



**THE USE OF CORPORAL PUNISHMENT TO MANAGE LEARNERS' DISCIPLINE IN
LESOTHO HIGH SCHOOLS**

A doctoral thesis

by

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**Submitted to the Department of Postgraduate Studies: Education,
in the faculty of Humanities, Central University of Technology, Free State
in fulfillment of the degree of Doctor of Philosophy (Education)**

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Declaration

I, Retšelisitsoe Mantoa Matheolane, hereby declare that this thesis submitted by me for the Doctor of Philosophy [Education], submitted to the Department of Postgraduate Studies: Education, in the faculty of Humanities, Central University of Technology, Free State is my own independent work and has not previously been submitted by me at another university/faculty. The entirety of the work contained therein is my own, original work and I am the sole author thereof. The document has been subjected to a plagiarism test and all effort was made to credit literature sources.



R.M Matheolane

Date: 31 March 2016

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Certification

The undersigned certify and recommend to Central University Of Technology, Free State for acceptance, a Doctoral thesis submitted by Retšelisitsoe 'Mantsoa Matheolane titled ***The Use of Corporal Punishment to Manage Learners' Discipline in Lesotho High Schools***

in fulfillment of the requirements for the Doctor of Philosophy[Education] in the Faculty of Humanities, Department of Postgraduate Studies: Education

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Dedication

To my late Father, Julius Motseki Matheolane.

Abstract

Lesotho, being a signatory to international and continental conventions such as the Conventions on the Rights of a Child and the African Charter on the Rights and Welfare of Children has a mandate to protect children's rights. As a result, Lesotho abolished corporal punishment in schools in order to comply with the above-mentioned conventions. The abolition of corporal punishment occurred when the culture and traditions of the country seem to contradict the international culture of rights. This study used Bronfenbrenner's Bio-ecological theory to determine the contextual factors that appear to sustain the use of corporal punishment in managing discipline in high schools in Lesotho. The study employed mixed methods approach. Semi-structured interviews were conducted with parents and head-teachers, a questionnaire was completed by teachers and focus group discussions were conducted with learners. Qualitative data were analysed using interpretative-phenomenological data analysis while quantitative data were analysed using Statistical Package for Social Sciences (v 20). The results from both qualitative and quantitative data revealed that corporal punishment is rife in the high-schools in Lesotho. The parents and head-teachers are aware of the use of corporal punishment in schools, but turn a blind eye on it because they believe in its effectiveness. Corporal punishment is used in violation of school rules and regulations. It is used for social and academic reasons and by both male and female teachers as well as science and language teachers. Injuries on learners are common in the application of corporal punishment, but both the teachers and learners regard them as minor. Corporal punishment was found to persist in Lesotho high schools because parents, teachers, head-teachers and learners regard it positively. While parents and learners lack knowledge of the law that abolished corporal punishment, the Ministry of Education and Training fails to monitor the implementation of the law. Basotho culture appears to sustain the use of corporal punishment in the high schools of Lesotho wherein proverbs are employed to justify its application on students. The head-teachers and the learners found it difficult to visualise their schools without the use of the cane hence advocate for a reasonable use of corporal punishment. This study recommends that communication focusing on the meting out of corporal punishment be initiated at all social levels such as the family and media. Both pre- and in-service training on the alternatives to corporal punishment should be conducted for teachers. The Ministry of Education and Training needs to monitor the implementation of the laws and discipline teachers who breach the laws.

Key terms: Corporal punishment, manage, learners, discipline, high schools, Bronfenbrenner

Abbreviations

ACRWC:	African Charter on the Rights and welfare of the Child
AU:	African Union
B.A. Ed:	Bachelor of Arts with Education
B.Ed:	Bachelor of Education
BSc Ed:	Bachelor of Science Education
CAT:	The Convention Against Torture and other Cruel, Inhumane and Degrading Treatment
CP:	Corporal Punishment
CRC:	Convention on the Rights of the Child
DEO:	District Education Officer
DES:	Diploma in Education Secondary
EPOCH:	End Physical Punishment of Children
HOD:	Head of the Department
M.Ed:	Masters' Degree in Education
MoE:	Ministry of Education
MOET:	Ministry of Education and Training
OAU:	Organisation of African Unity
PGDE:	Post Graduate Diploma in Education
SADC:	Southern African Development Community
STC:	Secondary Teacher's Certificate
STOPP:	Society of Teachers Opposed to Physical Punishment
SPSS:	Statistical Package for Social Sciences
UK:	United Kingdom
UN:	United Nations
UDHR:	Universal Declaration of Human Rights.



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CHAPTER ONE: BACKGROUND TO THE STUDY

1.1 Introduction

This chapter introduces and highlights the background to the study. It specifies the statement of the problem, the research questions and objectives. It also outlines the purpose of the study as well as its rationale. It ends with the significance of the study, the definition of terms and chapter outline.

1.2 Background to the study

Corporal punishment refers to the purposeful infliction of pain, through hitting, slapping or beating with an object as well as pinching as a way of correcting or controlling a child's unacceptable behaviour (Smith 2006; Straus 2010). It involves the infliction of pain without causing injuries by a person in authority (Chemhuru 2010). Teachers and head-teachers being in authority, decide if the breach of school rules warrants corporal punishment and if so, the number of strokes to be administered as well (Reyneke 2011). Pain is thus inflicted on a learner as a form of retribution for wrong doing. Hence, corporal punishment is seen as a way of paying for some form of misbehaviour (Chemhuru 2010; Reyneke 2011).

Corporal punishment was used in many countries of the world as a form of disciplinary method in schools in the past (Robinson, Funk and Bush 2005). Although some countries continue to use it, studies conducted in different parts of the world established that it breaches children's rights (Bussman, Erthal, and Schroth 2009). It can easily lead to physical injuries (Robinson *et al.* 2005) and cause psychological problems (Shumba 2011).

Children have fundamental human rights endorsed in the United Nations Convention on the Rights of the Child (CRC). According to Durrant (2008), the children's rights include the right to physical security, which in turn entitles children to the defense of their physical integrity and dignity similar to that enjoyed by adults. Children also have a right to be protected from all forms of

violence, and as such, the use of corporal punishment is an act of violence against children. Children are human beings who have the same rights as adults and if it is wrong to beat wives, neighbours or parents, it is also wrong to corporally punish children (Durrant 2008). Corporal punishment undermines children's right to be treated in a humane, non-degrading and dignified manner and should therefore be abolished in all spheres, including the schools (Smith, Gollop, Taylor and Marshall 2005).

The legal abolition of corporal punishment is based on the Convention on the Rights of the child (CRC). Article 19 of the CRC states that all state parties should take all the necessary legislative, administrative, social and educational measures to protect children from all forms of physical or mental violence, injury or abuse, neglect, maltreatment or exploitation (Shmueli 2005).

According to Smith *et al.* (2005), article 19 of the CRC does not specifically relate to corporal punishment. However its entanglement by the Committee with the Rights of the child underlines corporal punishment as degrading and inhuman. Pioneering adjudications on the use of corporal punishment in the European Court on Human Rights as well as in the constitutional and supreme courts of countries such as the Republic of South Africa, India, Namibia and Zimbabwe were done on the basis of this understanding (Smith *et al.* 2005).

The use of corporal punishment was also found to be leading to psychological problems such as low self-esteem, post-traumatic stress disorder, depression, anxiety and anger on the affected children (Ferraro and Weinreich 2006, Dupper and Dingus 2008). This indicates that corporal punishment does not only violate children's rights but also has adverse psychological implications on children.

Opponents of the use of corporal punishment, such as Smith *et al.* (2005), advocate for the abolishment of corporal punishment through law reforms and public education. It is in line with this advocacy that some Western and African countries changed their laws on corporal punishment in schools. Other countries completely abolished the use of corporal punishment in schools (Morrel 2001). Sweden was the first country to abolish corporal punishment in all

spheres in 1979 (Ziegert 1983). Other Western countries that outlawed corporal punishment include the United Kingdom, which outlawed it in 1986, Scotland in 2000 and finally Ireland in 2003 (Crocker and Peté 2009). South Africa legally abolished corporal punishment in 1996 (Maree and Cherian 2004; Morrel 2001) while Kenya did so in 2001 (Mweru 2010; Shongwe 2013). Namibia abolished corporal punishment in schools in 2001 and its supreme court ruled against the use of corporal punishment in schools in 1991. Zambia legally scrapped corporal punishment in 2003 (Soneson 2005) and Lesotho legally abolished it in schools in 2010 (Lesotho Government Gazette 2010).

There are African countries which kept corporal punishment legal. These countries include Botswana (Tafa 2002; Garegae 2008; Global initiative to end all corporal punishment of children 2008), Swaziland (Shongwe 2013), Zimbabwe (Shumba 2011; Chemhuru 2010) and Tanzania (Feinstein and Mwahombela 2010). However, the use of corporal punishment in these countries is regulated. The regulations on corporal punishment are meant to ensure that children do not get injured while being punished (Smith *et al.* 2005). The use of corporal punishment while being vigilant that children do not obtain injuries is in line with reasonable chastisement. As far as proponents of corporal punishment are concerned, parents and teachers may beat children for the purpose of maintaining discipline (Snyman 2008).

According to Smith (2006), proponents of corporal punishment support it because of their own personal experiences. They allege that corporal punishment did not kill them. They further claim that they achieved what they did because they were beaten as children. However, Komba (2015) reveals that corporal punishment is ineffective as it does not make children learn correct behaviour. It focuses on the negative instead of the good behaviour that we want children to learn. Children suppress the negative behaviour after being punished and misbehave again when they forget about the pain caused by earlier corporal punishment.

Contrary to the notion of corporal punishment with care, studies link corporal punishment with injuries. For example, in the United States corporal punishment

was found to result in abrasions, bruises, blood blisters, blood clots and other complications that may require hospitalisation (Rollins 2012). In 2003, the Society for Adolescent Medicine found that 15,000 learners were in need of medical treatment each year due to spanking in the United States of America (Dupper and Dingus 2008).

Durrant (2008) found that proponents of corporal punishment believe that it deters the breaching of disciplinary laws in schools; it makes children learn social rules and work hard in their school work. Corporal punishment deters learners from acts of misdemeanor because it is embarrassing to be beaten in front of other learners. Furthermore, learners who are likely to breach the laws may refrain from such acts after seeing their colleagues being beaten (Chemhuru 2010). Contrary to these beliefs some studies (Bartman 2002; Chemhuru 2010) found that some learners are repeatedly beaten at school for the same misconduct. Corporal punishment does not lead to a change in behaviour because it does not address the child's underlying behaviour. This indicates that corporal punishment does not act as a deterrent. Learners would rather breach the laws when they realise that they are out of the teachers' sight or tell lies to their teachers to avoid corporal punishment (Pokothoane 2011; Setlolela 2009; Straus 2010).

Corporal punishment was found to be rife in some countries where it is legally scrapped. For example, Maphosa and Shumba (2010) found that in South Africa, teachers equate discipline with corporal punishment. They believe that learners become unruly if they know that they can no longer be beaten at school. Kimani, Kara, Augustine and Ogetange (2012) found that in Kenya, seventy five percent (75%) of the teachers were not willing to discard the use of corporal punishment because alternative forms of punishment were believed to be ineffective. A similar situation was also reported in Lesotho where Pokothoane (2011) found that the prevalence of corporal punishment was still high despite it being legally abolished. The researcher, being a teacher trainer, also visits schools regularly and was baffled to observe teachers using corporal punishment in schools. This sparked the interest in the subject of corporal punishment.

1.3 Reasons for the complete abolishment of corporal punishment in schools

Corporal punishment promotes violence in children. It models intolerance against people who break the law. It communicates to children that it is acceptable for adults or those in authority to solve problems through pain and eventually children resort to violence to solve problems. They fight each other when there are misunderstandings (Bitensky 1998; Komba 2015).

Corporal punishment should be abolished because it fails to teach good behaviour. Children would never get an opportunity to understand what is wrong with their behaviour if they get beaten every time for breaking the rules. Teachers and parents usually beat children without explaining the breach of the law that would have been committed. Sometimes children are not given the chance to say their side of the story (Pokothoane 2011). Eventually, children will not learn to adopt appropriate values but rather avoid breaking the law only to avoid punishment and commit the same offense when the adults are out of sight (Waterhouse and Nagia-luddy 2009).

Proponents of corporal punishment talk of reasonable chastisement. They regard corporal punishment as acceptable for as far as it is reasonable. However, studies have established that it has a potential to escalate into abuse or assault as some children obtain injuries in incidences where the intention of the adult was discipline (Nolen 2010).

Furthermore, children who were frequently beaten have been found to be aggressive and rebellious later in their lives (Nolen 2010). Boys, in particular, develop feelings of revenge, aggression against siblings and peers as well as vandalism of school property (Masitsa 2008).

1.4 The status of corporal punishment in Lesotho

Corporal punishment is lawful at home and in penal institutions in Lesotho. The 2011 Children's Protection and Welfare Act, Article 16 makes provision for

parents to use reasonable punishment on their children. Article 15 (1) of the same Act states that a child has a right to be disciplined in accordance with her/his age, physical, psychological, emotional and mental wellbeing (Ministry of Health and Social Welfare 2011). Corporal punishment is also legally permissible in penal institutions. The Lesotho Prison Rules make provisions for juveniles to be detained and kept under discipline. Though the prison officers are prevented by rules to utilise unnecessary force on juveniles they can use reasonable chastisement (The Global Initiative to end All Corporal Punishment of Children 2009).

Article 22 of the 2011 Children's Protection and Welfare Act of Lesotho states that children who have violated the law should be treated with dignity (Ministry of Health and Social Welfare 2011). However, this does not seem to bar the use of corporal punishment in the penal system in Lesotho (The Global Initiative to end All Corporal Punishment of Children 2009). Article 4 of Lesotho's Education Act (2010) states that no learner shall be subjected to cruel, inhumane and degrading punishment. Article 5 of the same act stipulates that parents shall be involved in the development of the disciplinary policies of the school (Lesotho Government Gazette 2010). These instruments do not seem to proscribe corporal punishment in the schools, but paradoxically, leave room for teachers to use corporal punishment on learners as far as they feel that it is not degrading and inhumane.

The 2010 Lesotho Objects and Reasons of the Education Act indicate that the aim of the Act is to abolish corporal punishment in schools (Lesotho Government Gazette Extraordinary 2010). When the Minister of Education and Training presented the Bill to the Upper House of Parliament, the part on abolition of corporal punishment was rejected by the house on the basis that the ban was against the Basotho culture which allowed parents to reprimand children (Rampou 18th November 2009). The rejection of the repeal of corporal punishment may have resulted in the law being made general so that teachers could continue using corporal punishment without being taken to court, except in severe cases where it could be argued that the teacher subjected the learner to cruel, inhumane and degrading punishment.

The officials of the Ministry of Education and training in Lesotho, in conversation with the researcher, (on the 12th April 2012) describe the 2010 Education Act of Lesotho as meant on abolishing corporal punishment in schools in Lesotho. The legal status of corporal punishment at home and it being illegal at school is confusing for parents, teachers and learners. Children are beaten at home but not at school. This introduces contradictions on the use of corporal punishment. It also makes implementation of the law difficult (Global Initiative to End All Corporal Punishment of Children 2015).

The researcher realised, from a comparison of the 2010 Lesotho Education Act with the Convention on the Rights of the Child (CRC) and the African Charter on the Rights and Welfare of the Child that the wording is similar. The international and continental instruments do not specify that corporal punishment should be abolished but include it under the auspices of cruel, inhumane and degrading punishment. According to the CRC committee on the Rights of the Child, corporal punishment is cruel, inhumane and degrading (Shmueli 2005).

The continued use of corporal punishment in Lesotho would contradict the country's ratification of the international Convention on the Rights of the Child (CRC) and the African Charter on the Rights and Welfare of the Child. Sustaining corporal punishment would be a negation of the international laws to which the kingdom is a signatory. Such a stance on Lesotho's part, contravenes Doek's (2009) assertion that these international conventions compel governments to protect children from all forms of abuse by ensuring that children are treated in a dignified, humane and respectful manner.

Studies conducted in Lesotho (Pokothoane 2011; Setlolela 2009; De Wet 2007; Moletsane 2002; Monyooe 1996) show that there is high prevalence of corporal punishment in the kingdom and that its effects on the learners are adverse. The findings point to the abusiveness of corporal punishment on learners and that corporal punishment leaves the learners humiliated, defenseless and anxious (Pokothoane 2011). De Wet (2007) opined that learners in some secondary

schools of Lesotho have witnessed fellow learners being severely beaten at assembly for minor things such as whispering to each other. A further revelation in De Wet's (2007) study is that corporal punishment in Lesotho is associated with psychological experiences such as feeling humiliated and physical suffering such as fainting. Similarly, Pokothoane (2011) found that corporal punishment is not helpful because learners would rather lie or be truant to avoid punishment instead of avoiding the behaviour that leads to it.

Findings on the effects of corporal punishment in Lesotho (Pokothoane 2011, Setlolela 2009; De Wet 2007) are consistent with those in studies from other African countries such as South Africa and Kenya. For example, Maree and Cherian (2004) revealed that corporal punishment in South Africa causes the following psychological effects: low self-esteem, an increase in anxiety, helplessness and feelings of humiliation. Other negative effects of corporal punishment emerged in the Kenyan study where it is associated with a huge school dropout and transfer rate (Human Rights Watch, cited in Mweru 2010). The above observations depict corporal punishment as both ineffective disciplinary management measure and resulting in adverse physical and psychological effects on learners.

1.5 Statement of the problem

Several studies (Shale 1945; Monyooe 1993; Monyooe 1996; Lefoka, Nyabanyaba and Sebatane 2008) point to a long history of the use of corporal punishment in Lesotho from the inception of formal education during the colonial era, through independence and into the new millennium. It is a rational and authentic epistemic identity (Higgs 2003) that has stood the test of time and is unique to Lesotho and Basotho. Furthermore, the use of corporal punishment is not only common in Lesotho's high schools sub-sector but has been noticed as having adverse effects on the learners (De Wet 2007; Lefoka *et al.* 2008; Pokothoane 2011; Setlolela 2009). Paradoxically, the use of corporal punishment appears to continue in schools despite the fact that the Government of Lesotho is signatory to continental and international Conventions. These include Convention of Rights of a Child (CRC) and the African Charter on the Rights and Welfare of the Child, which are against the

use of this disciplinary measure on learners and compel governments to ensure the protection of a child from all forms of abuse (UNICEF 2005).

The Lesotho upper house of parliament (Senate) rejected the banning of corporal punishment in schools when the law was still being debated in the parliament. The reasons for not supporting the proposed abolition of corporal punishment were that the ban was against the Basotho culture which allowed parents to reprimand children (Rampou 18th November 2009). Article 4 of the Education Act 2010, is silent on corporal punishment *per se* though it stipulates that learners shall not be subjected to cruel, inhumane and degrading punishment. Its wording seems to condone corporal punishment in as far as it is not cruel, inhumane and/or degrading. Some teachers are aware of the negative results of corporal punishment, but they continue to practice it in the classroom arguing that other methods of discipline are not effective (Moletsane 2002; Pokoahoane 2011). This may suggest that the 2010 Education Act was purposefully designed to accommodate the use of corporal punishment in line with the Basotho cultural practice. In the same breath, the objects and reasons of the 2010 Education Act state that the objective of the law is to abolish corporal punishment. It is against this background that this study sought to determine the contextual factors that appear to sustain the use of corporal punishment in managing discipline in high schools in Lesotho.

1.6 Purpose of the study

The purpose of this study was to explore the contextual factors that appear to sustain the use of corporal punishment in managing discipline in high schools in Lesotho. The contextual factors relate to the situational circumstances that cause and support the meting out of corporal punishment in schools.

1.6 Research questions

The main research question of this study is: What are the contextual factors that appear to sustain the use of corporal punishment in managing discipline in high schools in Lesotho.

1.6.1 Sub-questions

This main question is divided into the following specific questions:

- 1.6.1.1 To what extent are teachers employing corporal punishment in Lesotho high schools?
- 1.6.1.2 What are the factors that lead to the teachers' use of corporal punishment in Lesotho high schools?
- 1.6.1.3 What are Lesotho learners' perceptions regarding the use of corporal punishment in their schools?
- 1.6.1.4 Why does corporal punishment persist despite it being legally abolished?
- 1.6.1.5 How does the Basotho culture influence teachers' perceptions regarding the use of corporal punishment in the Lesotho high schools?
- 1.6.1.6 What strategies are needed to reduce corporal punishment in the Lesotho high schools?

1.7 Objectives of the study

This study sought to:

- 1.7.1 Explore the extent of the use of corporal punishment in high schools in Lesotho.
- 1.7.2 Determine the factors that lead to the teachers' use of corporal punishment in Lesotho high schools.
- 1.7.3 Explore Lesotho learners' perceptions regarding the use of corporal punishment in their schools.
- 1.7.4 Determine the reasons for the persistent use of corporal punishment despite it being legally abolished.
- 1.7.5 Investigate the influence of the Basotho culture on the use of corporal punishment in the Lesotho high schools.
- 1.7.6 Determine the strategies needed to reduce the use of corporal punishment in the Lesotho high schools.

1.8 Assumptions of the study

This study is carried out with the following assumptions:

- 1.8.1 Teachers continue to use corporal punishment on learners in the high schools in Lesotho despite it being abolished.
- 1.8.2 Both the teachers' and learners' characteristics lead to corporal punishment to be used in the high school in Lesotho despite it being legally abolished.
- 1.8.3 Learners have negative perceptions of the use of corporal punishment in Lesotho high schools
- 1.8.4 The Basotho culture provides a context that is supportive to the use of corporal punishment in the high schools in Lesotho.
- 1.8.5 Strategies that target different contextual levels may reduce the use of corporal punishment in the Lesotho high schools.

1.9 Significance of the research

Studies on corporal punishment in Lesotho (De Wet 2007; Lefoka *et al.* 2008; Pokoahoane 2011; Setlolela 2009, Vihito 2011) assert that it is the most common and frequently used form of discipline in schools. Corporal punishment is used for academic reasons such as failing a test and as a social deterrent for actions such as stealing (Monyooe 1993). It is also used to maintain the power relations between the teachers and the learners (De Wet 2007; Pokoahoane 2011). However, there appears to be a paucity of studies that investigated the extent to which corporal punishment is used in the high schools of Lesotho, hence this study seeks to close that gap. Knowledge gained in the current study may unravel the teachers' dependency on corporal punishment as the disciplinary measure.

Newspapers articles, such as Lesotho Times newspaper (Rampou November 18th 2009), point out that there were debates in the upper house of parliament that opposed the abolition of corporal punishment. The argument against the abolition of corporal punishment centered on the perception of corporal

punishment as part of the culture of the Basotho nation. Studies currently available have not determined the relationship between the use of corporal punishment and the Basotho culture. This study closes this gap by investigating factors within the Basotho culture that appear to sustain the use of corporal punishment to manage learners' discipline in schools. The knowledge gained from this study may assist teachers to reflect on their practices on the use of corporal punishment and realise when they breach the law under the influence of culture.

Studies conducted in Lesotho (Setlolela 2009; Pokothoane 2011) describe the occurrence of corporal punishment and the reasons behind its continued use. The gender and area of specialisation of the teachers who use corporal punishment frequently has also been revealed in these studies. These studies do not however suggest theories that can be used to reduce the use of corporal punishment in schools, an issue that the current study addresses. Knowledge gained from the current study may assist stakeholders such as policymakers and educators to contemplate on measures that can reduce corporal punishment in the high schools in Lesotho. It may assist policymakers to formulate appropriate policies that target the causes of the use of corporal punishment in the high school sub-sector. It may also make the classroom practitioners aware of the reasons behind the use of corporal punishment outside the law as well as the alternative methods of enforcing discipline in schools. A deeper understanding of the magnitude of corporal punishment in the high school sub-sector of the kingdom is, therefore, required to make suggestions on the strategies that could be used to eliminate corporal punishment in the country.

1.10 Definition of key terms

This section aims at operationalising the terms in the current study. Leedy and Ormrod (2010) describe a define definition of terms as aimed at clarifying the meaning of a given set of problem. The clarification of the meaning of terms

helps us understand the researcher's perspectives and context within which the terms are used in the study.

The following terms are used and defined in the context of this study:

1.10.1 Learners: Children who attend school for the purposes of attaining an education.

1.10.2 Corporal punishment: A form of punitive discipline which "includes any form of physical punishment against a child in response of misbehavior" (Zoolotor and Puzia 2010: 230). Corporal punishment includes slapping, beating, pinching or spanking or any other action that produces physical pain without causing any injuries (Romano, Bell and Norian 2013). In this study, corporal punishment refers to the purposeful infliction of pain, through slapping or beating with an object, as a way of correcting or controlling the learner's unacceptable behaviour.

1.10.3 High schools: Post-primary institutions which offer both Junior and Ordinary Level Certificates in Lesotho. The junior level takes three years to complete and learners who succeed at this level obtain a Junior Certificate. Senior secondary takes two years to complete. Upon completion of the last two years learners obtain an Ordinary Level Certificate. Schools with both senior and junior secondary education are referred to as high schools (Maqalika-Lerotholi 2001; World Bank 2005). The current study therefore uses the term high schools to refer to schools that offer Ordinary Level Certificate education.

1.10.4 Discipline: A state of stability conducive for learning in the classroom or at school meant to provide a particular degree of order suitable for the achievement of teaching and learning (Geldenhuys and Doubell 2011). This is how discipline was considered in this study.

1.10.5 Chapter outline

The study is divided into five chapters as follows:

Chapter 1 covers the scope of the study as a whole. It includes the introduction, statement of the problem, objectives of the study and the description of the methodology.

Chapter 2 reviews the literature on corporal punishment, detailing the prevalence and magnitude of the use of corporal punishment. This chapter focuses further on the contextual factors that influence the use of corporal punishment in schools. The influence of culture is also reviewed before dwelling on literature on possible strategies that can be used to reduce corporal punishment in schools. In each of these areas, literature from the Southern African Development Community (SADC), other African countries and the Western countries is reviewed. International, continental and local laws pertaining to corporal punishment are also discussed within the context of the research questions.

Chapter 2 details the theoretical framework of the study. It reviews the bio-ecological theory and focuses particularly on how it is used in this study.

Chapter 3 outlines the methodology of the study. This includes the relevant literature on research design, methods of data collection and analysis. This chapter also describes how research methodology literature was used in the current study.

Chapter 4 focuses on presentation, analysis and discussion of the data collected through both quantitative and qualitative methods.

Chapter 5 presents the findings, conclusions and recommendations. It also includes suggestions on how corporal punishment can be reduced in Lesotho high schools.

1.11 Summary

The current chapter introduced the study. It outlined the research problem, the objectives research problems and ended with an outline of the study's chapters. The next chapter reviews the related literature. It also focuses on the theoretical frame-work used in the study.

CHAPTER TWO: REVIEW OF RELATED LITERATURE

2.1 Introduction

This chapter focuses on the review of related literature. It details previous studies on the use of corporal punishment in different countries in and outside Africa, the extent of the use of corporal punishment outside the law, the causes of the use of corporal punishment outside the law, the influence of culture on the use of corporal punishment, and strategies that can be used to reduce corporal punishment. Finally, the chapter describes the theoretical framework that is used to discuss issues of corporal punishment in Lesotho. The first section studies international and continental instruments against corporal punishment.

2.2 International and continental instruments on corporal punishment

The international and African communities have conventions in place that seek to protect children's rights. The international instruments include the United Nations Convention on the Rights of the Child (UNCRC), The Convention Against Torture (CAT) and the Universal Declaration of Human Rights (UDHR). In addition, the Organisation of African Unity (OAU), currently African Union (AU), formulated the Charter on the Rights and Welfare of the Child with the objective of protecting the children's rights. The convention on the Rights of the Child (CRC) is discussed first.

2.2.1 The Convention on the Rights of the Child

The international community put in place the Convention on the Rights of the Child (CRC) to protect children's civil rights. CRC protects the rights of children by providing comprehensive minimum standards that recognise and protect the dignity of all children (Shmueli 2008). Children's rights are formulated along human rights, but they specifically address children's special needs to ensure their well-being and development (UNICEF 2005). The CRC ensures children's rights by focusing on care and protection. The argument behind focusing on protection and care is that children are at risk of being abused and therefore

need to be protected. The Convention on the Rights of the Child perceives children as individuals with human dignity. It is on the basis of protection of human dignity that Article 37 of the CRC calls for the protection of children from all forms of torture as well as degrading, cruel and inhuman treatment or punishment (Bartman 2002). At face value, this Article does not seem to prevent children from being corporally punished. Nonetheless, the Committee on the Rights of the Child (hereafter the committee) describes Article 37 as abolishing all forms of corporal punishment. It was established through the CRC to oversee the protection of children's rights. In the spirit of upholding children's rights, the committee conscientises people about the adverse results of corporal punishment on children. The committee reviews country reports on the provision of children's rights and their protection and then issues suggestions for improvement (Bartman 2002).

Article 19 (1) of the CRC targets all forms of protection of children. It calls all state parties to protect children from all forms of physical or mental violence, injury or abuse, neglect, maltreatment or exploitation. Children's protection should be legislative, administrative, social and educational. Sharma (2001) argues that corporal punishment violates article 19 (1) of the CRC because it has a potential to become violent and abusive. Rose-Krasnor, Durrant and Broberg (2001) reiterate that physical punishment, even in mild forms, is a violation of the child's human rights because historically, corporal punishment was meant for powerless people such as slaves, who were considered less than full humans. The UN's abolition of corporal punishment is a shift towards recognising and protecting children as people.

The CRC suggests that Children's protection should be in all forms including legislative, administrative, social and educational. Article 19 (2) of the CRC stipulates that countries should establish social programmes that provide the necessary support to both the children and their care-takers (UNICEF 1989). Support to parents, guardians and teachers can be provided through law reforms. These law reforms involve enacting new laws which are in line with the principles of the CRC (Odongo 2004). However Franks (2009) cautions that law reforms alone cannot be an effective measure to eradicate violations of

children's rights such as corporal punishment, for there is a need to accompany law reforms with public awareness on the adverse effects of corporal punishment. These public awareness campaigns may also introduce forms of discipline that can be administered in a manner consistent with the provision of the international laws. Education programmes could aim at changing people's attitudes towards corporal punishment in order to pave way for legal bans (Odongo 2004). Franks (2009) observes further that the laws that abolish corporal punishment would not be effective in an environment where the society still believes in corporal punishment. Educational public campaigns would therefore aim at changing peoples' attitudes on the effectiveness of corporal punishment as well as its cultural acceptance.

The Convention on the Rights of the Child obliges governments to provide basic education to children and ensure that children's rights are respected in all education settings. However, Lansdown (1999) found inconsistencies between the provisions of the convention and the daily realities of children. Schools throughout the world are run in an authoritarian manner and children are expected to unquestioningly accept the perceptions held by adults. Adults do not allow children to express themselves or opt out when their rights are violated (Lansdown 1999). Nonetheless, the spirit of the CRC requires children's rights to be respected. It argues that children should be listened to and be heard. Thus, the respect of human rights should not only be found in the curriculum content in schools but should be weaved in the fibre of the organisations and be visible in the ethos of the schools. It is therefore important for governments to explicitly legislate, promote and enforce children's rights in their countries. The use of corporal punishment in schools negates the convention because learners are beaten in a degrading manner (Lansdown 1999).

School disciplinary measures are specifically addressed by Article 28 (2). Article 28 (2) of CRC indicates that state parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child human dignity and in conformity to the convention (UNICEF 1989). The Committee on the Rights of the Child interprets this article to be abolishing

corporal punishment. According to the committee, corporal punishment does not respect the dignity of the child and it is degrading (Imbrogno 2000).

State parties commit to the protection of children as envisaged by the CRC through ratification of the CRC. All member states should abide by its stipulations. Appropriate supportive measures have been set up by the UN to monitor progress in the implementation of the CRC. For example, the committee on the Rights of the Child was set up by states' nominees who participate in their own personal capacity. State nominees participate in the committee in their own personal capacity to protect them from the state's influence on matters relating to reports on the status of the children's rights. Countries send their first reports to the committee on the rights of the child after two years of ratification and every five years thereafter. Non-governmental organisations raise awareness about children's rights and also participate in the preparation of country reports. However, they can still make their own reports if they feel that it is necessary (UNICEF 2005).

Xu (2014) finds CRC to be lacking in that its principles are not imposed on the states. States are required to undertake appropriate measures to protect children's rights. The implementation of the appropriate measures depends on the state and if state parties consider their activities to be within the specifications of the children's rights they are implemented. The Committee on the Rights of the Child recommends what should happen but it cannot enforce its suggestions. Failure by state parties to comply with the Committee does not lead to any disciplinary action.

The CRC is not the only instrument meant to protect children. The protection of children is also provided for through the Convention Against Torture and Other Degrading Treatment.

2.2.2 The convention Against Torture and other Cruel, Inhumane and Degrading Treatment

The convention Against Torture and other Cruel, Inhumane and Degrading treatment (CAT) bars its members from using disciplinary measures that use

torture. Torture is defined as an intentional infliction of physical or mental pain and suffering on an individual. Children, being individuals, are covered by this convention. As a result, the use of corporal punishment in schools is considered to be degrading and not suitable for use at school (**Bartman 2002**).

2.2.3 The Universal Declaration of Human Rights

Article 7 of the Universal Declaration of Human Rights prohibits the use of reasonable chastisement. Chastisement in this context is viewed to be degrading, cruel and inhumane (Bartman 2002). Jonas (2012) argues against the argument of reasonable chastisement in that the divide between reasonable chastisement and physical abuse is not clear. He argues that some learners may be injured, not because the use of corporal punishment is abusive but because their skin is too soft and easily forms bruises. In addition, some learners may have health issues that cause bruises and teachers may not be aware.

2.2.4 The African Charter on the Rights and welfare of the Child

Following the adoption and ratification of the CRC, the African Union (AU), then called the Organisation of African Unity (OAU), created the African Charter on the Rights and Welfare of the Children (from hereafter the Charter). The Charter was adopted by the AU in 1990 and brought into function in 1999 (Olowu 2002). It was drafted on the principles of the CRC, with the aim of “identifying and prioritising issues specifically affecting African children, in addition to globally recognised and generally applicable principles” (Njungwe 2009 P. 12). African leaders studied the CRC and found that the instrument ran short on some issues affecting the African child and therefore decided to supplement the global document (Kaime 2009). The unique issues that needed to be addressed to protect children in the African context include apartheid, armed conflicts, and circumstances related with socio-economic, cultural and developmental issues. These factors put children in situations which demanded special care and protection and may as well put children at risk if they are not addressed (Chirwa 2002). For example the charter prohibits the recruitment of children to be soldiers and marriage or engagement of children (Olowu 2002). Furthermore,

the charter advocates for the establishment of a children's rights discourse within the African continent by providing a context through which children's rights are discussed (Chirwa 2002). It is, therefore, important in this study to examine the ways in which the Charter addresses the use of corporal punishment.

On matters relating to corporal punishment, Article 5 of the Charter states that all state parties shall take appropriate measures to ensure that the child is treated with humanity and respect for his/her inherent dignity when subjected to school or parental discipline (Chirwa 2002). Dignity is one of the fundamental principles of the Charter and it relates to both the status of an individual and the position that is associated with that status. It denotes the significance of a human being over the interests of the state (Freeman 2010). Any form of corporal punishment on children is a breach of their inherent dignity and humanity (Waterhouse and Ruhukwa 2008).

Article 16 states that governments shall take specific legislative, administrative, social and educational measures to protect the child from all forms of torture, inhumane or degrading treatment (Chirwa 2002). A number of African countries complied with the stipulations of Article 16 of the Charter by putting in place legislative measures to protect children. For example, Kenya enacted the Children's law in 2001 to abolish customary practices that violated children's rights (Odongo 2004). The importance of educational measures in making the Charter and relevant legal changes known cannot be over-estimated. Lloyd (2002) reiterates that there is need to promote the charter to concerned government officials and the general public so that they know how it works. However, there may be differing opinions about what is degrading and inhumane punishment (Hale 2006). For example, Botswana, Swaziland, Zimbabwe and Nigeria are some of the African countries which have not fully eradicated the corporal punishment of children. Corporal punishment in these countries is legally permissible because it is perceived to be a good cultural practice which is not harmful to the child (Global initiative to end all corporal punishment of children 2012). Nonetheless, Article 21(1) states that state parties should take appropriate measures to eliminate harmful social and

cultural practices that affect the welfare, dignity, normal growth and development of the child.

African cultures are diverse and some countries may feel that there is need to preserve their own traditions and values. Instead of not ratifying the document, countries are given concession on non-fundamental areas. For example, Botswana ratified the charter but made reservations on Article 1, stating that it prefers to maintain its own standards, which already adhere to the spirit of the charter (Lloyd 2002).

One of the four cardinal principles of the Charter is the importance of the children's views in all aspects which affect them. This empowers children not to be spectators in the provision and safeguarding of their rights but to have a platform to influence the provision of their rights (Olowu 2002). It also necessitates the provision of forums where children can talk about their needs and how their rights are violated. As a result, a school curriculum should empower children by including the contents of the Charter so that children can be social agents for their rights and be able to assert them whenever the need arises (Chirwa 2002; Lloyd 2002; Lloyd 2004).

All the countries that signed the international and continental conventions are expected to put in place local instruments to protect all the citizens, including children. While international and continental instruments such as CRC and the Charter protect children from all forms of abuse, a lot of problems are experienced at the national and local levels. States ratify the instruments and pass appropriate legislations but in practice, the dynamics of the legislations are not easy to implement (Kaime 2009). In response to the instruments against cruel, degrading and inhumane treatment, some countries legally abolished the use of corporal punishment at school and/ or at home as well as in penal institutions. South Africa (Morrel 2001) and Kenya (Mweru 2010) are examples of countries which abolished the use of corporal punishment in school because it is degrading and inhuman. Countries such as Tanzania have continued to maintain the use of corporal punishment in schools but put in place restrictions on its use in schools.

Ratification of the continental and universal conventions obliges members to make appropriate educational and legal measures. However the situation in the member countries is different. Numerous cases of violation of the laws were reported in studies and media reports (Payet and Franchi 2008). This suggests that universal laws ratified by states are unable to influence the situational circumstances of learners and teachers. These international conventions fail to address individual and societal psychological views held by the local people. Consequently, these universal instruments “on corporal punishment seem abstract, idealistic and incapable of generating the changes in practice necessary for transformation” (Payet and Franchi 2008 P.167). Shumba (2003) reiterates that children’s rights seem to conflict with culture in the African societies because they are a new concept. In some African societies children are exposed to abuse because they are regarded as having no rights while they are in the custody of their parents. However, Shumba (2003) also revealed that teachers’ opinions on children’s rights differ. While some teachers perceive children’s rights as protecting children from abuse, there were others who feel that children’s rights contradict with African cultures, especially those rights which constitute child abuse. The countries that signed and ratified the international instruments which protect children are mandated to enact legislations in line with the conventions and treaties.

The next section discusses the laws governing corporal punishment in some Western and African countries. The laws in different countries are examined for the purposes of determining the extent to which they are violated while disciplining learners in schools. The last part specifically details the laws that govern corporal punishment in Lesotho.

2.3 National Laws on corporal punishment

International laws are not legally enforceable at the country level. Governments need to enact laws that ensure the protection of children within the country (Jonas 2012). The following section focuses on the national laws employed by different countries to protect children against the use of corporal punishment in schools.

2.3.1 National laws on corporal punishment in the western countries

Sweden was the first country in the world to legally abolish corporal punishment of children in all spheres. It was first abolished in schools in 1962. The ban was extended to home use in 1979 (Ziegert 1983). The legal ban of corporal punishment did not carry any penalties for people who infringed the laws as the enactment of abolition act was meant to change people's attitudes towards the use of corporal punishment. The belief was that the change in attitude impacted positively on the reduction of the use of corporal punishment (Bartman 2002). However, Roberts (2000) argues that public support of corporal punishment was already declining when the law against corporal punishment was enacted in Sweden. She suggests that it was due to the decline in the popularity of corporal punishment that the Swedish government legally abolished it. Sweden's abolition of corporal punishment highlights the importance of change of attitude and the laws in the eradication of corporal punishment. Contrary to the Swedish experience, positive attitudes towards the use of the stick in the United Kingdom (UK) made it difficult to abolish corporal punishment.

The UK signed the CRC in 1990 and ratified it in 1991 (Shmueli 2008). Prior to the ratification of the United Nations CRC, the UK had ratified the European Convention on Human Rights in 1951. Article 3 of the European Convention on Human Rights stipulates that no one shall be subjected to torture or to inhuman or degrading treatment (Crocker and Peté 2009). The European Commission on Human Rights and the European Court on Human Rights are the main continental guardians of human rights which forced UK into eradicating Corporal Punishment (Dunnemann 1994).

Corporal punishment in the UK was abolished after numerous lawsuits, both within the country and in the European Union as well as long battles in parliament. The eradication of corporal punishment in the UK was, however, gradual. It started with the state schools and private schools which received state funding in Britain in 1986. The official ban of corporal punishment in private schools in Britain occurred in 1998 (Crocker & Peté 2009). In 2000,

Scotland followed Britain's example and officially abolished corporal punishment. Ireland eventually abolished it in 2003 (Hale 2006). The ban of corporal punishment in the UK was, nevertheless, achieved after a long struggle by non-governmental organisations. Organisations such as the Society of Teachers Opposed to Physical Punishment (STOPP) and End Physical Punishment of Children (EPOCH) advocated for the legal ban of corporal punishment. There were also numerous, heated debates in the parliament over the issue and small margins during voting sessions in both the House of Commons and the House of the lords. When it was eventually achieved in 1985, the victory was a difference of only eighteen votes in the house of the Commons and four votes in the House of the Lords (Crocker & Peté 2009).

