

Corporal punishment essay sample

[Psychology](#), [Abuse](#)



Introduction

Good evening honourable members of the School governing body. We the student elective have developed a proposal on correcting the pandemic of corporal punishment affecting this school. We will be addressing the following topics: corporal punishment before and after 1994, the student uprising of 1976, corporal punishment and independent schools, arguments for and against corporal punishment and our recommendation. Our aim is to gain your support in our stand against corporal punishment in our school but also in our community. Thank you for allowing us this opportunity and we hope this speech will be enlightening. What is Corporal punishment?

Corporal punishment can be described as any deliberate act against a child that inflicts pain or physical discomfort to punish or contain him/her .

Corporal or physical punishment can take many forms, including hitting with a hand or an object, slapping, kicking, shaking, 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 and shelter as a form of punishment; forcing someone to do excessive exercise .

Furthermore humiliating, degrading and emotional Punishment can be described as corporal punishment . Some educators have replaced physical punishment with methods of degrading or humiliating punishment . This often takes different forms such as verbal abuse, ridicule, isolation, or ignoring learners .

Situation in the 1970's with regards to Corporal Punishment The effects of corporal punishment in this case, were hotly debated by many at the time, in

the 1970's and 1980's. Racial battles and many apartheid events occurred in this period of time (Newell, 1972). Psychologists argued that it did serious emotional damage, affected the self-esteem of learners and impacted adversely on academic performance (Cherian, 1990; Holdstock, 1990; Murray, 1985). Respectful relations between teachers and students were not possible, they argued, in a context where corporal punishment was used.

Social commentators pointed out that corporal punishment was part of a wider web of violence that fuelled antagonisms and hatred (Kenway & Fitzclarence, 1997). It was used excessively in white, single-sex boys schools and liberally in all other schools except in single-sex girls schools where its use was limited (Morell, 1994). The introduction of Bantu Education in 1955 exposed black dominant people. Unlike white girls, African girls were not exempted from beatings. The Soweto uprising was one of the main events that occurred before 1994. In the years 1970 – 1976 thousands of African students gathered at prearranged assembly points for demonstration.

According to the journal of southern African studies in 1976, June 16th a movement that began in opposition to Corporal Punishment as well as the use of Afrikaans as medium of instruction in African schools (Hlongwane, 1992). This African dominant movement cost the lives of more than a 1, 000 youths. Since February of 1976, anger had been mounting over the Corporal Punishment and the Instructional regime. Corporal Punishment before 1994

Corporal punishment forms part of South African history of slavery, colonialism and Apartheid. This form of punishment has since become a social construct within our culture, and played a significant role in

maintaining discipline not only in school, but also within society as whole (Kellaway, 2002). During Apartheid, which marks the years between 1948 and 1994, corporal punishment was practiced all over in South African schools. The laws of this era encouraged teachers to use the cane as a means to control and deal with learners who stepped out of line. The most widely used form of corporal punishment was whipping (Vally, 1998).

However, in 1970 resistance were amplified as student organizations began to demand an end to abuse in the classroom and; in the 1980s learners, educators and parents formed and promoted “ Education Without Fear” (Department of Education, 2001: 5) which was a response to the whipping of children. Corporal punishment became a norm within South African education when the Apartheid Regime made Bantu education compulsory during the 1950’s (Morell, 2001). The latter was in order to maintain a firm level of control over the educational system. According to Holdstock, (1990), while corporal punishment were mainly used on boys in White English-speaking schools, girls and boys in white Afrikaner, Colored, Indian and Black schools were equally punished. Corporal punishment post 1994

After 1994, when South Africa stepped out of isolation and adopted a new, democratic constitution guaranteeing the right to human dignity, equality and freedom, to basic education and to an environment that is not harmful to the health or well-being of all citizens, it followed the example of most other democracies by passing new legislation or using current legislation to protect the rights and safety of learners (Morrell, 2001). Provision is made for protecting the rights of children and the safety of learners in the Child Care

