

Working towards the promotion of positive forms of discipline and the abolition of corporal punishment to ensure the realisation of children's rights to dignity and physical integrity.

article 19

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Survey examines South Africa's attitude towards **Corporal Punishment**

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This article summarises some of the findings of a survey on corporal punishment of children. This is the first South African national survey of attitudes towards the use of corporal punishment by caregivers and parents and the survey was funded by Save the Children Sweden. It should be noted that this study formed part of a larger study of intimate violence that examined the prevalence of, and links between, partner violence and corporal punishment. The information was obtained from SASAS, a national household survey conducted by the Human Sciences Research Council (HSRC) every year that covers a wide range of social issues. This SASAS was conducted in late 2003. Two of the SASAS modules were the intimate partner violence study and the corporal punishment study.

Methodology

The national SASAS sample was stratified explicitly by province and implicitly by population group to ensure adequate representation across the country. A maximum potential of 3 500 households was selected in order to facilitate a realised sample of 2 497 participants, distributed by province and population group.

A sub-group of the SASAS participants who had children under 18, and who answered the questions on child discipline and corporal punishment was extracted. This procedure yielded **925 participants**. It was felt that the most valid responses to questions on corporal punishment

would be provided by people with children. Corporal punishment at home was assessed by asking these respondents the following questions:

(a) When was the last time you or your partner smacked one of the children in your family once with a hand?

And:

(b) When was the last time you or your partner beat one of the children in your family with a strap, a belt, a stick or a similar object?

A distinction was made between the use of the hand to *smack* or *spank* or *slap* the child, and the *use of a belt or some other object* to administer punishment. The intention was to provide an index of severity of punishment. While injury can and does occur when either form is used, when an object is used to beat the child, injury is more likely.

In order to assess the prevalence of *'mild'* corporal punishment among parents with children under 18 years, respondents were asked question (a) (*mild corporal punishment* for present purposes). Regardless of the time-frame, any parent who stated that he or she had smacked a child in the family was recorded as using smacking.

To assess the prevalence of *'severe'* corporal punishment,

On 22 June 2005, the National Assembly passed the Children's Bill, No. 70 of 2003. Although this section 75 Bill still has to pass through the National Council of Provinces and the section 76 version of the Children's Bill still has to be introduced and debated in Parliament, it is disappointing that the issue of corporal punishment was not addressed (despite numerous submissions calling for a total prohibition). This unsatisfactory result is all the more frustrating given the fact that 2005 is the tenth anniversary of South Africa's ratification of the United Nations Convention on the Rights of the Child.

Even more surprising is that shortly after the Children's Bill was passed by the National Assembly, in July 2005 South Africa hosted the regional consultation for the UN Study on Violence Against Children, where there was a resounding and clear call for the prohibition of all forms of corporal punishment by participants that represented both NGOs and governments from across the region.

On account of the significance of this study, the second edition of Article 19 features a report-back on the regional consultation from Carol Bower of RAPCAN who served on the NGO advisory group to the Study.

Two of our editorial objectives are to provide our readers with cutting-edge research on corporal punishment as well as practical guidelines on positive parenting and alternative forms of discipline. To this end we have included a summary of a national survey on corporal punishment as well as some suggested tips on positive discipline.

In addition, following on our first edition where we featured legal developments in Kenya, we provide personal insights on corporal punishment from a headteacher in Swaziland in order to continue promoting good practices in ending corporal punishment across the African continent.

Finally, this edition contains quotes from children that illustrate their views on corporal punishment. These glimpses of children's experiences are sobering as well as mindful of the fact that children's views are important and should be taken into account. They are sourced from a qualitative survey commissioned by Save the Children Sweden, South Africa that was undertaken by Glynis Clacherty, David Donald and Alistair Clacherty in December 2004.

the parents were asked question (b). Regardless of the time-frame, any parent who stated that he or she had beaten a child in the family was recorded as using beating.

The interview schedule was administered face-to-face in the home language of the participants. Wherever possible the population group and language of the participant and the fieldwork interviewer were matched to facilitate maximum empathy and cultural sensitivity. Interviewers explained to participants that they were participating voluntarily, that the information was confidential, and that they could terminate the interview at any time.

Findings from the study

Some of the results are as follows:

Prevalence of corporal punishment – all parents with children under 18

In this data the authors could not strictly speaking use the term prevalence as they had not sampled from the universe of parents – the SASAS is a household sample. Given the sampling frame used for the study, it is however very likely that the results are reflective of the discipline practices of the South African population.

Altogether 93% of the parents in this investigation answered questions related to smacking. The table below shows that 57% of them (or their partners) had smacked their children at some point. The rest, at 43%, reported never having smacked their children – a surprisingly large proportion given figures cited previously in relation to the USA and British parents, where over 90% reported smacking (Bartholdson, 2001).