The aforementioned debates in the British parliament occurred after a number of cases in the European Court on Human Rights and huge settlements with the victims of corporal punishment. One of the cases in the European Court on Human Rights was between Campbell and Cosans Vs UK (Crocker & Peté 2009). The Scottish boys, Campbell and Cosans, separately dropped out of their schools in an effort to avoid corporal punishment. Campbell's parents sought assurance from the school that their son would not be beaten and the school failed to give such assurance. Cosans was suspended after refusing punishment for being caught attempting to use a prohibited short cut on his way home. As a result of this suspension, the boy missed eight weeks of school time. Their parents applied for a European Court on Human Rights' interdiction on the matter and the Court ruled in their favour because the judge felt that beating children without their parent's consent is a violation of their human rights. This clearly showed that corporal punishment did not have space anymore in the UK and therefore had to be legally abolished (Dunnemann 1994).

Before corporal punishment was abolished, UK had paid a lot of money for settling cases concerning corporal punishment. This money was paid as fines or as out of court settlements. The November 1989 estimate of money paid by the UK over corporal punishment issues was over four million pounds (Crocker & Peté 2009). The amount of money spent on law suits on corporal punishment,

debates in parliament and advocacy by non-governmental organisations indicate that the country had to engage in a lot of debates before corporal punishment could be abolished. The debates could have enabled people to change their attitudes towards the use of corporal punishment in the UK. However, reports on some teachers and parents demanding the return of corporal punishment were common (Crocker and Pete 2009). Crocker and Pete (2009) observed that some parents and teachers made efforts to reverse the laws abolishing corporal punishment in the UK. Teachers complained that learners were becoming more violent and disruptive and the strength of corporal punishment was considered to be its deterrence power as other alternatives had proved to be ineffective. Consequently, teachers wanted corporal punishment be reinstated. The National Association of School Masters warned that 30,000 teachers more were needed to cope with maintaining discipline after the ban of physical punishment. Nevertheless, twenty seven public schools still permitted use of corporal the punishment in 1988 (Crocker and Pete 2009).

Interpretation of terms used in the fight against corporal punishment also posed a problem. Corporal punishment was banned because it was said to be degrading. The term “degrading” is problematic because different people have different interpretations on what is a degrading punishment (Hale 2006). In the UK, Costello- Roberts, a seven years old boy, was beaten by a teacher with a soft soled slipper, through his trousers. He did not develop marks on his body and a court ruled that the level of this punishment was not degrading; hence the ruling did not consider corporal punishment to be degrading. The severity of corporal punishment is the one that makes it degrading. According to Dunnemann (1994) Judges such as Sir Gerald Fitzmaurice were of the opinion that corporal punishment is not degrading and should remain legal in the UK. They further suggested that the UK should refrain from adopting trends of eradicating corporal punishment set in other European countries. Instead, they asserted that the UK should take the opportunity to show that corporal punishment is not degrading.

Perseverance of corporal punishment in the UK was further sustained by religion (Bussman, Erthal and Schrth 2009). For example, parents and teachers from four independent Christian schools challenged the abolition of corporal punishment in the European Court of Human Rights on the grounds that the ban of corporal punishment was a violation of their rights to raise their children in a way that is aligned to their religious beliefs and philosophical convictions. They said that their religion allowed them to use corporal punishment to enable their children to differentiate between right and wrong. The European Court of Human Rights awarded them victory which was later rejected by the UK Court of Appeal in 2005 (Crocker and Petè 2009).

The abolition of corporal punishment in the Sweden and the UK show two different routes that can be taken. It was easier for Sweden to abolish corporal punishment because the society already had a negative attitude towards its use. The UK society on the other hand positively regarded the use of corporal punishment. This made it difficult to abolish it. The next section discusses the laws that were enacted to manage the use of corporal punishment at schools in some African countries.

2.3.2 National laws on corporal punishment in Africa

Botswana is a signatory to both the CRC and the Charter. The country ratified the ACRWC in 1986 and CRC in 1995. However, the corporal punishment of children is legally permissible at home, in the penal system and at schools in the country. A person aged between fourteen and eighteen may be sentenced up to twelve strokes by courts of law for a committed offense (Child's Rights International Network 2012). The Botswana 2009 Education Act even provides guidelines on the use of corporal punishment in schools (Human Rights Council Working group on Universal Periodic Review 2008).

The Botswana Children's Act of 2009 stipulates that no child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Nonetheless, this Act also clarifies that it should not be seen as eradicating corporal punishment of children. The Botswana Education Act allows the use of

corporal punishment in schools; however, the Act stipulates that only the head-teacher can apply the punishment to learners. Teachers may punish learners when authorised by the head-teacher but the head-teacher should be present when such a punishment is administered. The maximum number of strokes that can be administered by a teacher on a learner is three and head-teachers can apply a maximum of five strokes to a learner. The Act's other stipulations are that: corporal punishment should not result in broken skin; boys should be beaten on the palms, buttocks and back of the legs, while girls should only be beaten in the palms and the calves; and that all cases of corporal punishment should be registered in a log book which should be regularly inspected by the Permanent Secretary of the Ministry of Education (Agreement and Keene 2012).

Agreement and Keene (2012) assert that the legal status of corporal punishment in Botswana contradicts her democratic status. It denies the learners of their democratic right to be empowered and takes away the learners' freedom. In addition, learners get affected by sarcastic comments usually made by teachers while applying corporal punishment (Agreement and Keene 2012). This suggests that the legal status of corporal punishment in Botswana constitutes physical, emotional and psychological abuse. The use of corporal punishment also denies the learner the right to be heard before it is applied on them. Teachers usually decide that learners would have breached the school rules and regulations and that the misbehavior is worthy of corporal punishment without allowing learners to give their side of the story (Jonas 2012). As a result, corporal punishment is both abusive and undermines the learner's rights to express their views as it is administered in a stern way.

There seems to be a miss-match between the legal status of corporal punishment in Botswana and the provisions of the international treaties. Corporal punishment is legal in Botswana, despite the country being a signatory to international treaties which perceive corporal punishment as a violation of children's rights (Shumba and Moorad 2000). The highest court in Botswana perceives corporal punishment as not cruel, inhuman nor degrading (Maripe 2001). Jonas (2012) perceives this problem as emanating from the fact that

treaties and conventions cannot be enforced on their own, but have to be incorporated into the local laws for them to be functional. The national parliament, in the first place, has to enact them into laws. Thus, treaties and conventions are only used to guide judgments so that they are passed in the spirit of the convention.

The government of Botswana promulgated rules, such as the 2009 Education Act, aimed at regulating discipline while also protecting learners at school. However, the teachers found these laws to be inhibiting the smooth running of the school (Garegae 2007). Consequently, learners' cases of misdemeanour increase because teachers do not have authority over the learners and have to seek the head-teachers' approval before physically disciplining learners. The head-teacher may not always be available to punish learners or oversee the punishment and as a result, learners end up realising that their teachers do not have adequate authority over them and act as they please. The regulations on disciplinary procedures are perceived by the teachers to be against the Tswana culture. The Tswana culture considers teachers as parents to the learners; hence they are tasked with ensuring good discipline. However, the 2009 Botswana Education Act strips teachers of this task, thus allowing learners to do as they wish, in front of teachers who cannot do anything much (Garegae 2007).

The use of corporal punishment is also legal in Tanzania. The National Education Act of 1979 allows corporal punishment of learners in schools (Yaghambe and Tshabangu 2013). However, corporal punishment regulations were revised in 2000 and teachers were allowed to apply the punishment to learners for trivial offenses. The head-teacher had to approve its application on learners (Yaghambe and Tshabangu 2013) and the maximum number of strokes that can be applied to a learner is four (Feinstein and Mwashombela 2010). Komba's (2015) study in Tanzania calls upon the government to completely abolish corporal punishment in schools on the grounds that it causes the school environment to be less productive, unsupportive and hurts learners.

The use of corporal punishment on learners at school is also legally permissible in Zimbabwe (Shumba, Mpofu, Chireshe and Mapfumo 2009; Shumba, Ndofirepi and Masingi 2012). However, the Lawson the use of corporal punishment in schools have been changed regularly, thus indicating the instability and indecision associated with its use in the country. Corporal punishment was legally abolished in 1982 and this was followed by huge reports on learners' wild misbehaviour. The learners are reported as having bullied teachers and engaged in various and increasing cases of misconduct (Shumba, Mpofu, Chireshe and Mapfumo 2009). Consequently, corporal punishment was re-introduced in 1985; however, the Supreme Court contested the return of corporal punishment in 1989 and won. Finally, the government of Zimbabwe nullified the Supreme Court ruling and brought back the use of corporal punishment in 1992. Boys could be corporally punished for continuous negligence of their school work, lying, bullying, insubordination, indecency and truancy. Girls could be beaten in the palms while boys were beaten on the buttocks. A strap, cane or switch could be used by a teacher under the head-teachers' supervision. The schools had to keep a record of all the cases of corporal punishment, indicating the type of offense committed and number of strokes given (Chemhuru 2010). Zimbabwe, nevertheless, seems to be having a dilemma as to whether to keep corporal punishment or not, with some parents preferring its use in schools while others being of the opinion that it should be abolished as it caused a lot of problems (Shumba, Mpofu, Chireshe and Mapfumo 2009).

2.3.3 The history of the use of corporal punishment at schools in Lesotho

Formal education was introduced in Lesotho by the missionaries in 1833 with the arrival of the Paris Evangelical Missionary Society in the kingdom (Machobane 2000). Since then, having disciplined learners has been of utmost importance for the smooth running of teaching and learning. This necessitated the Director of Education to specify that one of the duties of the head teacher was to be responsible for learners' instruction and discipline during school hours (Director of Education 1927). Corporal punishment was one of the

important disciplinary procedures used both at school and at home (Shale 1945). The Basutoland Department of Education realised the importance of regulating the practice of corporal punishment by scrapping its use on girls, thus leaving teachers lamenting about their inability to control learners, especially older girls (Director of Education 1950).

In 1954, the Department of Education put forth a more comprehensive set of rules and regulations on corporal punishment (Director of Education 1954). These regulations specified the type of offenses worthy of receiving corporal punishment, who had to practice corporal punishment, the type of instrument that had to be used and the disciplinary procedures for teachers who breached the law (Director of Education 1954). According to the 1954 regulations, corporal punishment had to be used for grave offenses such as theft, indecency of language or conduct, gross insubordination and assault upon other learners during school hours. The use of corporal punishment was banned on girls and learners were not supposed to be beaten on the head. The cane used to punish learners had to be light and smooth. Only the head-teacher was allowed to administer corporal punishment and all cases of corporal punishment were to be recorded in the log-book, showing the reasons for the punishment and the number of strokes given. Any breach of these regulations was a serious offense worthy of only one warning and dismissal if it happened for the second time (Director of Education 1954).

The guiding principle of education from the colonial rule to the independent Lesotho was the provision of education in the best interest of the child. This was emphasised by the Director of Education in 1963 (Director for Education 1963). The Department of Education also formulated the 1965 Education Act, which maintained most of the 1954 regulations and had one additional article which specified the time-frame in the application of corporal punishment. Corporal punishment was neither to be immediately applied after the breach of the rules nor delayed to cause learners to suffer mentally in anticipation of the pending punishment (Department of Education 1965). Neff (1984) reiterates that speedy application of corporal punishment was an advantage to the learners although it also denied them an opportunity to reflect upon the offence.

In 1982, the Ministry of Education in Lesotho (name changed from Department of Education when Basutoland gained independence in 1966) strengthened the 1965 Education Act with the formation of school disciplinary committees to solve serious school disciplinary cases and the inclusion of parents in their children discipline at school (Ministry of Education 1982). This meant that harsh punishment could not be applied to learners without the involvement of other teachers and parents.

In 1984, the Minister of Education, Sports and Culture released a manifesto for secondary and high schools. The manifesto stated that classroom instruction at all levels had to be geared towards the respect for worth and dignity of the individual as well as the emotional, physical and psychological health of all children (Minister of Education, Sports and Culture 1984).

In 1995 the Ministry of Education released a Manual for the Heads of Secondary and High Schools (Ministry of Education 1995). The manual addressed issues such as discipline. According to the Head-teachers' manual, corporal punishment had to be applied only by the head-teacher and witnessed by another teacher. Male learners could be beaten in the palms or on the buttocks while female students were to be beaten in the palms only. A cane of less than one metre in length and one centimetre in width had to be used. Furthermore, all cases of corporal punishment had to be recorded in the log book, indicating the date, name and class of the learner who was caned and the reasons for punishment, and finally the head-teacher and the witness had to write their names and append their signatures in the log book (Ministry of Education 1995).

In 2010, the government of Lesotho abolished corporal punishment through the 2010 Education Act. The 2010 Education Act (4) states that a learner shall not be subjected to cruel, inhumane and degrading punishment (Lesotho Government Gazette Extraordinary 2010). The 2010 Act is in line with articles of both CRC and the Charter. Article 28 (2) of the CRC states that state parties shall take all appropriate measures to ensure that school discipline is administered in a

manner consistent with the child human dignity (UNICEF 1989). Article 16 of the African Charter on the Rights and Welfare of the Child states that member states are obliged to make specific legislative, administrative, social and educational measures to protect the child from all forms of torture, inhumane or degrading treatment (Chirwa 2002). The Committee on the Rights of the Child clarifies that these articles abolish corporal punishment in schools (Shmueli 2005). This however leaves questions on whether Basotho understand that CRC, the African Charter and the Lesotho 2010 Education Act are abolishing corporal punishment and which efforts are being made by all the stakeholders to bring about this understanding.

The legislation in Lesotho abolished the use of corporal punishment in the education system but it remains legal at home (Global initiative to end all corporal punishment of children 2009). The child Protection and welfare Act stipulates that the child should be punished in accordance with his/her age (Lesotho Government Gazette 2010). The act also permits the use of corporal punishment at home, while the 2010 Education Act proscribes corporal punishment at school. This brings a wide gap between the disciplinary procedures that are legally permissible at home and at school. It was the interest of this study to understand how children are affected, knowing that they can be beaten at home but and not at school.

In summation, one realises that the rules governing corporal punishment at schools in Lesotho were more comprehensive and clear during the colonial era. The procedures of applying corporal punishment were well spelled out, with clear specifications on what would happen to teachers who violated the regulations. The 2010 Education Act shows that punishment should not be inhuman and degrading but guidelines on how to administer the regulation are not specified.

The preceding paragraphs outlined the laws on corporal punishment in different countries. However, there seem to be problems on implementing the laws on corporal punishment. The following paragraphs detail ways in which the laws on corporal punishment are breached in different countries.

2.4 The Use of corporal punishment outside the law in schools

Countries such as Botswana (Agreement Keene 2012; Shumba and Moorad 2000; Tafa 2002), Tanzania (Feinstein and Mwashombela 2010) and Zimbabwe (Shumba 2003; Mugabe and Maposa 2013) allow the use of corporal punishment in schools. Guidelines are provided to protect learners from abuse. Some countries such as Kenya (Mweru 2010; Kimani *et al.* 2012) and South Africa (Morrel 2001; Motseke 2010) legally abolished use of corporal punishment in schools; however, studies (Agreement *and* Keene 2012; Shumba *and* Moorad 2000; Tafa 2002; Feinstein *and* Mwashombela 2010; Shumba 2003; Mweru 2010; Kimani *et al.* 2012; Morrel 2001; Motseke 2010) conducted in these countries point to the use of corporal punishment outside the law. Regulations are breached where corporal punishment is legal and children are beaten where the practice is legally abolished. The next section focuses on the use of corporal punishment outside the law in different countries.

2.4.1 The use of corporal punishment in schools despite its abolition

Studies, (such as Bartman 2002; Franks 2009) point to the use of corporal punishment in countries where it was abolished. Some teachers continue to use corporal punishment despite its abolition (Bartman 2002; Mweru 2010). This section therefore describes the use of corporal punishment outside the law in schools.

2.4.1.1 Unlawful use of corporal punishment despite its abolition outside Africa

The use of corporal punishment is reported to be continuing in some countries despite it being outlawed. In Japan, corporal punishment was legally abolished in schools in 1947. However studies (Bartman 2002) reveal that it continues to be practiced unabatedly. According to Bartman (2002) the continued use of corporal punishment in Japan despite its abolition occurs because parents,

learners and teachers perceive it as an effective way of ensuring discipline and commitment to learning.

Franks (2009) observes that parents and teachers may be against legal abolition of corporal punishment if they can be prosecuted for using corporal punishment. The purpose of legal reforms is to educate the public about the disadvantages of corporal punishment. Teachers and parents can only be prosecuted in cases where the use of corporal punishment is so severe that it becomes a torture.

2.4.1.2 The use of corporal punishment outside the law in Africa

Agreement and Keene(2012) observe that corporal punishment persist in African countries for two reasons. Firstly, corporal punishment has been used from time immemorial in these countries. As a result, this long history made parents and teachers believe in its effectiveness so much that they support its use. Teachers go to the extent of applying it on learners out-side the law because they feel it is for the benefit of the learners. Secondly, parents utilise it at home and support its use at school. Some learners even expect teachers to beat them because it is used at home. Learners engage in acts of misdemeanor being aware that they will be beaten if they get caught. Seemingly, such learners grow up being punished and always look forward to this (Agreement and Keene 2012). The next section focuses on the use of corporal punishment in countries which legally abolished it.

2.4.1.3 The use of corporal punishment in countries that legally abolished it

Yousif and Mohammed (2015) conducted a study in the Mamoura region of the Khartoum state in Sudan. The purpose of the study was to expore the teachers' views on the use of corporal punishment in schools. The study also envisaged to determine the methods of corporal punishment used as well as the teachers' perceptions on the psychological effects of corporal punishment on learners. Data was collected from one hundred and fifty teachers, six head-teachers and

six parents. This study found that teachers were in favour of the use of corporal punishment in schools despite it being abolished in Sudan. Light type of corporal punishment such as instructing learners to stand facing the wall, or to do sport excersises as well as beating them with a cane. Teachers were reported to have a positive regard of corporal punishment. It is because of this perception that corporal punishment is viewed as an acceptable means of discipline, instrumental in child development. The use of corporal punishment despite its abolition was also revealed in Kenya.

Mweru's (2010) study conducted in Kenya confirmed that the use corporal punishment on learners was legally forbidden. The teachers continue to apply it in their classrooms because they felt that learners purposefully misbehaved knowing that they were not going to be punished. They were also of the opinion that learners were breaking the rules that they used to observe because the legally accepted disciplinary methods were not effective. Teachers felt further that corporal punishment was a deterrent because learners used to abide by the rules in order to avoid the pain incurred during its administration. Finally, corporal punishment was regarded as more effective than other methods such as reprimanding the learners and there was a general belief that learners comply quickly after being beaten but do not respond as quickly when verbally reprimanded.

Kimani *et al.* (2012) found similar results in Kenya. They investigated the learners' and teachers perceptions on the use of corporal punishment in primary schools. Their findings were that 50% of the head-teachers confirmed that corporal punishment was used on learners. The other 50% indicated that corporal punishment was not used in line with the Kenyan laws. In the same study, 91% of the learners attested to the use of corporal punishment in their schools. Kimani *et al.* (2012) attributed the discrepancy between the learners' and the head-teachers' report as due to the latter's efforts to under-play the illegal use of corporal punishment. The head-teachers' admission to the use of corporal punishment, despite it being abolished, would be tantamount to agreeing that they allow teachers under their authority to breach the law.

Mweru (2010) also found out that overcrowding in the classroom was among the factors that made teachers break the laws on corporal punishment. Some classrooms housed as many as hundred learners and services such as counseling were unable to cope with such huge numbers. Consequently, teachers resorted to corporal punishment, which they found easy and quick to administer.

Kenyan teachers also revealed that they preferred to apply corporal punishment on learners because alternative methods of discipline such as detention after school consume a lot of the teachers time (Mweru 2010). Learners could be instructed to remain in class or at school while others went home. This suggested that teachers had to remain at school to supervise the punishment given to learners (Mweru 2010).

Teachers in Kenya were also found to be against time out. Slavin (2009) defines time as a disciplinary measure that removes children from the environment that reinforces inappropriate behaviour. For instance, a learner is instructed to sit at a corner; away from his/her classmates for a given act of misbehaviour. Eggen and Kauchak (2010) warn that time-out is effective with young children. In Kenya, time out was found to be unfavourable because learners purposefully breached the rules when they wanted to skip a particular lesson. Teachers in Kenya also revealed that they preferred corporal punishment because it provided quick justice, as it could be applied immediately after the offense had been committed. The quick justice would allow the learners to link the offence with punishment.

The studies conducted in Kenya indicate that teachers were aware that they were breaching the laws on corporal punishment. They however continued applying it on learners because of their (teachers') positive attitude towards it and belief in its effectiveness. The use of corporal punishment despite its abolition has also been observed closer to home, in South Africa.

2.4.1.4 The use of corporal punishment out-side the law in South Africa

Studies conducted in South Africa point to the use of corporal punishment in schools despite its abolition (Crocker and Pete 2009; Motseke 2010; Ncontsa and Shumba 2013; Payet and Franchi 2008). Payet and Franchi (2008) conducted a study on corporal punishment, in the Republic of South Africa, which drew on a sample from previously white and black schools. Their study revealed that the teachers, head-teachers, learners and parents were aware that corporal punishment was outlawed. Its use was however observed despite the knowledge that it was outlawed. Both parents and teachers seemingly had negative attitudes towards the eradication of corporal punishment on the ground that it violates children's rights and hence, they sarcastically referred to children as the "rights' children". The teachers' perceptions were that the children's rights took precedence over the teachers' rights. In another study conducted in South Africa, Maphosa and Shumba (2010) found that teachers perceived the abolition of corporal punishment allowed learners to act as they pleased, knowing that tough corporal punishment had been abolished. This abolition, according to the teachers, constituted another form of abuse of the learners' rights because learners have a right to be disciplined.

Payet and Franchi (2008) observed a conflict of interests in the use of corporal punishment in South Africa. First, there was an opinion that its eradication ensured democracy and secondly, its use ensures democracy in the underprivileged communities by strengthening the chances of attaining a democratic right to education. Learners perceived corporal punishment as fair, provided it was not severe. This form of corporal punishment is preferred because it bars disruptive learners from disturbing the school and ultimately ensures peaceful conditions necessary for learning. Learners appreciated corporal punishment only if it was used against those who disrupt the lessons. In this case it allowed teachers to keep disruptions at bay and learners attain their democratic right of education in the process. Corporal punishment in this case became a pain that restored peace and order within a hostile environment.

Payet and Franchi (2008) also noted that corporal punishment was used with love in South Africa. Teachers beat learners because they care. In the underprivileged communities, children face different types of temptations such as drugs and alcohol, truancy and crime such as gambling. A majority of the learners do not have authority figures in their families; as a result, corporal punishment has connotations of care and proximity in this context. Furthermore, the school contexts in the poverty stricken areas do not have adequate support systems, thus refraining from using corporal punishment means that learners from underprivileged environments are denied the relationship of care and love that may not be replaced by other methods of discipline. Both learners and teachers understand that corporal punishment is used for the benefit of the learners. Crocker and Pete (2009) regard this perception of corporal punishment in the African countries as reflecting its use during the different moments in history. Thus corporal punishment was applied by the master to his slave, and husband to his wife or child and this was regarded as a loving and firm way to correct the loved ones.

Corporal punishment in this context was considered normal and reasonable. Learners preferred corporal punishment to mild alternative forms of corporal punishment, for being able to withstand corporal punishment demonstrated strong qualities. Some learners would even compete to see who could manage to withstand more beating than others (Crocker and Pete 2009). Silbert (2013) reiterates that in South Africa, both teachers and learners positively regard corporal punishment as a deterrent. They take it to be a tool that transforms and improves learners into responsible and successful individuals. Learners perceive teachers' application of corporal punishment as a diligent act seeking to ensure their success. It is because of this belief that learners obediently accept being beaten by teachers. Breen, Daniels and Tomlinson (2015) observe that the learners' perception of corporal punishment as being appropriate determines its regard as abuse or not. In a study that was carried in South Africa, Breen *et al.* (2015) found out that learners would believe that corporal punishment was appropriate when administered for a wrong doing, even though they may not like it.

Nonetheless, some learners in South Africa were found to resist the use of corporal punishment. Corporal punishment according to these learners, made them to be stubborn. They did not make an effort to arrive to school on time, expecting to be beaten, but never cared as the pain caused by corporal punishment heals after a few hours. Resistant learners however show a conflict of ideas because while they became stubborn and arrived late at school, they still learnt the important lessons delivered through the use of corporal punishment. Such lessons include the need for punctuality in life, for example. This suggests that though learners can rise against the use of corporal punishment, their efforts are short lived, for the power relations between the teachers and the learners established through corporal punishment, remain in place (Silberts 2013). Nonetheless, learners were found to prefer teachers who did not use corporal punishment or used it minimally as compared to those who used it regularly (Breen 2015).

Motseke (2010) conducted a study to assess the level of discipline among primary school learners in the Matjhabeng Municipality. The study was conducted in South Africa after the abolition of corporal punishment to determine how teachers managed to maintain school discipline. The results revealed that cases of learners' indiscipline were common in the township schools, though it cannot be said to have increased. Another study conducted by Shaikhmag and Assan (2014) in the North-west Province of South Africa could not find a significant relationship between the legal abolition of corporal punishment and the increase in acts of indiscipline in schools. Contrary to Motseke's (2010) findings in the Matjhabeng Municipality where indiscipline was found not to be increasing after the legal ban of corporal punishment, Maphosa and Shumba (2010) found that teachers perceived corporal punishment to be on the rise since it was abolished. In an earlier study conducted in Bloemfontein, Naong (2007) found that 38% of the white teachers, 70% of the black and 60% of the coloured teachers were unhappy with the abolition of corporal punishment. These findings indicated that studies have conflicting results on the link between the eradication of corporal punishment and the increase in acts of anarchy in schools. The contradictions observed in these studies could arise from the fact that these studies were conducted in different areas of South

Africa which have different experiences with regard to the abolition of corporal punishment. The studies also suggested that preference of the use of corporal punishment was along the colour lines, with black teachers preferring the use of corporal punishment compared to the other two groups.

Motseke (2010) also established that parents did not play a major role in the discipline of their children at school. This could be because a majority of parents in the townships were poor and had minimal education. In such conditions, learners' discipline was not a priority as parents have other things to worry about and would leave the handling of learner discipline with teachers. It was further found that the illegal use of corporal punishment occurs in the poverty stricken areas in South Africa. Wadesango, Chabaya, Rembe and Muhuro (2011) found similar results in a study that was conducted in the Fort Beaufort district in the Eastern Cape Province, South Africa. The results of this case study which used three schools indicated that the abuse of alcohol among parents lead to inadequate parental guidance of children at home. Parents were found to be unable to take full responsibilities of their children. Children do not have good role models in their families. Some parents in these poverty stricken environments regard children's discipline at school to be the sole responsibility of teachers. Such parents do not want to be called to schools to deal with their children's disciplinary problems but they encourage teachers to beat mischievous children because such children misbehave even at home.

Crocker and Pete (2009) conducted a study in South Africa which examined the post-abolition use of corporal punishment in schools. This study used data from surveys and media articles and its major finding was that the illegal use of corporal punishment on learners was a regular practice in schools. A 2005 survey had earlier on shown that 51.4% of the learners, the majority of learners between twelve and fourteen years of age, were beaten at school. Although corporal punishment had been abolished for nine years when the 2005 survey was conducted, 80% of the teachers were reported as using corporal punishment on learners at least once a week. It further reported that 53% of the learners from fifteen schools were not aware of its illegal status. The analysis of newspaper articles revealed that some learners attained injuries, some of which

were of a serious magnitude due to the use of corporal punishment. For instance, in 2001, a Grade five learner from Mpumalanga was left with a crippled hand after severe beating by her teacher and a grade two learners lost an eye in the process of corporal punishment in the same province (Cocker and Pete 2009).

In the same study, Crocker and Pete (2009) found that the South African Department of Education did not turn a blind eye on the illegal use of corporal punishment in schools. The education officers released official statements warning perpetrators that the Department would take necessary legal action. For instance, in 2004, the Department of Education in the Western Cape Province charged two hundred and ten teachers for utilising corporal punishment on learners sought to deliver the verdicts within three months. The Northern Cape Province's Department of Education issued a statement condemning the use of corporal punishment in schools. It went on further to issue practical guidelines on discipline to teachers and ran workshops on corporal punishment for teachers (Crocker and Pete 2009).

The preceding section highlighted the breach of the laws on corporal punishment in countries which legally abolished it. The next focuses on the use of corporal punishment in countries which legally allow its use in schools.

2.4.1.5 Breach of corporal punishment laws in countries where it is legally permissible

Corporal punishment is legal in countries such as Botswana (Agreement and Keene 2012; Tafa 2002) and Tanzania (Yaghambe and Tshabangu 2013). However the use of corporal punishment in such countries is regulated to ensure that learners do not sustain injuries (Feinstein and Mwashombela 2010). Studies conducted in these countries (Tafa 2002; Bartman 2002; Yaghambe and Tshabangu 2013) point to the breach of the laws governing corporal punishment in different ways. Parents and learners do not report the unlawful use of corporal punishment. Learners report that they are reluctant to complain about the use of corporal punishment because they may be victimised by

teachers, thus the children choose to keep quiet about it in order to keep peace with their teachers (Bartman 2002). The following, is a review of some of these breaches as experienced in different countries.

2.4.1.5.1 Breach of the corporal punishment laws in Nigeria

Studies conducted in Nigeria (Mahmoud, Ayanniyi and Salman 2011) point that reasonable corporal punishment can easily go overboard and cause injuries. Corporal punishment is legally permissible in Nigeria. According to the Nigerian legislations, it is not an offense to utilise corporal punishment on the learners who are eighteen years and below, provided such punishment does not result in injuries. However, it was found to be problematic because it has the likelihood of injuring the learners (Mahmoud *et al.* 2011). Mahmoud *et al.* (2011) contended that teachers in Nigeria seemed to be aware of the adverse results of corporal punishment. The teachers also seemed to have the appropriate attitude that is geared towards children's protection and as a result they would not be expected to resort to such injurious practices. They would also be expected to do advocacy work against the use of corporal punishment. On the contrary, 29.1% of the teachers still favoured the use of corporal punishment. The number of teachers who use corporal punishment was suspected to be higher because the majority of participants were unwilling to disclose their preferences, or under-reported the use of corporal punishment in schools. Moreover, a large number of the participants (61%) were found to have witnessed corporal punishment being used on learners.

2.4.1.5.2 The breach of the laws on corporal punishment in Botswana

In Botswana, corporal punishment is legally permissible. However, only the head-teachers are allowed to punish learners. Tafa (2002) conducted a study in Botswana using a case study from a sample of five schools. The purpose of that study which used observations, interviews and document analysis was to explore the beliefs about corporal punishment in terms of home, pre-service training as well as school socialisation. The study revealed that the laws on corporal punishment were breached in some schools in Botswana. School

officials such as the boarding master and night guard as well teachers were found to be inflicting corporal punishment on learners without prior permission from the head-teacher. Teachers reported that they used corporal punishment as a last resort after initially reprimanding the learners concerning their acts of misconduct. Nevertheless, the teachers reportedly used corporal punishment because they were previously beaten at school and home.

Tafa (2002) further revealed that the teaching environment as a whole encouraged young teachers to use corporal punishment. The use of corporal punishment in Botswana schools was also found to be transferred from one generation to another, as teacher trainers and seasoned teachers mentored new teachers into using corporal punishment. Upon arrival into the teaching profession novice teachers were told that corporal punishment was the only “language” that learners could “hear”. Teachers who do not apply corporal punishment were warned that they would not be effective in the profession (Tafa 2002). Consequently, the discourse here is that teaching force depends on the use of a stick to maintain discipline and in the process disregard the laws governing corporal punishment to maintain discipline.

Tafa (2002) also found out that teachers breach the laws governing corporal punishment by failing to record the incidences in which it would have been used, as dictated by the law. Only a few schools were found to have log books but these were irregularly filled. In addition, the Ministry of Education officials never checked the log books (Tafa 2002).

The Botswana 2009 Education Act does not allow male teachers to beat girls on the buttocks. Nonetheless, Tafa (2002) observed a male teacher applying corporal punishment of five strokes on a girl’s buttocks. Moreover, teachers in Botswana breach the laws on corporal punishment by applying it severely.

Tafa’s (2002) study is important to this study because it used observations, interviews and document analysis. These are the tools that the current study used as well. The difference is that the current study used a wider sample, unlike Tafa who used a case study of five schools.

In another study, Agreement and Keene (2012) conducted a literature study on how the legal status of corporal punishment in Botswana undermines democracy in the country. The results pointed to cross violations of the law on corporal punishment. Head-teachers, whose duty is to protect learners, were reported to have severely beaten female learners. The head-teachers are legally allowed to beat girls but in one case the caning of the girl was so severe that she had to seek medical attention. This incident was not even recorded in the logbook as required by the Education Act.

Agreement and Keene (2012) also found out that in one case the head-teacher punched a learner, slapped him on the face and then squeezed his genitals. A teacher who was present also took off his belt and beat up the learner. This kind of punishment amounts to child abuse (Agreement and Keene 2012). The Committee on the Rights of the Child articulated concern on the legal status of corporal punishment and urged Botswana to prohibit corporal punishment in all spheres (Agreement and Keene 2012).

The forgoing suggests that a majority of school officials breach the laws on corporal punishment in Botswana. The head-teachers, whose duty is to protect the learners by overseeing that teachers apply reasonable chastisement, also break the law. Corporal punishment is here applied to cause serious bodily harm. The situation is seemingly aggravated by poor monitoring from the Ministry of Education officials and yet the Ministry of Education officials have to check the log book regularly to ensure that the laws are upheld (Agreement and Keene 2012). A later study conducted by Mabusa, Alone and Maheng (2015) in the Kang region of Botswana contradicted Tafa's (2002) and Agreement and Keene's 2012 studies.

The purpose of Mabusa et al's study, which used closed ended questions and a sample of eighty seven participants to collect data, was to examine the extent to which rules and regulations on corporal punishment were adhered to. The findings revealed that teachers felt that they were abiding by the laws on corporal punishment, though full compliance faced challenges. The challenges

were that it took a lengthy period to apply corporal punishment because teachers had to follow a lengthy protocol before applying it. Head-teachers were sometimes not available to oversee the application of corporal punishment. Record-keeping was a problem and finding witnesses was sometimes difficult. These findings contradicted earlier findings from earlier studies that were conducted by Tafa (2002) and Agreement and Keene (2012) which revealed that teachers did not adhere to the rules and regulations on corporal punishment. Mabusa *et al.* (2015) contend that the difference in findings could be due to conducting the studies in different regions of Botswana. However, the challenges stipulated by Mabusa *et al.* (2015) seem to be the same reasons used by Tafa (2002) to argue that the laws were not adhered to. Challenges in adhering to the law suggest that the laws are not adhered to. Having observed the breach of the law in Botswana, the following sub section focuses on the use of corporal punishment in Tanzania, where the use of cane is legally permissible.

2.4.1.5.3 The breach of corporal punishment laws in Tanzania

Yaghambe and Tshabangu (2013) conducted a study in Tanzania to explore the effectiveness of corporal punishment. Their study, which applied qualitative methods, was conducted in ten secondary schools, with fifty teachers and 104 learners. The study revealed that learners viewed the corporal punishment used by teachers to be too excessive, unjust and disproportionate, as it was used for minor offences. Learners found it unjust because those that performed well academically were beaten moderately compared to those who regularly obtained low marks. Sometimes learners missed lessons owing to serve punishment. Such reported use of corporal punishment was found unlawful because the laws stipulated that it should only be used for major offences.

The use of severe beating was also a breach of the laws because the maximum number of strokes that were supposed to be applied to a learner was four and the learners reported that teachers sometimes gave twelve strokes or more. The application of more than the stipulated number of strokes was reportedly done because of lack of knowledge on the policy guidelines. Although some

teachers claimed that they had not even seen the policy guideline document, 58% of the participants agreed that they were aware that the policy guidelines on corporal punishment were not followed by the teaching staff (Yaghambe and Tshabangu 2013).

Yaghambe and Tshabangu (2013) concluded that the use of corporal punishment in Tanzania was tantamount to torture because teachers seemed to disregard the learners' health. Learners' palms and fingers were often swollen as a result of being beaten. Some learners attested to witnessing their colleagues being beaten until they were unconscious or until the teacher was satisfied. Some teachers disregarded the learners' dignity as they called the learners names while beating them. For instance, it was common for learners to be called fools in the presence of fellow learners. Thus, the use of corporal punishment in Tanzania violated both the country regulations and the learners' rights (Yaghambe and Tshabangu 2013).

Another survey was conducted in Tanzania with a purpose of collecting descriptive information on the use of corporal punishment in the O-level secondary schools (Feinstein and Mwahombela 2010). It was conducted within a context where the regulations governing corporal punishment had just been revised to reduce the number of strokes that can be given to a learner from six to four. Only the head-teacher was allowed by law to administer corporal punishment. Teachers (63%) reported that it was common for head-teachers to apply corporal punishment as the laws stipulated. However, some teachers (33%) used it in their classrooms.

It was further revealed that teachers who continued to breach the law were not aware of the new specifications of the law. Feinstein and Mwahombela (2010) further revealed that 51% of the learners perceived the use of corporal punishment positively. The remaining 49% of the learners deemed corporal punishment to be unfair. The learners who preferred corporal punishment felt that they deserved it when they had done something wrong and said that it motivated them to work hard. The idea of corporal punishment acting as

motivation was reiterated by the teachers who said that learners who failed a test work harder after being beaten.

The use of corporal punishment in Tanzania indicates that both the teachers and learners support the use of corporal punishment. Bartman (2002) found that proponents of corporal punishment view it to be a deterrent, as children avoid behaviour that is likely to attract corporal punishment. Children also work hard at school because failure may bring them some beating which is done in front of their colleagues. In addition, learners who observed others being beaten as well as those who were humiliated in public would also avoid behaviour that could attract punishment. Proponents of corporal punishment further view it as appropriate, as long as it does not cause any physical harm to a child. This suggests that the use of corporal punishment is acceptable if it is not over-done (Bartman 2002; Smith *et al.* 2005).

The next section focuses on the use of corporal punishment in Zimbabwe, where it is lawful (Shumba, Mpofo, Chireshe and Mapfumo 2010); although some studies point out that the breach of the laws on corporal punishment in Zimbabwean schools is common.

2.4.1.5.4 The breach of the laws on corporal punishment in Zimbabwe

Shumba *et al.* (2010) conducted a study in Zimbabwe to determine the learners' knowledge of the laws governing corporal punishment as well as their rights. The study revealed that a majority (79.5%) of the learners in Zimbabwean schools were conversant with the national laws that protect them from corporal punishment. The knowledge of international and national laws suggested that learners could recognise any form of violation of their rights at school. Learners were also reported to be in a position to report such violation of their rights. Having realised that learners are aware of their rights, it is of interest to find out what happens to perpetrators.

A study in Zimbabwe by Shumba (2003) focused on the nature and extent of physical abuse on secondary school learners between 1990 and 1997. This

study further determined the fines given to the perpetrators by the commission and the courts of law. The study showed that both boys and girls were beaten at school. Teachers slapped, kicked, pinched and punched the learners with fists. A majority of the perpetrators in Shumba's (2003) study were male teachers (94.1%) and females (5.9%) aged between forty and fifty-nine years of age. A large number of the perpetrators were trained teachers and possessed a minimum of two years of teaching experience. This suggests that the longer teachers stay in the field, the more they find alternative ways of solving disciplinary problems even if these are outside the law. In addition, Shumba (2003) revealed that a majority of the cases went unreported because victims feared that they could be victimised further by the perpetrators.

Wadesango, Gudyanga and Mbengo (2014) conducted a study in the Chibwe Cluster Schools, of the Chipinge District in Zimbabwe. The purpose of the study was to investigate the effectiveness of corporal punishment when dealing with deviant pupils' behaviour. Their findings indicated that the head teachers and the teachers perceive corporal punishment as important for controlling learners' unacceptable behaviour, imparting appropriate morals and deterring learners from engaging in unacceptable behaviour. The use of corporal punishment as a deterrent was meant to ensure that the offender did not repeat the mistakes and to prevent possible offenders from engaging in misdemeanours. The use of corporal punishment to target possible future offenders is done in the classroom so that they can observe the calamitous effects of corporal punishment and therefore avoid behaviour which attracts corporal punishment. The essence of corporal punishment in this case was to achieve good behaviour that was in harmony with education.

The laws governing corporal punishment in Zimbabwe dictate that corporal punishment should be administered by the head-teachers or teachers with the blessings from the school head (Shumba 2003). Wadesango *et al.* (2014) found out that teachers' opinions were that this regulation strips them of their *in loco parentis* duties, for the teachers act in the parents' place when applying corporal punishment. Therefore, waiting for the head-teacher to apply corporal punishment on learners is likely to result in disciplinary problems, such learner

misbehavior arising from an awareness of the absence of the school head from school and knowledge that teachers cannot beat them. Teachers therefore opined that the law should allow them to use corporal punishment on learners, in line with their responsibility to discipline learners (Wadesango *et al.* 2014).

