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Perceptions and experiences of learners on the banning of corporal punishment in South African schools: A case study of four township schools in the Pinetown District of KwaZulu-Natal.

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Criminology and Forensic Studies

DECLARATION

This is to confirm that this

Thesis is my own work which

I have never previously submitted to any other university for

any purpose. The references used

and cited have been acknowledged.

Signature of candidate…………………………………

On the ………………day of ………………………. 2018

QUOTE

If you wish to move mountains tomorrow, you must start by lifting stones today

~ African Proverb ~

DEDICATION

This work is dedicated to all the vulnerable children in South
Africa.

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EMabovini kwakhal' inkomo kwakhal' imbuzi .... Yash' imizi! Babengakanani? Bengangotshani!

Bengakanani? Bengangoboya benyamazane esayigwaza eceleni kwaqhum' isibhamu! Wenduna!!!

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ABSTRACT

The use of corporal punishment is not a new phenomenon in the South African education system as it was, for a long time, recognised as a fitting form of punishment for ill-disciplined and disobedient children. The growing recognition that corporal punishment is an act of violence against children has resulted in the abolishment of this form of punishment in society and particularly in schools. However, regardless of criminalising corporal punishment, it appears to be a disciplinary measure that is persistently used by some educators. Historically and currently, the intimate connection between corporal punishment and discipline has not merely been a convention of human thinking, as this practice is given recognition in various definitions in dictionaries. 'To discipline' is habitually stated to mean 'to punish'. The notion of 'disciplining children' also comes from entrenched common conceptions about children and their relationship with adults. Corporal punishment has, for a long time, been associated with the rearing and education of children and this practice thus pervades schooling across nations. In many societies, punishment is a term that is closely linked with the self-perception of teachers who feel that they must be 'in control' and have 'the upper hand' in order to be respected. This impression of control is evident in the widespread conception of education which is to 'socialize' children in 'desirable ways' of 'sitting in a formal classroom', 'behaving' in school, 'following instructions' from the teacher, talking only when asked to, and finishing tasks on time.

Many South African teachers thus do not understand the true meaning of discipline. The unequal power relation between adults and children further enhances the problem, as children adopt cues of authority from school and home and begin to accept violence as a way of life. Over the past years, several gruesome acts of corporal punishment have come to light through media reports of some incidences which had led to the death of children. Due to fear, children often remain silent and submit to violence without questioning such acts of punishment. Many children display signs of deep hurt in their behavior, but this often goes unnoticed, which exacerbates the cycle of violence. Research has reliably revealed that the use of physical punishment against children hampers the attainment of respect for discipline. This form of punishment seldom provokes children to act inversely, as it does not convey an understanding of what they should to be doing, nor does it produce any kind of reward for being upright. The fact that teachers and principals often have to repeat the administration of corporal punishment for the same offense by the same

child attests to its ineffectiveness. In countries where corporal punishment has been abolished, there has been no indication that the disruption of discipline in schools has escalated. This goes to show that disturbances are conveniently and ubiquitously censured on children as they are very vulnerable and cannot defend themselves. Numerous studies have indicated that corporal punishment modifies and often destroys the self-perception of the victim. Teachers habitually beat children because they themselves were beaten when they grew up. Children thus acquire negative behavioral patterns from their teachers as they identify with them. Moreover, placing the blame on the previous generation of teachers who used corporal punishment to discipline children is pointless, as they were acting in accordance with apartheid and international laws or cultural customs that sanctioned this form of punishment under certain conditions.

The notion of punishment is closely related to human conceptions of childhood and education. It is also a conventional datum that childhood is a concept that emerged in the nineteenth century. Passé widespread thinking related to children such as 'spare the rod and spoil the child', 'children are empty vessels' and 'children need to be molded' persists in the mindset of many modern-day educators and has frequently underpinned the ideologies of established school practices. The duty to safeguard children from physical punishment lies in the hands of teachers, principals, education administrators and all other stakeholders and does not exclude parents.

It was against this backdrop that a comprehensive review of relevant literature was undertaken and that individual interviews were conducted with fifty learners from four schools (two junior secondary and two senior secondary schools) in a selected township area in KwaZulu-Natal Province. The main aim of the study was to explore and thus understand learners' views on the administration of corporal punishment regardless of the fact that it was legally abolished. It was envisaged that the interviews with the learners would elicit rich data that would enhance the researcher's insight into their perceptions of the persistent use of corporal punishment as a disciplinary measure in their schools. The study was thus premised on the assumption, which had been strengthened by anecdotal and media evidence, that corporal punishment was still administered in some schools in South Africa and in schools in the study area in particular.

A qualitative study design facilitated the collection of the desired data by means of semi-structured interviews. The interview schedule contained both open- and closed-ended questions. The data were analysed by means of the thematic analysis procedure which facilitated the illumination of

various emerging themes. The analysis of the data was framed by three scholarly theories: the theory of the subculture of violence; the differential association theory; and the deterrence theory. The findings suggest that, regardless of the legal framework that criminalises the use of corporal punishment, the administration of this form of punishment persisted in the schools under study. The interview data were validated by the findings of preceding studies that had found that some educators still used corporal punishment despite their knowledge that it was banned by the South African government in 1996. The findings revealed that corporal punishment ranged in severity and for diverse reasons and that it had adverse physical and emotional effects on the learners. Conversely, a minority of the learners supported this form of punishment as they perceived it to be effective in curbing misbehavior in schools. The findings also suggest that some learners had become so insensitive to the pain inflicted by corporal punishment that their delinquent behavior was exacerbated rather than curbed.

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CHAPTER ONE
INTRODUCTION

"Fear of punishment has always been the great weapon of the teacher ... The subject is so familiar that nothing more needs be said about it."

~ William James, 1892, in Maurer, 1974, p. 814~

1.1 Introduction

Corporal punishment is regarded as a cruel and archaic disciplinary technique and is an outlawed practice in most public schools globally (Vimukthi & Inayathullah, 2018). Nonetheless, rights activists and educationists have often expressed concern "that the practice still lingers in some international schools that are not regulated by the Ministry of Education" (Vimukthi & Inayathullah, 2018:2). These scholars further maintain that, in the olden days, 'caning' or 'belting' students was regarded as a disciplinary norm in educational institutes. "Spare the rod and spoil the child" was a general motto and it was widely held that naughty children had to be corporally disciplined in order to help them grow up to be better members of society (Vimukthi & Inayathullah, 2018). Corporal punishment thus continues to occur in many schools throughout the world, both in countries where it is legal and countries where it was banned (Gershoff and Font, 2016). This has led to estimations that millions of children are subjected to legalised assault in their schools on a daily basis (Covell & Becker, 2011). In this context, Mitchell (2010:22) states:

> "Children in India, the Republic of Korea, South Africa, Sudan, Swaziland, the United States and Zambia have reported being subject to corporal punishment for a range of behaviours, including not doing their homework, coming late to class, bringing cell phones to school, running in the hallway, sleeping in class, answering questions incorrectly, having an unacceptable appearance, using bad language, writing in a text book, failing to pay school fees, making noise in class, and being absent."

Twenty five years ago, Article 19 of the United Nations Convention on the Rights of the Child (CRC) laid the foundation for the protection of children against "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" (Portela & Pells, 2015). Notwithstanding the near universal endorsement of the CRC, "only eight per cent of children worldwide live in countries that have fully prohibited physical or corporal punishment in all settings, leaving slightly more than two billion children without full legal protection" (UNICEF, 2014: 110-111). However, positive progress has been made in all regions of the world to stem this form of punishment with legislation that prohibits corporal punishment in educational settings (Pinheiro, 2006). Nonetheless, Portela and Pells, (2015) contend that the exact provisions contained in the law, and whether they are accompanied by additional measures in policy and practice, differ among countries.

For example, Article 36 of the Ethiopian Constitution of 1994 focuses on the rights of children and specifies that "(1) every child has the right… (e) to be free of corporal punishment or cruel and inhumane treatment in schools and other institutions responsible for the care of the children" (Portela & Pells, 2015:10). The school administration regulations issued by the Ministry of Education in 1998 in this country also state that "corporal punishment is not among [the] permitted disciplinary measures" (GITEACPOC, 2014b: 2). However, research in Ethiopia has shown that "corporal punishment remains prevalent, with 30 per cent of children aged 11-17 reporting having experienced corporal punishment" (ACPF, 2014: 22).

In India, the Right of Children to Free and Compulsory Education Act (Right to Education Act) that was passed in 2009 prohibits the use of corporal punishment in schools, and the government of Andhra Pradesh banned corporal punishment in educational institutions in 2002 by amending rule 122 of the Andhra Pradesh Integrated Educational Rules of 1966 (GITEACPOC, 2014c: 3). However, studies in this country have identified "unfailingly high levels of reporting by children of corporal punishment in schools with little difference between private, state government and central government schools" (GITEACPOC, 2014c: 3). For example, a study across seven states in India by the National Commission for the Protection of Child Rights (2012) found that three quarters of children had been caned to punish them.

The situation in Peru differs significantly from the two countries mentioned previously, as no overt legal prohibition of corporal punishment exists in this country. For example, Supreme Decree No. 007-2001-ED: Approval of Norms for the Management and Development of Activities in Educational Centres and Programmes of 2001 states that "corporal punishment should not be used in schools", but does not specifically prohibit it. Other implicit provisions are contained within the Code of Children and Adolescents (2000) which includes the stipulation that children must be respected by their teachers (Article 16) and the General Education Law (2003) which states that children's dignity and physical wellbeing must be protected (Article 53) (GITEACPOC, 2014a), but corporal punishment per se has not been abolished. Recent amendments to the Code of Children and Adolescents have been proposed under Bill 611/2011-CR with the objective of explicitly prohibiting the use of corporal punishment and other humiliating acts as disciplinary practices in any educational setting. However, the Bill has been in Congress since 2011 and remains unapproved. Portela and Pells (2015:10) state that "there are further proposals before Congress to legally prohibit corporal punishment in all settings, but these remain unapproved".

In South Africa, the use of corporal punishment in schools was prohibited by law in 1996 when the South African Schools Act No. 84 of 1996 was brought into effect. However, a national study by the Centre for Justice and Crime Prevention (CJCP), which was conducted in 2012, found that of the 5 939 learners who had been surveyed, 49.8% had been caned or spanked by a teacher or principal as punishment for displaying undesirable behaviour.

In the twentieth century, corporal punishment was an essential part of schooling for most teachers and learners in South African schools (Morrell, 2001:12). The latter scholar argues that it was "a reflection of a tradition adopted by a huge part of South African society who had come to believe that corporal punishment was an effective child-rearing method". This belief was, in some instances, supported by the verse in the Bible that reads, "Spare the rod and spoil the child" (Proverbs 13:24). Teachers thus felt obligated to administer corporal punishment as a means of maintaining discipline and controlling learners at school (Department of Education, 2000:5).

However, endless warnings by researchers have suggested that corporal punishment might lead to the perpetuation of violence within the wider society and thus replicating it throughout South Africa (Chisholm et al., 2003). Thus the efficacy of corporal punishment in the educational context

triggered a serious debate in the 80s that has lasted till today. For example, the death of 8-year-old Nthabiseng Mtambo in February 2016, who died in a hospital in the Free State after her Grade 3 teacher had continuously beaten her on the head with a hosepipe for not doing her homework, exposed the horrors associated with physical punishment (Röhrs, 2016:1). In another incident Sphamandla Choma, a 14-year-old boy, was left paralyzed and later died after he had allegedly been assaulted by his school principal in Middelburg, Mpumalanga for stealing R150 from his teacher's bag. There are many incidents of children sustaining injuries and even dying as a result of corporal punishment. However, many such cases have remained unreported, as anecdotal evidence and the researcher's personal experience have confirmed.

Kader Asmal (2000:4), who was the first Minister of Education in the 1994 constitutionally elected South African government, unequivocally acknowledged the predicament caused by the banning of corporal punishment:

> "The reality of the situation is that many educators face daily struggles in their school environment with issues of discipline. Many educators have found themselves in a position of not knowing what to do in the absence of corporal punishment. These educators are not alone in the struggle; even those educators who are committed to this change sometimes find themselves in a difficult situation."

Societal critics have suggested that corporal punishment "might be part of a wider web of violence that fuels antagonism and hatred among the youth who grow up as hardened and insensitive members of society" (Vally, 2005:13). These critics maintain that corporal punishment has little value in augmenting educational potential and that it produces a malicious cycle of violence. Societal critics also maintain that when teachers punish children physically, they simulate violent behaviour that will be adopted by the victims. For example, a study conducted by Dodge and Bates (1992, cited in Molepo, 2010:2) found that, at elementary schools where teachers tended to administer physical punishment, harm to peers and damage to property were exacerbated. Throughout the 1990s, sentiments in contradiction of the use of corporal punishment gained impetus in South Africa and this led to its abolishment in all South African schools. The South African Schools Act of 1996 thus introduced a novel and nonviolent approach to education in the country. Political motivation on the part of the government and the commitment of principals,

teachers and parents were essential for the successful adoption of this new approach. All these stakeholders had to work "in close collaboration to establish a new morality and behaviour after a centuries-old system of education that had allowed the use of physical punishment had fallen away" (Molepo, 2010:2). This scholar states:

"It should be noted that the argument against corporal punishment seemed and still seems to feed off the notion that the act of caning is both violent and ineffective. There have always been mixed reactions as those in favour of corporal punishment in schools argue that many educators are [sic] struggling against indiscipline in schools since corporal punishment was outlawed."

1.2 Background to the Study

It is now more than twenty years since corporal punishment was banned in all South African schools by the South African Schools Act [SASA] No. 540 of 1999. However, many incidences have been reported that suggest that some teachers in South African schools continue to administer corporal punishment, often for petty offences. Section 10(2) of SASA states: "Any person who contravenes Subsection (1) is guilty of an offence and liable on conviction to a sentence which could be imposed for assault". Furthermore, "a learner who is subjected to corporal punishment has recourse from either the school principal; his/her parents; and/the Child Protection Unit of the South African Police Service (CPU SAPS)". Learners whose rights are violated by physical punishment are thus encouraged to pursue any of these courses of action (Gauteng Department of Education, 1999). SASA further indicates that:

"…it is the responsibility of the school's governing body to involve all stakeholders at the school to formulate and adopt a Code of Conduct for the school. The purpose of this Code of Conduct is, among other things, to provide alternative forms of punishment and to promote positive discipline, self-discipline and exemplary conduct; and thereby provide schools with progressive ways of instilling discipline without using corporal punishment" (Gauteng Department of Education, 1999:7).

A survey that was conducted by Statistics South Africa in schools in six provinces in the period 2009 to 2012 revealed the following figures of annual corporal punishment rates: Eastern Cape: 30.3%; KwaZulu-Natal (KZN): 21.4%; Free State: 18.4%; Mpumalanga: 11.5%; Gauteng: 4.6%;

and Western Cape: 4.5%. The violations against children occurred predominantly in the Eastern Cape and in KZN, and occurred mostly in township schools. In the rural parts of KZN, teachers did not spare the rod as they beat learners in order to maintain discipline. In some instances, the infliction of corporal punishment resulted not only in the psychological or emotional harm of the children who were involved, but at times permanent physical trauma or injuries−and even death−occurred (Shologo, 2012:5).

The discontinued use of corporal punishment in most South African schools and the explanations for its use render this subject topical in the present day, even more than twenty years after the abolition of this disciplinary practice. Corporal punishment is a disturbing issue that has received much attention by human rights activists and academics. From 1996, the media in South Africa has routinely informed the public that corporal punishment remains a common practice in schools, "sometimes resulting in the hospitalization of learners" (Molepo 2010:1). For example, a Grade 10 learner died after allegedly being beaten by the school principal in Phezulu High school in Hammersdale, Mpumalanga Township (Vally, 2005). According to Molepo (2010:1):

> "This occurrence once again brought to the fore debates on the place, if any, of corporal punishment in correcting learner misbehaviour in South African schools. While human rights activists saw such acts of corporal punishment as a violation of human rights of the students who needed correction via other means, some people decried the diminishing authority of teachers to contain their students' misbehaviour."

Regardless of the improvements that democracy has brought to post-apartheid South Africa, many challenges still plague the country. Mncube and Harber (2013:13) argue that the South African society is reckoned among the most unequal in the world "with over 45 percent of the population being regarded as poor despite the ostensibly sound performance of the country's economy". Davidoff and Lazarus (2002) list some of the challenges that are faced by South Africa such as limited resources, poverty, escalating levels of crime, and violence. These scholars argue that violence in communities readily spill over into schools, which is a serious threat to the South African society because, as Burton (2008) contends, schools are important institutions for the socialisation of young people.

Masakhane and Chikoko (2016:2) argue that, "while in some parts of the world the debate around the place of corporal punishment may now be a tired one, it remains 'alive and kicking' in many schools in the developing world in general, and in some South African schools in particular". These scholars further affirm that this is the case "even after the banning of this practice, making the use of corporal punishment in schools a controversial issue". Corporal punishment is one of the most widely used forms of violence that teachers use to punish learners, and because corporal punishment is illegal in all South African schools, its continued widespread use remains a controversial subject in many communities.

Despite the fact that the use of corporal punishment is frequently ascribed to causes such as the characteristics of the child, the parent or the teacher, it is imperative to understand the societal enablers of this practice (Straus, 2010).Because society often embraces cultural norms that approve the use violence, the legality of abolishing corporal punishment from the home and school is questioned and cultural beliefs that emphasise the necessity and effectiveness of physical punishment thus contribute to the administration corporal punishment (Masakhane & Chikoko, 2016:2). Also, the nature of particular societies "raises or lowers the probability that a parent or teacher will beat a child to correct misbehaviour" (Straus, 2010, cited in Masakhane & Chikoko, 2016:2).

1.3 Significance of the Study

In 1996 the use of corporal punishment was abolished by law in all South African schools. However, a growing body of research has indicated that not all schools abide by this precept (Maree, 2004). In many incidences, it appears as if little has changed since the abolishment of corporal punishment in South African schools and, according to Keet (2000, cited in Du Bois, 2002:1) and Maree (2004:72), many professionals agree that corporal punishment is, to various degrees of severity, still being administered throughout South Africa. This illegal practice is a preferred form of punishment among teachers in rural areas, and is rife "particularly in primary schools where children are unable to defend themselves or fight back" (Wa Maahlamela, 2002:26). The most disturbing aspect about such revelations is that this form of abuse affects the most

vulnerable members of society, which are our young and defenseless children. Maree (2004: 74) indicates that "such practices appear to be rife in those regions where it is most difficult to identify and bring perpetrators to book in courts of law" and that this practice "is often condoned by parents who either silently condone [it] or even supply written consent, [thus] 'indemnifying' perpetrating teachers". Hosken (2004:2) concurs, stating that "there are instances where learners/parents would rather remain silent when corporal punishment is meted out, for fear of victimisation".

Rural school populations remain at high risk as children in these areas fall easy prey to this form of crime. Evidence has revealed that learners are "slapped, booted, whipped, pinched and hit with sticks and wooden chalkboard dusters" (Greef, 2002:24). However, Maree (2004:75) propagates that "outdated, romanticised or fundamentalist views of corporal punishment seem to lie at the heart of at least some of the notions that moderate the perpetuation of corporal punishment in schools", which means that many teachers may now refrain from using corporal punishment. However, while many may have put away their 'weapons', some have found new methods of control. They have adopted the use of sarcasm, fear and humiliation. They force learners to do degrading things like wearing underwear on their heads or carrying tags with hurtful signs such as: "I am stupid" or "I am a thief" (Bisetty, 2003:1).

Evidence strongly suggests that corporal punishment in a child's early years, and even when it extends into adolescence, is a chief cause of negative behaviour (Maree 2000). Bauer, Dubanowski, Yachauchi and Honbo (1990:290-293), Poeteus et al. (200:21-220), Rose (1989:43) and Straus (1994) all maintain that the reasons for administering corporal punishment are underpinned by time-honored beliefs such as that physical punishment enhances character development, is effective, is quick and relatively easy, achieves temporary compliance, makes people feel powerful, contributes to rapid reduction or elimination of unwanted behavioural patterns, facilitates discrimination in learning, is needed as a last resort, is harmless, induces respect, and that behavioural problems increase when corporal punishment is not used as a deterrent. Conversely, there is strong contention that this form of physical punishment not only perpetuates the cycle of violence and child abuse in societies, but that it also impacts negatively on academic achievement (Maree, 2004). This scholar further maintains that "the educational-psychological side effects of corporal punishment are probably as harmful as the physical effects

and include loss of self-esteem, increased anxiety and fear, damage to the functioning of the ego, creation or enhancement of feelings of loss, helplessness and humiliation, enhancement of feelings of aggression and destructive and self-destructive behaviours, a shortened attention span, attention-deficit disorder, post-traumatic stress disorder, and impaired academic achievement" (Maree 2004:76).

A close perusal of the literature revealed various insightful and often contradictory views on corporal punishment; however, limited information could be traced that illuminated the perceptions of learners on the abolishment or use of corporal punishment in South African schools. Numerous studies focused on the perceptions and attitudes of parents, guardians and school teachers. For example, Cicognani (2004) conducted a study entitled *'To punish or to discipline? Teachers' attitudes towards the abolition of corporal punishment'*. In 2009, Molepo conducted a study entitled '*Beyond corporal punishment: Teachers' perceptions and suggested alternatives to the abolishment of corporal punishment in South Africa'*. In 2014, Govender and Sookraj conducted a study entitled *'Being hit was normal: Teachers' (un)changing perceptions of discipline and corporal punishment'*. All these studies focused on teachers' perceptions, but none noted the importance of learners' perceptions regarding this phenomenon.

Suffice it to state at this point that it was deemed important to evaluate the perceptions of children and to give recognition to their voices as the potential victims of the perpetrators of corporal punishment. The study was thus premised on the notion that the use of this punitive method sends out a signal that it is acceptable to express one's feelings of anger, rage, and even disappointment through physical retaliation. When children, who are natural imitators and who learn through modeling and mimicking others' behaviour, experience that their teachers try to solve problems by physical means, they tend to mimic this behaviour. They thus assume that it is acceptable to abuse those who are smaller than themselves, and thus they do not learn creative problem-solving skills (Hunt, 1999:1-3).

1.4 Problem Statement

The South African society has experienced major social, economic and political changes over the last 24 years. One of these changes is the banning of corporal punishment in all public schools. However, debates that are embedded in religious, social and cultural values propose that it is crucial to punish children physically, as it aids to entrench the values of society, good conduct and discipline in them (Masitsa, 2008:155). Many have argued that the abolition of corporal punishment is synonymous with loosening teachers' grip on learners (Shaikhnag & Assan, 2014). The implication here is that "if used judiciously, this type punishment could be an effective way of preventing and curbing misconduct" (Ezekiel, 2003:1). However, various authors such as Bauer, Dubanowski, Yamauchi and Hunbo (1990:290-293), Porteus et al. (2001:21-220), Rose (1989:43), and Straus (1994) maintain that corporal punishment does not achieve what it intends to, and that its use has become obsolete in democratic societies. Schools are meant to be safe places where learners can fulfil their educational needs. However, the problems that emanate from the persistent use of corporal punishment not only perpetuate the cycle of child abuse, but they impact negatively on academic performance and perpetuate a culture of violence in our vulnerable societies.

1.5 Aim of the Study

The study aimed to uncover the continued illegal practice of corporal punishment in some schools and to illuminate the consequences of this form of violence on young people by exploring its effects on them through their perceptions and experiences. As numerous studies focused on educators' perceptions on the corporal punishment phenomenon and its abolishment in South African schools, this study employed a novel approach by shifting attention to the experiences and perceptions of learners as expressed through their authentic voices. The study thus employed an exploratory, descriptive approach as evidence of the use of corporal punishment was limited and thus only four South African township schools in KwaZulu-Natal were targeted for this investigation.

It was also assumed that learners would be aware of their right to be protected against hurtful and offensive forms of discipline and that they would thus openly and frankly discuss this topic in a secure and safe environment. Based on these assumptions, the objectives listed below needed to be achieved in order to answer the critical research questions.

1.6 Research Objectives

Being critically aware that the administration of corporal punishment at these schools might occur in a covert manner, the researchers' objectives were to:

1) To explore learners perceptions and experiences of the banning of corporal punishment;
2) To identify the types of corporal punishment inflicted on learners;
3) To determine the effectiveness of corporal punishment in deterring undesirable behavior.
4) To escribe the consequences of corporal punishment in public schools and;
5) To identify preventative measures to prevent the use of corporal punishment.

Although the South African Schools' Act (South Africa, 1996c) acknowledges learners' position and value as role-players in the educational context, it is a known fact that their voices are seldom, if ever, listened to when school rules and regulations are drafted. The last objective therefore filled the researcher with excitement at the prospect of commissioning learners' authentic voices and views in order to contribute to the field of scholarly studies on corporal punishment.

To achieve the aim and objectives of the study, particular research questions had to be addressed:

1.7 Research Questions

1) Would learners openly and frankly address their experiences and knowledge of corporal punishment in their respective schools?
2) Is corporal punishment administered indiscriminately, or is it administered among other forms of punishment in attempts to curb undesirable and undesirable behaviour among learners?

3) Is corporal punishment, according to learners' views, an effective deterrent of deviant behavior?

4) What are the consequences of corporal punishment in public schools?

5) Which preventative measures should, according to learners be used to prevent the use of corporal punishment?

1.8 Conceptualization of Relevant Terms

1.8.1 Corporal punishment

Various definitions of corporal punishment are found in the literature. Some scholars confine its definition to the direct infliction of physical pain and some take it beyond the physical issue and extend it to the child's deprivation of basic needs and the violation of human dignity (Khewu, 2012:47). For instance, the Department of Education (2006:6) defines corporal punishment as "any deliberate act against a child that inflicts pain or physical discomfort to punish or contain him/her", whereas Seneson (2005:6) defines corporal punishment as follows:

> *"*Hitting the child with a hand or with an object (such as a cane, belt, whip, shoe, etc.); kicking, shaking, or throwing the child; pinching or pulling their hair; forcing a child to stay in uncomfortable or undignified positions; or [forcing the child] to take excessive physical exercise; [and] burning or scaring the child".

Straus (1999), Hyman (1990) and Cohen (1984) provide several definitions for corporal punishment. A commonality in these definitions is that they "point out that corporal punishment is the use of physical force against an individual" (Cicognani, 2004:3). According to Straus (1994:4, 5), this form of punishment is defined as follows:

> "…the use of physical force with the intention to cause a child to experience pain but not injury for the purpose of correction or control of the child's behaviour …. The most frequent forms of corporal punishment are spanking, slapping, grabbing or shoving a child roughly (with more force than is needed to move the child), and hitting [him/her] with certain objects such as a hair brush, belt or paddle."

Earlier, Cohen (1984, cited in Cicognani, 2004:3) specified similar forms of punishment by referring to "paddling, floggings and beatings". Offering a definition that replicates practices in

the school environment, Hyman (1990:10) states that corporal punishment in the school context "is the infliction of pain or confinement as a penalty for an offence committed by a student".

Scholars have contradictory views about corporal punishment as not all researchers are of the opinion "that corporal punishment is a harmful and destructive act that causes emotional, physical and psychological damage to a child" (Cicognani, 2004:3). However, researchers such as Straus (1994, 1996, 2003), Hyman (1990) and Gershoff (2002) examined the "harmful and less desirable effects of corporal punishment such as somatic complaints, increased anxiety, changes in personality, and depression" (Cicognani, 2004:3). Some researchers also view corporal punishment as a form of maltreatment that causes psychological harm to the child, for example Straus et al. (1994). However, other researchers view the use of corporal punishment as a valid form of discipline. For example, Baumrid (1996, cited in Cicognani, 2004:3) argues that research has not been able to accurately determine the negative effects of corporal punishment and that, "although there is a strong correlation between corporal punishment and psychological consequences, it is difficult to determine the exact causal relationship and the effects that may result".

In general, research has shown that corporal punishment does not achieve its desired goal of creating a culture of learning and discipline in the classroom. On the contrary, the Department of Education (2000:7) argues that key research findings have revealed that corporal punishment:

- does not build a culture of human rights, tolerance and respect;
- does not stop the bad behaviour of children because these children are punished repeatedly for the same offence;
- does not nurture self-discipline in children as it provokes aggression and feelings of revenge and leads to antisocial behaviour;
- does not make children feel responsible for their own actions as they worry about being caught and not about personal responsibilities, and his undermines the growth of self-discipline in children.

Research has also shown that this form of punishment:

- takes children's focus away from the wrongdoing they committed and makes them focus on the experience of being beaten (some learners brag about being beaten as something to be proud of; as a badge of bravery or success);
- undermines a caring relationship between the learner and the educator, which is critical for the development of all learners, particularly those with behavioural difficulties;
- undermines the self-esteem and confidence of children who have learning or behavioural problems and/or difficult home circumstances and it thus contributes to negative feelings about school;
- stands in the way of proper communication between the educator and the learner and therefore hides the real problems behind misconduct which need to be tackled such as trauma, poverty-related problems and conflict at home;
- is an excuse for educators not to find more constructive approaches to discipline in the classroom and therefore reinforces bad or lazy teaching practices;
- has been shown to contribute to truancy and high drop-out rates in South African schools;
- is usually used by educators in a prejudiced way;
- that learners who tend to be beaten are older than their peers, are from poor families, are black rather than white, and are boys rather than girls; and that it
- accelerates the journey of difficult or rebellious learners down a path of violence and gangsterism.

After careful consideration of the various definitions of corporal punishment, this research study adopted the definition of the Department of Education (2000:6): "Corporal punishment is any deliberate act against a child that inflicts pain or physical discomfort to punish or contain him or her."

1.8.2 A learner

In terms of the South African Schools Act No. 84 of 1996, the term 'learner' refers to "any person receiving education or who is obliged to receive an education". In this study, this term refers to an

individual or a group of individuals who was/were enrolled at a senior secondary school and who was/were being taught by educators at the school.

1.8.3 Senior primary/junior secondary schools

Senior primary schools accommodate learners who are in the intermediate phase of schooling in grade 5 to grade 7. The curriculum in this phase includes learning areas which are: a home language, an additional language (which is selected and is usually English, IsiZulu or Afrikaans), Mathematics, Natural Sciences, Technology, Social Sciences, and Life Orientation. Learners in these schools attend classes for a total of 27.5 hours per week (Macha & Kadala, 2017).

1.8.4 Secondary schools

Secondary schools offer schooling to learners from grade 8 to grade 12. These schools thus accommodate learners from grades 8 to 12. Grade 9 is an exit point which means that schooling is compulsory up to grade 9. Grades 10 to 12 (the Further Education and Training phase) is not compulsory. The curriculum for the intermediary phase in secondary schools includes a home language, an additional language (English, IsiZulu or Afrikaans), Mathematics, Life Sciences, Physical Sciences, Geography, Social Sciences, Technology, Economic and Management Sciences, Life Orientation, and Arts and Culture. Students receive 27.5 hours of classroom instruction per week (Macha & Kadala, 2017).

1.8.5 Banning

The Cambridge dictionary (2018) defines 'banning' or 'a ban' as an official order that prevents something from happening. The terms 'abolishing' and 'abolishment' are used interchangeably with banning.

1.9 Research Methodology and Procedures

This research study was an attempt to add to the existing body of knowledge on corporal punishment in the South African context by uncovering the fact that this disciplinary method is

still prevalent in some schools and by elucidating the impact it has on learners as revealed by their authentic voices. In cases where corporal punishment was still being used as a method to maintain discipline and order in schools, hitherto unaddressed questions pertaining to how learners experience the impact of corporal punishment on themselves or their peers would be addressed. The study would also listen to learners' voices about alternative measures to corporal punishment and determine if the Department of Education's interventions in this regard were effective or not. Because limited information based on the authentic perception and experiences of learners regarding corporal punishment could be traced in the literature, the study adopted an exploratory, descriptive stance.

Moreover, because the views and experiences of minor school children were elicited, a qualitative research approach was employed in order to gain in-depth insight into the participating learners' perceptions and experiences of corporal punishment. To this end, semi-structured, individual interviews were conducted as such interviews were deemed useful as a tool for eliciting detailed and in-depth information about young people's thoughts, perceptions and behaviour. A more comprehensive discussion of the research methodology is provided in Chapter 4.

1.10   Research Sample

The population was learners in senior secondary (grade 11 and 12) and junior secondary (grade 9) township schools and the sample comprised grade 9 and grade 11 and 12 learners who were enrolled at the respective schools at the time of the study. Fifty learners (20 learners from the junior secondary and 30 learners from the senior secondary schools) were identified and selected according to ethical standards. The four schools are administered under the auspices of the Pinetown circuit, but for ethical reasons further details will be withheld in this study report.

It was deemed vital for this study on corporal punishment to sample school-going learners as victims of this form of punishment in an era when this practice has been outlawed. Details of and the rationale for selecting this specific sample size as well as the parameters within which the sample was identified will be discussed in Chapter Four.

1.11 Data Analysis

The data that were collected by means of in-depth, semi-structured interviews were transcribed and analysed thematically. Thematic analysis is used in qualitative studies and is very useful in identifying patterns, meanings and experiences (Braun & Clarcke, 2006:13). The study employed a qualitative approach through the use of interviews and this method elicited rich and new understandings of the phenomenon under study. The respondents were given the freedom to reflect on and reason about a variety of aspects related to corporal punishment, while the uniqueness of each learner was recognized throughout the process (Folkestad, 2008:1). As the researcher was extremely conscious of the sensitive nature of the topic under discussion and the vulnerability of the subjects the researcher would interview, the researcher endeavored to treat their responses as 'key informants' with the greatest respect and consideration. As the exploratory nature of the study had been designed to reflect a case study format, the learners as key informants were not only able to provide insights into the matter, but could also suggest sources of corroboratory or contrary evidence (Yin, 1994:90). The interviews were the primary technique for data collection, and it was therefore important to be cognizant of the kind of data analysis that would be employed even in the early stages of the research.

Generally, "thematic analysis is the most widely used qualitative approach to analysing interviews" (Jugder, 2016:2). The conceptual framework for the thematic analysis of the data was embedded in the theoretical position of Braun and Clarke (2006). According to these scholars, thematic analysis is a method that is used for "identifying, analysing, and reporting patterns (themes) within the data" (Braun & Clarke, 2006:97). The reason this method was selected was that "a rigorous thematic approach can produce an insightful analysis that answers particular research questions" (Braun & Clarke, 2006:97), such as those questions that were posed at the inception of the study. This method also complements the manner in which the research questions are addressed as it facilitates an investigation of the interview data from two standpoints: first, from a data-driven perspective and a perspective grounded in coding in an inductive way; and secondly from the research question perspective to check if the data were consistent with the research questions and whether they provided sufficient information.

The next vital consideration for this approach was to identify themes in the interview data. According to Braun and Clarke (2006:82):

"What counts as a theme is that it is something which captures the key idea about the data in relation to the research question and which represents some level of patterned response or meaning within the data set. Here the main requirement is to be consistent throughout the process of determining themes".

Bazeley (2009:6) claims that themes only reach full significance when they are linked to form a coordinated picture or an explanatory model: thus 'describe, compare, relate' is a simple three-step formula when reporting the results. Braun and Clarke (2006) elucidate that themes or patterns within data can be identified either in an inductive or 'bottom up' way (citing Frith & Gleeson, 2004), or in a theoretical, deductive 'top down' way (citing Boyatzis, 1998; Hayes, 1997). According to Thomas (2003:2), "the primary purpose of the inductive approach is to allow research findings to emerge from the frequent, dominant or significant themes inherent in raw data, without the restraints imposed by structured methodologies". Thomas (2003:5) proposes three key purposes for using an inductive approach:

"(1) To condense extensive and varied raw text data into a brief, summary format; (2) To establish clear links between the research objectives and the summary findings derived from the raw data; and (3) To develop a model or theory about the underlying structure of experiences or processes which are evident in the raw data."

However, the top-down and bottom-up processes are interactive in some way because research sustains a specific interest in identifying themes that are influenced by the theoretical framework within which a study is located.

1.12 Ethical Considerations

It must be acknowledged at this point that research involving children is highly sensitive and must be approached with the utmost consideration for ethical issues. It is surmised that it was the vulnerability of minors and educationists' mandate to protect them against any harmful experiences that may have prevented many earlier scholars from venturing into the dangerous waters of involving children in research. How this sensitive issue was addressed will be elucidated

later in this thesis. Suffice it to say here that all ethical considerations were rigorously adhered to and that authorization was sought and obtained from all stakeholders to conduct this study using learners in the school environment.

1.13 Chapter Sequence

Chapter 1: **Introduction**. This chapter provides the introduction and background to the study. The problem statement is introduced, the aims and objectives of the research are presented, the research methodology and the study design are explained, ethical considerations are briefly referred to, and a brief overview is given of the sample selection, the data collection instrument, and the significance of the study.

Chapter 2: Literature Review. This chapter presents a review of related literature. An historical overview of the use of corporal punishment to discipline children and in schools is provided, various forms of punishment used in schools are discussed, and reasons for the persistent use of corporal punishment are explored. An examination of disciplinary measures that are used in schools in developed countries, developing countries and in under-developed countries was conducted and is summarised in this chapter to provide insight into how corporal punishment affects learners psychologically, emotionally and physically in various contexts.

Chapter 3: Theoretical Framework. This chapter illuminates the theoretical framework that underpinned this study. This framework comprised three theories that are related to the topic under investigation, namely: the theory of the subculture of violence, the differential association theory, and the deterrence theory. All three these theories relate to the causes and the impact of corporal punishment on learners in South African schools, and more particularly on learners in township schools.

 Chapter 4: Research Methodology. The qualitative research methodology that was employed is elucidated in this chapter. The study procedures, the data collection tools, and the diverse measures that were followed to give clear direction and impetus to the study are described and explained.

Chapter 5: Study Findings. In this chapter, a narrative discussion on corporal punishment is presented based on the experiences and perceptions of thirty learners from four schools and different social backgrounds. The data that emerged from the learners' narratives were elicited based on the conceptual framework of the study. The discourse is further embedded in earlier scholarly studies and analyses, the history of corporal punishment, and relevant scholarly theories that underpinned the study. Earlier findings are corroborated, and/or critiqued and novel findings are revealed.

Chapter 6: Recommendations and Conclusions. This last chapter of the thesis presents the main conclusions based on my evaluation of the most significant data that emerged from the study. The learners' recommendations are discussed, and the chapter is concluded with a brief section on general recommendations and suggestions for future studies.

1.14 Conclusion

This chapter provided the background to the study. The motivation for and the significance of the study were outlined and the problem statement, aims and objectives and research questions were presented. In the main, the argument was presented that even though the South African Schools Act (South Africa, 1996c) was developed with the good intention of protecting learners and providing education to all, its implementation is problematic as anecdotal evidence and earlier researchers have revealed that learners are still subjected to physical punishment in some schools and by some teachers. Scholarly studies were cited that suggest that the continuation of corporal punishment leads to a myriad of problems that impact negatively on students' ability to develop and learn. Clearly, it has become vital that school management teams, in collaboration with *all* role-players, develop normative strategies to manage disciplinary measures within the confines of the law.

To establish a foundation for and to give impetus to the study, a comprehensive review of literature related to the concept and practice of corporal punishment in schools was undertaken, and the most important findings are summarised and discussed in the next chapter.

CHAPTER TWO

LITERATURE REVIEW

He who opens a school door, closes a prison.

~ Victor Hugo ~

2.1 Introduction

This chapter presents a review of previous research whose findings were applicable to the topic under study. The abolishment of corporal punishment is discussed with reference to earlier studies that explored the same topic from both South African and international perspectives. The works of South African scholars such as Nthebe (2006), Khewu (2012) and Kapueja (2014) played a significant role in this research study as they conducted research that was deemed relevant to the aims and objectives of the current study. Boote and Baile (2005:13) advocate that a researcher or student "needs to understand what has been done before, what the strengths and weaknesses of other existing studies were, and what these strengths and weaknesses might mean".

The key objective of this chapter is to give an account of historical evaluations of corporal punishment by tracing it back to the tenth century BC in Solomon's proverbs. An exploration of discipline in schooling in developed countries, developing countries and under-developed countries was undertaken and the most topical findings are discussed. Additionally, the legislative framework that mandates discipline in schools, and various debates and arguments for and against corporal punishment, are presented. In conclusion, the implementation of alternatives to corporal punishment will be discussed and the most influential policy for the eradication of corporal punishment and the provision of a safe educational setting for children in South Africa will be elucidated.

2.2 An Historical Overview of Corporal Punishment in Education

Kapueja (2014:24) believes that the earliest references to discipline and teaching may be traced back to the Sumarian Scripts of 2000 years before Christ. According to Kapueja (204:24), corporal punishment appears to have been copiously meted out for several offenses, including "slovenliness, lack of punctuality, talking in the classroom, poor handwriting, and doing something without permission". In the Sumerian civilization, the public adhered to the adage 'spare the rod and spoil the child', "which is a belief that resembled the ancient Jewish views contained in the Bible (Proverbs 13:24; 19:18; Deuteronomy 21:18; Ecclesiastes 30:1-13) in which children were seen as irresponsible, rebellious and self-willed" (Kapueja, 2014:24). These views gave rise to unduly severe disciplinary measures such as corporal punishment. However, Jewish writings make reference to suggestions that reprimands, rather than corporal punishment, should occasionally be used as a corrective measure (The Bible, Proverbs 17:10 and 22:6). In general however, emphasis was placed on the need for children "to fear their teachers/parents, on the maintenance of strict discipline, and on the administering of corporal punishment to enforce absolute obedience to the authority of the parent/teacher and the laws of God" (Kapueja, 2014:24). It must be noted, however, that the translation of the word 'fear' as it is used in the Bible actually refers to 'respect' and not to the general concept of fear that causes anxiety.

Evidence of the use of corporal punishment in general, and specifically in terms of the education of children, can be traced back to as early as the tenth century BC, as this practice is referred to in Solomon's proverbs in the Bible (Mugmbi, 2008:1). Corporal punishment was also chronicled during classical civilizations by Greek, Roman and Egyptian scribes. Glasser (cited in Gaffeney, 1997) also traces the use of corporal punishment to medieval Europe where it was highly influenced by the medieval church which regarded flagellation as a common means of self-discipline and maintaining order. This belief had great influence on the use of corporal punishment in schools as they were closely attached to the church. Mugambi (2008:1) asserts that, as early as the 11th century, "Saint Anselm, Archbishop of Canterbury, spoke against what to him was excessive use of corporal punishment in the treatment of children".

Evidence of the severity of corporal punishment in the more recent past abounds. For example, Mugambi (2008) refers to incidents in which "victims lost their lives at the hands of disciplinarians", and he argues that such incidents were instrumental in galvanizing public opinion

against corporal punishment. The result was the banning of its use by the United Nations Universal Declaration of Human Rights in 1948, which is a convention that compels signatory states to prohibit all forms of violence against all people. Also, English Philosopher John Locke (cited in Conte, 2000) clearly disapproved of the use of corporal punishment on children and his opinions greatly influenced the banning of corporal punishment in Polish schools in 1983.

"Increasingly, research showed a direct link between corporal punishment and levels of violence in society" (Department of Education, 2000:5). Different societies around the world started to acknowledge that the scrapping of corporal punishment in schools was an imperative step towards the creation of more peaceful and tolerant societies. Currently in Europe, North America, Australia, Japan and many other countries, corporal punishment is unlawful.

2.2.1 The Ancient Greek Period: 850 – 146 BC

2.2.1.1 Athenian views on discipline

"Athens was the first state in the history of the world to place the highest priority on the individual freedom of its citizens" (Kruger, 2002:66). The Athenian educative aims were "the harmonious forming of balanced, virtuous citizens, with strong, healthy, beautiful bodies who, through their moral, intellectual and physical excellence could serve the city state in either war or peace" (Kruger, 2002:67). In this civilization:

> "Educative discipline at home and at school was directed at absolute obedience to authority. Although corporal punishment was a common phenomenon, its aim differed from that of Sparta in that it was not used to toughen the body but rather to pursue what was good, and to negate what was bad and dishonourable" (Kruger, 2002:67).

2.2.1.2 Pronouncements on educative discipline by the ancient Greek philosophers

Socrates (469−399 BC)

This philosopher believed that a mediocre education was accountable for the wrongful physiognomies and customs of people. "Education was the only way people could be moulded into

accepting self-discipline and voluntarily meeting their responsibilities as citizens" (Plato & Charmides, 17c).

Plato (427−347 BC)

Plato was one of Socrates' scholars, and he regarded education as a substance of disciplining children. "They were to be disciplined into the virtues of justice, self-control, courage and good judgment (wisdom) because these virtues were necessary for someone to become an exemplary citizen" (Plato, Laws, V111, 26 809a). Consequently, "education was expected to produce a disciplined disposition and disciplined conduct on the part of individuals whose self-discipline would cause them to subordinate their own interests to the communal welfare of the state" (Kapueja, 2014:25).

Aristotle (384–322 BC)

This philosopher viewed virtue as the most crucial requirement for the happiness, well-being and prosperity of both the individual and the state. According to Aristotle, the path to this state of happiness lay "in discipline and habit formation". Additionally, Aristotle believed that "children should be disciplined to accept authority because someone who voluntarily accepts authority can make the right moral decisions, and this makes him/her an obedient citizen, competent to act as a ruler" (Kapueja, 2014:25). Furthermore, he believed that glitches with discipline could be corrected with the assistance of appropriate punitive measures (including corporal punishment), but that the punishment should be impartially and reasonably applied (Aristotle, Politics, 1332b and 1333a).

2.2.2 Discipline and corporal punishment from the Middle Ages to the twentieth century

According to Kapueja, (2014:26), "during the Middle Ages until well into the eighteenth, nineteenth and even the twentieth centuries, discipline was relentlessly and mercilessly applied". The religion of Christianity arose which was under the influence of the Roman Catholic Church and thus the educative system became strongly religious. "The Roman Catholic Church, as the leading authority, had no problem with corporal punishment", as it claimed that the principles and teachings contained in the Old Testament "clearly state that the rod is the best means of purifying a child's body and soul" (Kapueja, 2014:25). Kapueja (2014:25) asserts that "in the late Middle Ages, there were signs of an underlying renewal in the debate about the essential nature of

educative discipline and the administration of corporal punishment", which implies that approaches to corporal punishment were reviewed. Thus the following subsequent educative cruxes were identified (Kruger, 2002:78):

- Educating a child is an all-embracing and comprehensive moulding event which must take into account the abilities, interests and expectations of the child.
- Each child is simultaneously unique and different and for this reason, childhood is a special period along the route to becoming an adult.
- Children yearn for a sense of safety and security, for understanding, for affirmation of their human dignity, for affection and loving interaction, for independence and self-actualisation, for spontaneous activity and free play, for living and doing things together.
- Children are capable of initiative and self-discovery, and these abilities should be recognised, encouraged and correctly directed.

According to Kruger, (2002) the acknowledgement of the above-mentioned educative cruxes have progressively influenced institutions to consider moderate, more humane disciplinary actions.

