision making. There is like a vacuum in leadership. National laws make mandatory to take a child to school, but when it comes to students' discipline, he/she is left without help. Teachers need to be well informed by the educational officers. The educational inspectorate officers need to go down to the lower school roots (A female lecturer in FGD).*

In noting the glaring impact of political interference, it was revealed that, many government and political leaders influence and impact much the management of schools and students. There are many confronting directives which thwart the autonomy and authority of teachers in managing effectively students' discipline in secondary schools. One secondary school head emphasized:

*We should not politicize the actual status. There is a need to have clear directives. Government officials should not give directives without getting the first hand information of what is happening...There is a need for coordinated flow of information from top to bottom and vice versa. Otherwise, teachers may continue to be demoralized by the many and often given directives...Only people responsible to the administrative running of schools should be given a room. Politicians need to be limited. It is nowadays possible to find a political leader directing what a school head should do while there are educational officers who could channel well the required information (The Headmaster of secondary school Z in a phone interview).*

The foregoing remark implies that lack of clear channels of commands in teaching career is still a problem. This is likely to cut across from students and teachers, to lower and higher educational officers. It is common to find that even school heads cannot discipline teachers as they fear to miss that authority. Concurrently, some of the school heads are also condemned of perpetuating school misconducts. This idea is supported by Ndibalema (2013a), Hargreaves, et al, (2006), Wright, Mannathoko and Pasic (2009), Osaki

(2012) and Mushi (2009) who see that the authority and role of teachers are affected by political and other social factors in our society.

Teachers' effective management of students' discipline help in making and producing learners who understand well their role and responsibility in their society. These learners become hard workers and committed to their learning and other society needs. One male lecturer commented:

*Corporal punishment makes students behave well and work hard. Due to the current situation, the teachers are not in a good position to play their role as loco parentis. It has got a long procedure and a single person (headmaster/headmistress) is not easy to handle all the punishment for misbehaving students...What is happening nowadays is abhor! One event might have more than ten different directives from different institutions which become of more political interest than building our dying education system (A male lecturer in a face to face interview).*

The imperative need for corporal punishment has much been insisted by many informants of this study because of increase of students' legal protection. Such protectionism makes students' discipline unmanageable by their teachers. This similar demand is supported by other researches like Machumu and Killugwe (2013) and Hecker, Hermenau, Isele and Elbert (2014) that corporal punishment to student is needed. However, the most important caution to be taken is the regulated use of the political directives given to teachers which negatively affect their commitment in supervising students' discipline in secondary schools.

b) *The position of teachers for effective management of students' discipline for academic excellence*

The study went further into seeing what might be the position of teachers in handling students' discipline in classrooms especially in this era where students' democracy is highly growing and legal protection of their rights is in rise. With a focus on critical commitment of teachers in their success of teaching and upbringing students as responsible and society blended individuals, the presentation of the findings has been done in specific sub-themes as follows.

*Friendliness, love and cooperation among teachers and students*

Collaboration and friendly teaching and learning environment among students and teachers are largely missing in schools. Informants of this study in several ways urged a call for decisive efforts to aid students and teachers' supportive learning and interaction in order to ensure that secondary school students graduate with good behavioural attributes in order to work for the betterment of their people and the nation.

When asked about the state of friendliness and cooperation between teachers and students in teaching

and learning, the informants affirmed that there are no calm situations. Students are not interested in class activities especially when the activities are particularly involving and demanding. Even when a student fails to perform a given task, much of blames are thrown to teachers. In some cases, when students are sent to school, no serious follow up is given. Discipline inclines, among other things, accomplishment of tasks and assignments given to students. To actuate these, one informant had this to say.

*...Teachers are being blamed by everyone; if they punish a student, the parent and even the government officials react against them. How can the teachers improve the discipline of their students with this kind of their low treatment?* (UDOM's female undergraduate student in a face to face interview at the College of Education).