Act, 1983 (Act 74 of 1983); the Domestic Violence Act, 1998 (Act 116 of 1998); the South African Schools Act, 1996 (Act 84 of 1996), and the Occupational Health and Safety Act, 1993 (Act 85 of 1993) (Prinsloo, 2005). These Acts are all concerned with protecting the physical and psychological integrity of learners in South African schools (Prinsloo, 2005). Reasons why Corporal Punishment is still used

According to Morrell (2001) in 1996 the transformation of the education system for example, trying to equalize the number of teachers working in public schools and trying to introduce a curricular alternative to Christian National and Bantu Education, pushed the issue of corporal punishment down the agenda. Furthermore confused, over-worked and under-qualified teachers were unlikely voluntarily to give up corporal punishment when they considered it their only means of keeping order in class (Prinsloo, 2005). Effective alternatives were not initially introduced when the banned was introduced (Vally, 1999). Teacher resolve to continue using corporal punishment was strengthened by assertive and rebellious students who challenged traditional concepts of classroom authority (Morrell, 2001). Since 1996 newspapers have routinely reported that corporal punishment continues to be used in schools, sometimes resulting in hospitalisation of learners (Morrell, 2001). In rare cases have teachers been charged in terms of the Act, but few have received serious charges (Morrell, 2001). Furthermore, in the past beating children was simply taken for granted in a society so familiar with violence (Vally, 1999).

Over time, many educators and parents came to believe deeply in the usefulness of corporal punishment (Vally, 1999). Along the way, the practice of corporal punishment became deeply woven into the fabric of our society (Vally, 1999). In 1987 after researchers found a link between corporal punishment and violence, corporal punishment was banned globally (Agnew, 1996). The situation with in depended schools: The laws against Corporal punishment 1) Section 12 of the South African Constitution states that: “ Everyone has the right not to be treated or punished in a cruel, inhuman or degrading way.” 2) The National Education Policy Act (1996) that states: “ No person shall administer corporal punishment or subject a student to psychological or physical abuse at any educational institution.” (WCED, 2013) 3) The South African Schools Act (1996) that states: “(1) No person may administer corporal punishment at a school to a learner; (2) Any person who contravenes subsection 1 is guilty of an offense, and liable on conviction to a sentence which could be imposed for assault.” (WCED, 2013) Does the law apply to independent schools?

In 2000, an organisation called Christian Education South Africa (CESA), representing close to 200 private schools took the case in support of corporal punishment to the High Court (Valley, 2013). Their view was that corporal punishment is necessary for their religion. They argued that many biblical texts spell out the ‘ corrective’ role of corporal punishment (Vally, 2013). Like Proverbs 13: 24 “ He that spareth his rod hateth his son: but he that loveth him chasteneth him betimes”, Proverbs 19: 18 “ Chasten this son while there is hope, let not they should spare for his crying” And Proverbs 22: 15 “ Foolishness is bound in the heart of a child; but the rod of correction

shall drive it far from him” just to name a few (Waterhouse, 2007). The court found no religious grounds for the belief that educators have the right to use corporal punishment (Vally, 2013). The judge, quoting from an example from Deuteronomy – (21: 18-21 “...then his father and his mother shall take hold of him and bring him out to the elders of his city to the gate of his city. And they shall say to the elders of his city, ‘ This son of ours is stubborn and rebellious; he will not obey our voice...’