A total of 16% parents reported smacking in the past week, and an additional 14% had smacked their children in the remaining three weeks of the month (making a total of 30% reporting smacking in the past month).

TABLE 1: PERIOD DURING WHICH A CHILD WAS SMACKED WITH A HAND

PERIOD	PROPORTION OF PARENTS USING SMACKING
Child smacked in the past week	142 (16%)
Child smacked in the past month (but not in the past week)	124 (14%)
Child smacked longer than a month ago	243 (27%)
Child never gets smacked	378 (43%)
Total sample	887

Table 2 provides figures on the use of severe corporal punishment (beatings with a stick, belt or other object) for all parents with children under 18. Only 531 of the parents answered this question, suggesting that parents may have felt more comfortable with answering questions on smacking than beating.

The majority of those who responded (59%) said they had used a belt or another object to beat one of their children (33% of the total parent sample of 887).

TABLE 2: PERIOD DURING WHICH A CHILD WAS BEATEN WITH A BELT OR OTHER IMPLEMENT

PERIOD	PROPORTION OF PARENTS USING BEATINGS
In the past week	56 (11%)
In the past month	66 (12%)
Longer than a month ago (in past year)	189 (36%)
Never gets beaten	220 (41%)
Total	531

How old are children who are smacked and beaten?

The most common age of children who are smacked is three years of age and the most common age of children who are beaten with some or other object is four years.

Gender differences:

Of those parents who reported that they had smacked their children in the past year, 30% were men and 70% were women. In the case of severe corporal punishment, 30% were men and 70% were women.

These results are similar to the USA's in which women are more likely to use corporal punishment than men. Given the young age of the affected children noted above, it is likely that this difference between men and women simply reflects the different child-care roles of men and women and the fact that women are likely to spend more time with young children.

Age differences

If we examine age trends, fewer younger parents are smacking their children than those who are older.

TABLE 3: CORPORAL PUNISHMENT BY DIFFERENT AGE GROUPS

AGE GROUP	PROPORTION WHO SMACK CHILDREN	PROPORTION WHO BEAT CHILDREN
16-24 years of age	44% (n = 29)	51% (n = 15)
25-35 years of age	57% (n = 253)	50% (n = 92)
> 35 years of age	43% (n = 307)	64% (n = 204)

Again, the trends in Table 3 are different to some of the results from abroad, where the youth of parents is a risk factor for harsh punishment. The explanation in the South African case may be generational. It is possible that severe corporal punishment is less acceptable to younger parents.

Marital status and the use of corporal punishment

The main results regarding marital status and the use of corporal punishment are reported in Table 4 below. Previously married parents in this study are defined as widowed, divorced or separated parents who are not living with a partner.

A greater proportion of cohabiting (unmarried) parents smack their

children than other groups (however, the number of respondents is small). Cohabitation is a similar risk factor to the case of partner violence, but given the small sample, this requires further investigation. Unlike evidence reported from international studies, similar proportions of single to married parents use corporal punishment.

Of interest is the fact that a greater proportion of previously married single parents use severe corporal punishment (however, again, the number is small). It may well be the case that this is stress-related, as suggested in the literature. However, the individual state of these parents was not investigated in the SASAS and requires further exploration.

TABLE 4: CORPORAL PUNISHMENT IN THE PAST YEAR IN RELATION TO MARITAL STATUS

GROUP	PROPORTION OF EACH GROUP WHO SMACK CHILDREN	PROPORTION OF EACH GROUP WHO BEAT CHILDREN
Married parents	56% (n = 237)	56% (n = 181)
Previously married single parents	59% (n = 61)	72% (n = 46)
Single parents who have never married	58% (n = 137)	59% (n = 84)
Cohabiting parents	68% (n = 68)	63% (n = 46)

Conclusion

In many respects, therefore, the South African evidence concurs with the international literature. However, if these figures are reflective of the true national situation regarding the prevalence of corporal punishment (and until further evidence is found, it remains a big if), there is at least some comfort in the finding that South African parents are less prone to smack and beat their children than those in some other parts of the world. The relatively low frequency of corporal punishment found in this research may be a function of respondents wishing to minimise their use of this form of discipline (as commonly happens in surveys of this type). Further in-depth studies are needed to take this question further.

All studies have limitations and a finite scope; the current study is no exception. It is important to be aware of the limitations of this research so that inaccurate conclusions are not drawn from the results.

A full report of the study can be accessed at: www.hsrc.ac.za/research/npa/outputsByGroup.php?group=CYFD ●

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Global study on violence against children

Carol Bower

The last of the nine regional consultations to be held around the Global Study on Violence against Children was convened in South Africa from 18 - 20 July 2005. This particular consultation, the one for Eastern and Southern Africa (ESA), was a preparatory one. A consultation for this study for the whole continent is being proposed to the African Union by the South African government and other governments in the region. Although preparatory in nature, the regional pre-consultation for Eastern and Southern Africa made recommendations which will feed into the report by the special expert (Prof. Paulo Sergio Pinheiro of Brazil) to the General Assembly of the United Nations.