The above sentiment commends that, because of serious lack of students' commitment in their school activities and tasks, there is much failure in students knowing their school responsibilities and cooperation amongst themselves and their teachers. All these lead to what students, many governments and society at large consider as lack of teachers' loco-parentship (Nakpodia, 2010). It is possible to find teachers in many secondary schools celebrating for the poor results of their students. Moreover, there are many organs ranging from politics, parentship, NGOs and educational officers (UNICEF, 2009; Nakpodia, 2010; Magwa, 2014) which champion for students' rights' protection. Also, such relations create high antagonistic chains of commands which aim at directing what is to be done in schools pertaining to students' learning. The likely impact is that students are seen being so much pampered. One lecturer informed:

*Teachers were expected to be loco-parentis. Only teachers are left to deal with students' misbehaviour; and they have also lost interest. Again parents do not want teachers to interfere them! ...Parents want students to perform, but teachers are demoralized. There is no positive reinforcement. There is a problem in engaging teachers, parents and the government. Everyone is running away from the responsibility of helping students in their learning. There is a need for effective engagement* (A male lecturer in a face to face interview).

The study observed further that, other school governing machineries such as school boards are not effective in overseeing school discipline. Also general school meetings and councils are hardly convened. An informant in one of the occasions during data collection emphasized that:

*School boards are no longer powerful...There is a need to limit the boundaries of jurisdiction. For example, in seminary schools, when decisions are given, only school heads have that autonomy. With*

*such follow ups on students' discipline, most seminary schools perform well in academics...In one school, they created the use of different uniforms to each group, thus difficult for a student to escape from class. All teachers have been given permission by the school head to punish a misbehaving student. There is high discipline in this school...* (A female lecturer in a face to face interview).

Students who participated in the study cemented further that there is little guidance and care from parents pertaining to management of students' discipline. Others are even ready to go to school and confront teachers if their children, who are also students, get punished. This in fact deteriorates teachers' morale of helping managing the discipline of students. Another secondary school student reiterated:

*In my school, I have an experience of a male teacher who was stoned by a group of male students at his home. The reason is that the teacher was very strict and punished one Form three student who later organized some of his fellow students and attacked the teacher at home in one evening* (A female student of secondary school Y in a face to face interview).

It is important to note that in certain circumstances, parents support teachers in provision of corporal punishment. Such support helps in ensuring that student's conducts and progress are a joint venture of every person in a society. More notably, parents' positive cooperation to teachers is an effective mechanism towards effective student's discipline in schools. In an emphatic tone, one lecturer when interviewed cemented:

*I came across a problem when a female student who did not go back home the previous day after school hours. Instead, she was brought by her mother and reported that she went to her female friend and slept there. Teachers punished the student with full support from the parent.*

The implicative meaning of the available legal and directives' contradiction in discipline management among secondary school students in Tanzania makes teaching and learning environment in schools very difficult (Ndibalema, 2013a; Mlowosa, Kalimang'asi & Mathias, 2014). As it is in other nations in the world, teachers are the main receivers of criticism and claims of students' poor performance in their educational endeavor (Van Nuland, 2009). There is no clear direction of who should direct teachers for students' educational outcomes. Even when the outcomes are delivered, students are highly favored.

*Low socio-economic status of the teaching profession*

Poor economic status of teachers was mentioned to be a course of students' misbehaviour. Many informants mentioned and reiterated on the poor



economic status of teachers which makes them get a socially constructed label of low social status and attraction. A challenge with this is that everybody despises the teaching profession, be it parents, teachers themselves, government and other pressure groups (Ndibalema, 2013a). In other times, teachers are not given due respect on the discharge of their duties due to their difficult economic condition. Little respect is given to them. One lecturer commented:

*When a parent has an income higher than a teacher, a student sees the teacher to have no significant impact with his/her discipline. Teachers are seen as being poor with their own problems. So, whenever you deal with a misbehaving student, the matter is displaced to teachers that they are harsh to students because of their economic difficult (A male lecturer in a face to face interview).*

This may be true as most of the teachers are much of their time involved in school activities. Teaching is not about getting in and out of class. It is a continuous activity and quite diagnostic for the learning progress of the students. After teaching, there comes marking and assessment of learners' assignments. Teachers are learning creatures all the time. They do not have time to handle their personal businesses. Their income goes on remaining stagnant. Wonderful, this also creates a room to poor labeling in fulfilling their responsibilities.

