

Corporal Punishment and Students' Discipline in Uganda's Schools: A Literature Review

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Abstract

This paper examines the adoption of corporal punishment in managing student discipline in pre-primary, primary and secondary schools in Uganda. Corporal punishment as the intentional infliction of physical pain has long been used as a method of changing behaviour. It includes caning, hitting, shaking or slapping a child either with a hand or an object. This article is based on review of literature. It discusses cultural beliefs, teachers' personal life experiences, family programming (internalization) and wider fundamental problems in the education system like poor training of teachers as arguments for the use of corporal punishment. The article concludes that despite its use, corporal punishment is a violation of children's human rights due to its negative consequences like physical injuries, death, school dropout, fear and psychological torture. Particular emphasis should therefore be put on formulation of appropriate policy to emphasize the use of positive discipline as a strategy for the elimination of corporal punishment in schools in Uganda.

Key words: Corporal Punishment, Discipline, School Children's Human Rights, Uganda.

Introduction

It has been variously and widely debated whether corporal punishment actually contributes to the discipline of pupils. Through a literature review, this article examines this logic with a view of assessing the causal linkages between corporal punishment and students' discipline. The article uses the experiences from Uganda's context. It first examines the theoretical framework for the arguments. It then addresses itself to assessing the various forms and types of corporal punishment used in Uganda's schools. The paper briefly describes the methodology, and then turns to assessing the justification for corporal punishment and its effects. The paper then discusses the possible strategies for the elimination of corporal punishment and policy implications.

Background to corporal punishment

Globally corporal punishment was used on children in homes and students in schools (Barnen, 1998). The attitude of teachers and parents in using corporal punishment, especially caning or spanking, before 1840s was largely influenced by religious morals based on the belief of "spare the rod and spoil the child". However; after World War II the human rights charter was signed in 1948 by 61 member countries of UN guaranteeing the protection of human rights. This was followed by various legislations against torture and the use of corporal punishment in homes and schools in the USA, Britain, Germany, France and other developed economies of the Northern hemisphere as noted by Richards (1987).

Corporal punishment has been banned in some countries through legislation. In countries like Canada, Norway and Sweden, it is criminal to beat children or harass children in homes and at school (Straus, 1994). This has been complemented by the emergence of a number of human rights movements and civil society organizations aiming at protection of vulnerable people (Willow, 2009).

In a 2011 baseline survey by the African Network for the Protection and Prevention of Child Abuse and Neglect (ANPPCAN) Uganda Chapter of 1,015 children from 25 public and private primary schools in Acholi, Lango, West Nile and Central regions, 81 per cent of respondents reported having been beaten at school. Of those who had been beaten, 73 per cent had been by a teacher, 15 per cent by students' leaders and 12 per cent by their parents or guardians. Children were also punished by being denied food for extended periods of time, locked up in rooms, assigned difficult work and forced to kneel in front other children at school. Eighty-two per cent (82%) of children had seen their friends being caned. The study, conducted in April 2011, also involved 52 professionals including teachers, head teachers, Parents Teachers Association members, police, government and non-government experts in the education and child protection fields at district and national levels. A 2011 report by Human Rights Watch documented corporal punishment of students in schools as well as among prisoners in Uganda – including beating with batons, canes, sticks, whips and electric cable and wire, despite the prohibition of corporal punishment in the Prisons Act (2006).

Children are sometimes detained with adults in prisons, even though this is prohibited. The report calls for efforts to end the use of corporal punishment and prosecution of persons who inflict it. A 2010 African Child Policy Forum report on violence against children with disabilities in Uganda, Cameroon, Ethiopia, Senegal and Zambia documented a very high level of corporal punishment. Nearly a thousand 18-24 year-olds took part in the study across the five countries, reporting on their experiences as children. In Uganda, 87 per cent of the sample had experienced at least one type of corporal punishments during their childhood. The most commonly experienced type of corporal punishment was being hit, punched, kicked or beaten. Across all five countries, more than half (54 per cent) of those who had been physically beaten said they had suffered broken bones, teeth, bleeding or bruising; 2 per cent had been permanently disabled; 215 required medical attention; 13 per cent had to miss school or work; and 20 per cent needed rest at home. For all five countries, the majority of respondents with physical, visual and intellectual disabilities experienced physical violence more than 10 times. The report recommends prohibition of all corporal punishment, including in the home, as a way to minimize the risk of violence against children with disabilities.