The pre-consultation focused on three thematic areas: sexual and gender-based violence, corporal punishment, and HIV and harmful and positive cultural practices. The report being prepared for presentation to the UN General Assembly in October 2006 takes a settings approach to the issue of violence against children, and thus the ESA pre-consultation looked at violence within these same settings. Plenary inputs on each of the thematic areas were followed by small group discussions which looked at violence against children within each of the settings. For each thematic area, there were five small groups:

- Legal frameworks
- Institutional frameworks, policies, programmes and resources to address violence against children
- The role of civil society
- Data collection and research
- Awareness, advocacy and training

Thus, for a significant part of the regional meeting, government, NGO and child participants focused on corporal punishment and how each of the above five groupings should respond to the issue.

In the small group on **legal frameworks** in relation to corporal punishment, there was agreement that there is a tension between national constitutions that prevent inhuman treatment, criminal law statutes that prohibit

assault, and common and codified laws which allow for reasonable chastisement of children. Participants were in agreement that corporal punishment constitutes violence against children, and that countries who have ratified the Convention on the Rights of the Child should develop and implement legislation which specifically and explicitly outlaws corporal punishment in all settings, including the home.

With regard to the group that dealt with **institutional frameworks**, it was recommended that:

- There should be a provision of parenting skills training that considers the developmental stages of children, counselling services and support for families.
- Corporal punishment should be contextualised and clarity is needed on how it differs from discipline.
- Structures such as PTAs and parent clubs should be identified to monitor compliance with the ban against corporal punishment.
- Standards, both home-grown and part of an international framework, are required.
- Locally developed alternatives to avoid corporal punishment need to be saved from being pushed underground. Information should be provided in local languages.
- Awareness on alternatives to corporal punishment needs to be provided to all those who come into contact with children.
- Corporal punishment should be placed on the agenda of parliamentary committees and policy forums.
- Specific budget allocation to address violence against children is required.

The group which dealt with the role of **civil society** made the following recommendations:

- Families need to be educated on the harmful effects of corporal punishment.
- The buy-in of parents, communities as well as children is needed, otherwise the confusion between discipline and corporal punishment will continue.
- Countries must provide alternatives to corporal punishment, but must at the same time determine the reasons why children become exposed to corporal punishment and address these reasons e.g. situations at home such as poverty.

- Countries must provide education, training and practical alternatives to corporal punishment

With regard to **awareness, advocacy and training**, it was agreed that:

- “Reasonable chastisement” is a problematic concept as there is no clarity about how it is defined and what makes it “reasonable”. It also denies the fact that any form of hitting children is violence and a violation of their rights.
- Educating parents is important, particularly about power relations. Children and adults in authority must also be educated about balancing their rights and responsibilities.
- It is difficult to combat corporal punishment if it is not in the legislation relating to children in general, as opposed to only being found in education policy.
- Rethinking the socialisation of children regarding child-rearing practices as well as the pedagogy of childhood is necessary.
- There is a lack of understanding and research on why people use corporal punishment and what alternative forms of discipline works for children (for the development of relevant and targeted messages to children to prevent misbehaving).
- The role of the media needs to be considered.

The **data collection and research** group identified the following issues:

- It is difficult to get data on the use of corporal punishment in families, as it is not reported unless serious harm or injury is done to the child.
- Violence, as well as the concept of child rights, is usually difficult to define (especially vis-à-vis traditional/cultural definitions). The same goes for the differences between punishment and discipline. If these are not defined, and if people (e.g. teachers, parents, caregivers) do not have the same understanding of these concepts, it is difficult to collect valid data.
- Although there is a lot of useful information that could be extrapolated from existing research, there are huge gaps in terms of coordinated knowledge, as information is usually scattered amongst institutions and not shared with key stakeholders.

Professor Pinheiro has called for a universal ban on corporal punishment, saying it is having a devastating effect on children’s development. “Despite progress in civil and political rights, democracy has not made its way into the family and schools,” he said, noting that most countries in the region have no legislation against the use of corporal punishment in schools, and that where it is outlawed, it is still widely practised in homes. On the issue of reasonable chastisement, Prof. Pinheiro is clear that “there is nothing reasonable about hitting children”. ●

Further see the fact sheet on corporal punishment prepared by RAPCAN on page 6.

They sent me to the spare room and then my dad brought the whip and then he hit me, hit me, hit me, hit me and after I had like, sort of like bruises, but not serious ones. Then I went to school the next day and my teacher asked me what happened so I told her and then she could see the scars on my legs and on my thighs and on my arms. I felt very embarrassed.

(Boy, 9-12, urban, Limpopo)

She gave me five strikes on the buttocks. My heart was so sore and my bums were painful. I couldn't sit down the whole weekend. Every time I looked at the teacher I resented her.