2.2.3 Corporal punishment in South Africa

In post-1948 South Africa, a system of "Christian National Education was designed to support the apartheid system by schooling children to become passive citizens who would accept authority unquestioningly" (Department of Education, 2000:5). During this era, educators were encouraged to use the cane as a way of maintaining control and dealing with those who stepped out of line. Ntuli (2012:23) asserts that the apartheid regime "was based on a view that children need to be controlled by adults and measures such as sarcasm, shouting and other abusive forms of behaviour were ways of teaching children a lesson or ensuring that they were afraid". Beating children to discipline or punish them was a norm in this era, and it was taken lightly in a society that was so familiar with violence.

During the 1970s, when resistance to apartheid swelled, Black student organisations began to demand an end to abuse in classrooms in the 1980s. It must be noted that, due to the apartheid policies of the time, Black learners were educated by Black teachers, so the physical abuse meted out to Black learners was administered by Black teachers whereas White, Coloured and Indian

learners were educated and punished by teachers of the same ethnicity. Be that as it may, corporal punishment was condoned and even encouraged by education policies in this era, and learners of all races suffered under this form of violence. However, Black learners, educators and parents had had enough and "formed the Education without Fear movement to actively campaign against the whipping of children" (Department of Education, 2000:5).

According to the Education Rights Project (2005:10), "corporal punishment has been practised in South Africa for centuries. The history of slavery, colonialism and apartheid is also the history of the whip, the lash and the sjambok". For the duration of the apartheid years, corporal punishment was used extensively in the classroom (Education Rights project, 2005:10). "Whipping was the most commonly used form of punishment and had been "handed down by the legal system for young offenders [and] an average of 40 000 young people were caned per year" (Education Rights Project, 2005:10). This source is highly critical of the apartheid regime's sanctioning of corporal punishment, which is clear in the following statement:

> "The apartheid education system was based on a violent, anti-democratic and authoritarian philosophy. Young black South Africans were not considered capable of becoming critical and responsive citizens. Instead, they were 'educated' to become obedient 'low-wage' workers and servants in a racist capitalist system. White children were also educated to become masters and owners instead of critical thinkers. Over time, many educators and parents came to believe deeply in the usefulness of corporal punishment. Along the way, the practice of corporal punishment became deeply woven into the fabric of our society" (Education Rights Project, 2005:10).

The banning of corporal punishment in South African schools was one of the responses that developed after the 1976 student uprising, particularly because during the time when resistance to apartheid swelled in South Africa, international perceptions and views had also begun to change.

2.3 Categories and Causes of Undesirable Behaviour

According to Levin and Nolan (1996:161, cited in Khewu, 2012:17), teachers usually report that the common, day-to-day disruptive behaviours that pose the biggest challenges in classroom are the following:

"Verbal interruptions (e.g., talking out of turn, name calling, humming, calling out), off-task behaviours (e.g., daydreaming, fidgeting, doodling, tardiness, inattention), physical movement that, whether intended or not, is bound to disrupt (e.g., wandering about, visiting other learners, passing notes, sitting on the desk, throwing objects around the classroom) and disrespect (verbal aggression, teasing, punching, neglecting academic work, refusing to follow directions, and assault)."

According to Khewu (2012:17), teachers' reports suggest that these undesirable and unacceptable behaviours can be classified into four categories, namely:

"(i) Behaviour that interferes with the teaching and learning act (e.g., a learner who distracts other learners during lesson presentation, who refuses to follow directions, or displays aggressive behaviour); (ii) behaviour that interferes with the rights of other learners to learn (e.g., a learner who continually calls out while the teacher is explaining content); (iii) behaviour that is psychologically or physically unsafe (e.g., leaning on the back legs of a chair, unsafe use of tools or laboratory equipment, threats to other learners, and constant teasing and harassment of classmates), and (iv) behaviour that causes destruction of property (e.g., vandalism in the classroom) (Levin & Nolan, 1996:23-24, cited in Khewu, 2012:17).

Numerous explanations have been given for the escalating levels of indiscipline in classrooms. Vally (2005:8) annotates that factors such as poverty, unemployment and inequality are the root causes of violence in the community; violence then "spills over into the schools where it is evident that discipline related problems occur" (Khewu, 2012:17). Scholars such as Gordon and Browne (2004), Gootman (1997), Tilestone (2004), Rayment (2006), Pienaar (2003), and Marais and Meier (2010) argue that "the causes of indiscipline in schools are two-fold, as they are provoked by learner- and family-related factors. Learner-related factors are the following:

- Developmental stage of the Foundation Phase learner (6-12 years): According to Erikson's stages of development theory (1982), "the Foundation Phase learner is typically in the fourth stage of development, for which the defining characteristic is stated as industry versus inferiority". The most important theme for development in this stage is achieving mastery of life, predominantly following the laws and rules imposed by society (laws, rules, and relationships), and responding to the physical characteristics of the world in

which they have to live. "Problems arise if the child feels inadequate and inferior to this adaptive task" (Gordon & Browne, 2004:136-137, cited in Khewu, 2012:17).

- Inexperience or ignorance: Gootman (1997:107-108) postulates that "some learners make mistakes and misbehave simply because they do not understand the 'rules' of the classroom or even the dominant culture in the school". Khewu (2012:18) argues that "it cannot be expected that young learners who come from divergent circumstances will automatically know and understand what Tilestone (2004:55) calls the 'hidden rules' of the classroom". Additionally, Khewu (2012) argues that these 'hidden rules' are habitually based on middle-class ideals and values.

- Curiosity: Ordinary curiosity can lead to misbehaviour as, according to Rayment (2006:24), "experimentation out of curiosity is not only a natural part of growing up and of development, but is a powerful educative medium which can lead to disruptive behaviour".

- Need for belonging: Learners from diverse cultures and family backgrounds can engage in undesirable behaviours if they are misunderstood and discriminated against by their teachers (Marais & Meier, 2010). Children need to feel that they belong and are welcome in each educator's classroom.

- Need for recognition: According to Pienaar (2003:6), "many learners misbehave because they are starved for attention − ignoring such learners will not help; after all, negative attention is still better than none at all". Research further reveals that poor parental styles (including poor parental discipline and lack of parental warmth, sensitivity and attention which occur as a result of factors such as divorce or job commitments) have been shown to be responsible for persistent misbehaviour during middle childhood and adolescence (Pienaar, 2003:6).

- Need for power, control and anger release: Some learners misbehave as a means of issuing a deliberate challenge to the teacher's authority. Ironically, these are often children who

either come from families where they are powerless, or from families where they are in control (in which case they may also feel powerless because they feel abandoned and overwhelmed in the classroom where they do not get all the attention) (Gootman, 1997:111). Furthermore, learners learn a lot by copying behaviour they observe around them. Watching television, as well as playing computer and videogames, influences young people to be heroes and stresses the need for power, control and aggressive behaviour (Marais & Meier, 2010).

In addition to child-related aspects, Serrao and Foss (2008) counsel that drug and alcohol use is widespread in South African schools, to the extent that "the average first time drug user was 19 in 2002, [but] in 2008 it [the age] was 10. Serrao and Foss (2008) also maintain that "drug abuse has become so bad that experts say that every school in the country now has a drug problem and it is out of control" (Serrao & Foss, 2008, cited in Khewu, 2012:19). A study that was conducted by Morrell (2001:1) revealed that, of 460 grade 6 and 7 learners in four primary schools in an historically underprivileged urban area in Pretoria, alcohol was a familiar substance to many of the learners, as "27% had [had] contact with alcohol and 14% had drunk alcohol to get drunk in the past 30 days".

According to Marais and Meier (2010) and Walsh and Williams (1997), lack of parental supervision and dysfunctional families are family-related aspects that cause indiscipline. School-related factors that may heighten learners' propensity to engage in disruptive behaviour are: "a negative school climate, inadequacy of teachers as role models, teachers' professional incompetence (lack of educational/didactic expertise), overcrowded schools, deficient organisational structure of the school, and rundown, ill-kept physical appearance of the school" (Oosthuizen & Van Staden, 2007:362).

Issues that cause negative behaviour and that originate from society are: "[the] moral degeneration of communities, broken homes, racial conflict, poor housing and medical services, the availability and poor control of firearms, poor law enforcement, poverty, and unemployment" (De Wet, 2003:93). Furthermore, McHenry (in Oosthuizen & Van Staden, 2007:363) asserts that "prevalent examples of violence propagated in the media and witnessed or experienced as victims in society

have a predisposing influence that could heighten learners' propensity to engage in disruptive behaviour".

Nolan (2001) provides a comprehensive explanation for the root causes of certain offences, which are the following:

- Fights are caused by exposure to violence at home and an abusive background.
- Lack of respect for the other person is caused by lack of ethical role models, lack of respect for parents and lack of discipline at home. These could also be the main reasons for disrespect towards teachers.
- Theft is caused by learners' propensity to test barriers, poverty, a poor socio-economic background, emulation of peers, malnutrition, personal problems, hunger, jealousy, and unprincipled parents.
- Vandalism is caused by parents who do not instil social values such as respect for persons and it is also attributable to the antisocial content of televised, cinematic and musical productions aimed at a youthful audience.
- Rude/vulgar language is copied from parents/guardians and peers as well as from television, where swearing is not unusual.

2.4 Understanding School Discipline

Numerous definitions of the concept 'discipline' have been offered and debated by academia in South Africa and other countries with definitions ranging from "the establishment of control" (Mwamwenda, 2004:275; Oosthuizen et al., 2005:387; Rodgers, 2004:96), to "a self-regulation and moral commitment" (Mwamwenda et al., 2007:275). Some scholars assert that "some people use discipline and punishment interchangeably, leading to an understanding that the two concepts mean the same thing, whilst other authors firmly believe that these two concepts are different" (Mwamwenda et al., 2007:275). Rosen (2005:1) endorses the latter argument, and defines discipline as "training that develops self-control, character, orderliness and efficiency". This scholar further postulates that discipline requires "strict control that enforces obedience or a treatment that controls and punishes" (p. 1). Porteus et al. (2005:1) also endorse this definition and remark that, in most South African schools, discipline is barely understood and is often associated with punishment, and that different disciplinary practices are viewed in the same way, more

especially if they are aimed at correcting learners' behaviour. "As a result of this continuous linkage of discipline to punishment, teachers and parents in South Africa are also defining discipline as a way to correct wrongdoing and to monitor learners in a manner that brings order to a troubled situation". The perception that the two concepts are similar manifests in statements that parents usually utter, such as: *"I will discipline you",* which they say when they are caning a child to punish it (Vally, 2006:3). In addition, Osher, Bear, Sprague and Doyle (2010) propagate that parents and teachers often use two approaches to correct behaviour: They use "verbal reprimands or expressions of disapproval and, if these do not change the child's behaviour, "punishment involves physical pain which is corporal punishment" (Khewu, 2012:21).

Most academics argue that these two concepts are not the same as each has a different meaning. For example, real discipline is not based on force, but grows from understanding, mutual respect and tolerance. It is argued that the word *'discipline'* comes from the root word *'disciplina'* and its purpose 'discipleship'; that is, a system of accompaniment, teaching and nurturing that prepares children to achieve competence, self-control, self-direction, and caring for others. An effective discipline system is therefore normative and must contain three vital elements: a learning environment that is characterised by positive and supportive teacher-child relationships; a strategy for systematic teaching and strengthening of desired behaviour (proactive); and a strategy for decreasing or eliminating undesired of ineffective behaviours (reactive) (Betz, 2005:1; Farreli, 2010:1). Betz (2005:1) and Ferreli (2010:1) also consider the fact that:

> "…discipline is transformative to an extent that it leads to self-discipline, is externally imposed and becomes internalized as voluntary self-control; that is, learners understand a situation, make proper decisions about their behaviour and behave appropriately when unsupervised by adults, so it does not promote external monitoring and coercion."

Various researchers and academics agree that "punishment does nothing to build up trust as it isolates children from their teachers and encourages students to be sneaky and lie about their behaviour in order to escape harm" (Du Preez, Camper, Gobler, Lock, & Shaba, 2002:88). Griffin and Robinson (2005:3) and Weare (2004:62) propagate that, as punishment involves pressure and compulsion, it has the following negative impacts: running away, [playing] truant, tearing teachers or school [apart], and feeling high levels of anxiety, helplessness and humiliation". Punishment also generates an environment of violence and aggression for children who are already motivated

that way, and anxiety alarms shy children. Current research has consistently shown that children who are raised by being exposed to corporal punishment display more aggressive tendencies than their peers, as punishment is:

> "…an authoritarian approach based on the belief that if children are made to suffer for doing wrong, they will not repeat their inappropriate behaviour. This approach has done untold damage to countless children, often resulting in feelings of alienation, entrenched patterns of anti-social behaviour, and even acts of violence" (Watkinson, 2008, in Manli-Cassimir, 2009:198).

Beltz (2009:210) suggests that "if schools are to be normative, then they have to be human rights compliant, because human rights are part of the normative order and, according to human rights, discipline is defined as effective leading, guiding and teaching learners to own one's behaviour in the context of respecting other people's rights". This scholar argues that the rudiments of operative and positive discipline involve "a challenging balance between preventive [and] corrective encouragement, support, repairing and building" (Beltz, 2009:210). Williamson-Maloy (2010:15) also counsels that "when teaching children right from wrong, appropriate from inappropriate and acceptable and unacceptable behaviours, using a positive approach in the form of rewarding the positive instead of always punishing the negatives is an excellent way to encourage desired behaviours". Furthermore, Williamson-Maloy (2010:15) makes the following assertion: "Incentives are a very powerful tool when attempting to modify children's behaviours. A positive and a less punitive approach to discipline will help children learn to address their behaviour without a negative impact on their sense of self".

Rogers (2000, cited in Joubert, 2009:4) adds that there are three approaches to discipline:

> "Preventive discipline, which is concerned with basic rights and clear rules and consequences; corrective discipline which refers to the teacher's actions that are carried out to correct destructive, anti-social deviant behaviours; and supportive discipline which is concerned with ensuring that correction is received fairly and that positive working relationships with disciplined students are re-established."

Khewu (2012:25) maintains that the preventive, corrective and supportive approaches to discipline appear to be supportive of the normative approach where:

"…the prospects are evidently delineated and unceasing accessory is provided to guarantee that the learners are supported so that they have a clear understanding that the use of the corrective measure was not done to provoke anger, resentment and additional conflict, but to guide a learner to be a responsible person accountable for his or her actions."

2.5 The Importance of Discipline in Schools

According to Blandford (1998:50, cited in Khewu, 2012:25) discipline is an important facet of the daily lives of learners, educators and other members of the school community and, as a result, "it requires clarity of understanding, consistency of practice and sound leadership based on shared benefits and values". Gaustad (2002:2) upholds that school discipline has two chief roles, which are:

"(i) to ensure the safety of staff and students; and (ii) to create an environment conducive to learning. [Therefore], every school needs to regulate or enforce standards of student behaviour and a state of order in the classroom or school that permits learning to proceed smoothly and productively."

Findings obtained by the South African Media Sustainability Index (2009:1) revealed that the causes of school violence "make good news and, when compared to eight countries (Switzerland, Spain, Germany, USA, UK, Italy, France and Arabic countries) that are also listed for having problems with school discipline, South Africa stands at fifteen percent of poor discipline amongst learners.

The latter view is confirmed by Thompson (2002), who states that press reports continue to sensitise the public regarding the rise in incidences of indiscipline in schools. Maphosa and Shumba (2010:5) consider that the extent of reported cases of learner indiscipline permits the use of a wide variety of punishment-based disciplinary measures; but they argue whether "the question still remains as to the usefulness of such measures in curbing future occurrences of indiscipline or of helping the perpetrators" (Maphosa & Shumba, 2010:5). The current situation of ill-disciplined schools presents a fundamental challenge when one considers the following:

"Schools are important locations for the socialization of the young child, therefore they have a responsibility to provide a place for learning which is safe yet exciting and challenging, a

place where the confidence of young people can be developed…[A schools needs to be] a place where the self-concept can be positive and intact; that is, [children need to] make appropriate decisions about one's [their] behaviour and to ordinarily perform the appropriate behaviour when unsupervised by adults…[A school needs to be] a place which has meaning, and which provides rich, enjoyable times" (Davidof & Lazarus, 2002:7).

According to Freire and Amado (2009:86), it is important that learners attain discipline so that interruptions that "affect the good functioning of the classroom, peer conflict and teacher-learner problems can be minimized". Khewu (2012:38) maintains that discipline can lead to the attainment of self-actualisation because:

"A child who is not disciplined is an insecure child, whereas a secure child is the one who has boundaries and within these boundaries, the child has freedom to explore from a secure base; and once a level of self-discipline has been reached, he or she will be able to cross [understand?] the boundaries in a mature and responsible manner."

Shumba and Maphosa (2010:6) suggest that learners who display aggressive and anti-social behaviour can experience commotion, turmoil and confusion which will hinder their pursuit of knowledge. These researchers further argue that such behaviour can frighten classmates as it is "increasingly common for children to be subjected by their peers to physical assault, intimidation, theft, verbal abuse, [and] racial and sexual harassment". As a result, troublesome and rebellious behaviour can have very severe consequences and impact teaching and learning negatively. Khewu (2012:38) propagates that discipline is also indispensable to safeguard teachers' rationality and protect them against being intimidated. In terms of the position of school management teams, she also offers the following argument:

"From a management point of view, discipline is important for maintaining order and harmony in the school and the classroom because without it there would be anarchy and chaos, as indiscipline impedes the smooth running of the school and affects the learners' performance; as a result, the objectives of the school cannot be successfully accomplished" (Khewu, 2012:38).

Furthermore, Fortin (2005:172) and Mwamwenda (2003:275) state that in schools where disciplinary problems are experienced, there is "little chance of delivering an education that

meets people's needs; and if pupils are to develop academically, they also need to develop morally and socially". The latter argument is supported by Giroux (2010:1), who adds that "research has proven that schools where students are not disciplined have lots of problems and the glaring one is a high failure rate". According to Khewu (2012:39), failure rates in primary schools are not broadly published nor popularised, but she urges that "looking at the trend of pass rates in high schools, it is evident that a high failure rate is experienced in historically disadvantaged communities where problems related to indiscipline are reportedly high".

2.6 Disciplinary Problems in Schools

There is an abundance of disciplinary problems in most schools around the world. An examination of these problems has indicated that various factors need to be explored to understand the root causes of these issues. The factors that cause disciplinary problems in schools are classified as: out-of school factors and in-school factors.

2.6.1 Out-of school disciplinary problems

According to Nthebe (2006:33), "schools are a mirror image of what happens in their communities", therefore societal events also exert an impact on schools. Cangelosi (1997:63) postulates that "the proliferation of weapons, daily news telecasts, television dramas, motion pictures, video games, sports, and music lyrics are some of the reflections of society's infatuation with violence". What is dangerous in this circumstance is that television provides a chance to observe a "dramatised murder, fight, assault or rape virtually any time of the day" and, as a result, children are "unprotected from such violent activities which may prompt neurological hostility or can also cause reduced thinking and perception" (Cangelosi, 1997:63). Nthebe (2006:33) propagates that "society and, [to be] more precise the community, is thus a source of out-of school discipline problems". The following are, amongst others, the causes of ill-disciplined schools:

2.6.1.1 Violence in society

According to Curwin and Mendler (1999, cited in Nthebe, 2006:22), society resolves its problems through shootings, knifings, fist fights, extortion, threats and injury and these are reflected in media reports. Therefore, children are constantly unprotected from violence and have become unresponsive to it. Byron and Rozemeijer (2001:39) designate in this regard that children learn by mimicking adults and, as a result, "young people are thus exposed to behaviour that is a role model

of brutal behaviour on the part of adults". This view suggests that a shared societal fascination with violence causes learners to become callous and ill-disciplined. This occurs primarily because violent behaviour is regarded as 'normal' because it is represented as a reflection of how society lives and how it operates (Nthebe, 2006).

2.6.1.2 Impact of the media

Television seems to have the strongest impact on children's behaviour, particularly concerning violence. Chidley (1996) postulates that violence on television affects the behaviour of children and research has revealed that by the time they reach the adolescent stage, the average child would have watched over 15 000 acts of violence. This exposure has consequences for the classroom and school environment. Curwin and Mendler (1999) argue that most popular television shows that are watched by children idealise and glorify antagonists as they behave recklessly.

2.6.1.3 Lack of secure family environments

According to Curwin and Mendler (1999), the single most important influence on a child is the eminence of his/her home life. During the previous century and the recent years of the current century, society has experienced major shifts in values and traditions, with the traditional extended family being substituted by modern, smaller nuclear units, single parenthood, two working-parent families, and one- and two-child families. In addition, "children are also raised in non-traditional ways and many parents have no options for providing a secure family structure" (Curwin & Mendler, 1999:30). Numerous features of family life affect how parents address their children's misbehaviour. Holmes and Robbins (2000, cited in Nthebe, 2006:35) argue that "unfair, inconsistent and harsh discipline by parents predicts later alcohol and depressive disorders in children". They conclude that "learners growing up in such family circumstances would display various kinds of behavioural problems at school" (p. 35).

2.6.1.4 Limited interaction between parents and children

According to Byron and Rozemeijer (2001), the amount of time that children and parents spend together has been deteriorating through the decades, and today children spend more time communicating with other adults at school than at home with their own parents. The root cause of this phenomenon is working parents, and children and adolescents thus grow up without clear parental guidance on behaviour and discipline. Nthebe (2006:35) endorses this view, stating that

this situation "definitely contributes to discipline problems at schools as the old adage goes: 'charity begins at home'."

2.6.2 In-school disciplinary problems

Disciplinary problems that occur inside the school setting are, among others, "unclear limits, learner boredom, a sense of failure, attacks on learner dignity, lack of acceptable outlets for feelings, and a sense of powerlessness" (Curwin & Mendler, 1999: 22). Charles (2002:46) argues that in-school disciplinary problems are the following:

2.6.2.1 Problems originating within individual learners

Expediency: A learner will look for the easy way out, so that he or she will find it easier to disobey than to abide by school rules.

The urge to misbehave: Learners will do something in order to see what he or she can get away with and, as a result, they end up doing what they know they should not do.

Temptation: A learner will encounter substances, circumstances, behaviours, people or other involvements they find strongly attractive and approve of; they thus impersonate, obtain or associate with these substances/people which, in turn, leads to misbehaviour.

Inappropriate habits: A learner will integrate inappropriate patterns of behaviour learned at home or in the community and display them at school.

Poor behavioural choices: A learner will attempt to meet his/her desires or follow strong interests and explore new situations. At times, these situations gain them approval, but they also gain them disapproval and their behaviour may result in misbehaviour.

Avoidance: A learner will try to avoid people or circumstances that are unpleasant or intimidating. This occurs when learners refuse to take part in lessons or engage with others because they are afraid or do not want to look 'stupid'.

An egocentric personality: This occurs because some learners are selfish and spoilt and they become so concerned with their own inclinations that they ignore the desires and feelings of other learners and focus on their own.

2.6.2.2 Problems originating from learners' peer groups (Charles, 2002:47)

Provocation: This transpires when learners are repeatedly encouraged to misbehave by their peers, school mates or circumstances and they respond inappropriately by becoming infuriated, showing a lack of attention, insulting and threatening others, and showing tardiness.

Group behaviour: This transpires when learners repeatedly submit to peer pressure or get caught up in group sentiment. At such times they tend to behave in ways that they would normally not have adopted if they were not in the company of their friends.

2.6.2.3 Problems originating from the school environment (Charles, 2002:47)

Physical discomfort: This occurs when learners are agitated as a result of unsuitable physical conditions such as overcrowded classrooms, unsuitable temperature, poor lighting and uncomfortable seating and work spaces.

Tedium: This occurs when learners are required to pay attention to instructional activities which they have very little interest in.

Meaninglessness: This occurs when learners have to do work on topics they do not comprehend or that seem to have no purpose.

Lack of motivation: This happens when learners are not interested in what they have to do or learn and therefore they make little effort.

2.6.2.4 Problems that emanate from the behaviour/attitude of educators and other school staff (Charles, 2002:48)

Poor modelling: This implies that educators and other school staff may be poor models of ethical, humane, considerate or helpful behaviour, which is then modelled by the learners.

Lack of personal attention: This occurs when learners get little or no personal attention from their educators. They then feel unimportant which diminishes their motivation and inclination to act in accordance with expectations.

Disregard for learners' feelings: Such situations occur when educators teach dictatorially, speak sarcastically, speak mockingly, order learners around, point out learners' shortfalls, and act as though misbehaviour is entirely a learner's fault. Learners who find themselves in such situations lose motivation, vacillate to cooperate, and sometimes answer back impolitely.

Uninteresting lessons: Educators often present lessons that do not interest the learners, and they thus display very little or no desire to learn or engage with the learning activities.

Ineffective guidance and feedback: This occurs when educators do not give clear instructions to learners on what is expected of them or how they are to go about completing a task they have been given. If and when they eventually complete these tasks, they receive very little indication of what they have done well or what they have done poorly, and how much improvement they have achieved.

Uninteresting instructional practices: Educators are often criticised for their inability to teach appropriately. Nthebe (2006:38) posits that "it is an educator's inability to control learners or a class that prevents the process of education and learning from happening and thus leads to discipline problems".

Poor communication: This happens when learners are spoken to in a condescending way or are muffled or threatened, which in turn diminishes their willingness to cooperate.

Coercion, threat and punishment: "This happens when learners feel they are being forced or 'made' to do things against their will, which makes them become guarded and look for ways to avoid or subvert the perceived force" (Nthebe, 2006:48).

2.6.2.5 Byron and Rozemeijer (2001) suggest that the following cause poor learner discipline:

Unclear limits

Unclear limits occur when learners do not understand the standards of behaviour expected of them or what will happen to them when these standards are not maintained. Inconsistency in disciplinary actions also cause unclear limits. A lack of clear and specific rules and the inability to stipulate consequences for misbehaviour leave learners without ground rules which they need to abide by in order to ensure a well-functioning classroom and school.

A sense of failure and attacks on students' dignity

This occurs when learners misbehave because they feel they cannot be successful in school as they frequently encounter difficulty with one or more aspects of the school curriculum or have disabilities that restrict or hinder learning. These learners perceive themselves as failing within the school system and thus they want to protect themselves from being hurt; therefore, they adopt behaviours to protect themselves and to deal with what they see as an attack on their dignity.

Lack of an acceptable or appropriate outlet for feelings

This occurs when there is a lack of acceptable ways for learners to express their feelings. This is because learners have many emotion-laden experiences and, when their feelings are hurt, they may feel left out; they may feel inadequate to complete a mission, or they may feel unwanted and without an acceptable way of expressing themselves. All of these often lead to misbehaviour.

A sense of powerlessness

This occurs when learners repeatedly report feelings that display that they have no 'power' or that their wants are not 'significant' to the school; they thus frequently rebel as a way of communicating their discontent over this lack of power and influence over the things that happen in the school.

2.7 Summary of the legal status of corporal punishment globally

Gershoff (2016:3) asserts that corporal punishment has been legally banned in schools in 128 countries and that it is still allowed in 69 countries (35%) (Global Initiative to End All Corporal Punishment of Children, 2016). Tables 2.1 and 2.2 respectively show the countries that still permit corporal punishment (2016) and those that had abolished it by 2010. This form of punishment is banned in all of Europe and most of South America and East Asia (Gershoff, 2016:3). This scholar further propagates that "three industrialised countries are outliers that continue to allow school corporal punishment: Australia, the Republic of South Korea, and the United States. These countries will be separately discussed among the other countries in the following sections.

Table 2.1: The 69 countries in which school corporal punishment was still legally permitted in 2016

Angola	Mozambique
Antigua and Barbuda	Myanmar
Australia	Nepal
Bahamas	Niger
Barbados	Nigeria
Bhutan	Pakistan
Botswana	Palau
Brunei Darussalam	Panama
Burkina Faso	Papua New Guinea
Central African	Republic Qatar
Comoros	Republic of Korea
Côte d'Ivoire	Samoa
Dominica	Saudi Arabia
DPR Korea	Senegal
Egypt	Seychelles
Equatorial Guinea	Sierra Leone
Eritrea	Singapore
Gambia	Solomon Islands
Ghana	Somalia
Grenada	Sri Lanka
Guatemala	St Kitts and Nevis
Guinea	St Lucia
Guyana	St Vincent and the Grenadines
India	State of Palestine
Indonesia	Sudan
Iran	Suriname
Iraq	Swaziland
Jamaica	Syrian Arab Republic
Lebanon	Timor-Leste
Lesotho	Tuvalu
Liberia UR	Tanzania
Malaysia	United States of America
Maldives	Western Sahara
Mauritania	Zimbabwe
Morocco	

Source: Global Initiative to end all corporal punishment of children 2016

Table 2.2: Countries in which corporal punishment has been abolished

Country and year of prohibition		Country and year of prohibition		Country and year of prohibition	
Liechtenstein	2008	Luxembourg	2008	Republic of Moldova 2008	
Costa Rica	2008	Spain	2007	Venezuela	2007
Uruguay	2007	Portugal	2007	New Zealand	2007
Netherlands	2007	Greece	2006	Hungary	2005
Romania	2004	Ukraine	2004	Iceland	2003
Germany	2000	Israel	2000	Bulgaria	2000
Croatia	1999	Lutetia	1998	Denmark	1997
Cyprus	1994	Australia	1989	Norway	1987
Finland	1983	Sweden	1979	South Africa 1996 (Author's insertion)	

Source: Global Initiative to end all corporal punishment of children 2010:1

2.7.1.1 The status of corporal punishment in countries in Europe

Although there has been some unwillingness in Europe with regards to the prohibition of corporal punishment, between 1979 and 1999 twenty-six states completely banned corporal punishment and children are now protected by law from all forms of corporal punishment (Global Initiative to end Corporal Punishment, 2010:1).

However, the Global Initiative to End Corporal Punishment (2010:1) maintains that although many countries (as listed above) prohibit corporal punishment in schools, very few countries prohibit its use in homes. Parents are often reported to be using corporal punishment at home and such reports could give an impression that schools receive parental approval to administer corporal punishment. This could also indicate that activists for the banning of corporal punishment still have a long way to go to ensure that corporal punishment is abolished entirely.

> "As much as it is minimally prohibited in schools and in homes, a bigger percentage (54%) shows that it is discouraged by the penal system and due to this one can assume that corporal

punishment is not believed to be having a corrective impact or rather is less rehabilitative for more serious offences. This could mean it is regarded as less harsh and not something that can be seen as abuse" (Global Report on the Prohibition of Corporal Punishment, April 2010).

Dissimilar to South Africa and Zambia, Germany has developed strategies that are aimed at capacitating people about the banning of corporal punishment and, even more so, lessen their fears about the influence this will have on schools. According to Khewu (2012:43), in Germany "a public opinion poll was held and although a majority of people were opposed to the ban due to worry that parents would be criminalised, this was overcome by writing the ban into civil law". The institutionalisation of this law was accompanied by a public education campaign entitled *"More Respect for Children"* and it was executed by an amalgamation of federal, local authorities and non-governmental organisations (Global Initiative to End all Corporal Punishment, 2010:1). The exact and detailed nature of the campaign differed from place to place according to Germany's federal structure, but engaged an extensive variety of approaches to convey the message. These comprised of methods such as "slots on national TV, the production of leaflets and educational materials for parents, public events, workshops, the introduction of structured courses as part of adult education programmes, and more" (Global Initiative to End all Corporal Punishment, 2010:1).

According to Khewu, (2012:43) corporal punishment is forbidden in schools in the United Kingdom (UK); nonetheless, it is lawful in the home. There have also been modifications to legislation in Scotland and Northern Ireland. Newell (2007:1) maintains that "these countries have restricted the defense of "reasonable chastisement" by introducing the concept of "justifiable assault" of children and defining blows to the head, shaking and use of implements as unjustifiable. England, Wales and as of late Northern Ireland have restricted the use of corporal punishment in terms of "reasonable punishment by parents and some other people who are in caring positions for the children" (Newell, 2007:1).

2.7.1.2 Australia

Sustaining discipline in Australian schools has reportedly become a key problem and the foundation of extensive stress to teachers which has become a major cause of resignations from the profession (Stewart, 2004:318). In Australian schools, learner misbehaviour is mainly related to matters such as failure to pay attention in class, disregard for other learners, staff or their property, and the breaking of school rules (Goddard & O'Brien, 2003, in Stewart, 2004:319). Kapueja (2014:31) propagates that "corporal punishment is largely prohibited in Australian schools", whereas Slee (1995:3) argues that "the removal of corporal punishment in Australian schools has been replaced by more pervasive and intrusive patterns of surveillance and regulation which have little to do with discipline as an educational concept". Kapueja (2014:31) concedes that "these policies are 'behaviourist in conception and practice', contribute to marginalizing learners, and are a leading cause of increased disruption in the classroom".

According to Stewart (2004:323), "learners in Australian schools bring new and different sets of values to school with them, and many of these values are very different from those of their teachers". It is well known and documented that in Australian schools "many learners are, on the one hand, more assertive and openly aggressive or, on the other hand, more apathetic than might have been the case in earlier decades" (Stewart, 2004:323). He further argues that it is likely that learner indifference and poor discipline in school are the result of the diverse lives that learners lead outside the school, where they "have access to computers, television and the exhilarating pace of life in their communities compared to what they frequently see as the drudgery of schooling" (Stewart, 2004:323).

Kapueja (2014:32) argues that a further cause of disciplinary problems in Australian schools can be attributed to the poor example set by some of the 'heroes' and leaders in the community. "Too many 'heroes' of learners provide poor role models as they abuse codes of practice. Learners are also subjected to the example set by political, business and church leaders who engage in unethical and at times criminal activities" (Cope, 2002, in Stewart, 2004:324). There are also broader social and economic issues such as dysfunctional home environments, personality disorders, and drug and alcohol problems (Kapueja, 2012:31). Academics such as Slee (1995) and Cope (2002) also observe that many of the problems in Australian schools rotate around inappropriate curricula which do not reflect the needs of learners (Stewart, 2004:324).

Dealing with learner misbehaviour

(a) Corporal punishment

Corporal punishment as a method of controlling learner misconduct is largely forbidden in government schools in Australia.

(b) Exclusion

Because corporal punishment has become illegal in school settings in Australia, educators have had to find supplementary methods of safeguarding appropriate standards of learner behaviour. "Most Australian education authorities have passed regulations providing principals with the power to exclude misbehaving learners from their schools" (Kapueja, 2014:31). This means that either suspension (for a short period) or expulsion (permanent removal) is applied as a last resort (Slee, 1995), as is the case in many schools in South Africa. There are limitations on the number of days that a principal may suspend a learner, and any expulsion is determined by a higher education authority, as is the case in South Arica as well.

(c) Detention

With regards to detention, certain limitations are imposed on schools as to when detention might be exercised. "While this has disadvantages, such as a teacher having to be present, it also has the distinct advantage of emphasising to parents that their child has not been behaving appropriately, and thus detention serves to involve the parents in the reformatory process" (Kapueja, 2014:31).

2.7.1.3 A Korean perspective on discipline in schools

According to O'Donnell (2006:2), it is widely accepted that the Korean society "is strongly rooted in Confucian ethics". In fact, Kalton (2009, cited in Mamatey, 2010:1) states that in Korea, Confucianism is practised more rigidly than in any other society". Shinn (2008, cited in Aubrey, 2009:34) elucidates that Confucianism focuses on human relationships "to provide a simple guide for order in society". Mamatey (2010:1) suggests that, within Confucianism, "there are hierarchal relationships between teachers and leaners". Thus, learners are subordinate to their teachers, and this subordination extends into the physical relationship between teachers and learners (Mamatey, 2010:1). According to O'Donnell (2006:2), Confucian ideals "create a hierarchal teacher-student relationship that grants the teacher unquestioned authority in a teacher-centred classroom".

Modern Korean relationships mirror their Confucian roots both in and out of the classroom. Janelli and Lee (2001:5) propose that "teachers commonly control their students with both legitimated authority and Confucian ethical values that are somewhat analogues to those between parents and children". The hierarchy between teachers and students within the classroom, which is equivalent to the hierarchy between parents and their children, produces teacher-student relationships that discourage students from questioning a teacher's disciplinary or instructional authority (Mamatey, 2010:1). Breen (cited in O'Donnell, 2006:2) states that "questioning and analyzing are not highly valued and that questioning in [a Korean] class can be viewed as an insult to the teacher". This scholar also notes that modern Korean hierarchal relationships and their Confucian roots are critical factors to consider when exploring the perceptions of Korean English as Foreign Language teachers (EFL) on the use of corporal punishment (Breen, cited in O'Donnell, 2006:2).

Although the use of corporal punishment has been restricted in Korea, its use has persisted despite its negative effects on children. The current law regarding corporal punishment in Korean schools states the following: "Corporal punishment is lawful in schools under Article 18 of the Act on Primary and Secondary Education, which allows the head of a school to discipline students as deemed necessary for education". The Enforcement Decree for the Act provides for the use of "such disciplinary or admonitory methods so as not causing physical pain to pupils except in cases unavoidable for the purpose of education" (Article 31) (Global Initiative to End All Corporal Punishment of Children, 2009). Therefore, Korea has not completely banned the use of corporal punishment, as its laws make provision for its use under certain conditions.

In 2002, the South Korean Ministry of Education stipulated detailed guidelines about the use of corporal punishment, asserting that the punishment must:

"…take place at a separate place, accompanied by a third person, where the instrument of punishment must be a straight piece of wood which has a diameter not exceeding 1.5 cm, and a length not exceeding 60 cm. Corporal punishment must be restricted to buttocks (for boys) and thighs (for girls). The number of strikes per punishment must not exceed 10" (Global Initiative to End All Corporal Punishment of Children, 2009, Current legality of corporal punishment, section, para. 3)

Notwithstanding the detailed laws promulgated by the Ministry of Education, the practice of corporal punishment in Korean schools does not always follow these guidelines (Mamatey, 2010:2). Current corporal punishment methods in Korean schools include "striking students' palms, legs, feet, arms, and buttocks with bamboo rods; having students hold uncomfortable positions for extended periods of time; and having students hold their desks or chairs high in the air... In more extreme (and less common) cases, Korean teachers strike students in their faces, [and on their] heads, shoulders, and backs" (Mamatey 2010:2).

2.7.1.4 Singapore

Newell (2007:3) reveals that in Singapore, corporal punishment is not administered to girl pupils, while boy pupils are beaten with a light cane on the palms of the hands, and on the buttocks where it must be administered over clothing. Where there is more than one teacher in the school, it is inflicted by the principal only or under his express authority. Soneson and Smith (2005:30) are critical of this practice as they state that "it is the obligation of all states around the world to ensure that children's right to a life free from violence, including corporal punishment and other forms of humiliating and degrading punishment, is protected and children's right to a life free from violence also extends into the private life and home of the child".

2.7.1.5 A Unites States perspective on discipline in schools

According to Gershoff and Font (2016:1), in 1977 the United States Supreme Court ruled in its *Ingraham v. Wright* decision that school corporal punishment was constitutional, leaving states to decide whether to allow it or not. The Center for Effective Discipline (2015:12) states that "nineteen US states currently allow public school personnel to use corporal punishment to discipline children from the time they start preschool until they graduate from the 12th grade; these states are: Alabama, Arkansas, Arizona, Colorado, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Missouri, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Wyoming". A total of 163 3331 children were subjected to corporal punishment in these states' public schools in the 2011–2012 school year (Gershoff & Font, 2016:1).

The Texas code allows educators to hit children with objects ('paddling') and to use "any other physical force" to control children, as long as it is in the name of discipline (Gershoff & Font, 2016:2). Some school districts in the United States specify the exact dimensions of the paddles to be used. For example, the Board of Education in Pickens County, Alabama, recommends that schools use a "wooden paddle approximately 24 inches in length, 3 inches wide and ½ inch thick that does not have holes, cracks, splinters, tape, or other foreign material" (Pickens County Board of Education, 2015:27). Most corporal punishment in the US involves elementary school students (North Carolina Department of Public Instruction, 2015), and given that "elementary school children range in average height from 43 inches at age 5 to 55 inches at age 10, a 2 ft-long paddle can be half as tall as the children being paddled" (Center for Disease Control and Prevention, 2000:22). Bitensky (2006). This body is highly critical of this practice, arguing that, in any other situation, the act of an adult hitting another person with a board this size (or really, of any size) would be considered assault with a weapon and would be punishable under criminal law (Bitensky, 2006).

United States educators use corporal punishment for a variety of misdemeanours such as fighting with fellow students, setting off fireworks in school, or getting drunk on a field trip (Human Rights Watch & the ACLU, 2008). In North Carolina, "63% of the cases of corporal punishment in the 2013–2014 school year were for disruptive behaviour, fighting, aggression, disorderly conduct, or bullying, while the remaining 37% were for bus misbehaviour, disrespect of staff, cell phone use, inappropriate language, and other misbehaviours" (North Carolina Department of Public Instruction, 2015).

Information from other states suggests that not all misbehaviours that elicited corporal punishment were serious (Gershoff & Font, 2016: 3). For example, it was used for being late, failing to turn in homework, violating dress codes, running in the hallway, laughing in the hallway, sleeping in class, talking back to teachers, going to the bathroom without permission, mispronouncing words, and receiving [achieving] bad grades" (Human Rights Watch & the ACLU, 2008; Mitchell, 2010:22). An assessment of over 6 000 disciplinary files in a central Florida school district for the 1987–1988 school year found that corporal punishment was not related to the severity of the students' misbehaviour or to how frequently they had been referred for a rule violation (Shaw &

Braden, 1990). This suggests that corporal punishment in schools is not essentially used as a last resort for frequently misbehaving learners or for serious transgressions only, but as a form of perpetual intimidation.

A relatively new Social policy report which was published by the Society for Research in Child Development (2015) found that black children, boys in particular, and children with disabilities were more regularly exposed to corporal punishment than their peers. In states where the use of corporal punishment is legal, it can be used on children across all ages. The society for Adolescent Medicine projected that, in 2003 when over 270 000 children were corporally punished in schools, 10 000 to 20 000 children had to seek medical attention as a result of corporal punishment in public schools. "This included treatment for bruises, hematomas, broken bones and nerve muscle damage" (Gershoff & Font, 2016:2).

The ruling by the United States Supreme Court in 1977 that the use of corporal punishment was lawful had far-reaching implications. During that time, only two states had banned corporal punishment in public schools, and this mean that corporal punishment continued in many schools in the country. Gershoff and Font (2016:2), who are highly critical of this practice, argue that "while hitting an animal to the point of injury is a felony in most US states, hitting a child to the point of injury as punishment in a public school is exempt from child maltreatment laws in most states where corporal punishment in most schools is legal". These scholars also argue that this means that, in some states, "a behaviour that would be considered abuse when inflicted by a parent on a child cannot be prosecuted if inflicted by a school employee" (Gershoff & Font, 2016:2).

For example:

- In Alabama and Mississippi, Black children are at least 51 percent more likely to be corporally punished than White children in over half of school districts.
- In eight states, boys are five times more likely to receive corporal punishment than girls in at least twenty percent of school districts.
- Children with disabilities are over fifty percent more likely to be corporally punished than their nondisabled peers in many southern states.

According to the USA Department of Education (2000), more than half of the states have banned corporal punishment and in states where it is allowed, many school boards voluntarily prohibit its use.

As an approach to support its ban, the US has adopted a strategy comparable to the South African model (ATCPs), which means that:

"Most public school discipline issues are handled with a simple time-out or in-school suspension, which doesn't impinge on a student's access to education; nevertheless, out-of-school suspensions or expulsions have become much more common as 'zero tolerance' policies have blossomed over concerns for school safety" (Williamson-Maloy, 2010:8).

Nevertheless, there are other scholars who advocate that the age of a learner must be taken into consideration when exclusion-based disciplinary measures are taken. For example, "time out is very effective when the child is much younger (that is, from 18 months) and is less effective once a child is seven years old as using time out is forcing the child to remove [him]/herself from a situation so that [he]/she can reconsider [his]/her behaviour" (Williamson-Maloy, 2010:8). Yet, Williamson-Maloy (2010:7) also counsel that:

"…grounding or punishing a child for extended periods of time (e.g., four periods) can lead to rebellion, making the consequences counterproductive because extended consequences often lead to the child feeling hopeless in that she doesn't know if she'll be able to behave long enough to have her privileges reinstated. When a child loses all hope, she also loses the incentive to behave".

According to Khewu, (2012:40) each state in the US, and occasionally even each public school districts, has precise rules for how a school disciplinary process must be conducted. Nonetheless, there are some over-all moralities of federal law which apply. This scholar further annotates that "a public elementary and high school public education is a constitutionally-protected right so, like in South Africa, a student must be given what's called 'due process' before a suspension or expulsion takes place" (Khewu, 2012:40). This process is then defined by Wolhuter and Steyn (2003:521-538) as meaning that the suspension or expulsion "must be done in a fair and even handed manner. This generally include: the right to know the school's rules ahead of time, meaningful notice of the charges and an opportunity to be heard in an appropriate setting". During

informal appeal hearings, school representatives will present the evidence against a child, "and she (or her representative) will have the opportunity to present evidence in her defense" (Khewu, 2012:40). To guarantee that due processes are handled in a just manner, school principals are forbidden from expelling learners; only the Provincial Head of the Education Department has the powers to expel learners, which is also the case in South Africa.

2.7.1.6 South America and Canada

In Panama, "corporal punishment is lawful both at home and in schools" (Khewu, 2012:44). Article 443 of the Family Code states: "The pupil must respect and obey the tutor and the tutor can moderately correct them" (Newell, 2003:4). In countries such as Sa Marino, while corporal punishment is acceptable in homes, it is prohibited in schools. Even though it is not completely expatriate, countries like Canada have tried to normalise the way in which corporal punishment is administered. In Canada "it was acknowledged that some parents resort to physical discipline too quickly and too often and it was suggested that it would be preferable and more effective for the state to launch an education campaign about alternate approaches to discipline" (Khewu, 2012:43).

2.7.1.7 A Southern African perspective on corporal punishment

However, in African countries such as Botswana, Lesotho, South Africa, Swaziland and Zambia, the legal status of corporal punishment differs, as in some it is prohibited and in some it is not. Research that was conducted in countries in the Southern African region found that 28% of children in Swaziland had been hit with an object at home and 59% had been hit with an object at school. In Zambia, 43% of children had experienced humiliating punishment and in South Africa, 57% of parents were found to be still using corporal punishment, as was the case in some schools (Khewu, 2012:39). Waterhouse (2006) provides an outline of the legal status of corporal punishment in the previously mentioned countries (Table 2.1 below):

Table 2.1: The legal status of corporal punishment in SADCC countries

COUNTRY	LEGAL STATUS
Botswana	Legal
Lesotho	Prohibited
South Africa	Prohibited
Swaziland	Legal
Zambia	Prohibited

Source: Waterhouse (2006)

Zambia

Zambia applies the same law as South Africa regarding the use of corporal punishment. However, problems occur in both these countries due to "a lack of information on the content of the legal reform, a lack of awareness-raising and support programmes to assist teachers in developing alternative methods of discipline, lack of appropriate sanctions against defaulting teachers by school management, and continued support by teachers of the use of corporal punishment in schools" (Khewu, 2012:39). To solve these problems, it has been proposed that "advocacy efforts to address the prohibition of humiliating punishment along with physical punishment must be undertaken" (Soneson & Smith).