Then all the men of his city shall stone him to death with stones”) – found that Christians themselves do not consider all the biblical guidelines on punishment to be part of modern day religious practice (Valley, 2013). Although the CESA argued that the ban was a violation of freedom of religion the court did not find any violation and upheld the ban on corporal punishment in schools as lawful (CRIN, 2000). Furthermore the parents are not being obliged to make an absolute choice between obeying a law of the land or following their conscience, but they cannot authorize or instruct teachers to inflict corporal punishment on children in the name of their religious convictions (CRIN, 2000). Arguments for corporal punishment:

Educators feel that without corporal punishment children will not show them respect or work as hard as is required (Education, 2000). Corporal punishment also gives children a sense of accountability towards authority and keeps them disciplined. The removal of corporal punishment in some areas has resulted in deterioration in the behaviour of learners (Education, 2000). Teachers believe that corporal punishment in schools maintain the culture of learning in schools (Education, 2000). Physical punishment

inflicted on the parents of children has not had a negative effect on them and therefore the same treatment on their children should not be ignored . According to educators corporal punishment is part of their Religion and Culture (Education, 2000). Teachers believe that without corporal punishment, disruptive learners will never change unless change is beaten out of them (Khumalo, 2012). Corporal punishment is seen as the easiest way to discipline a child where as other methods requiring patience and skill which some teachers do know (Khumalo, 2012). Arguments against corporal punishment

Corporal punishment is illegal by law. Furthermore, extensive research shows that corporal punishment does not achieve the desired end which is a culture of learning and discipline in the classroom (Morell, 2001). Children who are exposed to violence in their homes and at school tend to use violence to solve problems, both as children and adults (Education, 2000). Research findings show that corporal punishment does not build a culture of human rights, tolerance and respect. Secondly, it does not stop bad behaviour of difficult children. Instead, these children are punished over and over again for the same offenses (Education, 2000). Corporal punishment does not nurture self-discipline in children. Instead, it provokes aggression and feelings of revenge and leads to anti-social behaviour (Asmal, 2000). Corporal punishment does not make children feel responsible for their own actions. Instead, they worry about being caught and not about their personal responsibilities (Education, 2000). Corporal punishment takes children's focus away from the wrong doing committed to the act of beating itself (Education, 2000). Some learners brag about being beaten as

something to be proud of, as a badge of bravery or success (Education, 2000). Corporal punishment undermines a caring relationship between learner and educator, which is critical for the development of all learners, particularly those with behavioural difficulties (Morell, 2001). Lastly, corporal punishment undermines the self-esteem and confidence of children who have learning or behavioural problems and/or difficult home circumstances and contributes to negative feelings about school (Education, 2000).

Recommendation

After carefully considering the history of corporal punishment and all arguments for and against corporal punishment we uphold the ban of corporal punishment. A safe school may be defined as one that is free of danger and where there is an absence of possible harm; a place in which non-educators, educators and learners may work, teach and learn without fear of ridicule, intimidation, harassment, humiliation, or violence (Prinsloo, 2005). A safe school is therefore a healthy school in that it is physically and psychologically safe. Indicators of safe schools include the presence of certain physical features such as secure walls, fencing and gates; buildings that are in a good state of repair; and well-maintained school grounds (Prinsloo, 2005). Learners have a constitutional right to receive education in a safe school environment (section 24 of the Constitution) and school governing bodies of public schools have a major responsibility to ensure that the learners' right to a safe school environment is realised (Boshoff, 2000). We recommend that the school governing body develop a school policy, which includes policies dealing with safety and school discipline (Prinsloo, 2005). Section 8(1) of the South African Schools Act requires school

governing bodies to adopt a code of conduct for learners after consultation with learners, parents and educators of the school (Prinsloo, 2005).

According to the National Department of Education (2000) In terms of section 8(2), the primary aim of the code of conduct is to establish a disciplined and purposeful school environment, dedicated to improving and maintaining the quality of the learning process. A code of conduct based on human rights principles contains school rules, regulations, sanctions and disciplinary procedures (Education, 2000). This should include rules for dealing with school safety and security, and the consequences of breaching such safety and security (Prinsloo, 2005). With regard to discipline, the school governing body also has a duty to ensure that the code of conduct includes policies and procedures that are appropriate for dealing with matters such as drugs, peddling, sexual harassment and other forms of abuse, bullying and the possession of dangerous weapons, and that these policies are implemented and revised on an on-going basis (Prinsloo, 2005). This approach is just a stepping stone in the fight against corporal punishment in schools.