



## Examining Street Level Bureaucrats Views on the Application of the Law of Absenteeism and Child Marriages in Zambia's Education Sector

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**Abstract:** *This paper examined the perspectives of street-level bureaucrats on the prospects of prosecuting people who breached the laws on absenteeism and early marriages in Lusaka and Central Provinces of Zambia. Using the narrative design, qualitative data were collected using the semi-structured interview guides. The target population consisted of twelve secondary school head teachers in the two provinces. These were also purposively sampled to create varied responses from both rural and urban schools. Data were analysed through coding and cross-analysis. Within the context of the deterrence and attribution theories, the study findings showed that street level bureaucrats were indifferent to the law, while some felt that retention of girls in school could be improved by the law on absenteeism and early marriages, the local environment was unprepared for such drastic measures. There were concerns about long prison sentences which may not deter the offences of absenteeism and early marriages. The study recommended among other things, promoting efficiency in the administration of justice on matters relating to early marriages and absenteeism as well as improving infrastructure and peoples livelihoods. The findings of the study, therefore, could have implications on how the law of absenteeism and early marriages could be implemented in Zambia.*

**Keywords:** *Street-level bureaucrats, competency profile, early marriage, absenteeism*

### 1. INTRODUCTION

School administrators play a vital role in retention of girls in school. Research shows that success and failures of organisations hinge on the roles that administrators play (Mulenga-Hagane, 2018; Szczepanska-Woszczyna, 2014; Kelly, 1999; Darley, 1985; Lipsy, 1980). Head teachers are referred to as street level bureaucrats in this research. Street level bureaucrats are those workers that deal directly with the public. They are frontliners in the implementation of government policies and laws. Sibanda (2011) argues that street level bureaucrats use their discretion power to find ways of performing their functions. He further adds that the experiences and suggestions of street level bureaucrats would provide pathways for the implementation of programs for the good of the public. Lipsky (1980) explains that street level bureaucrats have a lot of autonomy. He indicates that they use discretion and exercise freedom in their duties. In a way, he states that their use of discretion may alter policy. It was therefore important that these people have the knowledge, skills and other resources to carry out their duties in the application of the law of absenteeism and early marriages. Here, these refer to head teachers and other personnel that are on the first line in evoking the law on absenteeism and early marriages in education.

### 2. STATEMENT OF THE PROBLEM

The role of head teachers in the implementation of laws and policies on absenteeism and early marriages has not been explored. This is despite them playing significant roles in realising government programmes. For example, while government has introduced polices and laws to help keep girls in school, the results have been minimal as can be seen by the numbers of girls falling off the system (Ministry of Education, 2017). Studies by Daka, Phiri, Chipindi and Nachimwenda(2021) and Forum for African Educationist (2010) showed that programs aiming at retention of girls in school have not been implemented effectively citing lack of funding and a possible leadership gap. UNICEF (2013) states that head teachers have not been active in implementing government programmes with one of the factors cited being, lack of management education. The problem is that fewer studies have been done to show why program implementation fails by seeking views of those who carry out these programs. Past studies have focussed on why programmes have not being implemented disregarding the roles of head teachers on these policies and laws. This is despite there being evidence that street level bureaucrats are important in the chain of implementation and whose

opinion should be sought and used (Lipsy, 1980). Head teachers possess experiences that they can share that might enhance the implementation of polices and laws in the education system. This study therefore focussed on the views on head teachers as street levels bureaucrats in the implementation of the law of absenteeism and early marriages in primary and secondary schools in Zambia.

### **3. PURPOSE OF THE STUDY**

The purpose of the study was to explore street level bureaucrats' views on the use of the law on absenteeism and early marriages.

### **4. RESEARCH OBJECTIVE**

To explore street level bureaucrats views on the implementation of the law on absenteeism and early marriages.

