



# CORPORAL PUNISHMENT

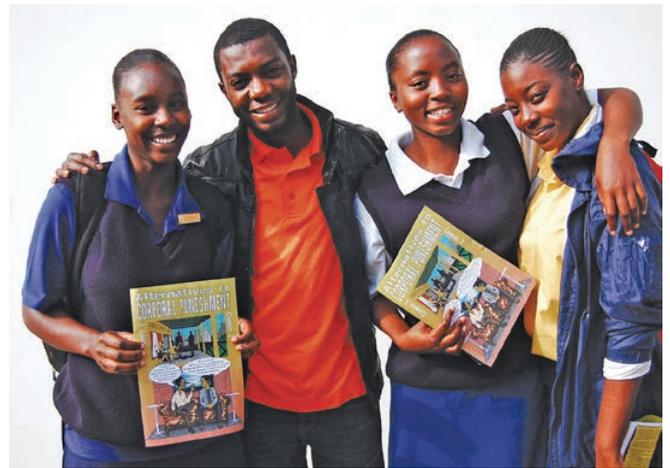
## What is corporal punishment?

Corporal punishment is when a person in authority uses physical force with the intention of causing pain for disciplinary purposes. Corporal punishment of children usually includes things like smacking, slapping, spanking or beating with the hand or with some implement (like a stick or a belt). It can also involve other things, like kicking, shaking, pinching or burning.

Discipline is meant to teach a person the difference between right and wrong, not to cause injury. There is no need to inflict pain to discipline a child. There are many other forms of discipline which are much more effective.

The use of corporal punishment is not permitted in Namibian schools, although some instances of it are still reported. The Namibian Supreme Court ruled that corporal punishment in schools is a violation of children's constitutional right to human dignity, and the Education Act outlawed it in both public and private schools.

Corporal punishment is used in many homes. There have been cases in Namibia where excessive physical force has been used against children in the home. There are cases where children have been seriously injured or burned. Some children have even been beaten to death.



## Why is corporal punishment a problem?

- ☉ Corporal punishment can turn into serious physical abuse.
- ☉ Corporal punishment teaches children that violence is an acceptable way of dealing with issues.
- ☉ Corporal punishment teaches children that it is okay to use violence against someone you love.
- ☉ Corporal punishment makes children more aggressive towards other children.
- ☉ Children who are exposed to violence are more likely to be violent as adults.
- ☉ Corporal punishment does not teach children the reason why their behaviour was wrong.
- ☉ Corporal punishment can affect self-esteem by making the victim feel scared, sad, ashamed or worthless.
- ☉ Corporal punishment can destroy the child's relationship with his/her parent or care-giver.

Child discipline is very important – without it, society would have many problems. The question is **what kind** of child discipline is most effective.

***“We will create greater awareness in our communities about the impact of all forms of violence against children, and work actively to change attitudes and practices that perpetuate violence in homes, families, institutions and communities, including corporal punishment, emotional and sexual violence.”***

Excerpt from "A Multi-Religious Commitment to Confront Violence against Children recommendations and commitments" endorsed at the Religions for Peace Eighth World Assembly, which brought together more than 800 senior religious leaders from every region of the world and all major faith traditions, representing 70 national and regional inter-religious councils and groups, in Kyoto, Japan, in August 2006.

# Child Care and Protection Act

There are several reasons why the use of corporal punishment in the home is worrying:

- ③ Children in Namibia have been seriously injured and killed by such “punishment”.
- ③ The Namibian Constitution says that “the dignity of all persons shall be inviolable” and that “no persons shall be subject to torture or to cruel, inhuman or degrading treatment or punishment.” This includes children.
- ③ Namibia has signed international conventions which require that the use of corporal punishment be addressed.

The Child Care and Protection Act says that any person who has control of a child, including the child’s parents, must respect the child’s right to dignity. This means that only forms of discipline which respect the child’s dignity will be allowed in the home. How this is understood in practice would probably develop over time, as alternative forms of discipline are popularised.

The Act also outlaws the use of corporal punishment at any registered facility which cares for children (including children’s homes, shelters, crèches and day care centres), and in any form of alternative care where the child has been placed in terms of a court order (such as foster care or court-ordered kinship care). Corporal punishment of children is also strictly outlawed in public and private schools, and in prisons and police cells. This is because the state has a special responsibility to protect children in situations where it has intervened, or where it is responsible for ensuring that the conditions for children are safe.

The Act also gives the Minister responsible for child welfare a duty to take reasonable steps to promote alternatives to corporal punishment across the country, and to educate the public on the topic of corporal punishment.

## Alternatives to corporal punishment

There are many forms of discipline which are more effective than corporal punishment. Here are some examples:

- (1) **Explain the problem.**
- (2) **Make children take responsibility for their actions:** For example, if the child breaks something, he or she must fix it.
- (3) **“Time out”:** Sometimes children become overexcited, which can lead to bad behaviour. It can be effective to take the child out of the room – to calm down, sit quietly and think about what he or she has done wrong.
- (4) **Take away privileges:** The punishment could be not being allowed to visit friends or to play sport, or not receiving pocket money.

## Against Corporal Punishment of Children

Statement by **Rev Maria Kapere**

(writing in her personal capacity)

Windhoek, Namibia, July 2010

Corporal punishment’s usefulness is very limited. When done in anger and with force by teachers and parents it may cause damage rather than transforming an undisciplined child... We as adults are given responsibility over children, and we need to nurture them and take care of them. As adults we should be able to distinguish between what is cruel and what is compassionate, between what is safe and what is unsafe... Violence is not a good teaching tool, discipline is. There is a big difference between discipline and corporal punishment. I am in support of disciplining children. And let it be made clear that discipline does not mean hitting a child. To discipline is to teach a child to do right instead of merely stopping inappropriate behaviour through pain. Discipline, unlike corporal punishment, always leaves a positive impression, it is a means to teach and parent children through love. The goal behind discipline is for children to develop personally, socially and spiritually. We should discipline children in a way that they will feel they are still good and capable people who can make positive changes, versus disciplining them in a way that makes them feel they are bad people who are not capable of anything and who cannot do anything worthwhile. I end with an extract from the Holy Bible: “*Train a child in the way he should go and when he is old he will not turn from it.*” — Proverbs 22:6.



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