Lesotho

In Lesotho, the right of learners to receive education in orderly and disciplined schools is supported by Lesotho's Constitution (Jacobs, de Wet & Ferreira, 2013:324). According to Article 28(a) of the Lesotho Constitution, the Lesotho government "strives for a school environment that respects human rights and fundamental freedoms, and fosters teaching and learning". According to Ferreira, Coetzee and de Wet (2009:160), the Kingdom of Lesotho (1995, Article 18 (b)) places accountability on principals, educators and management committees of schools to establish and maintain safe, disciplined environments. Two broad perspectives are identified by Ferreira (2009) regarding discipline in Lesotho. First, there is the belief that discipline ought to be severe in order to deter potential offenders and employ military-type approaches. Secondly, there is the "extreme rights movement that is against any form of punishment and 'external' discipline" (Ferreira, 2009:11).

In 1996, Monyooe conducted a study on corporal punishment in this country and found that it was a prevalent form of punishment in secondary schools in Lesotho and that, although the use of corporal punishment is illegal, most of the rules that guide the use of corporal punishment in schools were desecrated (Monyooe, 1996:58). Jacobson, de Wet and Ferreira (2013:354) propagate that although the Education Act of 2010 (Kingdom of Lesotho, 2010:205) eradicated corporal punishment in schools, "it did not provide clear-cut guidelines on how to promote desirable behaviour in order to correct or modify it and restore harmonious relations". The study also revealed that corporal punishment was administered by educators who taught in churches as well as in government and community schools. Jacobson et al. (2013) suggest that the continued use of this form of punishment may be linked, amongst other things, to "high levels of authoritarianism that are usually associated with religious dogmatism and the acceptance of violence as an embodiment of masculinity in patriarchal countries such as Lesotho" (De Wet, 2003:685).

Substance abuse and involvement in violent acts are popular among learners in Lesotho (De Wet, 2003:96), and later research revealed that "there is an increase in the use of drugs among Lesotho secondary school learners" (Kapueja, 2014:36). Research has also revealed that Lesotho's educators are exposed to verbal and physical abuse by their learners (De Wet, 2006:22). Another disturbing finding was that "some educators in Lesotho use learners to settle their private and professional scores with their colleagues" (De Wet, 2006:22), which is not in line with the Education Act No. 10 of 1995 (Kingdom of Lesotho, 1995: Article 48). This Article states that an educator who commits a breach of discipline"

> "…is liable to disciplinary proceedings and punishment if he/she conducts him/herself improperly in his/her official capacity, or in any way that affects adversely the performance of his/her duties as a teacher, or that brings the Lesotho Teaching Services or school into disrepute" (Kingdom of Lesotho, 1995: Article 48).

Lefoka (1997:37) found that educators tended to threaten learners and that they were subjected to verbal and physical degradation by their educators, which seemed to be a common practice in some secondary schools in Lesotho. Matters of unprincipled behaviour by some educators were also noted by Lefoka (1997:37), who exposed incidences of reportedly drunk teachers at school and teachers who had raped their students.

In Lesotho, the church is the chief provider of education, thus education in Lesotho is a communal concern between the church and the government (Kapueja, 2014:36). It is therefore a matter of concern that the church, which should place emphasis on sound values, seems to condone corporal punishment.

Swaziland

Shongwe (2013:1) argues that corporal punishment is one of many disciplinary measures that are used in schools in Swaziland. This scholar propagates that "most schools in Swaziland use this form of punishment, mainly because it does not take up much of a teacher's time". However, corporal punishment is reportedly a problem in some high schools in Swaziland, as frequent media articles expound the error of the administration thereof (Nhleko, 2008:7; Ndlela, 2011:5; Shabangu, 2010:11). An example that Shongwe (2013:1) cites is the case of a Mathematics teacher in one of the high schools who reportedly beat learners with his fists and kicked them. This incident was one of the learners' complaints when they engaged in a class boycott (Maziya, 2011a:13).

In schools in Swaziland, the administration of corporal punishment is regulated by the Constitution of the Kingdom of Swaziland, Act 001 of 2005 (hereafter referred to as the Swaziland Constitution); the Education Act No. 9 of 1982 (hereafter referred to as the Education Act); the Education Rules of 1977 (hereafter referred to as the Education Rules); and A Guide to School Regulations and Procedures of 1988 (hereafter referred to as A Guide to School Regulations and Procedures) (Tumwine, 2015:28). This scholar argues that the Children's Protection and Welfare Act (Swaziland, 2012) does not prohibit the use of corporal punishment in schools; rather, it provides for corporal punishment in cases of "justifiable discipline" (Tumwine, 2015:28).

According to Shongwe (2013:5), the physical abuse of children occurs on a regular basis in schools in Swaziland. In 2005, Save the Children conducted a survey to examine the experiences of children aged 6-18 years in Swaziland's four regions over a two-week period in relation to corporal punishment (Flacherty, Donald, & Flacherty, 2005:6). The findings revealed that "28% of the participating children had been hit by the hand [slapped], and 59% had been beaten with an object, mostly sticks, and chalkboard dusters" (Flacherty, Donald, & Flacherty, 2005:6). This survey showed that teachers tended to ignore the prescribed procedures for the administration of corporal punishment. Shongwe (2013:5) also cites a 2008/9 report by the Teaching Service Commission

which is accountable for employing teachers, stating that this report "gave an account of 10 allegations against teachers for administering corporal punishment outside the legal prescripts" (Shongwe, 2013:5). However, the situation did not improve with time. A press statement by UNICEF (Gulaid, 2011:4) indicated that 828 children had been physically abused during January to June in 2011. In the same statement, it was stated that physical violence against children was the leading form of violence, both at school and at home (Shongwe, 2013:5).

Mogalagadi (2007, cited in Nhleko 2008:14) published a story of a high school principal who slapped a grade 5 learner for refusing to take punishment, which was in direct conflict with the Education Act (cf. ch. 4, section 4.2.1) which stipulates that a learner should be beaten with a stick on the buttocks. In another incident, a deputy-principal of a school "beat a learner all over his body with a stick and punched him with his fists to such an extent that the learner had to go to hospital to receive treatment" (Sukati, 2010:12).

Several incidents in schools in Swaziland resulted in legal action. In one incident, a deputy-principal used his fists on and kicked a female learner. The learner sustained serious injuries that resulted in the case being reported to the police (Mkhonta, 2008:11). The matter was eventually settled out of court. Another learner lost an eye when a teacher hit her with the branch of a tree. This case was referred to the High Court, where the judge ruled in favour of the learner and awarded him monetary compensation (*Mkhonta Dumisani Phineas v Swaziland Government*, case no. 1148/97 par. 4). In another incident, a learner's right hand was temporarily paralysed after receiving 14 strokes (Ndlela, 2010:4). However, this was not an exceptional incident in that particular school, because the clinic in the area "confirmed that learners frequently come for treatment after having been beaten by their teachers" (Shongwe, 2013:7). In another instance, a principal beat learners for their parents' failure to pay school fees (Shongwe, 2013:8). This school principal's act was condemned by the Minister of Education because learners may not be held responsible for school fees (Simelane, 2011:3). Moaholi (2010:7) also refers to an incident in which learners were beaten more than 20 strokes during morning assembly in the presence of other learners by teachers who claimed that the learners had been involved in inappropriate relationships.

In light of the above-mentioned incidents, it is evident that schools in Swaziland do not follow legal procedures when administering corporal punishment, as set out in the Swaziland

Constitution, the Education Act, Education Rules and A Guide to Schools Regulations and Procedures by the Ministry of Education.

2.7.2 The status of corporal punishment in South Africa

In South Africa, commercialisation strategies to ban all forms of corporal punishment are described to be very negligible and, to resolve this matter, Mkhize (2008:73-74) advocates that "public campaigns in all forms of the media must be speedily embarked upon to ensure the presence of nation building activities that are premised upon 'ubuntu' and human rights in the public arena". Additionally, Mkhize (2008:74) commends that these campaigns must examine, expose, educate and communicate about human rights abuse and allow pressure groups to play a role in the total abolishment of corporal punishment, which has a long history in this country.

During the apartheid regime, the association between educators and learners was characterised by power and fear (Kapueja, 2014:37). Teachers made use of caning to maintain and enforce discipline in public schools. According to Mokhele (2006:48), "before 1994, power and authority were the basis for control and discipline". He further propagates that the classroom setting was strict, tended to be apprehensive and the learners were not granted a platform to voice their opinions and concerns regarding disciplinary matters. In 1996, subsequent to South Africa becoming a democratic country, the South African Schools Act "banned the use of corporal punishment in all South African schools" (Sonn, 1999:2).

However, the prohibition of corporal punishment has resulted in teachers experiencing various disciplinary problems in schools. Mokhele (2006:149) states that, after the abolition of corporal punishment, teachers were expected to relate to learners in a friendly manner "and to establish a more relaxed atmosphere". This scholar believes that constructive and positive teacher-learner relationships have the possibility of producing a beneficial learning environment in the classroom, and will establish whether or not a learner can benefit from the teaching and learning situation.

Section Article 3 in the South African Constitution (South Africa, 1996a) which states that "no person shall be subjected to torture of any kind, nor shall any person be treated or punished in a cruel, inhumane or degrading way" prompted the publication of a booklet entitled: *'Alternatives*

to corporal punishment: The learning experience being introduced in schools'. This booklet states that discipline depends on "constructive, corrective, rights-based, positive educative practices" and not on punishment nor on specific disciplinary actions that can be regarded as "punitive, destructive and negative" (Department of Education, 2000:9). According to the Department of Education (2000:9), an educator can teach efficiently and maintain discipline by:

- being well-prepared for lessons;
- exercising self-discipline;
- having extension work available;
- involving learners in the initial establishment of classroom rules;
- being consistent with the application of rules;
- building positive relationships with learners; and
- ensuring that learners are stimulated.

Disciplinary policy

Referring to the South African Schools Act, Kapueja (2014:40) reiterates that each school must draw up a code of conduct through a process that involves parents, learners and teachers (Kapueja, 2014:40). Sections 8 and 20 of the South African Schools Act No. 84 of 1996 provides for a code of conduct for learners based on applicable provincial law, which must be drawn up by the governing body after adequate consultation with the parents and learners (where applicable). One provision in this act is that the code of conduct must be designed to create a disciplined and purposeful environment that is devoted to the development and preservation of the quality of the learning process.

Classroom policy

Educators are mandated to draw up a classroom policy indicating expected classroom behaviour (Kapueja, 2014:140). Coetzee, Van Niekerk and Wydeman (2008:92) maintain that "the objective of the classroom disciplinary policy is to create a fair and reliable way of encouraging good behaviour and dealing with misbehaviour". They further propagate that classroom disciplinary policy or rules "should be drawn up by both the educator and the learners [as] participative

compilation of the classroom disciplinary policy will ensure that the learners take ownership of it" (Coetzee et al., 2008).

The school governing body

Schools' governing body members are tasked with dealing with governance and matters relating to discipline. With regards to section 16 of the South African Schools Act, "the management of the governance [of a school] is vested with the governing body of the school" (Kapueja, 2014:41). Sections 23, 29 and 32 stipulate that "the governing body of an ordinary public school consists of elected members, the school principal and co-opted members (Kapueja, 2014:41). The members who are elected to the governing body comprise parents, educators, representative school support staff, and learner representatives who are elected by the learners.

Grade tutors or mentors

According to Kapueja (2014:41), a grade tutor (also referred to a mentor) is an educator who is in charge of all the affairs of a certain grade, including disciplinary issues.

Parental involvement

Kapueja (2014:39) maintains that parents are "primary educators or primary sources of values for children. They are responsible for giving guidance to and instilling values in their children". Cordington (2000:31) argues that "parents are supposed to be role models that children can look up to, but research already undertaken indicates that children return to empty homes after school". This suggests that there are no role models a home to assist children with the different issues and challenges they might have experienced during a school day. There are also no stern, authoritative figures to correct them if necessary. Cordington (2000:31) stresses that "this situation leads to poorly disciplined children and learners who are apathetic towards authority".

According to Morrel (2001:294), "parents in South Africa have historically been involved in school affairs". Kapueja (2014:39) supports the latter view by maintaining that parents' "impact, particularly in middle-class schools, remain [sic] significant and visible in the physical resources and academic output of these schools to this day". Parents of learners residing in rural areas need to have an impact and play a visible role in the education of their children. It is claimed that "without the active involvement of all stakeholders in education, the vision of quality education

cannot be realized" (Department of Education, Northern Cape, 1997:3). The position of parents as stakeholders in education is spelled out: "Parents, learners, teachers and members of the school community will be part of transforming education in their schools, and have an important role to play" (Department of Education, Northern Cape, 1997:3).

Dishon, Loeber, Stouthamer-Louber and Patterson (1984:451) believe that "poor parental discipline and monitoring, amongst other factors, have been responsible for the occurrence and persistence of conduct problems during middle-childhood and adolescence". According to the Department of Education, (2000:22), "parents should take responsibility for the discipline of their children at home as well as becoming involved in the activities both of the child and the school".

Kohl, Lengua and McMahon (2000:501) discovered that parents' involvement in their children's school activities was closely associated with a child having more positive experiences within the school setting. The latter view is confirmed by Nelson (2002:77), who perceives parents as the primary link in effective disciplinary processes. This scholar argues that "parents who are involved in their children's daily lives have a better understanding of what is acceptable and expected in the school's environment". Kapueja (2014:40) feels that "if the disciplinary structure [and] routines …are in place in the home environment, then the burden of disciplining the child will be significantly lesser for the educator".

The Schools Act (South Africa, 1996c:40) and Guidelines (South Africa, 1998:6) specify the responsibilities of parents and state that these responsibilities should be listed in the code of conduct. These two documents state, inter alia, that:

> "Parents should actively participate in school activities, enable their children to participate in school activities and perform optimally in school, oblige their children to honour the school's code of conduct, and accept responsibility for misbehaviour. Parents should be informed of disciplinary steps taken against their children, have the right to be present during such proceedings, and have the right to institute legal proceedings if they are of the opinion that their or their child's rights have been unlawfully infringed upon."

2.8 The Principle of Discipline in South African Schools

In 1994, following the first democratic elections in this country, South Africa became a true democracy with an advanced Constitution that promotes democratic values and principles. However, significant changes were needed in the education system if these democratic principles were to be employed. Teachers were thus also "expected to employ democratic principles in dealing with learner misbehaviour" (Kapueja, 2014:41). According to Edwards (2008:130), "democratic discipline is characterised by learners' complete and authentic involvement". This scholar further maintains that democratic discipline is also categorised by its being sincerely involved in the teaching-learning programme. Sonn (1999, cited in Kapueja, 2014:41) states that the new democracy in South Africa introduced a culture of human rights in the country as "the culture of human rights is written into the Constitution and the Bill of Rights". Additionally, she maintains that "discipline is not only learned at school − children learn about discipline at home and in the communities in which they live" (Sonn, 1999:8). Rossouw (2003:499) confirms the latter view by stating that "historically, schools existed as a continuation of the family unit, as didactic functions could no longer be fulfilled by family members. Good discipline does not come about by chance, but needs to be purposefully managed".

Roger (1998:11) propagates that discipline is "a teacher-directed activity whereby they seek to lead, guide, direct, manage or confront a learner about behaviour that disrupts the rights of others". Discipline is used actively and beneficially where learners receive an educative, and it is a corrective approach in which they acquire self-control, respect for others and learn to accept the consequences of their actions (Kapueja, 2014:41). However, common acts of punishment seem to focus on misbehaviour, are "psychologically hurtful to learners, and [are] likely to provoke anger, resentment and additional conflict" (Joubert & Prinsloo, 2008:107).

According to Sonn (1999, cited in Kapueja, 2014:41), an all-inclusive interpretation of discipline needs to be applied in matters that pertain to discipline, and thus the following all-inclusive insights of discipline encompass the following:

- A shared vision and mission where goals are set by teachers, parents and learners.
- Learners are treated as young people worthy of respect and dignity.

- Structures and procedures are set up in the school to ensure that a coherent policy of discipline is followed in every aspect of school life.
- Every classroom is seen as an important part of the school where teachers and learners are expected to practise the policies and uphold the values of the school.
- The leadership and management of the school encourage participatory decision-making.
- Teachers, parents and learners are expected to assume responsibilities which contribute to the development of the school as a whole.

    The community is involved in making the school environment a safe place for teaching and learning.

2.8.1 Learner discipline in schools

Kapueja (2014:43) maintains that the school governing body plays a fundamental role in the establishment and maintenance of discipline in schools. This scholar further maintains that the school governing body has a legal responsibility to ensure that accurate structures and measures are put in place so that any corrective measures taken against misbehaving learners are managed fairly and reasonably in agreement with the South African Constitution (South Africa,1996a) and the South African Schools Act (South Africa, 1996c). Equally, Section 8 and Section 20 of the South African Schools Act (South Africa, 1996c) make it compulsory for all school governing bodies (SGBs) to formulate and implement a code of conduct for learners which focuses on the development of a disciplined and academically oriented school environment that is devoted to cultivating the quality of the learning process. However, Monadjem (2003:80) propagates that "socio-economic constraints such as social class, economic status, race, and the religion of parents may influence the extent of their involvement in school administration". This scholar further maintains that "parents from all backgrounds can be involved productively when principals motivate them". In its '*Guide for Learner Discipline and School Management'*, the Western Cape Education Department (2007) states that "the school governing body is responsible for the creation of a disciplined and goal-oriented environment to ensure positive teaching and learning". Joubert and Squelch (2005:23) postulate that, "in order to enable effective learning to take place, it is critical that a safe, secure and positive environment is created". In relation to the South African Schools Act, as mentioned by Clarke (2007:81):

"It is important for the governing body of every public school to involve learners, parents and educators in the school. Involving all the stakeholders is in line with the Department of Education (2000:15), which puts the emphasis on democratic discipline based on participation and involvement; hence the members of the school governing body are informed and included in the disciplinary process."

The South African Constitution (South Africa, 1996a, cited in Mestry & Khumalo, 2012:98) states that a code of conduct for learners is "a form of subordinate legislation that reflects the democratic principles of the Constitution by supporting the values of human dignity, equality and freedom". Kapueja (2014:44) maintains that "it is imperative for the code of conduct to include fitting disciplinary processes for disciplining learners and procedures that will be adhered to in the disciplinary processes".

Kapueja (2014:44) also stipulates that it is of high importance that information be made available to learners with regards to the need for the existence of rules and their importance for individual progress, organizational health and life outside the school. This scholar confirms that "it is important for every public school to have a disciplinary policy or a learner code of conduct" (Kapueja 2014:44). Moreover, Mestry and Khumalo (2012:98) state that "the school disciplinary committee, which is a sub-committee of the school governing body, must ensure that the code of conduct is consistently and fairly enforced". In this regard, the Western Cape Education Department (2007:4) states that "it is the responsibility of the school governing body to conduct fair hearings in which the focus is on positive intervention as a restoration option".

Rossouw (2007:80) and Bray (2005:135) insist that the rudimentary approach in the preparation of a code of conduct should be positive and preventive in order to enable productive learning. According to Curwin and Mendler (1980, cited in Kapueja, 2014:45) three dimensional approaches are required to maintain and manage learner discipline. These are: the prevention dimension, the action dimension and the resolution dimension. These dimensions necessitate that the school governing body implements strategies to vigorously prevent disciplinary problems. Moreover, the action dimension pertains to the action that the school governing body should take when all measures to avert the problem have failed, and the resolution dimension suggests strategies to resolve issues (Curwin & Mendler, 1980:33). Kapueja (2014:45) also annotates that it is the responsibility of the school governing body to hold regular meetings with parents to discuss

disciplinary matters. The proper enforcement of the code of conduct should aid in managing discipline in schools, and thus Mestry and Khumalo (2012:100) propagate the following:

> "The principal of a school cannot achieve discipline alone, but through the involvement of all stakeholders. The school management team, educators and the disciplinary committee are primarily responsible for carrying out the prevention, action and resolution measures of the code of conduct."

In this context, Joubert and Bray (2009:40) elucidate that the school principal has two roles to play: (i) as a member of the school governing body; and (ii) as a departmental employee. "As a professional leader, the principal has to do everything that can reasonably be expected of him or her to ensure that the conduct of the school governing body is lawful, fair and reasonable" (Kapueja, 2014:45).

2.8.2 The principal's supervisory strategies for school discipline

According to Kapueja (2014:45), numerous research studies have shown that the principal of a school plays a fundamental role in promoting the effectiveness and success of a school. Marishane (2011:85) maintains that the principal "wears many hats: manager, administrator, instructional leader and curriculum leader at different points in the day". Okumbe (1998:115) supports the latter view by stating that discipline in the school "is the function of the administration. The general school and classroom discipline is dependent upon the principal's administration and his or her supervisory and leadership styles, since they govern all school matters". Chaplain (2003:104) argues that, "what forms part of the principal's leadership component, includes being proactive in the development of an effective behaviour policy, and ensuring staff [members] have appropriate professional development support and resources to support the policy at all levels". This scholar adds that observing and upholding the behaviour policy is also part of the management function.

Research studies conducted on effective schools have revealed that the principal is key in bringing about the settings that are the foundation of effective schools. Stronge, Richard and Catano (2008) divulge that principals of schools spend 62.2% of their time on administrative issues, and 11% on instructional leadership issues. A study by Ugboko and Adediwura (2012:41) revealed that there is an important relationship between supervisory strategies used by school principals and students' disciplinary problems. These two scholars further refer to the principal as "an instructional leader

when he or she provides direction and resources, and gives support to both educators and learners with the aim of improving teaching and learning in a school" (Ugboko & Adediwura, 2012:41). Furthermore, these scholars maintain that the role of the school principal as an instructional leader enforces the quality of individual instruction, the extent of student discipline, and the degree of efficiency in school functioning through supervision (Ugboko & Adediwura, 2012:41).

Blandford (2009:129) propagates that school discipline is "the readiness or ability of students to respect authority and obey school rules and regulations to maintain a high standard of behaviour necessary for the smooth running of the teaching and learning processes". This scholar further maintains that it is vital for learners to adhere to rules and regulations so that order, discipline, and an advantageous learning environment may be shaped. Chaplain (2003:140) asserts that the chief purpose of school rules is "to create a safe and warm environment". This scholar further asserts that the learners and educators should be acquainted with the rules, and that learners should receive these rules whenever they become part of a new school.

Roger (1998) points out that the procedures of school discipline are aimed at developing students' self-discipline and self-control to allow them to stay on the right path in the learning process. Moreover, this scholar maintains that the procedures of school discipline also improve students' self-esteem, encourage individual students to respect the right of others and to cooperate, and to become responsible and independent in their learning. Furthermore, he propagates that, as soon as rules have been communicated, the implementation of these rules should be conducted in a just and consistent manner as this aids learners to respect the school's disciplinary system. Ngoepe (1997:3) also places emphasis on external control, as "children should be taught how and why to do the right thing".

2.8.3 The role of the school principal in maintaining discipline

Kadel and Foliman (1993) and Hill and Hill (1994) list the various critical roles of a school principal in maintaining discipline. A principal should:

- maintaining a visible profile;

- visiting classrooms often;

- expressing positive feelings to students;

- develop a good relationship with key student leaders;

- developing a crisis management plan; and

- linking suspensions with rehabilitation.

MacDonald (1999) emphasises that the way principals conceptualise violence and discipline will influence their decision making.

2.9 Impediments to School Discipline in South Africa

There are numerous explanations for the absence of discipline in schools, particularly in South African schools where disruptive behaviour has become a fundamental challenge. Kapueja (2014:53) argues that "teachers usually consider learners to be the source of school discipline problems", whereas Edwards (2008:10) believes that "much behaviour should be looked on as normal reaction by children to deficiencies in the school as an institution and to teachers and administrators as directors of the educational enterprise". Varma (1993:31) argues that disciplinary glitches occur when "learners set about frustrating educators from attaining the task for which they have been employed". Mabeba and Prinsloo (2000:34) and Van Wyk (2001:196) ascribe various causes to the problem of ill-discipline. For example, states:

"Learners' disciplinary problems in South Africa range from the rejection of reasoning, late coming, truancy, neglecting to do homework, noisiness, physical violence, theft, threats, verbal abuse, lack of concentration, criminality, gangsterism, rape, constant violation of the school's code of conduct, and substance abuse" (Mtsweni 2008; Nene 2013;; Kapueja 2014; Molepo 2014).

These behaviours make it problematic, if not impossible, for educators to manage their classes successfully. Barriers to school discipline also include the following:

2.9.1 Instruction without context

Edwards (2008:10) postulates that educators may perhaps fail the learners "if they teach concepts as though they were abstract, self- contained entities". This scholar further maintains that learners are often expected to use figurative information and relate it in ways that are disconnected from

the real world. "Children under such conditions fail to make proper associations and are unable to apply what they learn to the problems they face each day" (Edwards, 2008:10). Because learners are unable to understand the practicality of what they are taught in school, they become frustrated and they perceive school as being detached from real life.

2.9.2 Failure to teach thinking skills

Kapueja (2014:54) maintains that when children are consistently incapable of solving problems, they repeatedly try to escape those problems through alcohol or drugs or numerous thrill-seeking activities. Edwards (2008:11) states that this inability results in many children dropping out of school or even committing suicide. He further maintains that some children "fail to find satisfactory solutions to their problems because they have difficulty in thinking them through, and some have trouble organising their lives and responding appropriately to life's demands, whilst others are unable to set priorities for themselves" (Edwards, 2008:11).

2.9.3 Lack of parental involvement

According to Kapueja (2014:53), parents' contribution to their children's school life involves participative management. This means that:

> "…parents must play a major role in decision-making. Parental involvement also means engaging parents in the education of their own children and engaging them in the school management and leadership structures. Parents must be partners in their children's schools and must share responsibility and accountability with principals."

This cooperation is vital for a harmonious, operative school administration. In a number of schools in rural (and other) areas, there is a lack of parental involvement which often results in various issues, including the inability to maintain school discipline. According to van Wyk (2001:198) and Ramsey (1994:16), "many parents are reluctant to cooperate with educators in disciplining their children". Berger (1991:3) propagates that children whose parents participate actively in school activities are better behaved and more hardworking in their efforts to learn. These children also tend to make better choices about their behaviour by identifying with their parents. Thus, for educators to maintain discipline in schools, they need the support of parents.

2.9.4 Overcrowded classrooms

Congested schools tend to have more disciplinary problems than schools where sufficient classroom space for the number of learners per class exists. It is undeniable that a high child to teacher ratio will make it "practically impossible for educators to effectively monitor learners' behaviour and deal with discipline problems" (Kapueja, 2014:55). Such conditions prevent schools from successfully educating their learners as teaching and managing such classes become extremely difficult. Kapueja (2014:55) further maintains "that large and overcrowded classrooms are regarded as one of the factors that hamper the creation of a favourable classroom environment in which educators can teach successfully".

2.9.5 Inappropriate punishment measures

According to Baron (2005), the methods of discipline and the punishment meted out to learners by teachers and administrators may contribute to poor discipline. This scholar further maintains that "the long tradition of punishment in schools includes corporal punishment which has been a practice in both secular and religious education, in many societies and in all centuries" (Baron, 2005:45). Although the use of corporal punishment is prohibited in all schools in South Africa, Edwards (2008:14) suggest that "the majority of teachers and parents believe in its use". Porteus and Vally (2003:1) and Gregan-Kaylor (2004:160) argue that corporal punishment tends to develop aggressive hostility as opposed to self-discipline. These scholars argue that "it does not teach learners discipline, but rather destroys their experience of school because they see it as a violent place" (Porteus et al., 2003:1). Bower (2003:1) supports the latter view by saying that "children who are caned frequently demonstrate high levels of aggressiveness against siblings and others".

2.9.6 Inconsistent application of school rules

Kapueja (2014:56) argues that consistency is an imperative element in developing educator reliability and leadership. This scholar further propagates that educators' consistency in behavioural patterns is related to equality and predictability. Van Wyk (2001:198) suggests that numerous educators in South Africa have very little knowledge when it comes to disciplinary strategies, thus most disciplinary measures "are reactive, punitive, humiliating and punishing as alternatives to being corrective and nurturing". Therefore, regardless of the guidelines on

alternatives to corporal punishment which were introduced by the National Department of Education in 2000 (South Africa, 2000:9), educators are still faced with an escalating rate of disciplinary problems. Kapueja (2014:56) maintains that "it is evident that educators still need to be trained on how to manage their classrooms effectively and efficiently…[and that] proactive and positive whole-school approach to managing learner behaviour and consequently preventing learner misbehaviour is needed in South African Schools".

2.9.7 Acts of disrespect for teachers by learners

According to De Beer, (1992:15, cited in Kapueja, 2014:56), constructive discipline which comprises of self-discipline and the acceptance of discipline is extensively regarded as the most significant component of a positive learning culture. This scholar further maintains that discipline also encompasses inner discipline in both teachers and learners. Kapueja (2014:56) points out that learners do not have respect for one another nor for their educators. She further propagates that there is an absence of work ethics, responsibility and commitment among both educators and learners. According to Kruger and Steinman (2003:15), a positive school climate is one in which "learners are assisted along a number of developmental pathways". These scholars further maintain that "if educators are treating their learners correctly, learners are likely to co-operate with them, behave correctly and perform successfully in their studies" (p. 15).

2.9.8 The instilling of values

Codrington (2000:31) propagates that parents are the chief educators that instil values in children. However, in many rural homes this does not occur for various reasons such as the absence of adults in child-headed households which leads to poorly disciplined children.

The role of the media in the absence of parental guidance has also been criticised by various authors. For example, Kapueja (2014:57) offers the following comments:

> "The success of the school does not depend only on the interaction between learners and educators, [as] the society also plays a central role in the development of moral and other values. The media are [is] very influential, especially as regards television characters and actors who are becoming the youth's role models. Educators on the other hand are faced with the task of instilling values in learners by means of the curriculum and other school rituals and also exercise discipline with the support of parents."

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2.10 The Advantages of Discipline in Schools

For teaching and learning to take place optimally within the school environment, it is vital that effective discipline is maintained. The many advantages of discipline in schools are summarised below:

2.10.1 Discipline establishes order

Disorderly and undesirable behaviour can have a negative impact on teaching and learning. Kapueja (2014:58) maintains that a school that establishes sound guiding principles "will permit its administrators and teachers to deal with various behavioural difficulties". Joubert and Prinsloo (2008:181) state that "clear guidelines should be given on what is expected and these guidelines could be included in a well-formulated school policy and in subject policies". Discipline within the school should be endorsed through rules and regulations in a code of conduct that learners must adhere to. Saya (2005:27) believes that "rules are very important because they help to set [goals for] academic excellence and also contribute to [the] all round development of learners". Kapueja (2014:58) also believes that schools that are able to enforce discipline "are in a position to maintain order and harmony… [but that] chaotic schools that are characterised by disorder and disruptions find it difficult to do this".

2.10.2 Discipline teaches learners about self-control and responsibility

According to Kapueja (2014), discipline is essential for sustaining order and harmony in the classroom environment. This scholar defines discipline is "actions that facilitate the development of self-control, responsibility, and character" (Kapueja, 2014:58). Savage and Savage (2010:8) argue that the development of self-control is a chief objective of education and one that is attained through "democratic and humane management and discipline". These scholars further argue that people who are continuously exempt from the consequences of their actions are delayed in their development of self-control, and that discipline is thus a must. According to Kapueja (2014:58), self-control and responsibility need to be learnt, and this only happens through sound discipline which is regarded as "a means of teaching learners self-control and self-direction. Helping learners learn self-control will result in teachers getting more time for teaching and learners [getting] increased opportunities to learn".

2.10.3 Discipline provides a safe school environment

The establishment of a healthy and safe schooling environment for all learners and educators is one of the major responsibilities of education authorities and school administrators. It is important that school principals and educators are acquainted with legal provisions and regulations so that schools are safe. Kapueja (2014:59) states that in a well-ordered environment, learners are protected because the environment is ruled by law. This scholar also maintains that principals, governing bodies and educators "have to take extra care to ensure that learners are provided with safe facilities and adequate supervision and, wherever possible, protected from dangers". This suggests that learners should be able to go to school where they feel safe, free and happy and therefore the school should be well-ordered and ensure a setting where they can learn without commotion and conflict. Mokhele (2006:151) confirms that "the management of discipline calls on teachers to make children feel emotionally comfortable and physically safe so that they can develop self-discipline (intrinsic discipline) and accountability in their actions". This scholar further states that all teachers "should create a setting in which every learner is directed towards an attitude of caring and respect for teachers and other learners" (p. 151).

2.10.4 Discipline establishes a positive teacher-learner relationship

Teachers cannot expect to be successful in creating a rewarding learning environment if they are constantly engaged in power struggles and adversarial relationships with students (Savage & Savage, 2010:11). They maintain that successful classrooms are those where the teacher and students are working together rather than working against each other. This means that a primary task of the teacher is that of establishing positive relationships with students, gaining their respect, treating them with dignity and respect, and demonstrating an interest in their welfare. According to Mokhele (2006:149), positive teacher-learner relationships have the potential of creating a conducive learning environment in the classroom and will determine whether or not a learner can benefit from the teaching-learning situation. Kruger and van Schalkwyk (1997, in Mokhele 2006:149) found that if teachers behave consistently and are open and approachable, they will maintain a healthy relationship with their learners.

2.10.5 Discipline improves the school climate

According to Kapueja (2012:60), creating a positive school climate "is one of the vital qualities that one 'feels' when one walks into school. Each school has its own unique school climate because no two schools are exactly alike". Preble and Gordon (2011:11) argue that schools that are challenged by disciplinary difficulties can be identified by problems such as "bullying and harassment, inadequate academic performance, disrespectful behaviour, unmotivated students and frustrated teachers". Additionally, these scholars maintain that a successful school climate "enables not only student learning and advanced academic achievement, but it also encourages the healthy social and emotional development of learners". Therefore, when students experience a positive school climate, "they are generally less at risk for anti-social behaviour and drug use and tend to have more positive life outcomes. A disrespectful, hurtful and threatening school climate can rob students of their spirit, their education, and their physical and mental health" (Preble & Gordon, 2011:11).

2.10.6 Discipline as a corrective measure

"Discipline should be thought of as a means of teaching learners to take positive charge of their lives" (Charles, 2007:15). This scholar further asserts that upright discipline has the ability to reveal to learners what they have done wrong, encourages them to accept ownership of the problem that has occurred, and teaches them ways to solve the problem while leaving their personal dignity intact. Ntuli (2012:26) asserts that the chief aim of discipline should be "constructive rather than destructive". The Department of Education (2000:24) asserts that the aim of discipline "should be educative and [should] nurture values of tolerance, respect and self-discipline in the learner rather than victimise, seek revenge or belittle him/her".

2.10.7 Discipline encourages compliance and cooperation

One of the major objectives of discipline is to permit learners to adhere to set rules and regulations and to work collaboratively with other educators and learners. Koenig (2008:5) thus argues that the purposes of discipline are to encourage a learner to:

- stop disruptive behaviours;

- adopt productive behaviours; and
- have a desire to cooperate.

The latter suggests that positive discipline will motivate learners to be cooperative and to obey policies.

2.11 Establishing Rules to Maintain Discipline among Learners

Rules to ensure discipline in schools are contained in "a code of conduct for learners which serves to inform them of the manner in which they should behave themselves at school in preparation for their conduct and safety in the society [in which] they live" (Chadsey & McVitties, 2006:8). According to Madlala (2003:18), these rules "set a standard of moral behaviour for learners and equip them with expertise, knowledge and skills [that] they would [sic] be expected to evince as worthy and responsible citizens".

2.11.1 How to set rules for learners

Seeman (2006:46) maintains that the rules of a school should outline the behaviour that is expected and project the standards of behaviour that should be demonstrated by learners. Squelch (2000:26) accentuates that a disciplinary policy for learners should be developed in the school community through agreement. According to Bray (2005:135), "the governing body of a school must consult with [the] learners, parents and educators of the school before adopting a code of conduct". Pentz (2010:68) propagates that the establishment of a code of conduct in which all stakeholders take part "is more likely to be more effective than one that was imposed on learners by the principal or the school governing body". Rossouw (2003:433) states that learner contribution at secondary school level in the formulation of a code of conduct illustrates the values of self-governing school processes. Weeks (2012:336) confirms that if learners are consulted in their own affairs, "they will be more willing to conform to decisions that are made in this regard".

2.11.2 Clearly articulated rules

The phrasing of discipline rules is of great significance. Bray (2005:135) states that rules in a school should be lawful and must be forthright, clear and unambiguous so that the learners who are expected to comply with these rules must gain a clear understanding of what is expected of

them. The subsequent points are guidelines which Pienaar (2003:266) considers for the formulation of discipline rules:

- Rules should be short, simply worded and to the point. An effective discipline rule is positive and to-the-point.
- Rules must be positively stated, for example, "raise your hand" and not negatively such as "do not shout out answers".
- Each rule must be clearly formulated and address a single issue.
- Discipline rules must be appropriate to the development level of the learners, for example rules that are applicable to grade 8 (13- to 14-year-old learners) will differ from those for grade 12 who are 17 years and old.
- No jargon, slang or abbreviations should be used in the formulation of rules.

2.11.3 Appropriate forms of punishment

Nxumalo (2013:37) argues that it is important that educators "select a form of punishment that fit [sic] the misdemeanour to avoid being accused of injustice". Jacobs and Gawe (2000:359) maintains that one of the key skills of exercising operative discipline is the teacher's capability to choose which form of punishment will be the best fitting in reducing a specific form of undesirable behaviour. Kern (2008:79) propagates that the function of punishment "is to correct a learner's wrongdoing and not to antagonise or humiliate the learner". Chadsey and McVittie (2006: 15) support this view, adding that "when punishment is necessary it must be meted out fairly and in proportion to the transgression for which it is given and must not been seen by learners as a display of power by an educator". Bottaro et al. (2006:45) state that choosing an appropriate punishment for learners "depends on the age and developmental level of the learner and works best when it is age-appropriate. For example, a young learner in the Foundation Phase may not understand a long lecture about the consequences of their actions but will respond to a firm 'No!' or removal from the situation".

2.11.4 The user-friendliness of rules

Nxumalo, (2013:38) states that it is essential for discipline rules to be easily accessible at any time. Such rules for the classroom, playground and school excursions "should be displayed in places

where learners can easily consult them so that they are aware of the kind of behaviour that is expected from them" (Marais & Meier, 2010:54). Nxumalo (2013:38) further maintains that rules should be placed all over the school buildings "on notice boards, in hallways, corridors, classrooms and in bathrooms and toilets". Pentz (2010:65) maintains that learners should read the disciplinary rules aloud on a daily basis, either at the assembly area or in the classroom during register period. Thus, these rules must be easily understood and be kept to a minimum.

2.11.5 Record keeping

Vogel (2004:13) argues that "when the behaviour of a learner threatens the health or safety of educators or other learners, causes the destruction of school property or the general disruption of good order, the school has the power to punish the learner". The South African Schools Act (South Africa, 1996c:16) covers all learner discipline procedures and it instructs that correct records must be kept of misbehaviours and disciplinary activities. Keeping a record of a learner's misbehaviours is necessary to keep track of a learner's history of wrongdoing (Masitsa, 2011:8). Schools are frequently doing an adequate job in reporting petty violations of the disciplinary rules such as "disrespect for authority, late coming, truancy and the like" (Mtsweni, 2008:34). In the more severe cases of discipline, a comprehensive record of a learner's misbehaviour might be required in cases of special hearings where witnesses and lawyers are present. Farrant (2001:266) stipulates that the purpose of recordkeeping "is to protect the learners from unreasonable punishment and to protect educators from exaggerated reports of punishment given. A well-kept record will provide information of the behaviour history of 'difficult' learners if needed".

2.11.6 Reviewing the rules

In a research study conducted by Pentz (2010:68) entitled '*Relating school codes of conduct to learner behaviour',* it was found that most of the learners and educators were uncertain about the way the code of conduct for learners in their school had been established because it had occurred before they came to the school. This fact accentuates the importance of frequently reviewing the content of a code of conduct. Seeman (2000:39) maintains that the review "should look at how the

particular aspects in the code are working and use the information to strengthen an aspect that is not functioning well". Pentz (2010:68) further argues that:

> "The review and revising of discipline rules must also be a participatory process, similar to the original drafting of a code of conduct in which all stakeholders of the school must be involved. A code of conduct for learners should be reviewed and revised periodically to ensure that the disciplinary rules are still relevant; that it is dealing with all the major issues confronting the school; and the contents is consistent with current legal principles and legislative amendments."

2.12 Ineffective Disciplinary Practices in Schools

Many school learners are not stereotypes as most people would imagine or label them to be. Also, some people are always on a constant lookout for loop-holes in disciplinary practices to prove that there is no discipline or that it is ineffective. Behaviours such as being late at the beginning of the day and after breaks, staying in the toilets or moving around in the classroom and outside can all be ascribed to ineffective disciplinary practices. Cotton (2001:1) highlights the following ineffective disciplinary practices:

- vague or unenforceable rules;
- educators who ignore misconduct;
- ambiguous or inconsistent educator responses to misbehaviour; and
- corporal punishment.

Corporal punishment in particular causes ineffective discipline as learners normally feel that they are not given the chance to express their concerns.

2.13 The Elements of Effective School Discipline

According to Nthebe (2006:45), school discipline encompasses two features: classroom discipline management and school-site discipline management. This scholar maintains that a combination of disciplinary measures applied at classroom level and on the school-site level are compulsory in reaching and achieving whole-school discipline. Moreover, Ntebe (2006:45) adds that this requires schools to consider whole-school discipline as being crucial to a safe and secure school which is

conducive to effective teaching and learning". Curwin and Mendler (1999) expound three dimensions of discipline:

- prevention, which relates to what can be done to prevent problems;
- action, which relates to what can be done when misbehaviour occurs and to solve the problem without making it worse; and
- resolution, which relates to what can be done for the 'out-of-control' learner.

Sheri (1998, cited in Ntebe, 2006:45) suggests six vital constituents of an effective discipline plan, which are the following:

2.13.1 Involving all stakeholders in the planning of a discipline system

To achieve success, the discipline plan must be designed by all those involved, namely parents, learners, teachers and community members. According to Ntebe (2006:45), "the plan should reflect a shared expectancy and an obligation to address real school discipline problems in real ways". White, Algozzine, Audette, Marr, and Ellis jr. (2001) confirm the later statement by stating: "It is indeed what SASA advocates. Therefore, the school discipline plan should outline the code of conduct that is expected as well as project values that should be exemplified by learners". According to Sheri (1998:41), the discipline plan should focus on establishing measures such as:

- learners' willingness to learn to resolve conflict in socially acceptable ways and without violence;
- no learner or outsider being permitted to intimidate or disrupt the work of others.

Sheri (1998:41) also emphasises the reality that "whatever its design, an effective discipline plan should inspire a climate in which all learners take responsibility for their own behaviour, treat each other with kindness and respect, and learn the value of productive work and good citizenship".

2.13.2 Identifying parents as the first link to prevention

With regard to the above, Sheri (1998:42, cited in Nthebe, 2010:45) propagates that parents who are involved in their children's daily school life "have a better understanding of what is acceptable and expected in the school climate". Thus, the first step is to include parents "in cooperative preschool education programs where parents learn good discipline first-hand from early childhood educators" (Sheri, 1998:42, cited in Nthebe, 2010:45). Approaches to involve parents should be dynamically explored and these could comprise such practices as:

- parent education that builds on parents' strengths and supports parents' efforts to understand what is normal in the development of their school-aged children;
- establishing a parent library at every school with comprehensive health education materials focused on prevention of intimidation, violence, and alcohol and other drug use;
- a policy requiring parents to attend school with their children as an alternative to suspension;
- a commitment from the community to support early childhood intervention, before and after-school care, and crime-prevention programs (Sheri, 1998:42, cited in Nthebe, 2010: 45):

2.13.3 Safeguarding access to quality professional development for educators and school managers

According to Nthebe (2010:45),

"All members of the teaching and administrative staff should have access to quality training that addresses learner risk behaviours and promotes prevention, and these opportunities should emphasise best practices in prevention, including attention to equity issues and how to access existing support services….Educators should be granted time to engross in conversations about approaches that work, with sufficient opportunity for peer coaching and refresher courses....This could be a direct answer to educators who feel intimidated by the so-called alternatives to corporal punishment."

2.13.4 Celebrating learners for their positive contributions to the school community

Sheri (1998:42, cited in Nthebe, 2010:45) advocates that "a strong and viable student recognition programme is essential to effect discipline and thus every opportunity should be taken to reinforce the positive factors that contribute to the learning environment such as acts of student kindness and respect which should then be visible on school bulletin boards, in classroom displays, in school newsletters, at assemblies and at year-end awards". Amid other practices similar to the ones mentioned, Sheri also proclaims that one promising practice in numerous schools is that positive behaviours displayed by learners are recorded in a portfolio which may comprise an indication of what the learner has done to advance the school climate through pointers such as good study habits, positive team spirit, contribution to a service or a learning project, or participating in building school pride.

2.13.5 Building consistency and teamwork

Nthebe (2006:46) argues that consistency is vital to the functioning of the school discipline programme and that staff and management teams should be expected to strengthen positive behaviour among all learners and to follow a shared discipline policy because "an undisciplined adult community cannot expect to transmit fair discipline to its learners". Therefore, consistency is most noticeable when the entire staff commits to the details as well as the design of such a plan. Consequently:

> "Learners want to know the restrictions enforced by adults in the school as they want to be sure they are safe so that when a learner's disruptive act requires intervention, the entire team of educators, support staff and parents or guardians should spend time clarifying the issues and looking for solutions to recurring problems" (Nthebe, 2006:46).

2.13.6 Ongoing and sustained monitoring and evaluation

Nthebe, (2006:46) postulates that approaches for decreasing school disturbance must be evaluated unceasingly for their influence on the school climate and the process needed to be comprehensive enough to answer questions such as:

- Is there evidence that discipline referrals are reduced when learners are provided support through general counselling and positive peer mentoring?

- When adult intervention is required, are the timing and consequences appropriate?

- Do learners maintain self-control when redirected?

- Do learners demonstrate understanding of the consequences?

- Have focus groups been conducted with at-risk learners to identify root causes of disruptive behaviour from the student perspective?

- Are educators following the school's expectations for learning and respect in every detail?

- Are all staff members held accountable for effective discipline through an evaluation process that holds them responsible for success?

- Are positive student behaviours reinforced appropriately?

- Have learners been asked for their input on ways to provide meaningful recognition?