Wadesango *et al.* (2014) further alleged that schools breached the laws on corporal punishment by calling parents to beat their children at school. The regulations do not make provisions for this action. While some parents support the idea of beating their own children at school, others do not. Parents who were against beating their children in this manner were forced to withdraw their children from school. Schools engaged in this practice in order to avoid prosecution for breaking the laws against corporal punishment. This study suggests that teachers prefer the use of corporal punishment at school as they find it to be effective in curbing acts of misconduct as well as deterring learners who are likely to engage in acts of misbehavior in the future. This magnitude of belief in the effectiveness of corporal punishment causes teachers to breach the laws on corporal punishment. However some studies in Zimbabwe found that the popularity of the use of corporal punishment was declining among teachers. It is of interest in this study to determine how head-teachers handle cases of violation of the law.

Makura and Shumba (2009) conducted a qualitative study in the Southern Province of Zimbabwe, using a sample of seven female primary school head-teachers. The purpose of this study was to determine the nature, extent and causes of child sexual abuse cases. It also aimed at exploring how the female head-teachers managed cases of child abuse in their schools. The results revealed that physical assault was common, especially in the urban areas. The perpetrators of the assault were children's relatives such as the step mothers and the children were assaulted on hidden parts of the body so that the abuse would not be visible. The assault was said to be so severe in some case that learners were unable to sit on a bench at school. Makura and Shumba (2009) also found out that at one school, a teacher injured a learner's eye while applying corporal punishment. The teacher, however, paid for the medical expenses. In addition, the study found out that both boys and girls were

physically abused, but the girls experienced more abuse. The female school heads would handle the cases of child abuse by one of the two ways: some applied the law, with limited negotiation, while others sought help through consultation. This study indicated that head-teachers are confronted with different forms of child abuse. In some cases the child abuse occurs at home but it would affect learners at school, as noted in cases where a victim was unable to sit on the bench- a condition that would also traumatise other children. These head-teachers, however, did not turn a blind eye on the violations perpetrated against children.

Mugabe and Maposa (2013) conducted a study on the challenges faced by teachers and school authorities in implementing the various methods used to curb indiscipline in schools. Their results revealed that 35% of the teachers preferred the use of corporal punishment while the remaining 65% were reluctant to use it. The high number of teachers who have reservations about the use of corporal punishment indicates that the efforts of human rights advocates fall on listening ears.

Mugabe and Maposa (2013) further found out that learners and parents were aware that Education policy circular 35 demands that all cases of corporal punishment should be recorded in a log book. It was also common knowledge to the parents and teachers that the head-teacher has to authorise teachers to use corporal punishment. Head-teachers however, oversee the whole school and are also required to teach. This suggests that head-teachers are unable to supervise the application of corporal punishment by teachers. Consequently, some schools were found to have improperly filled log books, which imply that learners were beaten without making proper entries in the log book.

It also appeared from Mugabe and Maposa's (2013) study that some teachers felt incapacitated by the provisions of the Education Policy circular 35. Teachers were worried as they were aware of colleagues who had been taken to court on account of breaching the Education Policy Circular 35. As a result, some teachers abandoned their responsibilities to discipline learners. This finding suggests that laws put in place to protect learners and teachers may sometimes

hinder the smooth running of the school. Such laws may prove to be time consuming or introduce external influence into the school, as noted in cases where some teachers were taken to court and made to pay heavy fines after beating some students. It is interesting to find out about the teachers who were disciplined for breaching the laws, and here the responses reflected in a study conducted by Shumba, Ndoferi and Musingi (2012) are instructive.

Shumba *et al.* (2012) conducted a study in Masvingo region in Zimbabwe to explore the issues and challenges faced by teachers on the use of corporal punishment in Zimbabwe. The study used seventeen case files of unauthorized corporal punishment in the region. The results pointed out that some perpetrators, two of them head-teachers, beat a large number of learners. The Zimbabwean law allows the school head to use corporal punishment on learners, however, the two head-teachers in this study were noted to have been taken for disciplinary hearing because they applied excessive punishment to learners. The severe corporal punishment emanates from an old philosophy which regards beating as positively building learners' conscience and character as well as the view that the learners' fear of the stick will make them refrain from misbehaving. Perpetrators that were found guilty were dismissed from the teaching service. These results indicate that the government of Zimbabwe does not turn a blind eye on the breach of corporal punishment laws. However, Shumba *et al.* (2012) pointed out further that a large number of cases went unreported because learners were afraid that teachers would retaliate. The government was, therefore, unable to discipline the culprits in the cases where laws were breached but the violations never reported. The lack of reporting could also be linked to the learners' beliefs on the use of corporal punishment by teachers.

Shumba, Mpofu, Chireshe and Mapfumo (2009) conducted a study in Zimbabwe to determine the pupils' myths and beliefs on the reasons why teachers used corporal punishment. The research used a sample of 200 Form A learners and it found out that learners believed that teachers beat learners in order to control those who broke the school rules and regulations. Learners who believed that teachers apply corporal punishment to curb the breach of school

rules see the punishment as necessary. They had a positive attitude towards corporal punishment and were likely to accept its use. Shumba *et al.* (2009) further found that 60.5% of the learners believed that teachers beat learners because they want to be feared, while 54.5% said that teachers beat them out of anger. A later study, conducted in Zimbabwe by Makwanya, Moyo and Nyenya (2012) reiterated the findings of Shumba's *et al.* (2009). They found that learners were of the opinion that teachers use corporal punishment because they want to be feared. Makwanya *et al.* (2012) also noted that some teachers beat learners with sticks because of their inability to control their classes and lack of competence in their subject areas. Makwanya *et al.* (2012) also perceive the use of corporal punishment in schools in Africa to be a legacy of the colonial rule. The use of straps and canes reflect those instruments which were used by the colonial masters and yet with independence, the system changed as African countries formed their own governments but their behaviour in relation to corporal punishment did not change.

Chemhuru (2010) reiterates that punishment in the classroom is a tool used to force learners to accept what they would not accept if they were not punished. It facilitates the learners' conscience when they behave in a disruptive manner by frowning upon their behaviour. This opinion suggests that punishment enables teachers to keep order that would otherwise not be possible. Chemhuru (2010), however, points out that a problem arises when corporal punishment is administered in an unfair manner. This is likely to occur when teachers indiscriminately beat learners in response to whole learners' refusal to reveal those who would have broken the rules. An indiscriminate application of corporal punishment is thus viewed as unfair to those who did not break the law.

In another study, Shumba (2011) argued that the use of corporal punishment in schools is accompanied by other forms of child abuse such as emotional and psychological abuse. Learners are labelled, scolded and called names in front of other learners. Consequently, they end up fearing and hating teachers and eventually dropping out of school. This brings us to the need for an exploration of the extent of corporal punishment in schools in Africa.

2.5 The extent of the use of corporal punishment at schools in the African countries

In countries where teachers utilise corporal punishment outside the law, the magnitude of the breach of the law varies across schools and from one teacher to another. In some schools learners may receive two strokes to twenty (Bartman 2002). Learners are also beaten without enquiring the case of misconduct. In some cases, learners are denied the chance to explain their side of the story (Bartman 2002). For example, Tafa (2002) found that in one school in Botswana, a teacher was punishing learners for missing the Saturday study. This teacher threatened the learners and said that he was not going to listen to their excuses and would beat them. Tafa (2002) further realised that the breach of the law on corporal punishment is done by all the school officials. The use of corporal punishment outside the law was committed because learners were late for school, made noise, fought and missed the Saturday study and this did not seem to raise any eyebrows among all the officials. Other teachers even joked about it while doing their work.

In Kenya, Kimani *et al.* (2012) found that the use of corporal punishment against the law was perpetrated by a majority of the teachers (86.4%) on duty. A high number of the perpetrators (82.8%) were class teachers and subject teachers (82.4%), while 80.8% were deputy head teachers, 70.8% the head teachers and 12.8% prefects. Thus, the use of corporal punishment was common; all the school officials as well as learners in managerial positions used it.

Furthermore, Kimani *et al.* (2012) found that a variety of forms of corporal punishment was used. A majority of the teachers (31.7%) said that they used caning, 26.7% of the teachers reported that they made learners kneel down, while pinching was preferred by 16.7% and slapping the learners was preferred by 8.3% of the teachers. Having established that the use of corporal punishment was rife in some countries, and that such use was illegal, the next section focuses on explaining such breaches of the laws on corporal punishment.

2.6 The reasons for the breach of the laws on corporal punishment in schools

The reasons for the breach of the laws on corporal punishment may vary from one country to another. Teachers may breach the law because of the positive attitude towards the use of corporal punishment as well as the poor implementation of the laws. This section elaborates on these points.

2.6.1 Positive attitude towards the use of corporal punishment

Bartman (2002) argues that proponents of corporal punishment perceive it as an appropriate method for instilling discipline in children. Children who receive corporal punishment are said to appreciate authority and obey orders. This makes it easy to control them. Furthermore, the pro-punishment proponents believe that schools can become chaotic if corporal punishment is not used.

The acceptance of corporal punishment at home influences its use at school. In a study conducted in Kenya Kimani *et al.* (2012) found that a majority of school stakeholders supported the use of corporal punishment in schools. Seventy percent of the head-teachers, 82% of the teachers and 60% of the learners advocated for the re-instatement of corporal punishment. Consequently, the positive perception of corporal punishment by the school personnel influences its use outside the law. Furthermore, Kimani *et al.* (2012) argue that it is possible that school personnel were not invited to participate in the decisions to abolish corporal punishment in Kenyan schools. A top-down model of eradicating corporal punishment was used and as a result, government officials abolished corporal punishment but never informed the teachers about the new law.

In Zimbabwe, Mugabe and Maposa (2013) pointed out that teachers who regard corporal punishment highly, felt disempowered to discipline learners through alternative methods. Such teachers perceive alternative methods of discipline as ineffective. Although the head-teachers are legally allowed to use corporal punishment in Zimbabwe, it is not possible to implement the law because of their diverse duties, which include supervising teachers, over-seeing

hundreds of learners and teaching as well. Some teachers abandon their duties, leaving head-teachers to discipline the learners. Nevertheless, teachers hold the parents' responsibility and authority when children are at school, hence some teachers felt that they had the mandate to use corporal punishment on learners (Bartman 2002).

Corporal punishment is also used by some learners to bully others. Tjavanga and Agreement (2012) conducted a study on the impact of bullying at school. The study found that a majority (42%) of the participants perceived corporal punishment as an effective and severe form of discipline worthy of being given to bullies in Botswana schools. Another 5% suggested that bullies should be taken to a *Kgotla* where they would also be severely beaten. A *Kgotla* is a public gathering where members of the society are disciplined in front of everybody, usually through the use of corporal punishment. Thus, the use of corporal punishment in Botswana is highly supported in schools and in the community and severe punishment is regarded as an appropriate punishment for disruptive learners, such as the bullies.

2.6.2 Poor implementation of the laws

Governments implement the laws against the use of corporal punishment poorly (Bartman 2002). In Kenya, for example, Kimani *et al.* (2012) attributed the failure to change stakeholders' attitude on the use of corporal punishment to poor implementation of the laws. According to Mbunyuza-de Heer Menlah (2014), head-teachers have a responsibility of informing the learners, especially the leaders, about the new laws. However, a study that was conducted by Mbunyuza-de Heer Menlah (2014), at Engcobo district in the Eastern Cape Province of South-Africa, revealed that principals find the task of educating the students' leaders about the new laws to be too much. Head-teachers already have a lot of responsibilities in schools. Consequently, they do not find time to educate their students about new laws. However, head-teachers acknowledged that it is important for learners to be conversant with the laws that govern schools (Mbunyuza-de Heer Menlah 2014). In another study that was conducted in the rural areas of Eastern Cape on participative decision making, Mokoena

(2011) found that parents had a high regard of the skills that they gained from the workshops and short courses offered by the schools. Such skills enabled parents to participate effectively in the decision making in schools. Furthermore, opinionated parents from different backgrounds provide a wide range of contributions to schools.

In Kenya, the Ministry of Education was found to be inconsistent in enforcing the law. Teachers who were found to be guilty of breaching the law paid the injured children's medical expenses, but were rarely disciplined, dismissed or prosecuted for breaching the laws governing corporal punishment (Bartman 2002). Contrarily in South Africa, the Department of Education did not turn a blind eye on the illegal use of corporal punishment perpetrators were prosecution and workshops on corrective discipline were held for teachers (Crocker and Pete 2009). However, the illegal use of corporal punishment continued despite the Department's of Education efforts to eradicate it. Crocker and Pete (2009) propose that one of the reasons for persistent illegal use of corporal punishment is that the majority of cases are unreported. One of the reasons for this trend is that the school heads and the teachers express regret and convince parents not to report the matter in order to protect the school. Parents end up yielding to the teachers' request not to report the matter or to exposing it to the media outlets. Secondly, parents and learners do not report the use of corporal punishment outside the law because they are afraid that teachers may ill-treat the learners in the classroom in retaliation.

Thirdly, poverty stricken parents in the rural areas are convinced by teachers not to report the illegal use of corporal punishment; usually, such teachers pay for the learners' medical expenses and bribe the parents with money (Crocker and Pete 2009). Fourthly, some teachers utilise corporal punishment illegally with permission from parents and school governing bodies. It is therefore out of question to report teachers if parents grant permission to use corporal punishment as they perceive it to be an acceptable cultural practice, especially if it is well regulated and is not severe (Crocker and Pete 2009).

Wadesango, Chabaya, Rembe, Muhuro (2011) found that poverty created a complex platform for the use of corporal punishment in the rural areas of the Eastern Cape province of South Africa. Parents fail to discipline their children at home. As a result, children abuse alcohol, do not sleep at home and some also beat their parents and siblings. Because of poor discipline at home, these children also cause disruptions at school and teachers call parents to discuss the children's cases of misbehaviour. However, parents, having been disempowered by poverty, fail to support the teachers in disciplining children. Out of frustration, parents tell teachers that they (parents) are unable to discipline the children at home and teachers should beat the children and stop calling parents to school. Having looked at the use of corporal punishment in different areas, the next section focuses on the use of corporal punishment in Lesotho.

2.7 The Use of corporal punishment at schools in Lesotho

The Global Initiative to End All Corporal Punishment of Children (2010) registered its concerns over the fact that corporal punishment is still practiced in schools, despite its abolition. The 2010 Lesotho country report points to the use of corporal punishment in the Education sector, at home and in the penal institutions (The Global Initiative to End All Corporal Punishment of Children 2010). This section focuses on the use of corporal punishment in Lesotho, examining especially its extent, the influence of culture on the use of corporal punishment and the possible ways of eradicating it.

2.7.1 The nature of corporal punishment in Lesotho

Learners in Lesotho are beaten using sticks or belts and sometimes they are slapped on the face or pinched under the arm pits (Ngakane *et al.* 2012). Learners may also be abused verbally during the application of corporal punishment. De Wet (2007) found that one learner in Lesotho was severely beaten by the principal using a belt during the morning assembly. This severe type of corporal punishment seems to be done by angry perpetrators who are unable to control their emotions and therefore end up injuring learners.

Pokotheoane (2011) reiterates that Teachers abuse learners because of deep emotions which made them act out of character.

Pokotheoane (2011) demonstrated that corporal punishment in Lesotho was used to create un-equal power relations between the teacher and the learners. Teachers blame learners for actions of misconduct and underachieving and then decide that such offences are worthy of corporal punishment. Learners, on the other hand, are expected to obediently accept punishment without asking for an opportunity to discuss the issues.

The use of corporal punishment seems to cut across all ages and gender, with both boys and girls receiving it (Setlolela 2009). Corporal punishment was also found to be very common in girls' schools (Pokotheoane 2011). Both male and female teachers, predominantly science teachers, use corporal punishment. However, male teachers were found to be very harsh on the learners (Moletsane 2002). It was also found out that corporal punishment is so common in Lesotho schools that teachers who do not practice it seemed to be out of place. According to Pokotheoane (2011), the way teachers place corporal punishment in their teaching and discipline activities makes it difficult for them to choose any other form of discipline. This was also reported in other African countries. For example, In Botswana, as established by Tafa (2002), young teachers were encouraged to use corporal punishment by seniors on the grounds that any teacher cannot handle discipline without it.

The use of corporal punishment in Lesotho was also reported by Mosia (2015). Mosia's study was on the prevalence of bullying in the high schools in Lesotho. This study that collected data from both teachers and learners revealed that teachers used severe corporal punishment to curb bullying. Teachers found corporal punishment to be effective to curb bullying.

Although the studies conducted in Lesotho (De Wet 2007; Pokotheoane 2011; Monyooe 1993; Monyooe 1996; Moletsane 2002) make it clear that corporal punishment is common, in Lesotho, its frequency on various offenses as well as the most commonly used forms of corporal punishment need to be clarified. The

current study intends to reveal the reasons for the continued use of corporal punishment in schools outside the law.

Teachers believe that they beat learners out of love and care just as parents do at home. The teachers themselves grew up in a similar situation, where corporal punishment was seen as a necessary tool to make strong and obedient children (Pokothoane 2011). Ferreira *et al.* (2009) further revealed that the use of corporal punishment in Lesotho is not questioned by any of the school stake-holders. Teachers behave as if it is a normal occurrence when learners are beaten and would only question the severe use of corporal punishment such as hitting a learner with a broom or fighting learners with fists instead of using a stick. This suggests that the use of corporal punishment has deep roots in Lesotho. It is however not clear whether teachers and learners are aware of the illegal status of corporal punishment as per the national and international laws.

Matheolane and Makura (2014) conducted a study in Lesotho to determine the primary school teachers' knowledge of the protection of children's rights through the laws and children's rights. This study, which utilised a questionnaire to collect data, used a sample of eighty-eight teachers who teach Grade five to seven. The results of the study revealed that teachers reported being conversant with the international instruments that protect children. Of the eighty-eight participants 57% reported that they were conversant with the international human rights laws. The remaining 43% said they were not aware of such instruments. It was however surprising that only 6.8% of the teachers mentioned the Convention on the Rights of the Child. Only two participants mentioned the African Charter on the Rights and Welfare of the Child. Though 73.9% had confessed to knowing the local law that protects children against abuse, only 9.1% of the teachers could mention the Lesotho 2010 Education Act. Despite of the low numbers of participants who could mention the international convention and the national laws that protect children, the participants concurred that ceasing the use of corporal punishment would uphold the rights of the learners. Having noted that the application of corporal

punishment is rife in schools, it would be interesting to determine the extent to which corporal punishment is used in Lesotho high schools.

2.7.2 The extent of corporal punishment use in Lesotho

Studies (De Wet 2007; Monyooe 1993; Vihito 2011; Pokothoane 2011) show that corporal punishment is very common in Lesotho. For example, Monyooe (1996) found that 66% of the teachers who responded to the questionnaire used corporal punishment to curb disciplinary problems. In an earlier study that was conducted in Lesotho, Monyooe (1993) found that 63% of learners in Lesotho had received corporal punishment for issues related to their academic performance. These included failing a test, not doing homework and non-participation in class. Learners (18%) received corporal punishment for social transgressions such as using vulgar language at school, noisy behaviour and stealing, while 10% were punished for other offenses such as not wearing proper school uniforms and using facial make up.

Pokothoane (2011) found that corporal punishment was applied for a wide variety of offenses such as bullying, stealing and breaking school rules and regulations, failing to correctly answer questions during a lesson, not submitting homework and whispering to each other in class. Ngakane, Muthukrishna and Ngcobo (2012) reiterated that teachers used corporal punishment to maintain a culture of learning and therefore punish learners for underachievement. These results indicate that teachers use corporal punishment for all kinds of offences, without any differentiation. Pedagogical matters such as giving a wrong response also attract corporal punishment instead of mediating the learner. Questions that emanate from these issues are on why and how the different forms of corporal punishment are chosen for a particular offence, which forms of corporal punishment are commonly used and which transgressions receive frequent punishment.

2.7.3 Factors that lead to the use of corporal punishment in Lesotho

Setlolela (2009) indicates that teachers in Lesotho opt for corporal punishment because they believe that it is effective, as long as it is used moderately and learners do not get injuries while it is being punished. Learners obey teachers in order to avoid physical punishment or stop whatever act of misconduct immediately after being punished. This gives the impression that corporal punishment is effective and therefore teachers believe in it.

Pokothoane (2011) is of the opinion that corporal punishment is widely accepted in Lesotho because both teachers and parents view it as traditional form of discipline. He found that parents encouraged teachers to use corporal punishment and blamed the poor performance of learners at school on lack of corporal punishment. Vihito (2011) observes that corporal punishment has been applied through the use of canes and whips in Lesotho mission schools as a legacy of the colonial era and the efforts of the missionaries which promoted its use among parents. This practice resulted in the traditional English common law of reasonable chastisement being adopted in countries such as Lesotho where the Child Protection and welfare Act (2009) says that parents and guardians have a right to administer reasonable punishment to children.

According to Pokothoane (2011), teachers report that they beat the learners because they love them. Corporal punishment is allegedly done to shape a child into a responsible human being and in this sense it is for the benefit of the learners. Ngakane *et al.* (2012) argue that teachers in Lesotho do not seem to understand that corporal punishment violates the learner's human rights, even when it is done with good intentions. Such teachers do not make any effort to find alternative ways of disciplining the learners. Nevertheless, parents have the right to protect their children against abuse and may sue the perpetrators either at the teaching service Commission or at the courts of law (Machobane 2000). In spite of this observation, no disciplinary hearing seems to have been taken against the perpetrators. It is therefore the interest of the present researcher to find out the reasons why parents and learners keep quiet about the severe corporal punishment that occurs in schools.

Lefokaet *al.*(2008) found that learners become sad when they make wrong answers because they know that wrong answers attract punishment. According to Ngakane *et al.* (2012), learners consider corporal punishment to be unfair because teachers beat them for activities that are not worthy of punishment. These includes speaking in their mother tongue at school and failing to respond to questions. Lefoka *et al.* (2008) concur with this assertion that sometimes teachers beat learners for no good reason.

Although learners seem to put the blame of the causes of corporal punishment on teachers, previous studies in Lesotho explain the difficulty of disciplining to some learners' misbehaviour at school. Some boys in schools are older than the average school going age and they have been noted, by female head-teachers, as stubborn and hard to discipline (Makura 1999). In the same breath, head-teachers were found to be hesitant to implement the new decisions in their schools. They were afraid of the experienced teachers who have been in schools for a long time. Sometimes these teachers were older than the principal in age (Makura 1999). This suggests that it is difficult for such head-teachers to introduce change. However, this finding was not specifically related to the introduction of the abolition of corporal punishment in Lesotho. The current study will therefore assess if this is applicable in the persistent use of corporal punishment in Lesotho despite it being abolished.

2.7.4 The effects of corporal punishment in Lesotho schools

Setlolela (2009) established that corporal punishment strains the relationship between learners and teachers. Learners do not support the use of corporal punishment as they perceive their teachers as oppressors and end up developing a deep hatred towards the teachers. Eventually, a big rift between teachers and learners develops. Teachers end up feeling unsafe after beating the learners because some learners carry dangerous weapons to schools for revenge. In addition, the beating of learners may put teachers' lives in danger as confirmed by De Wet's (2007) study which states that about 24% of learners in

Lesotho have heard or witnessed learners threatening teachers, while 18% of them witnessed the learners physically attacking the teachers.

Immediate compliance that is associated with corporal punishment does not apply to all the learners. Some of them become persistent with their stand point of misbehaving, particularly in the absence of teachers. They also call teachers and students who obey teachers, names (Pokothoane 2011). Thus, teachers enforce their authority on learners through corporal punishment while learners retaliate by breaking the same rules that corporal punishment is enforcing. This may escalate into learners being expelled or dropping out of school (Moletsane 2002).

2.8 The influence of culture on the use of corporal punishment in the schools

In some African cultures corporal punishment is an accepted cultural practice (Bartman 2002). It has been done from time in memorial. Children grow up being beaten and consider it to be a beneficial practice. In such cultures, adults attribute their success to being beaten when they were young (Mugabe and Maposa 2013; Shumba *et al.* 2009).

In some cultures violence is socially accepted and encouraged (Straus 2010). For example, beliefs such as a man should not walk away from a fight, and that a boy needs to have a few fights while growing up (Straus 2010), are very common. These norms, however, connect with the approval of corporal punishment on children. As a result, children learn to perceive corporal punishment positively.

In South Africa, Crocker and Pete (2009) found that some South Africans considered corporal punishment to be part of their culture. People with such positive regard for corporal punishment believe that an African child only behaves appropriately after a good and hard spanking. The pain incurred during corporal punishment deters children from repeating the same mistakes. Similar results were found in Zimbabwe by Shumba (2003). Teachers support the legality of corporal punishment in schools because of the perception that an African child reacts positively to corporal punishment (Shumba 2003).

Furthermore, a perception of corporal punishment as an accepted cultural practice in Zimbabwe results in the majority of cases of severe caning going unreported. The learners, parents and teachers regard it as a normal practice. Consequently, nobody frowns upon its use and nobody perceives it as being used outside the law (Shumba 2003).

The children's perception of corporal punishment as a norm also influences their reaction to the punishment. Children who regard the use of corporal punishment as legitimate positively accept it. They take it to be applied with good intentions and therefore do not develop negative emotions (Garb and Goren 2010). Incidentally, the perception of corporal punishment as part of the Basotho culture has been reported by Media outlets in Lesotho (Rampou 2009). The current study, therefore, envisages unraveling the influence of the Basotho culture on the use of corporal punishment in the High schools in Lesotho.

According to Harris-Short (2003), the problem with the implementation of human rights arises from the non-western societies' lack of the culture of human rights at the grassroots level. This is especially visible when human rights affect the traditions and practices that relate to children and family. Children are perceived as minor and without skills necessary to make decisions. Harsh measures, such as corporal punishment, are seen as important in instilling adults' values and norms. Within these cultures, Human Rights are regarded as western and alien ideas, imposed on the non-western cultures to undermine local cultural practices.

However, Harris-Short (2003) refutes the perception that human rights are western practices because such a perception justifies the abusive internal practices. Such a perception conceals local practices from international criticism. A majority of non-western societies' leaders endorsed human rights out of their own will, making the human rights theirs, as much as they originated in the western cultures; hence they have to adhere with the principles of the human rights

Renteln (2010: 256) argues that an understanding of the local contextual factors is important before classifying the use of corporal punishment as child abuse. Such an understanding needs to be subjective so that it reflects the understanding of the locals. Fluehr-Lobban (1995) however, warns that it is not easy to agree on the point where cultural practices, such as the use of corporal punishment as a disciplinary measure, cross the line and become abusive and unacceptable. Nonetheless, Jonas (2012) is optimistic about the influence of culture on the use of corporal punishment. Culture is dynamic, not static and eventually the use of corporal punishment will not be as acceptable as it is currently (Jonas 2012). Fluehr-Lobban (1995) reiterates that the exchange of ideas across cultures enhance the acceptability of human rights regardless of cultural differences. Hence, in future, communities will view corporal punishment as inhumane and degrading and eventually refrain from using it on learners.

2.8.1 Corporal punishment within the Basotho culture

Corporal punishment within the Basotho culture can be seen in the proverbs used. Proverbs are expressions that contain truths, morals and traditions of a society, which are memorised and passed from one generation to the other. They are phrased in a manner so appropriate that one feels like there is no better way to express the issue at hand (Possa and Makgopa 2010). Proverbs also influence the society and as a result, they are often used as an instrument of moral and social control. Hence, proverbs influence various aspects of the Basotho lives, including corporal punishment. The following paragraphs focus on different proverbs which influence the use of corporal punishment within the Basotho society.

The first proverb that is related to the use of corporal punishment is “*Thupa ke mosesetso, 'mele ke koae oa hlomela*” [A stick is a medicine and the body is a crop that will grow again.] This proverb means that a stick is a medicine for indiscipline and the body heals after being beaten. It suggests that the act of misconduct that children commit may be curbed using corporal punishment and the pain caused by such beating will heal (Moloi 23rd August 2015).

The second proverb used within the Basotho society is “*Thupa e otolloa e sa le metsi*” [the stick is straightened while it is still wet], which indicates that one should take advantage of the most favourable conditions to shape the course of events. Thus, the proverb suggests that it is only when children are in their prime age that they should be socialised into acceptable norms. This socialisation suggests the use of the stick to discipline children (Mokitimi 1991).

Thirdly, Basotho have a proverb: “*Ha u sa utloe ha u joetsoa u tla utloa ka letlalo*” [If you do not understand when being told, you will respond when you feel the pain]. This proverb means that if one is stubborn and does not listen to what they are being told, the pain caused, most probably from corporal punishment received will make the receiver to behave accordingly (Moloi 23rd August 2015).

All these proverbs show a positive perception of corporal punishment and underscore the view that the application of corporal punishment is helpful in curbing indiscipline. The preference of corporal punishment among the Basotho is in line with Higgs (2003) opinion that the education system that is used in Africa after the colonial era is not African. It is a reflection of European ethos in Africa. However, these European ethoses imposed onto Africa fail to consider the Africaness of Africa. The African norms and traditions do not disappear. They remain in force despite being covered by the western principles. The use of a stick to enforce discipline on children is among the African cultures that the Europeans are trying to eliminate because they are perceived as a violation of children’s rights while the African cultures regard it as an important tool meant to shape children’s lives.

Though the perception of the use of corporal punishment within the Basotho culture differs from its European perception, it is of importance to look at strategies that have been used in different countries to reduce the use of corporal punishment.

2.9 Strategies needed to reduce corporal punishment in schools.

Some countries, such as Sweden and the UK managed to successfully abolish corporal punishment. A number of things may have led these countries to eradicate corporal punishment. It is the interest of the current study to find out what was used in these countries to reduce corporal punishment successfully.

2.9.1 Public campaigns

Sweden was the first country to abolish corporal punishment fully in all spheres (Durrant 1999). The abolition was initiated by the society in reaction to a 1970 case in which a parent injured a child while beating him, but was acquitted of all charges in a court of law. The resultant public out-cries about the legal status of corporal punishment led to the institution of a commission of inquiry into the use of corporal punishment by parents and a consensus to abolish it was reached. The abolition of corporal punishment in the education settings had been done earlier, in 1928, and it was still sparked by public dissatisfaction. This method of eradicating corporal punishment is a bottom-up method, from the communities to the government (Durrant 1999; Ziegert 1983).

2.9.2 Law reforms

The Swedish government passed the laws to abolish corporal punishment. Corporal punishment in schools was legally abolished in 1928. In 1957 it was abolished in the penal system and in 1970 it was abolished at home. However, the breach of the laws did not lead to criminal prosecution. The law was rather made to teach the community and not to coerce them. The laws were also made to guide the parents and teachers as well as to change their attitudes towards corporal punishment. Procedures were put in place to communicate the law to all stakeholders and identify children at risk with a purpose of providing early intervention (Durrant 1999). Studies (Durrant 1999; Roberts 2000; Ziegert 1983) conducted in Sweden pointed to the change in the attitude of the people towards inflicting corporal punishment on children; the cases reported to the

police increased but the number of cases where children were beaten were reduced.

The importance of making the new laws public cannot be over-emphasised. The Swedish government ensured that the new law was well known by the public. The new law was written on the milk containers. It also received a wide coverage on the media; pamphlets were distributed and migrant parents were given training and counseling (Ziegert 1983; Durrant 1999).

Roberts (2000) conducted a study to assess the change of attitudes on the use of corporal punishment in Sweden. The results of this study revealed that the support of the use a stick had been on the decline even before the legal ban of corporal punishment. This indicated that the abolition of corporal punishment helped to support the change of attitude towards corporal punishment. Therefore, efforts to eradicate corporal punishment must prioritise on changing people's attitudes (Roberts 2000; Nolen 2010). Nonetheless, a study (Chabaya, Rembe, Wadesango and Mafanya 2009) conducted close by, in South Africa, revealed that change in laws and policies meant to protect children did not change teachers' attitudes. Learners are still beaten at school despite corporal punishment being abolished more than a decade ago. The breach of the laws was not only observed on corporal punishment only, but on gender based violence and bullying despite of the Department of Education putting in place the laws guarding against these acts. Failure to implement these policies was attributed to lack knowledge of the laws and policies. Teachers were found to be ignorant of some of the tools provided by the Department of Education to protect learners (Chabaya et al. 2009).

2.9.3 Open communication

Communication plays a very important role in conscientising most stakeholders to the abolition of corporal punishment. Such communication stipulates what is not allowed and what will happen if the rules are breached (Kane 2008). In the UK, a circular explaining that slapping, beating, rough handling and throwing of

pieces of chalk at children had been outlawed was sent to parents, local authorities, governors and teachers (Crocker and Pete 2009).

The majority of countries in the European Union, including UK, opted for the Swedish model of abolishing corporal punishment where teachers who breach the law are liable for civil action for assault but not criminal prosecution if the punishment is moderate and reasonable. The choice of civil action over criminal prosecution was consistent with the principle of reasonable chastisement that was still highly regarded when corporal punishment was abolished (Shmueli 2008).

The review of related literature done in this chapter is significant in that it provided the researcher with the findings of studies in different countries as well as in Lesotho. This information is vital in that it provides background information useful for the interpretation of the results. The next section looks at the theoretical framework that was used in this study.

2.10 Theoretical Framework

The purpose of this section of the chapter is to determine the contextual factors that appear to sustain the use of corporal punishment in managing discipline in high schools in Lesotho. In making this analysis, Urie Bronfenbrenner's theory of Bio-ecological model will be used to guide the study. The Bio-ecological model describes the role of the genetic make-up and the environment in determining human development throughout their entire life-span (Araujo and Davids 2009; Eggen 2010). According to the bio-ecological theory, children's development takes place through interaction between a set of properties [P] and the environment [E] to produce constancy and change in the character of a person over the course of life (McMillan 1990). Development occurs across a number of human dimensions such as cognition, social competence and temperament. It also occurs over time. Time is important in this case because current development in an individual shapes future outcomes (Sontag 1996). Interaction is a dynamic, reciprocal, verbal and non-verbal exchange between an individual and other human beings and objects in the immediate

environment. It may occur between a teacher and a learner, a child and a parent or an individual and peers (Bronfenbrenner 1994). Bronfenbrenner also proposed ecological niches (Sontag 1996). According to Sontag (1996), an ecological niche is a special area in the environment which is particularly favourable or unfavourable to the development of persons with certain characteristics. The concept of an ecological niche implies a consideration of one's personal attributes and interactions with the environment which lead to the full realisation of the individual's potential.

This chapter therefore uses the Bronfenbrenner's bioecological theory to inform the present study regarding the way children's context actors influence the use of corporal punishment on learners in schools and how children's properties interact with the environment to maintain the use of corporal punishment in school. This theory is relevant to this study because it explains the influence of proximal as well as distant contextual factors in the development of the child. Donald, Lazarus and Lolwana (2006) describe proximal interactions as face to face, immediate and continuous interactions that shape permanent aspects of development. Distant contextual interactions refer to how information ingrained in a child in this manner becomes part of the child's perception. This causes phenomenon such as corporal punishment being viewed as a norm and using it in spite of the fact that it breaches international laws.

The bio-ecological theory gives a detailed explanation of the situation, possible causes and explains how the solutions implemented in different contexts may benefit a growing child (Bronfenbrenner 1995). However, it fails to specify appropriate measures that may be used and how they may be implemented. To counteract this short fall, this study proposes the use of a positive discipline in different ecologies of the bio-ecological theory. A positive discipline is relevant because it provides alternative ways of handling acts of misbehaviour in schools (Coetzee and Mienie 2013).

2.11 Bronfenbrenner's Bio-ecological theory

Bronfenbrenner's Bioecological theory, also known as the Bioecological model of human development, was developed through three phases, which build on each other. The first phase was proposed between 1973 and 1979 (Rosa and Tudge 2013). During this era, the theory was called ecology of human development and it mainly focused on the influences exerted by the context on the individual. The contextual factors of an individual are the microsystem, mesosystem, exosystem and the macrosystem. The second phase in the development of this model started in 1980 and ended in 1993. It is in this definition that the importance of proximal processes in an individual's development was emphasised. The final phase occurred from 1993 to 2006 and the improvement made included the introduction of the four dimensions of the model, namely: Processes, Person, Context and Time (PPCT). These four processes of bio-ecological model have interactive relationships (Araujo and Davids 2009; Rosa and Tudge 2013). This study utilises the latest version of this theory, the 1993-2006 model. This is the most elaborated version and will therefore provide a comprehensive foundation for this study. The following paragraphs focus on the dimensions of the bio-ecological model.

2.11.1 Processes

The first element of the model, the processes, indicates daily interactions with objects, symbols, and other individuals in which and with whom one is actively and consistently engaged (Rosa and Tudge 2013). Processes are face to face interactions; this is why they are called proximal processes. Proximal processes involve a two-way movement of energy from an individual to the environment and back again, either sequentially or concurrently. This movement is said to be bi-directional because it moves to and fro. A sequential bi-directional movement emanates from an individual to the environment or vice versa and back while a concurrent movement moves simultaneously between an individual and the environment (Bronfenbrenner and Evans 2000; Araujo 2009; Tudge, Mokrova, Hatfield and Karnik 2009). In the current study, the researcher argues that the bi-directional proximal processes explain how the interaction between the

learners and the teachers results in the use of corporal punishment. The movement of energy between a learner and the teacher enables a learner to use his/her personality to influence the teacher to use corporal punishment or not to use it. The teachers reciprocate according to their own characteristics. This element is thus appropriate in responding to the research questions:

- a) To what extent do teachers use corporal punishment in Lesotho high schools?
- b) What are the factors that lead to the use of corporal punishment?

Studies (Araujo and Davids 2009; Tudge *et al.* 2009) have established that proximal processes are a driving force of human development because it is through them that “genetic potentials for effective psychological functioning are actualised” (Bronfenbrenner and Cici 1994:568). What a child can be is realised through the interaction with an environment. Such interaction ensures that a child is not passive but engages in activities that enable development (Araujo and Davids 2009). A child actively shapes the environment by eliciting its reactions and responding to them (Darling 2007). It is through this process that children comprehend the world and their place in it and then play their part by changing and fitting in it. As a result, children develop skills, knowledge and abilities that lead their behaviour across situations (Rosa and Tudge 2013).

Another important aspect is that individuals develop competence or dysfunction through these proximal processes. According to Bronfenbrenner and Evans (2000), competence refers to “demonstrated acquisition and further development of knowledge, skill or ability to conduct and direct one’s behaviour across situations and developmental domains” (p118). Dysfunctions refer to a consistent appearance of problems in maintaining control of behaviour in different situations. A stable environment that has adequate resources promotes competence, while dysfunctions are promoted by unpredictable, insecure and less resourced environment (Rosa and Tudge 2013).

Proximal processes lead to competence, if they are frequent and occur over a long time. Interruptions can adversely affect proximal processes. A child has to be introduced to the interactions soon enough to psychologically connect with them. The intensity, which is the strength of the exposure, is also important. A mild, infrequent and unpredictable proximal process leads to dysfunctions (Bronfenbrenner and Evans 2000). Children are taught how to behave at school. The expectation is for them to develop competences but not dysfunctions. Contrarily, some children consistently engage in unacceptable behaviour, thus reflecting development of dysfunction. In a study conducted in Botswana, Agreement and Keene (2012) concluded that learners engage in acts of misdemeanor being aware that they will be beaten if they get caught. This indicates that learners are not helpless victims in the use of corporal punishment. In the current study, the bio-ecological theory is used to account for the dysfunction seen when learners continue to break school rules and regulations despite being regularly beaten. This theory is helpful in responding to the research question: What are the factors that lead to the use of corporal punishment in the Lesotho high schools?

2.11.2 Person

The second element of bio-ecological model, person, relates to “personal characteristics that individuals bring into any social situation” (Tudge and Odoro-Wanga 2009:200). The personal characteristics are divided into three forms, which are, demand, resources and force characteristics. Demand characteristics act as stimuli to the environment on first contact. This determines the resultant type of interaction that will follow. Demand characteristics include gender, height, complexion, appearance, age, hyperactivity and passivity. The demand characteristics mildly influence the environment. An individual may impact the environment by simply existing within it, for the environment will react even if one has not done anything.

The resource characteristics relate to the mental, emotional, social and material resources that an individual possesses. They influence and shape one’s ability to effectively engage in proximal interactions (Rosa and Tudge 2013). Though

they may be inferred from demand resources, they are not obvious to the environment. They moderately influence the environment.

The force characteristics, also called disposition, relate to differences in aspects such as individuals' temperament, motivation and persistence. The other generative force characteristics include curiosity, responsiveness to others' initiatives and willingness to defer gratification in pursuit of long term goals, and the maintenance of proximal processes. Disruptive force characteristics such as impulsiveness, aggression, violence and preference for immediate gratification hamper proximal processes (Rosa and Tudge 2013). Compared to the demand and resource characteristics, force characteristics highly influence proximal interactions. Highly motivated people are persistent in their actions and usually influence the environment to achieve what they want (Tudge *et al.* 2009). This, according to Darling (2007), means that individuals who take advantage of their environment and its abundant resources have a high potential of yielding positive outcomes. The current study argues that person aspects of the bio-ecological theory help to identify factors which make some learners to be beaten regularly while others are not. As the bio-ecological theory posits, some learners are highly influential on their environment. They are able to take advantage of the school environment in order to reduce the frequency of receiving corporal punishment. This information is important for responding to the research question: What are the factors that lead to the teachers' use of corporal punishment in Lesotho high schools?

Person characteristics appear twice in this model. Firstly, they appear as some of the elements of the model which influence the emergence and operation of proximal interactions which, in turn, lead to development. Secondly, they appear as the product of the interactions between the environment and the person, and are therefore a developmental outcome (Araujo and David 2009; Rosa and Tudge 2013). The current study, which sought to determine the contextual factors that appear to sustain the use of corporal punishment in managing discipline in high schools in Lesotho, complements the bio-ecological theory by indicating how the interaction between the learners and their

environment results in the kind of the learners who are persistently beaten, despite the abolition of corporal punishment in Lesotho.

