

Religions, the Promotion of Positive Discipline and the Abolition of Corporal Punishment

Frequently Asked Questions

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Introduction

The South African Council of Churches has - with regard to legislation developed in line with children's rights - consistently held to the principle that policy developments and their impact should always remain in the best interests of the poorest, most vulnerable and marginalised children. The injunctions as put forth by the Children's Amendment Bill, with special reference to the abolishment of the common law defence of "reasonable chastisement" will provide further space for the protection of the rights of children because children are now placed in the same position as adults under the law of assault. The common law does not tolerate violence against women, the aged or any adult for that matter. Neither does the common law distinguish between levels of violence, of whatever intensity on whatever part of the body and/or with whatever implement the beating was meted out. Likewise, we should not entertain the thought of accepting any level of violence that involves children. Children are humans too. In the light of existing social legislation which mandates against punishment of children in homes and at schools, it is important that the Children's Amendment Bill further affirms these commitments, promotes positive discipline and challenge the last vestiges of corporal punishment in South Africa. Corporal punishment is frequently seen or portrayed as an effective means of discipline, a deterrent and an act meted out in the best interest of the child. As a result, it has become an accepted and widely used form of "discipline". This ability to disguise corporal punishment as discipline has the effect of softening the harsh realities of both its use and consequences. The common legal defences that are raised in support and in justification of corporal punishment illustrate the complex psychosocial, cultural and/or religious settings in which corporal punishment occurs. Some arguments, such as the following, as well as references to a selection of religious texts – especially in some "Judaeo-Christian" traditions - are used in support of these principles. We take the opportunity to address some misunderstandings and interpretations that appear to give legitimacy to corporal punishment.

Frequently Asked Questions

1. Is there a difference between corporal punishment and beating? Surely I am (as parent/teacher) able to administer a spanking lovingly and in the best interests of the child?

The common law defence of "reasonable chastisement" and the language often surrounding its implementation as "loving" or "good" is itself contradictory. Can the act of hitting someone, regardless of the context of the relationship, stem from love? We must carefully weigh and consider whether the act of hitting anyone can stem from love. All too often the justification for administering corporal punishment – or just the "ordinary" smack – stems from a justification for the emotions of frustration, irritation and disguised anger. The actor and the action of corporal punishment or – often that "loving smack" – are usually framed within these complex set of emotions.

2. Corporal Punishment is a necessary part of upbringing and education. Does it not help children distinguish between right and wrong and deter a child from persisting in inappropriate behaviour?

Hitting children teaches them that violence is a legitimate way to sort out conflict or to recognise and impose authority. The misappropriation of hitting as an acceptable response to any situation of conflict sends confusing messages about what really ought to be perceived as dangerous. At the same time, the act of hitting prevents the recipient from learning a clear distinction between right and wrong. There is no scientific or social proof that smacking - or corporal punishment for that matter - is an effective deterrent or a means of changing actions, attitudes or behaviour.

3. How do we respond to those who claim that their religious or cultural upbringing assures them that they have a moral right and responsibility to use corporal punishment as a means of discipline?

Children are often told that they need a “good hiding” and that a hiding is as necessary as “jam and bread”¹. This age old use of a sense of the moral “good” and a physical beating – however innocent one may believe that hiding to be – is a moral contradiction in terms. The use of the word “good” together with reference to physical humiliation and punishment in the same sentence is both an oxymoron and - at best - an inconsistent moral claim. In the same vein, we can never argue that an act of indignity and something that borders on human disrespect – because that is what a smack is when administered by an older person on a child or by a child on a child – is ever a social and/or moral necessity, right or duty.

4. But the Bible says ... even commands me ... to administer a beating as a means of discipline.

There are many persons who draw on a selective use and interpretation of texts from the Hebraic scriptures in order to justify their support of corporal punishment. We quote some of these texts in two different translations and point out how differing interpretations over time can alter the meaning of that text²:

- Proverbs 13:24 “He that spareth his rod hateth his son: but he that loveth him chasteneth him betimes (diligently).” / “If you don’t punish your son, you don’t love him. If you do love him, you will correct him”
- Proverbs 19:18 “Chasten this son while there is hope, let not they should spare for his crying.” / “Discipline your children while they are young enough to learn. If you don’t, you are helping them to destroy themselves.”