- Can learners articulate what is required to be safe and successful at school?

- Are they displaying the desired behaviours and collecting evidence in student portfolios?

- Are parents and community members engaged in the discipline plan and actively promoting prevention in the school and community?

- Is information on the prevention of disruptive behaviour easily accessible by all members of the school community?

- Are prevention programmes, technical resources and support services used effectively to reduce risky behaviours?

- Are data collected and used continuously to improve the discipline programme and to revise with modifications?

- Is an annual evaluation conducted and reported to the public to identify strengths and root causes of weaknesses in the school discipline plan?

Nthebe (2006:46) postulates that answers to the above questions are "the most crucial component of an effective discipline management system in that it seeks to ensure that there is vigilance to what is done, its consequences and that corrective measures are taken".

2.14 Legislation that Mandates Discipline in South African Schools

In South Africa, the year 1994 introduced the final phase of the demise of the apartheid education system which mandated physical or corporal punishment. "It also marked the beginning of a democratic South Africa wherein the education system changed and corporal punishment as a form of discipline was outlawed" (Nthebe, 2006:11). The new Constitution of the Republic of South Africa that "recognises human rights and dignity was formulated and adopted in 1996" (Ntebe, 2006:11). Subsequent to the 1994 elections, South Africa became a signatory of the Convention on the Rights of the Child (CRC) (Porteus, Vally, & Ruth, 2001: l). This Convention pledges to adopt every fitting "legislative, administrative, social and educational" procedure "to protect the child from all forms of physical and mental violence, injury or abuse, neglect or negative treatment or exploitation, including sexual abuse" (Ntebe, 2006:11). In terms of school discipline, "this legislation and its subsequent policies affirm that school discipline should be administered in a manner consistent with the child's human dignity and conforms to the spirit of the convention" (Porteus et al., 2001: l). The Constitution and the South African Schools Act are possibly the most imperative fragments of legislation that regulate discipline issues in schools.

According to Ntuli (2006:28), South Africa has passed several laws "that pronounce corporal punishment's illegality". In light of the latter statement, one can argue that South Africa has conceded legislation which prohibits the use of corporal punishment. Joubert, de Waal and Rossouw (2005:210) further maintain that South African law has therefore created a new legal context and that "it is important for principals and educators to know the law relating to school discipline and punishment, and to be familiar with legal concepts, principles and procedures so that they can continue building and maintaining effective schools".

2.14.1 The Constitution of the Republic of South Africa Act No. 108 of 1996

The Constitution of South Africa is the supreme law of the Republic and therefore any law or conduct that is inconsistent with it is invalid, and the obligations imposed by it must be fulfilled (South Africa, 1996a). Squelch (2000:8) describes the Constitution as "the supreme law of the country and therefore all laws, including education legislation regulations and school policies, may not be against it". This Constitution was adopted as the supreme law of the Republic to:

- Heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights;

- lay the foundations for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by law;

- improve the quality of life of all citizens and free the potential of each person; and

- build a united and democratic South Africa that is able to take its rightful place as a sovereign state in the family of nations.

Section 12 of the Constitution (South Africa, 1996a) states: "Everyone has the right to freedom and security of the person which includes the right not to be treated or punished in a cruel, inhumane or degrading way". This implies that positive discipline, which is human rights-based, should be accentuated. Section 10 (South Africa, 1996a) also states: "Everyone has inherent dignity and the right to have their dignity respected and protected". The administration of corporal punishment by educators thus violates learners' constitutional rights, and section 28 provides that it is critical that every child is protected from maltreatment, neglect, abuse or degradation (South Africa, 1996a).

Chapter 2 section 10 of the Constitution focuses on the Bill of Rights, which affirms that "schools have to proactively strive towards the fulfilment of fundamental rights, including those of learners" (Rossouw, 2003:506). However, Kapueja (2014:48) states that although "each learner is the bearer of rights, [he/she] is also required to respect the rights of others". The Bill of Rights states the need to protect such rights in unambiguous and clear language. This section has direct significance to what happens in schools and inside classrooms. Therefore, although learner misbehaviour "can be gross, and at times affect the smooth running of schools and the safety of educators and learners", the disciplinary strategies that the school stakeholders and educators use to punish learners must not degrade the humanity and dignity of a child (Nene 2013:33).

2.14.2 The South African Schools Act No. 84 of 1996

The key role of the South African Schools Act No. 84 of 1996 (hereafter referred to as SASA) is to "transform education by creating and managing a national school system that will give everyone

an equal opportunity to develop his or her talents" (South Africa, 1996c). SASA maintains that discipline must be maintained in the school and classroom situation "so that the education of learner's flourishes without disruptive behaviour and offenses" (South Africa, 1996c:8).

Under the South African schools Act of 1996c, educators are mandated with the responsibility for maintaining discipline. However, section 84 of this Act prohibits the use of corporal punishment in schools (South Africa, 1996c), and thus educators need to develop strategies that understand and are aware of learners' rights. SASA also specifies regulations for safety measures at schools and firmly states that hazardous objects and drugs are prohibited on school premises. Collaboratively, the Constitution (South Africa, 1996a) and SASA (South Africa, 1996c) play a vital role in matters pertaining to discipline in public schools. Kapueja (2014:48) argues that "education has a legal foundation and this implies that educational processes and activities are governed by a complex system of legal norms, values and principles". The school principal, members of the governing body, educators, learners and other roleplayers in education must be acquainted with the legal requirements that dictate discipline in schools.

The school uses public power and executes public functions in terms of legislation. Schools are obligated to act in a lawful, rational and procedurally just manner. Section 15 of SASA regulates that "every public school is a 'juristic person' with the legal capacity to perform its functions in terms of the Act". The governing body is therefore the functionary of the public school which is the juristic person and 'organ of state' and, in its capacity as functionary, the governing body is bound by administrative law and constitutional principles". The proficient management of a school is the duty of the principal under the authority of the Provincial Departmental Head of Education. According to section 16(2), the relationship between the school and the governing body is therefore "one of trust'" (South Africa, 1996c).

The responsibilities of a governing body comprise "the promotion of the best interests of the school, the provision of quality education for learners, the support of the principal, educators and other staff of the school in the performance of their professional functions, and administration and control of the school's property" (South Africa, 1996c:20). The school governing body is authorised to uphold and impose school discipline. According to section 8 of SASA, a governing body of a public school must adopt a code of conduct for learners after consultation with learners,

parents and educators and all learners are compelled to adhere to the provisions of the code (South Africa, 1996c:8).

It is only a governing body that may advise the suspension of a learner who has been found guilty of serious misconduct after a fair hearing (Kapueja, 2014:50). A learner can be suspended for a maximum of one week (South Africa, 1996c:9). Section 8(5) of SASA "grants learners the right to due process (procedural fairness) when they are suspended or expelled from a school for misconduct". Kapueja (2014:50) states that in South Africa, "rules of natural justice are used and they are aimed at ensuring that administrative action is fair and just". Section 33 of the Constitution provides that everyone has a right to administrative action that is lawful, reasonable and procedurally fair (South Africa, 1996a). Section 9 of SASA affords learners the right to appeal, which should be provided for in a school's code of conduct and disciplinary procedures. According to section 10(1) of SASA: "No person may administer corporal punishment at a school to a learner", and "any person who contravenes subsection (1) is guilty of an offence and liable on conviction to a sentence which could be imposed for assault" (South Africa, 1996c).

2.14.3 International legislation on the Rights of the Child

There are also international laws that advocate the abolition of corporal punishment. South Africa has sanctioned a number of these and is legally bound to safeguard that these rights are protected and applied. These instruments are briefly discussed.

2.14.3.1 UN Convention on the Rights of the Child

According to the Department of Education (2000:5), South Africa is "a signatory to the Convention on the Rights of the Child, which compels it to pass laws and take social educational and administrative measures to protect the child from all physical and mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse". Article 19 of the Convention on the Rights of the Child (1990) therefore maintains that: "State 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".

2.14.3.2 The African Charter on the Rights and Welfare of the Child

Article 16 of the African Charter on the Rights and Welfare of the Child (1999) stipulates that:

> "State 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 child."

Article 11(5) correspondingly adds that member countries "must take steps to ensure that a child who is subjected to school or parental discipline shall be treated with humanity and respect for the inherent dignity of the child".

2.14.3.3 The National Education Policy Act of 1996

The National Education Policy Act (NEPA) (South Africa, 1996b), which is a South African legal instrument, aims to inscribe the law into policy, to monitor the responsibilities of the Minister of Education, and to formalise educational affairs between national and provincial authorities (Education in South Africa, 2001:8). "It established the Council of Education Ministers (CEM) and Heads of Education Department Committee (HEDCOM) as inter-governmental forums to work together in building the new system, and provides for the determination of national policies in general and further education and training for, among others, curriculum, assessment, language policy and quality assurance" (Education in South Africa, 2001:8). NEPA embodies the principle of co-operative governance as elaborated in Schedule Three of the Constitution. The National Education Policy Act No. 27 of 1996b:3 also stipulates that: "No person shall administer corporal punishment or subject a learner to psychological or physical abuse at any educational institution".

2.15 Human Rights and School Discipline

In South Africa, the Human Rights Commission (SAHRC) was established to support constitutional democracy (SAHRC, 2016). This Commission is devoted to ensure respect for the observance and protection of human rights for everyone without fear of favour (SAHRC, 2016).

The Human Rights Commission was inaugurated on 2 October 1995 and is delegated by the South African Constitution and Human Rights Commission Act of 1995 to monitor both pro-actively and by way of complaints presented before it, violations of human rights and to seek redress for such violations (SAHRC, 2016). The SAHRC also has an educational role to play.

The South African government has passed laws for equal education throughout the country. This legislation consists of the White Paper on Education and Training (1995) and the South African Schools Act of 1996. However, there have been issues with the implementation of the provisions contained in these Acts due to the fact that the South African government tends to focus mainly on the quality of higher education rather than on what occurs in schools (Calderhead, 2011). Furthermore, racial integration has been slow in many state schools (Calderhead, 2011) although laws allow for integration.

As was previously stated, Chapter 2 of the Constitution entrenches the Bill of Rights. The focus is on the protection of basic human rights and on the dire need to protect children against harsh and cruel treatment. Following are some of the provisions in the Bill of Rights that have a direct bearing on school discipline and punishment.

2.15.1 The right to human dignity (section 10)

The Bill of Rights propagates that "everyone has inherent dignity and the right to have their dignity respected and protected" (South Africa, 1996a, Chapter 2). However, one can argue that the way in which the right to dignity is entrenched in Chapter 2 of the Constitution is different from the protection of dignity in international instruments and foreign constitutions. This is because "dignity is explicitly protected by Article 1 of the Universal Declaration of Human Rights" (Grant, 2007:11) and by Article 5 of the African Charter on Human and People's Rights" (Grant, 2007:11). For example, constitutions of countries such as the US, Canada and India make no provision for the right to dignity at all. As an alternative, this right has come under protection in the rubrics of other specifically enumerated rights.

Section 84 of SASA (South Africa, 1996c) outlaws the use of corporal punishment in all South African schools. Nevertheless, this punitive method has persisted in most South African schools regardless of it being banned. With reference to section 10 of the Bill of Rights, one can argue that the use of corporal punishment violates the dignity of both the child and the educator who

administers the beating. The objective of corporal punishment is usually to penetrate the levels of tolerance to pain, and the expected results are usually fear, a terror of expectation before the whipping, and severe suffering which frequently induces involuntary screams during the infliction of punishment. Thus, one can also argue that there is no dignity in the act itself as the child must often struggle against him-/herself to maintain an appearance of dignified suffering or even unconcern. There is also no dignity in the educator who delivers the punishment. Therefore, one can conclude that this is a practice which debases all parties involved.

The chief aim of every school's code of conduct is to ensure that the rights of everyone in the school is protected and to promote respect for oneself and others. When administering punishment, care should be taken not to overstep this right. According to Joubert and Prinsloo (2008:108), "belittling, name-calling, using derogatory language and humiliating learners in front of their peers are examples of how a learner's right to dignity may be infringed, and such infringements should be avoided".

2.15.2 Freedom and security of the person (section 12)

According to section 12 of the Bill of Rights: "Everyone has the right to freedom and security of the person". Chapter 2 section 12 ensures "freedom from cruel, inhumane or degrading punishment" (South Africa, 1996a). Section 12 also ensures freedom from all forms of violence, irrespective of whether the violence arises from a public or private source. According to LeeFon, Jacobs, Roux and de Wet (2013), this provision is incomparable amongst human rights instruments.

One can thus argue that the continued use of corporal punishment violates the right not to be subjected to cruel, inhumane or degrading punishment on two primary grounds: (i) the failure of the educator to treat the child as a human being worthy of respect (Chaskalson, DATE, cited in Currie & Woolman, 1998:1); and (ii) the cruelty that inevitably flows from the interminable verbal abuse which the condemned learner faces while awaiting the infliction of the punishment, and often the form of the punishment. Kapueja (2014:51) concludes that in the school setting, punishment cannot be irrational, cruel or humiliating.

2.15.3 The right to privacy (section 14)

In South Africa, the right to privacy is protected by our Common Law and the Constitution (Bill of Rights, section 2). Section 14 of the South African Constitution, which protects the right to privacy, reads as follows: "Everyone has the right to privacy, which includes the right not to have:0 (a) their person or home searched; (b) their property searched; (c) their possessions seized; or (d) the privacy of their communication infringed" (South Africa, 1996a, Section 2).

The privacy of all individuals has to be respected. Van der Bank (2012:11) maintains that "the right to privacy is recognised by social scientists as an essential element for the privatisation of an individual's human dignity, including his physical, psychological and spiritual well-being". In general terms, privacy is defined as "an individual's condition of life characterised by exclusion from publicity" (Neethiling, Potgieter, & Visser, 2005). These scholars further maintain that "this right can never be absolute, even in a constitutional democracy" (p. 18).

The right to privacy is a fundamental principle that should be maintained and protected by the school's code of conduct. In some conditions, it might be essential to conduct searches, thus precise care must be taken to ensure that the search is rational, justifiable and conducted by appropriate persons in an appropriate manner. "Parents and learners should be informed of the school's procedures for conducting searches" (Kapueja, 2014:51).

2.15.4 Just administrative action (section 33)

All South African citizens have the right to administrative action that is lawful, reasonable and procedurally fair (Kapueja, 2014:51). Joubert and Squelch (2005:9) propagate that, "in the school context, administrative action includes daily functions performed by school officials during managing the school. For example, suspending a student for misconduct is an administrative act that may be performed by a governing body" (Joubert & Squelch, 2005: 9).

2.15.5 Right to an environment that is not harmful (section 24)

In section 24, a number of environmental rights are set out. This section states: "Everyone has the right to an environment that is not harmful to their health or well-being" (South Africa, 1996a, Section 24). It is against this background that Kapueja, (2014:51) states that "learners have the

right to an environment that is not harmful to their health or well-being". This places an obligation on educators to ensure the safety and well-being of learners.

2.15.6 The limitation clause (section 36)

All rights contained in the Bill of Rights are not complete and may be limited by means of a specific limitation clause. Individual rights are thus subjected to limitations as set out in particular sections, e.g., section 9 on equality. The South African Constitution also provides a general limitation clause in section 36 of the Bill of Rights, which states:

> "The rights in the Bill of Rights may be limited only in terms of law of general application to the extent that the limitation is reasonable and justifiable in an open and democratic society based on human dignity, equality and freedom; taking into consideration all the relevant factors" (South Africa, 1996a, Chapter 2 section 36).

Therefore, according to (Kapueja, 2014:52), "human rights and freedoms are not absolute and may therefore be limited because educators' and learners' rights to safety and security of the person must be respected and protected". For example, if there is real suspicion that a learner is carrying a gun, he or she may be searched.

2.16 Common Law

The most significant common law belief that controls an educator's actions is the rules of natural justice, which are now exemplified in section 33 of the Constitution. Kapueja (2014:52) states: "The rules of natural justice are usually applied in investigations where the rights, privileges and freedoms of individuals could be affected; for example, when a learner is suspended or expelled from school". Thus, anyone whose rights, freedoms and privileges are affected by the action of an administrator "must be given an opportunity to be heard on the matter". In simple terms, this implies that every learner has the right to be heard.

2.17 Disciplinary Approaches in South Africa: The Punitive and Normative Approaches

Theories that explain what factors influence children to behave in a particular way and global approaches to discipline stipulate that there are two idiosyncratic approaches which people use to discipline children. The first method is to use harsh physical or emotional actions and thus pain is

inflicted, and the second method entails guiding the child to learn things without using pain or fear. The first method is referred to as the punitive approach and the second, which necessitates continuous support, communication, and consultation is called the normative approach.

According to Davidoff and Lazarus (2002:3) …

> "The punitive approach is a kind of a disciplinary measure that is aimed at and concerned with inflicting punishment that mainly triggers pain. It focuses more on the systems world; that is, gives mandates, sets rules and discipline is monitored in terms of the extrinsic control; that is, the regulation of discipline is mainly external."

The child is continuously watched and controlled to see if he is behaving in an anticipated manner and, if she is not, punishment is meted out. Scholars such as Duhaime (2009:1), Finney (2002:2) and Kennedy (2010:1) argue that, "amongst other punitive measures, corporal punishment is the most prominent and it tends to worsen or sometimes even create the very problems it is intended to eradicate". Bedau (2010:1) accepts the fact that, "as soon as the punitive approach becomes chronic, it does not work [because] apart from mere indiscipline there are a whole host of reasons that can make learners misbehave". Lastly, Bedau (2010:1) provides the following possible root causes of misbehaviour: "Being intellectually slow and therefore falling behind in class, misbehaving to mask the shame, being too clever for what is being offered, and becoming bored, or misbehaviour could be learnt behaviour repertoires from their homes" (Bedau, 2010:1).

2.17.1 A conceptual framework of punitive and normative strategies

A novel approach to discipline (Table 2.3) is a conjectural framework that was theorised by Khewu (2012:46). It outlines the two approaches to discipline, namely the normative approach and the punitive approach.

2.17.1.1 The normative approach

This scholar argues that the normative approach focuses more on what is termed a 'lifeworld'. Sergiovanni (2000:15) defines 'lifeworld' as "a social, political, historical and cultural environment where human beings interpret, communicate and socially engage in multiple

communal spheres". Sergiovanni (2001) further annotates that a lifeworld involves [the] socializing [of] people in terms of their values, cultures and key beliefs. The important values are relationship building (cohesion), self-determination, self-regulation, intrinsic control and moral commitment (Khewu, 2012:46). This approach accentuates that the child must be led to become an individual that can make his or her own personal responsible decisions without being forced.

According to Khewu (2012:41), the Alternative to Corporal Punishment (ATCP) approach that was first introduced in South Africa in 2000 is thought to be one kind of normative disciplinary strategy. In the normative approach, learners who behave in positive and desirable ways are reinforced or acknowledged; this means they are encouraged to repeat the desired behaviour. The normative approach is proactive: 'bad' or undesirable behaviour is prohibited, and the educator cautiously and continuously observes the cycle of the bad behaviour. The educator recognises and classifies issues that prompt the bad behaviour so that it can be diverted in its early stages (Porteus et al., 2001:30; Ryan & Sheppard, 2008:3). Mkhize (2008:74) also supports the latter view by stating that "bad behaviour must be observed so that issues that trigger the bad behaviour can be identified, remedied or an appropriate tool be recommended if necessary".

2.17.1.2 The punitive approach

Studies have indicated a noteworthy and positive connection between the incidence of interpersonal violence experienced as a child and the endorsement of the use of interpersonal violence as an adult. A South African national household survey revealed that parents who supported corporal punishment "were more likely to experience higher levels of partner violence than parents who did not" (ATCP, 2001:7-8; Soneson & Smith, 2005:5). Porteus et al. (2001:14) support the latter statement by stating:

> "Because South Africa has a violent past, violence has reached the core of our society and there is a powerful cycle of young people moving from being 'victims' to being perpetrators; and ultimately children who are exposed to high levels of violence while they are growing up are more likely to use violence to solve problems when they are older."

Many researchers believe that corporal punishment does not advance students' academic performance but instead affects it negatively. A recent study that was conducted jointly by the HRW/ACLU (2010:5) in the US found that, if corporal punishment is frequently used:

"...schools perform worse academically than those in states where corporal punishment is prohibited, and at the same time the ten states with the longest histories of forbidding corporal punishment improved the most, with improvement rates three times higher than those states which reported frequent use of corporal punishment."

Du Preez et al. (2002:88) maintain that children who have been exposed to hitting, paddling or other harsh disciplinary practices have problems such as "frequent withdrawal from school activities, disengaging academically, a tendency for school avoidance and high drop-out, so children do not learn well when they are distracted by fear". Soneson and Smith (2005:22) further maintain that corporal punishment works in contradiction to the process of ethical development by teaching children not to participate in certain behaviours as they fear they will be beaten. It does not teach them to contemplate the reasons and ethics for not behaving in a particular way and frequently covers the origin of the problem, so this means that it is not normative and self-regulation is absent so children depend on policing and inspection for their progress. It is against this background that there is a critical need to eradicate corporal punishment in South African schools.

2.18 The Banning of Corporal Punishment

2.18.1 Amended laws

South Africa has a violent past that was embedded in apartheid policies. As a result, the use of corporal punishment in schools was perceived as a contributing factor to the culture of violence in schools, and therefore it was banned in 1996. According to Khewu (2012:52):

"Corporal punishment…has been historically associated with authoritarian and non-democratic societies in which citizens were not prepared for civic participation but rather for simple obedience to a central a1thority, and this system rests on the philosophy that most people in a society are not capable of critical thinking and self-discipline so they must be closely controlled or monitored by those in power through physical punishment."

According to Khewu (2012:52), the use of corporal punishment was directly associated with the conservation of unequal power relations as the majority of people were taught "to fear

disobedience rather than to think for themselves, and young people were raised to obey authority rather than to consider and take responsibility for 'good' and 'bad' behaviour themselves (Porteus et al., 2001:14)".

Therefore, as a step towards reducing violence in society, corporal punishment was prohibited in South African schools. This decision was informed by the Constitution of South Africa Act No. 108 of 1996, the South African Schools Act No. 84 of 1996, and the National Education Policy Act No. 27 of 1996.

However, even though the banning of corporal punishment was welcomed by activists, it also encountered opposition from those who felt that the abolishment was unwarranted as they felt that "corporal punishment cannot be deemed to be either right or wrong as it has its pros and cons" (Khewu, 2012:52).

2.18.2 Disputes and arguments for and against the use of corporal punishment
The fact that the use of corporal punishment in schools is still reported in the media and through anecdotal evidence in smaller communities demonstrates that there are individuals who still believe in its application as a means of punishment. The banning of corporal punishment is thus still widely questioned as, according to Porteus (2001:1):

> "There are on-going debates in the media, staffrooms, school governing body meetings and among academia that are emanating from the assertion that since the banning of corporal punishment, the power of teachers has been significantly diminished and there are no effective methods for maintaining discipline in schools."

2.18.2.1 Arguments in favour of corporal punishment
The arguments for corporal punishment emanate from two standpoints: first, from those who trust that corporal punishment is vindicated and must be restored; and from those who are of the view that it is immoral to view corporal punishment as not being useful at all. Benatar (1998, cited in Khewu, 2012:53) argues that even though he does not advocate the use of corporal punishment in schools, he believes that it is wrong to think that corporal punishment is completely unfitting and must be exclusively held liable for all the wrongs with regards to learners' poor discipline. He

further asserts that in some instances, corporal punishment can produce positive outcomes as far as the development of discipline is concerned.

Soneson and Smith (2005:22) state that there are petitioners who strongly believe that corporal punishment is an integral part of childhood and such advocates argue as follows:

> "Children learn from smacking and beating and if not smacked or beaten, the following values can't be acquired: respect for parents and teachers, sense of right and wrong, compliance to rules and hard work. Thus, without corporal punishment, children will be spoilt and undisciplined."

The argument that corporal punishment teaches learners that violence precipitates violence is refuted by Benatar (2009:11), as he claims that it is a suitable way to resolve differences and to resolve problems. Benatar (2009:11) queries the notion that "children are taught to be violent and that a significant number of people who commit crimes were physically punished as children". In disputing the subjectivity of the statement that "violence precipitates violence", he makes the following claim:

> "If we suggest that hitting a wrongdoer imparts the message that violence is a fitting means to resolve conflict, then surely we should be committed to saying that detaining a child or imprisoning a convict conveys the message that restricting liberty is an appropriate manner to deal with people who displease one, and we would also be required to concede that fining people conveys the message that forcing others to pay fines is an acceptable way to respond to those who act in a way that one does not like. If beatings send a message, why don't detentions, imprisonments, fines, and a multitude of other punishments convey equally undesirable messages?"

Because there are those learners who do not feel guilt or remorseful after being beaten by their educators, some critics feel that corporal punishment is an essential evil. Several educators assert that they profited from the beatings they received when they grew up. For example, the statement is often made: "I was hit as a child and it didn't do me any harm. On the contrary, I wouldn't be where I am today if it were not for my parents and teachers physically punishing me" (ATCP, 2001:7). A journalist who writes for a local newspaper also said: "I am a product of the system of corporal punishment at home and at school. I never felt that it was abuse and I think I performed

better at school because of it" (Fengu, 2011:10). According to Khewu, (2012:56) the previous citations illustrate that educators and other members of the public may believe they could not have become what they are if it weren't for physical punishment. This relates more to the punitive approach which accentuates policing and inspection. Advocates of the punitive approach thus argue that "being policed and inspected worked to their advantage" (Khewu, 2012:56).

Larzelere and Smith (2000:34) also believe that there is a place for corporal punishment in rearing children. They state:

> "...it would be naïve to say that it has no place in the maintenance of discipline because it can be used as a last resort for children who do not respond to other methods, it can facilitate learning and it may, in fact, be the only kind of treatment that will produce satisfactory behaviour in some instances; that is, corporal punishment can be a deterrent to discourage bad behaviour and encourage good work."

These scholars also believe that non-abusive spanking can play a role in the operative parental discipline of young children. According to Larzelere and Smith (2000:34), "spanking can have beneficial results when it is non-abusive (e.g., two swats to the buttocks with an open hand) and used primarily to back up milder disciplinary tactics with 2- to 6-year-olds by loving parents".

Williamson-Maloy (2010:14) similarly supports this viewpoint by maintaining the following:

> "A swat on the bottom to obtain the awareness of a child who is running toward the street unaware of the cars passing by, or on the hand of a child who is reaching toward the lighted burner on the stove may be considered an appropriate form of discipline in an effort to prevent injury and keep your child out of harm's way."

2.18.2.2 Arguments for/against corporal punishment – an ongoing debate

However, Davidoff and Lazarus (2002:3), Soneson and Smith (2005:3), and Vally (2004:6) refute the preceding arguments by maintaining that the use of corporal punishment is not vindicated as it is sometimes used habitually, irrationally and unethically and is repeatedly a channel for the repressed feelings of adults rather than an effort to educate children. Activists for the eradication

of corporal punishment argue that however real adults' problems may be, "venting them on children cannot be justifiable" (End Corporal Punishment, 2010:2).

Also arguing for the abolishment of corporal punishment, Andero and Stewart (2002:33) maintain that contributing aspects to indiscipline are regularly ignored, such as:

> "…hunger, thirst, lack of rest, stressful or abusive family situations, caring for a sick parent or taking care of siblings due to the HIV/AIDS pandemic, medical problems, bereavement, divorce, abuse, neglect, large classrooms, walking long distances to school, lack or absence of individual attention and lack of support services."

According to Khewu (2012:53), gangs and drug-related conflicts also intimidate the lives of both educators and learners and therefore, by "using a 'quick fix' such as corporal punishment, an adult might miss the opportunity to deal with the actual problem facing the child" (ECP, 2010:2). Additionally, Andero and Stewart (2002:33), support the latter statement in the following comment:

> "There is no clear evidence that corporal punishment leads to better control in the classroom, enhances moral character development in children, or increases the students' respect for teachers or other authority figures, because it does not instruct a child in correct behaviour and without the replacement behaviour being taught, there will be nothing to take the place of inappropriate behaviour."

Benatar (2009:11) does not reject corporal punishment outright as he maintains that there are too many differences in the world between "legitimate authorities − the judiciary, parents, or teachers using punitive powers responsibly to punish wrongdoing − and children or private citizens going around beating each other, locking each other up, and extracting financial tributes (such as lunch money)". This scholar thus propagates that there is an immense moral difference and that "there is no reason why children should not learn about it, and punishing them when they do wrong seem [sic] to be one important way of doing this". Moreover, he suggests that educators and parents misjudge the purpose of punishment and people's capability to understand it. However, he admits that those children who are beaten do commit violent acts against others, but puts forward an argument for this:

"It might not be that they got this message from the punishment, but that being subject to the wilful infliction of pain causes rage and this gets vented through acts of violence on others so there is insufficient evidence that the properly restricted use of corporal punishment causes increased violence" (Benatar, 2009:11).

Several critics proclaim that the banning of corporal punishment is not crucial or imperative. Soneson and Smith (2005:22) argue that even though corporal punishment may be immoral and unlawful, it is an unimportant issue compared to more imperative features of children's rights, "e.g., protecting children from HIV/AIDS, poverty and sexual abuse", and they query why corporal punishment is given overriding precedence over other 'critical' issues (Soneson & Smith, 2005:22). According to Khewu (2012: 55), critics maintain that "millions of children suffer from a lack of adequate food, shelter, medical care and education and are of the opinion that even those most concerned with children's rights may argue that corporal punishment is a relatively minor problem that should await better times".

The above argument is contested by Du Preez et al. (2002:88), who note that in 1992, a group of South African children assembled to formulate the Children's Charter of South Africa. The children proposed the following: "All children should have the right to freedom from corporal punishment at schools, from the police, in prisons and at the home". The view that the banning of corporal punishment is not a main urgency is also defied by other scholars and activists who contend that "human rights issues do not lend themselves to a sequential approach and pressure to end corporal punishment should be an integral part of advocacy for all children's rights" (ECP, 2010:3). Du Preez et al. (2002:88) further contest that while the banning of corporal punishment might not be of advantage or assistance to humanity, it is important that the individuals (children) who are directly exposed to the use of corporal punishment be given much attention. It might not be of high urgency to adults, but it is of high urgency to children as they are the ones who become victims of abuse. This scholar maintains that "refraining from hurting and humiliating children does not consume or distort the deployment of resources" (Du Preez et al., 2002:88).

To accentuate the urgency of banning corporal punishment, Straus (2001) states that children regard the eradication of corporal punishment as a topic of great significance. Advocates for

putting an end to corporal punishment believe that the understanding of a child's best interests must comprise the obligation to protect children from all forms of violence and "the requirement to give due weight to the child's views; it cannot be used to justify practices, including corporal punishment and other forms of cruel or degrading punishment, which conflict with the child's human dignity and right to physical integrity" (ECP, 2010:3).

At the time when the drafting of the Children's Bill was discussed, the South African Law Reform Commission (SALRC) entered into discussions with children. The children raised the subject of corporal punishment themselves without being coerced and stated that they preferred to be disciplined in a manner that does not include the infliction of physical violence.

However, Du Preez et al. (2002:88) and Porteus et al. (2001:10-11) support the abolishment of corporal punishment by asserting that there are numerous examples of people who were not beaten as children but who have become prosperous adults, and even more examples of people who were beaten but failed to achieve their potential in life. These scholars maintain that "adults usually hit children because they were hit as children; children learn from and identify with their parents and teachers but this doesn't justify the use of corporal punishment because the previous generation was acting in accordance with the general culture of the time; however, social attitudes change over time". Du Preez et al. (2002:88) and Porteus et al. (2001:10-11) further claim that corporal punishment does not halt indiscipline and undesirable behaviour, as the same learners are repeatedly beaten for the same offences. Also, corporal punishment doesn't impact on everyone in the same way, so it is unfair to assume that beatings can determine positive outcomes for all children.

Moreover, Porteus et al. (2001:16) contest the argument that a swat at the right time may be beneficial by maintaining that there is indication that corporal punishment is not used simply as a last alternative, but is meted out regularly and for the slightest of violations. They also accentuate the apprehension that if corporal punishment is viewed as a 'last resort', it can well lead learners to regarding other, more helpful and positive forms of discipline as insignificant and so reduce them to become unproductive. This view is again endorsed by Porteus et al. (2001), whose research

showed "that classrooms with the fewest behavioural problems are run by teachers who are committed to non-violent and child-centred approaches to classroom discipline".

Benatar (2009:16) confirms that there are instances of abuse and of abusive physical punishment, but argues that these are inadequate to establish a relationship between corporal punishment and abuse. Several studies have proposed that abusive parents use corporal punishment more than non-abusive parents, but other studies have indicated that this is not the case. A study that was conducted a year after corporal punishment by parents had been abolished in Sweden suggests that "Swedish parents were as prone to serious abuse of their children as were parents in the United States where corporal punishment was (and is) widespread, so these findings are far from decisive" (Khewu, 2012:57). The findings obtained from this study thus warn people against hurried conclusions about the abusive effects of corporal punishment, and Khewu (2012:57) states:

"The fact that there are some parents and teachers who inflict physical punishment in an abusive way does not entail the conclusion that corporal punishment should never be inflicted by anybody. If it did have this entailment, then, for example, the consumption of any alcohol by anybody prior to driving would have to be condemned on the grounds that some people cannot control how much alcohol they consume before driving. Just as governments prohibit the excessive but not the moderate use of alcohol prior to driving, so should governments condemn the abusive but not the non-abusive use of corporal punishment?"

The notion that, "because corporal punishment is a form of abuse it has numerous adverse psychological effects including depression, inhibition, rigidity, lowered self-esteem and heightened anxiety", is also questioned by Benatar (2009:9). Even though there is enough evidence that disproportionate and extreme infliction of corporal punishment can drastically increase the probabilities of such psychological harm, "most of the psychological data is [sic] woefully inadequate to the task of demonstrating that mild and infrequent corporal punishment has such consequences" (Benatar, 2009:9). This scholar is in contention with Straus (2001), whose research offers support for the opinion that even occasional non-injurious corporal punishment can heighten one's probabilities of being depressed. Straus (2001, cited in Khewu, 2012:58) postulates that

"parents who have been physically disciplined as adolescents are more likely to believe that it is acceptable to use violence to remedy misbehaviour and these parents tend to be depressed and to be involved in spousal violence".

Another belief that is strongly held by Straus (2001) is that when a parent reverts to physical punishment and the child does not obey, the parent then intensifies the harshness and brutality of the punishment, ultimately hurting the child. The activists against the use of corporal punishment support this view and note that actual discipline is not founded on force but develops from understanding, shared respect and leniency while corporal punishment does not communicate anything about how children are expected to behave. In fact, "hitting children is a lesson in bad behaviour as it teaches children that adults find it acceptable to use violence to sort out problems or conflicts" (ECP, 2010:3). This threatening approach is also refuted by Williamson-Maloy (2010:15), who notes that positive discipline comprises everything from establishing rules and expectations for your children to accentuating listening skills on both parents'/teachers'/the child's part, and selecting penalties that will offer teaching opportunities; thus threatening a child into submission does not work.

Benator (2009:9) additionally provides a reason for contesting Straus's arguments, as he maintains the following:

> "Straus's studies are not conclusive; that is, the main methodological problem is that the studies are not experiments but post facto investigations based on self-reports and Straus recognizes this but nevertheless thinks that the studies are compelling."

However, Khewu (2012:59) states that Benator's arguments are not resounding when examining the examples he provides to counter the influence of corporal punishment on children:

> "The examples he gives of prisoners and alcohol use while driving are a bit inappropriate in the sense that, firstly, the prisoners have committed an offence and they are in jail, a place where they are to suffer the consequences of their sins and be rehabilitated. In view of the previous statement, the fact that prisoners understand that in some instances they can find themselves being treated in inhumane ways can in a way prepare or affect the way

they perceive what is happening around them or the way they will be receiving their punishment, then the impact in comparison to learners may be different. Schools are institutions of learning where learners are expected to acquire skills, knowledge and values. It is expected of learners that in their learning they will make mistakes and therefore will need to be 'corrected'. Teachers are expected to be in loco parentis so being subjected to humiliation and pain is not what the learners expect so their reaction or acceptance and impact thereof will certainly differ from [those of] prisoners. Secondly, the issue of corporal punishment cannot be compared to drinking before driving. Corporal punishment is a human and children's rights issue: it is legally prohibited while drinking is not illegal, but there are limitations so when an adult decides to drink excessively before driving, it becomes a criminal offence. The adult has a choice in this situation but because the adults decide for them, the children do not have a choice or a voice in the issue of corporal punishment" (Khewu, 2012:59).

The relationship between parents and children in the home as well as the relationship between educators and learners in the school is also understood as a social problem that stresses the use of corporal punishment. Critics who contradict this argument stipulate that numerous parents in South Africa are raising their children in frantic circumstances and educators are under stress from congested classrooms and inadequate resources; that is, a variation of discipline associated influences are threatening the physical, emotional and intellectual well-being of teachers and are leading to discouragement and high dropout statistics among teachers. Therefore, forbidding the use of corporal punishment would enhance educators' stress levels, thus its ban should wait until these circumstances have improved (Soneson & Smith, 2005:22-23). However, the preceding argument is refuted by Hastings and Schwieso (1987:138). Admitting that there are challenges, Hastings and Schwieso (1987:138) argue that research has dependably indicated that corporal punishment infrequently encourages children to act inversely since it does not convey an understanding of what they should to do, nor does it give any sort of recompense for being good. The reality that parents and teachers frequently must repeat corporal punishment for the same undesirable behaviour by the same child affirms to its ineptitude. These scholars further propagate that, "in countries where corporal punishment has been eradicated through legal reform and appropriate public education, there is no evidence to show that disruption of schools or homes by

unruly children has increased, so the emphasis must be on teaching children to be self-disciplined" (Hastings & Schwieso, 1987:138). However, the latter proclamation that corporal punishment seldom encourages learners and fails to be a preventive measure because children become accustomed to it and do not fear it is challenged by Benatar (2009:5). This scholar argues that any punishment might have some preventive effect without being awfully effective and once this is known:

> "…the mere continued existence of wrongdoing does not demonstrate the failure of punishment as a deterrent, as many have thought. To know how effective punishment is one must know what the incidence of the wrongdoing would be if prior punishments for it had not been inflicted. To establish this, much more research needs to be done. However, there is already some evidence of the deterrent effect of corporal punishment at least with very young children. Such findings cannot be considered decisive, but neither can they be ignored…. Although we might assume a heightened incidence to advance the deterrent effect, there is good reason to think that the opposite might be true. The communicative purpose as well as the atmosphere surrounding a certain form of punishment might well be improved by inflicting it less frequently. If a parent of teacher uses physical punishment rarely, it can have more effect than if one inflicts it frequently and repeatedly."

However, Khewu (2012:59) postulates that "the special status accorded it by its rare use might well provide psychological reason to avoid it out of proportion to its actual severity", which is an argument that is critiqued by Benatar (1998:4), who states that it is "important for all disciplinary strategies to be regular and consistent to be effective, so the previous argument has a gap because it is unfair for that argument only to be used against corporal punishment whilst other disciplinary strategies are also not used consistently and regularly". Khewu (2012:61) agrees, stating that "corporal punishment is not the only disciplinary measure that is administered irregularly and inconsistently so it is not fair to argue solely against it as if other disciplinary measures are problem free".

Some advocates of corporal punishment argue that their religion requires that they use corporal punishment to discipline children who misbehave. While South Africa has diverse religious groups, Christians are the largest group. Kempen (2008:3) states:

"In 1995, Christian Education South Africa (CESA), an association representing 209 independent Christian schools around South Africa, mounted two unsuccessful court challenges to the Constitutional Court alleging that the South African Schools Act contravenes the Constitution by outlawing corporal punishment in independent schools and public schools and that teachers in these independent schools should be allowed to beat children if granted permission by parents. Some Christian parents argue that their religious freedom is being curbed because they are no longer allowed to discipline children with physical force."

The fact that some Christian educators challenged the banning of corporal punishment was tested in court in a case against an educator, Paul Rainers. Mr Rainers had been dismissed from F.J. Conradie Primary School in 2002 in De Doorns, Western Cape for beating an 11-year-old learner for not knowing her timetables. In 2005, an Equality Court judge rejected Mr Rainers's complaint that he believed as a Christian that he should be free to beat his pupils (IOL, 2005:1; Waterhouse, 2006:2).

Other critics such as Parker-Jenkins (2002:4) are in contradiction of the preceding argument and elucidate that the historical view of discipline as corporal punishment originates from the norms and values of the Victorian society where it was founded on the concept of teachers guiding children away from original sin (a state of being alienated from God), and she upholds that this interpretation is still frequently used in religious school settings to instil a specific value system and/or to validate corporal punishment. However, critics of this view postulate that "Christian National Education had the intention of producing passive citizens who would accept authority unquestioningly so teachers were encouraged to use a cane as a way of keeping control and dealing with wrongdoers" (ATCP, 2001:5). Kempen (2008:3) correspondingly argues as follows:

"People are entitled to freedom of religion only insofar as the practice of their religion does not break the law or infringe human rights…there is no compelling evidence which can justify corporal punishment nor has it been shown to be a significantly effective deterrent. Its effect is likely to be degrading rather than rehabilitative."

The activists against the use corporal punishment annotate that the use of corporal punishment is a predicament to children as "they carry their human dignity and physical integrity wherever they are and it should be respected in all settings. As children are also human, they must also be treated with respect, dignity and integrity" (ECP, 2010:1). Nevertheless, Nolan (2001) proposes that all the faiths must be combined in the curriculum to offer the opportunity for learners to explore the miscellany of religions and the morality and values that reinforce them. Nolan (2001) accentuates the significance of the introduction of religion in education from an early age into the curriculum to instil self-governing qualities and to reaffirm the principles of miscellany, open-mindedness, respect, fairness, sympathy and commitment in our learners. Waterhouse (2006:2) proposes "information-sharing sessions where religious groups would present teachings that promote the rights of children as opposed to those that infringe their rights". Waterhouse (2006:2) annotates that "it is critical for religious leaders be engaged as participants in advocacy strategies".

Many critics of the banning of corporal punishment believe that it is prejudiced against other cultures (Bower, 2008). Smith (2005:1) argues "that research studies have shown that 57% of parents are still using corporal punishment to discipline their children as they believe it is culturally acceptable; that is, it is part of the child-rearing tradition" (Smith, 2005:1). The struggle against the abolishment becomes and important issue when community members focus on their cultural right and not on the rights of children's. One example may be cited:

> "A submission by the Umtata Child Abuse Resource Centre to the Eastern Cape Provincial Committee on Social Development on the Children's Amendment Bill (No. 19 of 2006) which reported that as the Centre interacted with communities through their activities, there was a big challenge − that of changing people's attitudes towards corporal punishment. Some of the Centre's staff members were literally chased away at Mthentu in Mthatha by community members, including the chief, when they started talking about corporal punishment. The community has strong religious and cultural beliefs and argued that the practice made children respect adults and is a necessary part of bringing up children. They noted that they were also beaten as children and it never did them any harm" (Bower, 2008).

In this incident the traditional leaders "were believed to be trustees of culture and showing their dissatisfaction could be their way of protecting their culture and traditions" (Khewu, 2012:63).

Benatar (2009:15) postulates that from the viewpoint of public policy, banning corporal punishment establishes a solemn intrusion into the liberty and interests of those parents who judge the likelihood of corporal punishment to benefit their children. This scholar further maintains that such liberty interests would be discarded "if there were compelling evidence of the harmfulness of corporal punishment, but the inconclusive data we currently have provides [sic] no such grounds". Similarly, with religion associated encounters, Waterhouse (2006:2) advocates that "resistance to change based on cultural practice must be addressed by incorporating into the advocacy strategy positive principles in our cultures that respect the rights of children because obtaining and maintaining the support of respected traditional leaders is also seen as critical to the advocacy process". Thus, Waterhouse's (2006:2) argument implies that the participation of parents or community members was supposed to be part of the process where the matter of the banning of corporal punishment was deliberated. According to (Khewu, 2012:63), it also suggests that "there is no conclusive evidence that proves that corporal punishment is ineffective, so the fact that communities reject these programmes could mean that communities were not roped in when these deliberations were made."

The view that corporal punishment is a child rearing tradition is refuted by Soneson and Smith (2005:25). These scholars argue "that no culture can be said to 'own' corporal punishment and all societies have a responsibility to disown it, as they have disowned other breaches of human rights that were part of their traditions" (Soneson & Smith, 2005:25). The CRC sustains all children's rights to safeguard them from all forms of physical or mental violence without discrimination based on race, culture, tradition or religion. Critiques additionally maintain that in line with the Constitution, South Africa has banned the corporal punishment of children in all facets of public life and thus the Abolition of Corporal Punishment Act of 1996 was enacted. This Act revokes all constitutional provisions or legislation that sanctioned the imposition of corporal punishment by courts of law, including courts of traditional leaders. According to Khwewu (2012:64), "this means that a court of law or a court of traditional leaders cannot order corporal punishment of an adult or

a child as a form of sentencing and this prohibition is upheld within the judicial system; but it is not clear to what extent courts of traditional leaders are adhering to the law". Human Rights Watch (2004) also contests the belief that most parents are supportive of the use of corporal punishment in schools by noting that "some parents feel helpless and, for fear of being ostracized, they are left with the option of pulling their children out of school rather than subjecting them to an unsafe environment" (Human Rights Watch, 2004:3).

To comprehend the point of the exodus of traditionalists or parents, Khewu (2012:64) propagates the following:

> "It is imperative to note that given their traditional beliefs on how to bring up children, many traditionalists and parents feel threatened by any attempt that is meant to change the status quo. This is why any change in the law needs to be accompanied by public and parent education so that those who are expected to implement it can have the buy in of the community members and that they will promote positive, non-violent forms of discipline. Zulu, Xhosa and other African cultures seem to be replete with sayings which suggest that corporal punishment of children is not the preferred child-rearing practice and this is eminent when traditional Xhosa sayings like this are uttered: 'induku ayiwakhi umzi', meaning: 'you can't build a family by using a stick'."

Additionally, other critics uphold that if corporal punishment is administered in a measured way, it is not as immoral as it is presented. Individuals who are pro-corporal punishment contend that "there is a fundamental difference between a malicious beating and a reasonable smack by a teacher; a smack that is not dangerous and causes little pain. They argue that reasonable smacks cannot be called abuse" (Soneson & Smith, 2005:24). Specialists such as Larzelere and Smith (2000) are confident that non-abusive spanking can play a pivotal role in operative parental discipline of young children. According to Larzelere and Smith (2000:3), "spanking can have beneficial results when it is non-abusive (e.g., two swats to the buttocks with an open hand) and used primarily to back up milder disciplinary tactics with 2- to 6-year-olds by loving parents". However, Niewenhuis et al. (2007:220) and Betz (2005:1) uphold that the severity of corporal punishment can be misrepresented, because:

"…[it is] not always applied in the form of a few spanks on the hand or the buttocks–it seems that some teachers let their tempers get the better of them and they resort to more violent methods of punishment so 'minor' corporal punishment can cause unexpected injury because children are small and fragile and according to the large body of international research, ruptured eardrums, brain damage and injuries or death from falls are the recorded consequences of 'harmless smacks' and reports about these negative effects are escalating" (Niewenhuis et al., 2007:220).