A survey of 500 young women in Uganda aged 18 – 24 years concerning their childhood experiences of corporal punishment, undertaken by the Africa Child Policy Forum and published in 2006, found that 94.2 per cent had been subjected to corporal punishment. Beating with an object was found to be the most prevalent form of corporal punishment (85.8 per cent). Prevalence figures for other forms of corporal punishment were 55per cent for punching, 26.8 per cent kicking, 47.8 per cent hard work, 20.4 per cent being choked/burned, 9 per cent having spicy/bitter food put in mouth, 18.2 per cent being locked or tied up, and 52.8 per cent being denied food. Girls were found to be most vulnerable to beating with an object when aged 10-13 years (57.1 per cent), and to being hit/punched when aged 14-17 years (44 per cent).

Experiencing the violence more than ten times was likely in the beating than other types of corporal punishment. Most beating with an object was carried out by male teachers (48.5 per cent), followed by fathers (43.4 per cent) and mothers (42.9 per cent); and in 57.3 per cent of cases, medical attention was required. Most hitting/punching was carried out by fathers (22.9 per cent), followed by mothers (17.1 per cent) and brothers (15.6 per cent), and with medical attention required in 21.1 per cent of cases. At school, girls were told they were beaten for being late, for misbehaving, or being disrespectful (Stavropoulos, 2006).

In research by Save the Children UK focusing on deprivation and criminal behaviour and carried out in Uganda in 2002, 116 children who had been convicted of theft and children at the national rehabilitation centre, aged 10 – 19 years, and 71 parents/guardians were interviewed. The prohibition of caning in the juvenile justice system under the Children's Statute was perceived as a weakness by 14 per cent of parents. The research confirmed that despite the law, children were tortured and beaten in police stations. Fifty-two per cent (52%) of parents said they normally disciplined their children by caning (Kakama, 2002).

On the same subject, a 2002 study which included interviews with orphans living with guardians (often family members) reported that orphans experienced corporal punishment daily to monthly, including slapping and caning with sticks and logs. The orphans reported experiencing more frequent and severe corporal punishment than children, including the children of their guardians. Orphans were also spoken to more severely than other children. The motive for the severity and frequency of punishments was understood by the children to be "the guardians' anger and frustration about having to care for the orphans when their resources were limited". In-depth research into children's experiences of violence against them was carried out in 2005 using a range of methods to look at the opinions of 1,406 children aged 8-18 years (719 girls, 687 boys) and 1,093 adults (520 women, 573 men), including parents, teachers and community leaders, from five diverse districts. This included the administration of 1,000 questionnaires to children (in and out of school), of which 777 were valid returns, and 900 questionnaires to adults, of which 755 were valid returns. Other methods were focus groups, narrative role play, journal writing and interviews. Almost all children (98.3 per cent) reported experiencing physical violence at home and school. The most common forms were caning, slapping and pinching; followed by burning, locking up, tying up and other (e.g. kneeling, slashing grass, cleaning latrines), all more common for boys than girls except slapping, pinching and others.

Theoretical framework

This article tackles corporal punishment in Ugandan schools basing on two theories of public administration - the Institutional theory or Neo-Institutional theorem advanced by Walter Powell and Holland Taylor (1996) and the Principle agent theory advanced by Stephen Ross and Lane (2000). The institutional theorem argues that human behaviour within institutions ought to encompass formal rules, norms and values. Schools in Uganda, as public and private institutions, have formal rules and regulations that ought to be obeyed by students, teachers and support staff for the success of public education programmes as noted by Ssekamwa (1992). However, the great question of the day is: If formal rules are broken, how should the culprits be handled? According to the institutional theory, they should be reprimanded according to what the rules and penalties say.

This debate is also underpinned by the principle agent theory advanced by Stephen Ross and Lane (2000). The theory explains the relationship between parents, government, teachers and students in the management of discipline. The theory is concerned with motivating one party to act on behalf of the other to achieve objectives of public administration in service delivery (Zahra, 1999). In the aspect of managing the discipline, behaviour and learning of students, teachers are agents of parents and the state (Larzelere, 1996). If the students break school rules and regulations, the teacher (the agent) ought to administer corrective measures on behalf of the parent.