2.11.3 The context

The third element of the bio-ecological theory is the environmental context of an individual. According to Bronfenbrenner (1999) the influence of the contextual factors is substantial on later psychological development of a child. This occurs through putting proximal processes in motion to sustain or reduce opportunities for particular skills, norms, values and customs. An individual's context is made up of five nested circles situated around them. These nested circles represent the microsystem, the mesosystem, exosystem, and the macrosystem (Darling 2007). The systems are interrelated and affect children in a dynamic way. This suggests that one's development is affected by proximal and direct as well as distant and indirect environments (Mahoney, Cucciardi, Mallett and Ntoumanis 2014). Figure 2.1 below reveals the environmental contexts of an individual according to Bronfenbrenner's (2006) bio-ecological theory.

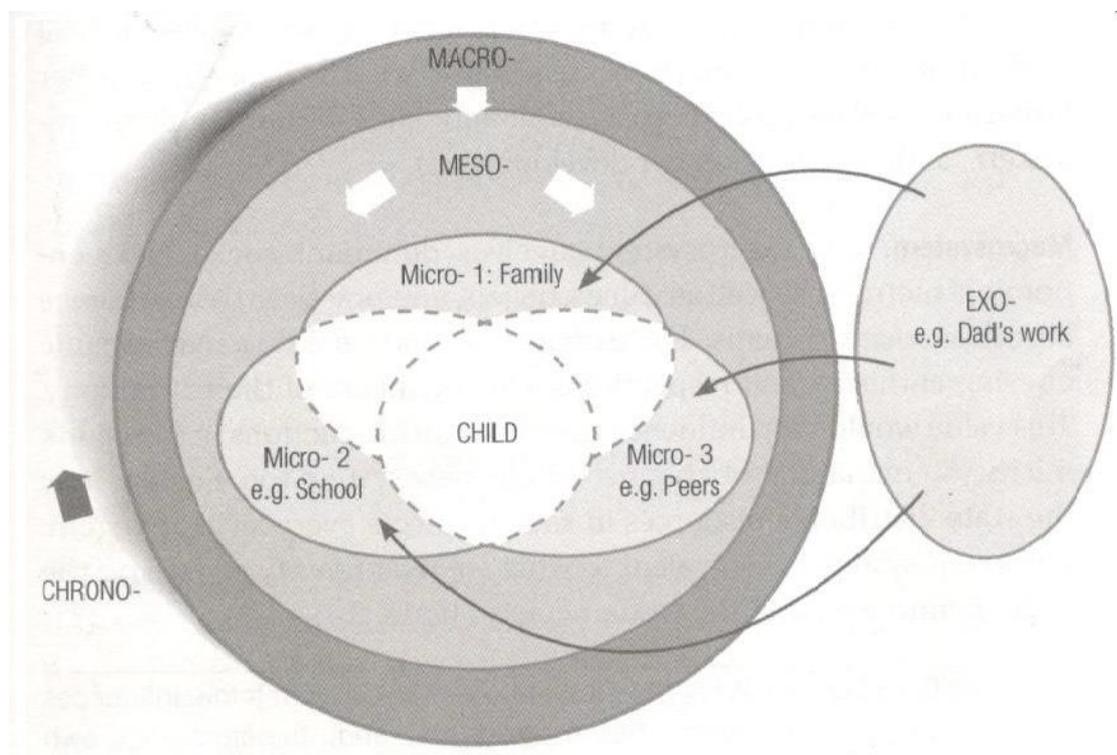


Figure 2.1: Environmental Contexts of an Individual According to Bronfenbrenner's Bio-Ecological Theory [Donald, Lazarus & Lotwana 2006:41]

2.11.4 Microsystem

A microsystem is the most proximal face to face interaction with significant others (Tudge *et al.* 2009). It is the child's immediate context which has specific qualities that influence daily interactions. A microsystem exerts a lot of influence on the developing child because it is a context within which a child spends a lot of time. This situation, in turn, exerts a great influence on the individual in different areas such as emotional, social, cognitive and moral development (Tudge *et al.* 2009; Donald *et al.* 2006).

A child's microsystem involves activities, social roles and interpersonal relations of a growing child within a specific context, which are internalised to form internal working models. Internalised working models are representations of the child's relationships and how they operate. They are the beginning of the development of self (McMillan 1990). These activities include all actions that a child can do within a microsystem. Examples of such activities include abiding by or breaching the school rules and regulations, and submitting assignments on time. Social roles are all the interpersonal relationships in the microsystem and examples include the relationship between a teacher and a learner in the classroom. Interpersonal relationships are characterised by a dyad. A dyad in the microsystem interpersonal relationships is the reciprocal engagement between two people. Social roles are activities and relations expected from an individual in a particular setting such as the classroom.

Although the social roles of a child function in the microsystem, they originate in the ideological structures of the macrosystem (Araujo 2009). According to Mampane, Ebersohn, Cherrington and Moen (2014), children understand the role of parents and teachers who discipline them using harsh punishment. Children accept punishment without any questions because that is how they are raised. The use of punishment is justified by children and the whole community to ensure that African children conform to the rules and expectations of the community (Mampane *et al.* 2014). Corporal punishment is among social issues that children internalise. They come to know the world as an area where disputes are settled with violent means such as corporal punishment. Because

corporal punishment is socially accepted in the African context, children perceive it positively (Mampaneet *et al.* 2014). The current study extends the bio-ecological theory by indicating the school stakeholders' attitude towards corporal punishment as well as its influence on the social acceptability of corporal punishment.

According to Sontag (1996), an individual's perception of the interactions in the microsystem influences the out-come of the interactions. Those with powerful meanings to an individual have much power to influence the individual's direction of development. The distinctive characteristic of an individual that a child interacts with influences the out-come of the child's development (Bronfenbrenner 1994). This part of the theory is important in the current study because it refers to the perceptions of learners in the context of corporal punishment. It assists in the identification of interactions which have powerful meanings and how these, in turn, affect the learners' perception of corporal punishment. This information is instrumental in responding to the research question: What are learners' perceptions of the alleged prevalence of corporal punishment in the Lesotho high schools?

Thus, the norms, values and beliefs of members (such as the parents, the classmates and the classroom teachers) of the microsystem highly influence children in their development. The following paragraphs focus on the parents' influence on the microsystem.

2.11.4.1 Parents' influence in the microsystem

The parenting styles used at home influence children's discipline. According to Eggen and Kauchak (2010), authoritarian, rigid and unresponsive parents emphasise conformity. They do not clarify their reasons for upholding particular values and they discourage discussions on issues. Authoritarian parents set high standard of expectations but they are also insensitive to their children. As a result, children from authoritarian families end up developing minimum coping skills and lacking in social skills, as they usually strive to please their parents at the expense of solving problems.

In focusing on punishment, Darling (2007) noted that Bronfenbrenner (1995) found that parents' disciplinary practices on boys are different from those on girls. Disciplinary measures used for girls tend to be softer unlike that used for boys which tends to be punishment-oriented, more independent and less compliant to social norms. The softer, love-oriented disciplinary measures make girls to be compliant, less autonomous and less able to express themselves. Bronfenbrenner (1985), as quoted by Darling (2007), cautions that wider cultural norms influence the use of punishment, the reaction towards it and the proximal processes involved.

A study conducted by Simons and Wurtele (2010) established that there is a positive relationship between acceptance of corporal punishment and its reported use. Adults who were beaten as children are likely to beat their own children. Children who were regularly beaten at home were also found to be in favour of corporal punishment for breaching the rules. This leads to intergenerational transmission of the use of corporal punishment. Therefore, children acquire, from their parents, a positive attitude that corporal punishment is efficient and good for children.

2.11.4.2 Teachers' influence in the microsystem

The interaction between the teacher and the learners was found to be important in influencing the learners' development. This is because the learners who had good relations with their teachers were found to behave appropriately in class. It was also noticed that these learners performed well at school (O'Connor and McCartney 2007). Teachers relate to the learners in ways that were dictated by their macrosystem. According to McMillan (1990) "teachers shape their practices and understand students in terms of their beliefs about children and about learning" (p 33). In this study it is argued that teachers' perceptions of the learners and their views on the effectiveness of corporal punishment influence the use of corporal punishment on learners.

The interaction between learners and teachers in the microsystem results in learners absorbing the teachers' values. In South Africa, Payet and Franchi (2010) found that learners supported the use of corporal punishment against learners who misbehave and cause havoc in their schools. Teachers regularly convey their authority and the effectiveness of corporal punishment to learners. Consequently, learners believe in the effectiveness of corporal punishment, just as their teachers do.

A factor that also influences individuals in the microsystem is peers. Peer influence is related to values, social development and emotional support. Peers interact on the attitudes and values related to different aspects such as what is right and wrong. They also allow an individual to test his/her social skills (Eggen and Kauchak 2010). It is of interest in the current study to note the influence of peers on fellow students' acceptance of corporal punishment.

2.11.5 Mesosystem

A mesosystem is the interaction of microsystems. It is a "relationship between two or more microsystems" (Mahoney *and* Cicchetti 2014:235). The fact that people engage in more than one micro-system influences one microsystem on the other. For example, the home may influence classroom experiences (Howie 2013). Eggen and Kauchak (2010) hold the opinion that a healthy development of children is a result of well-functioning microsystems which work together. However, Maughan and Cicchetti (2002) found that children from dysfunctional families develop coping mechanisms to deal with harsh home conditions. However, such children fail to adapt in other micro environments such as the classroom or peer group because they have inadequate social skills.

Interactions in the mesosystem can be categorised into four groups, which are multi-setting participation, indirect linkage, inter-setting knowledge and inter-setting communication (Sontag 1996). Inter-setting participation takes place when a child engages in two microsystems such as the home and the classroom. Indirect linkage refers to a situation where a child is not directly participating in either session but someone close to the child participates in both

settings. For example, a parent and a teacher may meet to talk about issues that affect a child. In the current study, this information may explain how the interaction between the parents and the teachers influence the use of corporal punishment at school (Sontag 1996).

The inter-knowledge setting refers to the knowledge that participants share on a particular setting. This information may be obtained from a number of sources such as neighbours giving information about the local school. The inter-communication setting occurs when the interaction between the two microsystems is understood due to communication between the two. Such communication can be in the form of letters or newsletters (Sontag 1996).

Studies conducted in some African countries point to how the influence of family values may influence a child at school. In Botswana, Agreement and Keene (2012) found that learners grow up being punished at home; consequently, they accept the use of corporal punishment at school. In Zimbabwe, the use of corporal punishment at home made parents not to hesitate to beat their children at school on teachers' requests (Wadesango *et al.* 2014). The current study hypothesises that the use of corporal punishment at home positively affects its application at school. It influences teachers' and students' attitudes towards its use at school. The teachers' understanding of the learners' mesosystem may make them choose what they consider to be appropriate corporal punishment. This is particularly significant when responding to the following research question: What are the factors that lead to the teachers' use of corporal punishment in Lesotho high schools?

2.11.6 The exosystem

An exosystem is the influence of a system that an individual does not have a direct contact with. A member of the child's microsystem belongs to this system and uses experiences from that system to influence the child (Tudge *et al.* 2009). An exosystem affects a child at the micro and mesosystems. Examples of the exosystem are a sibling's peer group and teachers' organisations. Teachers interact in different contexts, which learners are not part of, but some

of these interactions are likely to influence the learners' experiences, such as on the use of corporal punishment at school. The interest of the present researcher is to find out whether such interactions influence the persistent use of corporal punishment in schools despite its abolition.

2.11.7 The Macrosystem

A macrosystem is a big all-embracing system that affects all the individuals in the region, country or the whole world. It is the general context of a group of members who have the same values, beliefs and traditions (Sontag 1996; Howie 2013). It includes the culture of a particular society, religion, the laws of the country and large scale economic changes. The macrosystem also encompasses the culture and sub-culture of a particular region or group. Members of a culture or subculture have the same beliefs (Tudge *et al.* 2009). The values, beliefs and traditions are entrenched into a developing child through daily activities and interactions with the immediate environment. It is through this process that children learn the society's expectations, their roles and appropriate activities within the society (Tudge *et al.* 2009). A macro-system also generates the context that determines the goals, risks and practices in raising children (Sontag 1996).

Interactions in a macrosystem are bi-directional in nature. This means that it is a two way interaction. A macrosystem influences the development of the individuals who, in turn, also impact on it. Tudge *et al.* (2009) say that children do not just mimic their cultural group but change the cultural practices in the process of engaging with them. The bi-directional nature of interactions within the macrosystem causes the cultural practices to be dynamic. However, change is rapid in societies where members are allowed to be creative and independent individuals. In addition, there is pressure for people to conform to the norms of the society in communities where members are expected to conform to the society's dictates. This is why it takes more time for changes to occur (Tudge *et al.* 2009).

Values, norms and traditions in a macrosystem need to be active in at least one of the microsystems of the developing individual in order to be filtered through. Being active in at least one of the learner's microsystems allows the learner to consistently and frequently interact with the cultural phenomena until it is fully weaved into the personal fibre of an individual (Howie 2013). In South Africa, Crocker and Pete (2009) asserted that teachers utilise corporal punishment illegally with the blessings from parents and school governing bodies. Permission to use corporal punishment is based on the fact that the punishment is an accepted cultural practice which is also used at home. The use of corporal punishment, both at school and at home, allows it to be active in some of the learners' microsystems; thus strengthening its perception.

In some African cultures such as the Xhosa and the Tswana, corporal punishment is common in public places (Crocker and Pete 2009; Agreement and Keene 2012). Members of the community gather to discuss issues that affect them. Those who are found guilty are either beaten or fined. Thus, children grow up seeing corporal punishment at home, at school and in the community (Crocker and Pete 2009; Agreement and Keene 2012).

Comprehension of the macrosystem is relevant in the current study because it guides the researcher into unraveling how the values, beliefs and traditions of the Basotho entrench the use of corporal punishment in schools as well as how they influence the learners to accept it. This information is particularly important for responding to the research question: How does the Basotho culture influence teachers' use of corporal punishment in Lesotho high schools?

National laws are part of the macrosystem. They provide a blueprint of how children are supposed to be treated and dictate how members of a microsystem behave towards each other (Brim 1975). Rosa and Tudge (2013) reiterate that public laws and policies, which are planned within bio-ecological contexts have a high likelihood of positively impacting on children's development. However, McMillan (1990) cautions that macrosystems differ and that much of the research available comes from the first world countries. Scholars from other regions, such as the African continent, are at risk of being influenced by

contradictory information which may not even apply in their countries (McMillan 1990). The current study has the opportunity to establish the influence of the laws on the use of corporal punishment in Lesotho high schools.

2.11.8 Time

The fourth dimension by Bronfenbrenner's PPCT model is time. This dimension is related to time and timing within a particular environment (Rosa and Tudge 2013). It is concerned with "the historical period through which the person lives" (Araujo and Davids. 2009:121). Through time, a person's development is perceived as being embedded in and influenced by circumstances and events happening during the historical periods (Rosa and Tudge 2013). Timing refers to occurrence of biological and social transactions in relation to age and role expectations as defined by culture. Timing also includes opportunities gained throughout life (Araujo and Davids 2009).

Time can be classified into micro-time, meso-time and macro-time. Micro-time refers to an activity that occurs during a particular event or interaction. What occurs at a particular time can either be continuous or discontinuous within continuing episodes of a proximal process. For example, children can be punished on one morning. Meso-time is the consistency of events and interactions in a developing person's environment (Tudge *et al.* 2009). For example meso-time in the school context would be the consistency of the use of corporal punishment. Macro-time refers "to the changing expectations and events in a larger period" (Araujo, and Davids 2009: 122). It relates to the larger society as well as within and across generations (Tudge and Rosa 2013). For example, macro-time could be the changes in the expectation of the use of corporal punishment within the society as well as changes across generations. According to Tudge *et al.* (2009), it is important for studies to consider the timing so as to comprehend consistency and change of events over time.

In the current study, this part of the theory helps the researcher to explain whether there are any changes in the use of corporal punishment over time as learners' progress through their high school education. It will also assist

the researcher to explain the timing of corporal punishment in the school environment. It will further facilitate the understanding of the eradication of corporal punishment in the Lesotho schools in relation to the Basotho's conception of corporal punishment. This information is instrumental in extending the theory by establishing whether it applies to the Lesotho context.

The bio-ecological model enables researchers to analyse different contextual systems to see how each system influences the development of a child. This allows detailed descriptions of different levels of the environment. For this particular study, a detailed description of the processes involved between the teachers and the learners in the administration of corporal punishment will be detailed, and various elements of the microsystem, mesosystem, exosystem as well as the macrosystem that influence the use of corporal punishment are clarified. This is possible because this theory allows the use of different methods of conducting research, focusing on different contextual areas.

The Bio-ecological theory does not explain the type of intervention that can be implemented in various systems. To close this gap, the positive discipline model is used in the current study. The following, therefore, focuses on the positive discipline.

2.12 Positive discipline

Positive discipline is a rights-based approach to discipline that is based on the notion that a learner has to be respected as a person. Respecting learners implies treating them in a manner that safeguards their human dignity. Respecting their human dignity means among other things, using disciplinary measures that are not inhumane and degrading (Coetzee 2010). Positive discipline is preventative because it focuses on the causes of the problem and often addresses it before it is committed. It is a preventative method of keeping order in the classroom, which centres on problem solving, counselling and mentoring. Positive discipline is educative because it equips learners with internal skills that enable them to maintain order while at the same time being

supported to remain non-disruptive in class. It also focuses on rehabilitation; therefore offenders are unlikely to repeat the offence.

Positive discipline aims at equipping learners with skills necessary for handling challenges, overcoming problems and achieving success while behaving properly (Strahan, Cope, Hundley and Faircloth 2005). Positive discipline assists learners to understand that they are responsible for their choices. Positive discipline is helpful in addressing learners' acts of misbehaviour in ways that foster self-discipline because learners reflect on their decisions before they plan and carry out corrections. Learners are also given the opportunity to reflect on what they would have learnt in that experience. The teachers' duty in this situation is to hold the learner accountable while reinforcing positive relationships. This allows teachers to be firm and kind at the same time (Strahan *et al.* 2005).

2.11.3 Principles of positive discipline

Positive discipline is based on several pillars called principles. The principles are the guiding pillars which support both the learners and teachers to maintain discipline in the classroom (Coetzee and Mienie 2013).

Participation and corporation implies that learners have to be engaged in decision making processes such as school rules and regulations as well as problem solving. Participation in decision making allows learners to be responsible for setting the standards for their own behaviour and what should happen when the rules are broken. Furthermore, participation in decision making is in line with the learners' rights, as indicated in the CRC (Coetzee and Mienie 2013).

Open communication: Communication channels between the teacher and the learners, especially during disciplinary proceedings, should be profound, with each side openly and thoughtfully saying its views. Profound communication allows both parties to reflect on their own as well as other people's understanding of the issues at hand. This open dialogue between the teacher

and the learners enables them to understand and value each other and have a common understanding of the values that underlie discipline (Du Preez and Roux 2010).

Open communication enhances interactions in the microsystem. It allows a dyad to exist between the two people in a dialogue. Previous studies in Lesotho such as De Wet (2007), Pokothoane (2011), and Setlolela (2009) have shown that communication between the teachers and learners is skewed, with the teachers being authoritative and not allowing learners to say their side of the story during disciplinary cases. Therefore, changes in communication do not only facilitate mutual understanding between the two parties but also strengthens learners so that they will be able to influence their environment. According to Bronfenbrenner and Evans (2000) proximal processes that occur between a growing child and the environment allow the child to influence the environment with his/her personal characteristics.

Profound dialogue should be adapted at different levels to interrogate old values against the new ones. It allows members to reflect upon their old values and norms against a new set of values that underpin positive discipline (Du Preez and Roux 2010). Thus and interrogation of values at different levels allows a wide, progressive movement and change of perceptions towards positive discipline.

Communication is also instrumental in transmitting the laws implemented at the macrosystem. The laws aimed at eradicating corporal punishment are introduced at a macrosystem and transmitted through mass media communication channels such as radio, television and newspapers. This allows debate at different levels of child development. These debates are important because they allow members to clarify the laws. It also allows members to change their perspective towards the issue at hand (Coetzee 2010).

Mutual respect between the teacher and the learners: Positive discipline necessitates teachers' respect of the learners' rights as human beings. Respecting learners' rights implies treating them with dignity, equity and

tolerance. This implies that teachers do not use disciplinary measures that threaten learners or demean them because learners may take such measures as correct and use them on teachers and other learners (Coetzee 2010; Coetzee and Mienie 2013).

Komba (2015) is of the opinion that teachers need to communicate genuine feelings of respect and warmth to the learners. Teachers should communicate the message that they respect learners and enjoy working with them as this builds a conducive learning environment. Children growing up in such conducive conditions develop emotional security compared to those who develop in poor environments which lead to emotional insecurity (Maughan and Cicchetti 2002).

Discipline is proactive rather than reactive: Proactive discipline puts emphasis on prevention instead of punishment. Time is spent on efforts that prevent disciplinary problems by engaging in activities such as classroom meetings and problem solving using a win-win approach and decision making. Furthermore, learners gain leadership skills from facilitating meetings as these empower them in different personal skills such as confidence and courage. These activities support learners not to breach the school code of conduct (Coetzee and Mienie 2013).

Connectedness: People need to be connected with others and have a sense of belonging. They need to feel significant in their social settings (Coetzee 2010). This allows them to explore their environments from a safe place and find mutually respectful as well as effective solutions to their problems. Teachers who build good relations with the learners are able to influence their behaviour because learners believe in them and feel that they have their interest at heart. Teachers also maintain that relationship by showing respect to the learners. Parents and teachers should possess skills in communication, problem solving, motivation and problem solving instead of punishment (Coetzee 2010).

Kindness and firmness: Positive discipline does not give learners the leeway to do as they please. Though teachers are kind and respectful, they are also firm. Misbehaviour is not accepted and should be properly addressed in a way that creates a balance between control and permissiveness. Corrective measures should be proportionate to the misconduct. The focus is on the bad behaviour not on the learner as a person and the learner should be given a chance to reflect on their behaviour so that they will be able to find out how and why it is wrong as well as how they could behave better. This allows the learners to learn something from their situation (Coetzee and Mienie 2013). Komba (2015) suggests that teachers may write reports on each student's conduct, however, both the learner and the teacher should sit down and discuss the learner's behaviour. Acceptable behaviour should be applauded while negative behaviour is reprimanded. Possible results of the misdemeanor should also be discussed. Finally, learners should be given a chance to reflect on their acts of misbehaviour.

Principles of positive discipline provide some of the characteristics of a productive learning environment. The current study argues that implanting positive discipline in the various systems of the bio-ecological theory could help eliminate the use of corporal punishment in schools. Learners are likely to be strengthened so that they influence their environment in a manner that does not elicit corporal punishment. They would know the laws that govern discipline and the appropriate procedure of reporting utilisation of corporal punishment. Therefore, different levels of the bio-ecological theory would be ready to effectively affect both the learners and the teachers.

The theory of positive discipline is important in this study because it assists the researcher to identify areas that are problematic in the teacher-learner interaction and makes suggestions on the principles that need to be implemented in schools. This information is important in responding to the research question: What strategies are needed to minimize corporal punishment in the Lesotho high schools? Furthermore, principles of positive discipline can inform policies which can be implemented at different levels in the bio-ecological theory.

2.12 Summary

This chapter reviewed literature that focuses on corporal punishment. It outlined laws in different contexts as well as the nature and extent to which such laws are breached in different countries. The international laws include the Convention on the Rights of the Child (CRC), the Convention Against Torture and other Cruel, inhumane and degrading Treatment (CAT) as well as the Universal Declaration of Human Rights (Rose-Krasnor 2001; UNICEF 2005; Shmueli 2008). All these instruments protect all human beings against torture and degrading punishment. The meting out of corporal punishment on learners in schools is regarded by the conventions as a violation of the learners' rights (Odongo 2004). At the continental level, the OAU created the African Charter on the Rights and Welfare of the Child (the Charter) (Chirwa 2002). Both the international and continental conventions task state parties with putting in place the laws that protect children from the corporal punishment (Lloyd 2002; Olowu 2002; Payet and Franchi 2008). Western and African countries established laws that abolished corporal punishment in an effort to comply with the international laws. Western Countries such as Sweden and Britain legally abolished corporal punishment before the turn of the century (Ziegert 1983; Bartman 2002; Shmueli 2008). Studies conducted in the western countries (Ziegert 1983; Roberts 2000; Hale 2006; Crocker and Petè 2009) report that citizens adhere to the law by refraining from employing corporal punishment on learners.

African countries also aligned themselves with the international conventions by enacting the laws that abolished corporal punishment. Lesotho for instance (Pokothoane 2011;) and South Africa (Crocker and Pete 2009; Payet and Franchi 2008) completely abolished corporal punishment while some countries such as Botswana (Tafa 2002) and Zimbabwe (Shumba et al. 2009) report that corporal punishment is legally permissible. However, the governments in these countries provided teachers with guidelines to abide by in meting out corporal punishment. Teachers who are legally restricted from caning learners beat them in Zimbabwe (Mugabe and Maposa 2013; Ndofirepi et al. 2012) and in Botswana (Maripe 2001; Garegae 2008). Learners are caned outside the law in

Kenya (Mweru 2010; Feistein 2010) and in South Africa (Silberts 2013; Payet and Franchi 2008). Similarly, corporal punishment was found to be rife in Lesotho despite its legal abolition in 2010 (Mosia 2015). The findings of the studies mentioned above suggests that there could to be dissonance in the application of laws that proscribe cp in various African countries.

Studies conducted in Lesotho (Monyooe 1993; Monyooe 1996; Setlolela 2009; De Wet 2007) reveal that corporal punishment has been employed to discipline learners using sticks and belts. Some teachers slap and pinch learners. Corporal punishment in schools is applied to both girls and boys (Setlolela 2009; Pokothoane 2011). It was also found to be used for a wide range of offenses such as bullying, stealing and breaching the school rules and regulations (Setlolela 2009). However, Setlolela's (2009) study fell short of explaining how different forms of corporal punishment are chosen for a particular offense as well as the forms of corporal punishment that are commonly employed. These studies fall short of explaining reasons for the continued use of corporal despite it being outlawed.

Media outlets in Lesotho report corporal punishment to be perceived as a cultural practice (Rampou 2009). Elsewhere in Africa, the use of corporal punishment has a long history (Bartman 2002). Children grow up being beaten and an adult's success is attributed to it (Mugabe and Maphosa; Shumba et al. 2009). Hence the acceptance and breach of the laws on corporal punishment in schools is not reported (Shumba 2003). Current literature seems to fall short of addressing reasons for ignoring the use of corporal punishment outside the law. The current study therefore sought to close this gap by determining the contextual factors that appear to sustain the use of corporal punishment in managing learners' discipline in the high schools in Lesotho.

This chapter ended with a description of the bio-ecological theoretical framework as used in this study. Bronfenbrenner's bioecological theory (Bronfenbrenner 1995) an offshoot of the ecology of human development theory (Rosa and Tudge 2013) is predicated on the contextual factors of the individual. These are microsystem, mesosystem, exosystem and macrosystem. These four

processes have interactive relationships (Araujo and Davids 2009; Rosa and Tudge 2013). The individual (a learner in our case) interacts with environmental processes in a bi-directional manner (Bronfenbrenner and Evans 2000; Araujo 2009; Tudge et al. 2009). These proximal processes (Bronfenbrenner and Evans 2000) are a driving force in human development (Araujo and Davids 2009; Tudge et al. 2009). Hence what a child can be is realised through the interaction with the environment (Bronfenbrenner and Cicci 1994). An environment with stable and adequate resources promotes competence while less resourced environments yield dysfunctions (Rosa and Tudge 2013). The person's development is also influenced by the person characteristics, namely the demand, resources and force characteristics (Tudge and Odoro-Wanga 2009). The current study argues that person aspects of the bio-ecological theory help to identify factors which make learners to be beaten regularly while others are not.

Positive discipline was also introduced as an alternative to the form of discipline that is used in schools. Positive discipline is a rights based approach that hinges on the dignity of learners (Strahan *et al.* 2005). It equips learners with necessary skills for handling challenges, overcoming problems and achieving success while behaving properly (Strahan *et al.* 2005). In the current study, it is believed that positive discipline is essential for conducive, contextual factors for the elimination of corporal punishment in schools.

Having dealt with the review of literature in the current chapter, the following chapter focuses on the research methodology that was used in this study.

CHAPTER THREE: RESEARCH METHODOLOGY

3.1 Introduction

This chapter focuses on the research methodology that was used in the study. It begins with the discussion on the research paradigm and design and then that of the sampling and sampling procedure. The data collection and analysis procedures are also outlined.

3.2 Research paradigm

The philosophical assumption that guides this study is pragmatism. Creswell and Plano Clark (2011) posit that pragmatism focuses on the problem and therefore uses any method that appropriately responds to it. Varied approaches seeking to provide solutions to the problem are utilised by drawing from both quantitative and qualitative approaches. Evans, Coon and Ume (2011) reiterate that pragmatism focuses on the social and historical context of the problem. Multiple methods of data collection are used in this study to address the problem of the prevalence of corporal punishment in the high schools in Lesotho within its historical and social context.

According to Creswell (2009), philosophical assumptions are a set of main beliefs that guide a study. They inform the researcher about the nature of the research and how it should be conducted. They encompass ontological, epistemological, axiological and methodological assumptions of a study. The ontological stance is the knowledge about the nature of social reality while epistemology is the understanding of how people know the nature of reality (Onwuegbuzie, Johnson & Collins 2011). Philosophical assumptions inform the inquirer's values (Axiology) as well as the methodology of the study. This means that philosophical assumptions guide the data collection and analysis (Greene 2008). Onwuegbuzie *et al.* (2011) argue that the mixed methods approach should be informed by three forms of reality. These forms are the subjective, inter-subjective and objective realities. Subjective reality proposes that reality is built through understanding the participants' meaning of life

through empathetic listening. Inter-subjective knowledge refers to the collective understanding of reality in a community while objectivity means that there is external reality that can be studied objectively. This study, therefore, takes the individual, collective community and objective reality to understand and appreciate the contextual factors that sustain the use of corporal punishment in Lesotho high schools.

3.3 Research Design

This study used a mixed methods design to examine the extent of corporal punishment in the high schools of Lesotho, despite it being legally abolished. Ivankova, Creswell and Plano Clark (2007) define a mixed method design as a “procedure for collecting, analysing and mixing both quantitative and qualitative data at some stage of the research process within a single study to understand a research problem more completely” (p269). The mixed design’s use of both qualitative and quantitative approaches to research enables researchers to fully comprehend complex subject matter (Creswell 2009). Quantitative designs within mixed methods enable the description of trends, attitudes and opinions on the phenomenon (Creswell 2014), while the qualitative within the mixed methods designs enables the individual to benefit from the experiences of phenomenon. It facilitates a deeper understanding of the participant’s experiences. The use of the mixed methods design in the current study is, however, informed by the bio-ecological theory, which bridges the gap between qualitative and quantitative designs by engaging in descriptive and explanatory studies (Derkson 2010).

The type of mixed method design used in the current study is the convergent parallel mixed methods design. It involves the collection and analysis of both qualitative and quantitative data in order to respond to the research question (Creswell 2014). This type of mixed methods facilitates a comprehensive investigation of the problem. Data from each design triangulates each other. Qualitative data is collected separately from quantitative data, but at the same period, but the two forms of data are merged during the interpretation phase. The similarities and contradictions that are observed are analysed and

investigated (Creswell and Plano Clark 2011; Creswell 2014; Ivankova, Creswell and Plano-Clark 2007). Figure 3.1 depicts the convergent parallel design.

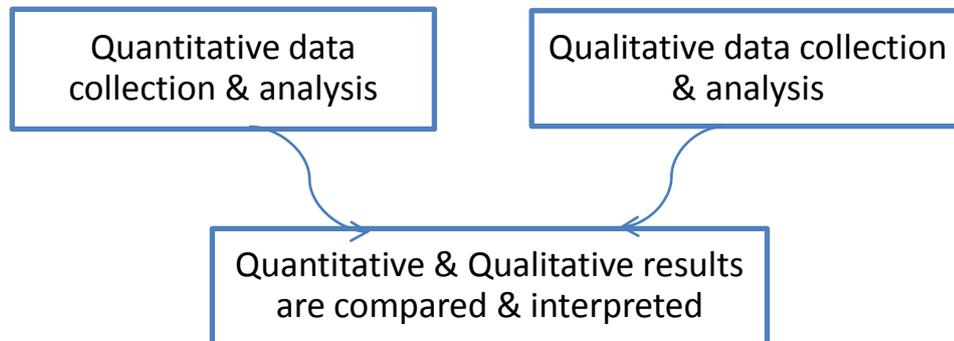


Figure 3.2: Convergent Parallel Mixed Methods Design [Ivankova, Creswell and Plano Clark 2007:275]

3.3.1 Weighting

Weighting refers to the comparative status of quantitative data collection and analysis and qualitative methods in a mixed methods study. Weighting can be equal, from qualitative and quantitative method, or unequal, with one of the methods being emphasised (Creswell and Plano Clark 2011). For this study, equal weighting was used as both qualitative and quantitative data were deemed to be of equal importance.

3.3.2 Timing

Timing refers to the period when the quantitative and qualitative data is conducted, analysed and interpreted in a mixed method study (Plano-Clark, Huddleston-Casas, Churchill, Green and Garrett 2008). The use of a convergent parallel mixed methods design, demands that both sets of data are collected at the same time each with its own set of questions. The data sets are separately analysed (Creswell and Plano Clark 2011). The current study, therefore, collected qualitative and quantitative data simultaneously, in line with the above explanation. The researcher, however, focused on one school at a

time. She arrived in the morning, distributed the questionnaire to teachers and waited for the opportune time to hold interviews with the head-teacher and focus group discussions with the learners at each school.

3.4 Population

The population in this study consisted of parents, teachers, school heads and learners in the high schools of Lesotho. The term “population” refers to the people who possess certain characteristics which help the researcher to address to the problem statement of the study (Lapan, Quartaroli and Riemer 2012; Kumar 2014). Parents are tasked with the responsibility of developing disciplinary measures in school (Lesotho Government Gazette 2010). They are therefore part of the context of school discipline. The head-teachers, teachers and learners are actors in school discipline and their perceptions on the contextual factors that influence the use of corporal punishment in schools are important.

3.5 Sample

A sample of nine head-teachers and twenty parents was purposefully selected for structured interviews. Nine focus groups were also sampled. A sample, here, is a representative of the population of the study that is used to collect data (De Vos, Straydom, Flouche, and Delport 2011). A sample is used in cases where it is impossible to engage the whole population as the data would be too big and difficult to manage (Walliman 2011).

According to Walliman (2011) a small sample of a quantitative study can be extracted from a large population. Quantitative data was collected from teachers from the nine schools that also provided qualitative data. An additional six schools were randomly selected to provide quantitative data. Therefore, a total of two hundred and fifty copies of the questionnaires were sent to these schools and one hundred and forty nine (59.6%) usable questionnaires were received from the schools. Thirty (12%) questionnaires were not filled in and were not usable. Another seventy one (28.4%) of them were not received at all. However, Bartlett, Kotrlik and Higgins (2001) suggest that one hundred and

nineteen participants can be representative of a large population in a survey. The researcher sent out two hundred and fifty copies of a questionnaire in line with Kumar's (2014) suggestion that to curb the low return rate of a questionnaire more copies than required could be sent to participants.

3.5.1 Sampling procedure

The current study used both Probability and non-probability sampling. Probability sampling was used to select a sample for the quantitative phase while non-probability sampling was utilised to select participants in the qualitative strand of the study. Probability sampling allows descriptive statistics, which was important for an assessment of the extent to which teachers use corporal punishment despite its abolition. It also quantified the importance of different forms of items used to apply corporal punishment. This information was vital for responding to the following two research questions: Are teachers using corporal punishment on learners in schools after it was legally abolished? The second question was: To what extent do teachers use corporal punishment in the high schools in Lesotho?

De Vos *et al.* (2011) postulate that the rule of thumb is to draw a large sample if the population is small and a small sample if the population is large. Adequately, large samples enable researchers to draw representative and precise conclusions.

Non-probabilistic sampling is used in the qualitative strand to enable deeper understanding of the persistence of corporal punishment in the high schools in Lesotho. The type of non- probabilistic sampling that is utilised in the current study is purposive sampling. Babbie and Mouton (2001) define purposive sampling as choosing participants who have specific characteristics that enable them to provide the required responses. Purposive sampling is utilised in the qualitative strand to target only those participants who have lived experiences of corporal punishment in schools. It is on these grounds that the head-teachers and parents were selected to participate in this study.

Non-probability sampling methods were used for the qualitative phase of data collection. Guest, Namey and Mitchell (2013) describe non-probability sampling as a method which does not use random selection of participants. The type of non-probability sampling used in the qualitative strand in the current study is purposive sampling. Kumar (2014) defines purposive sampling as the selection of participants who can provide appropriate information to respond to the research question. The current study purposefully selected the nine parents, nine head-teachers and eighteen groups of learners to respond to the questions. Parents who had children in the participating school were selected. The parents were sampled because they are tasked by the Lesotho 2010 Education Act to participate in the discipline of their children at school and are also the guardians of culture. As a result, the parents were most likely to possess the information necessary to respond to the study's research questions: What are the contextual factors that appear to sustain the use of corporal punishment in managing discipline in high schools in Lesotho? The head-teachers were selected because they are the guardians of the laws in schools. They are tasked with ensuring that the laws are upheld in an effort to protect learners from any form of abuse. They are also conversant with the way laws are implemented in their schools. Learners also have important information on the use of corporal punishment in schools and have lived experiences of corporal punishment. They are usually the recipients of corporal punishment from teachers. As the bio-ecological theory suggests, learners are not passive in the interaction with their teachers. It is therefore of interest to understand how they influence the prevalence of corporal punishment at school.

A simple random sampling was used to select a sample of schools whose teachers responded to the questionnaire. Simple random sampling denotes a selection of participants from the population. Each participant has a chance of being selected (Walliman 2011). In the current study, random sampling was computed using a Statistical Package for Social Sciences (SPSS) version 20. The names of the schools were entered into the system. Each school had a number indicating the region to avoid choosing schools in a particular region at the expense of others. Bartlett, Kotrlik and Higgins (2001) provide a table that

guides researchers to draw a statistically significant sample in quantitative studies. According to this table, a sample of 119 teachers had to be drawn from 4774 teachers in the high schools (Lesotho Bureau of Statistics 2010).

Furthermore, the sampling for this study considered the geographical location of the schools. A majority (52%) of high schools in Lesotho are in the lowlands, the highlands have the second largest number of schools at 23%, followed by the foothills at 18% and Senqu River valley at 7%. The selection of the sample was drawn according to this geographic distribution. A large proportion (52%) of the participants was drawn from the lowlands, 23% from the highlands, 18% from the foothills and 7% from Senqu River Valley. The purpose of using these percentages when choosing a sample was to ensure that each region is proportionately represented to avoid bias.

3.6 Pilot study

A pilot study is a preliminary administration of the research instrument to ascertain its effectiveness in collecting data that is necessary to respond to the research questions. It allows the researcher to analyse and address the appropriateness of questions in terms of their content, flow and order. The insights gained through piloting enable the researcher to do necessary trouble shooting. Furthermore, the time and resources that would be wasted are saved (Imenda and Muyangwa 2006; Kumar 2014; Bryman 2012).

The instruments in the current study were piloted with parents, head-teachers, teachers and learners from two high schools. These participants were targeted because they were similar to the participants of the main study in that the instrument was to be administered to head-teachers, teachers and learners. The researcher, with the help of the supervisor, analysed the responses to identify problem areas. The analysis of the head-teachers schedule after running a pilot study revealed that the first question in the pilot study which read: "Please tell me how you use corporal punishment in this school?" was narrow as it focused on corporal punishment from the on-set. It was substituted with a more open question: "How do you discipline learners in this school?" The

researcher felt that the latter question would elicit the detailed account of disciplinary measures in schools. The responses contextualised corporal punishment within the wider disciplinary scope. All the other questions proved to function well and therefore no changes were done on them.

The piloting of the teachers' questionnaire showed that in section A, the item on teachers' qualifications did not include Master's degrees such as Masters Degree in Science Education (MSc Ed) and Masters Degree in Education (M.Ed). The omission was corrected. Item number 10 referred to the "instrument" used to punish learners. Some pilot study participants seemed not to understand what the term meant. "Instrument" was therefore substituted with "item". Questions 22 and 23 had only two options "yes" and "no". Participants of the pilot study suggested that "I am not aware" was also a possible option, hence it was included.

The piloting of the guidelines for learners' discussion groups showed that the first item "please tell me about the use of corporal punishment in this school" was rather restrictive, as it was observed with the head-teachers' schedule. To open it up, it was rephrased as follows: "how are you disciplined in this school?"

3.7 Data Collection procedures

Mixed methods studies utilise both quantitative and qualitative procedures of data collection and analysis (Creswell and Plano-Clark 2011). The quantitative strand of this study used quantitative procedures of data collection while the qualitative procedures were used in the qualitative strand of the study. The following section details the procedures that were used to collect data that responded to the research questions.

3.7.1 Quantitative data collection techniques

Quantitative research investigates the relationships between variables using numerical data. Numerical data determine the magnitude and frequency of the relationship between variables (Maree and Pietersen 2007). The researcher, in

this study, wanted to unravel the contextual factors that appear to sustain the use of corporal punishment in managing discipline in high schools in Lesotho. The use of quantitative methods of data collection thus sought the provision of descriptive data on the use of corporal punishment in the high schools in Lesotho. It further makes possible an understanding of the magnitude of the illegal use of corporal punishment in the high schools. The following paragraph focuses on the quantitative data collection techniques that were used in this study.