(Girl, 13-18, rural, KZN)

The teacher asked those who don't have calculators to go and stand by the door.

She gave us forks to do the garden and we didn't finish when her period was over then later after school we were asked to finish it. I don't have a calculator even today. I missed lots of lessons that day and the next day I had lots of work to do and I didn't understand.

(Boy, 9-12, rural, KZN)

My teacher scolded me and hit me and everybody was laughing. She hit me with a stick on my hand. I cried, and the other children were laughing. I felt bad, embarrassed because the children were laughing.

(Girl, 6-8, urban, Western Cape)

When children do not do their work they must half sit next to the wall (i.e. squat) until they start shaking and falling. Now the other girl had a short gym on and when she stood there we could see her panties. The boys laughed. The boys who laughed had to do the same but I felt sorry for the child. I think it is a cruel thing to do to anybody. I do not like the teacher. Now I see why the children do not like her.

(Girl, 9-12, urban, Gauteng)

For more information, visit the website for the UN Study on Violence against Children at http://www.unicef.org/protection/index_27374.html

These quotes are sourced from a qualitative survey commissioned by Save the Children Sweden, South Africa that was undertaken by Glynis Clacherty, David Donald and Alistair Clacherty in December 2004

Prepared by Maggie Clarke, an intern at RAPCAN, the fact sheet examines the international and constitutional legal framework on corporal punishment in South Africa, as well as some harmful effects of physical punishment on children

South Africa's International Obligations to Abolish Corporal Punishment, UN Convention on the Rights of the Child, ratified by South Africa in 1995

- States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child. (Article 19)
- No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. (Article 37)

African Charter on the Rights and Welfare of the Child, ratified by South Africa in 2000

- States Parties to the present Charter shall take specific legislative, administrative, social and educational measures to protect the child from all forms of torture, inhuman or degrading treatment and especially physical or mental injury or abuse, neglect or maltreatment including sexual abuse, while in the care of the parent. (Article 16)

UN International Covenant on Civil and Political Rights, ratified by South Africa in 1995

- No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. (Article 7)

South Africa's Constitutional Obligations to Abolish Corporal Punishment

In addition to guaranteeing the equality and human dignity of all citizens, South Africa's Bill of Rights states that everyone has the right to freedom and security of the person and the right to bodily and psychological integrity (Section 12). It further states that every child has the right to be protected from maltreatment, neglect, abuse or degradation and that a child's best interests are of paramount importance in every matter concerning the child (Section 28 (1) (d) and (2)).

Finally, the Children's Charter of South Africa (1992) states that "all children should have the right to freedom from corporal punishment at schools, from the police and in prisons and at the home".

Harmful effects of corporal punishment

In addition to violating human rights, corporal punishment is harmful to the healthy development of children and is

associated with a host of negative outcomes - outcomes that often persist well into adulthood.

According to the Global Initiative to End All Corporal Punishment of Children, a large body of international research has identified the following harmful effects:

- Escalation: Mild punishments in infancy are so ineffective that they tend to escalate as the child grows older. The little smack thus becomes a spanking and then a beating. Parents convicted of seriously assaulting their children often explain that the ill-treatment of their child began as physical punishment.
- Encouraging violence: Even a little slap carries the message that violence is the appropriate response to conflict or unwanted behaviour. Aggression breeds aggression. Children subjected to physical punishment have been shown to be more likely than others to be aggressive to siblings; to bully other children at school; to take part in aggressively anti-social behaviour in adolescence; to be violent to their spouses and their own children, and to commit violent crimes. National commissions on violence in America, Australia, Germany, South Africa and the UK have recommended ending corporal punishment of children as an essential step towards reducing all violence in society.
- Psychological damage: Corporal punishment can be emotionally harmful to children. Research especially indicts messages confusing love with pain, and anger with submission. Less acknowledged are the links between corporal punishment and sexual development (reflected in pornography, and in the use of prostitutes for spanking and correction), and between corporal punishment and the sexual abuse of children, whereby the invasion of children's physical integrity makes an easy path from one to the other.

Promoting effective, positive discipline

An explicit ban on corporal punishment must be accompanied by comprehensive awareness and educational programmes aimed at promoting positive forms of discipline within families, schools and communities. Such positive discipline enables effective parenting while maintaining the physical integrity and human dignity of all children.

The UN Study on Violence Against Children

On 20 July 2005, delegates to a preparatory consultation on the UN Study on Violence against Children called for a total ban on corporal punishment. The ban was supported by over 300 government, NGOs and child representatives from Eastern and Southern Africa.