Two key features define corporal punishment: physical violence against children and the concept of punishments in response to wrong doing (UNICEF, 2011). Violence is at the extreme end of a range of punishments that are inflicted on children not only by teachers but also by parents (Tang, 1998). The issue of fundamental children's human rights enshrined in the 1995 Constitution of Uganda Cap 34 and article 19 of the UN Convention of Children. Elsergany (2010) categorizes corporal punishment into two major forms, namely – physical corporal punishment that inflicts pain on the body like canning and slapping, and psychological or non-physical punishment that leads to low self-esteem like verbal abuse. Benator (2011) defines physical corporal punishment as the infliction of physical pain on the body of a human by beating, hitting, spanking, paddling swatting and canning. Ugandan school teachers often apply canning as a method of discipline. Jones (1999) looks at physical corporal punishment as any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light. This involves hitting, smacking and slapping children with a hand or with an implement, whip, stick, belt, shoe, wires and a wooden spoon. Torkasi (2002) highlights physical corporal punishment to involve more dangerous forms like shaking or throwing children, scratching, pinching, burning, scalding or forced ingestion like washing children's mouth out with soap or forcing them to swallow hot spices. Non-physical or psychological punishments are those ones that are cruel and degrading like those that belittle, humiliate, denigrate, threaten, scare and ridicule the child – like locking a child in a room with backing dogs, locking a child in a pond compartment that houses crocodiles or undressing a child in school or abusing a child publicly in school using degrading words. Non-physical punishments have long-lasting psychological torture on children's lives as noted by Smith (1995).

Methodology

Documentary analysis has been used as the main method of information gathering and building arguments in this article. Extensive literature review of various documents on corporal punishment as a means of disciplining students globally, in Africa and in Uganda inform this article. Existing literature from textbooks, newspapers, magazines, journals and internet websites have been deeply analyzed and harmonized to put together this article. Some information and arguments are based on a wealth of personal experiences as a teacher and school administrator for eighteen years. Some of the findings have been extracted from research findings of other scholars, documentaries and reported cases of child abuse through corporal punishments from government departments, like criminal records from Uganda Police. The article is therefore based on literature review.

Findings

In Africa, especially, the belief in beating children in homes as a means of instilling discipline has been around for centuries (Naker, 2007). Some adults in Africa have long believed that if children do not fear them, they will disrespect elders and behave in away contrary to African culture (Ssekamwa, 1989). The adults in Africa believe that by instilling fear in children they can mould children's value systems and teach them to appreciate their heritage as argued by Naker (2007). Corporal punishment in schools and homes in Africa is also justified based on the belief that without pain, there is no gain (Barnen, 1998). Many adults have been told through their lives that learning occurs when associated with pain. Schooling teaches people to believe that without the threat of a stick or public rebuke, they will become lazy and fail to exert effort required to learn new things (Vergas, 1999). Some teachers in the African set-up believe that good teachers are always in control of their students and, as a result, they have learnt from their environment that the only acceptable way of relating with children is to exercise power over them or control them and make them comply to teachers wishes (UNICEF 2011).

Whereas legislation has helped to reduce and abolish the use of corporal punishment in schools in the developed world like USA and Europe, Uganda depicts the contrary. The use of caning in Ugandan primary schools, especially in the rural areas, is alarming, and sometimes leads to permanent disability and even death (Natukunda, 2006). Despite the ban on corporal punishment by the Ministry of Education and Sports in 2006, teachers and school managers have continued to use corporal punishment in schools. A circular released by the permanent secretary of the Ministry of Education and Sports in 2006 to all Heads of Schools stated:

Corporal punishments for students in schools and colleges must stop forth with. This applies to meting out any other form of punishment or act that may cause injury, damage, defilement or disfigurement to the human body. The use of a cane as disciplining machine shall not be used innursery and infant classes at this tender age. childrenought to be brought up in love and care rather than inbrutality, violence or sadism.

Despite such a directive, why have teachers continued to mete out corporal punishment to pupils? Interestingly for Uganda's case, most educators enter their professions because they want to help students learn. They donot intend to harm children by administering corporal punishment as noted by Ssekamwa (1992). Various arguments have been advanced to justify the continued use of corporal punishment as given below.

Many teachers and adults argue that they were beaten and learnt how to behave better. Teachers argue that they were beaten and humiliated as children and it did them no harm (Payne, 1989). Furthermore, teachers argue that beating helped them learn right from wrong and it showed that the adult who punished them loved them and cared for them (Mandell, 2009). Actually the Bakigaand Banyankole of western Uganda culturally believed that beating of children and wives was a sign of great love for them, as noted by Tibanyenda (1975). Therefore, there is no doubt that teachers bred in such cultural context and environment will

eventually use beating or caning as a means disciplining the students they teach! Many adults and teachers in Uganda say that a light slap or a few canes are useful ways to quickly resolve a conflict and to show children that they made a mistake as noted by a report by Human Rights Watch (1999). As long as the punishment does not cause physical injury, many teachers see nothing wrong with it (Manirul, 1999). Teachers and adults in Uganda argue that they use corporal punishment as the last resort (Ssekitoleko, 2007). They believe that it is important to retain corporal punishment as the last resort and serves as a powerful deterrent and allows a way out of a conflict where all else has failed (Pinheiro, 2006). When nothing else works, a stick is necessary as noted by Pablo (2010).