Research studies have indicated that slight punishments in early stages of child development are so unproductive that they tend to intensify as the child grows older. The slight smack consequently becomes a spanking and then a beating because the only way to maintain the primary effect of spanking is to thoroughly increase the intensity with which it is delivered, and this can rapidly deteriorate into abuse. Parents who were sentenced for critically assaulting their children frequently elucidated that the ill-treatment of their child began as 'ordinary' corporal punishment.

Vally (2005:48) discloses that there are individuals who are worried that banning corporal punishment will just lead to children being treated in more horrifying ways, such as "emotional abuse, humiliation, degradation and even locking them up" (Vally, 2005:48). There are indications that some teachers have replaced physical punishment with emotional disgrace that involves the elimination of self-respect. This is not an active or fitting substitute to physical punishment and also causes damage to the child. Opponents against the conceivable abuse of learners as a result of the ban declare that the emphasis must change:

"The emphasis must not be on what can replace corporal punishment, but to see discipline as a positive and not punitive process and as part of the communicative relationship between adult and child. Children must be protected from all forms of punishment and humiliation and teachers need guidance on alternatives to such punishment. Good discipline − which must ultimately be self-discipline − depends on adults modelling and explaining positive behaviour, on having high expectations of children's willingness to behave appropriately, and having realistic expectations of their developmental ability.

Children who respond positively must be rewarded with praise, companionship and respect" (Khewu, 2012:66).

Oosthuisen (2003:466, in Mokhele, 2006:150-151) and Porteus et al. (2001:38 38) similarly accentuate that positive behaviour can only be attained if educators, parents and guardians can "model true discipleship for learners to emulate", because the significance of demonstrating good behaviour is entrenched in the simple detail that children learn from role-models around them.

In addition, Moswel (2007) has confidence that role modelling endorses commitment as well as competence among learners, which in turn will certainly validate the standards they are meant to uphold in the school setting. In such a sharing environment the principal, school management team and staff members will be positive and enthusiastic. Moreover, "schools must develop their behaviour codes and disciplinary systems in cooperation with students. The imposition of arbitrary, adult-designed rules and automatic sanctions will not encourage self-discipline" (Soneson & Smith, 2005:25).

However, Benatar (2009:13) does not believe that corporal punishment establishes degradation, as he maintains that "degradation involves a lowering of somebody's standing, where the relevant sense of standing has to do with how others regard one and how one regards oneself". This scholar further explains that "it's the interaction between the way we understand how others view us and the way that we view ourselves that produces feelings such as shame and thus one way in which one might be degraded is by being shamed" Benatar (2009:13). He continues:

> "The term 'degrade' is taken to have a normative content; in other words, whether it is taken to embody a judgment of wrongfulness and if it is not, then it will not be sufficient to show that corporal punishment is degrading. It will have to be shown that it is unacceptably so before it can be judged to be wrong on those grounds. If, by contrast, 'degrade' is taken to embody a judgment of wrongfulness, then a demonstration that corporal punishment is degrading will suffice to show that it is wrong. But then the argumentative work will have to be done to show that corporal punishment is degrading, because it will have to be proven that using it amounts to unacceptable lowering of somebody's standing" (Benatar, 2009:13).

Benatar (2009:6) annotates that there are additional forms of punishment that lower people's standing even more than corporal punishment, but hitherto they have not been subject to similar censure. He provides an example of severe invasion of privacy (such as strip-searches and ablution facilities that require relieving oneself in full view of others) as well as obligatory subservience to prison wardens, guards, and even to more powerful fellow inmates, and advocates that if corporal punishment is wrong because it encompasses violating the intimate region of a person's body, then the dangerous incursions of prison inmates' privacy, which seem worse, would also be wrong. This scholar agrees "that it is true that corporal punishment involves the application of direct and intense power to the body", but he doesn't see "how that constitutes a more severe lowering of somebody's standing than employing indirect and mild power in the course of a strip-search, for example" (Benatar, 2009:7). This scholar recognises the fact that prison incursions of privacy are imposed on adults while corporal punishment is inflicted on children; nonetheless, he "fails to see how that difference makes physical punishment of children worse" (Benatar, 2009:7). In the instance where young children are involved, it appears that the component of shame would be less than that of adults given that the dimensions for shame intensify between the time one is a toddler and the time one becomes an adult. Thus, he argues that "if we think that current practices in prison life are not wrong on grounds of degradation, then we cannot consistently say that all corporal punishment is wrong on these grounds" (Benatar, 2009:7).

Certain individuals feel that the banning of corporal punishment is autocratic. These detractors annotate that as much as South Africa is a democratic country, "there is no democratic support for ending corporal punishment because relevant stakeholders like teachers, parents and the larger communities were never consulted" (Soneson & Smith, 2005:26). However, the Child Rights Information Network (2005:1) argues that "if there were a poll on the issue, a huge majority would support retaining corporal punishment and, on the contrary, if children were allowed to vote on this issue, there would be a strong support for the prohibition of corporal punishment". This demonstrates that representative egalitarianisms are not run by popular votes. Khewu (2012:68) maintains that when elected politicians are drawing up new laws or a new constitution, "they may need to make a number of unpopular decisions based on human rights principles and informed arguments". Thus, "if voting was undertaken to solve this issue, there is certainty that one side was going to be compromised and the assumption is that that would be the side of children because they could be marginalized in terms of their age and lack of power to make decisions. The call for

democracy is made from an adult perspective and from a child's perspective it is intolerable" (Khewu, 2012:68).

The individuality of each child is also understood as a determinant factor of how each child may respond to being punished. "Defenders of corporal punishment suggest that children are different so some children are not even affected by corporal punishment; so the generalization that corporal punishment affects all children is wrong" (Soneson & Smith, 2005:25). Yet, those who advocate the ban recommend that "children's differences, their dependence, developmental state and fragility do not reduce their human rights or justify less protection from all forms of violence, including corporal punishment. There can be no distinction between those who can stand it and those who can't − corporal punishment must be banned for every child" (Soneson & Smith, 2005:25).

While the arguments are chiefly advocating for diverse approaches to advance learners' discipline, it is evident that all of them have the same goal in mind, which is to "inculcate the following values in learners: responsibility, respect and accountability" (Soneson & Smith, 2005:25). There are conflicting views on how the above stated values can be transferred, as some believe that "values like respect, responsibility and accountability are inherent and cannot be taught using extrinsic or punitive approaches, whilst others believe that corporal punishment is an effective tool to transfer these values" (Khewu, 2012: 69).

2.19 Corporal Punishment: Trends and Contradictions

Numerous research studies have noted that there are extraordinary inclinations with regards to the way corporal punishment is used as a disciplinary strategy and list student demographic features such as ethnic groups, age, race, socio-economic status and the degree of deprivation of the communities where learners live (e.g., townships, informal settlements, etc.) (Harber, 2001:70; Kivulu & Wandai, 2009:3). Some trends are briefly discussed below.

2.19.1 Attitude towards corporal punishment in the provinces of South Africa

The findings of a study that was conducted between 2003 and 2006 showed noteworthy differences in attitude towards the many disciplinary methods that were applied in the provinces. Apart from the perceptive or discussion method, the research study also indicated the participants' individual support for various other disciplinary methods. However, aroud 60% of the participants in the Western Cape, Eastern Cape, Free State and Northern Cape still supported the use of corporal punishment (Kivulu & Wandai, 2009:3).

2.19.2 Race

According to Kivulu and Wandai (2009:3), disciplinary methods also differ by race, as their study found that Whites (72%) and Coloureds (62%) had a tendency to give more support to measures that cause pain and uneasiness than Indian (35%) and Black (48%) participants. A recent survey of 750 school students in KwaZulu-Natal found some thought-provoking inconsistencies. Amongst African students who attended township schools, there was strong support for corporal punishment. However, "at the same time the majority of the very same students whose public discourse supported corporal punishment said that they felt anger, hurt and sadness and being wronged in relation to corporal punishment, and they felt almost the opposite positive feelings about consultative mechanisms of discipline in relation to discussing problems with the teachers in class" (Harber, 2001:70).

2.19.3 Socio economic background

According to Soneson and Smith (2005:4), people living in poverty, irrespective of their ethnic background, are generally perceived to use corporal punishment. The findings of their study revealed that numerous boys and girls of all ages in South Africa were subjected to corporal punishment in their homes and at school; however, children from the highest income settings and children from Indian communities reported virtually no instances of corporal punishment. "Most children were beaten with a belt but children from low income environments were exposed to the most severe forms of corporal punishment in the home and at school" (Soneson & Smith 2005:4). The study found a general, but no definite, pattern of corporal punishment being more frequently experienced by children in rural than in urban areas. Schools in high income communities generally did not appear to exercise the use of corporal punishment but used alternative, non-

violent forms of discipline. Comparable findings were recorded by Harber (2001), who found that violent crime was prevalent in South African schools in underprivileged areas where serious gang-related crime was rife.

2.19.4 Gender

Research studies have reported that women mostly administer corporal punishment because it is generally women who are mandated to educate young children. Jacklin (2009:2) also investigated the abolishment of corporal punishment in primary schools and found that it was common that male teachers were mostly in leadership positions or teaching in secondary schools whilst female teachers were mainly found in primary school where very few were in leadership positions because women are perceived to be better nurturers". Jansen (2011:22) correspondingly reports that female educators select primary schools as it is perceived that there are fewer problems with discipline. Overall, boys reported being exposed to corporal punishment to a larger degree than girls and, as girls grew older, they received corporal punishment less frequently. "Girls from low income environments seem to be exposed to humiliating and degrading forms of punishment to a larger extent than boys [particularly] to control the perceived sexual activities of teenage girls" (Drum Magazine, 7 April 2011:22). There were also very few cases in a study where children, specifically boys, articulated acceptance of corporal punishment and they could suggest no substitute for this form of punishment (Farrell, 2010:1).

2.19.5 Age

 Possibly because of their higher literacy proficiency or exposure to programmes associated with discipline, not many younger parents administrated corporal punishment when compared to those who were older. This finding can be regarded as a promising indication of a change in attitudes and practices (Gershoff, 2002:540).

2.19.6 Stress

Dawes (2005:19) argues that it is pivotal to highlight that in the study that looked at children from dissimilar income groups in South Africa, there were influences other than income that stimulated the use of corporal punishment. For example, the use of corporal punishment was induced by stress

that was probably related to relationship problems, because learners, who are the closest point of interaction with educators, "are always the victims when teachers need to vent their anger".

However, the findings of the above study suggest that corporal punishment is largely prevalent in areas that have socio-economic challenges (such as low income earners, rural areas) and this argument appears to support the view that schools from the historically underprivileged areas are those that are chiefly using corporal punishment. This could be occurring as a result of a number of factors, e.g., "lack of knowledge, strong cultural beliefs, or stress emanating from the problems teachers face each day" (Khewu, 2012:69). The reality that there are learners who are in favour of the use of corporal punishment is in conflict with what is described by Du Preez et al. (2002:35), who state that "children prefer to be disciplined in a non-violent manner and have the right to freedom from corporal punishment at schools, from the police and in prisons and at the home". These differing views might be stemming from a lack of knowledge in terms of children's rights and an acceptance that, if it is culturally based, then it is acceptable. It may also be that the children told the researchers what they supposed the researchers wanted to hear.

2.20 Alternatives to Corporal Punishment: The Normative Approach

2.20.1 Definition of the Alternatives to Corporal Punishment (ATCP) approach

Regarding the South African school framework, an ATCP is a disciplinary strategy that is aimed at replacing corporal punishment and it involves a setting of cooperative communication in which the educator exhibits an attitude of respect for the students. It accentuates positive educational interactions between educators and students and there are no pointless, argumentative, win-lose contests. The issue of children's rights within the context of disciplinary measures "was found to be one critical issue in the dispensation of modern education in South Africa" (Chisholm, 2007:11). The set disciplinary practices are "verbal warnings, detention, demerits, community work and small menial tasks (physical work) like tidying up the classroom" (ATCP, 2001:1). The Constitution of the Republic of South Africa (1996a) and the South African Schools Act (1996c) stipulate that teachers are expected to discontinue the use of corporal punishment or other approaches grounded on humiliation and disrespect, and the ATCP approach is aimed at ensuring that punishment and discipline are not confused and that "disciplinary actions are positive and

constructive to allow learners to experience an educative and remedial kind of education in which they will learn to exercise self-control, respect and accountability" (Kempen, 2008:3; Porteus et al., 2001:27).

2.20.2 Background to the Alternatives to Corporal Punishment approach

Subsequent to the banning of corporal punishment in 1996, the Minister of Education, Professor Kadar Asmal, introduced a guideline for the implementation of the ATCP in 2000 (Mkhize, 2008:47). In the introductory section of the ATCP guidelines, it is stated that the intentions of the ATCP are led by the belief that this approach necessitates the provision of information and applied notions on how to build respect and discipline in the classroom; that is, to discontinue and illegalise physical and psychological abuse of learners (Porteus et al., 2001).

According to Khewu, (2012:72) the introduction of the ATCP "was informed or guided by South Africa's commitment to international and local legislation and policies". The international laws that are referred to are:

- The Convention on the Rights of the Child, which was signed on 20 November 1989 and which sets out the civil, political, economic, social and cultural rights of children;
- the SADC Commitments on the Prevention and Eradication of Violence to Women and Children, which ensures a positive learning experience for boys and girls in schools; and
- The African Charter on the Rights and Welfare of the Child, which recognises the significance of human rights and proclaims and agrees that everyone is entitled to all the rights and freedoms as recognised and guaranteed, without any distinction in terms of race, ethnic group, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status (ATCP, 2001:5).

The local legislations are:

- The Freedom Charter, which is a Constitutional guideline for a liberated and democratic South Africa;
- The South African Constitution Act No. 108 of 1996, which states that everyone has the right not to be treated or punished in a cruel, inhumane or degrading way;

- The National Education Policy Act of 1996, which states that no person shall administer corporal punishment or subject a student to psychological or physical abuse at any educational institution;

- The South African Schools Act No. 84 of 1996, which notes that no person may administer corporal punishment at a school to a learner and anyone who contravenes this Act is guilty of an offence and liable on conviction to a sentence which could be imposed for assault; and

- The Abolition of Corporal Punishment Act No. 33 of 1997, which repealed all legislations that authorised the imposition of corporal punishment by courts, including courts convened by traditional leaders (ATCP, 2001:5).

The Bill of Rights, which is entrenched in the Constitution, is also a foundation of democracy that protects the rights of all people in South Africa and sustains the democratic values of human dignity, equality and freedom (Khewu, 2012:72). According the latter scholar, the Bill of Rights is founded on human rights principles and states:

> "…that children must be protected from maltreatment, neglect, abuse or degradation; not be required or permitted to perform work or provide services that are inappropriate for a person of that child's age; and must not place at risk the child's well-being, education, physical or mental health or spiritual, moral or social development."

It is against this background that the ATCP was identified as a fitting approach to disciplining learners in schools (South Africa, 1996c). Gordon and Browne (2004:275, 283) have confidence that the ATCP must be practical and context driven and the point of exodus should always be the improvement of developmentally fitting guidance and curriculum material. It was also highlighted that the ATCP approach must be used together with the code of conduct and the rules and policies of schools (Mkhize, 2008:48).

The Department of Education (2001:25-27) correspondingly recommends that the ATCP is required to take into consideration the level of the misconduct and each level must be managed by "giving an appropriate disciplinary measure by an appropriate person. The following are the levels, the person to administer the disciplinary measure and the recommended disciplinary measures" (DoE, 2001:25-27):

- **Level one** (inside the classroom) – late-coming, non-attendance of classes, failure to finish homework (what are the causes), failure to respond to reasonable instructions (what are the causes) and being dishonest with minor consequences (Khewu, 2012:76).

The recommended disciplinary measures are: "warning, community service, demerits, additional work and detention" (DoE, 2001: 25-27). It is suggested that these measures must be administered by the class teacher.

- **Level two** (breaking school rules) – frequently repeating level 1 misconduct and not responding to disciplinary measures, smoking or carrying tobacco, leaving school without permission, using abusive language, interrupting education in the classroom, showing disrespect to another person, minor vandalism such as graffiti and being dishonest with more serious consequences (Khewu, 2012: 76).

The recommended disciplinary measures are: "talk to the learner, talks with parents or guardians, written warnings and daily reports made by the learner and signed by the teacher. These measures can be administered by a senior official like the Head of Department in a school" (DoE, 2001:25-27).

- **Level three** (serious violation of school codes) – repeating level 2 misconducts, where action taken by the school authorities is considered ineffective, inflicting minor injuries on other people, gambling, severely disrupting classes, forging documents or signatures with minor consequences, using racist, sexist or other discriminatory behaviour, possessing pornographic, racist or sexist materials, possessing dangerous weapons, theft, vandalism, cheating during exams, etc. (Khewu, 2012:76).

The recommended disciplinary measure for this level is as follows: "Disciplinary action carried out by the principal or referred to outside for counselling. Disciplinary measures could be a written warning of the possibility of suspension from the school, referral to a counsellor and community service" (DoE, 2001:25-27).

- **Level four** (various serious misconduct or violations of school codes) – repeating level three where disciplinary action has been ineffective, threatening another person with a dangerous weapon, causing intentional limited injury to another person, verbally

threatening another person's safety, engaging in sexual abuse, selling drugs, possessing or using alcohol and drugs or being drunk, disrupting the entire school, etc. (Khewu, 2012:76)

The recommended disciplinary measure for this level is as follows: "Disciplinary action carried out by the principal or the school governing body (SGB) together with the provincial education department (PED). Disciplinary measures could be referral of the learner to an outside counsellor and limited suspension from all school activities by the PED" (DoE, 2001:25-27).

- **Level five** (criminal acts which will not only violate school codes, but also break the law) - repetition of level four acts, assault, intentionally using a dangerous weapon, sexual harassment, sexual abuse and rape, robbery, major theft, breaking and entering locked premises, murder. Sexual abuse also includes sexual deviant behaviour; that is, a condition in which sexual instincts are expressed in ways that are socially prohibited or unacceptable or are biologically undesirable such as the use of non-human objects for arousal, sexual activity with another person that involves humiliation and suffering, or being involved in sexual activities with a non-consenting partner (Ryan & Emmers-Sommer, 2001:1).

The recommended disciplinary measure for this level is as follows: "Disciplinary action carried out by the principal and the SGB together with the PED. The disciplinary measure can be expulsion and the transfer of the learner by the PED. Criminal or civil prosecutions may follow, given that the misconduct is of a criminal nature" (DoE, 2001:25-27).

Maphosa and Shumba (2010:9) raise some concerns regarding suspension and expulsion which are disciplinary measures that are recommended for Levels 4 and 5 offences. They query whether "the suspension and expulsion of learners from school really serve the desired purpose of curbing learner indiscipline" (Maphosa & Shumba, 2010:9). After the efficiency of suspension and expulsion as disciplinary dimensions were investigated by the American Psychological Association Zero Tolerance Task Force, it was revealed that "school suspension, in general, appears to predict higher future rates of misbehaviour and suspension among those learners who are suspended" (Skiba & Edl, 2004:5). In the long run, suspension and expulsion are abstemiously linked with a higher probability of school dropout and failure to graduate (Smit, 2010:52).

When observing the number of the laws and policies that are used to regulate and safeguard that corporal punishment is never used as a disciplinary approach in South Africa, "it is clear that the South African government has done much to ensure that legally the ban is watertight, but it becomes a [matter of] great concern when it is reported that the use of corporal punishment still exists" (Khewu, 2012:76). This scholar further maintains that it is necessary to examine the stability of and the correlation between the legislation and other programmes aimed at ensuring that corporal punishment is no longer used in schools; e.g., "knowledge about existing laws and policies, practical skills on the implementation of these laws and policies, the availability of resources, and consultations with all relevant stakeholders with relation to the ATCP as a recommended strategy" are required (Khewu, 2012:76).

The Global Initiative on Corporal Punishment of Children (2000:1) states that there are several explanations for the failure to effectively implement the ATCP approach and that learners, parents, teachers and the DoE are to blame. The reasons are explained below:

- Learners: have a lack of understanding of the need for and the value of good conduct and education, a lack of respect for and interest in education, and indulge in absenteeism, poor performance and drug abuse.
- Parents: neither encourage children to go to school nor support them with their studies; are not involved in school activities.
- Teachers: lack of consistency in handling cases; lack of communication with learners with relation to ATCP and the code of conduct.
- The DoE: lack of clarity with relation to the teacher's role, lack of effective communication with parents and communities about ATCP; and the complex ways in which the ATCP is presented or communicated (GIECPC, 2001:1).

Advocates for the eradication of corporal punishment further emphasise that the continuous use of corporal punishment is a result of lack of knowledge about positive disciplinary methods and children's rights (Global Initiative to end corporal punishment.org 2010:3).

Mabasa, who is an educational specialist from the University of Limpopo in South Africa, warns that the ATCP will fail as they address the indicators instead of the root causes of learner misbehaviour (Gumede 2011:10). Even though some of these causes as identified by The Global Initiative on Corporal Punishment of Children (2000:1) are directly related to the ATCP and the

application of this approach, there are issues that do not clearly stipulate how they can be connected to the unsuccessful implementation of the ATCP approach. Khewu (2012:76) argues this point as follows:

> "There seems to be no link between some of the problems mentioned by the report (The Global Initiative to Corporal Punishment of Children, 2000:1) as impediments to the implementation of the ATCP as no further clarity is given on each cause identified; e.g., if learners' poor performance is not a punishable act, then it becomes unclear why it is blamed as a cause for ineffective implementation, unless the teachers would be saying that the learners' performance is so bad in so [many subjects] that they dedicate all their time in supporting the learners to improve their performance so they do not have time to administer the tool. Absenteeism, drug abuse and parents not encouraging children to go to school and to study are also not problems that can necessarily impede the ATCP implementation, because by their very nature they are problems that necessitate a different type of intervention and not the ATCP. [Therefore], unless teachers are saying, 'We do recommend certain disciplinary tools, e.g., community work, but instead of the learners doing what they are assigned to do, they stay at home and bunk school', then this means teachers do try to implement the ATCP but the learners' reactions are leading to its downfall."

The Global Initiative to the Corporal Punishment of Children (2000:1) enumerates several reasons for the failure of the ATCP; nonetheless, there are still other opinions enquiring about the nature and the implementation processes of the ATCP.

2.20.3 Strains and inconsistencies regarding the nature and the implementation of the ATCP

A research study that was conducted by Maphosa and Shumba (2010:24) indicates that, while the ATCP may consider human and children's rights, at the same time "there is still an outcry about the non-improvement of discipline in schools, and this could mean that the instrument has its own kind of challenges as far as the impact on learners' behaviour is concerned". In a review of the implementation processes, Soneson and Smith (2005:4) declare that:

> "The prohibition to administer corporal punishment on learners is well-known within the school system, as the South African government has taken a number of measures to implement programmes in support of the ban of corporal punishment; e.g., staff members

have been appointed at national and provincial DBE levels to ensure adherence to the prohibition within the educational system, a manual for teachers on the ATCP was published and distributed widely together with a guide for facilitators and, lastly, a training programme was initiated."

Soneson and Smith's (2005:4) claim on the availability of effective implementation programmes is challenged by Senosi (2006:1), who annotates that the application of the policy banning the use of corporal punishment has been disillusiona thus it is ineffective for several reasons:

"Lack of understanding of the policy, resource constraints, beliefs and attitudes (including parent, teacher and district officials' attitudes), class sizes and the lack of alternatives perceived, or found to be adequate, and this implies that even if certain tasks were undertaken to popularize or capacitate teachers on the ATCP, there are still a number of challenges impeding the envisaged successful implementation of the ATCP."

Findings by Maphosa and Shumba (2010:24) showed that educators proposed that alternative approaches to corporal punishment were not very operative in reducing learner disorderliness in schools as they were just impractical and time consuming. Yet, Belvel and Jordan (2002) accentuate that there is still a growing need for educators to be mindful of effective alternative measures and to embrace them.

If the preceding argument were true, then Maphosa and Shumba's (2010:24) concern, as annotated above, might be an answer to the question, '*Why is corporal punishment still reportedly used in South African schools*?' It also means that educators have defensible reasons "not to implement, partially implement or wrongly implement the ATCP because they do not understand the policy, they have no resources, community beliefs and attitudes are against the ban, and classes are too big" (Khewu, 2012:69). When equating the nature and the implementation of the ATCP to the Bill of Rights and the theoretical philosophies that are meant to direct the implementation of the ATCP (such as the discontinuation of strategies based on humiliation and disrespect, a proactive approach to discipline, the focus on constructivism and an educative, corrective approach that inculcates values like self-control, respect and accountability), there are two concerns that can be identified. First, it is argued that there is conflict with regards to the described lack of discussion and the continuous use of humiliating and degrading disciplinary measures, and these might be originating

from the absence of an understanding of how the Alternatives to Corporal Punishment is meant to be administered. For example, in some schools learners are denied food when they sit detention. Secondly, when critically looking at the Alternatives to Corporal Punishment, it is important to note that a link or a similarity can be identified in terms of the effect of both corporal punishment and the Alternatives to Corporal Punishment on the learner.

According to Khewu (2012:79), "theoretically, the Alternatives to Corporal Punishment sounds very 'normative' in the sense that it seems to be emphasizing 'pain-free' strategies that are aimed at ensuring that learners become self-reliant, responsible and accountable, and thus need no coercion or policing". Soneson and Smith (2005:24) annotate that, on a closer observation, the Alternatives to Corporal Punishment appears to have characteristics that, just like corporal punishment, "may expose learners to injustices such as psychological trauma, verbal abuse, ridicule and isolation".

Mkhize (2008:74) propagates that the "comparison of the Alternatives to Corporal Punishment to normative strategies is arguable because, for a strategy to be normative, the life cycle of the causes of the bad behaviour must be observed so that issues that trigger the bad behaviour can be identified, remedied or an appropriate tool can be recommended if necessary". The suggested Alternatives to Corporal Punishment approaches are silent about the identification of the root causes of, or rather the connecting of the causes with, a fitting disciplinary system. No indication or a clear recommendation is provided "for learners who might be presenting these kinds of problems [to say] that the following disciplinary tools are ideal because, whilst they are administered, they will rehabilitate or correct the behaviour" (Khewu, 2012:79). Hence, it occurs often in schools that the endorsed disciplinary tool does not make any impact on learners' behaviour because it could happen that the learner does not even regard the tool as a warning but something that he/she enjoys; e.g., most learners seem to be enjoying detention (detention is regarded to be normative), as Orange (2002:14) annotates that "they do not engage in any meaningful work and can socialize".

With regards to the application of alternatives to corporal punishment, although literature supports some, it correspondingly counsels against others that can produce unplanned results. An example of this would be those alternatives that can arouse hatred or cause poor or bad teacher-pupil relationships in the classroom or schooling environment. Thus, "some alternatives to corporal

punishment…should be applied with caution" (Tungata, 2006:82). Out of apprehension for the probable wrong implementation of the Alternatives to Corporal Punishment, Mabusela (2005:2) accentuate the need to:

> "…think about what the Alternatives to Corporal Punishment is and what it may do to children, as some teachers might resort to other damaging practices that might not be physical, but still harm children emotionally or psychologically, e.g., the violence of the tongue."

From a critical analysis of the levels of sanctions that are proposed by the Alternatives to Corporal Punishment, the verbal warning approach is discussed below.

2.20.3.1 Verbal warning

In every educational system, a verbal warning or 'getting told off' is perhaps the most shared sanction for inappropriate behaviour. "This is typically done by the class teacher on the spot, but a more serious and formal reprimand might be given in the school office by the school principal" (Porteus et al., 2001:102). Soaness and Stevenson (2006:1628) describe a 'warning' as "a statement that warns or serves as a cautionary example or advice before one is approaching danger, and danger is defined as 'the chance of risk or harm, injury, evil or loss'" (Soaness & Stevenson, 2006:363). Khewu (2012:79) argues that "if 'warning' is linked to 'danger'…it implies a verbal warning [that engenders] an element of fear and this is in conflict with the definition of a normative approach". The Alternatives to Corporal Punishment principles stipulate that the disciplinary tools must not instil fear and anxiety but engender an inherent control that emanates from the fact that the learner can make choices grounded on her rationalizations that they are good and not because of fear or intimidation. Good behaviour that emanates from fear of being punished means that a child is simply avoiding punishment and is not happy about her choice.

Secondly, Senosi (2006:1) states that teachers have a lack of understanding of the policy and their beliefs and attitudes play an influential role in the unproductive implementation of the Alternatives to Corporal Punishment; therefore, it is critical to note that some educators may not know how to appropriately administer a verbal warning. When making observations of the way 'warning' is defined, the danger of it being misunderstood and thus leading to it being applied incorrectly is very high.

The reality exists that teachers use verbal warnings in a very wrong way as they cannot distinguish between a warning and an insult and this frequently results in verbal abuse (Kelly, 2010:1). Farrell (2010:2) instructs that verbal admonishments should highlight the unwanted behaviour and not insult the child's character. If used regularly and extensively, verbal warnings lose their efficacy and become reinforcers of unwanted behaviour, and frequent and indiscriminate use of verbal warnings can intensify the likelihood of them being turned into verbal abuse. Anderson (2006:1) elucidates verbal abuse as having the following features:

> "…a repeated pattern of inappropriate, derogatory or threatening speech containing words like 'always' or 'never'; giving someone a verbal put-down while maintaining a facade of friendliness; blaming and shaming; ridiculing and teasing; yelling; negative prediction; negative comparison; scape-goating; cursing and swearing; and name calling".

Brendgen, Wanner and Vitaro (2006:1) annotate that a massive majority of children (85%) are in danger of becoming the target of verbal abuse by educators. Tabane, a journalist for the *Mail and Guardian*, correspondingly wrote an article entitled *"What are we teaching our children?"* in which it was stated that his child once reported that a teacher had called a fellow learner a "gemors" (rubbish) after the learner had defaced the teacher's car" (Tabane, 2011:42).

Brendgen et al. (2006:1) contemplate verbal abuse as "a fragment of the comprehensive concept of psychological abuse or maltreatment against children", and argue that educators "serve not only as teachers but also as significant socializing agents who satisfy basic socio-emotional needs of the learners such as belongingness and esteem related needs". If verbal warning has a likelihood of exposing learners to psychological abuse, the disciplinary tool conflicts with the ATCP belief, which is to criminalize the physical and psychological abuse of learners (Porteus et al., 2001).

2.20.3.2 Detention

Joubert (2006:127) elucidates that detention can take the form of "isolation during class, during break or after school and in extreme cases attending school on a non-school day, e.g. Saturday detention". Additionally, Soaness and Stevenson (2006:390) describe detention as "being kept at school after hours or being prohibited to go to break, but the challenge is whether detention is able to change the learner's behaviour". Hastings and Schwieso (1987:154) recommend that the goal of detention is to eliminate the learner from a place where she might be disruptive, e.g. "attention,

peer group status or avoidance of work, but teachers must avoid removing a learner to a situation where alternative reinforcers are available". Williamson-Maloy (2010:13) is certain that "prohibition can teach responsibility and accountability". He correspondingly believes that teaching children accountability is essential to their growth and development. It is essential as it "affects how they deal with people of authority, relate to their siblings and associate with peers. Without these fundamentals, children may transition into adulthood without understanding that they, too, must be accountable for their actions" (Williamson-Maloy, 2010:2).

McIntyre (2005) annotates that detention is one of the most shared punishments in schools in the United States, Britain, Ireland, Singapore, Canada, and other countries. Niewenhuis et al. (2007:39) remark that, during detention: "Students normally have to sit in a classroom and do work, write lines or a punishment essay, stand in the corner and face the wall, or sit quietly". Occasionally, "students are required to participate in a work detail, doing various tasks such as picking up trash, mopping floors, or cleaning" (Niewenhuis et al, 2007:39). Explanations for a detention are characteristically comparatively negligible commotion and many schools "first give detention at break or at lunch and then, if a student misbehaves again, an after-school or weekend detention may be given" (Niewenhuis et al., 2007:39). Throughout detention learners may be supervised by educators during their non-teaching periods. Williamson-Maloy (2010:9) further notes:

> "A child must understand why she is being sent to 'time out' for it to be operative as a form of discipline and she must also be taught how time out works. It must be elucidated why she is being placed in time out and exactly what she is to do while in time out. This is essential for the time out to be meaningful to the child. Merely shouting, 'Go to time out' will not get the point across and discourage her from repeating certain unwanted behaviours."

Joubert (2006:127) counsels that legal implications must be considered in situations where "underage learners will be forced to walk home because, due to detention, they have missed the school bus". A common challenge some schools in South Africa face is that they are understaffed and do not have adequate working space, thus it would not be possible to have a detention room or teachers to supervise the learners and some do not have additional transport for detained learners. In this context, the Bill of Rights states that children must be protected from maltreatment, neglect, abuse or degradation (South Africa, 1996a:6), thus ordering learners off the school

premises [and] letting them stand outside the school premises unsupervised "constitute maltreatment, neglect and abuse" (Joubert, 2006:127). It is also unclear whether educators "just sit and supervise the learners or if they discuss problems with the learners because it must be noted that some learners can learn things on their own but some need to be guided" (Joubert, 2006:127).

According to School Discipline (2008:1), detention is also not positively received by learners. Many learners interpret detention as a punishment and this is comprehensible if one contemplates that each child is unique; thus their insight or receptiveness towards being kept in isolation, confinement or custody because of their actions can never be the same.

> "To some learners, detention could be interpreted as punishment as it entails taking away their freedom and can result in a learner being emotionally affected and may indirectly send a message that people who commit offences deserve to be ostracized; so the possibility of emotional pain in this instance is not minimized or eliminated" (School Discipline, 2008:1).

The following are recommended by Joubert (2006:127) when learners are detained:

> "Detention should not be too long (45–60 minutes); parents should be given at least three days' warning that a child has detention; parents must know exactly when their children will be leaving school; and consideration must be given to the availability of transport and the distance students have to travel home."

However, it is also imperative to note that because of the changing conditions of and situations at schools in South Africa, some of the recommendations are not practicable. Kempen (2008:3) has confidence that "alternative forms of discipline…require creativity, commitment, time and resources". In the absence of these qualities and "as an easy way out of the problem, some teachers send learners to go and stand outside or go to the library" (Kempen, 2008:3). When standing outside the classroom or being alone in a room unsupervised, children can resort to other negative reinforcers that could result in a child committing more offences instead of reforming.

Soneson and Smith (2005:27) argue that "sending a learner outside to stand in the sun for hours, or forcing a child to sit or stand in degrading or uncomfortable positions is equal to undermining the child's self-esteem and is as damaging as different forms of corporal punishment". The reality

that these practices are not as physical as corporal punishment and are more problematic to identify does not make it any lesser or better than corporal punishment.

In this context, Benatar (2009:17) counsels as follows:

> "Responsibilities that come with detention even cause some parents to call for the non-use of detention in schools and thus other people argue that one advantage that corporal punishment has over other forms of punishment is that it punishes only the guilty because it is claimed that by detaining a learner, the school also punishes his family because the parents have to fetch the detained child at a later time. If the parent has more than one child at the school, then detention for one of the children can result in two separate trips to the school. The parent must also organize alternative transport for the child or wait for the child, things that wouldn't have been in the parents' plan."

The above-mentioned consequences seem unfair to some parents because it is not only the guilty child that suffers. A journalist working for *City Press* emphasises the success of corporal punishment over detention by making the following remark: "My experience of caning, or rather the idea of being caned, is that it instilled in us a sense of order and authority in a way that detention simply could not" (Beeld 2011:10).

2.20.3.3 Demerits

A guideline from the Department of Education outlines how the ATCP is expected to be administered in schools and uses the word 'demerit' for the point system. A demerit is a "mark deducted or awarded against learners for bad work or behaviour or something that deserves blame, fault or offence" (Soaness & Stevenson, 2006:380). The latter definition provides a sense that the demerit system is reactive, meaning that "taking away a mark after an offence has been committed connotes that it is meant to police wrong doing and then punish it" [the behaviour] (Soaness & Stevenson, 2006:380). To de-stigmatise the point system, Porteus et al. (2001:33) choose to call this disciplinary tool 'merit passes' or 'a merit system of awards' instead of demerits as they believe that, because troublesome learners earn demerits, those who behave well should earn merits instead. They also accentuate that while educators know that they are expected to give learners merits and demerits, "all teachers are aware that the ratio of the merits must be more than the demerits to show that the tool is mainly developmental and encouraging discipline rather than

punishing [learners]" (Porteus et al., 2001:33). Joubert (2006:129) chooses to call the disciplinary measure the "merits-demerits system". Porteus et al. (2001:33) further note that "merit marks can be given for good marks, high levels of participation in class, attendance and punctuality and the effectiveness of the merit depends on the consistency of the application and it incorporates democratic pupil involvement".

Hastings et al. (1987:139) argue that "if sanctions are only imposed when pupils behave unacceptably [then] giving no rewards for acceptable and improved behaviour is punitive, because it means the focus is on punishing rather than developing a learner to grow to be a responsible citizen". Joubert (2006:129) stresses a concern about the problem of resources because some schools have reported "the unavailability of people to manage the tool, time constraints for teachers to implement or manage the tool, and a lack of [teachers' capacity to know] how to implement the tool". All the above-mentioned resources are vital because if they are not in place, then it means the tool will not be effective. Mwamwenda (2004:141) argues that "merits imply that the only reason the child would ever do good is to be rewarded with adult approval". This scholar further argues that he does not believe that "children have to do good in order to receive something back, but [it should rather occur] as a result of a growing understanding of how their behaviour contributes to the development of a safer and more caring sense of community". For children to comprehend the tool, Mwamwenda (2004:141) proposes that "children must be led to understand that doing something right merely in order to receive approval of others is not a sound basis for moral decision making, and for them to be able to understand this they must be exposed to an intensive discussion of the disciplinary tools and be guided to be reasoning problem solvers" (Mwamwenda, 2004:141).

2.20.3.4 Community work

According to Khewu (2012:86), "doing community work is one of disciplinary measures used to reprimand children for an offence….". Joubert (2006:129) outlines the activities that learners can undertake to perform community work: "cleaning classrooms and toilets; cleaning a park; collecting items for charity such as clothes, food, or furniture; cleaning roadside verges; helping the elderly in nursing homes; helping the local fire or police service; helping out at a local library or tutoring children with learning disabilities". Additionally, Joubert (2006:129) advocates that

community work is particularly beneficial to learners who lack responsibility and consideration for others.

Benatar (2009:9) states that numerous educators are "worried that assigning extra work or requiring community service ought not to be used as punishments because work and community service are seen by teachers as being good in themselves". This scholar further maintains:

> "If a child does not want to perform these activities, requiring her to do so would be to inflict a hardship on her. One would thus be reinforcing the child's resistance to these practices and not only would the child continue to dislike working or helping in the community, but she would come to associate these activities with punishment."

An additional criticism is that Joubert (2006:129) does not state whether, while doing community work, there will be on-going counselling or mentoring for the child who lacks accountability or is selfish. If the on-going counselling or mentoring is missing, the child will not be able to comprehend the profound purpose of the disciplinary measure. Aziz (2010:2) contends that "if a learner is forced to do community work, the resulting negative feeling is usually reflected in her facial expression, attitude, character or body language and this may disappoint the organization which looks forward to the student's help". However, a matter that the above-mentioned authors have not addressed is this: While using community work as a disciplinary measure, who is to be held liable should something go wrong while the learner is carrying out her assignments? For example, when an injury is sustained by the learners or by another person while she is performing a task, who is liable? According to Khewu (2012:87), "parents know that, according to the South African Schools Act, if a learner gets injured inside the school premises the parent will carry the responsibility". This scholar also wants to know who is to be entrusted with the responsibility of supervising the child whilst she is doing community work. Will a teacher be on site to supervise the learner? If that is not the case and the child gets into some sort of trouble or mischief, who is going to be accountable?

2.20.3.5 Performing menial tasks (physical work)

According to the guideline document on ATCP (2001:25), "learners are supposed to perform menial tasks, which are tasks that are basic and not degrading or lowly. However, there is evidence that "some teachers are giving learners tasks that constitute child labour because they are not

activities to be performed by children". Christie (2001:7) claims that "some educators together with principals punish learners for misdemeanours by instructing them to clean the toilets during teaching and learning time. This practice not only exposes children to health dangers, "but it also violates children's right to learn". A recent incident occurred in KwaZulu-Natal in which the DBE ordered an investigation after parents had protested about their children being made to clean toilets as a form of punishment. According to Khewu (2012:89), one of the parents suggested better and more encouraging ways to discipline children as he believed that "there are other ways of teaching them rather than humiliating them." However, the school's management team failed to pursue any of his suggestions. Another parent also revealed that" learners had been ordered to spend Friday afternoons sweeping or polishing floors or cleaning windows" (Leverton 2010:3).

Soneson and Smith (2005:20) insist that non-corporal forms of punishment such as making children do heavy physical labour also constitutes corporal punishment. Even though it is said that the ATCP is aimed at redressing the injustices of the past, it is also evident that the nature of the disciplinary measures and practices is punitive in the sense that "learners are still exposed to maltreatment, neglect, abuse or degradation" regardless of the fact that such measures are illegal according to Chapter 2 of the Constitution of South Africa and the Bill of Rights (Khewu, 2012: 89). If children are obligated to do or provide services that are not age-appropriate or that put their safety, education, physical or mental health, and their spiritual, moral or social development at risk, such services are equivalent to the violation of the children's rights.

Chauke (2009) also voices the concern that educators do not have a good comprehension of what physical work may reasonably be expected when learners are disciplined. Chauke (2009:63) cites that teachers themselves argued that there should be limitations; for example, one stated that inappropriate "manual work is against the law and learners are not labourers", yet another educator stated: "We detain learners; we give them extra work and subject them to cleaning of toilets".

It is imperative to note that giving learners small menial tasks appears to be making provision for minor offences only and does not give direction for the eradication of some offences that are predominant in certain areas of the country. For example, Khewu (2012:89) states the following:

> "There is no advice given on what is supposed to be done in the interim, which is, in the process awaiting the DoE ruling for the serious offences referred to them, because issues

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of expulsions can only be approved by the Head of Department. Another example related to the absence of strategies for area specific challenges is that the Eastern Cape Province has a problem related to learners coming from initiation schools. This has an adverse effect on school discipline due to all forms of indiscipline like long periods of absence from school and their demand for respect from other learners and teachers. These learners believe that as they are initiated by men, they cannot be ordered by 'junior' members of their communities; that is, women who in most cases [are] the majority of the teachers and those men who have not been to initiation schools. The ATCP is quiet about ways to handle area specific cultural issues so it becomes critical to note that when formulating the guidelines that are to be used in a country like South Africa, issues of diversity and the dynamics of each area need to be considered."

2.21 Factors that Contribute towards Disciplinary Problems in South African Schools

There are numerous reasons for the lack of discipline in schools (Ndamani, 2008:177). Some of these reasons are discussed below.

2.21.1 Insufficient training on alternative methods of discipline

In 1996, legislation that outlawed the use of corporal punishment was passed and it applies to all South African schools (Department of Education, 2000:5). Educators are therefore required to look for alternative methods to manage and maintain discipline in schools. The manual that is entitled '*Alternatives to Corporal Punishment'* was issued in 2000. This manual is intended as a guideline for educators on alternative methods of discipline as the Department of Education has to ensure that educators are informed of alternatives to corporal punishment. Le Roux (2005:7) maintains that the government should play a more practical role in establishing information sessions for educators and principals on alternative forms of discipline.

However, research studies have indicated that there has been insufficient training of educators and principals regarding this matter. It may thus be argued that educators have not been prepared for the implementation of alternative methods to corporal punishment after its abolition. According to Le Roux (2005:7), "one of the main contributing factors towards disciplinary problems in schools

is that educators were not equipped with alternative methods to corporal punishment even after 1996 when corporal punishment in schools was abolished". Azmi (2006:1) also maintains that "not enough has been done to train educators in alternative methods of discipline…". Soneson (2005:19) also confirms that many educators have not been reached by training sessions on alternatives to corporal punishment and that they are not equipped with skills to manage discipline in the classroom through non-violent means.

Schools thus experience increasing incidences of ill-discipline and doubt pertaining to which disciplinary measures to use to maintain discipline (Masitsa, 2008:236). Because discipline is the foundation of care and respect for others and the self, teachers who manage discipline in classroom should avoid all forms of punishment that are harmful to learners' self-esteem. This suggests that physical punishment as well as emotional criticism has no place in the classroom (Mokhele, 2006:150).

2.21.2 Poor educator-learner relationships

A sound and positive relationship between educators and learners seems to be an essential feature in the management of discipline in public high schools (Mokhele, 2006:148). Positive educator-learner relationships have the likelihood of producing an environment that is conducive to learning and will determine whether a learner benefits from the teaching-learning situation or not (Mokhele, 2006:149). According to Ntuli (2012:36), a positive relationship between educators and learners is important for effective teaching and learning, whereas poor relationships between educators and learners will lead to an increase in disciplinary problems which, in turn, will impact negatively on learner performance. Educators need to understand that learners are unique beings with various abilities, skills, behavioural problems and backgrounds. Thus educators should treat them respectfully to create sound relationships that are built on mutual trust (Ntuli, 2012:36).

Mtsweni (2008:35) suggests that, in the classroom situation, "there must be a positive rapport between educators and learners so that effective teaching and learning can take place". This scholar further stipulates that "educator-learner relationships should be characterized by caring; and a positive school climate should manifest listening, critical questioning, openness and a feeling of being cared for". The latter statement suggests that a positive teacher-learner relationship will

result in improved behaviour, self-confidence, reduction of absenteeism, reduced dropout rates and good performance.

2.21.3 Lack of parental involvement

Koenig (2008:2) postulates that the lack of parental involvement and support in schools is the key reason why learners misbehave. However, Ndamani (2008:177) argues that "parents become reluctant to participate in the education of their children [and that] parents have a tendency of shifting their role of instilling good morals in their children to the educators and this causes problems for the educators as they need parental support in dealing with disciplinary problems". Additionally, Singh, Mbokodi and Msila (2004:301) assert that "parents who play little or no role in their children's homework and study programme contribute to the poor performance of their children in the classroom". Lemmer and van Wyk (2004:184) confirm that if schools truthfully want parents to be partners in education, they must grant parents sufficient opportunity to voice their thoughts, concerns and views in a co-equal relationship with educators.