In light of its international human rights obligations and its own Constitutional commitments to protect and promote the rights of all children, we urge the government of South Africa to, in the Children's Bill currently before Parliament:

1. explicitly prohibit all forms of corporal punishment within the family and reiterate the existing prohibition of corporal punishment in the penal system, schools and other care facilities;
2. repeal the existing common-law defence of reasonable chastisement available to parents; and
3. initiate and support - financially and otherwise - public education campaigns aimed at raising awareness of the prohibition of corporal punishment and promoting alternative positive discipline strategies. ●

What is corporal punishment?

The following is an extract taken from *Corporal Punishment and Bullying: The Rights of Learners*, a publication of the Education Rights Project (ERP) of the Wits Education Policy Unit, written by Salim Vally.

Physical punishment

Physical punishment is a deliberate act that causes pain or physical discomfort in order to punish someone. Corporal or physical punishment can take many forms, including hitting with a hand or an object (such as a cane, belt, whip, shoe or ruler), slapping, kicking, shaking, burning, pinching or pulling hair; forcing someone to stand in an uncomfortable and undignified position; denying or restricting someone's use of the toilet; denying meals, drink, heat and shelter as a form of punishment; forcing someone to do excessive exercise.

These forms of punishment very often leave learners with bruises and cuts; in some case they suffer broken bones, knocked-out teeth and internal injuries. Every year in our schools some children are left permanently disfigured, disabled or even dead.

Humiliating or degrading punishment

Some educators have replaced physical punishment with methods of degrading or humiliating punishment. This takes different forms such as verbal abuse, ridicule, isolation, or ignoring learners. For example, ERP members were told that an educator in an overcrowded classroom in Katlehong came up with the following form of punishment: She made a young boy take off his underpants, put them on his head, and walk around the school while other learners were encouraged to say bad things about the boy. Another educator forced a learner to wear a sign that read 'I am bad' throughout the day.

These strategies, based on humiliation and the removal of self-respect are not effective alternatives to physical punishment. Some young people who are stripped of their self-respect and self-esteem become violent, others become sad or withdrawn.

What is the different between punishment and discipline?

Many mistakenly equate 'punishment' with discipline. Disciplined behaviour means ways of behaving that show respect and responsibility. Self-discipline means achieving disciplined behaviour through one's own efforts rather than through an external monitoring force. Punishment does not promote self-discipline. It only stops behaviour for that moment. Punishment may fulfil a short-term goal, but actually interferes with the accomplishment of the long-term goal of self-control.

The following table allows you to think of differences between punishment and discipline:

Punishment	Discipline
Emphasises what a child should not do	Emphasises what a child should do
Is a once-off occurrence	Is an ongoing process
Insists on obedience	Sets an example to follow
Is an adult release and about their power. It is also often about displaced anger. This is when adults are angry about something else but take their anger out on children.	Helps children change
Is negative	Is positive
Makes children behave	Accepts a child's need to assert him-/herself
Thinks for the child	Encourages child's ability to think
Defeats self-esteem	Encourages self-esteem
Condemns misbehaviour	Encourages self-disciplined behaviour

What is bullying?

Bullying is a deliberate act of aggression or manipulation by one or more people against another person or people. It is an abuse of power by those carrying out the bullying. In this sense it is no different from corporal or psychological punishment. While educators can also bully, it usually occurs between learners.

Bullying can be non-physical or physical. Non-physical or verbal bullying could include name-calling, racist remarks, sexually abusive or racially abusive language, threats of violence, taking someone's lunch or things, abusive telephone calls or letters, and spreading spiteful or malicious rumours.

Bullying can also be non-verbal, including rude hand signals and facial expressions and purposefully excluding or isolating someone. Often the targets of the bully are those learners who are different from others, children who, for example, are overweight, children with disabilities and young people with a different sexual orientation. A learner who is bullying may say that he or she is 'only teasing'. The table below shows the difference between teasing and bullying:

Teasing	Bullying
Being made fun of in a good humoured way.	Teasing can get worse and become bullying.
Usually done by someone who cares.	Bullying is one-sided (the same person is always being made fun of).
Everyone has a turn to tease (self/others).	Bullies want to show how powerful they are by hurting others, by taking their things or making them do things they don't want to do.
If the 'victim' is upset or hurt, the feelings don't last and the teasers will stop, as they did not mean to hurt the other.	Bullies don't stop.

Ending corporal punishment in Swaziland

by *Nomsa Thabi Dlamini*

On 14 September 2005, Save the Children Swaziland hosted a seminar on corporal punishment in Swaziland. Some interesting papers were presented. We feature the presentation* by Nomsa Thabi Dlamini (headteacher) of Shewula High School. She provides us with some personal reflections and experiences of corporal punishment.

I grew up in a polygamous family. My mother separated from my father and left me in the care of my grandmother at the age of nine months.

My grandmother never allowed anyone to beat me. She would say, “Ningangishayeli lomntfwanemntfwanami nitamsanganisa” meaning “Please do not beat my grandchild, you will confuse her.” But my grandmother would then go to school and tell the teachers to beat me for being late for school.