### **5. SIGNIFICANCE**

This study is essential as it depicts the role of head teachers as street level bureaucrats in the retention of girls in school. Street level bureaucrats use their discretion and power in decision making. For this reason, their experiences and suggestions are critical and provide viable ideas that would aid the use of the law on absenteeism and child marriages. For this reason, the researchers argue that street level bureaucrats have an enormous role to play in the implementation of the law on absenteeism and early marriages and whose views should be considered.

### **6. THEORETICAL FRAMEWORK**

The study used deterrence and attribution theories to analyse and discuss data collected. This is because the essence of laws is to deter people from committing crimes (Ritchie,2011; Garca-Rada, Hornuf and Tarnuf, 2016; Rupp, 2008). The Deterrence theory was used to provide explanations whether deterrence as a form of external sanction can deter this form of transgression or in the long run produce a positive impact in the intended sectors. Weeramantry (1983) who suggests that reform in the judiciary take into account the environment in which the law (i) to (e) implemented for the law to have a deterring effect. He added that the law be kept in constant surveillance in lieu of socio-economic backgrounds and factors that might prevent people from following it. Holsti (1995) discusses another form of deterrence that he terms as strategic deterrence. The main ideas of strategic deterrence are based on decisions made by people to commit crimes by weighing the chances of them being prosecuted and jailed. The credibility of strategic deterrence lies in the capacity to carry out the stipulated threat. Generally, deterrence theory provides guidance on what deters crime, and provides studies that have been done in this respect and possible implications for this research.

The Attribution helped explain why street level bureaucrats made the choices that they made in carrying out their functions. It explains how different how different forces impact on decision making (Malle, 2011; Robbin and Judge, 2007). The theory explains that some behaviours are internally drawn hence, they are as a result of individuals themselves (Weiner, 1972; Heider, 1958). Furthermore, attribution theory helps to understand how through various methods such as training and legal sanctions, people's habits, aspirations and beliefs can be realigned to ensure that vices that retard the progression of girls in school can be removed (Phiri, Musonda and Daka, 2020). How then can perceptions of those in administration be changed to drive the change that the law on absenteeism and early marriages entails? The attribution theory gives insights into managerial tactics and brings to the fore the intricacies involved in judgement and how they impact individual decision making.

### **7. LITERATURE REVIEW**

To ensure the success of the process of positive change, humancapital and competencies of managers and employees are cited as major contributors. Managers being leaders must not only have expertise but have to be competent at what they do (Silwamba and Daka, 2021). According to Boyatzis (1982), these competences reflect what the person can achieve. Szczepanska-Woszczyna (2014) carried out a study among top, middle and operational management. This research identified critical competencies that managers require in the context of implementing change in their organizations. These are efficiency orientation, self-confidence and conceptualization. Other studies have shown that the competences or lack of it by the school administrators may correspond to the effectiveness of the

school (Bell and Bush, 2004; Daka, 2019; Daka and Changwe, 2020; Chizyuka and Daka, 2021).

These competency-based approaches have been in use since McClelland (1973) first proposed them. McClelland posits that competence is 'a critical differentiator of performance' (Szczeńska-Woszczyzna, 2014:268). Successive publications on competency such as those presented by Boyatzis (1982) and Woodruffe (1991) offer a universal approach to competency, an approach that can be contextualised to any form of management, including educational management (ibid).

Boyatzis (1982) in his broad definition of competency points to vital features that act as a drive to accomplish professional obligations. By using the critical incident technique, he identifies many characteristics that contribute to the manager's effectiveness. Among these are efficiency orientation, self-confidence and conceptualization. According to Boyatzis, these competences reflect what the person is able to achieve (Szczeńska-Woszczyzna, 2014).