2.21.4 Poor communication between the school and home

According to Ntebe (2012:37), schools are obligated to communicate frequently with parents about the school programme, developments, the curriculum, as well as learners' progress and development. Schools exercise various approaches to communicate with parents; for example, "through media such as letters, phone calls, e-mails, messages via cell-phones and meetings" (Ntebe, 2012:37). From time to time, some of these methods appear to be unproductive, depending on the nature of the community in which the school is situated. There are numerous occasions where chools can exchange information with parents such as "day-to-day formal contacts; brochures of the school's policies and procedures; formal meetings aimed at solving problems or routinely reviewing learners' progress; newsletters; and bulletin boards" (Porter, 2004:288). According to Lemmer and van Wyk (2004:183), "home-school communication is one of the most traditional and vital forms of parental involvement, but it is often poorly implemented. For instance, in a situation where a learner has committed a misdemeanour, the school might resort to using a letter as a source of communication". However, a learner who has misbehaved is required to deliver the letter to his/her parents, and therefore an estimated 50% of the letters do not reach their intended destinations and communication breakdown occurs. Ndamani (2008:188) specifies

that communication breakdown between the school and the home is one of the most predominant contributing factors to the lack of discipline in schools.

Lemmer and van Wyk (2004:183) state that, according to Epstein's model of parent involvement, "home-school communication should be a two-way communication that reflects a co-equal partnership between families and schools". To encourage effective communication with families, "schools should design a variety of school-to-home as well as home-to-school communication strategies with all families…about school programmes and about learners' progress" (Hanhan, 1998:107, as cited in Lemmer & Van Wyk, 2004:183). It is suggested by Dreikurs, Cassel and Ferguson (2004:57) that "educators and parents can help the child by their cooperation and mutual understanding".

2.21.5 Poor parent-child relationships

According to Ndamani (2008:188), most individuals agree that poor relationships between parents and their children contribute to a lack of discipline in schools. The following are contributing factors to poor parent-child relationships:

- Rejection of children by their parents can lead to a lack of discipline in secondary schools (Ndamani, 2008:186).
- Parents fail to exercise control over their children (Ndamani, 2008:187).
- Lack of moral training and poor modelling are some of the factors that contribute to lack of discipline in schools (Rosen, 2005:24).
- Domestic violence affects the children emotionally, socially, physically and behaviourally (Szyndrowski, 2005:10, as cited in Mabitla, 2006:18). According to Mabitla (2006:18), parents' behaviour may teach children some values, morals, problem-solving techniques and pro-social behaviour. So, if parents intervene ineffectively in the lives of their children, they may inspire them negatively as children model what they observe daily.

2.22   The Effects of Corporal Punishment on Children

Sonke Gender Justice (2006:1) notes that "there is a substantial body of research showing the negative effects of corporal punishment on children, with an increasing focus on the negative consequences of the so-called 'little smacks'." A study by Gershoff (2002) emphasises the various harmful consequences of corporal punishment and suggests that corporal punishment has only one positive outcome, which is the short-term benefit of immediate compliance. According to Durrant and Ensom (2012:11), an increasing body of research findings show that corporal punishment "has a variety of adverse neurological, physical, behavioural, cognitive, emotional and social development outcomes". The following are some of the effects of corporal punishment on children:

2.22.1 Physical consequences

Sonke Gender Justice (2006:1) propagates that severe physical consequences of corporal punishment can include "broken bones, internal injuries, cuts and burns and, in the worst cases, …death". Shukla and Singh (2013: 59) maintain that the "physical punishment of children is potentially harmful to their long-term development", whereas Gershoff (2008) argues that physical punishment "is connected with escalations in delinquency, antisocial behaviour and aggression in children, and declines in the quality of the parent-child relationship, children's mental health, and children's capacity to internalise socially acceptable behaviour". The latter scholar further propagates that those adults who were exposed to physical punishment as children are more likely to abuse their own child, spouse or students and to display criminal behaviour.

2.22.2 Mental health consequences

Poole et al. (1991:7) argue that corporal punishment results in:
> "…adverse physical, psychological and educational outcomes, including increased aggressive and destructive behaviour, increased disruptive classroom behaviour, vandalism, poor school achievement, poor attention span, increased dropout rates, school avoidance and school phobia, low self-esteem, anxiety, somatic complaints, depression, suicide and retaliation against teachers".

The use of corporal punishment affects children more deeply than the temporary pain they experience (Shukla & Singh, 2013:59). These scholars further maintain that severe psychological and emotional complications have been found to arise in children who have been the target of corporal punishment and that these affects can influence their lives well into adulthood. Gershoff (2002) revealed the following:

> "A positive association has been found between the use of corporal punishment (CP) and psychological distress, specifically depressive symptoms. Students who witness or are victims of CP in school are at risk of developing a range of psychosocial problems, including depression, suicidal ideation and anxiety."

Corporal punishment is a risk factor for the future development of antisocial and violent behaviour (Straus & Mouradian, 1998). Straus (1991) also states that the continued use of corporal punishment is likely to increase the probability of deviant and antisocial behaviours such as aggression, adolescent delinquency, and violent acts inside and outside the school. UNICEF (2007:8) further maintains that corporal punishment "causes psychological damages that are reflected obviously on a child's self-esteem and self-confidence and having other negative long-term personality effects". A study conducted by Griffin, Robinson and Carpenter (2000:5) found that "the negative side effects of punishment include running away; [playing] truant; fearing teachers or school; feeling high levels of anxiety, helplessness and humiliation; and being aggressive or destructive at home and school".

2.22.3 Educational consequences

Shukla and Singh (2013: 59) propagate that "the use of corporal punishment in schools has been shown to be associated with damaging physical and psychological outcomes that can affect some children for the remainder of their lives". The latter view is supported by Dupper and Dingus (2008:13) who maintain that [the] emotional trauma caused by corporal punishment encompasses "deterioration in family life, as parents were forced to withdraw students from school and resort to home schooling, depression, and an increase of violent behaviour". A study by Hyman, McDowell and Rains (1997) indicated the following:

"…approximately one half of students who are subjected to severe punishment develop an illness called Educationally Induced Post-Traumatic Stress Disorder (EIPSD). In this disorder, there is symptomatology analogous to the Post-Traumatic Stress Disorder (PTSD). As with PTSD, EIPSD can be identified by a varying combination of symptoms characteristic of depression and anxiety. This mental health imbalance is induced by significant stress; with EIPSD the stress is then inflicted [through] punishment".

Referring to the findings of an extensive study, Greydanus (2003:11) states:

"The students who received corporal punishment had difficulty in sleeping, fatigue, feelings of sadness and worthlessness, suicidal thoughts, anxiety episodes, increased anger with feelings of resentment and outbursts of aggression, deteriorating peer relationships, difficulty with concentration, lowered school achievement, antisocial behaviour, intense dislike of authority, somatic complaints, tendency for school avoidance, school drop-out, and other evidence of negative high-risk adolescent behaviour".

2.23 Conclusion

This chapter illuminated numerous facets related to disciplinary methods used in schools, with specific reference to corporal punishment. The reviewed literature revealed that many South African schools still employ and rely heavily on the punitive approach as a means of maintaining discipline in schools. It was suggested that such measures are particularly prevalent in low-income and rural schools. Various scholarly debates on corporal punishment oscillate between abhorrence for this practice and cautious support under certain conditions. However, there is agreement that managing discipline in schools is vital for optimal teaching and learning and that poor discipline has a negative impact on learner performance. Therefore, it is imperative that all stakeholders (principals, educators, parents and learners) unite in managing discipline in their respective schools. The literature is clear that educators need to find productive ways of managing discipline as an alternative to corporal punishment to augment those that are specified in the guidelines of the Department of Education (2000:25).

CHAPTER THREE

THEORATICAL FRAMEWORK

The hunter in pursuit of an elephant does not stop to throw stones at birds.

~ Namibian Proverb ~

3.1 Introduction

This chapter presents the theoretical framework that underpinned the research. Three criminological theories, that propose an explanation for the criminal phenomenon of corporal punishment, guided this study. These theories were: the theory of the subculture of violence, the differential association theory, and the deterrence theory.

3.2 The Theory of the Subculture of Violence

A detailed discussion of the subculture of violence thesis that traces its development from the work of Wolfgang and Ferracuti and that illuminates its more recent application is presented in this section. Although the subculture of violence thesis was originally devised to explain and examine high rates of violence among structurally marginalised populations and neighbourhoods, I applied this theory in my evaluation of the use of corporal punishment to maintain social control in some South African schools.

In 1967, Dr Marvin Wolfgang and Francis Ferracuti launched a comprehensive exposition of what they termed the *subculture of violence* thesis. This renowned theory in the field of violence endeavours to outline a methodological framework for the experiential examination of violent subcultures as it argues that, "within large and complex societies, sub-groups learn and develop specialized norms and values through differential association and organizations that emphasize and justify the use of physical force above and beyond that which is regarded as 'normative' of the culture as whole" (Wolfgang & Ferraciti, 1967:2, cited in Mkhize, 2012: 60). Dominant to their discussion is the notion that "higher rates of violence amongst lower-class and racialised populations could be explained by the fact that these groups have embraced values and norms that

are more permissive of violence" (Plan, 2016:1). Therefore, although violence in groups is deliberated as a means of deterring young people away from delinquent behaviour, the impact that violence has on young people "may remain unidentified or undiscovered due to the fact that it is considered as normal" (Mkhize 2012: 60). As a result, children may possibly become afraid to protest or report incidences of violence as they may be perceived as ill-mannered. In this context, Matthews et al. (1999:5) argue that "the culture of violence can also lead to a culture of silence which can be attributed to either intimidation by perpetrators…or to such an acceptance of violence as a way of life that fewer people report victimisation" (Lewis, 1997:n.p.). These arguments therefore explain why, in situations where learners are beaten and abused by their educators, they cannot report such incidences as corporal punishment in most township and rural schools is considered 'normal' even though it has long been illegalised. Vold et al. (2002) refer to "certain historical experiences as causal factors in the emergence of the subculture" and suggest that historical experiences have transformed into a culture which has been "transmitted from generation to generation as a set of ideas even after the original causal social conditions have already disappeared".

Teachers' perception of their own childhood experiences of corporal punishment is thus that they were subjected to harsh forms of discipline and corporal punishment and that getting a hiding "was normal" (Govender & Sookrajh, 2014:1). Based on their past experiences, many teachers perceive that corporal punishment was used effectively to control behaviour, to encourage normalised behaviour through obedience to school rules, and to establish the authority of the teacher as a giver of knowledge. Teachers' perceptions and experiences of corporal punishment thus entrenched the perception that it is a worthwhile mechanism to establish an educator's authority as a provider of knowledge and the custodian of discipline. Today, teachers still believe that learners will co-operate if they are able to administer corporal punishment to curb deviations from the school rules such as coming late (Govender & Sookrajh, 2014:1).

3.2.1 Values, norms and violence

Wolfgang and Ferracuti (1967:158) note that the open use of force or violence, "either in interpersonal relationships or in group interaction, is generally viewed as a reflection of basic values that stand apart from the dominant, the central or parent culture". Sellin (1930) argues that to comprehend the root causes of crime, it is important to comprehend the notion of conduct norms. This scholar defines conduct norms as "the rules of a group that dictate the conduct of its members in particular circumstances" (Sellin, 1930:104). He further maintains that if these rules of behaviour are broken, it results in a group reaction. Individuals can be members of many groups such as family groups, work groups, play groups, cultural groups, ethnic groups, and even school groups (Sellin, 1930). Each group has its own particular norms of rules of conduct. Bartollas (2003:175) refers to Sellin's philosophy as follows:

> "The more complex a culture becomes, the more likely it is that the number of normative groups which affect a person will be large, [and] the greater the chance that the norms of these groups will fail to agree, no matter how much they may overlap as a result of a common certain norm."

In other words, an individual could become confused and experience conflict when opposing rules of a group conduct control the same specific life situation. People come from a diversity of upbringings that are based on dissimilar ideas, ideologies, languages and cultures (Bezuidenhout, 2011:146). The increase of violent occurrences within this context is thought to result from a tendency amongst subcultural offenders to hold values and norms that are more accommodating of the use of violence under certain conditions. Contained in this proposition is the concept of disputatiousness, which proposes that violence is a certain means for subcultural associates to maintain and protect their status. Wolfgang and Ferracuti (1967:314) clarify this as follows:

> "Violent reactions to perceived threats to reputation or honour are culturally prescribed, given that a failure to react defensively may result in life threatening circumstances. In this sense, violent values act as a mechanism for social control, given that they require members of subcultures to engage in violence for their own protection and survival. As a result,

equipped with the values to justify their violent actions, subcultural offenders engage in violence frequently and genuinely with little provocation".

It is believed that the observation of values will provide insight into group norms. Thus, individual action, attitude and perception are considered to be the key to understanding the collective phenomenon of culture. With this in mind, Wolfgang and Ferracuti (1967:153) suggest that:

"…by identifying the group with the highest rates of violence, we should find in the most intense degree subculture of violence, and having focused on these groups we should subsequently examine the value system of their subculture, the importance of human life in the scale of values, the kinds of expected reactions to certain types of stimuli, perceptual differences in the evaluation of stimuli, and the general personality structure of the subcultural actors."

This theory was imminently applicable to the current study, as it illuminates the causes of violence in schools and the factors that provoke it. According to the Education Rights Project (2005:10), "corporal punishment has been practiced [sic] in South Africa for centuries [and] the history of slavery, colonialism and apartheid is also the history of the whip, the lash and the sjambok." As was stated in Chapter 2, the Christian National Education system had been designed to school children "to become passive citizens who would accept authority unquestioningly" (Department of Education, 2000:5). The use of the cane was thus condoned as a way of maintaining control and 'dealing with those who stepped out of line'. Ntuli (2012:23) asserts that discipline in this area was founded on the principle that "children needed to be controlled by adults", and thus verbal and physical abuse was a way of subverting children. Corporal punishment became 'normative' in this era in a society that saw nothing wrong with violence as a form of disciplining children. "Increasingly, research showed a direct link between corporal punishment and levels of violence in society" (Department of Education, 2000:5). In this context, the Education Rights Project (2005:10) proposes the following:

"The apartheid education system was based on a violent, anti-democratic and authoritarian philosophy. Young black South Africans were not considered capable of becoming critical and responsive citizens. Instead, they were 'educated' to become obedient 'low-wage'

workers and servants in a racist capitalist system. White children were also educated to become masters and owners instead of critical thinkers. Over time, many educators and parents came to believe deeply in the usefulness of corporal punishment and, along the way, the practice of corporal punishment became deeply woven into the fabric of our society."

In light of the above arguments, this theory was deemed essential as part of the foundation of this study as it explains the major influence of apartheid education policies on the normalisation and continued use of corporal punishment in some South African schools.

3.3 The Differential Association Theory

This theory was formulated by Edwin Sutherland in 1939 and revised in 1947. This theory argues that criminal behaviour is learned in a similar way as law-abiding values are learned and that this learning activity is accomplished in interactions with others through a process of communication within intimate groups. Sutherland propagates that "just as one can be socialized into good behaviour, so also can one be socialized into bad behaviour (Sutherland, 1947, cited in Baslakoh & Andon, 2010:4). According to (Vold, Benard, & Snipes, 2002:217), Sutherland believed that the major difference between confirming and criminal behaviour lay in what is learned rather than how it is learned and that Sutherland argued that the term "differential association" means that the contents or the patterns presented in association with others differ from individual to individual. Thus, systematic criminal behaviour is due "to differential association in a situation [in] which cultural conflict exist [sic], and ultimately to the social disorganization in that situation" (Ibid:217).

This theory thus holds that criminal behaviour is learned through contact and involvement with other persons and through non-verbal and verbal communication. According to this theory, the rudimentary part of the learning of criminal behaviour takes place within close personal groups such as the family, co-workers and among peers. The primary reference group is that of the immediate family that the individual lives and grows up with (Sutherland, 1974:11). It is held that these connections communicate the individual's understanding of shared norms and values. "It is then assumed that if the individual is capable of learning what is acceptable in society, they are also capable of learning what is considered unacceptable" (Sutherland, 1974:12). This theory holds that behaviour is entirely a product of the individual's social environment and that behavioural

patterns depend on the values that the individual gains from significant others around them in society. This implies that cultural conflict is a central theme in the differential association theory.

It is also held that "regular criminal behaviour is due to differential association in a situation in which cultural conflict exists, and eventually to the social disorganization in that situation" (Bezuidenhout, 2011:143). According to the theory, "the associations that occur early (priority); last longer or occupy a disproportionate amount of one's time (duration); happen the most frequently; and involve the intimate, closest, or most important partners/peer groups (intensity); [and] will likely exert the greatest effect on an individual's decision to participate in either conforming or non-conforming behaviour" (Sutherland, 1974:12). Leighninger et al. (1996:4) support Sutherland's views by stating the following:

> "…differential associations vary in frequency, duration, priority and intensity. Referring to the contact an individual must have with proponents of criminal behaviour, this principle suggests that there is a varying, but direct relationship that affects how often, for what length of time, how important and how intense deviant behaviour occurs."

Akers and Jensen (2006) also maintain that when violent behaviour is learned, it includes methods of committing the crime which are sometimes simple and sometimes very complex. What elucidate certain behaviours are the detailed motives, drives, rationalisations and attitudes; for example, 'a naughty-school-child-is-hit' specific attitude. The specific direction of motives is learnt from others' definitions of rules as either favourable or unfavourable. The adult or child comes into contact with people who obey the law and people who reject legal codes. This creates a conflict of ideas and adults or youngsters could become confused and frustrated. Also, Leighninger et al. add that, when "an individual associates more with members of a group who favour deviance than with members of a group who favour societal norms, that individual is more inclined to act defiantly" (Leighninger et al., 1996:4). Therefore, although the use of corporal punishment is banned in all South African schools, in most schools in the study area this practice has reportedly persisted. Punishing learners physically has thus become shared norm among teachers and school principals and is apparently still favoured by most parents. It is in this context that Akers and Jensen (2006, cited by Mkhize, 2012:63) argue as follows:

"Individuals are exposed to pro-criminal and pro-social norms, values and definitions as well as patterns of reinforcement [that are] supportive of criminal or pro-social behaviour. The more an individual is differentially associated and exposed to deviant behaviour and attitudes [that are] transmitted by means of his/her primary and secondary peer groups, the greater his/her probability is for engaging in deviant or criminal behaviour."

Moreover, school authorities (teachers and school principals) often discuss the different techniques they use in their schools for maintaining order. If a teacher or a school principal notices that the use of corporal punishment is applied in a neighbouring school, he/she is likely to apply it in his own school. Once the school principal starts using corporal punishment as a mechanism to maintain order and discipline in the school, most teachers in that school will follow his example. However, children are harmed while educators try to set an example to potential rule breakers. If one or two teachers are feared by the learners due to the intensity of the punishment they administer or the number of strokes they inflict, other teachers will see this as a positive way of engendering 'respect' among their learners. Consequently, many teachers end up emulating their role models within the school.

The phenomena described above are elucidated by the theory of imitation, which maintains that "observers tend to imitate modelled behaviour if they like or respect the model, see the model receive reinforcement, see the model give off signs of pleasure, or are in an environment where imitating the model's performance is reinforced" (Mkhize, 2012:63).

Moreover, Sutherland (1974) states that criminal behaviour is learned through being in contact with others in a process of communication. Contact and observations are also the means of communication through which criminals learn their deviant behaviour. The differential association theory thus essentially argues that criminal behaviour is more predominant in individuals who associate and interact with individuals who exhibit criminal mind-sets and behaviours than among those who do not (Sutherland, 1974: 5). To illustrate this point, teachers who endeavour to discipline but also reform a learner with deviant behaviour often refer to his/her involvement with the "wrong friends", and urge such a learner and/or his/her parents to reflect on their influence and to leave the group.

3.4 The Deterrence Theory

The deterrence theory which relates to punishment goes back all the way to the early works of classical thinkers such as Thomas Hobbes (1588–1678), Cesare Beccaria (1738–1794), and Jeremy Bentham (1748–1832). These social convention thinkers provided the groundwork for the modern deterrence theory in criminology (DiIulio, 1959:1).

According to Elliot (2003:1), deterrence encompasses the threat of punishment through some form of sanction. This scholar further propagates that deterrence is a technique of attaining control through fear (Ibid):

> "Deterrence, in general, is the control of behaviour that is effected because the potential offender does not consider the behaviour worth risking for fear of its consequences. A 'deterrent effect' of sanctions is the preventive effect of the sanction(s) resulting from the fear that the sanction(s) will be implemented. Thus 'deterrence' refers to any process by which the threatened act is not committed (or is at least hindered) because of the deterrent sanction."

Beyleveld (197:207) annotates that "a person is deterred from offending by a sanction if, *and only if*, he refrains from that act *because* he fears the implementation of the sanctions, and *for no other reason"*. There are two rudimentary types of deterrence: general and specific. General deterrence is intended to prevent crime among the general population (DiIulio, 1959:233). Elliot (2003:5) further maintains that "*general deterrence* signifies the effects of threat of punishment and that threat encompasses both the risk of detection and the severity of the sanction". The latter scholar argues that, "because general deterrence is intended to deter those who witness the infliction of pains upon the guilty from committing crimes themselves, [traditionally] corporal punishment was, and in some places still is, carried out in public so that others can witness the pain and be deterred from committing crime" (DiIulio, 1959: 46). For example, in the school environment corporal punishment is used to maintain discipline and order among the learner population. This is explained by the general deterrence theory because, in the school or classroom environment, the punishment of a learner in front of other learners serves as an example to those who have not yet engaged in delinquent behaviour. Conversely, *specific deterrence* is, by the nature of the

proscribed sanctions, "designed to deter only the individual offender from committing that crime in the future" (DiIulio 1959:33). Advocates of specific deterrence also consider that punishing offenders harshly will make them reluctant to reoffend in the future. Elliot (2003:5) further propagates that *'special deterrence' or 'specific deterrence'* denotes the effects of actual punishment on the individual offender.

General deterrence intends that the overall class or school population (or at least potential wrongdoers in the school) will learn from the experience of punished learners and will refrain from following their example. *Specific deterrence* is based on the notion that people will learn from their own experience. It is thus proposed that learners, when punished, will learn from the bad experience of punishment and that this will deter them from further undesirable behaviours. Elliot (2003:5) argues that "*specific deterrence* should be stronger than *general deterrence* since the actual experience must be more powerful than the theoretical knowledge of sanctions or vicarious punishment". Thus deterrence is only one compliance-generating tool. Advocates of deterrence believe that people choose to obey or violate the law after calculating the gains and consequences of their actions.

According to Elliot (2003:2), the presence or introduction of a sanction may deter or avert an undesirable behaviour in a number of different ways, such as the following:

> "(i) Knowledge of the sanction affects perception of the cost of offending so that compliance is seen as more attractive than offending; (ii) Knowledge of the sanction, coupled with a belief in the sanctity of law or unquestioning legal authority, may be sufficient for compliance; (iii) Sanctions may also have moral-educative and habituative effects so that they may be causally involved in the generation of moral beliefs and inhibitions and [thus] laws may be obeyed purely by force of habit; (iv) The implementation of sanctions, rather than the mere threat, may reduce offences by incapacitating potential offenders, reforming them, or by creating via stigmatisation of the offender, informal pressures to comply."

Deterrence refers to some amalgamations of the above different mechanisms but for strict usage, the first mechanism ("Knowledge of the sanction affects perception of the cost of offending so that

compliance is seen as more attractive than offending") must always be present or else the compliance gaining approach is something other than deterrence (Elliot, 2003:2). This statement denotes the impression that people evaluate the costs and benefits in determining not to offend and the cost is the drawbacks that are threatened.

The viewpoint underpinning deterrence is that the risk to the law breaker must be made so excessive and the punishment so severe, that people believe they have more to lose than to gain from the offence (Elliot, 2003:3). For example, in England and the United States, hangings were carried out in public. Thus, the public and family members "were allowed to attend so that they could see what happened to those who broke the law" (DiIulio, 1959:233). Thus, at the core of deterrence is the threat of punishment. As a result, "barbed wire and fierce dogs are intended as deterrents provided that their presence is deliberately made obvious" (DiIulio, 1959:233). These examples are very similar to how deterrence as a threat of punishment is used in most schools where corporal punishment is still administered. For example, one anecdotal piece of evidence that prompted this study was that instruments of punishment (pipes and sticks) that were used to inflict pain on learners in the study area would be left in learners' sight on some teachers' desks.

Deterrence is associated with the severity and certainty of sanctions. "The more severe a punishment is…the more likely [it is] that a rationally calculating human being will desist from criminal acts" (DiIulio, 1959:235). However, the dilemma is that punishment that is too severe is unjust, and punishment that is not severe enough will not deter criminals from committing crimes. Classical theorists such as Beccaria consider that if people know that their undesirable behaviours will be punished, they will desist from criminal activities in the future. Furthermore, the punishment they get must be immediate in order to deter crime. "The closer the application of punishment is to the commission of the offense, the greater [is] the likelihood that offenders will realize that crime does not pay" (DiIulio, 1959:235).

3.5 Conclusion

This chapter provided a detailed discussion of the theories that informed this research study. It was deemed highly important to explore the relationships that exist between culture, association and

punishment because I had identified these three variables as indicators of the possible explanations for the continued use of corporal punishment in many South African schools, but particularly in the schools under study. The three major theories that were explored thus created a foundation on which the findings that emanated from the data could be based. Although these theories vary in perspective and content, they all conclude that culture and association may be a predictor of the use (and particularly the persistent use) of physical punishment. In other words, these theories underline that a poor relationship exists among culture, association and punishment if this form of violence persists in schools. Chapter Five will present the findings that emanated from the data. The data that are presented were generated by means of individual interviews that had been conducted with the study participants. The next chapter (Chapter Four) will illuminate the methodology that was employed in this study in detail.

CHAPTER FOUR

METHODOLOGICAL ORIENTATION

One falsehood spoils a thousand truths.

~ African Proverb (Ashanti, Ghana) ~

4.1 Introduction

The preceding chapter outlined the literature review and theoretical framework that underpinned this research study. This chapter will outline the research design and methodology. The chapter commences with the philosophical foundations of research and gives a brief description of the paradigm on which the research was based, as well as the approach followed in the research. It goes on to cover the research methods by elucidating the data collection tool and processes in order to affirm the quality of the research project. To conclude this chapter, the ethical considerations that were adhered to throughout this study are outlined and the limitations of the study are discussed.

4.2 Research Paradigm

According to Denzin and Lincoln (2000: 48), a paradigm may be understood as "a set of basic beliefs which signifies [sic] a worldview. In order to explore the perceptions and experiences of school learners on the use of corporal punishment in the schools they attended, the study employed an exploratory, interpretive paradigm.

Due to the limited number of studies (none in the study area) that could be traced that gave recognition to the voices of learners on the topic under investigation, the study was exploratory, and the findings may thus not be generalised to the larger South African population. Moreover, an attempt was made to understand the perceptions and experiences of the social world of the learners in junior and senior secondary schools by listening to their authentic narratives and therefore an interpretive research paradigm was applicable. This approach allowed me to build rapport with the

participants from the four identified schools in the study area. It may be noted at this point that a relationship of trust was established with all the participants which encouraged them to freely express themselves and to generously and frankly share their perceptions and experiences of the use of corporal punishment in their schools. In this context, the researcher took cognisance of Nene's (2013:36) argument:

> *"Researchers working in this paradigm assume that people's subjective experiences are real and should be taken seriously (ontology); that we understand others' experiences by interacting with them and listening to what they tell us (epistemology); and that qualitative research techniques are best suited to this task (methodology)".*

Nene (2013:36) thus urges that interpretive researchers should have a desire "to develop an understanding of the phenomenon under investigation".

According to Esterberg (2002:22), the interpretive tradition necessitates that the researcher immerses him- or herself in the world that is populated by those they wish to study. Therefore, if the researcher's intention was to understand the intersubjective meanings that learners brought to the topic that was investigated, the researcher had to actively partake in their life-world without informing them of her views or personal perceptions in any way.

4.3 Research Approach

This study employed a qualitative research approach. The researcher thus gathered data in face-to-face situations by engaging with selected respondents in their natural settings (i.e., the researcher conducted individual interviews in a secure and safe venue in the respective schools) (McMillan & Schumacher, 2006: 315). The researcher personally visited the selected schools to collect data and interact with the respondents who had been identified and who had expressed their willingness to participate in the study. The researcher was thus able to understand their real-life situations from an interactive position. The learners' narratives are presented verbatim and in a relatively unedited form, as proposed by Creswell (2007: 37, cited in MacMillan & Schumacher, 2010:320):

"Qualitative research begins with assumptions, a worldview, [and] the possible use of a theoretical lens, and the study of research problems inquiring into the meaning individuals or groups ascribe to a social or human problem."

To study and understand this 'problem', qualitative researchers employ a qualitative approach to inquiry through the collection of data in a natural setting that is sensitive to the people and places under study, and they utilise a data analysis process that is inductive and establishes patterns or themes. The final written report or presentation therefore presents the voices of the participants, the reflectivity of the researcher, and a multifaceted description and interpretation of the problem.

Badenhost (2010:92) maintains that qualitative research depends on data in the form of words and researchers depend on descriptions to express themes that emerge from those data. A qualitative research design thus accentuates collecting data on naturally occurring phenomena. McMillan and Schumacher (2006:26) propagate that the researcher must search and explore through a diversity of methods until a deep understanding has been achieved. The objective of qualitative research is therefore defined as "describing and understanding rather than the explanation and prediction of human behaviour" (Babbie & Mouton, 2010:646).

In this study, the researcher aimed to comprehend corporal punishment as a phenomenon that occurs in schools and to investigate the meaning that learner participants gave to events relating to the use of corporal punishment in their respective schools. A qualitative approach was thus appropriate in the study's endeavours to explore learners' behaviour, beliefs, perceptions and experiences regarding the management of school discipline in an era when the use of corporal punishment is illegal South African schools. The qualitative approach also allowed the researcher to understand this social phenomenon from the participants' perspectives, as McMillan and Schumacher (2006:12) urge that qualitative research is concerned with understanding a social phenomenon from the participants' perspectives.

The research approach that was adopted was generally contextual in nature, as the study focused on a small number of individual cases (the experiences of 50 learners in four township schools) to elicit understanding of the specific context in which corporal punishment was still being administered in these schools (Mouton, 1996:169). The focus was thus exploratory rather than

definitive and involved a small number of participants as opposed to a large number of participants that could have been involved in a quantitative study.

4.4 Data Collection Method

Two data collection of methods were employed to elicit both primary and secondary data.

4.4.1 Primary data

Primary data were collected by conducting face-to-face interviews with 50 participants in junior and senior secondary schools. The researcher personally visited the identified schools to interview learners who had been selected randomly from class lists provided by an authorised educator and who had indicated their willingness to participate in the study. Semi-structured interviews were conducted and the same questions were asked each time, but their open-ended nature and phrasing allowed for further probing questions to elicit thick data. The interview schedule (Appendix E) had been prepared beforehand with reference to anecdotal evidence, the researcher's personal experiences and observations, and the literature review.

Cohen, Manion and Morrison (2008:351) argue that interviews have various determinants that need to be considered when evaluating or assessing a person and can be conducted to:

- select or promote an employee;
- effect therapeutic change, as in a psychiatric interview;
- test or develop hypotheses;
- gather data, as in surveys or experimental situations;
- sample respondents' opinions, as in doorstep interviews;
- gathering information that has direct bearing on research objectives;
- test hypotheses or to suggest new ones, or as an explanatory device to help identify variables and relationships; and
- be used in conjunction with other methods in a research undertaking.

McMillan and Schumacher (2006:350) maintain that "in-depth individual interviews are open-response questions to obtain data of participant meanings – how individuals conceive their world and how they explain or make sense of the important events in their lives". Ragin and Amoroso

(2011:122) also indicate that interviews tell how people in the research setting make sense of their lives, work, and relationships. The in-depth interviews in this study were conducted by the researcher with 50 individual participants who had been selected from four sampled schools. These learners narrated their understanding and life experiences of school discipline in an era when the use of corporal punishment is illegal in all South African schools.

4.4.1.1 Neutrality of the researcher

According to McMillan and Schumacher (2010:350), observation is "a way for the researcher to see and hear what is occurring naturally in the research site". The researcher thus remained an outsider (i.e., a non-participant observer) even during the interviews, as the researcher endeavoured to adopt a completely neutral stance in terms of the administration of corporal punishment and refrained from expressing any opinions and using any emotionally charged words, a suggestive tone of voice, or even expressive body language during the interviews. Ntuli (2012:81) elucidates that a non-participant observer remains a listener and tries to observe people without intermingling with them. The researcher thus augmented the data that were collected during the interviews by also observing the situation as it naturally occurred in the four school settings. For example, the researcher observed how the learners behaved on and outside the school premises, and the researcher recorded notes of verbal interactions between educators and learners. The researcher also observed and recorded notes on participants' body language, facial expressions and tone of voice during the interviews to aid in my analyses of the verbal data.

4.4.2 Secondary data

Existing data that had been elicited by earlier studies were perused and analysed to enhance my understanding of corporal punishment in South African and international schools. Various sources of information were consulted which included the internet, specifically online library databases and accredited journal sites (e-journals/articles) that were obtained from accredited sites such as Sabinet and Google scholar. The researcher used both local and international references to gain a profound understanding of the phenomenon under study.

4.5 Research Procedures

Because field work involves direct interaction with and observing the people being studied, the researcher had to strictly adhere to all ethical codes and be sensitive to the vulnerability of minors. The researcher thus first applied to the University of KwaZulu-Natal Ethics Committee for ethical clearance to conduct the study.

Upon receiving this committee's ethical approval, the researcher contacted the receptionists at each identified school to set up appointments to meet with the school principals. The appointments were approved and the researcher was able to meet with the principals of each participating school on the scheduled times and dates. The researcher was introduced to the grade mentors who were responsible for selecting learners from each grade. These mentors were cooperative and provided me with all the necessary information on the daily proceedings of the school, the venue where the interviews were to be undertaken, as well as a suitable time for these interviews to be conducted. The researcher was sensitive not to impact on the teaching and learning processes.

4.5.1 Sampling

The population comprised senior secondary and junior secondary school learners and the sample was selected from the total number of learners from each school. It was important to identify the population first and then to select the sample (Ntuli, 2012:82). A purposive sampling technique was employed because, as Creswell (2009:178) advises, the idea behind qualitative research "is to purposefully select participants or sites (or documents or visual material) that will best help the researcher understand the problem and the research question".

The two junior secondary and two senior secondary schools were purposively selected. One in each category was an orderly school with good infrastructure and one was a disorderly school with poor infrastructure.

The selection of schools with diverse disciplinary and infrastructural backgrounds was because it is generally assumed that orderly schools with good infrastructure and adequate resources tend to enable effective teaching and learning, while disorderly school environments, poor infrastructure and insufficient resources result in ineffective teaching and learning. Secondary schools were deliberately chosen for this study because the literature review had suggested that senior secondary

learners experience a higher rate of corporal punishment than junior secondary or primary school learners. Fifty learners within the Pinetown circuit were selected: 20 learners from the two junior secondary schools and 30 learners from the two senior secondary schools. Because it was found that most studies on corporal punishment had investigated the views of parents, guardians or educators, the learners were the key informants in this study that investigated the use of corporal punishment in an era when such a disciplinary practice has been outlawed. McMillan and Schumacher (2010:326) explain key informants as follows:

> "Researchers search for information-rich key informants, groups, places or events to study; and these samples are chosen because they are likely to be knowledgeable and informative about the phenomena the researcher is investigating."

A sample of 50 participants was selected from four co-educational schools in a township in KwaZulu-Natal. The 30 learners from the two senior secondary schools comprised 15 grade 11 and 15 grade 12 learners. In any secondary school, grade 11 is considered one of the most important grades as it prepares learners for grade 12, which is the exit point from basic education. In these grades, learners are expected to perform at their highest level in order to achieve the best results. However, anecdotal evidence and experience have shown that, in many township schools, these 'best results' are often achieved through the extensive use of corporal punishment in order to increase or maintain a high pass rate for the school.

Twenty learners were selected from two junior secondary schools (all were in grade 9, with 10 participants from each school). Grade 9 is considered as the 'school leaving grade' in junior secondary schools as this is the exit point (in terms of grade or age) when schooling is no longer compulsory for learners. Learners in grade 9 are regarded as seniors in the junior secondary school population and are expected to maintain an image of responsibility and maturity in the school. The same applies to learners in grades 11 and 12 where harsher forms of punishment are used as learners are expected to achieve the best results. The research was thus conducted among learners in grade 9, 11 and 12 as it had been assumed that these learners would have been exposed to the harshest forms of 'discipline'. As was stated in Chapter One, this assumption was based on various snippets of information as well as exposure in the media. For example, in 2004 an incident occurred in one of the selected secondary schools where a 17-year-old boy died after being beaten by a

school principal for late coming. Recently, the community was shocked by the news that a 12-year-old grade 7 boy had been beaten by his teacher for 'crossing out an incorrect word twice'. This boy sustained an injury to the palm of his hand.

Because it was impossible to trace all schools where corporal punishment had been exposed and to interview all the learners who had been involved either as victims or as peers/witnesses, the 50 participants were deemed a sufficient number to represent these four schools. However, the nature of the study was exploratory, and the sample was relatively limited and therefore the findings may not be generalised.

The purposive, simple random sampling technique was employed to select participants based on chance. According to Bruce (2001:47), this technique produces a representative sample that is sufficient for studies such as the current project. The process selects participants from an identified population in such a way that every unit in that population has the same chance (probability) of being included in the sample. In order to get a balanced view on the topic, 15 learners were randomly selected from each of the two senior secondary schools and 10 learners were selected from each of the two junior secondary schools. Bruce (2001:47) maintains that this form of sampling is sometimes referred to as judgmental sampling and that, "when developing a purposive sample, researchers use their special knowledge or expertise about some group to select subjects who represent this population". The researcher was ably assisted by the grade mentors who had extensive knowledge of the learners and who could look after the interests of the learners as study subjects.

Table 4.1 below presents a summary of the study sample. For ethical reasons, the schools and all learners will be referred to by pseudonym and code in this study report.

Table 4.1: Summary of the study sample per school and per grade

SCHOOL	NO. OF PARTICIPANTS	GRADES	AGE OF PARTICIPANTS	GENDER
Sphinx Junior Secondary	10	Grade 9	13-14	Boys and Girls
Oracle Junior Secondary	10	Grade 9	13-14	Boys and Girls
Athena Secondary School	15	Grades 11 and 12	16-19	Boys and Girls
Metis Secondary School	15	Grades 11 and 12	16-18	Boys and Girls
TOTAL	50			

The above table summarises the compilation of the sample that was used in this research study. As was stated earlier, the grade mentor (a senior teacher) from each school assisted in the selection of the sample by providing the researcher with a list containing all the names of the leaners from each grade. Using the list, the participants were randomly selected so that each student could have a fair chance of participating in the study. Thus, no evidence of earlier punishment or history of delinquent behaviour was used to select the participants.

Before the sample selection, all the learners in the targeted grades were assembled in an allocated area in the school. The researcher introduced herself and explained the nature and purpose of the study she was conducting. She provided the students with all the information that they needed to be informed of their rights and to allow them to make the decision to participate or not should they be selected. The students could ask any questions they had regarding the nature of the study. The interviews were conducted in the schools' libraries after school hours. Teachers were available throughout the interviews in the staff room should any learner require assistance, but they did not interrupt the interviews in any way. The parents of the participating learners had been informed and they had given written consent for their children to participate in the study. The learners also signed a written consent form.

4.5.2 Demarcation of the study

This study was demarcated to four schools, i.e., two junior secondary and two senior secondary schools in the Pinetown District in KwaZulu-Natal. The study was also demarcated to the views

of learners from these four schools and thus the findings cannot be generalised to all the learners and schools in the circuit. The researcher used an interpretive paradigm to understand the views of the learners about corporal punishment in their schools and this approach sought to understand social reality from the participants' point of view.

It must be emphasised that, due to the sensitive nature of corporal punishment as a disciplinary measure and the vulnerability of both learners and teachers, this study deliberately avoided a perusal of any records of punishment meted out to learners in the schools. The narratives of the learners were thus not verified and it is acknowledged that they may have avoided, slightly twisted or exaggerated the truth to some extent for reasons that were beyond the scope of this study.

4.6 Language Barrier

No language barriers were experienced during the execution of this study.

- The researcher is proficient in both IsiZulu (the home language of the participants) and English (the academic language of the thesis).
- The interviews were conducted in a combination of English (which is the First Additional Language at all the schools) and IsiZulu (which was studied as their Home Language by all the learners). Although the interviews were predominantly conducted in English, code switching (i.e., the use of the home language) was encouraged as the learners could express themselves freely and idiomatically in this language, and the researcher was well able to capture their narratives without undue omissions and insertions during the translation and transcription processes, which occurred simultaneously.

4.7 Research Quality

To guarantee good quality research, one needs to contemplate several variables such as the trustworthiness (credibility and transferability), dependability and confirmability of the study (Neuman 2004). Every effort was therefore made to ensure that these criteria were adhered to in the design and execution of the study.

4.7.1 Trustworthiness

4.7.1.1 Credibility

To address this requirement, triangulation was employed by utilising various methods of data collection and to cross-reference the data that emerged from the individual interviews with data from the literature review. With reference to the demarcation section above, which refers to suspected 'half-truths' that could have been elicited from the learners, it must be stated that the individual nature of the interviews allowed the researcher to cross-reference learners' narratives, which further facilitated insightful and revealing analyses of the data and which contributed to the credibility of the findings. It is acknowledged that the learners could have discussed the interview questions with their peers, but this is a variable that could not have been avoided and thus every effort was made to expose discrepancies during the data analysis process. At this point, the researcher must state that the frank and open manner in which the participants approached the interviews was encouraging and that the researcher had no reason for seriously (or even marginally) calling into doubt any of their narratives.

4.7.1.2 Transferability

A detailed and comprehensive description of the research methodology will ensure that the study is replicable and that the data and findings may be compared and critiqued by future researchers. Interviews were voice-recorded and summaries served as a foundation from which the data were thematically analysed.

4.7.1.3 Dependability

Consistency and dependability were ensured through rich, detailed descriptions of the research methodology, the availability of audio-recordings to verify the data, and the triangulation of the findings through the use of different methods of data collection. Moreover, the study was embedded in a time-honoured and extensive theoretical framework which ensured that the evaluation of the data remained within the parameters of dependable research.

4.7.1.4 Confirmability

The researcher made allowances for confirmability by keeping records of the raw interview data, the documents that were reviewed, and the records of the analyses of the data. Every effort was made to have planning and debriefing sessions with my supervisor who, with his vast experience in conducting research, assisted in validating the processes of the study and the findings.

4.8 Data Analysis

The qualitative data analysis procedure involved organising, accounting for and explaining the data; in short, the researcher made sense of the data in terms of participants' definitions of the situation and [by] noting patterns, themes, categories and [ir/]regularities (Cohen, Manion, & Morrison, 2008:183). During and after the process of data collection, the researcher identified and listed the categories and reduced them into themes, because data analysis involves 'breaking up' the data into manageable units (or themes), trends and relationships. The data were thus coded, categorised and interpreted to provide explanations for the learners' perceptions and experiences of the banning yet continued use of corporal punishment in their respective schools as a single phenomenon of interest.

The researcher employed five steps as identified by McMillan and Schumacher (2010:369) for the analysis process:

4.8.1 Data organisation

In this phase the raw data from the interviews were organised for later analysis. Organising the data means that the information the researcher had received was separated into a few workable units. The interview responses were organised separately from the literature review information for later comparison.

4.8.2 Data transcription

The researcher transcribed the interview data and observations to convert them into a format that would facilitate analysis. In this process the interview data that had been provided in IsiZulu were simultaneously translated into English without losing the 'voices' of the narrators.

4.8.3 Coding

Data coding commenced when small pieces of data that stood alone were identified. These data parts, called segments, divided the dataset. The researcher then analysed these segments to identify codes so that each segment was labelled by at least one code. (Some segments had more than one code). In this phase, the researcher coded the data to provide meaning to the segment for easy interpretation.

4.8.4 Formulating categories/themes

Categories are entities comprised of grouped codes. A single category is used to give meaning to codes that are combined. The researcher divided the data into categories as data analysis involves 'breaking up' the data into manageable themes, trends and relationships and similarities and dissimilarities were identified for easy identification.

4.8.5 Discovering patterns

A pattern is a relationship among categories. In searching for patterns, the researcher tried to understand the complex links among various aspects of the learners' situations, mental processes, beliefs, and actions. The major patterns that emerged served as a framework for reporting the findings and organising the report. The patterns assisted me in considering what was important and meaningful in the data.

4.9 Challenges and Limitations

Four limitations had to be vigilantly monitored to ensure that credibility and dependability were not compromised.

The first limitation was the comparatively small scope of the study. While the trustworthiness of this study can in no way be brought into question, it must be acknowledged that the sample group was limited and biased to a certain extent. Interviews were conducted with learners from only four schools in one education district, which is a drop in the ocean when the entire South African school population is considered. The fact that the researcher used only learners may have slanted the findings to some extent as the views of other major role players (teachers, principals, members of the school governing body and parents) were not elicited and thus the process of triangulation was

limited (Neuman, 2004:136) and the dependability of the findings could not be verified. However, the researcher acknowledged from the outset that her intention was to listen only to the (hitherto) relatively marginalised voices of learners regarding the abolition yet continued practice of corporal punishment in schools, and because the researcher had managed to build positive rapport with these young people during the interviews, the researcher is confident that their narratives reflected their real perceptions and actual experiences to a significant degree.

Secondly, the researcher noted that some school principals in the township where the study was conducted became very uneasy when the researcher explained the intention of her visit and mentioned the title of the research study. Two principals verbalised their fears. One principal said: "We are going to assist you with this but please note that we do not want to see the names of our schools splashed over the newspapers". The second principal said, "You are here to ask about corporal punishment? The Department of Education requires a copy of your thesis once it is complete with all the information our students will give you. Are you going to do this? (He pointed at the requirement from the DBE.) Are you going to give them a copy?" To alleviate their fears, the researcher explained that the purpose of the study was not to report them to the DBE or that it meant to apportion blame, but only to contribute to the existing body of knowledge on corporal punishment. The researcher assured them of the learners' and their schools' anonymity and that the information would be treated as confidential. However, in one of the junior secondary schools the principal prevented the researcher from recording the learners as she stated that it was for the safety of their children, which is an argument the researcher understood and respected.

Thirdly, the researcher had to obtain permission to conduct the study from the University of KwaZulu-Natal, the Department of Basic Education, and from the four school principals of the identified schools and the parents of the learners. These became challenging and time-consuming processes. While permission was granted by the University, the DBE and the principals of the sampled schools after many challenges, some selected participants returned to school with unsigned informed consent letters as they had forgotten to hand them to their parents for signing. Some parents refused to sign the document as they did not understand the purpose of the study and feared for the safety of their children. The researcher was thus compelled to walk long distances and to approach some parents in person to make them understand the purpose of the research before they gave their consent.