It is this that has made me revisit the use of physical punishment in home and school. Parents are the primary role models of children in life and teachers are the first role models that children encounter outside of the home. Therefore this calls for teachers and parents to protect children from all forms of harm.

Children tend to imitate the example that their parents and teachers set, thus one would wish to remind these parents and teachers that physical punishment of any kind elicits strong negative emotions such as fear, anger, rebellion and hostility that is aimed at the source of the punishment.

After receiving the invitation to the seminar, I posed some questions on corporal punishment to my colleagues (teachers) and parents. Some of the answers I received were:

- “We used to be beaten thus we are successful in life.”
- “You have joined those who want to spoil children.”
- “If we do not apply corporal punishment children will do that to us.”

The role of teachers

The children that are entrusted to our care need psychosocial support. We are aware that in Swaziland (and in Africa) we are facing many adversities such as the HIV/Aids

scourge, other chronic diseases like high blood-pressure, diabetes, as well as road accidents. These have resulted in a new group of children with special needs, namely, orphaned and vulnerable children, popularly known in Swaziland as OVCs.

Family structures used to be responsible for providing children with love and financial support, but with the death of family members, teachers often need to fill the gap.

I believe that African teachers have a great responsibility towards children who come to school bearing heavy burdens. These children look to teachers to give them parental love, care and an opportunity to laugh. When I asked students about their feelings regarding corporal punishment, their responses included: “When I am beaten I feel nervous and lose concentration”, “I hate the teacher and his or her subject” and “I feel I am beaten because I have no parents”.

My experiences as a headteacher

I am of the opinion that I was fortunate to be placed at a school with a challenging environment. The school has 264 students and of these 143 are OVCs.

My interaction with parents and the caregivers of many of these students has taught me that the children live under abusive and challenging situations. I am beginning to understand, sympathise and empathise with many of our students who misbehave.

Our education policy allows for the use of the stick in a regulated manner, but despite this many teachers do not adhere to the specific circumstances under which they are entitled to apply corporal punishment. However, I am also pleased to say that many other teachers refrain from the use of any form of physical punishment.

Way Forward for Swaziland

I believe that the aim of education is to promote the independent functioning of the child. Thus we need to strive to create conditions conducive to this goal. Instead of administering corporal punishment when a child does something wrong, let us start employing alternative forms of discipline. In addition, children should be shown positive reinforcement techniques such as praising even the smallest good deed done by a child. Praise is one of the most powerful rewards teachers and parents can give to a child.

Some other ways for Swaziland to move away from the longstanding practice of imposing physical punishment include:

- Families need to be educated on the harmful effects of corporal punishment.
- The Department of Education must provide training, skills and practical alternatives to corporal punishment.
- Psycho-social support to students should be available in schools.
- We need to equip the students with life skills such as self-awareness, self-esteem, assertiveness and decision-making.

Effective discipline of children cannot be achieved by using the stick, but by showing the child genuine love and providing him or her with proper care. If teachers bring kindness and imagination to the classroom, the children will take this kindness, love and care into the world. ●

* This presentation has been shortened by the editors

Common arguments

“justifying” corporal punishment

People often use various arguments to justify the use of corporal punishment of children. The following are two such examples taken from *Corporal Punishment and Bullying: The Rights of Learners*, a publication of the Education Rights Project of the Wits Education Policy Unit, written by Salim Vally. Future editions of Article 19 will feature other examples that are regarded as common myths for which there are clear counter-arguments.

“Corporal punishment is part of our culture, religion and traditions.”

People are entitled to freedom of religious expression only insofar as the practice of their religion does not infringe on human rights.

Sayings that affirm peaceful solutions and kindly forms of raising children can be found in equal measure to punitive sayings in all religious scriptures, and in every faith there will be prominent leaders who condemn all violence against children. For example, reference to the ‘rod’ in the biblical saying, “Spare the rod and spoil the child” is interpreted by some, based on the original language and use of the term, to mean the rod measurement, as in measuring the example of good behaviour by the parent, and not as a rod for beating the child. A traditional and popular isiZulu saying is self-explanatory - “You don’t build a family with a stick”.

We need to accept that there are a number of discriminatory practices that might hide behind culture and religion. These practices could include the oppression of women and the beating of children. In some schools, initiation ceremonies are tradition. New learners are expected to tolerate humiliating behaviour and bullying as part of their socialisation into the authoritarian discipline of the school.

It should be noted that history has shown that culture is not frozen in time; it changes constantly and reflects the human values that grow through time.

“I was hit when I was a child – it did me no harm. If it were not for my parents and teachers physically punishing me, I would not be here today.”

There are many examples of individuals who were not hit as children who later became great successes, as well as even more examples of individuals who were hit who failed to fulfil their potential in later life. Corporal punishment does not affect everyone in the same way. Some people are more resilient and others more sensitive. For those who are more sensitive, research has shown that corporal punishment causes long-term emotional scars. It could also lead to bullying behaviour because it sends out the message that it is acceptable to hurt others. Corporal punishment is also directly linked to future violent behaviour. But, like all areas of human behaviour, it does not cause this in all people.