Woodruffe (1991) on the other hand dissects competence in two areas, in one area, he refers to as competence being 'areas of work at which the person is competent' and the other competency being 'the sets of behaviour the person must display in order to perform the tasks and functions of the job with competence.' Whilst Boyatzis defines this concept broadly, Woodruffe, points out that they are two areas that need to be separated, one dealing with the necessary skills while another has to do with the behavioural traits of the person to whom responsibility is assigned. Whether these are to be separated or not is arguable but what can be deduced from the above definitions is that they are both essential in management as they are its two facets.

According to Szczeńska-Woszczyzna (2014:267), a competency profile of the 21st manager includes competencies closely related to the cognitive functioning. These have been outlined as; 'the ability to analyze, synthesize, and solve problems', to the community-related competencies such as 'interpersonal skills, communication skills, the ability to motivate others'. Mumford et al (2002) further look at successful innovation as being a significant part of management. They stress the requirement that a manager must have expertise in his field. He must also tap into his creativity.

This study is also bringing to the fore the competence of head teachers, because the researchers are cognisant of the fact that educational leadership has ramifications on dissemination and implementation of the law on absenteeism and early marriages. Cardinal in the dissemination of the law of absenteeism and early marriage is the perception of head teachers. Lipsy (1980) argues that policy dissemination can be affected by the attitudes, competence and perception of people tasked with the job of implementation. Robbin and Judge (2007) define perception as a process by which individuals organise and interpret their sensory impressions to give meaning to their environment. Perceptions have been said to inform decision making in leadership and determines actions taken. For this reason, the perception of the administrators to many issues that surround the communities in which they work determines managerial the action. Adequate social perception, however, has to be to be combined with informed decisions based on scholarly research if it has to work for the educational administrator.

The concept of readmitting girls back into school after maternity leave is one factor that has been influenced negatively because of perceptions of people in the communities (Phiri, Musonda and Daka, 2020). There have been historical challenges that have been exposed in the discussion regarding the retention of girls. Girls have been culturally and socially disadvantaged because of the narratives that people have enforced that girls who fall pregnant must be punished through expulsion from school. The process of creating the re-entry policy was fraught with opposition from religious leaders and other members of the community including some teachers (FAWEZA, 2010; Daka, Phiri, Chipindi and Nachimwenda, 2021). The argument being that the policy would encourage immorality. Today, schools run by religious institutions do not implement this policy. It is such actions that cement the notion that schools reinforce inequalities through actions, overt and inert that encourage injustice against girls. Kelly (1999) for example cites behaviour of teachers and administrators who magnify differences through their teaching and interaction methods between learners in school. Many of these have concepts of stereotypes of which, borrowing the analysis of Mort and Ross (1957), teachers 'trout out' on every possible occasion. Mort and Ross (1957) explain that education administrators have opinions on everything including on what issues communities accept or condemn. They also know

which challenges in communities are likely to receive Luke- warm reception from the locals. In this aspect, head teachers are seen as gate keepers. Because of this, these administrators have a role to play on various issues primarily cultural ones that will promote the wellbeing of learners and communities (Mulenga and Daka, 2022).

The role of the head teacher as an administrator and street level bureaucrat is essential in this regard, as issues that are raised in schools have to be addressed by administrators. Mort and Ross (1957:20) indicate that there is a classic pattern that has to be followed in resolving issues of administrative nature. They mention these steps as 'problems identified, brought to the administrator, form decision, decision rendered and decision implemented'. These steps show that administrators oversee all that goes in under his charge or supervision. The administrator, therefore, judges what needs to be interfered with and what is working fine. The administrator decides whether to act or not or let the status quo continue. Consequently, an administrator who has little interest or less knowledge in an issue presented to him would often be reluctant to act even in the face of the policy that states so (Daka, Chipindi, Phiri, Mulenga, Mvula and Chirwa, 2021).

Another line of thought on this theme on administrators is raised by Darley (1985:85), who contend that 'in the interest of accountability, responsible officers such as administrators, teachers and parents should be held accountable for failures in the system.' In contrast to the debate that shows that administrators address issues that arise in their schools, some administrators are indifferent to situations in their settings. Such office bearers are not motivated to change their settings for better even in the face of evidence that interventions are needed. Perhaps this is the reason why there should be the tenure of office as suggested by the current 'Educating our Future' policy document on education (MOE, 1996).