¹ The Afrikaans expression “Jy’t ‘n goeie pakslae, net soos brood en konfyt, nodig” indicates the mixed moral assumption that a hiding can be good for you and that, just as one lives on bread and jam – for those who frequently only have bread and jam as a staple diet – corporal punishment and a reasonable parental “roughing up” is both morally necessary and “good”.

² The texts chosen are quoted alternatively from the King James Version, The Holy Bible (KJV) and from Today’s English Version (TEV)

- Proverbs 22:15 “Foolishness is bound in the heart of a child; but the rod of correction shall drive it far from him.” / “Children just naturally do silly, careless things, but a good spanking will teach them how to behave.”
- Proverbs 23:13 “Withhold not correction from the child: for if thou beatest him with the rod, he shall not die.” / “Don’t hesitate to discipline children. A good spanking won’t kill them.”
- Proverbs 23:14 “Thou shalt beat him with the rod, and shalt deliver his soul from hell.” / This verse is omitted from the contemporary translation.
- Proverbs 29:15 “The rod and reproof give wisdom: but a child left to himself bringeth his mother to shame.” / “Correction and discipline are good for children. If they have their own way they shall make their mothers ashamed of them.”

The terms “rod”, “chastisement”, “correction”, “discipline” and “reproof” are used – sometimes together, often interchangeably - not only in these passages, but throughout the Hebraic scriptures. We need to remember the patriarchal context within which these scriptures were written. The extent of such patriarchy - supported by and within these texts – maintained an extreme view of the paternal right to obedience by children. Disobedience could easily justify the father, with the support of the community, stoning an “asocial” or “anti-social” child to death. The book of Proverbs should, then, be read as a radical departure from such ancient, patriarchal and social norms. When we read these passages in a revised context, we may then understand how the book of Proverbs advocates far greater respect for women and children than would otherwise have been the social norm – basically a violent disapproval towards a child’s unacceptable actions or inappropriate behaviour. Furthermore, modern Rabbinical scholarship indicates that the “rod” referred to was not an instrument of degrading punishment but rather a psycho-social and religious measure of dignifying “chastisement”, “rebuke”, “correction” or “discipline”. Human and social discipline was always – and remains – a complex construct that involves a range of social, political, psychological and religious measures of conditioning. Just as the biblical texts were intended to transform the patriarchal culture of their day, so too are they intended to be a dynamic understanding, able to transform our past colonial and racialised understandings of society into one based on building a culture of equity, respect and dignity. When we read these biblical or traditional passages in the contexts of internationally accepted social, cultural, human and children’s rights, we may be able to understand how contemporary interpretations support positive discipline that promotes the bodily integrity of the child. A simple quotation of a religious text in today’s world may constitute a necessary means of faith for one or other religious tradition. A more rigorous reading of those texts, however, would constitute a necessary - if not sufficient - condition for understanding their wisdom in a context that seeks to promote the enhancement of human, social and children’s rights and dignity.

5. Those passages are from the Old Testament, say some Christians, but the New Testament also justifies corporal punishment. For example: Hebrews 12:6-7 “...the Lord disciplines those he loves, and he punishes everyone he accepts as a son. Endure hardship as discipline; God is treating you as sons. For what son is not disciplined by his father?”

Once again, this passage makes a distinction between the act of discipline and that of punishment. It is important, therefore, to understand their origins and traditions in order to clarify their frequent false association. The root of the word “discipline”, in the New Testament, comes from the Greek word “disciple” meaning “to guide, instruct, to teach.” Discipline functions as a means by which to teach an individual how to live by principle rather than through punishment as a means of dealing with their offence as an infraction of those principles. Punishment – as opposed to discipline – focuses on dealing with and – where possible - stopping the present offence. Punishment literally means “to cause, to undergo pain” as in “punitive measures”. Its concern is not for the future and seldom, if ever, with long-lasting behavioural and attitudinal changes. The “rod” - if it is to be looked at within this context and understood as a measure of “hardship” and “punishment” - must be understood figuratively, as a tool or measure meant to guide and direct the subject. In this sense, the “rod” as it refers to discipline should be seen figuratively as a “rod of correction” rather than a literal instrument of pain, suffering and retribution. Discipline, in the New Testament, is never intended as an act of retribution or punishment. Instead its intentions are focussed on teaching and guiding the disciple to act appropriately as human beings with supreme dignity. Discipline for the human being enhances his/her abilities and senses of choice and responsibility rather than treat the person as a robot or automaton whose actions – right or wrong, good or bad - may be programmed through pain and reward. Discipline is the recognition that mistakes may be made and tolerated – read the stories of Jesus’ disciples. As a process of life formation, discipline is about the recognition of life’s difficult choices. Such an understanding of discipline – if only from a Christian context - is essential for the ongoing human and social development of children – in fact, of all people. Contrary to belief, there is no occasion ever in the New Testament where physical punishment is a justifiable means of discipline. So, today, spanking, smacking or beating – in fact any form or degree of corporal punishment – is a poor substitute for the positive and abundant forms of non-violent, life shaping discipline that may be learnt from the New Testament.³ Any attempts to justify corporal punishment of children through biblical “proof texts” and/or through psycho-social and religious interpretations of the scriptures is unchristian, unorthodox and, in the light of a human rights context, bordering on a dangerous abuse of children’s rights.