#### *Impact of class size on students' behaviour*

It was also reported that the expansion of schools has led to high enrollment rates that have caused many classes to be overcrowded. Teachers' classroom management for students' behaviour is difficult. One secondary school student teacher reported.

*...Other students involve themselves in dangerous groups such as drug abuse. You find some numbers of students are in shifts; others come in the morning while others in the afternoon. A teacher gets difficult to monitor students' school attendance and discipline (A male student of secondary school Z in a face to face interview).*

Such school expansion led by students' increase in enrollment creates acute constraints on teachers' preparation and quality of their training (Kilimci, 2009). Quick and sometimes poor training of teachers lead to some miss proper professional attitudes and skills in dealing with students' misbehaviour. When asked about the course of high rate of misbehaviour among students in secondary schools, the informants had various revocations. Others saw that there is a problem of quality and competence of the teachers who are in schools. This idea was highly supported by both teachers and students. One secondary school student from school Y affirmed that "The professional ability of teachers in class contributes

much to students' misbehaviour. Some are not competent enough to deliver in class. This welcomes a lot of students' challenges, grievances and dissatisfaction which lead to teachers' difficulty in managing classes". Moreover, in supporting the above response, one secondary school teacher commented by reiterating that:

*The expansion of education has led to high enrollment of teachers. Teaching and preparation for teachers are also creating challenges. Other teachers are in teaching without call and self-motivation. Yet, employers are interested more in performance than competence (A male teacher of secondary school Y in a face to face interview).*

The above quotations indicate that, teachers' preparation and employment do not follow strict professional codes. Both the highly and poorly performing student-teachers are all employed. In private schools, however, experience shows that, since they normally involve interview in recruitment of teachers, most of them center on good grades of highly performing students. Generally, teachers are hardly well prepared to enable them manage well and successfully students' indiscipline cases.

If teachers were well prepared and their authority recognized in our communities, there could be effective and purposive administration of punishment to misbehaving students. The opposite is that, today it is possible to find some teachers punishing students on personal grievances. They should focus on the problem being addressed rather than general attributes. One lecturer cautioned:

*The punisher should focus on the problem, but not personal attributes of the student. You may find in other times when a teacher is punishing a student, there may also be a lot of abusive language which attack students' individual personalities. Thus, some time one may miss to see what problem the student is actually being punished for; no consistence... (A male lecturer in a face to face interview)*

The remarks from the informants are calling for collaborative and cooperative responsibility among teachers, students, government, parents, NGOs and other society members in management of students' discipline in secondary schools. Students' rates of misbehaviour, violent and abusive attitudes to their teachers are apparently present. However, such cases are neither recorded nor reported and even if known, they are not given much attention for redress. These findings corroborate with previous studies by Dunne, Humphreys and Leach, (2003), Machumu and Killugwe, (2013) and Magwa, (2014) who report further that teachers are physically and muscularly abused by students. This contributes much to the former's demoralization in not only managing the latter's discipline but also their learning.

Teachers are generally becoming demoralized and have left their role of managing students' discipline (Nakpodia, 2010; Magwa, 2014). Most of the interviewed informants in this study agreed that teachers today do not seriously help students when they are in difficulty. This further goes even to teaching and learning processes in class. If students do not attempt given class assignment, very few teachers make follow up and diagnose the problems affecting their learners.