Hyder (1998) argues that euphemisms are frequently used to justify corporal punishment. Teachers in Uganda have continued to distance themselves from the reality of what they are doing in an attempt to distinguish “deserved” punishments from abuse. In English, for example, smacking spanking, cuffing, lapping, clapping, paddling are termed as “six of the best” and are all terms that blur the fact that adults are actually hitting children as argued by Qasem (1998). But when we look at children’s description of corporal punishments “little taps” and “gentle slaps” are not little or gentle when you are a victim, as advanced by Payne (1989). Cultural programming or internalization has accelerated the use of corporal punishment in schools (Barnen, 1998). Whereas some countries like Spain and Uganda have **outlawed** corporal punishment in schools, citizens continue to justify corporal punishment in homes. Interesting to note is that the reasons that are publically accepted or banning it in schools seem un-acceptable when it comes to introducing a ban within families. The Ugandan Ministry of Gender, Labour and Social Development intended to amend the Children’s Act 2006 to ban corporal punishment in school, communities and homes. Parents in Uganda do not agree with the proposal to ban corporal punishment at home as Jabo (2011) observed quite a number of parents in Uganda would be willing to support the ban of corporal punishments in schools and communities, but not in homes. This is because, he argues, that the teacher might not have an emotional attachment to a child but a parent does and when a parent uses corporal punishment, it is done with good intentions.

Teachers in Uganda claim that corporal punishment is traditional, cultural or backed by religious doctrine and this makes the roots of its justification in their personal history – the process through which it was legitimized during their childhood as noted by Vargas (1995). Naker (2007) contends that corporal punishment in schools is often associated with wide problems in the education system. Teachers are frequently poorly trained, underpaid and undervalued in Uganda (Ruzindana, 2012).

Kavuma (2012) blames the competition for good grades between Ugandan primary schools as another force behind use of caning during classroom instruction. Liberalization of Uganda’s education system since 1986 saw the increase in the number of private schools. These schools compete for prominence in terms of top grades in national examinations. Kavuma noted that teachers in privately-owned primary schools in Uganda have widely held the assumption that good performance in school requires the use of corporal punishment, as the comment below reveals:

Parents' pressure often results in children being subjected to corporal punishments which is meant to be an incentive to do better. In addition to any violence by parents to pressurise children to perform, they may also be punished by teachers to perform. The main criteria for teacher's supervision /evaluation system are based on whether the curriculum has been completed and how many of the students scores good marks in the final exam. Failure to perform better than others in regular class work, homework and tests under a system which is observed with ranking invites frequent and systematic use of canning pupils to perform well. (Kavuma 2012:16)

The use of corporal punishment may also be triggered by other factors like over-crowded classrooms, untrained, overworked and stressed teachers who vent their inadequacy and frustrations on pupils, as noted by the Human Rights Watch (1999) report on Uganda and Kenya on primary school teachers' performance. The report noted that it is rather hard for committed teachers to retain control over large classrooms and some of the teachers end up supplying their services into supplemental income producing schemes like coaching and extra lessons than into teaching and then administering corporal punishments to those who failed to pay for extra help.

Perhaps the most extreme rationale for teachers to use corporal punishment was given by a Ugandan head teacher in West Nile in a survey by UNESCO (2007) who said that banning corporal punishment would be like sending a boxer into the ring with one hand tied at the back. The implication behind this statement is that teachers are in conflict with students and, in some contexts, the culture of the classroom violence has indeed developed to a level where older students are physically abusing teachers. But, on the other hand, corporal punishment demonstrably feeds this culture of violence.