3.7.1.1 The Questionnaire

The quantitative strand of this study utilised a self-developed questionnaire to collect data. A questionnaire may contain closed, open-ended or a combination of the closed and open-ended items. In closed items, the participants respond by choosing answers from predesigned alternatives which represent the strength of their feelings and attitudes (Gray 2009; Neuman 1997). Closed questions include category questions, checklists and ranking scales. Category questions allow participants to choose only one response. Ranking scales evaluate the behaviour on a continuum according to importance and starting with the most favoured (Leedy and Ormrod 2010). Closed questions are used to obtain factual information. Furthermore, closed questions assisted the researcher to quantify the feelings and attitudes of teachers towards corporal punishment as well as its importance as a disciplinary measure.

Open-ended questions allow participants to write their own responses using their own words. This item enables participants to give a detailed account of their perceptions and attitudes. They further allow participants to provide a variety of responses (Kumar 2014). Closed and open-ended questions may be combined in one questionnaire. In this case the open ended items explain the facts collected through closed items. The current study used both closed and open-ended questions with the purpose of collecting facts and details of the participants' choices. A questionnaire was used with the teachers in the current study. The researcher went to the schools to distribute and collect the

questionnaire. Responses allowed the researcher to quantify and interpret the views of each group of respondents as well as to make a comparison between different groups on these issues.

3.7.1.2 Reliability and validity of the Questionnaire

Reliability of an instrument denotes “a consistency of measure of concept” (Bryman 2012: 169). Reliability entails stability, which means that the instrument has to yield the same results over time (Bryman 2012; Creswell 2014). To ensure stability, the questionnaire of the current study was piloted on teachers from two high schools that were not part of a sample of the study. The researcher analysed the results of the pilot study and found that they were comparable. This was taken to mean that the instrument was reliable.

The current study, being a mixed methods one, consisted of both qualitative and quantitative data collection tools. A questionnaire was formulated to collect quantitative data, while focus group discussions and interview guides were devised to collect qualitative data. The items in each of the data collection tools used were similar and solicited identical information. Similar items across the research instruments were meant to triangulate the results. The results of all the three instruments, the questionnaire, the focus group discussions and the structured interviews, indicated reliability of each form because they were comparable.

Besides ensuring reliability of a research instrument, a researcher also needs to ensure that the instrument has validity. Validity is defined as a judgement that a questionnaire measures what it was intended to measure. It is the extent to which a research instrument addresses the actual meaning of the research topic (Leedy and Ormrod 2010; Imenda and Muyanga 2006; Kumar 2014). According to Kumar (2014) a researcher may logically ascertain the validity of an instrument by checking the items against the objectives of the study. [the] “Greater the link, [the] higher the face validity of the instrument” (Kumar 2014: 214). Another form of validity is content validity. Content validity is the level at

which the readers and experts in the area of study recognise the items as signifying the issue they are supposed to measure. The researcher in the current study ensured content and face validity by sending the research tools to the supervisor to ensure that they were relevant.

The second phase of data collection used qualitative techniques of data collection. These techniques were used in order to obtain detailed explanations on the phenomenon. In this study, the intention was to provide a description of corporal punishment in the high schools in Lesotho and to acquire an understanding of its dynamics from the perspectives of the local community of the school. This ensured that their views were understood within their context alongside the researcher's perspectives. Qualitative data collection enabled detailed and contextualised explanations of the prevalence of corporal punishment both within a larger community and an individual level (Lapan, Quartaroli and Riemer 2012). Official school documents, structured interviews, observations and focus groups were used to collect qualitative data.

3.7.1.3 Official School documents

The official school documents, such as the corporal punishment log book, school policies and the rules, regulations of the school and records of meetings where issues of corporal punishment are discussed were used to obtain information related to corporal punishment. It is important to use the school documents in the school context because interpretation of data from these books is only possible if their context is taken into consideration (Bryman 2012). It is because of these views that a number of school documents were inter-connectively used to collect data. An analysis of the corporal punishment log book enabled the researcher to obtain an understanding of trends that have been used in the application of corporal punishment. This includes the misconducts that warrant corporal punishment and the magnitude of punishment given to different transgressions. School Policy documents and school rules and regulations facilitated an understanding of the context of

corporal punishment in terms of what is contained in the school policies as well as the rules and regulations which guide the implementation of school policies.

Bryman (2012) cautions that official documents are written for a particular purpose, and not to be a source of data. The underlying arguments may not be reflected in the documents and therefore only insiders can understand them because they have the background knowledge. This necessitates the use of other methods of data collection; hence semi-structured interviews were also used to collect data.

3.7.1.4 Semi-structured interviews

Semi-structured interviews provide information on people's experiences of a phenomenon or process. This includes issues such as how people describe, understand, assess and interact with each other over a given phenomenon (Guest, Namey and Mitchell 2013). A researcher prepares a guide which is used to lead the interview and interviewees have the freedom to elaborate on the point to detail their complex experiences (Hugh-Jones 2010). Semi-structured interviews are flexible because the interviewee can give more details than was anticipated. The sequence of questions may change, some interview questions may not be asked or new questions may be included (Hays and Singh 2012).

Nieuwenhuis (2007) observes that semi-structured interviews are good for substantiating data that evolved from other sources. In this study, the in-depth information collected through semi-structured interviews buttressed the findings from the quantitative phase of the study. The semi-structured interviews addressed issues similar to those in the questionnaire. The purpose of addressing similar issues was to obtain data that explain the results of quantitative data. Responses from the interviews provided the researcher with rich data on the perceptions of head-teachers and parents on the use of corporal punishment in the high schools of Lesotho.

Data collected through these semi-structured interviews helped the researcher to respond to the following five research questions:

- a) To what extent do teachers use corporal punishment in the high schools of Lesotho?
- c) What are the factors that lead to the teachers' use of corporal punishment in Lesotho high schools?
- d) How does the Basotho culture influence teachers' views regarding the use of corporal punishment in the high schools of Lesotho?
- e) What strategies are needed to reduce corporal punishment in the high schools of Lesotho?

Bryman (2012) warns that the disadvantage of semi-structured interviews is that some research participants may give responses which differ from what researchers may observe. In that case the reported information does not match actual behaviour. This therefore necessitates the use of different methods to triangulate the interview results. Structured observations were therefore used to obtain more information as well as to triangulate the interview data. Structured observations are in line with the theoretical bio-ecological framework adopted by this study. This is made possible by the fact that the bioecological theory allows detailed explanation of a situation, possible causes as well as how the solutions implemented in different contexts may affect a growing child (Bronfenbrenner 1995). The following paragraph focuses on unstructured observations.

3.7.1.5 Unstructured observations

Gray (2009) submits that observations are important in the description of settings, events and meanings. Observations involve focusing on participants' behaviour and the context of the phenomenon (Hays and Singh 2012). The Unstructured observations involve paying attention to an incident with the aim of making a detailed description of the behaviour and its context (Bryman 2012). The description of behaviour in its natural state goes with bio-ecological

theory because it allows the researcher to document descriptions of participants' behaviour within their contexts.

Unstructured observations can be done at two levels, which are the community as well as the individual level observation. According to Lapan, Quartaroli and Riemer (2012) community level observations are used for collecting general information about setting, activities and interaction between members of the community, while Individual level observations focus on individual behaviour and the identification of differences among people. It is through community level observations that activities and interactions in school surroundings are witnessed. In this study, community level observations were used to note the general school activities related to corporal punishment. This includes areas where corporal punishment is carried out and the objects used to apply it. The body parts where it is applied as well as the differences between school officials who apply corporal punishment, within the school compound were observed.

Individual level observations were instrumental in identifying differences between teachers' use of corporal punishment and between learners as they are beaten by different school officials. Observations facilitated the description of the manner in which corporal punishment is used as well the differences in its application. This information also helped to triangulate responses from the quantitative phase of data collection.

The researcher took a role of an observer. This involved having no interaction with the participants. That is, during observation, the researcher took notes without interfering with the observed so that corporal punishment can be observed in its natural settings. As Bryman (2012) explains, the researcher in incident observation waits for an episode of the behaviour of interest to occur and then starts recording all the activities and behaviour related to the incident.

Unstructured observations, however, have a limitation in that they do not enable a researcher to get details behind the occurrence of a phenomenon. One only manages to observe the behaviour, but does not know why it happened the way it did. This necessitates the use of other approaches which enable the

researchers to get deeper meaning (Bryman 2012). Therefore, focus group discussions were used to supplement data collected through observations.

3.7.1.6 Focus groups

Focus groups are discussions led by the researcher on a particular topic for purposes of gaining in-depth qualitative data from a group of seven to twelve people who have lived experiences of the phenomenon (Nieuwenhuis 2007). Focus group discussions involve a dialogue within and between groups that seeks to elicit a collective interpretation of a given topic. The researcher, on the one hand, allows multiple viewpoints on the subject. Participants, on the other hand, point out their views on the subject under discussion, reflect upon it and clarify their perceptions, and may even contest each other's attributions. Consequently, focus group discussions yield a more realistic picture of the phenomenon, with some participants debating issues (Bryman 2012).

Focus groups allow researchers to make observations from the discussion. Diverse viewpoints emerge during the discussion and members react to each other's points as well as build on each other's ideas. This interaction enables the researcher to access a variety of ideas on the topic (De Vos *et al* 2011). Bryman (2012) reiterates that focus group discussions assist the researcher to understand how meanings are communally constructed. This goes together with the understanding of distal meanings as envisioned by the bio-ecological theory. The use of focus group discussions also permits the researcher to gain access to information which is ingrained in a child through contextual interactions. Furthermore, the use of focus group discussions allows researchers to capture the influence of distal meanings that shape the child's perception of phenomena such as corporal punishment. This is significant as it assisted in answering the research question which explores the contextual factors that sustains the use of corporal punishment in the high schools of Lesotho.

Focus group discussions deal with what people say and how they say it. The themes that emerge from these discussions and the type of language used allow the researcher to comprehend the perceptions and attitudes of the participants towards the phenomenon (Bryman2012). This links with the bio-ecological theory in that it shows the interaction between people and how such interaction influences the life of the organism. In this study, focus group discussions facilitated the researcher's responseto the research questions:

- a) What are the factors that lead to the teachers' use of corporal punishment in Lesotho high schools?and
- b) To what extent do teachers use corporal punishmentin the high schools in Lesotho?
- c) What are the contextual factors which sustain the use of corporal punishment on learners in the high schools of Lesotho?

The study's focus group discussions were held with form B (grade 9) and Form D (grade 11) learners in the high schools of Lesotho. Each group consisted of ten members. The Form B learners were selected because they had been in the school system for a year. It was assumed they had knowledge of the practice at school. It was also important to get the view of the senior learners who had been in the school system for four years. The assumption that the seniors hadwitnessed various changes in the practice, lead the researcher to include Form D learnersas participants in the study. Learners from both forms B and Dwere interviewed at different times to avoid older learners overshadowing younger learners during the discussion.

The study's focus group discussions allowed for the collaborative construction of meaning. Participants shared their experiences on the prevalence of corporal punishment. This elicited the meaning constructed over time and enabled the researcher to comprehend the use of corporal punishment over time. This,therefore, concurs with Bronfenbrenner's (1995) concept of chronosystem.

However, Kumar (2014) points out that some valuable information may be lost during focus group discussions, especially if participants speak at once or interrupt each other. A tape recorder was used to address possibilities of such a problem. Nevertheless, there is always a challenge that usually arises from the participants' speaking at the same time, which makes the transcription of data difficult as some views may not be audible (Bryman 2012). To overcome this challenge, the researcher was persistent in requesting that each participant be given their chance to express their views and finish before another one chipped in. This problem was also addressed by transcribing the data on the same day while the researchers' memory was still fresh.

Another challenge with the focus group discussions was that some learners dominated the discussion, while the soft-spoken colleagues kept quiet. This meant that information was obtained from only a few members of the group. The researchers however, addressed this problem by acknowledging the contribution of the out-spoken participants while encouraging others to share their views.

3.8. Data processing

The data collected needed to be processed before it was analysed. Data processing entails data capturing, editing and coding (Kumar 2014). The study's two data sets, the qualitative and quantitative data, were each processed separately. Qualitative data was transcribed in verbatim, with data that was in Sesotho language translated into English by researcher.

Data cleaning was carried out to ensure that the data was properly captured. The data was then coded. Coding is the arrangement and sorting of data to form themes (Babbie 2014). The researcher also carried out a preliminary classification of qualitative data in which sections of data were examined to find similarities and differences and similar aspects grouped together. Themes that are relevant to the research questions were identified. The researcher then went back to the data to identify more that could strengthen the themes.

Quantitative data was quantified by awarding codes to the responses. For example, sex was coded by giving numerical code 1” to male and “2” to females. The quantified data were then captured into the SPSS version 20 work-sheet. This was followed by data cleaning to ensure that no data that was erroneously excluded, included or not properly written.

3.9 Data analysis procedures

This study collected both quantitative and qualitative data. Both quantitative and qualitative data analysis procedures were used in an effort to respond to the research questions. Each set of data was analysed separately using appropriate procedures of data collection. The two types of results were then merged by comparing and contrasting the results before synthesising them in the discussion. Themes were then quantified by counts. The merged results were then summarised and interpreted to respond to the research questions. Figure 4.2 shows the procedures of data analysis was used in this study.

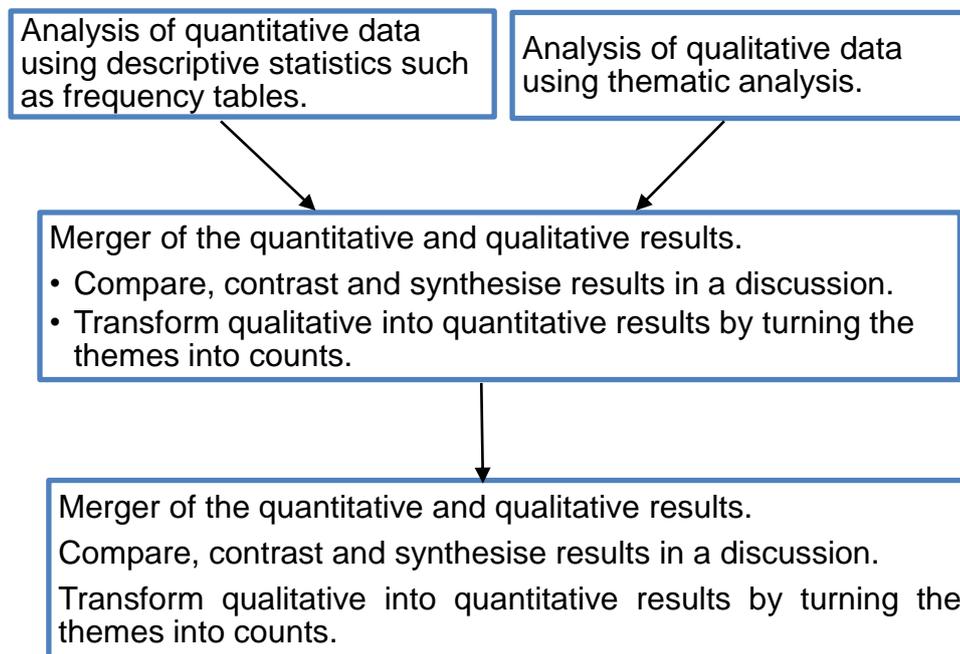


Figure 3.3: Data Analysis Procedures [Adapted from Ivankova, Creswell and Plano-Clark 2007:280]

The quantitative data was analysed using SPSS (version 20) to generate descriptive statistics, and thus make the large data manageable by giving it a

comprehensive picture. Descriptive statistics uses measures of central tendency, variations and correlations to present data (Struwig and Stead 2001).

Data collected through semi-structured interviews and focus groups were analysed using an interpretative phenomenological analysis. Shaw (2010) describes interpretative phenomenological analysis as a form of data analysis that strives for a deeper understanding of people's experiences by focusing on individuals that were studied. Placing the focus on the individual case means that the conclusions cannot be generalised to the whole population as they would have been made at a specific point in time and within a particular context.

3.9.1 Analysis of data collected through questionnaire

Frequency tables were used to represent the number of responses per variable. Frequency tables show the distribution of variables (Huysamen 1998). Variables in a frequency table can be grouped or ungrouped (Bryman 2012). Variables are grouped for a wide range of scores. In the current study variables such as age and experience were grouped for easy comprehension. Ungrouped variables are used where the scores are few and easy to understand. In the current study sex of the participants and the positions held were not grouped.

Besides using statistical representation, data can be clearly presented in the form of pie charts. This graphic presentation of data makes it easier for readers to acquire information (Bryman 2012). In this study, pie charts were used to present nominal and ordinal variables. A pie chart was also used to present the regularity of use of corporal punishment.

The third type of descriptive statistics deals with correlations between variables. A contingency table uses frequencies of two variables simultaneously to show relationships between variables. This presentation allows the analysis of the similarities and differences between variables. A contingency table can be used to show all forms of variables, be they nominal, ordinal, interval or dichotomous (Bryman 2012). For this study, contingency tables were used to compare the use of corporal punishment between males and females. This information was

instrumental in responding to the research question: Do teachers use corporal punishment on learners in schools even though it has been legally abolished?

The chi square statistics was used in the current study to establish if there was any difference in perceptions regarding the use of corporal punishment by male and female teachers. A chi-square statistics is a goodness of fit test. It is used to establish if the differences observed on a contingency table can be generalised to the whole population (Bryman 2012). It eliminates the possibility of the differences occurring due to chance.

3.9.2 Analysis of data collected through Semi-structured and focus groups interviews

Qualitative data analysis procedures were used to analyse data collected through the focus group discussions and semi-structured interviews. The interpretative phenomenological analysis and content analysis were used to analyse qualitative data. The following paragraphs describe how these methods were used in the current study.

3.9.2.1 Interpretative Phenomenological Analysis

Firstly, the data is transcribed verbatim, using the respondents' words. Then a researcher familiarises herself with data to get the gist of the responses. Being familiar with the data allows the researcher to get the general idea before moving into the crux of the data. The next step focuses on identifying initial themes. This means that the researcher identifies the ideas expressed in each section, which correspond with the questions asked. Identifying initial themes enables one to write descriptive summaries and to make initial interpretations. Descriptive summaries "...sum up the content of what was said" (Shaw 2010: 185). They get the meaning of the data and thus help to make initial summaries. Initial interpretations on the other hand are the implications of the summaries. These interpretations do not only reflect the researcher's understanding of the content but they are also inclusive of the participant's reflections on the matter. A clustering of the themes involves establishing

connections between themes and crafting deeper meaningful explanations of the situation. These meaningful explanations help to establish the final themes. These final themes are complex and central to the whole account (Shaw 2010).

An interpretative phenomenological analysis was utilised in the current study because it is a step by step process of data analysis. It therefore allowed the researcher to get the details of each participant and relate themes formulated in one case with those collected through the interviews to get the similarities and differences between individuals. This allowed the researcher to respond to the following research questions:

1. To what extent do teachers use corporal punishment in the high schools in Lesotho?
2. What are the factors that lead to the teachers' use of corporal punishment in Lesotho high schools?
3. How does the Basotho culture influence teachers' views on the use of corporal punishment in the Lesotho high schools?
4. What strategies are needed to reduce corporal punishment in the Lesotho high schools?

3.9.2.2 Content analysis

A content-driven analysis was used to analyse official school documents. Content-driven analysis involves an assessment of the content and themes in written documents (Hays and Singh 2012). It involves an examination of documents with the aim of quantifying content according to pre-defined categories in a systematic manner. Content analysis is therefore replicable. This means that other people can get similar results if they code the same documents using the same coding system (Bryman 2012).

The current study utilised a content-driven analysis of school documents detailing the use of corporal punishment in the Lesotho high school. Records of the 2013 and 2014 academic years were used so that a clear picture could be reflected. These documents included the corporal punishment log book; school

policies; the rules and regulations of the school, and minutes of meetings where issues of corporal punishment were discussed. The school's policies and rules and regulations show the importance of corporal punishment in keeping school discipline. The frequency of cases where corporal punishment was opted for during disciplinary meetings also helped to show the extent to which the school depended on corporal punishment. The official school documents were resourceful in responding to the following research question:

1. To what extent do teachers use corporal punishment in the high schools in Lesotho?
2. What are the factors that lead to the teachers' use of corporal punishment in Lesotho high schools?

3.10 Legitimation

Legitimation refers to the assessment of quality in mixed method research by judging reliability and validity of the findings in mixed methods research (Barnes 2012). Onwuegbuzie and Johnson (2006) reiterate that legitimation entails attaining results and making conclusions that are reliable, transferable and verifiable. The following types of legitimation were used to ensure validity in this study.

3.10.1 Simple integration legitimation

This is the extent to which the sampling strategies of the quantitative and qualitative sampling designs allow quality meta-inference (Barnes 2012). Creswell and Plano-Clark (2011) define meta-inferences as the use of results from distinct quantitative and qualitative strands to draw conclusion. This poses a challenge because qualitative research uses a small sample which cannot be generalised to the population. To solve this problem, Onwuegbuzie and Johnson (2006) suggest that researchers should collect data until they reach saturation point, which is a point in qualitative research at which the researcher is no longer obtaining new information from interviews. In the current study, qualitative data was collected until it did not yield any new information.

3.10.2 Inside-outside legitimation

Inside-outside legitimation refers to creating a balance between an insider's (emic) and the outsider's (etic) views in a mixed research study (Onwuegbuzie and Johnson 2006). In quantitative studies, researchers need to maintain an objective view, while qualitative research needs a subjective view. This enables the researcher to maintain a balance between these two stands in order "to enable quality meta-inference between the two views to make a coherent whole" (Onwuegbuzie *et al.* 2011: 58). This study ensured inside-outside legitimation by collecting and reporting data from both emic and etic perspectives.

3.10.3 Multiple validities legitimation

Multiple validities legitimation is the extent to which all relevant strategies are used. Three methods of data collection, namely observation, focus group discussions and interviews were used in this study. This validated the responses obtained through each method of data collection. The instruments were piloted in order to check whether there were any problems or not in the structure and phrasing of the questions and whether the questions bore the expected results. Responses of the pilot study were carefully analysed so that necessary corrections could be made.

3.11 Ethical considerations

Studies in the social sciences need to consider the importance of ethical issues in research because much of the research is on human subjects (Leedy and Ormrod 2005). Ethical issues relate to what is considered appropriate and inappropriate in the field of social science research. Consideration of ethical issues in conducting a study enables the researcher to protect the participants. It builds a relationship of trust with the participants and ensures that research is conducted with integrity (Babbie 2014). The ethical standards that are adhered to in the social sciences are voluntary participation, protection of participants from any form of harm, informed consent, ensuring anonymity and

confidentiality of participants, honesty in reporting results, and approval of the research by the Institutional Review Boards (IRB) (Babbie 2014; Creswell 2014; Leedy and Ormrod 2005). The following paragraphs outline the ethical issues that were taken into consideration in this study.

3.11.1 Voluntary participation

Researchers are mandated to avoid forcing people to participate in studies. It is ethical to explain the purpose of the study to participants and to request them to participate out of their own will. Participants should not be involved in the study for personal benefit such as money. They should also not be involved because the researcher is in authority and therefore participants do not want to shame their superior (Babbie 2014; Babbie and Mouton 2001). The current study observed the principle of voluntary participation by explaining the purpose of the study to the participants. The researcher further informed participants that they should participate in the study out of their free will and that they could withdraw their contribution at any point.

3.11.2 Informed consent

Informed consent involves giving participants enough information to enable them to decide whether to participate in the study or not. Researchers need to brief the participants about the purpose of the study, what would be done with the data collected and what is expected from the participants (King 2010; Bryman 2012). Bryman (2012) suggests the use of a consent form that explains the purpose of the study and requests participants to sign before they respond to the questions. Informed consent can also be verbal or a combination of written and verbal agreement (King 2010). The researcher in the current study requested approval to do the study from the Ministry of Education and Training (MOET) in Lesotho. The Ministry provided a written consent (attached here as appendix 2). The request was further made with the head-teachers and the teachers who participated in the study. The head-teachers were also requested to provide consent for the learners to participate in the study (Attached here as Appendix 3.)

3.11.3 Protection of participants from any form of harm

Researchers should ensure that participants do not obtain any harm as a result of participating in the study. Possible forms of harm include physical and psychological injuries. Studies in the social sciences are more likely to pose psychological rather than physical harm. The psychological harm may be in the form of revealing the participants' unacceptable views and attitudes, damaging participants' reputation and embarrassing them (Babbie 2014; King 2010). The current study guarded the participants' safety by not revealing the names of the participants whose views were against the general views of the public.

3.11.4 Ensuring anonymity and confidentiality of participants

It is important to protect the identity of the informants in a study. Anonymity implies that even the researcher is unable to track the source of the responses (Babbie and Mouton 2001). The researcher in the current study ensured the anonymity of the participants by not disclosing the names of the participants. This was possible in the quantitative strand where there were many participants. Keeping the participants anonymous was not easy with qualitative data, especially the interviews, because there were only a few of them. The identity of the participants was maintained by ensuring confidentiality. The descriptions and the reporting of the results were done in a manner that could not expose the participants.

3.11.5 Reporting the results honestly

The results of the study have to be reported as honestly as possible. They should not be distorted even if the researcher feels that it is for a good course (Babbie 2014). The researcher has to report both the good and the mishaps about the study. The unexpected results should also be reported (Babbie and Mouton 2001).

3.11.6 Approval of the research by the Institutional Review Boards (IRB)

The study considered the importance of ethical issues. The ethical clearance of the Central University of Technology was sought before the study was conducted. The researcher presented the proposal to the School of Education at the Central University of Technology. The comments from this forum were incorporated in preparation for the presentation at the Faculty of Humanities Board. These presentations reflected the ethical considerations envisaged by the researcher.

3.11.7 Approval to carry out the study by the Ministry of Education and Training

The researcher requested approval from the Ministry of Education and Training (MOET) to carry out the study. The written request was submitted to the office of the Chief Executive Officer (Secondary) and a written consent was issued to the researcher (attached as appendix 2).

3.12 Summary

This chapter focused on the methodology that was used in this study. It highlighted pragmatism as a research paradigm and the convergent mixed methods design as a research design of the study. The population, sample and sampling procedure as well as the data collection and analysis procedures were presented. The next chapter reports the findings that were noted from the analysis of the data collected.

CHAPTER FOUR: DATA PRESENTATION, INTERPRETATION AND ANALYSIS

4.1 Introduction

This chapter analyses the data, whose collection for this study was done over a period of three months from mid-August to mid-November, 2014. Content analysis was used to analyse documents and interpretative phenomenological analysis was utilised to analyse data collected through semi-structured interviews and focus group discussions. The Statistical Package for Social Sciences (SPSS), version 20 was used to analyse data collected through the questionnaires.

The chapter also outlines the results in relation to the research questions. Data collected through focus group discussions, semi-structured interviews and observations are presented first and followed by data collected through the questionnaire. Finally, the chapter ends with a synthesis of the results.

4.1.1 The areas of data collection

Nine schools were used to collect qualitative data. Three of the schools, Letlapeng, Maralla, and Lithaba are located in the highlands; two schools, namely Letsoapo and Masimong are situated in the foothills; one school, Lehlaka, is located in the Senqu River Valley and the last three schools, Lerako, Toropo and Kamele, are located in the lowlands. In order to protect the identity of the participants, the names used in this report are not the real ones.

In all the nine schools the learners consisted of both males and females. The classes ranged from form A (Grade 8) to form E (Grade 12), with each form (grade) having two streams. The teachers in all these schools were both male and female and they had a staffroom, where they would sit when they are not in class, mark learners' work and discuss issues, both official and unofficial. Five

out of nine head-teachers that participated in the qualitative data were male while the remaining four were female. The head-teachers had their own offices, from which they did most of their administrative work. School files and important documents are kept in the head-teachers' offices. All the schools said that they hold morning assembly before the beginning of the normal teaching-learning activities. However, all these schools have a morning study period that begins at seven. In which learners are expected to get settled and start reading. In each school, semi-structured interviews were also conducted with the head-teachers, making a total of nine such interviews.

4.1.2 Biographic information

The head-teachers that participated in the study were all qualified teachers. Three of them hold a Masters' Degree in Education (M.Ed), one had an Honours' degree in education while five had a Bachelor's degree in education (B.Ed). It was assumed that the participating head-teachers' educational qualifications made them aware of the national laws on education and various ways of keeping discipline in the classroom. The interviewed head-teachers' teaching experience ranged from eleven to twenty one years, with head-teachers' experience that ranged between five and twelve years. A lengthy experience as teachers and head-teachers implied that they were seasoned practitioners who were aware of changes in the national laws on the use of corporal punishment in schools education.

Eighteen parents participated in the study. Nine of them were males while another nine were females. Both male and female participants were engaged to find views from both sexes. All the participants had primary and post-primary education respectively, with ten having passed the Primary School Leaving Examinations (PSLE), four had Junior certificate (JC) and the other four the Cambridge Overseas School Certificate (COSC). Once literate parents are involved as participants in any research, they can better understand the subject under discussion and significance of their participation in research in a given context.

Ten learners participated in each focus group. Each group comprised five boys and five girls. The purpose of including both boys and girls was to compare opinions from both sexes. The participating learners' age ranged between fourteen and eighteen years. The importance of using learners in this age group was that they were old enough to have views on matters, such as corporal punishment, which affected them at school. The English language was used to conduct the interviews. However, some participants, especially learners, code-switched between, both Sesotho and English and parents used Sesotho. In such cases, the researcher resorted to translating the Sesotho version into English, being cautious to retain the original text meanings.

Table 4.1: Sex of Teachers who Responded to the Questionnaire (N=149)

Sex	Frequency	%	Cumulative %
male	73	49.0	49.0
female	76	51.0	100.0
Total	149	100.0	

One hundred and forty nine teachers responded to the questionnaire. They consisted of seventy three males (49 %) and seventy six (51 %) females. As displayed on Table 4.1, both males and females were included to obtain perspectives on corporal punishment from both sexes. Both males and females were included in the study because participants' views could differ along sex lines.

The questionnaire solicited information on the age of the teachers who participated on the study. Table 4.2 summarises the results.

Table 4.2: Age Distrition of the Teachers who Responded to the Questionnaire (N=149)

Age in years	Number of participants	% (%)	Cumulative %
20-25	14	9.4	9.4
26-30	40	26.8	36.2
31-35	27	18.1	54.4
36-40	20	13.4	67.8
41-45	19	12.8	80.5
46-50	18	12.1	92.6
51-55	6	4.0	96.6
56-60	4	2.7	99.3
60 -65	1	0.7	100.0
Total	149	100.0	

The age of the participants that responded to the questionnaire ranged from 20-25 to 60-65 years with a majority of the participants (26.8%) being in the 26-30 years age group and followed by the age group 31-35 years which constituted 18.2% of the total participants. The third position was occupied by the age group 36-40 with 13.4%. This indicates that a majority of the participants were below forty five years of age and therefore youthful. However, the participants are mature enough to make decisions on issues such as corporal punishment. Having looked at the age of the teachers who participated in the questionnaire, another question sought information on the qualifications of the teachers. Table 4.3 illustrates the results.

Table 4.3: Qualifications of the Teachers who responded to the Questionnaire (N=149)

Teachers' qualifications	Number of participants	% (%)	Cumulative %
STC	3	2.0	2.0
DES	39	26.2	28.6
B.A. Ed	6	4.0	32.7
B.Ed	48	32.2	65.3
B.Sc Ed	5	3.4	68.7
PGDE	11	7.4	76.2
Masters	5	3.4	79.6
Non Education degree	32	21.4	100.0
Total	149	100.0	

The majority (79.6 %) of the participants in the current study were qualified teachers. Their qualifications ranged from a Secondary Teachers' Certificate (STC) to a Master's Degree in Education (M. Ed). Of the one hundred and forty nine analysed responses, forty eight (32.2 %) teachers held a Bachelor of Education (B. Ed) degree, while thirty nine (26.2 %) held a Diploma in Education Secondary (DES). Three participants (2 %) had the basic qualification of Secondary Teachers' Certificate (STC). Thirty two participants (21.4%) did not hold any teacher's qualification. The large number of qualified teachers suggested that teachers could be aware of the laws governing corporal punishment and the alternative practices that could be used to curb indiscipline.

The teachers' questionnaire also asked the question: "How long have you been teaching?" This question sought the teaching experience of the participants and the results are summarised on Table 4.4.

Table 4.4: Teaching Experience of the Participants who Reponded to the Questionnaire (N=149)

Participants'teaching experience	Number of participants	% (%)	Cumulative %
5 years and below	54	36.2	36.2
6-10 years	31	20.8	57.0
11-15 years	24	16.1	73.2
16- 20 years	14	9.4	82.6
21-25 years	14	9.4	91.9
26- 30 years	9	6.1	98.0
31- 35 years	3	2.0	100.0
Total	149	100.0	

A large number (36.2 %) of the participants had a teaching experience of less than five years and more than half of the participants (57.0%) had teaching experience of ten years and below. This indicates that these participants were relatively new in the field. However, a majority (63.8 %) were already in the teaching force when the laws governing corporal punishment were changed, considering that the laws were changed in 2010.They are seasoned practitioners who are likely to be cognisant of reasons of the prevalence of corporal punishment by teachers despite it being abolished in Lesotho.

The questionnaire solicited further information on the positions held by the teachers. Table 4.5 summarises the results.

Table 4.5: Positions held by Respondents of the Questionnaire (N=149)

Responsibilities	Number of participants	%	Cumulative %
teacher	131	87.9	87.9
HOD	18	12.1	100.0
Total	149	100.0	

The positions held by a majority of the participants (87.9 %) of the quantitative data collection process were teachers. The remaining 12.1% were Heads of the Departments. The details of the responsibilities given to participants are shown on Table 5.5. They are included here in order to identify the number of participants who held administration positions and therefore tasked with discussing serious cases of learner misconduct and decided on the appropriate disciplinary measures to be taken.

4.2 The extent of the use of corporal punishment in the high schools in Lesotho

Research question 1: To what extent are teachers meting out corporal punishment in Lesotho high schools?

To solicit responses on the existence of corporal punishment in Lesotho high schools, despite it being illegal, the following question was asked during the focus group discussions with learners: “How are you disciplined in this school”?

Four themes emerged from the learners’ focus group discussions in response to these questions. The themes were as follows: Learners were beaten, verbally reprimanded, instructed to gather stones which were used to construct houses or fill up the gullies that had been created by soil erosion. It was also noted that parents may be called for considerable offenses; male learners were instructed to dig pits as deep as their heights and then re-fill them with soil. In some cases

learners were expelled from class or from school. Thapelo a form D learner, from Kamele High School explained how they were disciplined as follows:

Sometimes parents are called to discuss the disciplinary case with the teachers. Sometimes teachers verbally reprimand us. As one teacher talks, another one interferes and starts talking. They even use incidences that you wouldn't like to hear from them. They usually do not listen to your side of the story, as to why you did that kind of an offence. Their words are abusive, they use real problems that you encountered and it is very painful. They abuse us by making fun of our complexion.

The common disciplinary measure used by teachers according to the learners was corporal punishment in the form of beating the learners. It was found out that corporal punishment was used in all the nine schools that participated in the qualitative strand of the study. At Letlapeng High School the form B learners chorused the words “*we are beaten*”.

The head-teachers' interviews had a question: “how do you discipline learners in this school”? They highlighted the use of a disciplinary committee for serious cases of misconduct. The disciplinary committee comprised of the Heads of Departments (HODs) and two teachers. At Lerako High School, the head teacher elaborated that the two teachers selected into the disciplinary committee were compassionate and empathetic with learners. Other methods of disciplining learners that were reported included instructing learners to gather stones, clean the surroundings and application of corporal punishment. The head-teacher of Letlapeng High School pointed out that they used a stick to discipline learners but made sure that the learners did not obtain injuries. The Lithaba High School head-teacher expressed his views in the following manner:

If I am five minutes late and I find learners making noise or moving up and down in the classroom, I use a small stick to beat them lightly. They quickly settle down and we continue with our lesson.

However, at Lerako High School, the head-teacher emphasised that she preferred talking to learners as they do not use corporal punishment at all in the

school. Contrary to the views of the head-teacher at Lerako High School, learners reported that the use of corporal punishment was common at their school. For example, Lifela, one of the boys from the junior group explained that *“in most cases we are beaten”*.

The researcher’s observations noted that the stick was being used in all the schools that participated in the study. There were sticks in the staffrooms and teachers were also seen walking to and from classes with sticks in their hands. In one school, Khotla High School, the researcher found one teacher beating two boys, with each receiving four strokes on the palms. The teacher also scolded the boys, as she was beating them. The boys however obediently extended their hands so that their teacher could hit the palms and after receiving the punishment, left the staffroom quietly. In addition, the other teachers, who were present in the staffroom of this school as the incident occurred, continued carrying out their businesses at their desks and did not pay attention to the administration of corporal punishment that was going on.

The teachers’ responses to the questionnaire reiterated the learners’ and head-teachers’ views on the use of corporal punishment in schools. Table 4.6 displays the frequency of corporal punishment as witnessed by the participants in their schools.

Table 4.6: Teachers who witnessed Corporal Punishment in their Schools (N=149)

Witnesses of CP in schools	Frequency	(%)	Cumulative %
Yes	129	86.6	86.6
No	20	13.4	100.0
Total	149	100.0	

A majority (86.6 %) of the teachers reported that they had witness corporal punishment being applied on learners in their schools. This was contrary to the responses of twenty other participants (13.4%) who reported that they had never witnessed the administration of corporal punishment in their schools. The presented data suggest that corporal punishment is used in schools as a

disciplinary measure. The few (13.4 %) of the teachers who claimed that they had not seen corporal punishment being applied to learners in schools could have done so to reveal socially acceptable information.

Parents were asked a similar question: “How are learners disciplined at school?” The themes that emerged from the data collected through this question were: use of a stick, talking to children and manual work. Of the eighteen parents who participated in the study, twelve (66.7%) were aware that children were beaten at school. ‘Maneo, one of the parents explained: “*ba shapuo*”. [They are beaten]. It also appeared that some schools call parents to school to apply corporal punishment to their children. Mr Tsietsi explained: “*Ho thoe re ichapele bona*”. [We are instructed to beat our children at school]. Four parents indicated that children are no longer beaten at school and that the teachers talk to them about the misconduct. Nevertheless, parents seemed not worried that their children were beaten at school. This suggested that corporal punishment was acceptable to them, especially if it was administered lightly.

In order to solicit more information from the teachers on the use of corporal punishment in schools, the teachers’ questionnaire had the following question: “Have you ever used corporal punishment?” The results indicate that corporal punishment is rife in the schools as illustrated on Table 4.7.

Table 4.7: Teachers who apply Corporal Punishment (N=149)

Used CP on learners	Number of participants who use corporal punishment	% (%)	Cumulative %
Yes	129	87.8	87.8
No	20	12.2	100.0
Total	149	100.0	

Table 4.7 shows that one hundred and twenty nine participants (87.8 %) participants responded “yes” while twenty (12.2%) said “no”. Both qualitative and quantitative data indicated that teachers generally used corporal punishment in schools and this was confirmed by learner respondents from all participant schools who indicated that they were beaten. The head-teachers

echoed the learners' views in eight schools (88.8%). Finally, the teachers' questionnaire revealed that a large number of teachers (87.8%) use corporal punishment.

4.2.1 Teachers that use corporal punishment against the law

To solicit further information on the use of corporal punishment, learners were asked the following question in the focus group discussions: "Who in schools uses corporal punishment"? Their responses yielded that corporal punishment was used by a majority of the teachers and head-teachers alike. Likenkeng, a learner from Toropo High School explained: "*All teachers beat us; males and females beat us in a similar manner*". All the eighteen learners' focus group discussions reported that corporal punishment was used by the teachers on morning duty. The narrative was that two teachers would wait for late comers at the school gate and beat them with a stick before they walk into the school yard. In addition, learners were also beaten by different teachers in classes. Lineo, a form D learner at Kamele High School, explained:

Sometimes a teacher attending a first lesson in the morning beats you as well as those who come in the second and third lessons. By the time you go for the morning short break you are no longer listening. You are preoccupied with the thought of being beaten.

In four of the participating schools, Lerako, Maralla, Lithaba and Kamele High schools, a group of teachers formed a pact to beat the learners. Sometimes it may be a group of teachers specialising in a particular subject, as noted at Kamele High School, the English teachers were reportedly fond of beating learners for speaking Sesotho. Female teachers were also found to form a pact and beat learners for one reason or another. Thabang, a form B learner, at Lithaba High school, expressed it this way: "*All the female teachers, about eleven of them, beat you, each giving you the number of strokes that suits her*". Other learners supported this response.

At Maralla High School, form B learners narrated an incident where Science teachers lashed learners for not having brought science books to school. The science teachers at Maralla High School lashed learners in a classroom nick-named, “prison”, denoting a place where there was severe punishment. Both groups of learners at Lerako and Toropo High Schools pointed out that they were beaten severely in the staffroom used by male teachers. Learners at Lerako and Toropo High Schools also nick-named the male teachers’ staffrooms places where fierce fighting occurred and other names included SADC (denoting the SADC military forces’ intervention of Lesotho in 1998 during the political unrest in the country).

There seemed to be differences of opinion on the application of corporal punishment by male or female teachers. Some of them used corporal punishment more than others. On the question: “Who in this school uses corporal punishment most”? Junior learners from Kamele High School reported that their female teachers used corporal punishment more severely than male teachers. Pulane, a form B learner, explained that they make this assertion because: *“they beat you all over the body”*. At Letsoapo and Lithaba High Schools, learners felt that male teachers used corporal punishment more severely than female teachers because they were strong and their beating was more painful. *“For me there is no difference between the male and female teachers though males are strong”* reiterated Liteboho, a male learner at Maralla High School. The head-teachers’ interviews yielded similar responses to those of the learners’. Of the nine head-teachers that participated, eight (88.8%) said that teachers on duty used corporal punishment on late comers.