The best way to hold people accountable is first by introducing reform in the education system. The call for reform includes the need to discipline managers that are indifferent to problems in their localities. In addition, the present promotion system of tenure is changed as it tolerates a lot of inefficiencies. The Ministry of Education report that the Zambian education system 'gives undue protection to inefficient and ineffective heads' (MOE (1992:160). Therefore, the reforms would be seen as remedy for many challenges that face the system including challenges of retaining girls in school.

From the foregoing discussion it has been established that managerial competences may also correspond to how proactive the administrator in the education system would be. Furthermore, competence levels might also be a yard stick on how one may use his position to interpret policies that are aimed at improving the system. The current debate about competence reveals the power that leaders have in school contexts and their importance in not only improving the quality of teaching and learning but also in forging community relations. This line of thought is in agreement with Konchar (1988:13) who states that;

Schools are bad or good, in a healthy or unhealthy mental, moral and physical condition, flourishing or perishing, as the principal is capable, energetic of high ideals or the reverse. Schools rise to fame or sink to obscurity as greater or lesser principals have charge of them... Schools do not become great because of magnificent buildings but because of magnificent principals.

It is clear from the above citation that head teachers as street level bureaucrats have a lot of influence on what goes on in a school. They can be defined as pillars of their schools and the communities in which they operate. They can also be said to be important pillars in formulating and interpreting policy. Lipsy (1980) developed the concept of street level bureaucracy to people assigned to implement policy changes. The example of street level bureaucrats in this study would be that of head teachers. According to Lipsy (1980), head teacher participation in policy formulation is vital as it moulds policy outcomes. As policy implementers, these street level bureaucrats are the most important people in any policy implementation situation. Long (1992) further highlights the role of agency and individual action as factors that enable the street bureaucrats to act autonomously and mould outcomes. Long therefore appeals to the street level bureaucrats' flexibility and in implementing policies within reasonable limits. Street level bureaucrats in this sense will require a



certain number of skills to carry out their duties. The main issues that have to be considered here is the lack of skills that hamper implementation and the limited levels of awareness of laws governing the education sector and, in this case, knowledge of the legal framework on absenteeism and early marriage as measures to retain girls in school is crucial.

## **8. METHODOLOGY**

This paper is premised on the study that adopted a qualitative approach to investigate the perceptions of the street level bureaucrats on the application of the law of absenteeism and child marriages in selected primary and secondary schools in Central and Lusaka Provinces of Zambia. Using a narrative design the paper brings out the voices of 12 head teachers who were selected purposively to participate in the study. Semi-structured interview guides and document analysis were used to collect data for the study. The document analysis was used to countercheck the records of absenteeism and early marriages in the schools. The qualitative data collected through interviews were analysed thematically in line with the research questions. The researchers also ensured the trustworthiness of the study, by triangulating the interviews with document analysis and also ensured the credibility of the findings from interviews through member checking. Lastly throughout the study, the researchers complied with issues of confidentiality and anonymity of the participants. The researchers ensured that information of the participants identities is kept confidential coupled with the use of pseudonyms. All permission protocols were adhered to and ethical clearance was granted before undertaking the study.

## **9. FINDINGS AND DISCUSSION**

### **9.1. Street Level Indifference to the Law on Absenteeism and Early Marriages**

The study noted the levels of indifferences on the law of absenteeism and early marriages. An example is the following observation by one of the school head teachers who stated '*Absenteeism is not something that someone should go to prison for.*' And '*we allow learners to come back without question as a way of keeping them in school.*' It seems that the street level bureaucrats showed levels of laissez faire and to some extent naïve flexibility when encountered with levels of absenteeism in their schools. But according to them, it is this sort of thing that allowed many learners to have access to and complete primary education. In a way, this is in line with Long (1992) who further highlights the role of agency and individual action as factors that enable street bureaucrats to act autonomously and mold outcomes. Street level bureaucrats are in this instance circumventing the law on absenteeism and early marriages within what they consider as reasonable limits that does not physically hurt them or the learner.