Forms of corporal punishment in Ugandan schools

Ssekitoleko (2007) argues that whereas the Psychological Non-physical punishments are rarely used in Ugandan schools, apart from verbal abuses, physical punishments dominate the list of corporal punishments exemplified by caning, spanking, pinching, slapping, hitting and scratching and that this physical violation of children's human rights is a daily occurrence in pre-primary, primary and secondary schools in all the regions of Uganda. Ssekamwa (1989) noted that corporal punishment in African families in general, and Ugandan families in particular dates as far back or are as old as mankind. With the advent of missionary education in Uganda in 1896, followed by training and recruitment of African – Native -- teachers, caning became part of instilling discipline in students with slogans like "spare the rod and spoil the child". Although the phrase "spare the rod and spoil the child" is not a biblical text, there is no doubt that it reflects meaning of biblical proverbs on child rearing. These passages from the Book of Proverbs read, "He who spares the rod hates his son but he who loves him is diligent to discipline him" (Proverbs 13:24 King James Version). "Folly is bound up in the heart of a child but the rod of discipline drives it far from him" (Proverbs 22:115, KJV). "Don't withhold discipline from a child. If you beat him with a rod he will not die. If you beat him with a rod you will save his life from hell." Proverbs 23:13,15, KJV). Probably this can explain the basis of strict and harsh disciplinary measures in missionary-founded schools in Uganda.

Effects of corporal punishments on children

Corporal punishment leads to ineffectiveness in discipline. Gershoff (2002) argues that even if it was proved that physically pushing children was effective, would that make it any less a violation of their rights? No amount of research would alter the fact that such behaviour is wrong and a breach of human rights. Durrant (1999) noted that balance of research evidence is clear, Corporal punishment has some effectiveness in securing the “immediate compliance” more effective than other methods. But paradoxically this easy solution for teachers is not to their long-term advantage. Children may comply with adults’ wishes immediately after being hit but research suggests that young ones frequently do not remember why they are hit and children will only refrain from misbehaviour if they face an eminent threat of being punished as noted by (Romeo, 1996). Save the Children UK- Uganda Chapter (2001) consulted children in Northern Uganda about corporal punishment and recorded over 40 adjectives describing what corporal punishment felt like, i.e. Hurt, sore, scared, upset, unloved, terrified, worried, lonely, sad, angry, alone, abandoned, afraid, cross, frightened, sick, stunned, threatened, annoyed, bad, physically abused, hateful, emotionally hurt, unhappy, terrible, ashamed, disliked, confused, embarrassed, resentful, neglects, over powered, humiliated, grumpy, disappointed painful, miserable, intimidated, uncared for; unwelcome, heartbroken, bullied, depressed, shocked.

This list brings home to use the ineffectiveness of corporal punishment. None of these Northern Ugandan children used adjectives like “wiser” or even “sorry” to describe how they felt after being hit. In the same survey, children noted that corporal punishment has terrible consequences, as Grace Akello, aged 16, wrote:

Parents and teachers now days have taken this advantage of giving extra strokes over a very small issue instead of just correcting them in a polite manner as though the children were not theirs, you know what, children will end up hating their parents and teachers.

Corporal punishment has physical consequences in terms of physical injuries. Straus (1994), argues that as the effectiveness of corporal punishment decreases with use, so its severity must be systemically increased. Parents and teachers as they become desensitized to what they are doing and frustrated by the diminishing returns, move from light slaps to hard blows. Children many suffer injuries arising from corporal punishment that needs medical attention; leave permanent damage and even cause their death. UNICEF (1999), contends that evidence from different countries reflects the nature and severity of harm that can be inflicted. A questionnaire sent to 600 primary schools in the Northern province of Pakistan elicited 62 reports by head teachers of injuries arising from corporal punishment in school, including children being knocked unconscious, bleeding, broken limbs, damaged eyes and stitches. Human Rights Watch (1999), reported that in Kenya school pupils reported being beaten with canes more than a metre long; and a Kenyan girl said, “The teacher was very angry because some girls failed a test, so the teacher gave the girls a choice, three slaps from his hand or ten strokes with a cane. The girls choose the three slaps, he hit her face three times, very hard leaving her mouth bloody and knocking out two teeth.” Such treatment is unquestionably a form of child abuse. But because child abuse has traditionally been kept in a separate category from corporal punishments, there

has been surprisingly little research into the connection between the two. Centre for Effective Discipline US (2001), reported that an American review of 66 cases of child abuse concluded that child abuse most often occurs as an extension of disciplinary actions which at some point and often inadvertently crossed the ambiguous line between sanctioned corporal punishment and unsanctioned child abuse. The same report shows that over a thousand children died from abuse in the United States in one year alone – 1999.