Another area of similarity of views was that individual teachers administered corporal punishment on learners during the lessons. This, according to head-teachers, may occur when learners are found making noise in the classroom. It was, however, noted that head-teachers did not refer to teachers forming cahoots to beat learners for a particular offence. Incidences of a group of teachers forming pacts to beat learners were only mentioned by the head teacher of Lithaba High school, who explained that cahoots of teachers in her

school used to beat learners. The school administrators instructed teachers to stop it after they realised that it was too severe.

A questionnaire item that collected information on the category of teachers that used corporal punishment was as follows: “Which category of teachers use corporal punishment”? The results are illustrated on Table 4.8.

Table 4.8: Category of teachers (Male or Female) Teachers that use of Corporal Punishment (N=149)

Frequency of use of CP males and females	Males		Females	
	Number	Percentage (%)	Number	Percentage (%)
Very frequent	40	26.8	7	4.7
Frequent	18	12.1	18	12.1
Moderately	29	19.5	33	22.1
Sparingly	11	7.4	21	14.1
Very sparingly	21	14.1	28	18.8
I don't know	30	20.1	42	28.2
Total	149	100	149	100

Table 4.8 illustrates that male teachers used corporal punishment more frequently than female teachers. A majority of the participants (58.4%) said that male teachers used it more unlike the 38.9% who reported that female teachers beat learners more. A larger number of participants (32.9%) felt that more females used corporal punishment sparingly. A considerable number of participants (20.1%) said that they did not know if male teachers used punishment more than female teachers while 28.2% said they do not know if female teachers used the stick more than male teachers. Male teachers could be using corporal punishment more regularly compared to female teachers because Basotho are patriarchal. Males are believed to be firm when disciplining children.

A chi-square test was run to evaluate whether there is any difference on the use of corporal punishment by males ($f = 73$) and females (76). The null hypothesis was rejected. $X^2 (1) = .742, P \leq 0.05$. The null hypothesis is rejected, indicating that there is a relationship between gender and the use of corporal punishment.

The teachers' views differ from the learners and head-teachers perceptions. While the teachers' responses indicated that they perceived male teachers to use corporal punishment more than female teachers, the head-teachers and the learners could not decide. The use of corporal punishment by language and Science teachers was also explored. The results are summarised on Table 4.9.

Table 4.9: Category of Teachers [Language or Science Teachers] who use Corporal Punishment (N1=149)

Frequency of the use of CP by language & science teachers	Language teachers		Science teachers	
	Number	Percent (%)	Number	Percent (%)
Very Frequently	14	9.3	14	9.3
Frequently	15	10.0	20	13.3
Moderately	18	12.0	17	11.3
Sparingly	19	12.7	22	14.7
Very sparingly	20	13.3	16	10.4
I don't know	63	42.7	60	40.0
Total	149	100.0	149	100.0

Teachers seemed not to know whether Language teachers used more corporal punishment than Science teachers. Their responses revealed that 42.7% did not know if Language teachers used corporal punishment more than Science teachers while 40.0% said that they did not know if Science teachers used more corporal punishment than Language teachers. The frequency rate of corporal punishment use was higher (26.6 %) among the Science teachers than with the Language teachers. A slightly lower rate of participants (19.9%) felt that Language teachers use more corporal punishment than science teachers. As illustrated on Table 4.9, the difference between Language and Science teachers on the use of corporal punishment is minimal. Science teachers are believed to use more corporal punishment than other teachers because science is assumed to be difficult and teachers beat children to make them understand the concepts faster. This further suggests that teachers could be lacking in the approaches to teaching and resort to corporal punishment to encourage learners to learn.

The teachers' questionnaire sought information regarding the use of corporal punishment by the head-teachers. The results are summarised on Table 4.10.

Table 4.10: The use of Corporal Punishment by Head Teachers

Frequency of use of CP by head-teachers	Frequency	Percentage (%)	Cumulative %
very frequently	12	8.1	8.1
Frequently	10	6.7	14.8
Moderately	11	7.4	22.1
Sparingly	19	12.8	34.9
Very sparingly	25	16.7	51.7
I don't know	72	48.3	100.0
Total	149	100.0	

The results revealed that a majority of the teachers (48.3 %) in the teachers' questionnaire did not know if head-teachers applied corporal punishment on learners. Few participants (29.5 %) confirmed that head-teachers used it sparingly, with 16.7 % noting that they used it very sparingly. As shown on Table 5.10, 14.8 % regarded head-teachers as using corporal punishment frequently, with 8.1% pointing out that head-teachers used it very frequently. These results indicate that a majority of the head-teachers do not use corporal punishment on learners.

4.2.3 Instruments used to apply corporal punishment

There were some differences in the learners' and head-teachers' accounts of the instruments used to discipline learners. The head-teachers from six schools: Kamele, Maralla, Lithaba, Letsoapo, Letlapeng, and Toropo, reported that only a stick was used to beat learners, but they made sure that learners did not get hurt. However, the learners' focus groups conducted at the same schools revealed that a variety of instruments that were utilised to apply corporal punishment. Only the school head of Masimong High School stated that he preferred to use a gas pipe, while the head teacher of Lerako High School said that corporal punishment was not used at her school.

The following question was posed to solicit information on the instrument used to apply corporal punishment by teachers: “What instrument is used to punish learners?” The learners’ focus group discussions revealed that a stick was utilised. At Kamele High School, learners explained that a medium sized, smooth stick was used to punish them. At Maralla High school, learners explained that their teachers would use masking tape if the stick they wanted to use had knots which could cause injuries. The responses from the head-teachers interviews reiterated the learners’ responses as they revealed that a light stick was used to punish learners.

The learners’ opinion regarding the number of strokes given differed from that of the head-teachers. Learners, on the one hand, reported that teachers gave them as many strokes as they desired, which in most cases exceeded five. On the other hand, head-teachers from the five high schools, Lithaba, Kamele, Toropo, Maralla and Masimong, indicated that learners at their schools did not have structures which regulated the use of corporal punishment in place. As a result, each teacher applied it as he/she saw fit.

Responses from the teachers’ questionnaire echoed the learners’ and head-teachers perceptions on the frequency of the use of a stick to administer corporal punishment. The stick was considered to be the most frequently used instrument as stated by 61.1% of the teacher. A limited number of the participants (6.7 %) may have not been honest.

The learners’ focus group discussions revealed that, the second most common instrument that was used to administer corporal punishment on learners was a wooden duster. It was used to apply corporal punishment at the back of the hands, or on the bunched fingers (kotso), as figure 4.1 illustrates. Puleng, a form B learner at Kamele High School noted that: *“If teachers do not bring a stick to the classroom, they use a duster to beat us.”*The use of a duster was indeed reported in all the eighteen focus groups discussions.



Figure 4.4: Bunched Fingers [Kotso] Beaten with a Duster

It was also found out that a gas pipe was used in four schools, Lithaba, Letsoapo, Lerako and Masimong high schools. The gas pipe was administered on the learners' palms and buttocks. The gas pipe was nick-named "Molepe" and the plural form, "Melepe" was also used to refer to the learners, at Lithaba High school. The nick name suggests that the gas pipe is the learners' sibling, who is responsible for maintaining discipline. "Molepe" is displayed on Figure 4.2.



Figure 4.5: A Gas pipe "Molepe" used at Lithaba High Schools to Beat Learners

The teachers' questionnaire also sought information on the use of a ruler, belt, slapping or fists. Table 4.11 summarises the results.

Table 4.11: Instruments used to punish learner (N=149)

Frequency	Stick	Ruler	Duster	Slapping	Fists	Belt	Whip
V. frequent	91 (61.1%)	3 (2.0%)	11 (7.4%)	7 (4.7%)	2(1.3%)	5(3.4%)	5 (3.4%)
Frequent	9 (6.0%)	8 (5.4%)	7 (4.7%)	4(2.7%)	-	2(1.3%)	3(2.%)
Moderately	13 (8.7%)	6 (4.0%)	12 (8.1%)	1 (.7%)	2 (1.3%)	1 (.7%)	4 (2.7%)
Sparingly	10 (6.7%)	10 (6.7%)	16 (10.7%)	6 (4.0%)	-	1(.7%)	4 (2.7%)
Very sparingly	21 (14.1%)	28 (18.8%)	29 (19.5%)	22 (14.8%)	19(12.8%)	6 (11.4%)	25(16.8%)
Not used	5 (3.4%)	94 (63.1%)	74 (49.7%)	109(73.2%)	126(84.6%)	123(82.6%)	108(72.5%)
Total	149(100.0)	149(100.0)	149(100.0)	149(100.0)	149 (100.0)	149 (100.0)	149(100.0)

A majority of the participants (63.1%) pointed out that a ruler was not utilised in their schools to administer corporal punishment. The remaining thirty six (36.9%) of the participants had observed a ruler being used to punish learners. This result indicates that it is not a significant corporal punishment tool.

The teachers' responses reflected that a duster was not commonly used to apply corporal punishment. Almost half of the participants (49.7%) stated that the duster is not used to punish learners at their schools. However, 12.1% of the participants confirmed that a duster is used frequently.

Responses from the teachers' questionnaire on the use of a slap at school showed that this form of corporal punishment was not common. A majority of the teachers (73.2%) indicated that slapping was not used in their schools. However, a few teachers (7.4%) indicated that its use was frequent.

Some of the teachers' responses to the questionnaire also alluded to minor or no use at all of a belt in administering corporal punishment. One hundred and twenty three (82.6%) questionnaire respondents indicated that it was not used in their schools. Fewer participants (11.4%) revealed that it was used very sparingly.

An analysis of Table 4.11, therefore, indicates that the stick is the most frequently used tool to apply corporal punishment. This result corroborates the qualitative data collected from the head-teachers and the learners in that all the three forms of data point to the common use of a stick.

The learners' focus group discussion revealed that a sjambok (see Figure 4.3) and a whip (See figure 4.4) were utilised to administer corporal punishment. A sjambok was mostly used on the buttocks while a whip was reportedly used all over the body. In addition, the teachers' questionnaire revealed that a whip was also utilised to administer corporal punishment on learners. However its use to discipline learners was reportedly not common. The teachers' questionnaire revealed that 72.5 % of the teachers were not aware of the use of a whip to administer corporal punishment in their schools. Both the learners focus discussions and the teachers' questionnaire indeed reveal that a whip and a sjambok were not considered as important instruments in administering corporal punishment. Only a few teachers seemed to utilise them.



Figure 4.6: A picture of a Sjambok used at Maralla High School to Beat Learners



Figure 4.7: A Picture of a Whip used in some Schools to Beat Learners

The learners' focus groups further revealed that teachers sometimes use anything in their hands. For example, a bundle of keys can be used to punish a student. Likopo, a form D male learner from Maralla High School, narrated how a teacher hit him with a bunch of keys as he walked to the classroom after a morning assembly among a group of learners. Likopo, however, said that he was not aware of the teacher's reasons for hitting him with a bunch of keys. At Kamele High School, the learners' group discussion revealed that learners were instructed to put their feet on a bench and these would be hit with a piece of a brick.

On a different note, Mr. Rameno, the head-teacher of Masimong High School, noted that he utilised an electricity wiring pipe fitted with a stick inside to ensure that caning became more painful than when there was no stick fitted inside. Figure 5.5 shows the electricity wiring pipe with a stick fitted inside.



Figure 4.8: A Stick fitted into a wiring pipe

4.2.4 The parts of the body where corporal punishment is applied

In all focus group discussions, learners said that they were beaten on the buttocks. Learners at Kamele and Maralla High Schools described how they held the far end of a desk and leaned forward so that the teachers could beat them on the buttocks. If the student was wearing a coat, it was raised before the learner was beaten so that it did not act as a cushion. In addition, the Lithaba High School learners narrated how they were made to imitate touching a high wall and teachers beat them on the buttocks. One girl, Lipolelo, explained it this way:

“We were told to raise our hands as if we were touching a high wall. This position exposed the buttocks well so that it became easy to beat them. If you turned to face backwards, obscuring the buttocks, the counting of the strokes started afresh, without considering how many you had already received”.

Three learners, Topollo from Kamele, Lereko from Letsoapo and Taelo from Toropo said that they had always thought that learners should not be beaten on the buttocks while at school and were surprised that it was done in their current schools. Lereko explained it in this manner: *“In my previous school, girls were*

not beaten on the buttocks but it is common in this school". Tebello, also from Letsoapo High School was of the opinion that beating boys on the buttocks and beating girls in other areas would be discriminating against boys so it was best if learners were generally not beaten on the buttocks.

Contrary to the notion that beating learners on the buttocks was better because it prevented injuries on the hands, Mr Koloti, a head-teacher at Maralla High School, said that it did not look good, especially for girls. He said: *"imagine a male teacher beating a girl on the buttocks in winter. He would have to raise the learner's coat so that it does not cushion her. This does not look good. It is like sexual harassment"*.

The teachers' questionnaire solicited information on the application of corporal punishment on the buttocks. Table 4.12 summarises the results.

Table 4.12: The Frequency of using Corporal Punishment on Learners' Buttocks (N=149)

Regularity of beating learners on the buttocks	Frequency	Percentage (%)	Cumulative %
very frequently	22	14.8	14.8
Frequently	9	6.0	20.8
Moderately	17	11.4	32.2
Sparingly	8	5.4	37.6
Very sparingly	32	21.5	59.1
Not applicable	61	40.9	100.0
Total	149	100.0	

A majority of the teachers (40.9%) indicated that corporal punishment was never applied on the learners' buttocks. Thirty two participants (21.5%) said it was very sparingly applied on the buttocks, while 20.8 % reported that corporal punishment was frequently applied on the buttocks.

The teachers' questionnaire further collected information on the use of corporal punishment on the palms of the learners. The responses are summarised on Table 4.13.

Table 4.13: The Frequency of the use of Corporal Punishment the Palms (N=149)

Frequency of use of cp in the palms	Frequency	Percentage (%)	Cumulative %
Very frequently	69	46.3	46.3
Frequently	22	14.8	61.1
Moderately	14	9.4	70.5
Sparingly	8	5.4	75.8
Very Sparingly	20	13.4	89.3
Not applicable	16	10.7	100.0
Total	149	100.0	

A majority of the teachers (61.1%) reported that corporal punishment was frequently applied on the learners' palms, with 46.3% stating that it is very frequently used. Only 10.7% of the teachers pointed out that it was not applied on the learners' palms.

The teachers' questionnaire solicited further information on the application of corporal on the back of the hands. Table 4.14 summarises the results.

Table 4.14: Frequency of Application of Corporal Punishment of the Back of the Hands (N=149)

Frequency of application of CP on the back of the hand	Frequency	Percentage (%)	Cumulative %
Very frequent	14	9.4	9.4
Frequently	7	4.7	14.1
Moderately	14	9.4	23.5
Sparingly	8	5.4	28.9
Very sparingly	22	14.8	43.6
Not applicable	84	56.4	100.0
Total	149	100.0	

A majority of the participants (56.4 %) said that learners were not beaten on the back of the hands. There was also a 14.1 % of the participants who felt that the application of corporal punishment on the back of the hands was frequent, while 9.4% stated that it was very frequent. The analysis of table 5.16 indicates that

corporal punishment is sometimes applied on the back of the hands, but it is sparingly applied. It could, however, happen that it is applied by a few teachers.

The teachers' questionnaire sought responses on the application of corporal punishment behind the legs. Table 4.15 illustrates the results.

Table 4.15: Frequency of Learners being beaten behind the Legs (N=149)

Frequency of application of CP behind the legs	Frequency	Percentage (%)	Cumulative %
Very frequent	6	4.0	4.0
Frequently	3	2.0	6.0
Moderately	6	4.1	10.1
Sparingly	7	4.7	14.8
Very sparingly	20	13.4	28.2
Not applicable	107	71.8	100.0
Total	149	100.0	

A majority of the participants (71.8 %) said that corporal punishment was not applied behind the legs, whereas (13.4 %) confirmed that it was applied very sparingly behind the legs. Seven participants (4.7%) said that it was sporadically applied behind the legs. The results, here, suggest that the application of corporal punishment at the back of the legs is not common.

An analysis of data on the parts of the body where corporal punishment is applied reveals that corporal punishment is mostly applied on the palms of the hands, followed by the back of the hand and finally behind the legs. The data also suggest a discrepancy between what was reported by the learners and that by the head teachers on where learners were beaten. The head-teachers said that learners were beaten on the palms only, while the learners said that, besides being beaten on the palms they were also beaten on the buttocks, behind the legs and anywhere else on the body; thus implying that they are beaten indiscriminately without targeting a particular area. Beating learners on the buttocks was reported in all the eighteen focus group discussions while the administration of beatings behind the legs was reported by three schools. The

Masimong High School head-teacher revealed that he preferred to beat learners on the buttocks on the grounds that he would be trying to avoid causing bruises on the learners' hands because they may find it difficult to write. This seems to hold weight as noted by a learner from Letsoapo High School stated school: *“sometimes your hands get so bruised that you cannot write. Even when you arrive at home you could not even sweep because the hands were painful and swollen”*.

Corporal punishment is seemingly applied on different parts of the body. It is therefore interesting to find out if schools regulated its use. To solicit this information, the teachers' questionnaire had an item: “Does your school have rules governing the use of corporal punishment”? Table 4.16 summarises the results.

Table 4.16: Existence of Rules Governing Corporal Punishment in Schools (N=149)

Availability of rules governing CP in schools	Number	Percentage (%)	Cumulative (%)
Yes	93	62.4	62.4
No	51	34.2	96.6
I don't know	5	3.4	100.0
Total	149	100.0	

The majority of the participants (62.4%) said that there were rules governing the use of corporal punishment in their schools. As indicated in Table 4.11, 34.2 % of teachers said the schools do not have rules governing use of corporal punishment. This result indicates that a majority of the schools regulate the use of governing corporal punishment.

A follow-up question to the question on the existence or non-existence of rules that regulate the use of corporal punishment was: “if yes, are rules observed”? The results are illustrated by Table 4.17.

Table 4.17: Teachers' Opinions on the adherence to the laws that govern corporal punishment at schools (N=149)

Opinions of teachers on the adherence to school rules on CP	Frequency	Percentage (%)	Cumulative %
Always	42	28.2	28.2
Sometimes	49	32.9	61.1
not adhered to	6	4.0	65.1
I don't know	52	34.9	100.0
Total	149	100.0	

As illustrated in Table 4.17, a majority of the participants (34.9%) said that they did not know. Forty nine (32.9%) asserted that teachers occasionally adhered to the rules, while forty two (28.2%) said that teachers consistently adhered to the rules. It is awkward that a large number of participants did not know if the rules were adhered to or not because they are in schools most of the time and therefore should be in a position to know if the rules are being adhered to.

4.3.1 Frequency of the use of corporal punishment in schools

In an effort to establish the extent to which teachers used corporal punishment, the teachers' questionnaire had an item: "how frequent is the use of corporal punishment by teachers in your school" Figure 4.9 shows the regularity of corporal punishment use by teachers in the schools. The study found out that a majority of the participants (49%) used corporal punishment daily, while 20.8% said that a week may pass without corporal punishment being used on learners.

The researcher observed that there was a high probability that corporal punishment was being used daily in schools, as some of the participants suggested. Teachers were seen carrying sticks when going to class, indicating that they use it in class if they feel it is necessary. An earlier account by learners at Kamele High School indicated that three different teachers, coming to class one after the other, may each apply corporal punishment on the learners.

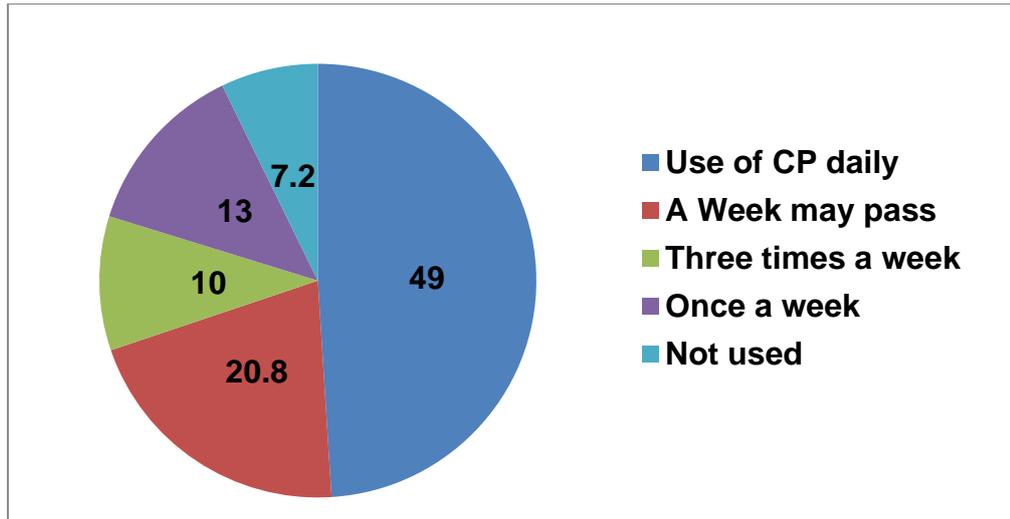


Figure 4.9: Regularity of Use of Corporal Punishment

One of the items on the teachers’ questionnaire sought information on the perceptions of the participants on the idea that beating learners was routine in Lesotho. The results are illustrated on Table 4.18.

Table 4.18: Beating Learners in Routine in Lesotho Schools (N=149)

Beating learners is routine in Lesotho schools	Frequency	Percentage %	Cumulative %
strongly agree	28	18.8	18.8
Agree	56	37.6	56.4
Not sure	31	20.8	77.2
Disagree	12	8.0	85.2
Strongly disagree	15	10.1	95.3
I don’t know	7	4.7	100.0
Total	149	100.0	

As shown on Table 4.18, the opinion of a majority of the teachers (56.4 %) is that corporal punishment in school is a routine, with 18.8 % having a strong opinion of this. Thirty one participants (20.8 %) said that they were not sure, while twelve (18.1%) disagreed with the statement and 10.1 %disagreed strongly. These results are illustrated in Table 5.19. This suggests that corporal punishment is a routine in some schools. Nevertheless, schools may differ on the use of corporal punishment, with some school using corporal punishment routinely than others.

4.3.2 Injuries sustained during corporal punishment

In the learners' focus groups, learners were asked whether they had sustained injuries due to corporal punishment. The study noted that learners had indeed sustained injuries. They developed green bruises, which turn dark with time. An account by Limakatso, a form B female learner at Maralla High School, showed the magnitude of injuries in some schools:

We were in class after school, doing some homework, a male teacher came in and asked us why we were speaking Sesotho. We kept quiet and he instructed one student to collect a stick. He then started to beat us with that stick on the buttocks, starting from one end to the other and taking several rounds. At some point, he started in the middle of the classroom and moved to the other end. He administered three strokes at a time, sometimes five. I received 27 strokes. He lashed everybody, boys and girls in the same manner. We had red, green and dark/black bruises. The bruises were there for about two weeks. My mother came to school to discuss the matter with the head-teacher and I was taken to the doctor.

The head-teacher of Maralla High School narrated a story that seemed similar to Limakatso's. He said that there was a time when a male teacher, who was beating learners on the palms, accidentally beat one on the soft skin of the arm and this learner's arm developed bruises. The mother of the learner was angry and came to school to seek clarity on the matter. The father who worked far from home called the mother, on a cell-phone, demanding that she should take the child to the police station and sue the concerned teacher. The head-teacher told the mother to do as they saw fit and come to school when they were ready to discuss the matter. The mother, feeling that the school head was cooperative, discussed the matter with the head-teacher until they reached a conclusion that the child be taken to the doctor, with the school incurring the expenses. The head-teacher reiterated that corporal punishment resulted in minor bruises, not wounds, and taking a child to the hospital was to appease angry parents who came to confront teachers at the school. The researcher did not find an appropriate way of verifying whether the head-teacher was narrating the incident that was narrated by the learner earlier. It is possible that it could

be the same story but the head-teacher’s version was selective in an attempt to make the whole situation desirable.

Likopo, a form D male learner, at Lithaba High school, had this to say about the injuries caused by corporal punishment:

Yestarday, I spoke Sesotho within the school yard and Mr Sekoche, one of our teachers, called me to the staffroom. When I got there, he told me to take out my hand so that he could beat me in the palms. I wasted time by not obeying. He then hit me on the head. He struck me with a pipe right here (showing a bruise on the head). It is still swollen even now.

The learners’ focus groups further revealed that learners sustained broken nails, with black colour, which could indicate that there was a blood clot, and others had their fingers bruised. The learners reported that sometimes they bled from wounds inflicted by the cutting/chip from a stick. Not much seemed to happen after learners sustained bruises or wounds. Mosele, a form D female, learner from Maralla High School explained her experience on the injuries as follows: “*We just wash the blood away, the wound will heal*”. Other learners from the same school, Maralla High School, reiterated that in most cases they obtained minor injuries, which are not worth consulting a medical doctor. The teachers’ opinions on the occurrence of injuries during corporal punishment were also solicited. The results are summarised in Table 4.19.

Table 4.19: Teachers' Opinions on Occurrence of injuries from the use of Corporal Punishment (N=149)

Occurrence of injuries from use of corporal punishment	Frequency	Percentage (%)	Cumulative %
Valid Yes	48	32.2	32.2
No	101	67.8	100.0
Total	149	100.0	

Contrary to learners’ revelation that they were injured through corporal punishment, a majority of the teachers (67.8 %) reported that they had not seen

injured learners. Fewer participants (32.2 %) reported that learners sustained injuries due to corporal punishment.

Mrs Pako, a head teacher at Lehlaka High School, echoed the learners' views on the severity of corporal punishment in their school. She pointed out that:

I do not encourage caning, because one finds that lately we have young teachers who go overboard with punishing learners. They do not beat learners in a way that I like. They beat children all over the body. These children disrespect teachers and teachers also respond by beating them. It is not good. I wish we could do away with corporal punishment because learners end up being more disrespectful. These children test teachers' patience; they refuse to be beaten and say "you cannot do that". Teachers respond by being too forceful to show that they can do it. I wish we could look for alternatives.

Mr Mokhele, the Masimong High School head teacher agreed with the learners that there were cases in which corporal punishment resulted in injuries. He shared an incident wherein he lashed learners who appeared on the Sesotho speakers' list for five consecutive days in one week. He gave them eight lashes on the buttocks and they developed bruises which hurt when they sat down. Their parents later came to school to discuss the matter and they concluded that the prefects seemed to be against some of the learners to the extent that they wrote their names on the Sesotho speakers' list more than they should. According to Mr Mokhele's account, parents seemed not to have problems with their children being beaten, but their concern was on the severity of the punishment and subsequent injuries. Mr. Mokhele's account was echoed by parents who participated in this study. They supported the use of moderate beating as noted in Mrs Lepelo's explanation that:

Ka nepo bana ba lokela ho shapuo a empa joale matichere a na le hore a ba loantse. Empa hona joale ha ba sa ba shapa, ba ba loantsa. Rona re ne re shapuo a ka letsohong feela empa hona joale ba ba lantsa. [Children have to be beaten, but some teachers fight them. They no longer discipline them. We used to be beaten in the palms only, but currently, teachers fight children.]

Mrs. Lepelo's account suggests that parents support the use of corporal punishment, but not in a severe form. These parents use their experience during the past application of corporal punishment to appreciate it.

4.4 Factors that lead to the teachers' use of corporal punishment in Lesotho high schools.

Research question 2: What are the factors that lead to the teachers' use of corporal punishment in Lesotho high schools?

Three themes emerged from the data gathered in response to this question. These themes were anger on the part of the teachers, breach of the school rules regulations and poor performance by the learners.

4.4.1 Anger

Learners were asked, during the focus group discussions, why they thought teachers opted for corporal punishment. Of the nine schools that participated, learners from three schools, namely Lehlaka, Kamele and Maralla High Schools, stated that their teachers beat them out of anger. Anna, a form B, female learner at Lehlaka High School narrated that: *"some boys misbehave in class because Miss Makheka, our female teacher, has a small body. This makes her angry and she beats us severely"*. At Kamele High School, Mookho, a form B female learner explained that: *"teachers are patient with us. They take a long time to get angry. They give us several warnings and they end up beating us because of anger"*.

4.4.2 Breach of the school rules and regulations

In an effort to find out the factors that lead to the teachers' use of corporal punishment in Lesotho high schools, the learners' in focus group discussions were asked the question: Why are you punished using corporal punishment? The learners' responses showed that the breach of school rules was one of the factors that lead to corporal punishment. Learners' late coming was found to be

the major breach of school rules and regulations that caused the use of corporal punishment. Schools start with a study session at seven o'clock in the morning and usually those who arrive five minutes late are punished. The head-teachers' interviews echoed the learners' views on late coming as one of the causes of corporal punishment. With the exception of Lerako High School, all the head-teachers said one of the causes of corporal punishment is late coming. In addition data collected from teachers through a questionnaire also showed that learners were beaten for arriving late at school, absenteeism, disruptive behavior such as speaking in class, failing to submit home-work, giving wrong answers, failing a test, insulting and bullying others and using drugs . The results are summarised in Table 4.20, below.

Table 4.20: Main reasons for using Corporal Punishment on learners (N=149)

Frequency of use of CP	Late coming	Absent	Speaking in class	H. work	Wrong answers	Failing test	Insults	Bully	drugs
v. frequently	40.9	6.7	9.4	27.5	8.0	12.0	24.0	20.7	22.7
Frequently	13.4	6.0	4.0	16.1	3.3	10.0	10.0	10.7	4.0
Moderately	14.1	6.0	8.1	17.4	1.3	11.3	15.3	12.7	4.7
Sparingly	2.0	8.2	8.1	10.7	1.3	10.7	12.7	10.0	4.0
V. Sparingly	9.4	20.8	18.8	9.4	20.7	14.7	6.7	13.2	15.3
Not applicable	20.2	52.3	51.7	18.9	65.4	41.3	30.3	32.7	49.3
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

A majority of the teachers (40.9%) revealed that learners were very frequently beaten for arriving late at school and 13.4% said learners were frequently beaten for late coming. This brought the total number of teachers who positively declared the use of corporal punishment for late coming as a reason for the use of corporal punishment at 53.4%.

The learners' focus groups revealed other reasons for the use of corporal punishment, which included playing making noise in class, dodging lessons, not cutting one's hair, not singing well at assembly as well as dodging punishment. Limakatso, a female learner from Lithaba High School said: "If you dodge

punishment, you get double the number of strokes’. This finding suggests that corporal punishment is used for a variety of misconducts without much differentiation. It also suggests that learners are reluctant to dodge corporal punishment in an effort to avoid more punishment.

4.4.3 Poor performance

It also emerged from the learners’ focus group discussions that teachers beat learners for poor performance in tests. Khaketla, a form B learner at Lithaba High School pointed out that one teacher may exclaim: “*my pass rate is 60%, if you get anything below 60%, he/she beats you*”. Nonetheless, the head-teachers did not agree with learners on this aspect, for all the nine head-teachers stated that corporal punishment was not used for academic reasons in the schools. However, the use of corporal punishment for failing tests surfaced in the questionnaire responses. As illustrated in table 4.20, 12 % of the the teachers’ questionnaire respondents said learners were very frequently beaten for failing tests, while 10 % said that they were frequently beaten and a slightly higher number (12.7 %) said they were moderately beaten for failing.

4.4.4. Failure to submit home-work

A learner’s failure to submit home-work was also given as reason for the use of corporal punishment. The learners’ focus group discussions revealed that teachers use corporal punishment on those who would have failed to submit their home-work. Lereko, a learner a Letsoapo High school, stated that:

Sometimes we get things wrong and we resort to copying from our friends. We are still beaten. We no longer know what to do. We end up feeling that it is best not to do the home-work so that we are beaten for a good reason.

This learner observation was largely confirmed by both the head-teachers and teachers. Eight out of nine (88.8%) head teachers reported that teachers in their schools beat learners for failing to submit home-work. The teachers confirmed that it was common for them to beat learners for failing

to do their home-work, with 43.6 % pointing out that the beating learners for failing to submitting home-work was frequent and 27.5% indicating that it was very frequent. The analysis of all the data suggests that learners are indeed beaten for failure to submit homework and so the 20.1 % of the participants who asserted that learners are sparingly beaten for failing to do the home-work likely probably did so in order to be socially desirable.

4.4.5 Insulting other learners

It also emerged from the learners' focus groups that teachers apply corporal punishment if learners use insults within the school premises. Form B learners from Masimong High School narrated a case where their class-teacher beat a boy from their class for insulting another learner. Responses from the questionnaire also showed that teachers beat learners for using insults. Thirty-four percent of the teachers showed that corporal punishment was frequently applied for use of insults at school with 24% indicating that it was very frequent.

4.4.6. Bullying

The head-teachers reported in the interviews that teachers beat learners for bullying others. Bullying was, however, pointed out as perpetrated mostly by boys against girls. The Masimong High School head-teacher explained: *"I do not tolerate bullying especially committed by boys against girls. I always beat boys who bully girls"*. The teachers' responses to the questionnaire revealed that 20.7 % of the teachers were of the opinion that learners were very frequently beaten for bullying others. A lower number of the teachers (10 %) stated that learners were frequently beaten for bullying others. Finally, although 32.7 % of the teachers indicated that corporal punishment was not used for bullying, the presented data indicates that it is sometimes used.

4.4.7 Indiscipline

Learner ill-discipline against other learners or teachers was met with corporal punishment in schools. Mrs. Pako, a head-teacher at Lehlaka High School

explained the problem of poor discipline as follows: *“disobedience against teachers or teachers’ guidance brings about corporal punishment. Learners are defiant and teachers get hurt. The majority of learners disobey teachers who do not teach them”*. These views demonstrate that academic, physical and social account for the application of corporal punishment. Head-teachers emphasised that learners were not beaten for giving wrong answers in class, but learners’ views were found out to be different in that the learners reported that they were beaten for giving wrong responses in class.

One of the reasons that emerged from the head-teachers’ interviews is that learners were beaten for moving up and down the classrooms. The Lithaba High School head-teacher explained that *“if you are about five minutes late because of office commitments, you find learners moving up and down in the classroom. You give them three lashes and they quickly settle down”*. The learners’ focus group discussions also confirmed that learners were beaten for moving up and down in the classroom. In addition, some teachers do not go to classes when they are supposed to and when they find learners making noise, they beat them. Form B learners from Lehlaka High School stated that teachers beat learners for moving around in the classroom, under the pretense that learners were rowdy. The Lehlaka learners also pointed out that they only had one lesson on the day of the interview, a Friday afternoon, and that their teacher had beaten them for moving up and down and making noise in the classroom.

4.4.8 Creation of power imbalances between the teachers and the learners

The focus group discussions revealed that teachers utilised corporal punishment to build and maintain their authority over learners. Teachers administer corporal punishment when they think learners have done something wrong or have breached the school rules and regulations. All focus group discussions revealed that teachers did not permit learners to discuss circumstances regarding the breach of school regulations as they just beat them. Some teachers also used language in way the entrenched their supremacy. For example, Likabo, a form B learner at Lithaba High School,

narrated an incident in which one teacher, Mr Liphaka, used the punishment of Florence, a form B learner, to express his power over the student by exclaiming that: “*ke tla u bontsa hore na nna ke mang; U tla ntseba hantle*” the nearest translation is: [*I will show you who I am; You will know me well.*] This teacher indicated that he would beat Florence so severely until she knows exactly his strength.

In some schools, teachers drag the alleged learners’ disciplinary problems to the staffroom where it was clear that they had the support of other teachers. Lekoro, a form D learner at Lithaba High School narrated how he was called to the staffroom after arriving at school at seven in the morning but was forced by the teacher on duty to remain by the gate until ten past seven. Later on the teacher tried to beat Lekoro for late coming but he told her that he was not late. The teacher allowed Lekoro to go to class and later called him to the staffroom where he was beaten alongside other learners who had arrived late.

The following item was included in the teachers’ questionnaire to solicit information on the relationship between the use of corporal punishment and teacher’s authority: “Beating learners makes them fear their teachers”. The results are summarised on Table 4.21.

Table 4.21: Teachers' Perceptions on the Influence of CP on Fearing Teachers (N=149)

Beating learners make them fear teachers		Frequency	Percentage %	Cumulative %
Valid	Strongly agree	17	11.4	11.4
	Agree	28	18.8	30.2
	Not sure	19	12.8	43.0
	Disagree	60	40.3	83.2
	Strongly disagree	22	14.8	98.0
	I don't know	3	2.0	100.0
Total		149	100.0	

A large number of the participants did not support the statement (40.3%) while twenty eight (18.8 %) agreed. Seventeen participants (11.4 %) strongly agreed with the statement, bringing the number of participants who were positive about

the statement to 30.2%. Nineteen (12.8 %) were not sure while twenty two participants (14.8 %) strongly disagreed.

4.4.9 Teachers' inclination

Learners' focus group discussions revealed that the teachers' use of corporal punishment was based on their own preference of corporal punishment. Some of them were reported by learners as obsessed with the use of corporal punishment, for each time such teachers caught learners breaking the law, the learners would know that they were going to be beaten. Likotsi, a form D learner from Letsoapo High School expressed this reality as follows: *"Use of corporal punishment depends on teachers not learners. We cannot conclude that learners in a particular class receive more beating than others"*. However, teachers found some classes difficult to handle as the learners in such classes would break the rules regularly. As a result, the teachers resorted to using corporal punishment as the only method of maintaining discipline.

4.5 The learners' perceptions on the use of corporal punishment in the Lesotho high schools?

The current study was interested in the learners' perceptions on the use of corporal punishment. This was in response to the following research question:

Research question 3: What are the learners' perceptions on the use of corporal punishment in the Lesotho high schools?

It emerged from the data that learners have mixed feelings on the use of corporal punishment in schools as noted in the following discussion.

4.5.1 Learners have mixed feelings towards the use of corporal punishment in schools

In the beginning of the focus group discussions, participants in twelve of the eighteen groups supported the administration of corporal punishment on the grounds that it was a deterrent to indiscipline. Lebelo, a form B male learner had this to say:

It is okay for teachers to beat us so that we can maintain order and so that we do not behave as we please. If teachers do not beat us, we can make noise as much as we like, knowing that nothing will happen to us; even if we arrive at eight, one hour late, we are not going to be beaten.

Tumelo, a form B learner at Lehlaka High School described the nature of the discipline used at school thus: *“We have not been discipline badly in this school. We are well disciplined using a stick”.*

It also emerged from the learners’ focus group discussions that learners who supported the use of corporal punishment also preferred it. Form D learners at Letsoapo High School who compared the use of corporal punishment with other forms of punishment such as digging a pit noted their disfavour for the latter form of punishment because one would spend a whole week digging a pit as deep as their height without attending classes. Furthermore, one would be instructed to re-fill the pit by putting the soil back into the pit after digging it; hence, they preferred being beaten as the pain healed faster and they would soon forget about it. This indicated that preference for corporal punishment was based on both its effectiveness and convenience.

Though learners appeared to support the use corporal punishment at school, deeper discussions revealed that they did not support severe beating. They indicated that corporal punishment is sometimes necessary to maintain discipline but some teachers would go overboard. Tsitso, a form D learner at Kamele High School explained that: *“U ka inahanela ha motho a u theoha feela ka thupa a sa khethe moo a u otlang teng. Hono ha e sa le khalemelo.”* [You can imagine how you would feel when someone beats you all over the body with a stick without targeting a particular area. That is no longer a disciplinary measure.] A Letsoapo High School form D male learner, Lehlohonolo, also stated that he did not accept corporal punishment so much that he sometimes felt like dropping out of school after being beaten. Furthermore, the Lithaba High School form B learners described the incident about a male learner, Tokiso, who dropped out of school the previous year to

escape corporal punishment. As a result, the researcher asked the participants in the group if they had considered dropping out of school due to corporal punishment and the learners affirmed that they had never harboured a desire to drop out of school due to fear of or exposure to corporal punishment.

It also emerged from the learners' focus group discussions that learners retaliate against severe corporal punishment by becoming stubborn and continuing to break the school rules. Tokelo, a form D male learner at Toropo High School explained that: *"I get used to being beaten and continue doing naughty things"*. Mosili, a form B female learner at Lithaba High School also pointed out that: *"I was beaten in the morning, for speaking in Sesotho. My hand is no longer painful. I have even forgotten that I was beaten and I am speaking Sesotho again"*. Finally, Likabiso, a form D learner at Masimong High School echoed the same sentiments in her view: *"once they write my name on the Sesotho speakers' list, I speak Sesotho as much as I like because I know that I am already going to be beaten"*. These views suggested that learners may decide not to obey the school rules and regulations once they have been beaten or become aware of an impending beating for breach of regulations.

Focus group discussions revealed further that although some learners perceived the application of corporal punishment as severe and unfair, they had a positive regard for it, arguing that they grew up being beaten at home. Temoho, a form B learner at Lerako High School noted: *"Teachers are like our parents, they use a stick on us just as our parents do"*. This perception suggested that they interpreted the use of corporal punishment as a norm and not a breach of the law.

The learners' acceptance of corporal punishment seemed to make them like their teachers. Some learners were aware that they could report teachers who use excessive corporal punishment to the police or to the Ministry of Education and Training (MOET), but they felt that reporting teachers could result in their contracts being terminated. Likotsi, a form D learner from Letsoapo High School said: *"imagine if teachers lose their jobs just because they beat us"*. This indicated that they did not find the use of corporal punishment as bad enough to

warrant the dismissal of their teachers from their jobs. The learners' mixed feeling on corporal punishment suggests that learners appreciate the use of corporal punishment in schools. Learners however seemed to have problems with extreme use of cane, indicating that they accept it if it is perceived to be severe.