### **9.2. Mismatch between Communities and the Content of the Law**

Street level bureaucrats stated that the punitive measures as sown in the law on absenteeism and early marriages did not match the contextual realities of the studied populations. The contextual reality here refers to socio-economic situation of the studied population ravaged by unemployment and poverty. Subsequently, participants were sceptical about their use. To further exemplify on societal unpreparedness, the study findings showed that they believed there were often valid grounds for learners not to come to school, especially in rural areas. They stated that a punitive stance may not be ideal to resolve the issue of absenteeism in their localities.

### **9.3. Unavailability of Courts and Police Stations**

Street level bureaucrats indicated that the unavailability of courts and police stations in most immediate environments would limit the prospects of using the law on absenteeism and early marriages as an additional mechanism of keeping girls in school as the following excerpt shows. *if I have to invoke the process of the law, I need to incur the transportation costs myself; this includes walking long distances to present cases at the police stations. I too would have to make court appearances and risk the infamous delays that characterize the Zambian court systems.* Given so, there was a missing vital link in implementation of the law emanating from inadequate infrastructure in some of the studied settings. Here, infrastructure is all encompassing and includes buildings to house courts of law and police stations and road networks to ease transportation. Limitations in accessing justice systems correlated with the location of the schools, herein stated as urban, peri-urban

and rural.

It was noted through this study that police stations, which were starting points in the prosecution offenders, were remote in some of the communities in which the schools were located. Some schools studied as well as many people in surrounding communities lived far away from government-controlled court systems. Contrastingly, all the schools in urban areas in both Lusaka and Central province had easy access to justice systems. Through observations, the study noted that schools in urban areas were located within five kilometres of nearest police stations. However, schools located in rural areas were far away from police stations and court systems were cases of suspected early marriages or absenteeism would have to be reported. The study further showed that despite the proximity to justice systems in Lusaka and Central provinces, some head teachers feared the private costs in this process that they would have to incur due to perceived extensive court appearances and adjournments. This fear was expressed by one Head teacher. She said *'We have seen some court cases involving schools that have taken years to be disposed off. It's not what I want to go through.'*

It was also found that there were impediments in people accessing justice systems in the studied sites. The research determined that in many settings under study, there was limited infrastructure to invoke the process of prosecution of cases related to the 2011 Education Act. A quick observation in some study settings showed that government agencies and institutions such as police and courts were not within reach of the local population. This lack of infrastructure was cited as one of the impediments to the possibilities of using the law on absenteeism and early marriages to keep girls in school.

It was established that some schools and people in surrounding communities lived far away from government-controlled court systems. For this reason, participants in this study were reluctant to begin court cases against erring parents hence accounting for the negative attitude the administrators had towards implementation of the law. The unavailability of infrastructure in studied setting meant that the law as is stipulated in the law as stipulated in the 2011 Education Act would not act as deterrent to would be offenders. This finding may relate to the description by Von Hirsch et al (1999) who declares that deterrence would only work if the following factors were present:

1. Realization that there is a criminal sanction for the act being contemplated
2. Take the risk of incurring that sanction when deciding to offend
3. Belief that there is likelihood of being caught
4. Believe that the sanction will be applied to him or her if he/she is caught
5. Be willing to alter his /her choice to offend in light of the criminal sanction.