Corporal punishment has emotional and psychological consequences. Research findings by Durrant (1999), show many harmful psychological consequences for children who are physically punished, both in long and short-term. Evidence from five research studies of the effects of corporal punishments on American children shows that it increases the risk of children developing major social and psychological problems such as physical violence and depression as noted by Straus (2000). The strongest, usually unintended message that corporal punishment sends to the mind of a child is that violence is acceptable behaviour, that it is alright for a stronger person to use force to coerce a weaker one. So it is no surprise that a major consequence of corporal punishments in childhood, increases proportionately with its severity is aggression and criminal and anti-social behaviour in childhood and later adulthood, as noted by Gunnoe (1998). As Elizabeth Wobuya, a 17-year-old Ugandan student wrote in an essay commemorating the 10th anniversary of the UN Convention on the Rights of a Child, “Though many of these parents/ guardians and teachers punish to reform, they end up punishing to deform” (Save Children UK, 2000).

Hyman (1997) noted that children’s developing minds are damaged by violent treatment. Corporal punishment takes its toll of children’s long-term mental health and happiness. Research findings by Dayton (1994) point to a correlation between corporal punishments and depression, low self-esteem, negative psychological adjustment and poor relations with parents and teachers. A research study by Ellison (1996) on the Caribbean Island of St. Kitts examined whether the cultural acceptability of corporal punishment reduced its negative effects. It found out that children who regarded beatings as acceptable methods of upbringing were psychologically harmed just as much as those who did not. Brezina (1998) observed that corporal punishment does not include punishments that solely cause emotional pain. However, corporal punishment invariably includes an element of emotional punishment because it humiliates children, invades personal integrity and underlines their perceived inferiority.

Children frequently cited corporal punishment as a reason for dropping out of school alongside factors such as poverty and gender discrimination. Barnen (1998) noted that in Ethiopia corporal punishment lead to school dropout and quoted an Ethiopian student describing how his teacher punished him in front of the other students by putting a pencil between his fingers and squeezing his hand. “It was not the pain that hurt me, but the feelings of humiliation I underwent when my classmates laughed at me. That was the last day for me to be at the gate of that school.” Research findings by Human Rights Watch (1999) in Kenya shows that Kenyan children, left with little remedy against corporal punishment, in many cases respond to injuries and severe punishment by transferring from abusive schools or by dropping out of school. Elton (1989) argues that even less severe forms of punishment damage children’s education. Children learn through exploring, questioning, trying things out. They need the freedom to experiment, to think for themselves and take risks where discipline is not maintained through fear.

Teachers justify corporal punishment as being good for the pupils' discipline and learning. But there is no evidence that the absence of corporal punishments leads to poor scholarship or out-of-control pupils. Examination of the school records of corporal punishment reveals that it is often the same pupils who are reportedly beaten for these same offences. A UK government inquiry into discipline in schools shortly after the UK banned school corporal punishment found that there was no evidence of corporal punishment being an effective deterrent but rather that standards of behavior tended to be worse in schools which made more frequent use of corporal punishment than those that did not. (Elton 1989).

Fundamentally, corporal punishment would be inconceivable within any education system that was genuinely based on the rights of the child. An education system that supported teachers to build a relationship of trust with children, enabling children to question, challenge, analyze and learn for themselves, and encouraged equal respect for each other would have no place for corporal punishment which can only undermine the very basis of this approach to teaching and learning. Corporal punishment has consequences for parents, teachers and society. People usually think that the effects of corporal punishment only apply to children who experience it; but parents, teachers and society are affected too. Many parents and teachers use corporal punishment because they have no other resources to solve the conflict and then they feel bad that they have done it. Guilt and violence perpetuate the difficult family contexts that led to the conflicts in the first place (Harding, 1989). Corporal punishment also helps to perpetuate an inter-generational cycle of violence in societies. For instance, of more than 103 teachers in Cameroon who admitted caning their students, 99 affirmed that they had themselves suffered violence as children and pupils (Miller, 1999).

Corporal punishment is a violation of children's human rights. The worldwide use of corporal punishment seems to contradict the fact that children are "people the same as us", humans with human rights. People justify behaviour towards children that they would never justify for themselves as adults, such as beating someone when he or she behaves in an undesirable way. In fact adults hit children because they cannot do it and many societies accept and support it, but corporal punishment ends when children grow up, when abuse of power is no more acceptable. Historically, it seems that children will be the last group to be protected in law from corporal punishment. In previous eras, the beating of wives, servants, prisoners, soldiers and slaves was legally and socially acceptable. Now there are few countries where such practices are lawful. Only where children are concerned do we seem blind to their rights as fellow human beings. The UN Convention on the Rights of the Child (1989) explicitly protects children from all forms of physical violence (Article 19) and from inhuman and degrading treatment or punishment (Article 37). It requires school discipline to be consistent with the child's human dignity and in conformity with the present convention (Article 28.2).