4.6 Reasons for the use of corporal punishment to persist despite it being legally abolished.

It is mandatory for citizens to abide by the laws. However, previous studies (Pokothoane 2011; Vihito 2011) and this study reveal that the use of corporal punishment persists in Lesotho schools despite its abolition.

Research question 4: Why does the use corporal punishment persist despite it being legally abolished?

The themes that emerged from the data included the perceived effectiveness of corporal punishment, lack of knowledge of the law and the poor mechanism of reporting of the breach of the law. Each of these themes is elaborated below.

4.6.1 The Perceived effectiveness of Corporal Punishment

The head teachers' interviews revealed that some head-teachers perceived corporal punishment as an effective deterrent because learners would not repeat the same mistake after punishment. Mr Malepa, the head-teacher at Letlapeng High School stated that: "*corporal punishment is effective, you do it for two days and afterwards learners no longer arrive late at school*".

The above positive perception of corporal punishment is also related to the teachers' belief that learners respect teachers who beat them. This is shown by the teachers' responses to the question: "Learners respect teachers who beat them". Table 4.22 summarises the results.

Table 4.22: Learners Respect Teachers that Beat them (N=149)

Learners respect teachers that beat them	Frequency	Percentage (%)	Cumulative %
strongly agree	29	19.5	19.5
Agree	33	22.1	41.6
Valid Not sure	41	27.5	69.1
Disagree	20	13.4	82.6
Strongly disagree	21	14.1	96.6
I don't know	5	3.4	100.0
Total	149	100.0	

A large number of the teachers (41.6%) were of the opinion that learners respected teachers who beat them with 19.5% strongly agreeing with the statement. Some participants (27.5%) were not sure if learners respected teachers who use corporal punishment. There were some participants (27.5 %) who disagreed with the statement while a further 14.1 % strongly disagreed.

The teachers' questionnaire had the following item which aimed at unravelling information on the perceptions of the participants on the effectiveness of corporal punishment: "Beating children is the only thing that is effective when they disobey". Table 4.23 shows these results.

Table 4.23: Teachers' Perceptions on the Effectiveness of Beating Children when they Disobey (N=149)

Effectiveness of beating children	Frequency	Percentage %	Cumulative %
Strongly agree	22	14.8	14.8
Agree	25	16.8	31.6
Not sure	9	6.0	37.6
Disagree	54	36.2	73.8
Strongly disagree	33	22.0	96.0
I don't know	6	4.0	100.0
Total	149	100.0	

The responses revealed that a majority of the participants (56.2%) disagreed with this statement, with 22.0% strongly disagreeing with the statement that

beating children is the only effective disciplinary measure to use when they disobey. Only 31.6% of the participants agreed that beating learners is effective. This means that more than half of the participants did not believe that beating learners was the only effective means for curbing misbehaviour.

4.6.2 Teachers, Learners and Parents' Support for the use of Corporal Punishment

The Head-teacher's interviews revealed the view that learners are disciplined through corporal punishment because both the learners and parents accept its use at school as they grew up being beaten at home. Mr. Bereng, a head-teacher from Kamele High School explained that:

The use of corporal punishment at school is the extension of its use at home. Teachers use it because learners already understand its use. If the school changes its way of discipline, learners will cause problems at home and demand different approaches to discipline.

Furthermore, parents support the use of corporal punishment at school to the extent that they even go to school to apply it on their own children. Likabo, a form B learner at Lithaba High School, confirmed this as noted here:

My parents support corporal punishment. I am scared to tell them when I have broken school rules because they can go to school to beat me in front of everybody. I do not even like it when teachers involve my parents when I have breached school rules. I prefer the matter to be settled at school.

Parents' responses to the question seeking their opinion on the use of corporal punishment are in fact instructive. The question posed was: "Should teachers use corporal punishment on Learners to discipline learners?" The results show that fourteen (77.7%) parents felt that it is permissible for teachers to beat learners. Mrs. Lengope explained that: "*Bana bana ba setoutu, ba khonoa ke thupa feela*". [These children are naughty; they only behave well when they are beaten.] However, one of the fourteen parents who supported the use of corporal punishment in schools knew that it was no longer allowed. She

nonetheless felt that it was necessary to curb children’s indiscipline. In addition, one parent, Mr. Lethunya, was worried that the use of corporal punishment is problematic to learners with health problems that teachers may not be aware of. These results, therefore, suggest that a majority of parents are aware of the use of corporal punishment in schools and also support its use on the learners.

To solicit teachers’ perceptions on the effectiveness of corporal punishment, participants were requested to show their opinions on the following statement: “learners become unruly if they are not beaten”.

Table 4.24: Teachers' Perceived Effectiveness of Corporal Punishment

Learners become unruly if they are not beaten	Frequency	Percentage %	Cumulative %
Strongly agree	37	24.8	24.8
Agree	62	41.6	66.4
not sure	14	9.4	75.8
Disagree	18	12.1	87.9
Strongly disagree	12	8.1	96.0
I don't know	6	4.0	100.0
Total	149	100.0	

As illustrated in table 4.24, a majority of the participants (66.4 %) agreed with the statement and 24.8 % strongly agreed. The statistics on teachers who disagreed with the statement was 20.2 % and those who strongly disagreed were 8.1 %. This finding suggests that teachers believe in the effectiveness of corporal punishment because the majority believes that learners who are not beaten become unruly.

The teachers’ perceptions on the effectiveness of corporal punishment were requested by asking for their opinion on the following statement: “Corporal punishment is an ineffective way of disciplining children”. Table 4.25 summarises these results.

Table 4.25: Teachers' Opinions on effectiveness of Corporal Punishment in Disciplining Children (N=149)

Corporal punishment is an ineffective way of disciplining children	Frequency	Percentage (%)	Cumulative %
Strongly agree	18	12.1	12.1
Agree	25	16.8	28.9
Not sure	15	10.1	38.9
Disagree	46	30.9	69.8
Strongly disagree	35	23.5	93.3
I don't know	10	6.7	100.0
Total	149	100.0	

The results revealed that a majority of the participants (51.4%) disagreed with the statement that corporal punishment is an ineffective way of disciplining learners, with 23.5% strongly disagreeing with the statement. The rate of teachers that agreed with the statement was 28.9%, with 12.1 % strongly agreeing. This finding suggests that a majority of the participants believed that corporal punishment was effective. The few participants (10.1 %) who are not sure if corporal punishment is ineffective could be those who do not believe in it, but are using it because it is used in their environment.

4.6.3 Knowledge of the law by the learners, teachers and parents

In an effort to gather information on the perceived persistence of corporal punishment in schools, head-teachers and learners were asked to explain the national laws governing corporal punishment. Learners in all the focus group discussions were not aware of the laws that regulate corporal punishment in the country except one boy, Tefo, a form D learner from Letsoapo High School. Tefo narrated that in his previous school, policemen went to address learners on issues of discipline in school and they had policemen informed learners that only the head teacher has a mandate to administer corporal punishment to learners. The policemen reportedly explained that if learners were not happy with the way teachers beat them, they could report the matter to the police station, where legal documents will be processed to enable the matter to be taken to court.

It was also revealed in other schools, such as Lithaba High School that, learners were not aware of the national laws on corporal punishment. However, it emerged from the form B learners' focus group discussion that their teachers had informed them that the Ministry of Education allowed teachers to beat them to a minimum of five strokes and teachers had the right to administer a maximum of fifteen strokes to a learner at a time. The form D learners in the same school were not aware of allegations made by the junior learners regarding the number of strokes permitted by the ministry. It is possible that teachers may have stated that the ministry allowed that in order to make learners to accept corporal punishment.

Interviews with the head-teachers revealed that all the nine knew the Lesotho Education Act 2010. Nonetheless, the practice in eight schools was contrary to the stipulations of the law because corporal punishment was found to be rife. The head-teachers were cognisant of the fact that corporal punishment was legally banned. They were also aware that it was still used in their schools. The practice was reportedly different at Lerako High School, where the head-teacher pointed out that the school did not use corporal punishment at all, in line with the 2010 Education Act. Nonetheless, the head-teachers who turned a blind eye to the use of corporal punishment in their schools rationalised its use on the ground that it was culturally permissible and its application in schools operated in line with disciplinary measures used at home.

At Masimong High Schools, the head-teacher reported that the school applied corporal punishment on learners because parents permitted the school to do so. He narrated that when the Ministry of Education and Training abolished corporal punishment, the school called the parents to discuss the issue. However, as he reported:

Parents said that we should rather use a stick to discipline learners. Not using it could mean that other forms of discipline, such as suspension and expulsion will have to replace corporal punishment.

It must be noted that a request to see the copy of the 2010 Lesotho Education Act at the eight schools where corporal punishment was still in use was not met. Head-teachers stated that they had misplaced the school copy, while others said the school did not have copies. Instead, the Masimong and Lehlaka High Schools' head-teachers showed copies of the Head-teachers' Manual where issues of corporal punishment were outlined in line with the 1995 Education Act. The Act stipulated that the head-teacher was the only one that could administer corporal punishment and such use had to be recorded. The presence of the Head-teachers' manual suggested that the use of corporal punishment in these schools would be guided by the 1995 Education Act. Surprisingly, the use of corporal punishment in these two schools was not in line with the provisions of the 1995 Education Act. Every teacher was reported to beat learners, not in the presence of the head-teacher and cases of corporal punishment use were not recorded in the log book. It was in one school only, Maralla High School, where the head-teacher produced the disciplinary cases' log-book to the researcher. However, these were not related to the application of corporal punishment.

The interviews revealed further that the head-teachers had heard about the 2010 Education Act from different sources such as the media and work-shops organised by the MOET. Mrs. Pako, the Lehlaka High School head-teacher, commented that the workshop organised by the MOET highlighted the adverse results of corporal punishment and how it violated against the children's human rights. She however suggested that work-shops on how to introduce the change and the alternative approaches to corporal punishment would have helped. She also observed that the work-shop was donor-driven and that could be the reason for lack of follow up work-shops on the matter.

In all the nine schools where interviews were conducted, the head-teachers were still in favour of the use of corporal punishment, but they emphasised that

its use should be strictly regulated and that only a light cane should be used. The general positive attitude of all the stakeholders towards corporal punishment seems to result in poor mechanisms of reporting the use of corporal punishment. A few parents that addressed the issue of corporal punishment did so because it was too severe.

The teachers' questionnaire had the following question to elicit information on the teachers' knowledge of the national laws on corporal punishment: "Are there any laws that govern corporal punishment in Lesotho"? The results are illustrated on Table 4.26.

Table 4.26: Percentage of Teachers with knowledge of the Laws that Govern Corporal Punishment in Lesotho (N=149)

Are there any laws that govern CP in Lesotho?	Frequency	%	Cumulative %
Yes	114	76.5	76.5
No	26	17.4	94.0
I don't know	9	6.7	100.0
Total	149	100.0	

A majority of the teachers (76.5%) knew about the existence of the laws, while 17.4 % said that such laws did not exist. A small number (6.7 %) was not aware of such laws.

The follow up question on the teachers' questionnaire was: "Do teachers observed the national law on corporal punishment? Table 4.27 summarises the results.

Table 4.27: Teachers' Perceptions on Adherence to the National Laws on the use of Corporal Punishment (N=149)

Do teachers observed the national laws?	Frequency	Percentage (%)	Cumulative %
Yes	76	50.7	50.7
No	62	41.3	91.3
I don't know	12	8.0	100.0
Total	149	100.0	

The findings indicated that a majority of the participants (50.7%) observed the national law on corporal punishment. However, 41.3 %noted that the laws were not adhered to. Finally, 8% of the participants did not know whether the law was adhered to or not.

The head-teachers' interviews indicated that cases of severe punishment were addressed by the schools. Mr Koloti, a head-teacher at Maralla High School and Mrs. Pako, a head teacher at Lehlaka High School narrated incidents which had occurred at their schools and how the school management reprimanded teachers who beat learners severely. Both head-teachers suggested that teachers had to be reprimanded because of the magnitude of punishment given to learners. Parents in both cases wanted to inform the police about the assault cases, however, the community and the cooperation of the school made them not to go further with the cases. To solicit more information on this aspect, the teachers were asked: Are teachers who break the laws on the use of corporal punishment disciplined. The results are shown on Table 4.28.

Table 4.28: Awareness of Teachers being Disciplined for Transgressing Corporal Punishment Laws (N=149)

Teachers disciplined for transgressing CP laws	Frequency	Percentage (%)	Cumulative %
Yes	20	13.4	13.4
No	116	77.9	91.3
I don't know	13	8.7	100.0
Total	149	100.0	

A majority (77.9%) said that they were not aware of teachers being disciplined for breaking the laws governing corporal punishment. Fewer participants (13.4%) were aware of some laws and thirteen teachers (8.7%) did not know.

In an effort to acquire information on the learners' awareness of the laws on the corporal punishment, the researcher asked the learners whether they knew any international laws on corporal punishment. None of them knew the international laws on corporal punishment. They had information about what human rights were and could mention a few, including the fact that children should not be

treated in a degrading and inhumane manner, but they did not know about the CRC. Moreover, learners did not recognise the application of corporal punishment as treating children in a degrading and inhumane manner. A few learners were aware that learners were not supposed to be beaten in South Africa and said this with some envy.

Parents seemed to lack knowledge of the national law on corporal punishment. All the eighteen participants said they did not know the national laws on corporal punishment. Only one parent (5.5%) knew that learners are not supposed to be beaten because corporal punishment violates learners' rights. She said that: "*Ho thoe bana ba na le litokelo mme thupa e khahlono le litokelo tsa bona. Ho ba shapa ke tlhoketso ea litokelo tsa bona*". [It is said that learners have rights and beating them is a violation of their rights].

The above suggests that if parents do not know the laws governing corporal punishment, they may not be aware that teachers act in violation of the laws. This indicates that the violation of the laws may go unreported. Learners are therefore left without the necessary protection envisaged by the law. This, therefore, leads to poor reporting on the breach of the laws.

4.6.4 Poor mechanisms of reporting the breach of the laws in schools

The focus group discussions were given the following question, which sought data on the channels that were used to report on the use of corporal punishment: "To whom do learners report excessive use of corporal punishment"? The question had to focus on severe corporal punishment because moderate beating was acceptable to learners. The responses indicated that the reporting of cases of severe corporal punishment was hierarchical. Learners had to voice their grievances to their class teachers first, who could solve the problem or report it to the deputy principal if he/she was unable to deal with it. The deputy principal could solve the matter, failing which the matter would be passed to the head-teacher. However the learners' opinion was that reporting incidences of ferocious punishment in this manner was not

beneficial to them because some class teachers did not entertain learners' grievances. Mosili, a Form B learner at Lithaba High School pointed out that:

When we report our grievances our teachers tell us that they are not judges and that they do not have time for such cases. The deputy principal she tells us that her office is not a court room.

Form B learners from Kamele High School narrated how their class teacher, inresponding to complaints about severe punishment, would ask them about what would have happened and usually conclude that the learners deserved such punishment. Sometimes teachers became sarcastic as noted in the way they made comments such as: "*Akere le bana ba litokelo joale ha le sa batla ho shapuo*" [*Isn't it you are rights' children and you no longer want to be beaten*]. This was alleged by learners from Letsoapo High School.

Focus group discussions with lerners on the matter revealed that reporting on the severe use of corporal punishment at home was not useful. Some learners said they reported severe beating to their parents who became angry and did not do anything. Form D learners at Letsoapo High school narrated that a student who was badly beaten by a teacher went home to report the matter and when her mother came to raise her concerns with the school, the head teacher instructed the students to report such incidences to the deputy head and teachers and not at home.

To solicit more information on the procedure followed in reporting the violation of the law, the teachers questionnaire had the following item: "Are there any procedures in place to report the trangressions of the laws governing corporal punishment"? The results are illustrated in Table 4.29.

Table 4.29: Teachers' views on the Availability of Procedures to Report Transgressions of the Laws on Corporal Punishment (N=149)

Availability of procedures to report transgressions of the laws on corporal	Frequency	Percentage %	Cumulative %
Yes	22	14.7	14.7
No	52	34.7	49.7
I don't know	76	50.6	100.0
Total	149	100.0	

As illustrated on Table 4.29, the majority (50.6%) of the teachers did not know if the procedures to follow on reporting the violation of the laws on corporal punishment existed. A small number (14.7%) stated that there was a procedure in place. These results suggest that violations of the laws on corporal punishment went unpunished, for if they had existed; a number of teachers would have witnessed their colleagues being punished.

The learners revealed that instead of reporting corporal punishment incidences at home or at school, they preferred to refuse to be beaten. Preference to refuse to be punished was ideal because under such circumstances they were sent home to call their parents. They pointed out that refusing to be beaten, when they felt canning was too severe or unfair, would result in parents being called to the school and that would offer them a chance to express their side of the story in the presence of their parents. However, a problem occurred where teachers expelled learners who refused to be beaten, because usually the learner's refusal to leave the classroom was followed by teacher's leaving of the room. This teacher's decision to leave the classroom was considered unfavourable because other learners would suffer as a result of one learner refusing to be beaten. A further disadvantage of refusing to be beaten was that other teachers would start to mock and mistreat such learners on the grounds that they would be thinking that they think they were better than everyone.

Having established that head-teachers were aware of the 2010 Education Act, the following question was asked to solicit further information on the implementation of the law: "what activities were done to ensure that the new

2010 Education Act is practiced in schools”? All the head-teachers who participated in the study said that they were not aware of any activity intended to ensure that schools adhered to the law. However, District Education Officers (DEOs) visited Maralla High School because they had received an anonymous letter alerting the office that teachers in this particular school were using severe corporal punishment. However, according to the school head-teacher’s account, they DEOs could not find the learner whose parents had written the letter and as such returned to their offices with a perception that the letter was a joke.

Research question 5: How does the Basotho culture influence teachers’ perceptions on the use of corporal punishment in the Lesotho high schools?

Some newspaper articles (*Lesotho Times*, 18th November 2009) point to the influence of culture on the use of corporal punishment. It is because of this article that the researcher sought information on the influence of culture on the use of corporal punishment.

4.7 The influence of culture on the prevalence of corporal punishment

The data collected revealed that the Basotho culture positively influences the use of corporal punishment despite its legal abolition. The themes that emerged pointed out that the Basotho proverbs are among the factors that make the use of corporal punishment to persist.

4.7.1 The use of Basotho proverbs to sustain the use of corporal punishment in schools

The interviews revealed that some head-teachers considered corporal punishment as part of the Basotho culture. All the nine head-teachers supported the view that corporal punishment was part of the Basotho culture, (including the one who said that they did not use corporal punishment in her school). Of the nine head-teachers, seven quoted the Basotho proverbs: “*Thupa e otlolloa e sa le metsi*”[*a stick is straightened while it is still wet*]. They explained that this proverb means that children have to be beaten while they

are still tender so that they will behave appropriately. The second idiom that was referred to was “*Ha u sa utloe ha u joetsoa, u tla utloa ka letlalo*” [if one cannot respond when being told, they respond well with pain]. This was taken to mean that pain from a beating was efficient as a disciplinary measure.

The use of corporal punishment at home also supports the belief that corporal punishment was a cultural practice. Mr Bereng, the head-teacher at Kamele High School pointed out that teachers used corporal punishment at school because it was in line with its use at home. He went further to explain that teachers did not want to introduce new ways of discipline at school, because this could clash with home discipline. Mr Malepa, a head-teacher at Letlapeng High School, remembered a Basotho norm where the mother uses a light cane to discipline a toddler. The significance of this memory was to show that a stick was used on children early in life. Furthermore the head-teachers emphasised their role of acting in the place of parents when children are at school, hence their duty to utilise corporal punishment.

Learners’ focus groups also revealed that learners perceived the use of corporal punishment at school as in line with the cultural practices. All the participating groups referred to the same idioms that their head-teachers talked about. Potlako, a form B learner from Kamele High School, explained: “*Ha motho a sa utloe ha a joetsoa o utloa ka letlalo*” [if one does not understand when they are told, he/she understands better if he/she is beaten]. Likengkeng said: “*akere Basotho ba re thupa e otlolloa e a sa le metsi*” [Isn’t it that Basotho have a saying that a stick is straightened while still wet]. Parents reiterated the learners’ and the head-teachers’ perceptions on the use of proverbs to substantiate the use of corporal punishment:

Ee thupa ke moetlo oa Basotho. Akere ba nale ntho ee e reng thupa e otlolloa e sa le metsi. E bolelang hore ha u sa khalemele ngoana a sa le monyane ha a se a le moholo o u tlala matsoho. U lokela hore u mo khaleme, u mo shape a sa le monyane. [Yes it is part of the Basotho culture. There is this saying that a stick is straightened while it is still wet. It means that a child needs to be reprimanded while still young. If you don’t do that she/he will be difficult to handle].

This indicates that the head-teachers, parents and learners regard corporal punishment as part of the Basotho culture; hence its use does not raise any eyebrows as it is accepted as a good practice.

4.7.2 The perception that corporal punishment is part of the Basotho norms

Teachers' responses reflected that a large number of participants believed that corporal punishment is part of the Basotho culture. These results are summarised in Table 4.30

Table 4.30: Teachers' Opinions on Beating Learners as part of the Basotho Culture (N=149)

Beating learners is part of the Basotho culture	Frequency	Percentage (%)	Cumulative %
Strongly agree	44	29.5	29.5
Agree	66	44.3	73.8
Not sure	19	12.7	86.6
Disagree	10	6.7	93.3
Strongly disagree	9	6.0	99.3
I don' t know	1	.7	100.0
Total	149	100.0	

A majority of the teachers (73.8%) agreed with the statement, with 29.5% strongly agreeing. Fewer participants (12.7%) did not believe that corporal punishment was part of the Basotho culture and 9% strongly disagreed. The participants who disagreed with the statement could be those who were being socially desirable. Bryman (2012) describes social desirability as a type of bias committed by participants who want to appear to be correct. They could have been aware that corporal punishment was abolished and therefore decided to give an accepted response.

All the data reflected a positive regard for the corporal punishment of the school participants. The parents and head-teachers interviews, the learners' focus

groups and the questionnaire point to a perception of corporal punishment as a cultural phenomenon.

4.8 Strategies needed to reduce corporal punishment in the high schools of Lesotho

The themes that emerged on this sub-theme were diverse. They indicated mixed feelings on the reduction of corporal punishment. The following discussion dwells on the themes that emerged on the eradication of corporal punishment in schools.

Research question 6: What strategies are needed to reduce corporal punishment in the high schools of Lesotho?

For answers to this question, the learners were asked: “what do you think can be done to reduce corporal punishment in schools”? The responses to this question were diverse. There were learners who could not envision their schools without corporal punishment. Malepoqo, a form B learner at Lerako High School expressed her fear that the school rules and regulations would become tougher, should corporal punishment use cease. Thabang, a form D learner at Lithaba High School reiterated that they would have to call their parents for minor reasons that could be dealt with at school, without troubling their parents. However, a majority of the groups wanted corporal punishment to be used in moderation.

Data from all the learners’ focus group discussions suggested that rules and regulations should be clear and accompanied by clear measures of discipline. They explained that this would restrict teachers not to go overboard with punishment.

Learners also suggested that communication channels between the learners and the teachers should be open to allow learners to say their side of the story. Topollo, a form B learner expressed that: *“it is best to talk to me privately and show me where I have gone wrong and what I have to do to avoid the same mistake next time”*. Lineo, a form B learner at Lithaba High School appreciated

her teacher's effort to talk to them as noted here: *"our class teacher verbally reprimands us if we misbehave. If it does not work she lashes us a maximum of three strokes in the palms and we behave properly after that"*.

Other suggestions included running around the classrooms, cleaning the toilets and school surroundings as well as collecting stones for various uses.

A recurrent suggestion from the head-teachers' interviews on the alternative to the use of corporal punishment was talking to learners. Learners felt that it would help if teachers discussed the breach of the school rules with them as this could help the teachers to understand the learners' reasons for breaching the laws. Mrs. Ndaba, the Lerako High School head-teacher emphasised that: *"we need learners on board; we need to talk with them and give them respect as human beings"*. Mr Malepa, from Letlapeng High School, reiterated that it was important to talk to learners and show them the possible results of their misbehaviour". The head-teachers also highlighted the importance of education, both at home and at school. They emphasised that proper home discipline was important for learners to behave appropriately at school. Mrs. Bonolo, the Lithaba High School's head-teacher reiterated that: *"Education equips learners with appropriate knowledge of right and wrong and the home education forms a good foundation for teachers to build on"*.

Document analysis

This section focuses on the data that was collected from school documents. Of the nine schools from which qualitative data was collected only were found to have documents related to disciplining learners. Seven schools did not have documents such as the copy of the Lesotho 2010 Education Act, a log book for recording disciplinary actions taken against learners as well as the school rules and regulation. At Lerako high school, a student hand book was produced. However, the hand book did not have any issues related to corporal punishment. It just stated that students who violate the rules will be severely punished. A follow-up on this matter with the learners revealed that in most cases a heavy punishment means corporal punishment. At Maralla High

School, the researcher was shown a log book. A log book is used to record the learners' cases of misdemeanor and the punishment that given to learners. Only a few entries were done in the log book. However, none of the entries were related to use of corporal punishment. The lack of entries on corporal punishment within a context where it is reported to be rife, suggested that teachers do not perceive it as worthy to be recorded. The school management and the Ministry of Education and Training may not be enforcing the proper filling of the log book.

4.9 Summary of findings

Following is the summary of findings presented in relation to the research questions.

Research question 1: To What extent of the use of corporal punishment in Lesotho high schools?

Data revealed that corporal punishment is rife in the high schools of Lesotho, despite it being illegal. A majority of teachers were reported to be using corporal punishment in the Lesotho high schools. Both male and female teachers, as well as science and language teachers were reported to be fond of using corporal punishment on learners. A few head-teachers were also found to be constantly using corporal punishment on learners besides the law. Teachers applied corporal punishment on the palms, buttocks and back of the hands. The administration of corporal punishment in the palms was frequently done using a stick, a gas or electricity wiring pipe. The buttocks were mostly hit using a gas or electricity wiring pipe while the back of the hands are beaten with a wooden duster. The application of corporal punishment by slapping was rare. Whips and sjamboks were used in some schools, however, only a few teachers seemed to use them. Schools do not seem to have rules and regulations that regulate the use of corporal punishment in schools. Each teacher uses corporal punishment as they see fit. Teachers can beat learners as a group: this can be a group of science, English language or female teachers. Parents are aware that corporal

punishment is rife in schools and felt that it is permissible for teachers to beat learners.

Other measures of discipline used in the Lesotho high schools include instructing learners to dig a deep pit and re-filling it with soil thereafter and collecting stones. These alternative measures of discipline nevertheless are still reflecting corporal punishment.

Corporal punishment was found to be an important disciplinary measure that is used daily in a large number of schools. It is used for various reasons such as breaching the school rules and regulations, speaking Sesotho within the school yard, using vulgar language, bullying other learners and not doing homework. Beating learners is so common that a majority of the participants took it to be a routine in Lesotho. Corporal punishment is severely used to the extent that some learners develop bruises and other injuries. However, in a large number of cases the bruises are taken to be minor by both learners and teachers and nothing is done about them. Parents agreed that they were aware that some teachers use severe corporal punishment.

Research question 2: What are the factors that lead to the teachers' use of corporal punishment in Lesotho high schools?

The factors that lead to the teachers' use corporal punishment on learners are emotional, academic and social. Emotional reasons include the teachers' anger against the learners. Some learners provoke teachers by being stubborn in class or showing indiscipline towards their teachers and fellow learners. This makes the teachers to be angry and to resort to the use of corporal punishment. Academic reasons include poor learners' performance in a test and failure to submit home work as well as submitting home-work responses that seem to have been copied from other learners. Teachers set their pass mark average and learners who perform below it would be beaten. Some learners do not do their home-work while others submit work that was copied. These attract corporal punishment from teachers. Poor attendance of lessons by teachers also attracts corporal punishment of learners. In the absence of a teacher in

the classroom, learners make noise and move up and down in the classroom. Teachers then go on to beat them when they arrive. The social reasons that attract corporal punishment are, among others, bullying other learners and using vulgar language within the school premises.

Some teachers beat learners because of their own preference for corporal punishment. These are the teachers who are known to prefer the use of corporal punishment. The school community is aware that once such teachers catch a student engaging in misconduct the disciplinary action to be taken is corporal punishment.

Research question 3: What are Lesotho learners' perceptions regarding the use of corporal punishment in their schools?

Learners seem to have mixed feelings on the use of corporal punishment in schools. At the beginning of the discussions they seemed to accept the use of corporal punishment by teachers, as they said that it is correct to beat them when they broke the schools rules. They also grew up being punished at home so they have a positive regard of corporal punishment. However, deeper discussions revealed that learners did not like the severe use of corporal punishment. According to the learners, a severe use of corporal punishment was tantamount to fighting them and not an administration of discipline.

The findings further revealed that some learners felt that the use of corporal punishment was preferable than other forms of punishment such as digging a pit. Digging a pit was not favoured by learners because they missed lessons during the period when given such a punishment. Corporal punishment was also preferred because the pain incurred quickly heals. Furthermore, learners also get used to it and break the rules despite being beaten, just as they do if they are aware that they are likely to be punished because they spoke Sesotho; for they will be certain that they are already going to be punished anyway.

Some learners knew that they could report teachers who used severe corporal punishment to the MOET. However, this option was reportedly not palatable to

learners, as they felt that teachers cannot lose their jobs just because of disciplining them using corporal punishment.

Research question 4: Why does corporal punishment persist in the Lesotho high schools despite it being abolished?

The use of corporal punishment in the Lesotho high schools was found to persist because learners, teachers and head-teachers perceive it to be effective. These school stakeholders find corporal punishment to be effective because it is a deterrent. Teachers also believe that those teachers who beat learners are respected in schools and that learners become unruly if they are not beaten. Parents were also reported to support the use of corporal punishment in schools. Some parents are reported to be willing to beat their own children at school and some parents even encouraged teachers to beat learners as a disciplinary measure.

Although the teachers and the head-teachers reported that they were aware of the laws on corporal punishment, the learners did not know that corporal punishment has been abolished in Lesotho. Only one boy knew the old law on corporal punishment but he was not aware of the 2010 Education Act which abolished corporal punishment. Some learners were misinformed by their teachers that the MOET allowed teachers to apply from five to fifteen strokes on learners. Only two parents (20%) knew the laws on corporal punishment. Although the head-teachers knew of the status of corporal punishment, they also seemed to be aware that it was still used in their schools. While some head-teachers felt that corporal punishment should be used because learners grew up being beaten, others did not know what to do to reduce it.

The findings in this study further revealed that teachers who break the laws on corporal punishment were not punished by the school or the MOET. A few cases only, where corporal punishment was regarded to be too severe, received parents' attention. However, the teachers responsible for applying such a severe punishment were not disciplined because the school and the

teachers were corporative. In some cases, members of the community talked parents out of taking the matter further.

The mechanisms of reporting corporal punishment at school were found to be poor. A majority of cases were found to be neglected by both the teachers and the school administrators. This situation made learners to refrain from reporting on the severe use of corporal punishment. Some learners reported that they refuse to be beaten so that they can be expelled from school, that way creating an opportunity for their parents to come to school and settle the matter. This was preferable because learners were given a chance to say their side of the story.

Research question 5: How does the Basotho culture influence teachers' views regarding the use of corporal punishment in the Lesotho high schools?

Parents, head-teachers, teachers and learners regarded corporal punishment as part of the Basotho culture. They used the Basotho proverbs on corporal punishment to prove that it is part of the culture. Such proverbs include "*thupa e otlolloae sa le metsi*" [a stick is straightened while it is still wet]. With the exception of teachers, all the groups of the participants had a similar interpretation of the proverbs. The interpretation of the proverbs indicated that it is acceptable to use a stick to correct children's behaviour. The use of a small stick by mothers at home to reprimand toddlers was also used to prove that corporal punishment was part of the Basotho culture. The idea behind this practice is that it is safe to use a stick because it does not even harm children as young as toddlers.

The use of a stick was also seen as a cultural practice because children grow up being beaten for wrong doing at home. The practice of using a stick at school is on the basis of the home practice. Learners are not surprised when they are beaten at school. They interpret it on the basis of its home use and therefore find it acceptable. The interpretation of corporal punishment as

moderate or severe is also based on its home use. Participants perceived moderate corporal punishment to be acceptable.

Research question 6: What strategies are needed to reduce corporal punishment in the Lesotho high schools?

Head-teachers and learners envisioned a bleak future in their schools, should corporal punishment be totally abolished. They felt that a state of anarchy would prevail in schools if teachers stopped the use of corporal punishment as learners would behave as they please knowing that mild forms of punishment would be applied. However, both the learners and the head-teachers advocated for the use of mild corporal punishment. Examples of mild corporal punishment include a maximum of three strokes per learner and caning the learners in the palms only. They suggested that the mild corporal punishment had to be regulated to ensure that it remained moderate. Talking to learners was viewed as an important mechanism of disciplining learners as it allegedly assisted the learners to know how and would they have breached the laws.

4.10 Summary

The current chapter focused on data presentation, analysis and interpretations. The next chapter discusses the findings and conclusions, as well as makes recommendations for future studies.

CHAPTER FIVE: DISCUSSIONS, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

The purpose of this study was to determine the extent of prevalence of corporal punishment in the high schools of Lesotho, in spite it being legally abolished. This chapter discusses the findings of the results and makes the conclusions as well as recommendations of the study. The discussion draws on Bronfenbrenner's (2006) bio-ecological model of human development and ideas from previous studies on the use of corporal punishment in schools. Furthermore, the discussion on the findings is guided by the research questions and themes that emerged from the results. Finally it must be underscored that the names of the schools, the head-teachers, the teachers and the parents and the learners used in this chapter are not their real names, pseudo names were adopted to protect their identity.

5.2. The extent of the use of corporal punishment in schools against the law

This sub-section considers the responses to the research question, "To what extent are teachers using corporal punishment on learners in schools after it has been legally abolished?" It discusses the prevalence of corporal punishment despite its legal abolition in Lesotho Schools. It also describes the perpetrators, the instruments used to apply corporal punishment and the parts of the body that are mostly impacted during corporal punishment. It further dwells on the importance of corporal punishment as a disciplinary measure in schools.

5.2.1 Prevalence of corporal punishment against the law

Data revealed that corporal punishment was the most common disciplinary measure in schools. Learners in all the nine focus group discussions pointed out that beatings were administered at their schools as a method of discipline. Data from the structured interviews with the head-teachers and parents reiterated the learners' opinions that corporal punishment was used in schools.

The teachers' questionnaire showed that 87.8 % of the participants witnessed corporal punishment inflicted on learners. All the three sources of data collected point to the use of corporal punishment in schools. This rampant use of corporal punishment on learners occurs outside the law in Lesotho, for Corporal Punishment was legally abolished through the Education Act of 2010 in Lesotho. The illegal use of corporal punishment revealed in the current study corroborates studies in other African counties where teachers were found to be illegally using corporal punishment. For example, Crocker and Pete (2009) found out that 48 % of primary and 70 % of the South African secondary schools learners whom they had interviewed had been beaten by a principal or a teacher. In Kenya, Kimani, Kara and Ogetange (2012) reported that 50 % of the head teachers confessed that learners were beaten in their school, while 91 % of the learners reported being beaten up at school. The current study also substantiates previous studies in Lesotho where Ferreira, Jacobs, Coetzee-Manning and De-Wet (2009) found that about 45.67 % of the teachers used corporal punishment to deal with poor discipline in their schools. However, it is worth noting that Ferreira *et al.*'s (2009) study was done before corporal punishment was legally scrapped in the schools in Lesotho. Nonetheless, the use of corporal punishment seems to have continued unabatedly even after it was abolished.

The illegal use of corporal punishment in schools is also rampant in other African countries. For example, studies conducted in Botswana (Tafa 2002; Garegae 2008) and in Zimbabwe (Shumba, Mpofo, Chireshe and Mapfumo 2009; Makwanya, Moyo and Nyenya 2012; Shumba, 2011; Shumba, Ndofirepi, and Musingi, 2012) found out that teachers applied corporal punishment on learners despite being legally prevented from doing so as it is only the head-teachers that are allowed to hit learners in these countries. A similar case was revealed in Tanzania where teachers were found to apply six strokes to children instead of the four allowed by the regulations (Feinstein and Mwahombela 2010). Teachers in countries such as South Africa (Crocker and Pete 2009; Morrel 2001; Motseke 2010) and Kenya (Kimani, Kara and Ogetange 2012) were found to be applying corporal punishment and yet it is illegal. These studies point to the illegal use of corporal punishment in schools both in

countries where it is legally permissible and where it is abolished. In countries where it is legally permissible the stipulations of the laws are violated by allowing personnel who are not allowed to apply it on children to do so. Finally, other violations are noted in some cases in which the number of permissible strokes is exceeded. This violation of the laws on corporal punishment could be caused by the conflict between the African cultural practices and the conventions. Africans consider corporal punishment as a normal children's behaviour moulding process while the convention regard it as a violation of children's rights.

It emerged from the current study that teachers emphasised the use of corporal punishment without injuries. For example the head-teacher at Lithaba High School explained that they use a small stick to lightly beat the learners. A similar response was obtained at Letlapeng High School, where the head-teacher said they discipline learners with a stick, but make sure that the learners do not sustain injuries. Parents reiterated the head-teachers responses on the use of corporal punishment without injuries. They said that it is permissible for teachers to beat learners as long as that punishment does not lead to injuries. As per the parents' perception, severe punishment is no longer a disciplinary measure: it can be viewed as a fight against the learners.

These responses suggest that all the stakeholders, head-teachers, teachers, learners and parents feel that corporal punishment can be used on learners as long as injuries are avoided. This perception of corporal punishment goes together with the concept of reasonable chastisement. Proponents of reasonable chastisement argue that it is acceptable to beat a child if the corporal punishment is mild (Smith *et al.* 2005; Snyman 2008). However, studies have established that it is difficult to draw the line between reasonable and severe corporal punishment. This is because some teachers get carried away and beat learners severely while in some cases a seemingly harmless and moderate caning erroneously injure a learner (Dupper and Dingus 2008; Crocker and Pete 2009; Mahmoud, Ayanniyi and Salman 2011; Rollins 2012).

The study found out that there are other disciplinary methods that were used in schools, which still fall within the framework of corporal punishment use. These include disciplining learners by asking them to gather stones or engage in manual work such as cleaning the surroundings. For example, learners at Lithaba High School were asked to collect stones from a river to the school as punishment. The repeated gathering of stone involves the use of muscles and eventually becomes painful. This therefore, concurs with Romano, Bell and Norian (2013) who define corporal punishment as any other action that produces physical pain without causing any injuries.

Furthermore, teachers are reportedly abusing learners verbally. It was reported by learners from Kamele High School, teachers sometimes talk about incidences which are not related to the misconduct and insult learners using their problems and their complexion. This suggests a form of degrading and inhumane treatment of learners. This result corroborates Shumba's (2011) study in Zimbabwe where teachers were found to be committing different forms of child abuse such as emotional and psychological abuse in the name of discipline. Learners are labelled, scolded and called names in front of other learners; as a result, they end up fearing and hating the teacher and eventually dropping out of school.

5.2.2 The school personnel who breach the laws against corporal punishment

A majority of teachers were found to be applying corporal punishment on learners despite it being abolished in Lesotho. Likenkeng, a learner from Toropo High School aptly described the condition through as noted in her statement that: all teachers corporally punish learners. Both male and female teachers beat learners in a similar manner. The responses from the teachers' questionnaire, however, pointed to a different picture. The teachers' questionnaire responses showed that male teachers at a 58.4 % frequency rate used corporal punishment more than the 4.7 % of their female counterparts. An equal rate (12.1 %) of participants said both males and females frequently use corporal punishment. A larger number of participants (22.1 %) noted that more

females use corporal punishment moderately when compared to males. This result contradicts Shumba (2003) whose study in Zimbabwe showed that a majority of the perpetrators of the illegal use of corporal punishment were males.

It also emerged from the study's teachers' questionnaire that the use of corporal punishment by language and science teachers was similar. The same number of participants (9.3 %) felt that both science and language teachers beat learners very frequently. More science teachers (13.3 %) were reported to use corporal punishment frequently compared with language teachers (10.0 %). Eighteen participants (12%) revealed that language teachers beat learners moderately compared to seventeen participants (11.3%) who said science teachers beat them moderately. This result does corroborate an earlier study in Lesotho conducted by Moletsane (2002) which asserted that both male and female teachers use corporal punishment on learners. However, the current result did not find much difference between the use of corporal punishment by science and language teachers.

Corporal punishment is also administered on late comers by teachers on duty in the morning. The use of corporal punishment by the teachers on duty was revealed in all the eighteen focus group discussions. It was noted that teachers on duty wait for learners at the gate each morning and beat learners who would have come to school late a learner is considered late when they arrive at five past seven in the morning. Both the learners and head-teachers agreed that the teachers on duty used corporal punishment on late comers in the morning.

The teachers also apply corporal punishment for any form of misconduct that may occur in their classes. It can be due to learners' failing a test, not submitting home-work or moving up and down the class while there was no teacher in the classroom. Teachers may even beat learners without considering if other teachers who came to class before used it. For example, Lineo, a form D learner at Kamele High School explained a situation where *“teachers attending first, second and third lessons beat learners during their lessons. By the time learners go for the morning short break they are no longer listening.*

They are preoccupied with thoughts of being beaten". This however did not appear from the head-teachers' interviews, suggesting that head-teachers may not be aware of the magnitude of the use of corporal punishment in the classroom. The previous studies seem to be void of the literature on the use and impact of the use of corporal punishment in the classroom by different teachers as they interact with their learners.