While corporal punishment has been used regularly in our country, societal attitudes change. In countries where corporal punishment has been stopped through changes in the law and suitable public education there is no evidence to show that disruption of schools or homes by unruly children has increased. ●

Useful suggestions on how to implement positive discipline

Jann Watlington of the Parent Centre, Wynberg in Cape Town provides some valuable insights into positive forms of discipline.

THE IMPORTANCE OF THE PARENT OR EDUCATOR'S ATTITUDE TOWARDS DISCIPLINE

What is discipline?

The word discipline stems from the word disciple, a follower of a teacher. Discipline is not synonymous with punishment. The goal of discipline, therefore, is to teach children self-discipline. It is always helpful to ask ourselves the following question when we are dealing with unacceptable behaviour: "What would I be teaching the child if I did this or said this?"

It is better that children follow rules because they believe in them, rather than because they fear what will happen next. When a child believes in a rule, it is easier for him or her to discipline him- or herself. However, discipline is not a democratic process. In every situation, someone is going to take control. If you as the parent or educator does not take control, the child will. When adults do not provide leadership in a situation, children feel compelled to exert their own strength and this often comes out in the form of tantrums, whining or a total disregard for the adult's wishes. Children need their parents to be in charge. Remember that you are the adult.

We need to remember that young children may either not fully understand the rules, or may be physically unable to do something. In addition there is the possibility that our expectations seem unrealistic to them.

Our own self-control

The most important part of the disciplining process is our own self-control. A discipline problem is not a battle that we need to win, nor is it a situation in which we need to prove we are stronger. Our aim is to teach children to develop self-control.

Helpful and unhelpful thoughts when faced with issues of discipline

Our thoughts and self-talk can be unhelpful and prevent us

from achieving self-control and dealing effectively with the problem. We can become aware of these unhelpful thoughts and change them into helpful ones that will enable us to act effectively and assertively. For example:

UNHELPFUL THOUGHTS (Aggressive or passive)	HELPFUL THOUGHTS (Assertive)
Why is he doing this to me?	I don't like this behaviour so I'm going to do something about it.
There she goes again!	I'm not going to take this personally. I'm annoyed but I am not out of control.
How dare she talk to me like that!	I know my child is out of control and it's my job to set a limit.
I'll show him, the little so and so!	I have some skills and I'll think which one I will use.

Being in control and calming ourselves with helpful self-talk is the most important stage of the discipline process. This is how we establish our sense of authority and direction.

So often discipline has involved getting caught up in power struggles and doing a great deal of shouting, threatening and hitting.

Ensure that you don't take the child's misbehaviour personally. Each time you say to yourself, "Why is he doing this to me?" your feelings are automatically involved and you are on the wrong track. When we learn to stand back to think and evaluate, only then can we become far more effective.

Effective responses come from thinking, not from reacting emotionally or instinctively. Remember, **you** are the adult.

SETTING LIMITS

Children feel insecure if they don't know what the rules are and don't know what to expect. Setting limits is like putting up the fences which give children a sense of security and containment. Parents and caregivers have a responsibility to set limits on children's behaviour.

It is important to make sure that there are only a few rules and that these rules are clear, simple and consistently enforced. Some rules are non-negotiable and these should only be a handful. For example:

- Treat others the way you want them to treat you.

- You mustn't do anything that will hurt another person.
- You mustn't do anything that will hurt you.
- You mustn't do anything that will damage another person's things.

You will need to translate these into more specific rules for young children. For example:

- Beds are not for jumping, jump on the floor.
- People are not for hitting/kicking, kick the ball.
- Walls are not for writing, here, use paper.

When stating the rule or expectation, or giving an instruction it is important to make good contact, get attention and be clear, firm and respectful. Constantly repeat the rule and provide lots of reminders, for example, "I expect the toys to be put back into the basket before going to bed" or "I expect your bike to be in the garage by supper time".

OFFERING CHOICES

Allowing children to make age-appropriate choices empowers them and gives them some control over their lives. However, whenever we make a choice it means we have to give up something. At this stage choosing between two options is all that a child can manage, for example:

- Play quietly or leave the room.
- The kitchen will have to be tidied or I can't start the supper.
- It is cold today ... do you want to wear a tracksuit or jeans?
- Would you like to bath before or after supper?

Choices need to be fair, reasonable and logically related to the behaviour in question. It is not the lesser of two evils. It is not helpful to say, "You have disobeyed. You can have your hiding now or when your father comes home."

Giving choices reduces conflict, resentment and defensiveness towards parents. Each choice provides the child with an opportunity to take responsibility. For parents, choices help to establish limits and boundaries. It is the parents who decide the options and present the

alternatives that they are prepared to permit.