Although some gross violation of children's rights through corporal punishment is reported in the media, to police and other authorities, many more cases of corporal punishment are not reported at all because of such factors as remoteness of hard-to-reach areas, ignorance of the population about opportunities for redress and weak child protection structures. The structures for redress and protection in Uganda still face immense challenges, resulting from inadequate financial and human capacity, as noted by Ayebazibwe (2010).

Strategies for elimination of corporal punishments

Hindberg (2007) observes that some people argue that it is wrong to discuss alternative corporal punishment because this loses the point that corporal punishment is a fundamental breach of human rights just as it would be wrong to discuss alternatives to torture! While this may be theoretically correct, the practical evidence is that most teachers, parents and care-takers are desperately interested in knowing how to discipline children without violence. They do not like hitting but, in many cases, see no alternatives as noted by Vargas (1995). There is need to develop new attitudes towards children as a means of eliminating corporal punishment. Gershoff (2002) emphasizes that it is fundamental to improve teachers and parents' access to educational materials, tools and resources. It is also important to generate debate from a positive perspective, avoiding blame and guilt.

Teachers must be aware that corporal punishment is neither the right (it is actually children's right not to suffer it) nor is it justified by their educational responsibility to educate and thus discipline children. This means that it is a measure that cannot be justified under any circumstances, as noted by Hyman (1997). Harding (1989) argues that giving up corporal punishment does not mean giving up discipline; children need clear limits and guidance on what is right and wrong, and abandoning the shortcuts of violence is likely to produce better disciplined children. Teachers need to see clearly that there is always an alternative and this can be found if corporal punishment is no longer considered as a possible tool for meting out discipline as advanced by Jones (1999). People who work or live with children all day and who do not use corporal punishment have clearly understood the point that corporal punishment is not an option (Jensen, 1999). Whereas there is a range of alternative punishments available, the real trick is to adopt a different approach that acknowledges children's evolving capacities, and affirms their good behaviour rather than punishes their bad behaviour.

Knuston (1994) noted that a critical component of a new attitude to children is involving children themselves in finding solutions to difficulties. Schools and education systems that respect children as partners and collaborators rather than passive receptors or potential troublemakers will find that they become more peaceful and productive (Larzelere, 1996). Practical education programmes for teachers and parents, government's encouraging widespread debate on broader aspects of the subject – what we want from our children, how they best develop, where violence comes from and how we can move towards more friendly societies should be the way forward. The Gulbenkian Foundation (1995) identified four principles for alternative approaches to corporal punishment as follows: 1) expectations of and demands made on children should realistically reflect their maturity and development; 2) all discipline should be positive and children should be taught social values and behaviours including, in particular, non-violent conflict resolution; 3) non-violence should be clearly and consistently preferred and promoted; 4) adults should take responsibility not only for protecting children from violence done to them, but also for preventing violence done by them. Brenner (1998) suggests that positive discipline should replace corporal punishment. Positive discipline is about guiding children's behaviours by paying attention to their emotional and psychological needs. It aims to help children take responsibility for making good decisions and understand why those decisions were in their best interest. Positive discipline helps children learn self-

discipline without fear. It involves giving children clear guidelines for what behaviour is acceptable and then supporting them as they learn to abide by these guidelines.

Kakama (2002) noted that when necessary, positive discipline includes non-violent consequences for poor behaviour. It uses consequences that replace the experience of humiliation with the following; 1) considering the effects of one's behaviour; 2) identifying alternative and preferred behaviours; 3) demonstrating understanding of why a preferred behaviour is important; and 4) making amends for harm done to others or the environment. This approach may require students to engage in writing essays, making apologies or performing chores in this classroom – any activity that makes them stop, think and demonstrate their intention to act differently in the future, as noted by (Olson,1988). Positive discipline does not reward children for poor behaviour. It provides children with an opportunity to grow as individuals by understanding their mistakes and appreciating how appropriate behaviour can bring them positive experiences and opportunities, as noted by Naker (2007).

Many teachers agree that when they discuss or read about positive discipline, it makes sense but when they attempt to practice positive discipline on day-to-day basis, it becomes harder to understand. They are able to eliminate physical violence from their responses, such as no longer using a cane but still feel dependent on other humiliating punishments. Schnelder (1996) identified four principles of positive discipline that teachers can follow. That a disciplinary response should be, 1) relevant to the misbehaviour; 2) proportional to the offences; 3) focused on correcting the behaviour, not humiliating the student; and 4) aimed at rehabilitation (learning from mistakes) not retribution (pay back). Following the four principles of positive discipline, Braden (1990), Lazerlere (1996), Newman (1983) and Schneider (1998) agree that there are four categories of positive discipline responses.

