

ALTERNATIVES TO CORPORAL PUNISHMENT

1. What is Corporal Punishment?

Corporal punishment can be described as 'any physical action that hurts a child in the name of discipline'. This could mean:

- hitting, slapping, pinching, pushing, shaking and kicking;
- depriving the child of food or rest or movement;
- forcing chillies, washing-up-liquid or other irritating substances in a child's mouth or anywhere on his or her body; and/or
- forcing them to sit or stand for any length of time.

Emotional punishment is any action of adults to deliberately cause emotional distress to children in the name of 'discipline'. This would include punishment where anyone encourages others to hurt a child emotionally. Emotional pain of this nature includes:

- an educator calling on the class to ridicule a fellow learner;
- the distress caused by threats, and other hurtful, frightening or humiliating and shaming words;
- screaming or shaking a fist at a child;
- shutting a child into a dark cupboard;
- unfair discrimination of a child;
- the withdrawal of love, affection and attention;
- a refusal to communicate or respond to the child over a significant period of time; and/or
- encouraging others to isolate a child and ignore him or her.

The inflicting of intellectual pain can also be used as a punishment. A common **intellectual punishment** is:

- insisting that a child agrees with a statement that he or she does not accept as being true;
- forcing a child to attempt tasks that are beyond his or her intellectual capacity (usually combined with humiliation); and/or
- forcing a child to do boring, repetitive and meaningless tasks.

2. Why Physical Punishment is not Acceptable

2.1. It teaches children that hurting others is okay.

Children frequently learn from adults how to behave and interact with others, and may internalize the guidelines regarding acceptable and unacceptable behaviour.

2.2. It breaks down the relationship between parent and child or teacher and child.

Children need to be able to trust parents and teachers to care for them and not to hurt them. Physical punishment strains this relationship. Children may come to believe that they deserve to be hurt- creating a low self-esteem and a poor self-concept. Children may become anxious or afraid of adults. They may also present as being angry, uncooperative and resentful.

2.3. It may damage children physically.

Children may have suffered permanent harm such as deafness from a strike to the head or brain damage or death from being shaken. Bones may have been broken from having an arm twisted and internal organs can be damaged as a result of blows.

2.4. It opens the door to physical abuse.

Physical abuse of children promotes the notion that it is okay to hurt children. When parents or teachers are angry or distressed it is easy to overstep the limit that parents or teachers set themselves. The 'smack' may develop into a 'blow' or a 'beating' and the child may be seriously hurt. Therefore it is safer to set boundaries that promote a non-violent form of discipline that promote no smacking or physical hurt.

2.5. It is not effective in the long term

Hurting children does not work well in changing behavior permanently because it does not change the child's underlying attitudes and values. The child does not learn self- control, only permissiveness, how to respond to the control of others, or how to lie and hide what they are doing so as to avoid punishment.

2.6. It damages children's development

Children who are sad, confused anxious or angry cannot concentrate on the work or play they need for developing their potential. Research shows that children who are disciplined at home in alternative ways, without being hurt, do better at school than others whose parents use physical punishment. This is due, in part, to the fact that parents who use alternative and positive methods of discipline teach their children more communication and problem-solving skills.

3. Alternatives to Corporal Punishment

Discipline is an ongoing process and results cannot be achieved on the basis of one incident. Discipline can also not be instilled through a once-off response by parents and caregivers to a single incident of negative behavior. Since we have established that corporal and emotional punishment is not an acceptable form of punishment, what are the alternatives?

3.1. Give praise

If you praise children when they obey or do things well, this encourages them to model their behavior on positive reinforcements. Praise also encourages them to learn self-discipline. Praise costs nothing and if you choose to reward them by treating them, these treats could range from telling the child a story at bed-time to allowing the child to visit a favourite friend or relative.

3.2. Lead by example.

If a child is not allowed to use dirty language or to swear, neither should you. Basically, practice what you preach!

3.3. Be realistic.

There is no point in punishing a baby for crying because he or she is hungry, or a two year old who runs into the road in front of cars because this is what can be expected from children at different ages. Instead, keep children safe by removing the possibility of physical danger-make sure your baby can't reach the fire or the paraffin bottle or hold your child's hand when you walk on the road.

3.4. 'Restorative Justice'

Children can often provide answers that will result in an acceptable compromise so encourage them. For instance, a useful technique with most children is used in 'restorative justice' practices (which are well-known in African culture). 'Restorative justice' involves both 'victim' and 'offender' in a meeting aimed at planning a way to repair any harm caused. In addition, some set plans to prevent future misbehavior by all concerned. These techniques have been successfully used by school governing bodies seeking alternative punishments in the school system in South Africa.