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As was previously stated, the use of corporal punishment in schools is a sensitive issue because it is illegal in South Africa and several principals and educators lost their jobs because they had contravened the law in this regard. Some principals were thus reluctant to cooperate and allow their students to participate as they saw the research study as a 'witch hunt' that could maybe expose them. Some learners felt uneasy when asked if corporal punishment was used in their schools. The researcher had to continuously remind the participants about the purpose of the research. Due to this fear, some teachers could also have influenced the learners not to give a true reflection of what was happening in their schools lest they got caught. However, the researcher assured the learners of their guaranteed anonymity and my ethical subscription to confidentiality and the implications thereof, and the researcher is confident that the findings are a relatively true reflection of the situation pertaining to corporal punishment in these schools.

4.10 Ethical Considerations and Procedures

Due to the sensitive nature of the study topic, I have referred to ethical considerations before. This section serves to elucidate the steps that I followed to ensure that this study adhered to ethical considerations in every respect.

Before commencing the study, the researcher applied to the Research Office of the KwaZulu-Natal Department of Basic Education for permission to do research at specific schools in the province and permission was granted in writing (Appendix H). The researcher then applied to the Research Ethics Committee of the University of KwaZulu-Natal for approval to conduct the study, which was also approved (Appendix G). While waiting for the responses from the UKZN and the DBE, the researcher made appointments with the principals of the four schools in the Pinetown Circuit. During these meetings, the principals were issued with letters (Appendix D) seeking permission to use their learners as participants in the study. Each principal was given a brief overview of what the study entailed.

Upon receiving the letters of approval from the UKZN and the District Director of the DBE, the researcher again communicated with the principals concerned to get their response to my request for permission to use their schools in the study (Oosthuizen, 2009). The researcher once again had to obtained their permission under certain conditions, permission was also requested from the

research participants and their parents (Appendixes A and B). The learners were unambiguously informed of the aim of the study and the credentials of the researcher and their anonymity was guaranteed. They were assured that there would be no 'right' or 'wrong' answers and that they were free to withdraw at any time. Pseudonyms were allocated to the schools and participants to protect their identities. The principals and the participants were also assured that the data that would be collected would be stored in a safe location and kept confidential for the purpose of this study only.

4.11 Conclusion

This chapter elucidated the research design and methodology that were employed in the study. A brief explanation of the paradigm in which the research was embedded was given and the research approach was described. The appropriateness of the qualitative research design that was adopted was accentuated and the sample selection process was clearly outlined. The researcher also discussed the logical procedures that were utilised to analyse the data in order to attain answers that would address the research questions. The ethical considerations that were adhered to before and during the research were also outlined in this chapter. The subsequent chapter presents the data and deals with the analyses of the data.

CHAPTER FIVE

DATA PRESENTATION AND FINDINGS

You cannot tell a hungry child that you gave them food yesterday.

~ Zimbabwean Proverb ~

5.1 Introduction

This chapter presents data and elucidates the findings pertaining to the perceptions and experiences of school learners on the banning and the persistent use of corporal punishment in their schools. The findings emerged from data that were procured by means of semi-structured individual interviews. Four schools were approached in order to conduct the interviews. The participant sample comprised 20 junior secondary school learners (grade 9) and 30 senior secondary school learners (grades 11 and 12). Each sub-theme commences with the verbatim narratives of the participants from the junior secondary school category, followed by the narratives from learners in the senior secondary school category. The researcher then links any similar comments and highlights any dissimilarities pertaining to a specific theme. Pseudonyms (e.g., P1, P2, etc.), and not the respondents' real names are used. In order to organise the data into themes, several in-depth readings of the transcripts had to be conducted. The following themes emerged subsequent to this process:

- Learners' understanding of what corporal punishment is.
- Corporal punishment is still administered in the schools.
- Types of punishment that learners are subjected to.
- The consequences of corporal punishment on learners.
- Corporal punishment exacerbates undesirable behaviour.
- Types of offences committed by learners.
- Injuries caused by the infliction of corporal punishment.
- Reporting of injuries that result from the infliction of corporal punishment.
- Learners' perceptions on the continued use of corporal punishment in their schools.

- Learners' preferred modes of correction.

5.2 Learners' Understanding of what Corporal Punishment is

5.2.1 Junior secondary schools

The data revealed a growing apprehension about the continued use of corporal punishment in the two schools. The learners narrated various experiences of and perceptions about the topic under study. When learners in the junior secondary schools were asked about their understanding of corporal punishment, 5 out of 20 did not understand what corporal punishment is. Some of the responses are reported below:

P1: *"I'm not sure what it is."*

P2: *"I don't know what corporal punishment is."*

P3: *"I have never heard about it."*

P4: *"Eish… I don't know what it is."*

P5: *"I don't know."*

These learners' lack of understanding what corporal punishment is could have been caused by the fact that the term 'corporal punishment' was first referred to in English. Although the learners knew and understood the term 'punishment', confusion was created when the two terms were used together. Therefore, the researcher had to break the language barrier by explaining the term in IsiZulu.

Of the 20 learners, 15 did know what corporal punishment is. They indicated that corporal punishment is the physical punishment of learners at school. However, they defined the concept differently, and this is what they had to say:

P6: *"It is the abuse of learners."*

P7: *"Corporal punishment is when children are beaten up at school. Radios always announce that we should not be beaten but they are always beating us."*

P8: *"It's the abuse of learners…of children in school."*

The above definitions are similar to a definition that is offered by Straus (1994, 1996, 2003), Hyman (1990), and Gershoff (2002), who all view corporal punishment as "the maltreatment and psychological abuse of the child".

P9: *"It's the physical punishment of learners by teachers and parents".*

P10: *"It's the punishment of children with any object such at a stick or pipe."*

P11: *"It applies to being hit only at school."*

P12: *"It is any punishment that learners receive at school."*

P13: *"It's the beating of children without being given permission by their parents."*

P14: *"It's when children are hit at school even though it's illegal."*

P15: *"It's the beating up of children in a painful manner."*

The findings suggest that the learners in the junior secondary school understood the close relationship between corporal punishment, the infringement of children's rights, and abuse. Some learners expressed their awareness of the banning of corporal punishment but admitted that, in their schools, it was till imposed and that it was largely used as a method to maintain discipline and order. The findings also revealed that some parents were opposed to the use of corporal punishment. It was also suggested that parents were not consulted by the teachers and principals about the continued use of this form of punishment in the schools. Furthermore, the findings revealed that parents did not give their consent for their children to be physically punished, but because corporal punishment was regarded as a norm in these township schools, the parents accepted its use.

5.2.2 Senior secondary schools

The responses of the learners in the two senior secondary schools differed slightly when compared to those of the learners in the junior secondary schools. Not only did these students confine their definition of corporal punishment to the direct infliction of pain on the physical body, but they took it beyond physical pain when they referred to corporal punishment as an approach to control

undesirable behaviour to maintain discipline and order in the school. The following narrative reflects what most participants had to say:

> **P1**: *"Corporal punishment is something that was implemented so that we, the learners, can decrease our levels of being disruptive in school."*

P1's response is similar to a statement by Kapueja, (2014:24), who argues that corporal punishment is "the continuous emphasis that has been placed on the need for children to fear their teachers/parents, on the maintenance of strict discipline, and on the administering of corporal punishment to enforce absolute obedience to the authority of the parent/teacher and the laws of God". This statement is also similar to that of National Christian Education: "Corporal punishment is based on a view that children need to be controlled by adults and measures such as sarcasm, shouting and other abusive forms of behaviour were ways of teaching children a lesson or ensuring that they were afraid" (Ntuli, 2012:23).

Participant 2 stated:

> **P2:** *"Corporal punishment is where learners are beaten by educators when they have done something wrong."*

Hyman (1990:10) offers a definition that is replicated by the definition of P2:

> "Corporal punishment in the school is the infliction of pain or confinement as a penalty for an offence committed by a student."

In many schools, each offence that the learners commit is punished, and this often occurs through the use of corporal punishment. This point was made by some participants who stated that corporal punishment was inflicted even for petty 'offences':

> **P3: "***Corporal punishment is any form of punishment that is used by educators to ensure we obey the school rules.***"*

> **P4:** *"It is a form of physical punishment that is given to learners when they have done something wrong."*

> **P5:** *"Corporal punishment is basically beating up children."*

> **P6:** *"It's something…a method that is used to control learners' undesirable behaviour."*

All the elements provided in the learners' definitions are reflected in Straus's (1994:4) definition: "Corporal punishment against a child is the use of physical force with the intention to cause a child to experience pain but not injury for the purpose of correction or control of the child's behaviour."

The respondents stated:

P7: *"It's where children are hit when they have done something wrong."*

P8: *"It's a method used to keep students on the straight and narrow so that they behave."*

P9: *"It is when you hit a child."*

P10: *"It's the beating up of children violently and painfully."*

The term 'corporal punishment' can be misunderstood, especially by children whose home language is not English. There are contradictions in research on corporal punishment. Not all researchers are of the view that corporal punishment is a harmful and damaging act that has numerous negative outcomes on a child. Many have argued that two factors must be taken into consideration when distinguishing between corporal punishment and physical abuse, namely: intensity and intention. The latter statement is supported by the deterrence theory which is concerned with the severity of and the reasons for punishment. This theory posits that "the more severe a punishment…the more probable [it is] that a rationally calculating human being will desist from criminal acts" (DiIulio, 1959:235).

5.3 The Persistent Use of Corporal Punishment in Schools

5.3.1 Junior secondary schools

The empirical findings revealed that only one of the twenty junior secondary school learners reported that corporal punishment was no longer used in her school. This participant stated:

P20: *"It was previously used but not anymore."*

However, the tone of her voice reflected doubt, and she could not look the researcher in the eyes while she was fidgeting with her hands. These reactions could have occurred because a teacher

could have influenced her not to give a true reflection of what was happening in the school lest they got caught. This is very probable as teachers had expressed their concerns about this particular study prior to the interviews. It was surmised that this particular student had been placed in a situation where rigid conditions had been established for learners to feel accepted and to be 'part of the fold'. However, the other participants were not afraid to give a true reflection of what was happening in their schools. This is what they had to say:

P1: *"Yes, the teachers use it almost every day."*

P2: "*It is used but some teachers do not hit us as they fear that they might end up hurting us.*"

P3: *"Yes, it is still being used and the severity depends on the teachers and school principal."*

P4: *"Yes, it is still being used here at our school and it is used too much."*

P5: *"They use it here at school and some of the teachers hit us too hard."*

P6: *"Yes, corporal punishment is still used and it is used frequently."*

P7: *"Yes, it is used in our school."*

P8: "*The teachers use it here at school even though we attended a workshop together with other local schools here in the township where Department of [Basic] Education officials made it clear that corporal punishment should not be used in schools as it was banned a long time ago.*"

Participant 8's response is consistent with the South African Schools Act 84 of 1996 which abolished the use of corporal punishment in all schools. However, regardless of this ban, the findings revealed that *some* educators were still using corporal punishment. The persistent use of this form of punishment is often associated with various justifications which include the maintenance of discipline and order in the school. This finding clearly suggests that the continued use of corporal punishment is a matter of grave concern, particularly for the fact that it still occurs in schools in disadvantaged areas, and teachers need to develop strategies that reflect awareness of children's right to protection.

Comments of a similar nature as those quoted above were also offered:

P9: *"Yes, we are hit."*

P10: *"Yes, corporal punishment is used in our school and they use it too much."*

P11: *"Teachers do use corporal punishment here at school. They hit us too hard."*

P12: *"Yes we are beaten here at school."*

P13: *"Yes they use it, they hit us too much and way too hard. Even this morning we were beaten for a very minor offense."*

P14: *"Ms, here at school they use corporal punishment and they don't care that the government does not want us to be hit."*

P15: *"Yes, they use it and sometimes they [teachers] beat us for no reason."*

P16: *"Yes, they do use it."*

P17: *"They use it and they say they are just 'scaring' us. The severity of the punishment depends on the offence a learner has committed."*

As the most logical explanation, one could elaborate on the latter statement by arguing that the type and severity of the punishment a child receives is dependent on the type of offence that was committed. Also, the justification given for the use of punishment is that the educators are only trying to 'scare' the learners. Participant 17's response can be associated with the specific element in the deterrence theory which posits that only a specific offender may be deterred from committing a specific crime in the future. It may thus be surmised that some learners are persistently given a hiding by their educators in the hope that they will not repeat the offence. They may also strongly hold that punishing learners harshly will make them reluctant to reoffend in the future. However, the repeated and persistent use of corporal punishment strongly points to the fact that the notion of 'scaring' learners is a false premise as they are not deterred from reoffending, and thus educators feel 'obliged' to persist in the use of this form of punishment. The question must be asked: *Do educators actually want to change learners' behaviour, or is the use of corporal punishment so entrenched in their consciousness that they no longer care about its effects but just*

about the position of power they exert when using it? Moreover, if teachers persist in its use they ignore the fact that the learners may sustain severe injuries and some may even die if the severity of the lashings is not controlled. For example:

> **P18**: *"They use is almost every day. This morning before you came* [referring to the researcher] *I was given two strokes on the buttocks."*

> **P19:** *"Yes, it is used, they use is way too much."*

5.3.2 Senior secondary schools

Similar responses were elicited when the learners in the senior secondary schools were interviewed. A minority of the learners also said that corporal punishment was no longer used in their schools, while the majority freely told the researcher that corporal punishment was still being imposed. The following were statements that denied the use of corporal punishment:

> **P1**: *"No, not anymore. It was used before but now they have stopped."*

> **P2**: *"They used it before but not anymore."*

> **P3**: *"No, it is not used in our school."* (This boy laughed when he said it and looked away.)

> **P4:** *"When it was still in use, it was used very often because the learners were misbehaving and they did not listen. Its use was very effective back then because we were misbehaving but they don't use it anymore."*

> **P5:** *"Corporal punishment is not used in this school; teachers talk to us when we've done wrong."*

However, during my visit to the four schools I distinctly noticed punishment tools such as pipes and stick on some teachers' desks and even in the library where the interviews were conducted. These 'tools' were clearly visible (nobody had thought of hiding them) which was a clear indication that corporal punishment was still being used in these schools. Therefore, the fact that some participants informed me that this form of punishment was no longer used in their schools reflected and important element in the culture of violence theory, which is the '*herd instinct*' (my

view) that motivates both victims and perpetrators to remain silent about an injustice. Matthews et al. (1999:5) note that "the culture of violence can also lead to a culture of silence which can be attributed to either intimidation by perpetrators… [or to] such an acceptance of violence as a way of life that fewer people report victimization" (Lewis, 1997:n.p.). Even in situations where learners are beaten and abused by their educators, they cannot report such incidents as corporal punishment in most township and rural schools is considered 'normal' even though it has long been illegalised. The above responses are also enlightened by the theory of the subculture of violence, which suggests that there are certain experiences that act as causal factors in the development of the subculture. It further suggests that historical experiences translate into a culture which is then communicated from generation to generation as a set of philosophies even after the original underlying societal conditions have already disappeared.

Conversely, the rest of the participants in these two senior secondary schools distinctly referred to the persistent use of corporal punishment:

> **P16**: *"Yes. It is used. They beat us every day."*

> **P17:** *"Corporal punishment is used here at our school. In fact, our school is famous for having the most intense use of corporal punishment in the entire township."*

> **P18:** *"Yes, our teachers and the principal do hit us here at school."*

> **P19:** *"I have been in this school since grade eight and they have never stopped beating us."*

> **P20:** *"Yes, it is still being used in this school. Some teachers give us beatings for no reason. If one or two learners have transgressed, they will beat the entire class and tell us that 'an injury to one is an injury to all'."*

> **P21**: *"Yes, it's still being used and a lot. There are certain teachers who are famous in the school for giving the most severe beatings. If you arrive late and one of those teachers is on duty at the gate, you are foolish if you don't go back home and come back the next day because the beating you will get will leave you screaming like a mad person."*

> **P22:** *"Yes, it's something that is used every day and the teachers are unremorseful about it."*

> **P23:** *"Yes, a lot and intensively."*

P24: *"It's still used here at school. They* [teachers] *usually give us no fewer than five* [lashings]*"*.

P25: *"Yes, it's still being used here at school and also in other schools here in the township."*

The majority of the respondents openly admitted that they had been victims of this form of abuse. Soneson and Smith (2005:4), who conducted a similar study, indicate that people who live in poverty, irrespective of their ethnic background, are generally inclined to use corporal punishment. The latter authors suggest that numerous boys and girls of all ages are subjected to corporal punishment in the home and at school. However, they exclude children from affluent settings and suggest that corporal punishment is not used as a disciplinary measure in these contexts. However, the fact that most children who reside in rural areas, including townships, are exposed to this severe form of punishment at home and at school was highlighted by this earlier study which found a general, but not a specific, pattern of corporal punishment being more frequently experienced by children in rural than in urban areas. High-income communities tend to use alternative non-violent forms of discipline. Similarly, Harber (2001) found that violent crime was prevalent in South Africa and that schools in underprivileged areas suffered from serious problems caused by gang-related crime.

5.4 Types of Punishment

The study revealed that various methods of punishment were applied in the schools under study, with some measure of success. Twenty students in the two junior secondary schools gave examples of the different forms of punishment used in their schools.

5.4.1 Junior secondary schools

P1: *"We usually get hit with a pipe on the palm of our hands and on the buttocks."*

P2: *"They chase us out of the class. Sometimes thy hit us with a pipe. There was an incident where a teacher made me mop the library* [floor]*."*

P3: *"They hit us with a pipe on our backs. I don't like it. It really hurts!"*

P4*: "They beat us with a pipe."*

It was evident that the most commonly used method of correction in these two schools was by beating learners with a pipe. This finding is gives cause for real concern, as previous research has revealed that this instrument can cause severe injuries. However, other methods of punishment are also employed:

P5: *"They sometimes make us pick up litter around the school when we are late."*

P6: *"They pinch our ears."*

P7: *"They make us clean classrooms; not one but two to three classrooms."*

P8: *"They sometimes make us do the garden during break and we do not get a chance to eat our lunch."*

P9: *"They make us clean the toilets using a cloth, soap and water. They don't give us germicides like Domestos."*

Manual work was thus a favoured form of punishment in these schools. However, it must be noted that this form of correction also has a negative impact on the learners' schooling as they get sent to clean toilets or sweep classrooms while lessons are in progress, and the learners are thus denied opportunities to learn. Requiring learners to clean floors and toilets without protective clothing and germicides is also hazardous, as it poses a health threat. Other methods were also referred to:

P10: *"We are punished using the broom stick."*

P11: *"The other time Ms* [the teacher] *threw a board duster at me."*

P12: *"I really had to go to the toiled and Ms. told me that she would deprive me of the privilege to go to the toiled since I was making noise. I had to wait till home time."*

Another way in which learners were punished when corrective measures had failed was through the use of preventive measures such as denial or withdrawal of privileges. Ndichu (2004:29) asserts that the denial of privileges is likely to work because many of these activities are held dear by many students and the learner will endeavour to improve his or her behaviour so as not to miss a favourite activity. However, refusing to allow a learner to go to the toilet is not a denial of a privilege, but a right. It is surmised that many really 'naughty' children may often use this excuse

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to leave the classroom simply because they are bored or because they intent to meet other 'delinquents' in the toilets to smoke or use drugs, but this is merely surmised as children's reasons for leaving the classroom were beyond the scope of this study.

5.4.2 Senior secondary schools

Similar methods of punishment were used in the senior secondary schools. Below are some of the responses offered by the learners in these two schools:

P1: "*We are hit on the palms of our hands with a pipe.***"**

P2: *"Sometimes we get suspended from school depending on the offence we have committed."*

P3: *"They beat us with a pipe on the buttocks. We usually get no fewer than five strokes."*

P4*: "We get the 'nothing fewer than five' on the buttocks."*

These responses illustrate why schools in the study area were notorious for the harsh forms of punishment meted out to the learners. Participant 4's response was reflective of an incident that had occurred in 2005 when a Grade 10 learner died after allegedly being beaten by the school principal. In this study, learners reported that corporal punishment was at the order of the day. The findings suggest that there was a negative relationship between the use of corporal punishment and learner behaviour in the school, as the undesirable behaviours were not stemmed because the severity of the punishments did not decline. This appears to have created a vicious cycle as behaviours are not corrected and educators then feel that beating the learners is the only way to maintain order in the school. This strongly contends that these schools' lack of a mandate to apply operative disciplinary measures needs to be urgently modified to address the current situation of learner misbehaviour. Once that has been achieved, teaching and learning in these schools will become more effective.

Other measures of punishment that were similar to those used in the junior secondary schools were also revealed:

P: *"Sometimes we get kicked out of the class."*

P6: *"If we arrive late, they sometimes make us pick up litter around the entire school."*

P7: *"They make us stand in an empty school hall for an entire day. Sometimes it's difficult to even stand, especially when I'm high from smoking weed."*

P8: *"They beat us. Sometimes they take you to the staffroom and there three to five teachers will be waiting for you and each will give you a punishment of nothing less than five lashings on the buttocks."*

P9: *"They detain us for misbehaving."*

Clearly, these schools attempted to utilise some of the alternative measures to corporal punishment that had been published by the DBE subsequent to the banning of corporal punishment in all South African schools in 1997. These forms of punishment are generally used in schools where corporal punishment has been abolished, particularly in suburban schools where there are structure, faultless discipline, and unparalleled results because of well prepared, competent and driven teachers as well as parents who are actively involved in the daily proceedings of their children's schools. However, the participants' responses revealed that alternative forms of punishment were few and seldom used, and it is thus surmised that educators in township schools may regard such forms of sanctioning time consuming and demanding for various reasons. For example, they may argue that because something like detention necessitates supervision while the teacher could be doing something 'more constructive', this form of punishment is undesirable. It may be regarded as easier and much more convenient to lash out at learners time and again, as it does not require much effort, thought or reflection on the teacher's part. Such a form of punishment is instant and it also assists the teacher in immediately releasing an internal emotional response to the learner's disruptive behaviour or challenging attitude.

What may be noted in the above responses is that learners openly and without shame referred to their delinquent behaviour; for example, they came late and they smoked weed (marijuana). It is particularly the latter practice that gives cause for reflection, as the adverse impact of marijuana on a child's mind and behaviour has been well recorded in the literature (Tanda and Goldberg 2003; Large 2011). The implication of this finding is that such learners are beaten and punished, but that these schools have no other corrective strategies in place to assist their learners in changing this devastating habit that may only get worse with time. The matter-of-fact manner in which the

learners referred to this behaviour also suggests that this culture has been deeply entrenched in their life-world. Therefore, at face value, it appears a travesty that the schools do nothing more than inflict corporal punishment 'to assist' these learners. However, as this was not a focal point of the study, it may only be suggested that future studies pay concerted attention to this problem in schools.

Other forms of sanctioning were also revealed:

> **P10:** *"They give us verbal warnings but it depends on the transgression you have made."*

> **P11**: *"If you are caught talking around when the teacher is teaching, they sometimes order you to teach the class as punishment."*

> **P12:** *"Sometimes they make us do public apologies."*

Kamugane (2008) also found that an approach used in schools as punishment was to write an apology letter and sometimes reading it to the school. The latter study revealed that punishment in the form of public apologies, kneeling in front of the class and standing in front of the class were among the approaches that educators in these schools frequently used. Earlier studies and the current study thus suggest that teachers rely heavily on approaches that humiliate and belittle learners with the aim of 'disarming' students who are deviant and who misbehave and to bring them down from their perch as 'heroes' among their peers. Such approaches were also used with some level of success in the schools under study, particularly because the psychological pain involved was used as a deterrent for future misbehaviour. However, the persistence of these measures testifies to their ineffectiveness:

> **P13:** *"They make us kneel on the floor for an entire lesson."*

> **P14:** *"They make us stand in front of the class as a form of punishment."*

5.5 The Consequences of Corporal Punishment for Learners

5.5.1 Junior secondary schools

It has been well recorded that corporal punishment may have a variety of adverse neurological, physical, behavioural, cognitive, emotional and social development outcomes. All the participants from the two junior secondary schools gave an account of how corporal punishment had affected their lives at school. It was noteworthy that even those respondents who had earlier stated that corporal punishment was not used in their schools shared their experiences when this question was asked. The responses were fairly repetitive and therefore selected responses are recorded below:

P1: *"I felt really sad after I was punished because my classmates laughed at me."*

UNICEF (2007:8) maintains that "corporal punishment causes psychological damages that obviously reflect on a child's self-esteem and self-confidence, and having other negative long-term personality effects." A study by Griffin, Robinson and Carpenter (2000:5) found that "the negative side effects of punishment include running away; [playing] truant; fearing teachers or school; feeling high levels of anxiety, helplessness, and humiliation; and being aggressive or destructive at home and school". It is obvious that the learner revealed shame and humiliation in the above response, which are destructive emotions that did not necessarily result in corrective behaviour.

P2: *"Concentrating in class becomes really hard after I've been hit as I get angry at the teacher."*

P3: *"I lose focus because I cry after I've been hit. They hit us very severely."*

P4: *"I start shaking. I become very restless and uncomfortable. I can't even hear what the teacher is saying and just pray that she quickly leaves the class."*

P5: *"The pain and anger that develop after I've been hit prevent me from focusing during the lesson."*

P6: *"The beating we receive on our backs is really painful; it stings. I become sweaty and my focus shifts from the teacher to rubbing the pain on my back."*

Shukla and Singh (2013: 59) argue that poor attention span, increased dropout rate, school avoidance and school phobia, low self-esteem, anxiety, somatic complaints, depression, suicide, and retaliation against the teacher" are consequences of corporal punishment. The above comments thus clearly reveal that the use of corporal punishment affects children much deeper than the temporary pain that it inflicts. Severe psychological and emotional complications have been found to arise in children who have been the target of corporal punishment and these affects can influence one's life well into adulthood. Gershoff (2002) argues that "a positive association has been found between the use of corporal punishment (CP) and psychological distress, specifically depressive symptoms. Students who witness or are victims of CP in school are at risk of developing a range of psychosocial problems, including depression, suicidal ideation and anxiety".

What was most disturbing about the effects of corporal punishment as revealed in the above responses is the fact that virtually none of these learners could concentrate in class subsequent to the punishment. This suggests that the impact of the punishment was extended to the point where learners' ability to learn was negated, which is ironic as this outcome directly opposes the purpose of corporal punishment which is to encourage the learner to behave and pay attention so that learning can occur.

The emotional outcome of corporal punishment can be quite severe in some instances, as one learner testified:

P7: *"I cry. The pain becomes unbearable and I feel like attacking the teacher."*

The Department of Education (2007:7) argues that corporal punishment stands in the way of proper communication between the educator and the learner and therefore hides the real problems behind misconduct which need to be tackled, such as trauma, poverty-related problems and conflict at home. The use of corporal punishment has been shown to contribute to truancy and high drop-out rates in South African schools.

The above learner's aggressive response ("*I feel like attacking the teacher"*) should also be heeded as a red flag that issues a dire warning of aggression that builds up in some learners. Such aggression can become unmanageable and may erupt in incidences of attacks and violence such as those that were recently reported in the media in the US and in video clips on cellular phones that have gone viral in South Africa Iannuzzi (2017).

Other participants commented as follows:

> **P8:** *"I feel very sad for the entire period because being beaten by the educator is very hurtful."*

> **P9:** *"I always get the idea that my educator hates me because she always targets me and beats me more than the other learners. Sometimes she calls me names; she calls me 'Isitabane' (gay)."*

According to Charles (2002:48), relationships between teachers and learners break down in situations that occur "when educators teach dictatorially, speak sarcastically, speak mockingly, order learners around, point out learners' shortfalls and act as though misbehaviour is completely the learners' fault". Learners who find themselves in such predicaments lose motivation, vacillate to cooperate, and sometimes answer back impolitely.

Another learner stated:

> **P10:** *"When they hit us on the buttocks it becomes hard to sit at the desk. We have no choice but to sit, no matter how painful our buttocks are. If don't sit because of the pain, we will receive yet another beating for standing in class."*

5.5.2 Senior secondary schools

Similar patterns as those that were revealed above were noted among learners in the senior secondary schools. Every learner, including those who had stated earlier on that corporal punishment was not used in their schools, also shared their experiences of how the infliction of corporal punishment impacted their learning. The subsequent comments illustrate some of the effects of corporal punishment on learners in this phase of schooling:

> **P1:** *"After receiving the punishment from my educator I was sad and in pain."*

> **P2:** *"I cried and the entire class laughed at me. They called me a 'sissy' and said that boys don't cry."*

P3: *"The pain on the buttocks becomes so severe that it becomes hard to pay attention in class."*

P4*: "I find it difficult to focus in class as I feel anger and resentment towards the teacher that beat me."*

P5: *"They beat us severely. You can't even sit or hold a pen because of the pain. Sometimes you get beaten even though you did nothing wrong. That on its own creates anger and resentment towards the educator and the subject that he/she teaches."*

Earlier studies on corporal punishment have revealed that numerous negative effects are caused by the use of this form of punishment among students, such as: "…neurotic reactions like fear, anxiety, withdrawal, tension, timidity, trauma, stress, submissiveness, resentment, poor performance, drop out, injury and, in extreme cases, death" (Mugambi, 2008:30-31). Additionally, the use of corporal punishment was found to cause mental torture and other effects include making children more aggressive, defiant, hostile and violent which eventually may lead to the destruction of property.

The "anger and resentment" that P5 felt are thus indicative of the breakdown in communication between the teacher and the learner, and it may thus be surmised that, if this relationship is not healed, the learner will find it hard to work constructively in the subject and to achieve well. In fact, doing poorly in a particular subject may be used as a form of retaliation to 'get back' at the teacher and to reverse the 'position of power' of the teacher, although such an attitude may impact the learner more adversely in the end. The point that is made here is that some learners may have no recourse other than doing poorly in a subject if they have been deeply offended and humiliated by a teacher.

The previous point is illustrated by the following comment:

P6:*"Sometimes I don't even want to come to school. I've even thought of leaving school and go find work at the factories in* [mentioning the name of the study area]."

The above comment is supported by Du Preez et al. (2002:88), who maintain that children who have been exposed to lashings, paddling or other harsh disciplinary practices have reported the

following problems: "…frequent withdrawal from school activities, disengaging academically, tendency for school avoidance and high drop-out as children do not learn well when they are distracted by fear". Soneson and Smith (2005:22) further maintain that corporal punishment works in contradiction of the process of ethical development by teaching children not to participate in certain behaviours as they fear they will be beaten. It does not teach them to contemplate the reasons and ethics for not behaving in a particular way and frequently covers the origin of the problem; so this means that it is not normative and self-regulation is absent so children depend on policing and inspection for their progress. It is against this background that there is a critical need to eradicate corporal punishment in South African schools.

The participants' comments further illustrated the anger, resentment, and humiliation they felt when they had been punished physically:

> **P7:** *"Some teachers give it to us really hard so that sitting at the desk becomes impossible, let alone concentrating. If the teacher notices that you're distracted, he will come back again and give you another beating on top of the one you've just received."*

> **P8:** *"I felt humiliated when I was beaten in front of all the grade 12 classes. They shouldn't have done that. I became a laughing stock for the entire second term."*

> **P9:** *"It happened that I stopped coming to school after my friends and I had been beaten by four male educators. I was scared and embarrassed but I eventually went back and got beaten for absenteeism."*

> **P10:** *"I lose concentration during the lesson and can't even hear what the teacher is saying because I'm busy rubbing where I was hit. I lose focus and end up nursing the pain".*

The above comments are consistent with the findings by the Department of Education (2000:7), as it is postulated that corporal punishment takes children's focus away from the wrongdoing and that they focus on the experience of being beaten instead.

However, the notion that, because corporal punishment is a form of abuse and therefore it has numerous adverse psychological effects such as depression, inhibition, rigidity, lowered self-esteem and heightened anxiety" is questioned by Benatar (2009:9). The latter author argues that even though there is enough evidence that disproportionate and extreme infliction of corporal

punishment can drastically increase the probability of such psychological harm, "most of the psychological data is [sic] woefully inadequate to the task of demonstrating that mild and infrequent corporal punishment has such consequences". This scholar contests Straus's (2001) argument that even occasional and non-injurious corporal punishment can heighten the probability that a child can become depressed.

Another belief that is strongly held by Straus (2001) is that when the child does not obey, the parent then intensifies the harshness and brutality of the punishment, ultimately hurting the child. The activists against the use of corporal punishment support this view and note that actual discipline is not founded on force but develops from understanding, shared respect and leniency while corporal punishment does not communicate anything about how children are expected to behave. In fact, "hitting children is a lesson in bad behaviour as it teaches children that adults find it acceptable to use violence to sort out problems or conflicts" (ECP, 2010:3). This threatening approach is also refuted by Williamson-Maloy (2010:15), who notes that positive discipline comprises everything from establishing rules and expectations for your children to accentuating listening skills in parents'/teachers'/children. Thus, selecting penalties should offer teaching opportunities, and threatening your child into submission does not work.

5.6 Corporal Punishment Exacerbates Undesirable Behaviour

5.6.1 Junior secondary school

Twelve of the 20 participants in the junior secondary schools admitted that they had continued to display undesirable behaviours even when they had received a hiding. The following is what some of them said:

> **P1:** *"They hit us for noise making and we keep quiet but moments later we start talking all over again and they get tired of hitting us."* (The participant giggled when she said this).

> **P2:** *"We are now used to getting physically punished so we misbehave anyway because the pain from the punishment does not last long."*

> **P3:** *"After I've been hit I become very angry and I start making more noise".*

P4: *"We are beaten for bunking but still my friends and I jump the fence and bunk school even if we know that if we are caught, we will be punished."*

The majority (60%) of the learners admitted that they felt no remorse or guilt after a hiding by their educators. This finding confirms that the use of corporal punishment as a disciplinary method increases aggression in children and it further suggests that the original delinquent behaviour is aggravated, as was illuminated in the above comments. When educators use physical means of controlling and punishing learners, they communicate to the learners that aggression is normative and acceptable and in this way they promote the social learning of misbehaviour. It must therefore come as no shock that South African research has indicated that boys who have been physically abused in childhood are likely to become perpetrators of violence as adults. In a study that was conducted in the Western Cape (Sauls 2014), it was discovered that children who had been physically abused or feared being hurt had poor educational outcomes, displayed undesirable behaviours, and were likely to drop out of school.

In my experience, young people have a very strong sense of what is fair and what is not, and their feelings are deeply hurt when they feel that they have been treated unfairly. Experiences of unfair treatment often result in retaliatory and aggressive behaviour, which is clearly demonstrated in the following comments:

P5: *"I was beaten for chewing gum but I still chew my gum even though it's not allowed here at school."*

P6: *"Sometimes they hit us even when we have done nothing wrong. This irritates me and so I just do whatever is going to irritate the teacher."*

5.6.2 Senior secondary schools

It was noted that physical punishment became more severe as the learners got older. For example, 24 of the older learners stated that corporal punishment influenced them to continue displaying undesirable behaviour, while six of these learners stated that, because they feared corporal punishment, they totally abandoned the undesirable behaviour after the first hiding. Some of the six learners stated the following:

P1: *"I was involved in a fight. I and the girl I fought with were given a beating by three teachers on the hand. From that day onwards I never fought at school again."*

P2: *"Teachers here at school don't have time for games; they beat you one time! Since the last beating I got I've been a very well-behaved boy."*

P3: *"I no longer misbehaving. There's a certain teacher here at school who takes you to the staff room once you've misbehaved to go and be beaten by three to four other teaches. I'm an angel now here at school."*

Some of the twenty-four learners who indicated that corporal punishment influenced them to continue displaying undesirable behaviour stated the following:

P1: *"The more they beat me the angrier I become and this causes me to make more noise in class."*

P2: *"If the teacher beats me for something I did not do I lose respect for that teacher and give them attitude during the lesson."*

P3: *"We've been receiving beatings for all our schooling years, from grade 0 to grade 12, so being beaten is nothing! You can beat me today but that won't stop me from smoking and selling weed here at school. I need the money."* (This statement was followed by loud laughter.)

The above responses indicate that corporal punishment is rarely a lasting solution to a disciplinary issue. The findings showed that the learners seemed to misbehave more and displayed more aggression and disrespect for the educators when they were persistently given hidings. It is evident that these learners were more likely to be destructive in the classroom and on the school premises and it follows that they had a hard time to concentrate in class. The fact that these learners normalised and thus accepted the use of physical violence is an indication that there is a high likelihood that they will beat their own children in the future, and thus the cycle of violence could continue from generation to generation.

P4: *"I fight here at school as a way to protect myself. The beatings won't make me stop fighting because I have to protect myself and show that I'm no coward!"*

P5: "*I can say I've become used to the beatings, even when I'm walking to school at a slow pace and know that I might end up arriving late if I continue walking at that pace, I just carry on walking like that. I don't get the motivation to walk any faster because I know I'll be hit even if I'm a minute late.*"

P6: "*If you talk in class they beat you up for making noise, and if you keep quiet you get a beating for being passive. So, I just do whatever I want because I know in the end I'll still get a beating.*"

P7: "*Once I've been beaten I start behaving because I'm scared of corporal punishment but I repeat the offence anyway!*"

5.7 Types of Offences Committed by Learners at School

5.7.1 Junior secondary schools

The respondents reported that the common, day-to-day disruptive behaviours that pose the biggest challenge in the school and in classrooms are vocal interruptions such as talking out of turn, name calling, humming, and calling out. Off-task behaviours such as daydreaming, fidgeting, doodling, tardiness and inattention were also mentioned. Physical movements, whether planned or not, are also guaranteed to cause disruption in the classroom. These movements can include wandering about, visiting other learners at their desks, passing notes, sitting on a desk, throwing objects around the classroom, and disrespect which often includes verbal aggression, teasing, punching, neglecting academic work, refusing to follow directions, and assault. The twenty learners from the junior secondary schools each detailing various offences that could be committed by learners in their schools:

A common statement was verbalised by one learner as follows:

P1: "*Learners here at school disrespect teachers and they use cellphones in class.*"

This response suggests that some learners deliberately challenge teacher's authority. I determined that cellphones were not allowed in these schools as they disrupted the teaching and learning process; however, the learners clearly brought these devices to school regardless of the school rules. Disrespecting teachers is a growing challenge in most township schools. Children who often

challenge teachers' authority bask in the glory of being the classroom 'heroes'. Ironically, these are often children who either come from families where they are powerless, or from families where the children are in control (in which case they may also feel powerless because they feel abandoned and overwhelmed at school) (Gootman, 1997:111).

Learners thus boast about receiving a hiding as something to be proud of; it becomes a badge of bravery or success and thus boys in particular may not mend their ways as their 'manhood' is strengthened and demonstrated by the number of times and the severity of the hidings they receive.

It was clear that bad behaviour has the tendency to persist regardless of school rules and hidings, which exposed learners' tendency towards disobedience and deliberate provocative and disruptive behaviours.

> **P2:** *"They make noise during the lesson, they don't write their homework and bring their phones to school."*

> **P3:** *"They get involved in fights."*

> **P4:** *"We bunk school and arrive late. We don't arrive late by choice but because most of us stay far from the school."*

> **P5:** *"They chew gum, litter on the classroom floor and disrespect teachers."*

> **P6:** *"Learners here at school sometimes don't wear the full school uniform. Girls even come wearing make-up with hairstyles that are not allowed at school."*

It was also clear that the majority of the respondents admitted to behaviour that was driven by naïveté and ignorance as some learners admitted to making mistakes and disobeying merely because they did not understand the rules of the classroom or even the overriding culture in the school. However, a most disconcerting finding was that some of these learners were aware of the school rules but chose to misbehave anyway:

> **P7:** *"They smoke, some of them cell cigarettes and weed. They also fight and bring weapons to school."*

P8: *"Learners here at school bully other learners. They steal and they don't do their homework."*

P9: *"They steal pens, pencils, lunch, and even lunch money."*

P10*: "They distract other learners during the lesson and some of them use foul language."*

5.7.2 Senior secondary schools

Similar findings were obtained among learners in the senior secondary school where high levels of misbehaviour were exposed. The following is what one of the thirty participants had to say:

P1: *"We get involved in fights, we fight with other learners here at school and with outsiders too."*

Exposure to violence at home and an abusive background are often cited as the root causes of certain offences committed by learners. As society resolves its problems through shootings, knifings, fist fights, extortion, threats and injury, children are constantly unprotected against violence and have thus become unresponsive to it. Learner-on-learner violence was exposed as the most prevalent problem in these township schools and this of necessity will have a negative effect on how discipline is managed. The learners openly admitted that the many fights that occurred erupted for minor and often petty reasons that could easily have been resolved by talking to and listening to one another. Both genders admittedly engaged in physical altercations. Two of the drivers of fights were alcohol and drugs:

P2: *"Learners here at school smoke and bring in drugs."*

P3: *"Me and my friends usually carry alcohol disguised in containers like juice bottles. We usually get drunk when there are activities such as sporting events or a cultural day."*

Drug and alcohol use is widespread in South African schools. In a similar study, Serrao and Foss (2008) found that the average first time drug user was 19 in 2002, whereas in 2008 this age had dropped to 10. Their study also indicated that "…drug abuse has become so bad that experts say that every school in the country now has a drug problem and it is out of control" (Serrao & Foss

2008:13). Studies by Morrell (2001:1) and Visser and Moleko (2008) indicated that out of 460 grade 6 and 7 learners in four primary schools in a historically underprivileged urban area in Pretoria, the use of alcohol was common among learners as 27% had had used alcohol and 14% had drunk alcohol to get drunk.

The current study also exposed the habit among children of deliberately mocking and provoking teachers:

> **P4:** *"Some learners mock and disrespect teachers in class as they want to be perceived as heroes by other learners."*

> **P5:** *"Some learners like to be the 'clown of the class'. They display undesirable behaviours because they want attention."*

Considering the above responses, one can argue that many learners misbehave because they are starved for attention. Educators should not ignore such learners because if they are not controlled, the unruly situation in the classroom will escalate. Research has revealed that poor parental styles, including poor parental discipline and a lack of parental warmth, sensitivity and attention, are prevalent as a result of factors such as divorce or job commitments and are responsible for persistent and escalating misbehaviour during middle childhood and adolescence (Pienaar, 2003:6).

An anticipated finding was the presence of gangsterism in these township schools, but the extent of this problem came as an unpleasant surprise:

> **P5:** *"There's a lot of gambling and gangsterism here at school."*

Theft, foul language and school absenteeism were also highlighted by the respondents:

> **P6:** *"We bunk school a lot."*

> **P7:** *"Learners arrive late here at school which is something that the teachers do not want. They use foul language and vandalise school property".*

> **P8:** *"We have thieves here at school; they steal pens, backpacks, cellphones and teachers' handbags."*

Numerous explanations can be linked with the issue of theft in schools. These can include learners' testing of barriers, poverty, poor socio-economic backgrounds, emulation of peers, malnutrition, personal problems, hunger, jealousy, and unprincipled parents. The study participants indicated that due to the high levels of theft in the school, they were compelled to carry their (often heavy) backpacks all the time as the contents – and even the bags − were stolen if left unattended. Their vulnerability was clear as I observed that classroom doors did not have locks, and therefore the students could not leave their belongings in secure classrooms.

5.8 Injuries Caused by Corporal Punishment

5.8.1 Junior secondary school

Eight of the twenty learners in this category indicated that they had sustained physical injuries by being whacked on their hands by educators. The following is what they had to say:

> **P1:** *"I was hit by my teacher and my wrist was swollen and my skin almost got cut."*

> **P2:** *"I was talking and Sir hit me with a pipe all over my body. My wrist got injured while I was trying to shield my face from the beatings. I even have a scar to show it."*

> **P3:** *"She* [the teacher] *was hitting me on the hand, but the pain got too much and I tried to duck and the pipe landed on my thigh. Blood blocked and a lump with blood accumulated."*

> **P4:** *"While the teacher was hitting me on the back, it happened that the pipe landed on my head. I had severe headaches for almost three days."*

The above comments clearly demonstrate why physical punishment has been abolished, particularly in the South African context. The most noticeable of these reasons is the risk of traumatising and physically injuring learners. Masses of South Africans of all races are survivors of abuse and many of these instances remain unreported. For instance, it is impossible to determine whether a child bending over a chair in preparation for a beating is not already dealing with a beating that was suffered at home. Moreover, abuse has been identified as one of the reasons why some learners have difficulty concentrating in class.

The comments by the learners illuminated the illegality and uncontrolled nature of the beatings they had been exposed to. In the educational context of apartheid, which has been predominantly blamed for perpetuating corporal punishment in schools to this day, the 'rules' were clear: a hiding was permissible if it was administered under certain circumstances and only by hitting a girl on the hands or caning a boy on the buttocks. However, the vicious nature of some of the beatings that the learners admitted to being exposed to in this study goes way beyond even what was allowed during the apartheid years. Using a pipe instead of a cane, and hitting learners over the head, on the thighs and all over the body are clearly beyond what even the advocates of corporal punishment will tolerate. The following are further examples of the savage nature of the corporal punishment that tended to be inflicted in the schools under study:

> **P5:** *"One day, the teacher was beating us with a broom stick and when it was my turn to receive the punishment. The stick broke on my wrist and I had a swelling that lasted for a week."*

> **P6:** *"I was hit by the teacher using a pipe. The pipe landed on my wrist and hit a vain. I had a swelling. It was very painful…I became afraid to go to school. I stayed away for a few days and when I returned I was given another beating for absenteeism."*

These comments confirm that, for many teachers in a post-apartheid and supposedly democratic South Africa, corporal punishment functions as a punishment only if it incites an amalgamation of pain and anxiety. Thus, the extent to which it is an effective punishment is dependent on the extent to which it is likely to aggravate trauma in the learner.

A similar study by Hyman, McDowell and Rains (1997:19) soon after the advent of democracy addressed the severity of corporal punishment by referring to the development of illnesses such as Educationally Induced Post-Traumatic Stress Disorder (EIPSD) and Post-Traumatic Stress Disorder (PTSD) that are characteristic of depression and anxiety. Moreover, Greydanus (2003:11) found that learners who had been exposed to corporal punishment had "difficulty sleeping, fatigue, feelings of sadness and worthlessness, suicidal thoughts, anxiety episodes, increased anger with feelings of resentment and outbursts of aggression, deteriorating peer relationships, difficulty with concentration, lowered school achievement, antisocial behaviour, intense dislike of authority,

somatic complaints, tendency for school avoidance, school drop-out, and other evidence of negative high-risk adolescent behaviour*".*

It is undeniable that, if these emotional disorders are induced in children at school, it augurs poorly for future generations of well-balanced and functional people in our society. Therefore, the question should be asked: *If teachers in so many schools in our country have embraced the principles of a true democracy and are able to abide by the laws of the country in terms of disciplining the children in their care, why is it that teachers in some schools – regardless of where they are situated – can so blatantly ignore the democratic principles that they fought for much of their lives and still get away with this form of abuse?* This question is particularly relevant as some study participants were evidently aware of and referred to the lack of corporal punishment in "city" or urban schools.