Use reflection for minor day-to-day problems such as coming late to school and being disruptive in class. A teacher could ask the children to think about their misbehaviour by using one of the following techniques like imposing a time-out and this would involve asking children to either leave class or sit in a quiet place for 10 minutes to think about their behaviours. To be released, they would have to articulate what they did wrong and how they would avoid repeating the same mistake. This should be done firmly but without humiliating the kid. Letter writing is another, and this could involve asking children to apologize to the wronged person and ask for forgiveness.

A teacher could impose an appropriate penalty. Penalties within a positive discipline approach include the following: physical work such as slashing grass or cleaning the school compound in a designated area; withdrawal of privileges such as children not being allowed to go out during recess or play games during school; and, additional time at school (detention) such as children remaining for an extra half hour after school to reflect on what they did wrong.

Another alternative can be reparation for offences that cause damage to a third party such as hitting other students, bullying younger children, damaging property or fighting and causing general disorder, in school. A teacher could insist that a child undertakes public reparation such as the following: the child apologies to the entire school; if feasible, the child contributes towards replacing or repairing the damage such as erecting the fence, chopping wood or

repairing a wall (based on the capacity of the child). The child receives a written notice in the school disciplinary records and commits to reform. The school may also involve parents in preventing a repeat of the behaviour.

The last resort approach can be used for persistent and serious offences such as violating other students or serious damage to the school property or reputation. The head teacher could take action as last reports using interventions such as the following: summon and discuss with parents the possible next steps as a warning to the child; implement a time-limited suspension with a written warning and referral to a counselor or probation officer; as a very last resort, refer this case to the director of education with a specific recommendation for expulsion from school including the involvement of a probation officer and an action plan for the next step to help the child.

Policy, managerial and practical implications

Legal reforms and public education as a policy needs implementation to protect human rights of Uganda's school children. There is need to invoke Article 24 of the 1995 Constitution to protect every person including children from torture and inhuman punishment. The Children Act, section 5 (2) emphasizes the protection of children from discrimination, violence and abuse. Uganda's Penal Code Act Cap 106 sections 81 and 228 state that any person that assaults another person causing actual bodily harm is guilty of misdemeanor. The Education Act of 1970 under Uganda Government Standing Orders, chapter 127, empowers the Director of Education to deregister a teacher guilty of misconduct. These policy commitments are intended to ensure that children's rights are protected --particularly children's rights to access an education in a safe environment.

At a global level, more and more countries are introducing legislation to protect children from corporal punishment. Ugandan children are amongst the 42 percent of the world's child population who are legally protected from corporal punishment as noted by Naker (1007). Uganda's challenge is to ensure that all the children enjoy this protection in reality rather than just on paper. This implies that resources in terms of effort, money, sensitization and legislation must be committed by the Uganda Government and development partners to make it a reality.

UNESCO (2007) recommends that states, including Uganda, should adopt a time-bound Plan of Action as a policy to: Research the existence and extent of corporal punishment of children in schools and all forms of day care establishments, there is need to identify the causes underlying the use of corporal punishment in schools. There is need to review the existing legislation to ensure effective prohibition of corporal punishment and other in human and degrading treatment in homes, schools and day care centres.

There is need for the Ministry of Education and local authorities to review complaint procedures and remedies for children who suffer violent treatment or punishments in schools and homes. This implies that resources be set aside by the state to establish counselling centres with qualified personnel. There is need for a policy to investigate complaints and exercise disciplinary procedures, dismissal or prosecution of teachers who mete out corporal punishment. There is need to ensure that legal reforms are implemented through the education system, with the help of clear policies prohibiting corporal punishment and clear guidance on

handling classroom situations. There is need to ensure that teachers and school leaders receive training on children's rights, especially the right to physical integrity and human dignity and the alternative methods to corporal punishment.

There is need for a policy to include children's rights within the school curriculum, in particular the right to physical integrity and protection from all forms of violence. There is need to identify key stakeholders within the community and stimulate the collaboration of children, parents, leaders, the media community and religious leaders in generating wider awareness-raising debates. There is need to ensure the development of parenting education courses, information and materials on child-rearing practices and positive non-violent forms of discipline as noted by Willow (2009).

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