3.5. Don't threaten or shout at children.

It is better if children do as you ask because they understand the reasons why, rather than because they are frightened or bullied.

3.6. Use 'good' words to describe children

Child-naming, bad-mouthing and humiliation as forms of punishment or in the heat of an argument, have been shown to lead to a lower self-esteem, and can become self-fulfilling prophecies for children. For example, "*You are just lazy/stupid/fat/bad*" may lead a child to giving up on themselves.

3.7. Be respectful

It is vital to treat any person, including a child, with respect. If there is respect for a child's thoughts and feelings, they will be more likely to act respectfully and perhaps be more open even when punishment is being metered out to them.

3.8. Negotiate a compromise.

Sometimes parents and caregivers feel that if they give in just once, the child will take advantage of the situation and them. However, sometimes it may be best to reconsider your own views and question; "*How important is this? Does it affect the child's safety? Will anyone be hurt if I compromise? Is this important enough to matter in ten years time?*"

3.9. Use guidance and counseling methods.

Guidance and counseling methods can be used more effectively with older children. In these situations, call on a relative if needs be, one with whom a child has a special relationship or an older person in the family or community for whom the child really has respect. Ask this person to discuss the negative effects on your child's behavior with your child, and to provide guidance on what the expectations of the child are.

3.10. Children learn by doing

Give the child a non-abusive task to perform, preferably one that is related to what the child has done wrong. A child who has to fix, clean and tidy something that he or she has broken or dirtied, will be less likely to repeat that behavior in future.

4. Setting Boundaries: Learn to Recognise Appropriate Behaviour

Oftentimes, parents and caregivers punish or discipline children who they believe have been naughty only to realize later that the child is merely behaving in an age-appropriate manner. Therefore, in order to discipline effectively, caregivers need to recognize appropriate behaviour in their children. In addition, effective discipline involves setting clear understandable boundaries for children.

4.1. Babies up to 18 months

Babies cannot be spoiled, nor are they naughty. Their needs initially are instinctual. When they are cold or wet or hungry they will let you know by crying or expressing discomfort. If their needs are met consistently, they learn to trust those around them.

- Make sure your house is baby safe. Keep valuable things away from babies.
- Being a mother to a small infant is challenging and often exhausting. If you feel desperate, try and have a brief break and where a sense of desperation persists, seek support and professional help. If you see a friend struggling, encourage her to seek help too.

4.2. Toddlers 18 months to 3 years

- Toddlers are beginning to develop a sense of independence.
- They learn and copy from others both positive and negative traits.
- Temper tantrums are often characteristic of this age and must be seen as part of a toddler's normal social and emotional development.
- Temper tantrums are often difficult for a parent to handle but it is important that parents remain calm and let the child know that although they (the child) have no control over what is happening, the parent still loves them but does not accept the behavior.
- Whilst children need limits, they also need reassurance that their feelings, which led to the outburst, are understood and allowed.
- We are all entitled to feelings - it's how to express them that we need to learn. Toddlers need adults who are calm, kind and controlled. They need guidance on what is acceptable behavior and ways in which to express many overwhelming feelings.
- Think carefully before you react to a situation. Very often children throw temper tantrums because they have no control over aspects of their environment and they cannot cope or understand this. It is sometimes helpful to ignore a temper tantrum rather than respond directly.
- As parents we tend to say "NO" continuously and children often develop parent deafness as a result. Think first before you say "NO". If the child is in any danger or is hurting any one else, then you have to say no and be firm and mean it! Once you have said "no" stick to it as far as possible.
- Toddlers are able to understand and respond to praise.
- Toddlers are able to understand brief periods of "time out" in a safe place in response to difficult behaviour.

4.3. Pre-School Children 3 to 6

- It is important that you encourage children at this age allowing for lots of opportunities for success. Pre-school children need a sense of being capable.
- Sometimes children learn to get attention through negative behavior by telling tales, behaving badly and so on. When this happens, try and focus only on positive behavior ignoring negative behavior for a while until the situation improves. The only time to intervene is when impending danger is about to take place or when someone is getting hurt.
- Children at this age can begin to make choices and accepting the consequences of their behavior.

- Time out in a safe place can be used to help a child understand a behaviour is unacceptable.
- Give simple explanations of consequences for both “good” and “bad” behaviour.
- Label the behaviour and not the child.
- As the child becomes older withdrawal of pleasurable activities and treats may be effective as discipline for unacceptable behaviour.
- Although the child is pre-abstract reasoning at this stage of development, simple explanations linking behaviour with consequences can be given.