## VI. CONCLUSION

The discussion above gives constraints that are still in the Tanzanian education system. The position of teachers in discipline management of students in secondary schools is very low and limited. Meanwhile, the state of students' discipline in secondary schools is bad. There is a serious confusion. Students are much legally protected which make teachers remain silent. There is worry that schools have become meeting points of two people who have their own different walks. Teachers are teaching and preparing learners to simply accomplish the doctrine cycle of education. Also, students are in a tolerating mood in the hands of these people who are seen as 'wolves' or predators, their teachers (Shakeshaft, n.d.). The great concern over school student's discipline management is becoming more simplified every day. As Albert Einstein, a famous philosopher says, "We should make everything as simple as possible, but not simpler". The present study concludes that, in the current democratic classes, activism in teaching and learning will spoil students if it is solely looked at and left under student's legal rights' protective wing.

There is a need to stop throwing blames in discipline management of secondary school students. Trust is needed to be strengthened among parents, teachers and the government to make sure that students are prepared well to assume their roles responsibly and with good discipline. Teachers, too, should not see that students' discipline management and their academic success are no longer their responsibility (Ndibalema, 2013a). The quality of education obtained must be given good disciplinary support in order to produce good behaving students.

## VII. RECOMMENDATIONS

The study recommends that, there is a need for closer cooperation among students, parents, teachers, government and other educational stakeholders including the community. Students need to be protected with the laws for their rights as individuals. However, the responsible organs need to pay attention to the key issues which may clearly define the position and autonomy of teachers in discipline management in order to establish and strengthen positive discipline among

secondary school students and teachers. There should be formulation of clear rules and regulations to guide the scope of teachers' autonomy in managing students' discipline. Such rules and regulations will help to gorge more friendly environments which both a student and a teacher benefit from the learning process. This means that, when there are rules and regulations which propagate for students' rights, there should also be provisions which clearly state the rate of authority a teacher has on disciplinary management of his/her learner. This is important especially when the teacher's authority for effective accountability execution is thwarted by students' protective legal rights.

## REFERENCES RÉFÉRENCES REFERENCIAS

1. Akyeampong, K. (n.d). Reconceptualising teacher education in the African context. Unspecified article. *Sussex Research Online*.
2. American Psychological Association. (2016). *A silent national crisis: Violence against teachers*. Available at: [www.apa.org/ed/schools/cpse/activities/violence-against.aspx](http://www.apa.org/ed/schools/cpse/activities/violence-against.aspx)
3. Barbara, C. (2008). *Growing up gifted: Developing the potential of children at home and at school*, 7<sup>th</sup> Edition. Pearson Merrill, Prentice Hall.
4. Barker, C., Pistrang, N. & Elliot, R. (2002). *Research methods in clinical psychology: An introduction for students and practitioners*, Second Edition. John Wiley & Sons, Ltd.
5. Betweli, O. (2013). The nature of teacher professional misconduct in Tanzanian public primary schools: The case of Sumbawanga Municipal and Rural Districts. *International Journal of Education*, 5(1), 81-93.
6. Candle, J. (2010). *Factors affecting teacher turnover in private secondary schools in Wakiso District*. A published research dissertation for Master of Science in Human Resource Management in Education. Kampala. Makerere University.
7. Chege, F. (2006). *Teacher identities and empowerment of girls against sexual violence*. A paper presented at the UN conference in Florence, Italy from 25–28 September 2006. UNICEF Innocenti Research Centre.
8. Cohen, L., Manion, L. & Morrison, K. (2007). *Research Methods in Education*, Sixth edition. Routledge.
9. Crown. (2009). *United Nations Convention on the rights of the child: priorities for action*. Department for Schools, Children and Families. Available at: [publications.dcsf.gov.uk](http://publications.dcsf.gov.uk),pp. 1-31.
10. Dunne, M., Humphreys, S. & Leach, F. (2003). *Gender and violence in schools*. Paper commissioned for the EFA Global Monitoring Report 2003/4.

