

CORPORAL PUNISHMENT

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Within five years of the end of apartheid, corporal punishment of pupils in schools and of convicted criminals had been legally banned in South Africa. Corporal punishment of children by their parents remains, as in most countries, legally permitted. It is widely resorted to and considered a permissible, and by some an indispensable, part of child discipline. Most parents join in condemning child *abuse*, which is usually defined as punishing children in a way that produces physical injury – examples include flogging and burning children with cigarettes. But the majority considers mild and infrequent parental corporal punishment – smacking or hitting a child when they act badly – acceptable.

They are wrong. Even mild and infrequent parental corporal punishment has not conclusively been shown to do significant good. It poses some risk of children suffering serious psychological harm. And it violates children's rights. Since available alternative punishments such as grounding, additional chores, 'times out' and suspension of privileges bring about as much, if not more, benefit at a lower cost, and do not violate children's rights, parents should stop using corporal punishment.

There is a strong presumption that inflicting physical pain on people (a group that includes children) is morally wrong. Defenders of corporal punishment insist that there are good reasons to think that it is nevertheless justified. Some argue that corporal punishment has more positive effects on children's behaviour than other punishments. In fact, almost all social scientists agree that there is little evidence to suggest that corporal punishment is a more effective means of improving children's behaviour than alternative, available punishments. Most deny that corporal punishment is even as effective as available alternatives. There is also little evidence to show that corporal punishment deters children from future

misbehaviour and none showing that it has greater deterrent effect compared to non-corporal punishments.

Corporal punishment by parents has been associated with psychological damage to children. Studies show that it may cause increased aggression and antisocial behaviour, that it may decrease the quality of the relationship between parent and child and that it may damage the child's mental health. Defenders of corporal punishment respond that these effects are likely to result only from harsh and frequent corporal punishment. Even if this true – psychologists disagree amongst themselves about this – parents who spank their children mildly and infrequently still run the risk of harming them. Since it is not known at exactly what level of severity physical punishment risks doing psychological damage, parents may inadvertently pass this point to ensure the supposed disciplinary benefits of corporal punishment.

Like other people, children deserve to be free from physical interference or attack. That is why children as well as adults are thought to have the 'right to security of the person'. This right is infringed whenever another person inflicts physical violence on them. Corporal punishment violates this right. It also violates another right that children have in common with adults, the right not to suffer degrading punishments. Children who suffer physical pain at the hands of someone on whom they depend may feel severe humiliation. The pain may cause a child to experience not only the disgrace of writhing or weeping, but also the shameful failure of efforts not to do so. Within their childhood milieu, children often strive to present themselves to adults as self-controlled and resilient in the face of pain. When as a result of corporal punishment children give in to their pain – writhe and cry – they are disgraced in their own eyes. Their efforts to conceal their suffering have failed. The result is a feeling of profound shame.

Defenders of mild corporal punishment argue that imprisonment, which includes serious indignities such as strip-searches and ablution facilities that require

relieving oneself in the full view of others, may deeply degrade offenders. Yet, they argue, we do not condemn imprisonment as objectionably degrading. It is inconsistent, they say, for people consider the indignities of prison acceptable and to condemn corporal punishment as unacceptably degrading. In fact, however, this argument does not show that corporal punishment is acceptable. Instead, it gives us reason to humanize prisons and protect the basic rights of inmates. Some features of imprisonment, such as strip-searches, may be necessary to ensure safety and security in prison, even though they are degrading. By contrast, corporal punishment is both inherently degrading and not necessary to achieve the disciplinary purposes for which it is used.

Finally, we should be concerned about children taking away from their experience of corporal punishment the message that physical violence is an acceptable response to disagreement and conflict. To combat the problem of widespread recourse to non-consensual physical violence in South Africa, we need as far as possible to discourage such violence, and to abolish practices children may construe as an endorsement of it, such as corporal punishment.