(Ritchie, 2011:7)

In contexts where these steps were present and applied, it was assumed that the likelihood of committing crimes was lessened. The recommended remedies to laws working were almost non-existent in the studied contexts. Firstly, there was no realisation of criminal sanctions for the act as people were not aware that they would go to prison for not ensuring attendance of their children in school or for marrying off learners that are children. In addition, on realisation that sanctions were available, the participants did not believe that such sanctions would be applied to them owing to insufficient modalities for the threat to be carried out.

Another point of view was related to the inefficiency of the Zambian Courts to dispose off cases before them. The majority of head teachers in this study placed the blame on the inefficiency of the courts to discard cases as a decisive factor on whether they would start the process of prosecuting cases as the 2011 Education Act states. This finding sits well with observations made by Rupo (2008) in analyzing whether deterrence works to reduce crime. He indicated that following 'the probability that the crime is detected, cleared, arrested, the offender prosecuted, convicted and punished' are relevant processes in crime prevention..

Furthermore, Rupo (2008) presents an ideal situation for legal sanctions to have an effect in the society in which it is implemented. He further indicates that the probability of legal sanctions was a greater deterrent than the severity of legal sanctions. The judiciary which is an important arm of government where people can turn to resolve disputes, was not efficient enough to address issues being raised. It was therefore not surprising that stakeholders had little trust in the system to resolve cases. They cited cases where justice was often delayed. They further cited prohibitive costs involved hence they did not think that they would take cases to such court. Delays in justice dispensation in Zambian courts discouraged people from using courts to resolve grievances. For this reason, some stakeholders, especially parents would resort to restorative system to address issues related to early marriages. This is despite this being against the principles of justice for the girls.

It was noted that despite developed court systems in Lusaka urban, participants still preferred restorative justice to statutory courts. This finding is similar to Consedine (1995) finding among the Maori of New Zealand that among the Maori, restorative justice was preferred to western mode of delivering justice because it was quicker and mended relationships in communities. Another prohibitive factor were the costs involved. This forms the theme in the ensuing discussion.

#### **9.4. Fiscal Cost of Implementing the Law**

One of the narratives from the street level bureaucrats against the use of the law on absenteeism and early marriage in the retention of girls in school lay in the costs that would be involved in the process of evoking the law. Data collected through vignette questions showed that participants who in this case were Head teachers were worried of the cost implications of the law. Considering that primary schools are poorly funded, they did not want to bear the cost that would be involved themselves. For this reason, one participant said that he had to weigh the consequences of starting the court process. Therefore, it came to the cost benefit analysis and the time the head teacher would have to spend in pursuance of cases that may take long to be concluded and the immediate needs of the school as the following quotation by one of the respondents shows:

*I do not want to invest in a process that I might not see to fruition. It would be ludicrous to pursue such cases in such environment when other pressing issues are still in existence, such as crumbling school infrastructure and lack of teaching and learning materials.*

Discussions with head teachers indicated that they often choose not only what is worth fighting for but what is easier, cheaper and less stressful. The study noted that stakeholders worried about the cost of implementing the law. Head teachers indicated that schools lacked financial capacity to realize requirements of the law. The study was told that funding from central government to education was erratic and when funding was made available, it was for covering for school requisites. For this reason, participants did not think it was appropriate to start other processes that involved financial resources. A studies by the Forum for African Women Educationist in Zambia (2010) and Kakupa, Tembo and Daka (2015) noted that financial constraints hindered retention of girls in school as retention programmes were not budgeted for.

This study deduced that there would be private costs that were to be incurred in order to implement the law on absenteeism and early marriages. A quick survey in studied sites especially in rural areas revealed that there was an inconsistent form of public transportation. This means that if administrators had to invoke the process of the law, they needed to incur private transportation costs themselves; this included walking long distances to present cases at the police stations. In addition, they have to make court appearances and risk the infamous delays that characterize the Zambian court system. Discussions with participants indicated that head teachers often would choose not only what is worth fighting for but what is easier, cheaper and less stressful.