11. Durrant, J. E. (2004). Physical punishment and physical abuse: A newsletter from the Office of the Children's Commissioner. *Children*, 50, 1\_6.
12. Gershoff, E. (2002). Corporal punishment by parents and associated child behaviours and experiences: A meta-analytic and theoretical review. *Psychological Bulletin*, 128, 539–579.
13. Hakielimu. Tanzania. (2011). *Litigating the right to education in Tanzania: Legal, political and social considerations and potential applications*. Dar es Salaam.
14. Hargreaves, L., et al. (2006). *The status of teachers and the teaching profession: Views from inside and outside the profession*. Interim Findings from the Teacher Status Project. University of Cambridge and University of Leicester. Research Report RR775.
15. Hecker, T., Hermenau, K., Isele, D. & Elbert, T. (2014). *Child Abuse and Neglect*, 38(5), 884–892.
16. Hoque, M. M., Khanam, S. T. & Nobil, M. N. (2017). The Effects of Mothers' Profession on their Children's Academic Performance: An Econometric Analysis. *Global Journal of Human-Social Science*. 17 (2), 1, 1-8.
17. Jeston, E. J. K. (2013). *An assessment of teachers' turnover and its impact on academic performance in government secondary schools in Mbozi District, Tanzania*. A published dissertation for Master of Education Administration, Planning and Policy Studies. Open University of Tanzania., 1-122.
18. Kadzamira, E. C. (2006). *Teacher motivation and incentives in Malawi*. Retrieved from [http://www.dfid.gov.uk/r4d/PDF/Outputs/PolicyStrategy/3888Teacher\\_motivation\\_Malawi.pdf](http://www.dfid.gov.uk/r4d/PDF/Outputs/PolicyStrategy/3888Teacher_motivation_Malawi.pdf) on March, 2017.
19. Karanja, R. & Bowen, M. (2012). *Students indiscipline and academic performance in public schools in Kenya*. CRP Working Paper Number DU/2012/002. Daystar University.
20. Kilimci, S. (2009). Teachers' perceptions on corporal punishment as a method of discipline in elementary schools. *The Journal of International Social Research*, 2(8), 242–251.
21. Kinyaduka, B. D. & Kiwara, J. F. (2013). Exploring status of female student- male teacher sexual relationship and its perceived effects in secondary schools in Tanzania: Experiences from Moshi Municipality, Kilimanjaro Region. *Journal of Education Research and Behavioural Sciences*, 2(11), 177-183.
22. Kinyaduka, B. D. & Kiwara, J. F. (2014). Female student-male teacher sexual relationship in Moshi Municipality, Kilimanjaro, Tanzania: Sexual advance points, reasons, reporting status and responsible teacher category. *Merit Research Journal of Education and Review*, 2(5), 085-091.
23. Kiyao, R. (1981). *Democratization of education: A Tanzania case*. Paris. UNESCO.
24. Laddunuri, M. M. (2013). The sexual behaviour of secondary school adolescent students in Tanzania: Patterns and trends. *International Journal of Caring Sciences*, 6(3), 472-484.
25. Livingstone, S., Carr, J. & Byrne, J. (2015). *One in three: Internet governance and children's rights*. Centre for International Governance Innovation and the Royal Institute of International Affairs.
26. Machumu, H. J. & Killugwe, Z. K. (2013). Stakeholders' perceptions on discipline management as a means to improve students' academic performance emerging experiences from Bunda District schools, Tanzania. *Journal of Education Research and Behavioural Sciences*, 2(6), 076–089.
27. Magwa, S. (2014). Managing sexual abuse of students by teachers: A case study of Masvingo district secondary schools in Zimbabwe. *International Journal of Education Learning and Development*, 2(2), 11-21.
28. Makule, A. O. (2008). *Globalization and education: The changing of school leadership role in the provision of primary education in Tanzania*. A published thesis for Master of Philosophy in Comparative and International Education Institute for Educational Research. University of Oslo.
29. Mcevoy, A. & Zender, D. (2014). *Abuse of power: Most bullying prevention is aimed at students. What happens when adults are the aggressors?* Toolkit. pp. 51-53. Available at: [tolerance.org/abuse-of-power](http://tolerance.org/abuse-of-power)
30. Mlowosa, T. P., Kalimang'asi, N. & Mathias, B. D. (2014). The impact of truancy in academic performance among secondary school students: A case study of Kigamboni Ward in Temeke Municipality. *International Journal of Scientific and Research Publications*, 4(11), 1-5.
31. Mlyakado, B. P. (2013). Attitudes and views of teachers towards students' sexual relationships in secondary schools in Tanzania. *Academic Research International*, 4(1), 232- 241.
32. Mlyakado, B. P. & Timothy, N. (2014). Effects of students' sexual relationship on academic performance among secondary school students in Tanzania. *Academic Research International*, 5(4), 278-286.
33. Mulford, B. (2003). *School leaders: Changing roles and impact on teacher and school effectiveness*. A paper commissioned by the Education and Training Policy Division, OECD, for the Activity Attracting, Developing and Retaining Effective Teachers.
34. Munn, P., Johnstone, M., Sharp, S. & Brown, J. (2007). *Violence in schools: Perceptions of secondary teachers and headteachers over time*. *International Journal on Violence and Schools*, 3, 52-80.