6 So, what would Jesus’ views on children, discipline and punishment be?

The New Testament does not record one occasion in which Jesus used violence as a way to relate to people, or as a form of discipline, let alone in his treatment of children. In fact, Jesus cautions that the manner in which we treat the “least of society” – namely children - is to be equated with our regard for God’s rule of governance (contemporary translation of “the kingdom of God”). Unless, says Jesus, you become as one of these you cannot enter the Kingdom of Heaven⁴. Again we are warned that should anyone hinder the spiritual or material wellbeing and flourishing of children, it would be better for that person to put a millstone around his/her neck and be cast into the depths of the ocean⁵. Even in the dramatic event in which Jesus became angry with the tax collectors in the temple, he refrained from using violence against any person⁶. And, when Jesus was confronted by the betrayal

³ Soneson, Ulrika. (2005); *Ending Corporal Punishment of Children*, Pretoria, Save the Children Sweden.

⁴ Matthew 18:3

⁵ Mark 9:42

⁶ John 2 13-16

of one of his disciples - a betrayal that would lead to his execution at the hands of the political and religious establishment - Peter, one of his chief disciples, is said to have struck out with his sword at the apprehending garrison. Jesus' response was to rebuke Peter, and then command him to put away his sword⁷. It is clear through these examples of Jesus, that he encouraged discipline – even in the face of adversity - rather than punishment or violence, in order to deal with social perceptions and so to change the nature of human and social relationships.

7. What other religious views – other than Christian – might address social formation through positive discipline rather than corporal punishment?

There are several other religions, whose teachings oppose the action of corporal punishment. During the eighth gathering of *Religions for Peace* in Kyoto, Japan (August 2006), representatives from various religions stood in accord regarding the inherent dignity of every person, including children⁸. The gathering brought together, Buddhist, Christian, Hindu, Jain, Jew, Muslim, Sikh, Shinto, and Zoroastrian and Indigenous leaders. They recognized their responsibility and obligation to protect children from violence, the importance of inter-religious cooperation in doing so. The shared principles among these religions of compassion, justice, love and solidarity together with their public acknowledgements speak of their commitment to a worldview based on peace-building and for the protection of children against all forms of harm, hurt and punishment.

CONCLUSION

While corporal punishment may still be practised in some communities and in the home and even though some religious and cultural leaders may insist that their traditions promote and/or permit the practice of corporal punishment, we believe them to be a wrongful interpretation of those traditions. The purpose of this FAQ has been an attempt to strengthen families, communities and those in positions of care for children to encourage the use of positive discipline and the promotion of non-violent communication as alternative dispute resolution measures within the home, community and nation. We do not espouse to have all the answers to the promotion of positive discipline. We do know, however, that corporal punishment - or any form of “discipline” that contravenes the child’s bodily integrity and/or impairs spiritual or emotional well-being - cannot and will not build the kind of humane, dignified and respectable nation envisaged in our Constitution. We therefore encourage your further reflections and thoughts on children’s rights, positive discipline and the abolition of corporal punishment.

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⁷ Matthew 26: 47-52

⁸ World Conference for Religions and Peace. *Eighth World Assembly of Religions for Peace. Religious Leaders Confront Violence and Advance Shared Security. Kyoto, Japan 2006.*