#### **9.5. Implications of Long Prison Sentences**

All the participants involved agreed but with reservations to the law that prohibits early marriages and recommends 15-year prison sentences or life imprisonment upon conviction for parents or guardians that withdraw learners that are children to marry them off and for people that marry learners who are children. One participant head teacher observed the following *'people who marry off children make*

*conscious decisions to do so, and for this reason must be punished accordingly.*' He was however uncertain with the number of years stated as punishment as this may be used as leverage by some parents and guardians to seek monetary gratification. Similarly, head teachers felt that the over 15 years punishment was too high considering the Zambian setting. Another participant observed that

*while the crime of marrying off learners who are children was detrimental to the goals of education especially that of the girl child, I feel that such sentences might still not deter people from the vice and may prevent people from reporting the cases for want of quick benefits. There should be harmonization of laws with existing social economic situation. It may be easy for culprits to avoid jail as people might choose immediate gratification.*

The study was informed by participants that long prison sentences on early marriages would have detrimental results in underserved communities. Furthermore, it was feared long prison sentences could be used as leverage by some parents and guardians to settle cases outside the court system. Summarily, the concern by head teachers was that the need for immediate gratification would influence the outcome and it may not mean well for the welfare of the learner. It may also mean that fewer cases would ever reach the judicial systems.

Head teachers on the other hand agree with reservations with Section 18 of the 2011 Education Act that prohibits early marriages and recommends with more than 15-year prison sentences or life imprisonment upon conviction for parents or guardians that withdraw learners that are children to marry them off and for people that marry learners who are children. They observed that people who marry off children make conscious decisions to do so, and for this reason must be punished accordingly. They were however uncertain with the number of years stated as punishment. Some respondents felt that the over 15 years punishment was too stringent. This concern was captured by Weeramantry (1983) who suggests that reform in the judiciary be in tandem with the socioeconomic situation of the people. The observations made by Weeramantry (1983) set the tone for a realistic justice system that is in tune with the local context in which it is being implemented. Borrowing from the tenets of deterrent theory, the study noted that the conditions that exist in the studied sites would not provide the basis for laws to act as deterrence in the studied sites. To further this claim, Holsti (1995) discusses another form of deterrence that he terms as strategic deterrence. The main ideas of strategic deterrence are based on decisions made by people to commit crimes. The offender and defender calculate or evaluate the cost and gains of committing crimes, evaluation of the situation is done and careful assessment of relative capabilities of the threat being carried out when they are caught is carried out. The credibility of strategic deterrence lies in the capacity to carry out the stipulated threat.

In addition, it lies in the perception of the parties involved, for example how people view the threat and if they think that the authorities would carry out the threat. Additional information on strategic deterrence is linked to what extent the parties are informed of the law and the perceived threat if the law is contravened. There is another face to strategic dependence that discusses the need to work on the values of the people involved. This, it was indicated would reduce the escalation of cases and would reduce the idea of using threats. From this discussion, it is clear why head teachers, being in the first line of reporting cases absenteeism and early marriages in their school chose dialogue and counselling as the basis of what should prevail in the education system. They viewed the circumstances and critically assessed the lack of systems to carry out the threat.

## **10. CONCLUSION AND RECOMMENDATIONS**

Premised on the anti-punishment discourse, this paper has shown that the school administrators were skeptical about new alternatives to correcting problems related to schools that involve the court process as the new alternatives might not yield positive outcomes due to socio-economic factors of the local communities. For this reason, for the law to work, the government should increase funding to the education sector, work on infrastructure, improve efficiency in the courts of law, and better the livelihood of the people.

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**Citation:** Mulenga-Hagane Mukuka Lydia et al. "Examining Street Level Bureaucrats Views on the Application of the Law of Absenteeism and Child Marriages in Zambia's Education Sector" *International Journal of Humanities Social Sciences and Education (IJHSSE)*, vol 9, no. 6, 2022, pp.12-21. doi: <https://doi.org/10.20431/2349-0381.0906002>.

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