FOLLOWING THROUGH WITH LOGICAL CONSEQUENCES

Follow through with the logical consequence inherent in the choice the child has made, e.g. "longer play time means no bed-time story".

This allows children to experience that there are always consequences to behaviour and to choices. Protecting a child from experiencing the consequences of her behaviour will interfere with the development of self-discipline. Children learn important information about themselves and their relationships with other people when they are allowed to experience the consequences of their actions.

Children need to be given another opportunity, fairly soon, to try again and demonstrate that they can learn to manage tasks and be trusted.

GIVE AN OPPORTUNITY TO MAKE AMENDS

Children need to have a feeling of completion and to realise that they can make things better even when they have behaved unacceptably. This ties in closely with consequences that follow their bad behaviour, for example:

- cleaning up spilt food
- wiping scribbles off a wall
- mopping the bathroom floor.

IN CONCLUSION ... ACKNOWLEDGE THE CHILD'S FEELINGS

Children often resent the disciplinary action we take. Although we need to remain firm about our decision, we can help our child come to terms with it, acknowledging his or her resentment or frustration. ●

The Parent Centre

The Parent Centre works with parents, caregivers, childcare workers, educators, early childhood development practitioners, social workers, psychologists, as well as anyone who either is actively parenting a child/ren, who is responsible for the education and nurturing of children, or who works with parents/caregivers themselves.

The Parent Centre provides services throughout the Western Cape and responds to requests from outside. The Parent Centre has projects/programmes in the following communities: Hanover Park, Mitchells Plain, Lavender Hill, Steenberg and Grassy Park, Khayelitsha, Guguletu, Nyanga, Crossroads, Imizamo Yethu (Houtbay), and Phillipi.

The Parent Centre

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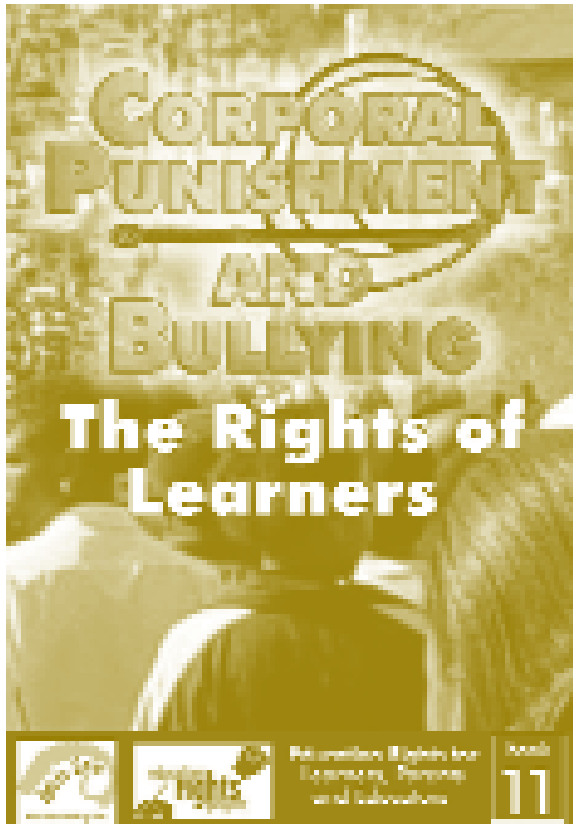
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University of the Witwatersrand Education Policy Unit publishes a booklet on corporal punishment



The Education Rights Project of the Wits Education Policy Unit has published a handbook entitled, *Corporal Punishment and Bullying: The Rights of Learners*, to explain why physical and humiliating punishment negatively affects discipline, teaching and learning. The publication follows many reports made to the Education Rights Project over the past two years, regarding the physical and emotional abuse of learners. The Unit recognises that while some educators have found creative non-violent ways to approach classroom discipline, others struggle to find effective solutions. This publication is aimed at trying to assist educators and parents to understand the benefits of alternative forms of positive discipline.

Copies of this handbook can be obtained from The Education Rights Project of the Wits Education Policy Unit:

- Telephone:** 011 717 3076
- Fax:** 011 717 3029
- E-mail:** vallys@epu.wits.ac.za

Useful websites:

- The Human Sciences Research Council
www.hsrc.ac.za
- The South African Human Rights Commission
www.sahrs.org.za
- The Wits Education Policy Unit
www.erp.org.za
- Resources Aimed at the Prevention of Child Abuse and Neglect
www.rapcan.org.za

Upcoming conference

Miller du Toit Inc and the Law Faculty of the University of the Western Cape will be hosting its annual family law conference entitled "The Internationalisation of Family and Child Law".

Date: 26 and 27 January 2006

Venue: Protea President Hotel, Seapoint, Cape Town

For more information, contact Joan Cornish at Miller du Toit Inc on 021 418 0770 or mdt@iafrica.com.

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