35. Mushi, A. K. P. (2009). *History and development of education in Tanzania*. Dar es Salaam, Tanzania. Dar es Salaam University Press.
36. Nakpodia, E. D. (2010). Teachers' disciplinary approaches to students' discipline in Nigerian secondary schools. *International NGO Journal*, 5(6), 144-151.
37. Naz, A., Khan, W., Daraz, U., Hussain, M. & Khan, Q. (2011). The impacts of corporal punishment on students' academic performance/ career and personality development up-to secondary level education in Khyber Pakhtunkhwa, Pakistan. *International Journal of Business and Social Science*, 2(12), 130-140.
38. Ndibalema, P. (2013a). Stakeholders' attitudes towards the prevalence and problems associated to primary school teachers' professional misconducts in Tanzania: The case of Chamwino District. *Journal of International Academic Research for Multidisciplinary*, 1(7), 31-54.
39. Ndibalema, P. (2013b). Perceptions about Bullying Behaviour in Secondary schools in Tanzania: The case of Dodoma Municipality. *International Journal of Education and Research*, 1(5).
40. Newell, P. (2011). *United Republic of Tanzania: Briefing for the Human Rights Council*. Universal Periodic Review – 12<sup>th</sup> Session, 2011.
41. Nhandi, D. (2017). Siblings' birth order interaction and self-esteem development: Forgotten social settings for e-health delivery in Tanzania? *International Journal of Education and Research*, 5(1), 51-67.
42. Njoroge, P. M. & Nyabuto, A. N. (2014). Discipline as a factor in academic performance in Kenya. *Journal of Education and Social Research*, 4(1), 289-307.
43. Oluremi, F. D. (2013). Truancy and academic performance of secondary school students in Southwestern Nigeria: Implications for counseling. *International Journal for Cross-Disciplinary Subjects in Education (IJCDSE)*, 3(2), 1424-1428.
44. Osaki, K. M. (2012). *Teaching and learning improvement in higher education*. Proceedings of a Workshop held from 28th March to 3rd April 2012 at the University of Dodoma, 1, 80-99.
45. Ouma, M. O., Simatwa, E. W. & Serem, T. D. K. (2013). Management of pupils' discipline in Kenya: A case study of Kisumu Municipality. *Educational Research*, 4(5), 374-386.
46. Peretomode, V. F (1992). *Education law: Principles, cases and materials on schools*. Owerri. International University Press Ltd.
47. Petro, B. (2009). *Teachers' views and attitudes toward adolescents who are involved in sexual relationships in Tanzanian Secondary schools*. (Unpublished MA Dissertation). Dar es Salaam.
48. Research and Analysis Working Group, URT. (2008). *Children's perceptions of education and their role in society: Views of the children 2007*. Dar es Salaam.
49. Save the Children. (2013). *The right to learn: The community participation in improving learning*. USA.
50. Shakeshaft, C. (n.d.). *Educator sexual abuse*. Department of Foundations, Leadership and Policy Studies, U.S., pp. 10-13.
51. Simba, N. O., Agak, J. O. & Kabuka, E. K. (2016). Impact of discipline on academic performance of pupils in public primary schools in Muhoroni Sub-County, Kenya. *Journal of Education and Practice*, 7(6).
52. Smith, D. & DU Plessis, V. (2011). Sexual harassment in the education sector. *PER/PELJ*, 14(6), 173-217.
53. Songela, A. M. (2015). *The effectiveness of Teacher's Service Department in promoting secondary school teachers' moral and ethical values in Tanzania: A case of Rufiji District Council*. A published dissertation for Masters of Science in Human Resource Management (MSc. Hrm). pp. 1-76. Mzumbe University.
54. Stanley, E. O. (2014). Discipline and academic performance: A study of selected secondary schools in Lagos, Nigeria. *International Journal of Academic Research in Progressive Education and Development*, 3(1), 181-194.
55. Thomas, N. (2011). *Children's rights: Policy into practice*. Centre for Children and Young People Background Briefing Series, no. 4. Southern Cross University, Lismore, NSW, Australia.
56. Tweve, T. (2011). *Teacher professionalism and professional abuse towards education development in Tanzania*. A paper presented during the 4th Community of Practice for Learner-centred Education Dec 2011 conference. Dar es Salaam., pp. 1-19.
57. UNESCO. (1998). *World education report 1998: Teachers and teaching in a changing world*. Paris. UNESCO Publishing.
58. UNICEF. (2009). *State of the World's Children Special Edition, 2010: Celebrating 20 years of the Convention on the Rights of the Child*. New York.
59. UNICEF. (2010). *Child protection: Unite for children*. New York.
60. URT. (2002). *Principal and subsidiary legislation*, Revised Edition. Dar es Salaam. Government Printer.
61. URT. (2004). *The country second periodic report on the implementation of the Convention on the Rights of the Child (CRC) 1998 – 2003*. Dar es Salaam. Ministry of Community Development Gender and Children.