In some instances, the petty reasons for corporal punishment leave one breathless and angry:

> **P7:** *"We were being punished for noise making. The teacher gave us three strokes each, one of the strokes landed on my wrist. I later developed a swelling, the swelling oozed yellow pus and later it turned into a sore."*

> **P8:** *"I was only missing one answer from the fifteen equations that Sir gave us. He gave me five strokes and my pinkie finger got sprained."*

5.8.2 Senior secondary schools

In the senior secondary schools, six of the thirty learners reported that they had sustained injuries on their hands while others reported quite severe consequences:

> **P1:** "*I was hit by the teacher and ended up having seizures. I was taken to the doctor and he said it had happened because of fear. I was very scared".*

> **P2:** *"I was beaten with a pipe and got a small cut on my finger which bled."*

> **P3:** *"After receiving corporal punishment my hand was swollen. I couldn't hold a pen. My mother had to dress me because I could not dress myself with one hand".*

P4: *"Up till this day I really cannot explain what happened. The teacher hit me five times on my hand and it ended up getting sprained".*

These learners' responses elicit a growing concern about the issue of corporal punishment in schools as they indicate that corporal punishment, regardless of the perpetrator or how lightly it is applied, violates children's rights. Numerous global and local studies have shown the negative effects of physical punishment. Physical consequences such as external and internal injuries were exposed by the findings of the current study as well. It was also revealed that corporal punishment could lead to mental health consequences such as depression and anxiety and the danger exists that these conditions may persist into adulthood. For example, some participants stated:

P5: *"After I was hit, blood collected on my inner part of my hand forming a swollen lump. After a week, my hand started peeling."*

P6: *"The beating I received on the buttocks from four different teachers in the staff room left me limping for three days."*

5.9 Reporting of Injuries Resulting from Corporal Punishment

5.9.1 Junior secondary schools

Of the eight learners who reported having sustained injuries due to corporal punishment, only four indicated that they had not reported this to their parents or guardians. They stated:

P1: *"I did not report to anyone at home. I hid the swelling because my parents were going to blame me and give me yet another beating on top of the one I had received at school."*

P2: *"I did not report it. I just thought that it's part of the school rules that learners should be hit."*

P3: *"I did not report it as I did not see the need since we are beaten in that way all the time."*

P4: *"I did not report it. I just kept it to myself."*

Two reasons may account for the learners' unwillingness to report these injuries: The first is that this culture of violence is so deeply entrenched in their minds that they do not question either this

form of abuse or the power of their teachers to inflict it; and secondly, learners may not report corporal punishment as they fear victimisation by their teachers and further punishment by a parent. Reporting incidents is also discouraged because some parents and teachers persistently believe in its effectiveness to discipline learners and are oblivious of its dangers and unlawfulness. The predominant attitude seemed to be that physical punishment is the norm in township societies. Episodes of corporal punishment are thus underreported by learners because neither society (parents, guardians and learners) nor the provincial DBE reports these incidents as they should, thus the mass media cannot expose the real picture of what is going on in schools. Only incidents in which a child has been severely injured by a teacher are reported, and it is heartening that the perpetrators are brought to book. It is however a disturbing fact that the DBE is unable to provide a national overview of how many incidents are reported on an annual basis.

The participants' responses can be enlightened by the theory of the subculture of violence which argues that "the culture of violence can also lead to a culture of silence which can be attributed to either intimidation by perpetrators…" (Matthews et al., 1999:5) or to "…such an acceptance of violence as a way of life that fewer people report victimization" (Lewis, 1997:n.p.).

Four participants indicated that they had reported the incidents at home and that they questioned these acts. This is what the learners had to say:

> **P5:** *"I went to confront the teacher but was told not to report the matter to my parents."*
>
> **P6:** *"I showed my parents the wound and told them what had happened but they showed no interest in what I had to say or what I had showed them."*
>
> **P7:** *"I went to the office and made him aware that he had injured me. He just said 'sorry'."*
>
> **P8:** *"I told my mother. She went to the school and confronted the teacher. She wanted to beat up the teacher and injure her in the same way that she had injured me. The principal had to intervene."*

If it were not so tragic, the fact that the mother had to be restrained from beating up the teacher could be quite ironic, for if she had not been restrained, she would obviously have perpetuated undesirable acts of violence.

5.9.2 Senior Secondary schools

Four of the learners who had sustained injuries reported the matter:

> **P1:** *"I told my grandfather and he spoke to the teacher that had injured me. But due to the fact that this teacher was a family friend, no further legal actions were taken. I was taken to the doctor and that was the end of it."*

> **P2:** *"I told my mother and she went to the school and spoke to the teacher."*

> **P3:** *"I told my mother, who then wrote a letter to the school principal. I was called to the principal's office together with the teacher who beat me and she apologised."*

> **P4:** *"I told both my parents. My father was very angry and wanted to go to school and beat up the teacher but my mother ended up going to confront the teacher as matters were going to get worse had my father gone there."*

The two learners who did not report the incidents to their parents stated the following:

> **P5:** *"I did not report to anyone. I'm used to being beaten. I've accepted it and therefore I did not see anything wrong. I was just sad that I was injured."*

> **P6:** *"I did not report the matter. I just kept it to myself. My parents would have blamed me for the beating and beat me some more."*

With reference to the above comments, a general assumption may be that corporal punishment persists in schools because parents who hold strong beliefs in its effectiveness to discipline disorderly learners sustain teachers' perceptions that this form of punishment is tolerated and therefore sanctioned. Many parents may believe that the abolishment of corporal punishment could create a crisis in education and that it must therefore stay. Corporal punishment is used in many schools in South Africa as its proponents state that it is 'part of our culture'. This punitive method is particularly prevalent in rural and semi-urban areas among low-income communities where access to information is poor, where many parents do not know that the practice is illegal, and where some pupils do not know their rights. However, the argument that teachers and principals maintain this practice in ignorance or oblivion of the law is a fallacy, as principals in particular are custodians of the law and the rights of children and, regardless of their schools' locations, they are

generally well informed of their responsibilities through DBE circular letters, education policy documents and regular workshops and meetings.

5.10   Learners' Perceptions on the Use of Corporal Punishment

5.10.1   Junior secondary schools

The most significant finding of this study pertained to the differing opinions that were expressed by the learners regarding the use of corporal punishment. Fourteen of twenty junior secondary school learners (70%) indicated that they were not happy with the persistent use of corporal punishment. Some stated:

P1: *"It makes me sad that they hit us here at school. They should stop hitting us so that we can be able to concentrate and do our school work."*

P2: *"It's not right since some learners even stay away from school as they fear being hit. Some even get injured."*

P3: *"It's not fair! Sometimes a teacher would just hit you harder because he or has stress."*

P4: *"It makes me realize that our rights are looked down upon."*

P5: *"It makes me sad because it's so hurtful to be beaten by your educator."*

P6: *"It's unfair and it does not sit well with me because most of us learners are aware that the use of corporal punishment was banned a long time ago!"*

The above responses reveal that the junior respondents were well aware of their rights as well as the reality that corporal punishment is a practice that has been outlawed in the country. An important fact to note is that some learners develop a fear of school and tend to stay away as a result of punishment that they deem to be threatening and unfair. Earlier, a learner's comment that their educators hit them to 'scare' them was discussed. However, the above responses suggest that the children were not only frightened to repeat an offence and thus abandoned the undesirable behaviour, but they also developed a fear of going to school.

It was heartening to note evidence of the DBE's efforts to intervene and to eradicate the practice of corporal punishment in schools:

> **P7:** *"It's very wrong and it saddens me that they still hit and injure us. There was a workshop that we recently attended together with other schools here in* [naming the township] *where the Department of Education clearly announced that the use of corporal punishment is illegal."*

The learners also appeared well aware of the fact that corporal punishment was not used in all schools, particularly in schools in urban settings:

> **P8:** *"They should stop beating us and find other ways of punishing us like in schools in the city."*

> **P9:** *"The continued use of corporal punishment makes me sad because the very same teachers who are beating us every day do not send their own children to the local schools. They send them to 'Model C' schools where they won't receive corporal punishment."*

Conversely, six participants supported the continued use of corporal punishment. One participant's comment reflects all these statements:

> **P9:** *"I'm okay with the continued use of corporal punishment because it helps. We are easily controlled when we are hit. There are teachers that do not hit us here at school and we have very little respect for them."*

The above response suggests that the use of physical violence has become an accepted norm in the lives of many learners. This attitude may be linked with the impact that the apartheid regime had on the South African educational system, as it was grounded on the view that children needed to be controlled by adults and that measures such as sarcasm, shouting and other abusive forms of behaviour were ways of teaching children a lesson or ensuring that they were 'afraid'.

However, the learners were aware of the fact that many teachers have accepted the norms of a democratic society and now embrace the human rights of children. They referred to "city" and "Model C schools" in this regard and were aware that these schools maintain the principle of a

violence-free society while some schools, regardless of the training of the staff and departmental interventions, have not done so. This is an enigma that warrants further in-depth research.

The normative position of corporal punishment was strongly expressed by some learners in words such as it "encourages", "I feel happy", "we…behave", nothing "wrong" with it; it "assists" us, and it is "good":

> **P10:** *"I feel happy that we are hit because corporal punishment encourages us to do our school work".*

> **P11:** *"I do support the use of corporal punishment, they must continue beating us so that we can learn to behave. I don't see anything wrong with the beatings we receive."*

> **P12:** *"Being hit is normal to us, because since grade R we've been receiving corporal punishment and even at home we receive it as well. This should not change as it assists us in becoming good children."*

> **P13:** *"They should continue hitting us as it helps us to do our homework and do well at school."*

> **P14:** *"Corporal punishment is good because it helps us behave."*

The finding that learners themselves condoned corporal punishment may be enlightened by the subculture of violence theory, which argues that "individuals and groups learn and develop specific norms and values through observing phenomena and intermingling with others who emphasize and give justifications for the use of physical force above and beyond that which is viewed as 'normative' of the culture as a whole" (Wolfgang et al., 1967:2, cited in Mkhize, 2012:60). The above comments have an association with this theory which posits that escalating levels in the use of physical force as well as physical punishment in lower-class and racialized populations could be elucidated by the fact that these groups have embraced values and norms that are more permissive of the use of violence (Plan, 2016:1). Although this does not clarify the diverse and conflicting views of the learners in terms of corporal punishment, it is argued that although violent punishment is considered as a means of deterring undesirable behaviour in young people, the impact that violence has on them may remain hidden or undiscovered due to the fact that it is perceived as normal (Mkhize 2012:60). Considering the above responses of the learners, with

specific attention to Participant 12's response, it could be argued that, because the use of physical violence was introduced so early in this child's life both in the school and in the home, this learner may use the same approach to resolve conflict in the future.

5.10.2 Senior secondary schools

Similar findings were obtained in the senior secondary school sample as there were learners who did not support the continued use of corporal punishment and there were those who supported its use. Examples of the responses that were obtained from nine of the thirty respondents who supported the discontinued use of corporal punishment are presented below:

> **P1:** *"It's a good thing because there are still a few learners that misbehave and disrespect teachers."*
>
> **P3:** *"It's a good thing because learners sometimes do not make it easy for educators."*
>
> **P7:** *"Corporal punishment is a good disciplinary method because you find that some learners will behave and respect the teachers because they are afraid of being beaten."*
>
> **P8:** *"I think it is a good way of maintaining discipline but not for high school learners."*
>
> **P9:** *"It should be continued because it helps us black children to learn. If they beat us we then become afraid to misbehave".*

Considering the above comments, one can arguably construe that some people in the current generation have adopted previous generations' norm that the use of physical punishment is something that must be accepted as its removal from the social order may result in a chaotic state. Corporal punishment has long been associated with the viewpoint that people in the social order are not capable of critical thinking and self-discipline and that they must thus be closely controlled or monitored by those in power through physical punishment. This viewpoint has been passed on from generation to generation and it can be contended that, until such a belief system is abolished and people shift their mind-set from the infliction of corporal punishment to other alternative means of maintaining discipline, South African schools will never become 'corporal punishment free zones'.

It is believed that the observation of values will provide insight into group norms. Thus, individual action, attitude and perception are considered to be the key to understanding the collective phenomena that comprise culture. With this in mind, Wolfgang and Ferracuti 1967:153) suggest the following:

> "We suggest that, by identifying the group with the highest rates of violence, we should find in the most intense degree subculture of violence, and having focused on these groups we should subsequently examine the value system of their subculture, the importance of human life in the scale of values, the kinds of expected reactions to certain types of stimuli, perceptual differences in the evaluation of stimuli, and the general personality structure of the subcultural actors."

The twenty-one remaining participants were against the continued use of corporal punishment. The following is what some of them had to say:

P4: *"Beating children should be stopped."*

P5: *"The continued use of corporal punishment does not help in any way! For me it has not helped. Initially I was afraid of corporal punishment but once we got beaten repeatedly we've all become used to it. They beat us and we get over it, so it does not work!"*

P6: *"Corporal punishment does not help; instead, it worsens the situation and should be stopped."*

P7: *"They should stop beating us! It's illegal and it does not help."*

P10: *"Corporal punishment should be stopped".*

P11: *"I think corporal punishment should be stopped because the South African law says it's illegal".*

P12: *"It should be stopped! We once attended a workshop where people from the Department of Education stated that corporal punishment is illegal but they are still beating us."*

P13: *"They should stop beating us because each year children die at the hands of their educators. Our lives are not safe!"*

P14: *"The beating up of children should be stopped because we end up losing focus during the lesson."*

P15: *"The continued use of corporal punishment is useless. They should stop beating us and look for other means because it's not working. We are too used to being beaten; we get beaten at home so when they beat us at school it's nothing to us!"*

In order to work towards the eradication of all forms of violence in society, corporal punishment was legally prohibited in South African schools through the Constitution of South Africa Act No. 108 of 1996, the South African Schools Act No. 84 of 1996, and the National Education Policy Act No. 27 of 1996. A golden thread that has run throughout this study is the vision and aim of the Constitution of South Africa, which envisages a country that is free of all forms of violence. However, in terms of corporal punishment this aim has not been achieved.

Although the learners indicated that they were resistant to beatings, other red flags that suggest that violence may escalate rather that abate were raised and it may be argued that learners will continue to display undesirable behaviour regardless of the forms of punishment meted out to them. These red flags are gangsterism, the use of drugs ("smoking weed" was particularly mentioned), truancy, and a general lack of respect for teachers and discipline.

Many learners in this study seemed to share the same sentiments on corporal punishment. Whereas some learners supported its continued use, the majority of the learners indicated that they were unhappy with its use and would be happier if educators would stop imposing this form of punishment. However, continued reports of the use of corporal punishment in schools is proof that, as a rational process or an out-of-practice method, there are individuals who resist the banning of corporal punishment. This practice is thus still widely debated by the mass media, stakeholders in schools, and academia. One argument that is strongly against the abolishment of corporal punishment stems from the statement that, since the banning of this form of punishment in schools, the power of teachers has been significantly weakened and there are no operative methods for maintaining discipline in schools (Porteus, 2001:1).

5.11   Learners' Suggestions for Alternative Modes of Corrective Measures

Considerable information was discovered regarding rising concerns that the use of corporal punishment in South Africa has not been discontinued in some schools regardless of its abolishment in 1997. The participating learners enunciated their experiences and perceptions about corporal punishment and elucidated the impact that it had on them in various facets of their lives. Most of these learners responded in voices that resonated from a position of abuse. The learners also shared their experiences and commented on what could be done to deal with learner misbehaviour which often resulted in the use of corporal punishment in their respective schools.

5.11.1 Junior secondary schools

P1: *"They should chase us out of the class or suspend us."*

P2: *"Suspension or manual work is better than being physically punished."*

P3: *"The teacher must involve our parents if we misbehave."*

P4: *"They must talk to us because we do listen; it's not like we are stubborn learners or hard of hearing."*

P5: *"They should talk to us and not hit us. We get physical punishment at home and the worst beatings always await us at school. The school should at least be our place of safety."*

P6: *"Learners that are not serious about learning should be kicked out of class. Only those who are serious about their education should be given a chance to learn in a conducive schooling environment where corporal punishment is not imposed on learners."*

P7: *"Parents of the troublesome learners should be called in and if they do not come, that learner should be suspended until they bring their parents to school."*

P8: *"They should give us detention."*

P9: *"Teachers should separate learners. Teaching and learning could function well if troublesome learners are taught separately."*

P10: *"They should give us verbal warnings."*

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P11: *"They should talk to us and encourage us to listen."*

P12: *"I don't see another way apart from the teacher teaching those who are serious about learning."*

P13: *"Misbehaving learners should be suspended."*

P14: *"They should give us more homework as punishment."*

5.11.2 Senior secondary schools

Similar views were offered by the more senior learners:

P1: *"Standing for long hours in the hall could help because it's something that we all hate."*

P2: *"Suspension is better! The period of suspension helps us think about what we want and what really matters in life."*

P3: *"Suspension is better that being hit."*

P4: *"Suspension is better than physical punishment."*

P5: *"Being given more school work could help."*

P6: **"***Involving my mother would make me change. Involving all of our parents would make us all change."*

P7: *"Involving my grandfather could assist."*

P8: *"By being given demerits."*

P9: *"Detention would be better that being hit."*

P10: "*They should talk to us. They should show us that we've done wrong without beating us. Nothing beats talking!"*

P11: *"They should talk to us instead of hitting us. If they can talk to their own children at home when they've done wrong, I believe the same strategy can work with us."*

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P12: *"Written warnings could help because this could keep us away from misbehaving as we would know that once we've been given three warnings, a beating follows."*

P14: *"They can even make us work in the garden if we misbehave instead of beating us. At least the veggies we will grow and punishment will go towards the school feeding scheme."*

P15: *"Girls could clean the staff room and boys could pick up litter around the school."*

It was interesting to note that the learners suggested many of the measures that are contained in the departmental guidelines that were issued to schools soon after the abolition of corporal punishment. All these measures are non-violent and recognise the rights of learners. Respondent 12's suggestion is noteworthy. This is the learner who admitted to being physically punished since pre-school, and his perception was that a beating should continue to be used as a last resort.

5.12 Conclusion

This chapter presented the empirical findings of the study. The authentic data were presented, discussed and analysed using the thematic analysis method. Themes that emerged during the data analysis process were presented as key topics. The discourse illuminated the participants' perceptions and experiences of corporal punishment in schools in a township in KwaZulu-Natal. It was unequivocally discovered that corporal punishment was still practised in the schools under study and that learners experienced this form of physical abuse to various degrees. Although a minority of the learners appeared philosophical about the pain and humiliation they and others suffered and supported the continued use of this form of punishment, the majority advocated its eradication as it had a negative impact on them and their peers. The severity of the impact of corporal punishment may have long-term consequences as some learners considered leaving school and finding a job. The shocking truth of mild to severe injuries was revealed as some of the learners had sustained injuries on their hands, heads, legs and backs. Such incidents were seldom reported to their parents or the authorities as the learners feared that they would be blamed and thus receive more punishment at home. The perception prevailed that not much would be done by some parents to defend and protect their children and, ironically, some children hinted at a continued cycle of violence should their parents accost the guilty teachers. Some of the children

were aware that corporal punishment was an illegal disciplinary method and that their rights were infringed. However, there were also those who had accepted the use of corporal punishment as a norm. A noteworthy finding was that both male and female teachers were referred to as the perpetrators of this crime, as the participants referred to "Sir", "Ms", "he" and "she" in their responses.

When the learners were given a platform to recommend their preferred modes of correction, the majority was very vocal and adamant that the use of corporal punishment in schools should be stopped as per instruction by the Department of Education. They suggested corrective modes that do not involve the use of physical punishment. The implications of these findings are discussed in more depth in Chapter Six.

<div align="center">**CHAPTER SIX**</div>

<div align="center">**CONCLUSION AND RECOMMENDATIONS**</div>

<div align="center">*A hunter with only one arrow does not shoot carelessly.*</div>

<div align="right">~ Nigerian Proverb ~</div>

6.1 Introduction

The preceding chapter dealt with the presentation, analysis and discussion of the data that had been obtained from interviewing fifty participants in four schools in a township in KwaZulu-Natal, South Africa. Following an incisive examination of the data, certain clear conclusions developed in terms of the critical questions that are presented in the introductory chapter. Grounded on the review of secondary data in Chapter Two and the findings as delineated in Chapter Five, this chapter presents a summary, the final conclusions that were reached, and relevant recommendations. The conclusions are organised with reference to pertinent aspects that led to specific conclusions and recommendations that may guide stakeholders and future researchers to address the problems that were identified by the study.

6.2 General Conclusions

General conclusions that were reached will be discussed in terms of the objectives of this study, which were to:

1) To explore learners perceptions and experiences of the banning of corporal punishment;
2) To identify the types of corporal punishment inflicted on learners;
3) To determine the effectiveness of corporal punishment in deterring undesirable behavior.
4) To escribe the consequences of corporal punishment in public schools and;
5) To identify preventative measures to prevent the use of corporal punishment.

6.2.1 Learners still subjected to corporal punishment in schools

The sampled participants of this research study frankly confirmed that corporal punishment was still being imposed in their schools. It was generally felt that its use was ineffective in curbing discipline as the majority of the learners felt resentful, humiliated and offended when they had to submit to this form of punishment. Some learners openly scoffed at this form of punishment as they had become so used to it that it had become 'a way of life' and they admitted to persisting in their disobedience of the school rules, particularly in terms of truancy, drug use and disrespectful behaviour. The fact that the participants felt that learners in these schools remained undisciplined and disrespectful to their teachers thus testifies to the inefficiency of corporal punishment to curb misbehaviour.

This finding is consistent with the theory of the subculture of violence as it gives clues as to what causes violence and what hastens it. According to the Education Rights Project (2005:10), "corporal punishment has been practised in South Africa for centuries. The history of slavery, colonialism and apartheid is also the history of the whip, the lash and the sjambok". In South Africa the Christian National Education Policy was designed to support the apartheid system by "schooling children to become passive citizens who would accept authority unquestioningly" (Department of Education, 2000:5). During this era, educators were encouraged to use the cane as a way of maintaining control and 'dealing with those who stepped out of line'. Ntuli (2012:23) asserts that apartheid policies were based on a view that "children need to be controlled by adults and measures such as sarcasm, shouting and other abusive forms of behaviour were ways of teaching children a lesson or ensuring that they were afraid". Beating children to discipline or punish them was a norm in this era, and it was taken so lightly in a society that was so familiar with violence". Increasingly, research displayed a direct linkage between corporal punishment and levels of violence in society (Porteus et al., 2001:6; Marais, 2010; Kapueja, 2014). The findings thus suggest that the offending teachers, who may have been raised in an era when corporal punishment in schools was the norm, have become the disciplinarians that they were modelled to be. Many would have been learners in the days of oppression and Christian Education and are now the teachers that inflict corporal punishment as it was inflicted on them. However, the fact that the learners referred to urban schools as violence-free schools presents an enigma, as the question

should be asked why so many teachers in these schools have embraced democracy and children's rights regardless of their oppressive past, whereas the teachers in these township schools have not.

The participants also indicated that corporal punishment was an everyday occurrence in their schools and that it was administered even for the slightest offence such as giving an incorrect answer. Schooling was thus severely impacted as some participants admitted that they sometimes stayed away from school ("bunked") in fear of being severely beaten upon their return. Some even considered leaving school and finding a job.

6.2.2 Types of corporal punishment inflicted on learners

The sampled participants of this study confirmed that the most frequently used forms of corporal punishment at their schools included being hit with objects (pipes, board duster, ruler, books, twigs, planks and belts), being slapped, being grabbed or being shoved, roughly, cleaning toilets, being denied the use of the restroom being forced to stay in uncomfortable, being pinched and being verbally insulted. These findings coincide with those of Senoson (2005:6) who argues that the most frequent forms of corporal punishment are spanking, slapping, grabbing or shoving a child roughly (with more force than is needed to move the child), and hitting [him/her] with certain objects such as a hair brush, belt or paddle." Although corporal punishment was effective to a certain degree as it caused some learners to stop their undesirable behaviour, some of the learners persisted in misbehaving regardless of the intensity of the punishment that they were subjected to. The study participants indicated that they were given hidings at home (some even since pre-school), and therefore they had become immune to the physical pain and the emotional hurt. They further stated that when they had been physically punished by a teacher or principal, they became angry and resentful this caused them to repeat the offence. This finding corroborates Marais and Meier's (2010) finding that leaners often misbehave due to the need for power, control and anger release. Learners also misbehave as a means of issuing a deliberate challenge to a teacher's authority. Ironically, these are often children who either come from families where they are powerless or abused, or from families where they are in control (in which case they may also feel powerless because they feel abandoned and overwhelmed) (Gootman, 1997:111). The findings of this study are also consistent with those of Watkinson (2000, cited in Manli-Cassimir, 2009:198), who argues that punishment also generates an environment of violence and aggression for children

who are already motivated that way, and anxiety alarms shy children. Current research has consistently shown that children raised by punishment such as corporal punishment display more aggressive tendencies as punishment is part of the bigger picture of an authoritarian approach based on the belief that if children are made to suffer for doing wrong, they will not repeat their inappropriate behaviour. This approach "has done untold damage to countless children, often resulting in feelings of alienation, entrenched patterns of anti-social behaviour and even acts of violence" (Watkinson, 2000, in Manli-Cassimir, 2009:198).

6.2.5 Corporal punishment as an effective deterrent of undesirable behaviour

In many schools that are located in township areas in South Africa, the use of corporal punishment is considered as a quick solution and a less time-consuming disciplinary technique when compared with others. Corporal punishment is also used to scare students on order to prevent them from repeating mistakes because it is a humiliating form of punishment. This finding links with the deterrence theory, in particular the *'general deterrence'* aspect of this theory, which signifies the effects of threat of punishment and that threat encompasses both the risk of detection and the severity of the sanction. DiIulio (1959:12) annotates that, as general deterrence is intended to deter those who witness the infliction of pains upon the guilty from committing crimes themselves, corporal punishment was and, in some instances still is, carried out in public so that others can witness the pain and be deterred from committing a crime. Thirdly, the study participants also revealed that some teachers physical punish students as a means of securing their status and demand from the learners. This can perhaps be overtly elucidated by the theory of imitation under the theory of differential association. The theory maintains that "observers tend to imitate modelled behaviour if they like or respect the model (teacher who hits learners), see the model receive reinforcement, see the model give off signs of pleasure, or are in an environment where imitating the model's performance is reinforced" (Mkhize, 2012). The findings thus suggest that if one or two teachers are feared by the learners due to the intensity of the punishment they give or the number of strokes they lash on children's buttocks, the other teachers will see this as a positive way to engender respect for them from their learners. Consequently, those teachers end up emulating and living the lives of their role models within the school. Finally, it was revealed that

lack of democratic leadership in some schools encourages many teachers to use corporal punishment in maintaining discipline in classrooms and schools. This fact was evidenced by the revelation that even a principal, who should have known better, administered corporal punishment.

6.2.3 Consequences corporal punishment on learners

The findings revealed that the effects of corporal punishment were harmful both physically and emotionally and that some children might suffer the consequences for a long time, even well into adulthood. Children were often left with physical evidence of the abuse such as bruising and swelling, with more severe injuries such as large cuts, sprains, broken fingers as well as teeth being knocked out, broken wrists and collar bones and internal injuries that required surgery. Those who approved of the use of corporal punishment held the view that the aim of corporal punishment is to elicit compliance from a child. The aim of compliance is in fact often reached but the ability of the child to understand the incorrectness of their behaviour is often not learnt. It was discovered that some learners had learnt to stop the undesirable behaviour, but they were unable to understand the reason why the behaviour had to be stopped other than the fact that to continue it might lead to more physical pain. The learners were unable to make the link between their undesirable behaviour and the punishment that they received, and many became either bitter or unconcerned. Moreover, physical punishment often had the effect of stopping the behaviour, but it was a barrier to learning as the learners admitted that they focused on the pain and humiliation rather than on the work they had to learn after a hiding. It was thus revealed that while compliance with the rules might have been gained in some instances, the effect of the punishment left the children feeling resentful.

6.2.6 Alternative forms of punishment that can be implemented

After the banning of corporal punishment in 1996, guidelines for the implementation of the alternatives to corporal punishment (ATCP) were introduced by Professor Kadar Asmal who was the Minister of Education at that time. However, the problem with the ATCP was that teachers often stated that they had never been consulted on their opinions when the approach was introduced and this could be a causative influence on the unceasing use of corporal punishment and the limited use of the ATCP. Verbal warnings are among the many recommended practices of the ATCP. It

could thus be concluded that teachers habitually confuse verbal warnings with shouting, which is a form of verbal abuse. My findings revealed that shouting can also prompt anger and fear in learners. A learner's behaviour cannot be positively influenced or changed if the tone of verbal warnings has the likelihood of prompting fear which exposes learners to psychological abuse. If it does the latter, then it goes against the principles of the ATCP.

The ATCP also sanctions a system of community service and physical work. Problems may be experienced with such measures, as children may be compelled to work in environments that are not age-appropriate or they may be required to do hefty and age-inappropriate physical labour. Such measures are not normative and may have similar negative outcomes as corporal punishment. Moreover, approaches that do not contribute towards change in a learner's behaviour (for example, a learner may be deliberately disruptive in order to be sent outside as he enjoys doing physical work) are unsuccessful and not normative, as the normative approach accentuates that change in the learner's behaviour must be observed.

6.3 Recommendations

Careful consideration of the findings that emerged from the data prompted the following recommendations:

6.3.1 Provision of transport for learners by the Department of Education cut

This research study revealed that late coming by learners was one of the major problems that affected the discipline in these four township schools. Learners walk for long distances to and from school. Transport challenges make it difficult for schools to control discipline and lack of transport, which cannot be blamed on the learners, often results in the frequent and harsh use of corporal punishment. Thus, it is recommended that the Department of Education provides subsidised transport for learners to curb the issue of late coming so that running a school is not contingent on public transport alone.

6.3.2 Involvement of learners in drafting the school rules

Learners should be involved in the development of the code of conduct and the establishment of classroom rules. By including learners in rule-making, their voices will be heard and they will

appreciate the fact that their contributions are valued. This will inevitably lead to teamwork and voluntary participation in other aspects of school life as well.

6.3.3 Disseminating the code of conduct

At the commencement of the school year, the principal and educators should disseminate an updated version of the code of conduct to learners and their parents. Rules and the consequences of breaking them should be clearly illuminated during a session that is set aside for this discussion. During life-skills education, educators ought to include topics on ethical issues, tolerance, conflict management, and problem solving. Learners ought to be taught rudimentary moral values such as being trustworthy, truthful, and to have respect for authority and other people as well. This can be achieved through class discussions, debates and role play. Educators ought to develop classroom rules by giving attention to the contributions of the learners. The class rules should be placed on the notice board where they can be visible to everyone in the classroom. Once the classroom rules have been developed, learners should sign it as an agreement with everybody in the class.

6.3.4 Praising and encouraging learners

Schools ought to encourage and recognise good behaviour displayed by learners. An example of this would be by giving awards for positive, disciplined behaviour. Learners become more resolute if they are applauded, stimulated and encouraged for work well done. Other learners will also go all-out to attain that. Schools must organise workshops or motivational talks for learners where matters relating to self-discipline and self-image are addressed. All stakeholders (schools, parents and communities) should embolden learners to act responsibly when they interact with others and in school activities.

6.3.5 A vibrant extra-curricular programme

As children like exploring, each should be encouraged to participate in two or more sporting activities. In most rural and township school, sporting activities are seldom emphasised; however, if numerous sporting activities can be introduced, learners will be outstandingly and fully engaged every day. This will then act as a contribution in reducing disciplinary problems in schools and in turn, reduce the use of corporal punishment.

6.3.6 Security and safety measures in schools

Safety in schools is a prerequisite for good discipline; however, in most township schools safety is very poor, as was demonstrated by the data. Thus all schools ought to be properly fenced and have tight security. A sensory method to expose all unsolicited objects on the school premises such as knives and guns should be installed for the safety of everyone. This will eradicate disciplinary problems that are associated with dangerous weapons, drugs and alcohol that are brought to school. Security cameras can improve student safety and behaviour in schools. Learners often get away with delinquent and even criminal behaviour because they know that there is no evidence to incriminate them. Haphazard searching of learners in all township schools is vital in ensuring that learners do not carry or use hazardous weapons on the school premises.

6.3.7 Review of the manual: *Alternatives to Corporal Punishment* (DoE 2000)

In light of the findings that were revealed by the numerous research studies that have been reviewed, the manual entitled '*Alternatives to corporal punishment*' should be reviewed by competent and knowledgeable officials of the Department of Basic Education and other role-players. Techniques to manage and maintain discipline in all South African schools should be identified and disseminated.

- All educators and principals should be thoroughly trained on how to handle or manage discipline in their schools without resorting to corporal punishment.
- Subsequent to this extensive training, the Department of Basic Education ought to organise continuation of training for novice educators at the opening of each year. Most importantly, a program in school discipline can be amalgamated in the curriculum of basic education.
- All schools should also be encouraged to hold workshops on discipline every year to recap the approaches of discipline and to underpin what they employ with what they have learnt from other schools.
- The Department of Basic Education should come up with mutual unambiguously defined approaches to discipline, and not just guidelines. These approaches ought to elucidate mutual and, most essentially, practicable ways of managing and maintaining discipline in schools.

- In each school, discipline structures must be established that will be solely responsible for dealing with discipline. A psychologist must be included in this structure. Managing discipline in schools is a time-consuming process. Thus, educators' rudimentary role must be teaching and nothing else. In that way, schools will yield excellent results. Teachers will be able to concentrate more on learners with learning challenges after school than on dealing with the detention of disobedient learners.
- Teamwork where all stakeholders within the school are involved and consistency could assist greatly in managing discipline.

6.3.8 Parents' involvement in their children's education

Parents ought to become involved in their children's lives by supervising homework, encouraging and supporting extra-mural activities, signing their children's books and, as far as possible, attending school functions and meetings. Each learner's distinctive family/home conditions ought to be taken into consideration when disciplinary measures are considered. The literature is adamant that parental involvement in the lives of their children is crucial for the management of discipline in schools.

6.4 Conclusions

Before the demise of the apartheid system, corporal punishment was commonly relied on to maintain discipline in South African schools. Corporal punishment thus became entrenched in the schooling system as a disciplinary measure that was intended to engender obedience, cooperation and conformity. During the apartheid era, the predominant foundation of school policy was the Christian National Education Policy which mandated teachers to be strict disciplinarians and custodians of discipline under the motto: 'spare the rod and spoil the child'. This motto advocates that without the infliction of corporal punishment, children will become disobedient and ruined. This Christian proverb proposes that beating a child is an integral part of their development and, if applied, it guarantees that a child will become hardworking and free from wickedness. Corporal punishment was mostly used to chastise disobedient children, but it was also used as an approach to 'toughen up' boys and 'turn them into men'. In essence, this was similar to traditional African practices according to which boys had to submit to initiation ceremonies and even hunt and kill a

dangerous animal in the wild to demonstrate their maturity and manhood. However, the literature revealed that African children were traditionally not subjected to corporal punishment, but that elders relied on …. to discipline and mould young people.

The demise of apartheid brought an end to an authoritarian culture that relied on corporal punishment in our schools and the country could move towards a culture of human rights. The banning of corporal punishment echoed the need to shift away from a violent past towards environments that are respectful of human dignity and bodily integrity. However, twenty years after the country's laws abolished the use of corporal punishment in all South African schools, it has become evident that this practice has persisted in some schools across the country. It has been suggested that this could be due to the continued belief in corporal punishment by some educators and because this form of punishment was such an ingrained part of society that it is difficult to shift or change teachers' attitude towards it. Many teachers and principals were raised in an era in which corporal punishment was an everyday routine and, as a result, they have not made the necessary shift in accepting the new laws.

In this context, it may be argued that the 'official ambivalence' to the ban exists mostly because of insufficient training of educators about alternative forms of discipline and the failure of a nation-wide attitude shift away from corporal punishment. While there are teachers, parents and learners who believe that corporal punishment is the only practical way to maintain discipline in the classroom, there is evidence of many instances in which corporal punishment was used to emphasise power and control rather than to improve discipline and maintain the learning process.

This empirical research study was underpinned by three scholarly theories to investigate the persistence of the use of corporal punishment through the voices of learners and thus to understand why so many learners in South African schools are still subjected to it. The study was also different in that it was one of very few studies in this field that utilised school learners as active participants. However, it was deemed critical to access the views and voices of school learners as they are the ones who fall victim to this form of crime.

6.5 Concluding Remarks

The literature review revealed that few research studies on this topic have utilised learners as study participants, probably because of the sensitive nature of the topic and the difficulties associated

with using school children as research subjects. Moreover, debates that were evaluated in this study on the validity and applicability of corporal punishment suggest that this topic is highly contentious and that scholars and researchers still do not agree on its place as a disciplinary tool in schools, regardless of human rights considerations. It was against this backdrop that the study was conducted on the premise that learners' authentic voices would enlighten many nebulous areas that still exist in this ongoing debate, and it is believed that this goal has been achieved.

Regardless of the sensitivity of issues surrounding corporal punishment and the clear illegality of this practice, it must be emphasised that the study was not intended to allot blame on anyone nor to start a 'witch hunt'; rather, its intention was to highlight areas that require urgent attention and intervention if the Department of Basic Education's (DBEs) objectives of a democratic, human rights-based schooling system is to be realised.

The study clearly illuminated that the use of physical punishment in South Africa schools in not a novel phenomenon; however, what this study found to be novel was the reality that many of the learners that were interviewed were not aware that the infliction of corporal punishment is an illegal act and a form of abuse. Additionally, the findings suggest that, if in the township schools that were investigated in this study physical punishment is accepted and normalised by the students and some even believe that without this practice in the schooling system order and discipline will not be maintained, future studies need to be conducted on a wider scope, and the results should be utilised to eradicate this fallacy through awareness campaigns and strict measures by relevant authorities.

There is therefore a need for further research to be conducted to answer the following questions: *Why do the Department of Basic Education's attempts to eradicate the use of corporal punishment and the prosecution of teachers who perpetrate this practice continue to fail?* and "*What are the obstacles that stand in the way of teachers and other stakeholders to successfully implement the ATCP in their schools*?"

In conclusion, the following are suggested as areas for further research:

- A comparable study needs to be conducted in other areas to determine if corporal punishment has been eradicated from secondary schools.
- Additional research ought to be conducted to investigate the frequency of the use of corporal punishment on male and female learners and by male and female teachers.
- There is an urgent need to conduct research on the methods that are used to correct undesirable behaviour in secondary schools where corporal punishment is not administered with a view to replicating the same in other schools (especially in disadvantaged areas) and to render schools more learner-friendly.

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APPENDIX A

30 January 2017

084 248 9409

ngubanelp@gmail.com

Dear parent/ guardian

REQUEST FOR PERMISION: PARTICIPATION IN THE RESEARCH STUDY

I am Londeka Ngubane, a PhD candidate of the University of KwaZulu-Natal within the Criminology and Forensic Studies Cluster. I am currently conducting a research study titled: *'Perceptions and experiences of learners on the banning of corporal punishment in South African'.*

Your child's school was purposively selected to be one of the schools to participate in the study and your child was also selected to be one of the learners to participate, I therefore request your permission to allow your child to take part in the study. Permission to access the school was granted by the KwaZulu-Natal Department of Education (see attached letter).

Participation in the study is purely voluntary and the information will not be passed on to any other person. You are assured uttermost confidentiality. The research activities will be undertaken after school hours and will only take 30 minutes. The information is for academic purposes only, designed to enhance our knowledge and understanding of discipline in schools. If you agree or disagree to that your child participates in this study, please complete the attached slip.

Should you require further clarity you can contact my supervisor Dr. S Mkhize on this number 073 156 5838 or email him: mkhizes1@ukzn.ac.za

Thank you for your time

Yours sincerely

…………………………………………..

Londeka Ngubane (209516994)

RETURN CONSENT SLIP

I……………………………parent of………………………..does/does not give

permission to the above request.

…………………………………………………………………………………….

DECLARATION BY PARTICIPANT

I…………………………………………………… (full names of participant) hereby confirm that I

understand the contents of this document and the nature of the research project, and I consent to

participating in the research project and for the interview to be recorded by an audio equipment. I

understand that I am at liberty to withdraw from the project at any time, should I so desire.

Signature of Participant…………………….. Date………………..

APPENDIX B

Dear School Principal

I am Londeka Ngubane, a Doctoral candidate from the Department of Criminology and Forensic Studies at the University of KwaZulu-Natal. In order to complete this degree. I am conducting research study titled: *'Perceptions and experiences of learners on the banning of corporal punishment in South African schools'*. The chief aim of the study is to explore learner's perceptions and experiences towards discipline in the classroom. Specific area of focus is the learner's views on the banning of corporal punishment in South African. Permission to access the school was granted by the KwaZulu-Natal Department of Education (see attached letter).

The co-operation of your students will assist me in reaching my aims. Furthermore, the knowledge and information gained will help make recommendations towards what support is needed with regards to classroom discipline. In completing the individual interviews, the confidentiality of your students and the school is assured as the students and teachers remain anonymous.

Rationale

Should you require further clarity you can contact my supervisor Dr. S Mkhize on this number 073 156 5838 or email him: mkhizes1@ukzn.ac.za

Your cooperation will be greatly appreciated.

Yours sincerely

Londeka Ngubane

PhD Criminology and Forensic Studies

APPENDIX C

B512

Mpumalanga Township

Hammersdale

3700

11 December 2016

084 248 9409

ngubanelp@gmail.com

Attention: The District Manager

Department of Education

City Government Office

KwaZulu-Natal

Durban

To whom it may concern

REQUEST TO CONDUCT A RESEARCH STUDY IN SCHOOLS IN YOUR AREA

I am Londeka Ngubane, a PhD candidate of the Criminology and Forensic cluster of the school of Applied Human Sciences of the University of KwaZulu-Natal. I am currently conducting a research study titled *'Perceptions and experiences of learners on the banning of corporal punishment in South African schools'*. The chief aim of the study is to explore learner's perceptions towards discipline in the classroom. Specific areas of focus are learner's views on the abolition/criminalization of corporal punishment.

I write to request for permission to undertake this study in four schools in the Mpumalanga Township (Hammersdale) and it will consist of the following activities:

Undertaking individual interviews to:

- 2 purposively identified Secondary schools
- 2 purposively identified Senior Secondary schools

Semi-structured individual interviews will be conducted four one schools with 50 only. Participation in this study is purely voluntary and the information will not be passed on to any other person. You are assured of uttermost confidentiality. The research activities will be undertaken after school hours. The information is for academic purposes only, designed to enhance our understanding of the impact of discipline in schools.

Should you require further clarity you can contact my Supervisor Dr S. Mkhize on this number 073 156 5838 or email him: mkhizes1@ukzn.ac.za .

Thank you for your time

Yours truly

LONDEKA NGUBANE

APPENDIX D: Informed Consent Form For the University Counselor

Title of Study: '*Perceptions and experiences of learner on the banning of corporal punishment in South Africa.*

Researcher: Londeka Ngubane

School: Applied Human Sciences

Discipline : Criminology and Forensic Studies Cluster

Phone: 031 2601773

INTRODUCTION

I am Londeka Ngubane, a Doctoral candidate from the Department of Criminology and Forensic Studies at the University of KwaZulu-Natal, doing research on corporal punishment. When undertaking a research study that involves human participants, consent has to be obtained from the individuals first. I would also like to request your presence during the interview session so that you can assist me should I encounter an event where learners might experience psychological trauma. However, you can raise any concerns and questions about the research before you agree, which I will address.

PROCEDURE

Fifty learners will be selected for in-depth individual interviews with me. I will ask a few questions related to the above mentioned topic. The interviews will be recorded and will be kept in strict confidence by my supervisor and no one else will have access to these tapes except my supervisor and me.

There will not be any direct benefits for the learners and you. The results will enable us to understand the effects corporal punishment has on both learners. Their participation is voluntary and they are free to withdraw from the study at any time without the fear of any negative or undesirable consequences to you. However if the learners shows signs of distress I will refer them to you.

AUTHORIZATION

I have read and understood this consent form. I have been made aware that there will be no benefits for either the learners or me. I have also been provided with the researcher's contact details and those of the supervisor who can be easily contacted during office hours.

_____   _____   _____

Counselor's Name: Signature   Date

_____   _____   _____

Researcher's Name   Signature   Date

INTERVIEW SCHEDULE

INTERVIEW QUESTIONS

1. What is your understanding of corporal punishment?

2. Is corporal punishment used in your school?

3. How often is corporal punishment used in your school? Please explain

4. Which offences are usually committed by learners in your school?

5. What kind of punishment do learners in your school receive for the following offenses:

6. What offence/s have you ever committed?

7. What form of punishment were you given for the offence?

8. How did you feel about the punishment you were given?

9. How did the punishment help you?

10. Is there any form of punishment that you fear in so much that it leads to a change in your behavior?

11. Have you ever sustained injury after you were beaten by your educator? Please explain

12. Who did you report this matter to and how was the situation handle?

13. Is there any form of punishment that you really enjoy, those that can even encourage you to repeat the offence?

14. Do you find it difficult to focus in class after you have been beaten by your educator? Please explain

15. How do you feel about the continued use of corporal punishment in your school?

16. How would you prefer to be corrected when you have done wrong?

APPENDIX F:

INTERVIEW SCHEDULE IN ISIZULU

INTERVIEW QUESTIONS

1. Ngokwazi kwakho ungayichaza uthi iyini i-Corporl punishment?

2. Ingabe iyasetshenziswa yini i-corporal punishment esikoleni ofunda kuso?

3. Ishetshenziswa kangakanani? Ngicela ungichazele kabanzi

4. Iziphi izinto ezingahambelani nomthetho wezikole ezivame ukwenziwa ngabafundi esikoleni sakho?

5. Wena ikuphi okungahambelani nomthetho wesikole osuke wakwenza?

6. Wathola ukujeziswa okunjani ngalowomthetho noma isenzo esingalungile owawusenzile?

7. Wazizwa kanjani ngalokho kujeza owakuthola?

8. Ingaba kukhona lapho owasizakala khona emva kokuthola leso sijeziso?

9. Ingabe lukhona uhlobo lwesijeziso olusabayo kangangokuthi lugcina lukwenze wahlonipha futhi waziphatha kahle eskoleni?

10. Sekwake kwenzeka walimala kade uqeda ukushawa nguthisha wakho? Ngicela ungichazele kabanzi.

11. Ubani owamubikela ngalesisigameko futhi baluthatha kanjani loludaba?

12. Ngabe lukhona yini uhlobo lokujeziswa oluthandayo olugcina selukugqugquzela ukuthi uphinde wenze lokho okuphambene nomthetho wesikole?

13. Uyakwazi ukulalela kahle ekilasisni umakade uqeda ukujeziswa nguthisha wakho?

14. Uzizwa kanjani ngokuqhutshekwa kokushawa kwezingane ezikoleni?

15. Ungahanda ukujeziswa ngaluphi uhlobo umakade wonile esikoleni kumbe ekilasini?