4.4. Primary School Children

- Primary school children need age-appropriate and gradually increasing opportunities to become responsible and self-disciplined.
- Encourage the child by focusing on their contributions, assets and strengths.
- Never underestimate their abilities.
- Make a time available every day to listen and share together.
- Encourage negotiation and discussion to help them think through problem and issues that are important to them and to plan.
- All the above methods of managing and shaping behaviour may be used.
- It is helpful to engage children themselves at this stage in identifying those behaviours that are unacceptable and possible consequences for such behaviours.
- Praise the positive appropriately.

4.5. The Teen Years

- Recognise that this is a time of transition and hesitant independence. It is a time of change for both youngsters and parents and involves testing the boundaries, limits and often experimenting.
- Negotiate with young people, on the basis of personal and social responsibility, then set reasonable, fair and realistic limits with them, and increase choice and freedom appropriate with age and maturity.
- Keep channels of communication open but allow young people to develop their own ideas and visions, even if these differ from yours. A difference in opinion should not make us feel threatened and is something we should encourage and explore.

- Empathize with the young persons need to be 'cool', to wear certain clothes, to promote a certain image, and to conform to the cultures of their peers. However, make them aware of 'peer pressure' and the need to resist it when it is inappropriate.
- Help them to set their own ideals and vision.
- Allow for body changes and mood swings as well as fluctuating levels of maturity and responsibility.
- Be sensitive in terms of the individual's sensitivity about his or her physical appearance. Underneath the surface there is often a lot of self-doubt and fragile self-esteem. An unintentional or adverse comment could be devastating for the young person.
- Help them gain their self-esteem by acknowledging increased responsibility in behavior and attitude.
- Identify unacceptable behaviours with teens and ask them to assist in identifying appropriate consequences.

5. Children's Right to Participate in their own Discipline

Adults who are concerned with the disciplining of children should negotiate with young people to set limits, consequences and rewards. This empowers children and gives them a sense of responsibility.

Children, young people and adults need to know that children have the right to express their views. This is in accordance with the United Nations (UN) Convention on the Rights of the Child. Article 12 states that:

The child who is capable of forming his or her own views, has the right to express those views freely in all matters affecting the child, and that the views of the child should be given due weight, in accordance with the age and maturity of the child.

Children and young people have the right to express their views about discipline freely, and that those who are in positions of authority should give these views due weight, according to the child's age and maturity.

6. The Need for Rules and Limits

Children need to know that the rights of the child in terms of the UN Convention (summarized as being survival, protection, development and participation) apply to them too, in all their relationships. These rules and limits, and consequences for “breaking the rules” should be simply and clearly discussed with children.

All rules and limits imposed on children should be in their best interests and should involve no harm to the child.

For example, rules might include;

- Not to hurt themselves, others or things within the environment.
- Not to hurt others’ feelings, to be kind and caring.
- Not to put themselves or others at risk of being hurt.
- To listen to others and accept their views, even if they do not agree with them.
- To develop meaningful relationships in which others are not hurt, including sensitivity to cultural views that might differ from their own.

7. Discipline and the Law

7.1. The United Nations Convention on the Rights of the Child

The *UN Convention on the Rights of the Child* details how the needs of children become their rights. In summary, children have the right to;

SURVIVAL: the right to life and health.

PROTECTION: the right to be safe and cared for.

DEVELOPMENT: the right to an education, recreation, cultural activities, and play.

PARTICIPATION: the right to participate responsibly in decisions affecting them, according to their age and maturity.

We should protect children from being hurt, even in the name of 'discipline', because:

- they have a right to protection from any kind of hurt;
- hurting them slows down their development; and
- they need to participate in their upbringing and learn self-discipline.

The Convention also forbids the use of physical punishment or any cruel, inhuman or degrading punishment for juvenile offenders (Article 37).

While the UN Convention does not specifically call on nations, who ratify the Convention, to make it illegal for parents to inflict physical punishment on their children, many countries have enacted laws banning corporal punishment by parents and other caregivers.

7.2. What the South African Constitution says on Punishment

7.2.1. The Bill of Rights

The South African Bill of Rights (Chapter 2 of the Constitution) makes many references to the way children or people should be treated.

- "Everyone has inherent dignity and all have the right to have their dignity respected and protected." (Section 10)
- "Everyone has the right to freedom and security of the person, which includes the right -not to be treated or punished in a cruel, inhuman or degrading way." (Section 12(e))
- "The best interest of the child shall be paramount in any matter affecting the child." (Section 28)

7.2.2. Other South African Legislation

In addition, in keeping with the ethos of the Constitution, the *Abolition of Corporal Punishment Act (1997)* outlawed physical punishment being meted out by warders in Correctional Institutions (prisons) as well as a form of punishment by the Court.

The Department of Education in the *South African Schools Act (1998)* has banned all forms of corporal punishment in schools and places of education. However, in many schools, corporal punishment is still practiced. Educators who still use corporal punishment are committing an offence.