62. URT. (2008). *The Teachers' Service Scheme*. Dar es Salaam. Government Printer.
63. Van Nuland, S. (2009). *Teacher codes: Learning from experiences*. Paris. UNESCO, International Institute for Educational Planning., pp. 1-100.
64. Wandela, E. L. (2014). *Tanzania post-colonial educational system and perspectives on secondary science education, pedagogy, and curriculum: A qualitative study*. College of Education theses and dissertations. Paper71.pp. 1-175. Available at: [http://via.library.depaul.edu/soe\\_etd/71](http://via.library.depaul.edu/soe_etd/71)
65. Wright, C., Mannathoko, C. & Pasic, M. (2009). *The child friendly schools manual*. New York. UNICEF's Division of Communication.
66. Yaghambe, R. S. & Tshabangu, I. (2013). Disciplinary networks in secondary schools: policy dimensions and children's rights in Tanzania. *Journal of Studies in Education*, 3(4), 42–56.
67. Youze, A., Fanta, H., Balyage, Y. & Makewa, L. N. (2014). Teacher ethical principles and practice in Seventh-day Adventist secondary schools in Same District of Kilimanjaro Region of Tanzania. *International Journal of Academic Research in Progressive Education and Development*, 3(1), 98-116.
68. <http://www.bbc.com/swahili/habari-37575984> retrieved on 19th April 2017 at 10.30 am.
69. <https://swahilitimes.com/taarifa-mpya-ya-mkuu-wa-mkoa-kuhusu-tukio-la-kupigwa-kwa-mwanafunzi-mbeya-day/> retrieved on 20th March 2017.
70. <https://www.youtube.com/watch?v=e3LZF4f2WSI> retrieved on 19<sup>th</sup> April 2017 at 10.00 am.
71. [www.endcorporalpunishment.org](http://www.endcorporalpunishment.org) visited on 10<sup>th</sup> February 2017.