The teachers in some schools form groups and beat learners as groups. This was reported to be common in the four high schools, Lerako, Maralla, Lithaba and Kamele. A group of teachers who beat learners may be English teachers beating learners for Sesotho speaking or science teachers beating learners for not having science books. Female teachers were also found to form a pact and beat learners for one reason or another. For example, a form B learner, Thabang, from Lithaba High School, expressed that: "*All the female teachers, about eleven of them, beat you, each giving you the number of strokes that she prefers*". The administration of corporal punishment by a group of teachers was found in Tanzania, where a group of teachers would beat learners. Each teacher applied two strokes per learner, which is below the stipulated maximum number of strokes permissible, however, the total number of strokes that the learner eventually received exceeded the requisite maximum of four (Feinstein and Mwachombela 2010). Beating learners in this manner is a breach of the laws in Lesotho because corporal punishment is illegal in the country.

The setting for the administration of corporal punishment varied. For instance, it may occur in the staffroom or a classroom that is not used for learning. This is exemplified by the Maralla High School case where learners pointed out that a classroom used to beat learners was nick named, "prison", denoting a place where there was severe punishment. The groups of learners at both Lerako and Toropo High Schools said that they were beaten severely in the male teachers' staffroom. Learners at both Lerako and Toropo High Schools had also created nick-names for the male teachers' staffrooms to underscore the fierce fighting that occurred there. However, there was paucity of literature on naming class or staff-rooms in this manner, for this researcher found out that this is the first study in Lesotho to reveal this practice.

Incidences of a group of teachers forming a pact to beat learners mostly emerged from the learners. Only one head teacher from Lithaba High School mentioned it. She explained that a group of teachers in her school used to beat learners as a group and that the school administrators had instructed teachers to stop it after realising that it was too severe. However, the remaining eight head-teachers stated that group teacher beatings did not occur in their schools. A majority of the teachers (79.9 %) who participated in the current study are trained teachers; only 20.9 participants were not trained as teachers. Trained teachers are expected to be conversant with the teaching service regulations and to be vigilant about changes in the laws. However, the frequency of the use of corporal punishment in schools is contrary to this expectation.

The current study shows further that head-teachers unlawfully applied corporal punishment on learners. For example, the Masimong High School head-teacher explained how he administered corporal punishment to learners using a wiring pipe. The teachers' questionnaire revealed that some head-teachers use corporal punishment outside the provisions of the laws. Though a majority of the participants (48.3 %) in the teachers' questionnaire pointed out that they did not know, 16.7 % noted that head-teachers used it very sparingly, 12.7 % also noted that head-teachers used it sparingly. A further 7.3% of the participants stated that head-teachers used it moderately, whereas 6.7 % said head-teachers use it frequently and twelve participants (8.0 %) said that head-teachers use corporal punishment very frequently. This result suggests that some head-teachers do not respect the laws on corporal punishment by beating learners. A similar finding was established in Zimbabwe where Shumba, Ndoferi and Masingi (2012) found out that two head-teachers were among perpetrators of the illegal use of corporal punishment on learners. Head-teachers are allowed to apply corporal punishment on learners in Zimbabwe but these two head-teachers were found to have breached the law by beating the learners too severely. Head-teachers are the guardians of the learners at school and their duties include safe-guarding the law. It is therefore surprising to find them being tried for breaching the laws meant to protect children (Shumba *et al.* 2012).

However, the current study also observed that some head-teachers in Lesotho were unable to positively influence their subordinates to desist from using corporal punishment, even though they were aware of its continued use in their schools. For example, Mrs Pako, the head-teacher of Lehlakeng High School was aware that teachers continue to use corporal punishment against the law, even reported that she did not like its use, however, she seemed unable to influence teachers under her authority to stop administering corporal punishment on learners. This study was however unable to establish reasons why the head-teachers who reportedly did not support the use of corporal punishment failed to curb its use in their schools.

5.2.3 The instruments used to apply corporal punishment besides the law

A stick was revealed to be the most common item used to punish learners. Tumelo, a form B learner at Lehlaka High School described disciplinary measures at his school as follows: *“We are disciplined well in this school. We are disciplined well with a stick”*. This suggests that learners perceive the use of a stick as a way of disciplining them. Interviews with the head-teachers reiterated that learners were beaten with a stick. A teachers’ questionnaire further revealed that the teachers (61 %) witnessed a stick being very frequently used to punish learners.

Learners’ focus group discussions also revealed that teachers make an effort to ensure that the stick used may not injure the learners. Learners from Kamele High School explained that a medium sized, smooth stick was used to punish them. In the same breathe learners from Maralla High School explained that if a stick had knots that could cause injuries, their teachers used masking tape to ensure that the knots were smoothed out. The use of a stick to curb indiscipline is in line with its use at home. Parents use a stick on their children for similar purposes. This researcher is not aware of previous studies which explained the efforts made by teachers to ensure that learners are not injured in the process of receiving corporal punishment.

Other items that were used in Lesotho to apply corporal punishment were wooden dusters, rulers, whips, belts and gas pipes. A majority of the participants (39.9 %) said rulers were the second frequently used items to apply corporal punishment after sticks. The use of a wooden duster was reported by all the eighteen focus groups to be the second most popular item used to apply corporal punishment, after the stick. It was used at the back of the hand or on the bunched fingers. Nonetheless, the teachers suggested that the use of a ruler to apply punishment was not common. A majority of the participants (63.1 %) said a ruler was not utilised in their schools to administer corporal punishment. The remaining thirty six participants (36.9 %) reported that a ruler is used to punish learners.

Gas or wiring pipes were found to be used in four of the nine schools that participated in the qualitative strand. Learners at Lithaba, Letsoapo, Lerako and Masimong High Schools stated that were beaten with a gas pipe on the palms or buttocks. In one of these schools a gas pipe was given name, Molepe, with the plural form, Melepe, being the nick-name given to learners in this school. The naming of a gas pipe that is used to apply corporal punishment was explained to indicate its importance in maintaining discipline. In some schools such as Masimong High School, a stick was fitted inside an electricity wiring pipe, as this was believed to be more painful when compared to a stick or a wiring pipe used alone.

Only a few teachers seemed to be in favour of slapping learners. Responses from the teachers' questionnaire showed that slapping at school was not common. Only 4.7% of the respondents indicated that its use was very frequent, while 2.7% showed that it was frequently used. In addition 14.8 % of the respondents indicated that it was very sparingly utilised. A majority of the participants (73.2%) stated that slapping was not used in their schools.

Rulers are another item whose use seemed to be very low. A total of 11.4 % positively indicated that its use was common in schools. This left a majority (88.6 %) who perceived its use as minimal. The teachers' responses on the

questionnaire also indicated that the utilisation of a belt in administering corporal punishment was minute. One hundred and twenty three (82.6%) questionnaire respondents indicated that it was not used in their schools. The option that received more choice was “very sparingly used, at 11.4%, followed by a 3.4% respondent view that it was frequently used and 1.3% of the respondents who stated that it was moderately used.

The frequent use of the stick in corporal punishment in schools corroborates previous findings in Lesotho where by learners were reportedly beaten with sticks, belts and hands (Ngakane, Muthukrishna and Ngcobo 2012; De wet 2007). Studies from Zimbabwe (Shumba, Mpofo, Chireshe and Mapfumo 2009; Makwanya, Moyo and Nyenya 2012; Shumba 2011) South Africa (Crocker and Pete 2009) , Botswana (Tafa 2002), Kenya (Mweru 2010) and Tanzania (Fiestein and Mwahombela 2010) also substantiate the use of a stick as an instruments for the application of punishment to learners. Makwanya, Moyo and Nyenya (2012) are of the opinion that the use of corporal punishment in Africa is a remnant of the colonial rule, for similar items were used to apply corporal punishment during the colonial era. In addition, the use of sticks and the leather straps observed currently in the African countries are similar to those used during the colonial era.

The current researcher is, however, not aware of the existence of any literature that examines the use of electricity wiring or gas pipes, sticks fitted inside the wiring pipes, rulers, dusters, whips and sjamboks or anything that the teachers desire. Hence, this is the first study in Lesotho to reveal the use of these items in the application of corporal punishment in schools. The dusters and rulers are available in the classroom. They could be used to punish learners because of the easy access. The electricity wiring pipes and sticks fitted inside the wiring pipe are used because they deliver maximum pain. The whips and sjambocks are used on animals. They are believed to contain even the most stubborn animal. The use of these instruments in the classroom could also be an effort to discipline stubborn student. Their use is therefore not regular.

5.2.4 The parts of the body where corporal punishment is applied against the law

Corporal punishment is frequently applied on the palms. All the eight head-teachers who confirmed that corporal punishment was used in their schools revealed that it was applied on the palms. The focus group discussions also confirmed this application of corporal punishment on the palms. A majority (46.3%) of the teachers' questionnaire respondents revealed that corporal punishment is very frequently used on the palms. Fourteen point eight percent of the respondents said that earners were moderately beaten in the palms. It was also noted, from both the head-teachers and the learners' responses that, a stick or a gas pipe was used in the application of corporal punishment on learners' palms.

This study also noted that corporal punishment is applied on the buttocks. The application of corporal punishment on the buttocks appeared in all the eighteen focus group discussions. The head-teachers' account was different from that of the learners because six head-teachers said they do not beat learners on the buttocks. Only one head-teacher said he prefers the application of corporal punishment on the buttocks on the grounds that learners may be unable to write if their hands swell due to the beating on the palms. The differences between the head-teachers and the learners account on the application of corporal punishment on the buttocks suggest that one party could be hiding the truth. Some research participants have been found not to reveal the truth when they feel that their practice may reflect badly on them. Bryman (2012) describes this as Social desirability, which is a bias that is introduced by participants who respond in a socially desirable manner. The researcher in the current study mitigated social desirability by engaging the learners and the teachers in the in same study, to respond to similar research items. This triangulated the data collected.

The results of the teachers' questionnaire corroborated the learners' views that corporal punishment was applied on the buttocks. Twenty-two participants (14.8%) reported that corporal punishment was very frequently applied on the buttocks, whereas nine (6%) felt that it was frequently applied on the buttocks. Seventeen participants (11.4%) said that it was moderately applied on the buttocks and eight (5.4%) said that it was sparingly applied on the buttocks. Thirty two participants (21.5%) said it was very sparingly applied on the buttocks. A majority of the participants (40.9%) indicated that corporal punishment was never applied on the learners' buttocks.

Learners' responses on the application of corporal punishment on the buttocks suggested that it had a potential to be severe. Learners were made to lean forward, holding the far end of the desk, in that way making a position that exposed the buttocks to be hit severely. If the student was wearing a coat in winter, it was raised before the learner was beaten so that it did not act as a cushion. The head-teacher at Maralla High School felt that the act of raising a female learner's coat is tantamount to sexual harassment. Some learners also raised their concerns with the application of corporal punishment on the learners' buttocks: Topollo from Kamele, Lereko from Letsoapo High School and Tseo from Toropo High School expressed that they had always thought that learners should not be beaten on the buttocks while at school. They felt that it was not appropriate to beat learners on the buttocks. However some learners such as Tebello, from Letsoapo High School felt that beating boys on the buttocks and girls in other areas would be discriminating against boys so it was best if no learner was beaten on the buttocks. This data suggests that the application of corporal punishment on the buttocks has a number of unpalatable issues; hence the head-teachers may hide its existence in their schools.

The use of corporal punishment on the palms and buttocks was allowed in Lesotho before the abolition of corporal punishment. In those days teachers were allowed to hit male learners on the palms or buttocks while girls had to be beaten on the palms only (Ministry of Education 1995). This suggests that teachers are still following the yester-year regulations on corporal punishment. However, the current non-differentiated application of corporal punishment on

the buttocks in the high schools in Lesotho contravenes the 1995 regulation because girls were not supposed to be beaten on the buttocks. It further violates the Lesotho 2010 Education Act because corporal punishment is not legally permissible in schools.

Yaghambe and Tshabangu (2013) observed that the application of corporal punishment in Tanzania was tantamount to torture because teachers seemed to disregard the learners' health when applying corporal punishment. Cases of swollen learners' palms and fingers as a result of being beaten were common and this is a breach of the United Nations Convention Against Torture and Other Cruel, Inhumane and Degrading Treatment. This convention describes torture as an intentional infliction of physical or mental pain and suffering on an individual. Application of corporal punishment in schools is tantamount to torture because it is the infliction of pain and physical suffering (Bartman 2002). This study concurs with the Tanzania one because some learners in Lesotho are said to have suffered swollen fingers because of the application of corporal punishment in the palms.

The data analysed in this study also point to the application of corporal punishment on the back of the hand, though it was not frequent. A majority of participants (56.4 %) said that learners were not beaten on the back of the hands, while 14.8 % of the respondents said that it did not occur frequently. Only 9.4 % of the participants felt that it was very frequent for learners to be hit at the back of the hands. There was paucity of literature on the use of corporal punishment on the back of the hand, and as such this researcher considers this as a first study to report on the use of corporal punishment at the back of the hand.

The teachers and the school heads that beat children at school did so within the children's micro-system. As Tudge (2009) puts it, a micro-system involves proximal interactions between the child and the teachers. Their school microsystem is therefore characterised by use of corporal punishment administered by different school officials on applied on different body parts. Each school official decides where, how and when to apply it.

As explained earlier, this study wanted to determine the magnitude of the use of corporal punishment. As a result, this researcher gathered data on the frequency of the application of corporal punishment, the range of offenses that it sought or was able to curb and the injuries incurred from its application.

5.2.5 The frequency of the use of corporal punishment in schools

The data collected in the current study revealed that corporal punishment is an important disciplinary measure that is used daily in the high schools in Lesotho. 49% respondents to the teachers' questionnaire stated that it is used daily in schools. 9% of the participants pointed out that it is used three times a week and another 9% put its use at once a week. In addition, 28% of the participants noted that a week may pass without corporal punishment being used in their schools. This suggests that though some schools use corporal punishment rarely as a week may pass without using it, a majority of teachers use it daily. It can also imply that participants in such schools hide the use of corporal punishment so that their schools appear positively.

5.2.6 Misconducts curbed through the use of corporal punishment

The learners' focus group discussions showed that learners are beaten daily for a wide range of misconducts. These misconducts include speaking Sesotho within the parameters of the school, using vulgar language, bullying other learners and not doing homework. This indicates that corporal punishment is considered an important disciplinary measure in schools. This result substantiates Matuma's (2013) Kenyan study where learners were beaten for late coming and using the vernacular within school premises. However, the use of corporal punishment covered a wider range of offenses in Lesotho than in Kenya, as it covers offenses such as bullying, use of vulgar language and not doing home-work.

A majority of the participants (56.4 %) in the teachers' questionnaire felt that corporal punishment is a routine in Lesotho. Though 20.8 % said they were not

sure, while twelve and 8.0% disagreed with the statement, the number of participants who perceived it to be routine is high. Nevertheless, the perception that corporal punishment is a routine in Lesotho suggests that it is used to a large extent in the country.

5.2.7 Injuries sustained during corporal punishment

The learners' focus group discussions revealed that learners are injured during corporal punishment. They developed bruises, which appeared green in colour when fresh and turned dark with time. For example, Limakatso, a form B female learner at Maralla High School, explained that she once developed bruises after being beaten twenty-seven strokes on the buttocks. She explained that she developed bruises which were red in colour in the beginning, became green and ultimately turned black with time. The bruises lasted for about two weeks. The head-teacher of the same school, Maralla High School agreed that learners sometimes develop bruises from beatings. However, the head teacher explained that bruises appear by mistake, especially when the stick erroneously hit the soft skin of the arm. Proponents of corporal punishment argue that it is a good disciplinary approach as far as learners do not get injuries. However, the head-teacher of Maralla High School suggested that the bruises occurred by mistake, which underscores that the use of corporal punishment has a potential to go out of hand and injure learners. This corroborates Jonas (2012) argument that it is difficult to demarcate reasonable chastisement with physical abuse because some learners may be injured. Therefore, injuries may occur because of severe corporal punishment or because some learners have soft skin which easily form bruises or health issues that cause bruises and teachers may not be aware.

The focus group discussions revealed further that learners sustained a number of injuries. It was common for learners to sustain broken nails, which sometimes appear black colour, that way indicating that there could be blood clots forming due to corporal punishment. Bruises also developed on the learners' fingers, especially, from the use of a duster on the bunched fingers. Finally, some students sustained, wounds which were mostly caused by chips breaking from

the stick. The learners however explained that they just wash the blood away and the wounds would heal, hence nothing much was done as the injuries are usually not big enough to warrant a visit to the doctors. This sentiment was also shared by the principal of Maralla High School who explained that the injuries caused by corporal punishment are minor and that whenever they recommended that a learner be taken to a doctor, the intention would be to appease angry and confrontation parents.

Contrary to the learners' revelation that they were injured from corporal punishment, a majority (67.8 %) of the respondents of the teachers' questionnaire revealed that they had not seen learners who had been injured from a beating. However, 32.2 % of the teacher respondents reported that some learners sustained injuries due to corporal punishment. These results suggest that a majority of teachers are not aware of the injuries incurred as a result of the use of corporal punishment. This could be explained by the learners routine of washing away the blood when injured. Hence, Injuries caused by corporal punishment are regarded minor and both the teachers and the learners do not take them seriously.

Nonetheless some parents seem to take the learners' injuries seriously especially when they consider the severity of the bruises on their children's bodies. However, any efforts to discipline the teachers are squashed by the teachers' diplomacy. This is evidenced by the Maralla High School's head-teacher's account that parents are talked into dropping the matter and refraining from reporting cased to the police. A similar case was reported by the Lehlakeng High School head-teacher in reference to the case of a parent who had initiated disciplinary action against a teacher but was talked out of it by the community and the teachers. This finding confirms Crocker and Pete's (2009) observation that South African parents end up yielding to the teachers' expression of regret and not reporting the use of corporal punishment at school. However, the difference between the case in Lesotho and in South Africa is that in Lesotho only severe corporal punishment seems to attract parents' attention but they would still be talked out of reporting severe corporal punishment.

The occurrence of injuries during corporal punishment was also found in South Africa. For example, Cocker and Pete (2009) observe that some South African learners sustained injuries of serious magnitude after being subjected to corporal punishment. In 2001, a Grade five learner from Mpumalanga was left with a crippled hand after being severely beaten by her teacher. In the same province, Mpumalanga, a grade two learner lost an eye in the process of corporal punishment. The difference between the injuries caused by corporal punishment in Lesotho and South Africa's is that in Lesotho the injuries are not highly regarded and as such no attention is paid to them.

These results show that learners encounter negative experiences in the school microsystem in Lesotho. This negativity is evident of the daily use of corporal punishment for all the transgressions of school rules, the injuries sustained in the process and ultimately in the way the school stake-holders perceive corporal punishment as not resulting in the infliction of any injuries. Therefore, this negativity is likely to contribute to the persistent use of corporal punishment because its injurious results are ignored.

5.3 Factors that lead to the teachers' use of corporal punishment in Lesotho high schools?

The research question relevant to this section is: What are the factors that lead to the teachers' use of corporal punishment in Lesotho high schools?

The themes that emerged showed that there were three categories of factors that lead to teachers' use of corporal punishment in the high schools of Lesotho. These are emotional, academic and social factors. Emotional factors include teachers' anger towards learners, while the academic ones include poor performance in a test and failing to submit home-work, and the social factors being learners' undesirable behaviour, breach of school rules and regulation, insulting other learners, bullying and in-discipline.

5.3.1 Emotional factors

Anger towards learners

The focus group discussions revealed that teachers use corporal punishment because of anger. Of the eighteen focus groups that participated, six groups from three schools, Lehlaka, Kamele and Maralla High Schools, were of the opinion that their teachers beat them because of anger. Anna, a female learner in form B at Lehlaka High School narrated that boys in her classroom teased Miss Makheka, one of their female teachers because of her petite body and she in turn beat the learners severely out of anger. Mookho, a form B female learner at Kamele High School, opined that teachers lose patience with learners after giving several warnings and this leads teachers beating learners out of anger. This finding is in line with Chemhuru's (2010) revelation that corporal punishment in Zimbabwe appeared to be for the benefit of the adults rather than learners because parents and teachers use it to release their anger rather than to address the children's misbehaviour. When teachers such as Miss Makheka beat children they release their emotions and feel good about themselves. However, this facilitated release of the teachers' negative emotion does not benefit the learners, for the teachers' emotions take precedence at the expense of targeting the learners' misbehaviour. Furthermore, learners pay for their wrong doing but do not get the opportunity to reflect and learn from their acts of misbehaviour.

This finding is also in line with the bio-ecological theory's aspect of processes, particularly the sequential bio-directional process. According to Bronfenbrenner and Evans (2000), a sequential bi-directional movement of energy that emanates from an individual to the environment or vice versa, and back again. This movement of energy therefore enables an individual to influence the environment with his/her personal characteristics. Proximal processes involve a two way movement of energy from an individual to the environment and back again. The environment reciprocates according to its own characteristics. Consequently, individuals are a culmination of the interaction between their own personality and the environment. The nature of the interactions differ according

to individual and environmental attributes (Araujo and Davids 2009; Tudge, Mokrova, Hatfield and Karnik 2009). In the case of Lehlaka High School, Miss Makheka has a petit body and her learners provoked her in class as they perceive her to be small and without much authority. This provocation angered Miss Makheka and she retaliated by beating the learners severely. According to the bio-ecological theory, Miss Makheka's, petit body is a demand characteristic. Demand characteristics include gender, height, complexion, appearance, age, hyperactivity and passivity. Thus, Miss Makheka's demand characteristic, a petit body, evoked a disruptive response from the learners, which are disposition forces such as impulsiveness, aggression and violence. Disruptive force characteristics usually require immediate gratification while at the same time hampering proximal processes (Tudge, Odoro and Wanga 2009). The teacher thus reciprocates by using severe corporal punishment to show her learners that she has authority over them. Hence, the teachers' and the learners' disruptive characteristics at Lehlaka High School interact in a negative manner to result negative proximal interactions.

Teachers' own personal inclination

It is evident from the learners' focus groups that some teachers use corporal punishment because they personally prefer to use it as a form of learner punishment. Some teachers were reported by learners as favouring the use of corporal punishment in that they were well-known for administering it instantly after learners breaching the school rules. Likotsi, a form D learner from Letsoapo High School expressed this as follows: *"Use of corporal punishment depends on teachers not learners so we cannot conclude that learners in a particular class receive more caning than others"*. However, some classes were found to be difficult to handle, which made teachers to resort to the use of corporal punishment, believing that it was the only effective disciplinary measure. There was paucity of literature on teachers' preference as a cause of corporal punishment. The current study is therefore the first to report on the teachers' inclinations as a cause of corporal punishment.

The use of corporal punishment as a personal choice of individual teachers and the provocative character of learners feed into the cycles of use of corporal punishment. Learners provoke their teachers who are predisposed to the use of corporal punishment. The person characteristics, in this case the force characteristics, which are also known as disposition characteristics, of both the teachers and the learners feed into the cycle of use of corporal punishment in schools.

5.3.2 Social factors

An analysis of the data also shows that social factors can also cause corporal punishment in the schools in Lesotho. A breach of the school rules and regulations, bullying, poor discipline and use of insults emerged as the social factors that cause corporal punishment. The following paragraphs explain how these social factors lead corporal punishment.

Breach of the school rules and regulations

It emerged from the focus group discussions that that the breach of school rules was one of the factors that lead to corporal punishment. All the focus groups identified late coming as a major breach of school rules. The schools start at seven o'clock in the morning with a study session and learners who arrive five minutes late are punished. The head-teachers' interviews echoed the learners' feelings on late coming being one of the causes of corporal punishment. With the exception of Lerako, all the head-teachers said one of the causes of corporal punishment was coming late to school. Data collected through the teachers' questionnaire also showed that learners were beaten for arriving late at school. 40.9 % of the respondents revealed that learners were very frequently beaten for arriving late at school and 13.4 % stated that learners were frequently beaten for late coming. This brought the total number of participants who positively declared the use of corporal punishment for late coming to 53.4 %. This finding corroborates Tafa's (2002) in Botswana where it was noted that learners were beaten for arriving late.

The learners also showed that other causes of corporal punishment included playing in class, making noise in class, dodging lessons, not cutting their hair, not singing well at the assembly and dodging punishment. Teachers at Lithaba High School administer double the number of strokes on learners who try to evade corporal punishment. The teachers' questionnaire also revealed that corporal punishment was applied for use of drugs. 22.7% of the questionnaire respondents said that corporal punishment was very frequently used to punish learners who were on drugs while 4% stated that it was frequently utilised on learners found engaging in the use of drugs.

Bullying

The head-teachers' interviews revealed that teachers beat learners for bullying others. Bullying was said to be done by boys against girls mostly. The Masimong High School head-teacher explained that he does not tolerate boys who bully girls. As a result of this intolerance, he always beat boys who bully girls. The teachers' questionnaire revealed that 20.7 % of the participants felt that learners were very frequently beaten for bullying others. 10% of them felt that learners were frequently beaten for bullying others, while 12.7 % of the learners were moderately beaten for bullying others.

Poor discipline

Learners who behave in a manner that shows lack of discipline against other learners or against teachers are corporally punished in schools. Mrs. Pako, a head-teacher at Lehlaka High School explained that learners behave in an undisciplined way to teachers, especially those who do not teach them, by means such as refusing to follow their orders. Consequently, the affected teachers beat the defiant learners. This finding corroborates previous findings in Lesotho, where Makura (1999) found that older boys become stubborn and difficult to discipline. The boys who behave this way are usually older boys who delayed starting school because they had to carry family tasks of herding animals, or those who dropped out of school to go to the initiation school and later rejoin the school.

Use of insults

The use of insults within the school yard is another cause behind the teachers' application of corporal punishment on learners. Form B learners from Masimong High School narrated a case where their class-teacher beat a boy for insulting another learner. The teachers' questionnaire also reiterated the learners' response that learners were beaten for using insults. 24% of the questionnaire respondents showed that corporal punishment was applied for use of insults at school, while 10 % pointed out that learners were frequently beaten for using insults.

These results corroborate Pokothoane's (2011) whose study in Lesotho revealed that corporal punishment is applied for a wide variety of offenses such as bullying, stealing and breaking school rules and regulations, failing to correctly answer questions during a lesson, not submitting homework and whispering to each other in class.

5.3.3 Academic reasons

Academic reasons, such as learners failing a test and not submitting their home-work, were also found to be some of the causes for the administration of corporal punishment at schools in Lesotho in this study. Other teachers' transgressions such as late arrivals for their classes or the dodging of lessons also led to corporal punishment. The subsequent paragraphs elaborate on these causes of corporal punishment.

Poor performance

It emerged from the data that teachers beat learners for poor performance in tests. Teachers usually decided on a personal average pass mark, such as 60%, thus resulting in their beating of any learner who scores less than 60 % in the test. However, the head-teachers did not agree with learners on this aspect. All the nine head-teachers declared that corporal punishment was not used for

academic reasons in their schools. Surprisingly, teachers agreed with the learners that corporal punishment is used for failing a test as evidenced by 12 % of the participants of the teachers' questionnaire who stated that learners were very frequently beaten for failing a test, while 10 % stated that they were frequently beaten and 12.7 % said they were moderately beaten for failing a test. This finding is in line with previous studies in Lesotho where Ngakane, Muthukrishna and Ngcobo, (2012) noted that teachers used corporal punishment to maintain a culture of learning and therefore punished learners for underachievement. Matters that are pedagogical such as giving a wrong response also received corporal punishment instead of mediating the learner. In Tanzania, Feinstein and Mwachombela (2010) revealed that 51% of the learners considered corporal punishment as motivating them to work hard in their studies. The idea of corporal punishment acting as motivation was reiterated by the teachers who said that learners who failed a test would work harder after being beaten. In another study in Tanzania, Yaghambe and Tshabangu (2013) found out that learners loathed the use of corporal punishment for poor performance in the classroom because it introduces bias toward learners who perform well. Learners who performed well in class were beaten moderately than those who regularly obtained low marks.

Failure to submit home-work

Another cause of corporal punishment that emerged from the learners' focus groups is learners' failure to submit their home-work or copying responses from other learners. Learners explained that they sometimes copy responses from other learners and the teachers would beat them if they realised that they had plagiarised from their friends' work. Under these circumstances, learners would decide to give up doing their home-work so that they get beaten for the real reason of non-completion of home-work. The head-teachers' also agreed with the learners that learners are beaten for not submitting their home-work. Quantitative data also confirmed the learners' perceptions on the use of corporal punishment for failure to submit home-work. 27.5 % of the questionnaire participants stated that beating learners for not submitting home-work was very frequent, and 16.1 % said that corporal punishment was

frequently used for non-submission of home-work. This finding corroborates Monyooe's (1996) study which found out that corporal punishment was used on students for failing to submit an assignment.

The use of corporal punishment for failing a test and not submitting the assignment is indicative of a continuation of the significance of factors which compelled teachers to use corporal punishment in the past and more so when corporal punishment has been abolished since 2010. Therefore, teachers seem to be continuing with their business as they used to before corporal punishment was abolished.

Teachers dodge lessons or arrive late

It also emerged from the data that some teachers dodge their lessons or arrive late in the classroom, thereby creating conditions leading to the application of corporal punishment on the learners who would be left idle because in most cases they would be without any learning tasks to complete. Consequently, learners make noise and move up and down in the classroom, a condition that will be met the teachers' application of corporal punishment to these learners. The teachers here beat learners without reflecting on the impact of their absence in the classroom. There was paucity of literature on the link between dodging lessons and use of corporal punishment. According to the current researchers' recollection this study is the first to link the two. From the bio-ecological theory, the use of corporal punishment by teachers after neglecting their duties points to negative interactions in the micro-system. That is teachers would have dodged their lessons or arrived late, while the neglected learners would be unaware of what to do in the absence of the teacher.

5.4 The learners' perceptions on the illegal use of corporal punishment in the high schools of Lesotho

The research question for this focus was: What are the learners' perceptions on the illegal use of corporal punishment in the high schools of Lesotho? There was no assumption targeting this section because the question was meant to

explore the learners' perceptions on the illegal use of corporal punishment in the high schools of Lesotho. The collected data pointed out that learners have mixed feeling on the use of corporal punishment in schools. Although learners did not support the use of severe corporal punishment they felt that it is an easy way out.

5.4.1 Learners have mixed feelings towards the use of corporal punishment in schools

At the beginning of the focus group discussions, participants in twelve out of eighteen groups supported the administration of corporal punishment. Learners in these groups felt that corporal punishment is good because it is a deterrent and effective in maintaining order in the classroom. This order would prevail because learners obey orders to avoid corporal punishment. In addition, corporal punishment deters learners from engaging in acts of misconduct such as arriving late to school and making noise in the classroom. This finding resonates with findings from South Africa where learners were found to perceive corporal punishment as fair, provided it is not severe. Reasonable corporal punishment is preferred because it bars disruptive learners from disturbing the school and ensures peaceful conditions necessary for learning. Furthermore, learners appreciate corporal punishment only if it is used against those who disrupt the lessons. Corporal punishment in this case, therefore, allows teachers to keep disruptions at bay and facilitates the learners' attainment of their democratic right of education in the process.

Feinstein and Mwachombela (2010) also revealed that 51 % of the learners in Tanzania perceived the use of corporal punishment in a positive light. Their opinion was that they deserved it when they had done something wrong. The remaining 49 % of the learners deemed corporal punishment to be unfair. A similar finding was found in Botswana, where Tjavanga and Agreement (2012) revealed that a majority of learners perceived corporal punishment as an effective disciplinary measure worthy of being applied to bullies. Another 5 % suggested that bullies should be taken to a Kgotla where they would be severely beaten. In Kenya, Kimani et al. (2012) found out that 60 % of the

learners had a positive perception of corporal punishment and advocated for its re-instatement. This suggests that the positive perception of corporal punishment by the learners influences its use outside the law. It also implies that learners were not invited to participate in the decisions to abolish corporal punishment in Kenyan schools (Kimani et al. 2012). The interaction between learners and teachers in the microsystem results in learners absorbing the teachers' values. In South Africa, Cocker and Pete (2009) found that learner supported the use of corporal punishment against learners who misbehave and cause havoc in their schools. Teachers regularly convey their authority and the effectiveness of corporal punishment to learners. Consequently, learners believe in the effectiveness of corporal punishment, just as their teachers do (Payet and Franchi 2010).

The current study revealed that the learners' support of corporal punishment is on the basis that they it was part of growing up culture. Temoho, a form B learner at Lerako High School was of the opinion that teachers are like learners' parents. Parents use corporal punishment on their own children and teachers being in parents place can use corporal punishment on learners. This perception suggested that learners perceived the use of corporal punishment at school in light of its use at home. Parents beat their own children out of love and as such a similar perception is used by learners to justify the use of corporal punishment at school. This finding goes together with Agreement and Keene (2012) who observe that corporal punishment has been used in the African countries from time immemorial. At the same time parents use it at home, support its use at school and some learners even expect teachers to beat them because it is used at home. Learners engage in acts of misdemeanor well- aware that they will be beaten if they get caught. Seemingly, such learners grew up being punished and always look forward to being punished when they break the laws at school. In Zimbabwe, Wadesango et al. (2014) found that the laws governing corporal punishment are in conflict with the teachers' duties of disciplining the learners. Teachers act in parents' place when applying corporal punishment. Therefore, abiding by the rules of corporal punishment seems to be in conflict with what is normal to teachers and learners. According Mampane, Ebersohn, Cherrington and Moen (2014), children understand the

role of parents and teachers who discipline them using harsh punishment. Children have to accept punishment without any questions because that is how they are raised. The use of punishment is justified by children and the whole community to ensure that children conform to the rules and expectations of the community. Therefore, corporal punishment is among the social issues that children internalise as they grow up. They come to know the world as an area where disputes are settled with violent means such as corporal punishment, and because corporal punishment is socially accepted, children perceive it positively (Mampane *et al.* 2014).

Furthermore, the laws governing corporal punishment at home and school in Lesotho are in conflict. The Lesotho Child Protection and welfare Act (2009) allows parents and guardians to administer reasonable punishment to children, while the Lesotho 2010 Education Act bars teachers from using corporal punishment on learners. From the bioecological theory's perspective, the permissible use of corporal punishment at home negatively influences the implementation of the laws governing corporal punishment at school. Learners come to school, with a positive perception of corporal punishment. They are not aware of the mismatch between the laws governing corporal punishment at home and at school. They just take it that corporal punishment is justified both at home and at school. This perception makes learners accept corporal punishment at school, thus unknowingly supporting its use against the law at school.

Some learners said that they preferred the use of corporal punishment in schools because it is an easily way out. Form D learners at Letsoapo High school compared the use of corporal punishment with other forms of punishment such as digging a pit. The learners' preference for the use of corporal punishment was also based on the feeling that the pain heals after some time and they forget about it. The learners' argument for corporal punishment was not only on the basis of its effectiveness but on its convenience. This finding corroborates the Tanzanian study where Yaghambe and Tshabangu (2013) found that learners also missed lessons to serve a punishment. Forfeiting lessons defeats the idea of discipline. Discipline is,

therefore, necessary in schools to aid the delivery of lessons, which means compelling a student to miss lessons in order to serve a punishment is against the learners' democratic right of education.

A majority of the learners showed that they appreciated corporal punishment after they had been asked about their feelings on being beaten at school. This however was mentioned at the beginning of the discussions. In-depth discussions later revealed that a majority of learners were not happy with the use of corporal punishment in schools. The surface acceptance by learners of corporal punishment could be because learners had constant interaction with the environment where corporal punishment was regularly practiced. According to the Bio-ecological theory, spending a lot of time in the microsystem exerts a great influence on the individual in different areas such as emotional, social, cognitive and moral development. As the learners grew up, they internalised activities, social roles and interpersonal relations to form internal working models. Internalised working models are representations of the child's relationships (Tudge et al, 2009; Donald, Lazarus and Lolwana 2002; McMillan 1990). Learners internalised use of corporal punishment and ended up believing that it is legitimate.

Though learners appeared to support the use corporal punishment at school, deeper discussions exposed that they did not support severe caning. Learners indicated that they understand that corporal punishment is sometimes necessary to maintain discipline but some teachers go overboard with its use. Teachers beat learners all over the body without targeting a particular area. Sometimes teachers apply too many strokes. This severe beating according to learners no longer implies discipline. It is tantamount to attacking and fighting learners. A similar finding was revealed in Tanzania where learners were concerned about the severity of corporal punishment administered by teachers. Tanzanian teachers were reported to apply as many as twelve strokes to a pupil at a time.

Some learners in the current study who did not support the use of severe corporal punishment reported the desire to drop out of school due to the severe

use of a stick. Form B learners at Lithaba High School talked about a male learner, Tokiso, who dropped out of school in the previous year to escape corporal punishment. The researcher asked the participants in the focus group discussions if they had considered dropping out of school due to corporal punishment. In all the groups, the learners did not report a desire to drop out of school due to corporal punishment. The reluctance of the learners to drop out of school due to severe corporal punishment suggests that to some extent learners accept corporal punishment, though they loath its excessive use. It also suggested that learners are probably used to the use of corporal punishment so much that they are able to live with it. This, unlike in Zimbabwe, where Shumba (2011) found out that some learners end up fearing and hating the teacher because of severe use of corporal punishment learners in Lesotho are in favour of corporal punishment. Eventually, learners who hate the use of corporal punishment drop out of school to escape corporal punishment.

Though learners, in Lesotho, are exposed to severe corporal punishment that they hate, they appeared to remain disobedient. They remained stubborn and continued to breach the school rules. They reported being used to the stick and continuing to breach the rules. Mosili, a form B female learner at Lithaba High School recollected that she was beaten for speaking Sesotho on the morning of the day of the interview. She explained that once the pain disappears, she speaks Sesotho again. Another learner, Likabiso, a form D learner at Masimong High School echoed that she freely speaks Sesotho once her name appears on the Sesotho speakers' card because she knows that she is going to be beaten at the end of the day. These views suggested learners may decide not to obey the school rules and regulations after being beaten for breach of regulations. In a previous study in Lesotho, Moletsane (2002) found that teachers enforce their authority on learners through corporal punishment, while learners retaliate by breaking the same rules that corporal punishment is enforcing. Corporal punishment, which is believed to curb acts of indiscipline, thus fails to do so because learners continue to misbehave and causes the misbehaviour to escalate.

Learners' acceptance of corporal punishment in Lesotho seemed to make them have the heart for their teachers. Some learners were aware that they could report teachers who use excessive corporal punishment to the police or the Ministry of Education and Training. However they felt that reporting teachers may result in the teachers' contracts being terminated. This perception indicates that they do not find the use of corporal punishment as bad enough for their teachers to lose their jobs. Literature on learners being unwilling to report teachers who beat them to the Ministry of Education and Training was scarce. The researcher felt that the current study was the first to report on the learners' efforts to report teachers who use corporal punishment.

5.5 Reasons for the persistent use of corporal punishment despite it being legally abolished

The research question that targeted this information was: Why does corporal punishment persist despite it being legally abolished? No assumptions were formulated for this part because it was felt that responses would emerge from the data. The findings revealed that teachers perceived it to be effective, learners and parents supported the use of corporal punishment at school, lack of awareness on the illegal status of corporal punishment by the learners, poor mechanisms of reporting the breach of the laws and people who breach the law are not punished. These points are elaborated below.

5.5.1 The Perceived effectiveness of Corporal Punishment

The head teachers' interviews revealed that some head-teachers perceived corporal punishment as deterrent in nature. They declared that corporal punishment was effective because learners did not repeat the same mistake. Mr Malepa, the Letlapeng High School head, noted that: "*corporal punishment is effective, you do it for two days and afterwards learners no longer arrive late at school*". This finding corroborates Bartman's (2002) study which revealed that proponents of corporal punishment perceive it as an appropriate method of instilling discipline in children. Children who receive corporal punishment appreciate authority and obey orders; hence learners arrive early after being beaten. Studies in South Africa (Shumba 2011) and Zimbabwe (Mugabe and

Maposa. 2013) pointed out that teachers who regard corporal punishment highly feel disempowered to discipline learners through alternative methods and perceive alternative methods of discipline to be ineffective when compared with corporal punishment. Some teachers were even considering relegating their disciplinary duties if they are not allowed to use corporal punishment on learners.

The positive perception of corporal punishment is related to the teachers' belief that learners respect teachers who beat them. This is shown by the teachers' responses to the question: "Learners respect teachers who beat them". A majority of the participants agreed that learners respect teachers who beat them. The cumulative number of those who supported the statement was 42.6 %. This corroborates previous studies in Botswana where young teachers were encouraged to use corporal punishment as one cannot handle discipline without it (Tafa 2002). Pokothoane (2011) reiterated that teachers in Lesotho schools teachers who do not practice it seem to be out of place. This makes it difficult for such teachers to choose any other form of discipline.

5.5.2 Learners and parents support of the use of corporal punishment

The head-teacher's interviews revealed that learners are disciplined through corporal punishment because both learners and parents accepted its use at school. Children grew up being beaten at home. Mr. Bereng, a head-teacher at Kamele High school explained that *use of corporal punishment at school corroborates its use at home. Teachers use it because learners already know it and understand its use. Learners interpret the use of corporal punishment at school in the light of its use at home.* Some parents support the use of corporal punishment at school to the extent that they can even go to school to apply it on their own children. Likabo, a form B learner at Lithaba High School, explained that she hides her cases of misbehaviour from her parents, as her parents would not hesitate to beat her at school if they become aware of her misbehavior at school.

The parents' support of corporal punishment in the high schools in Lesotho was further highlighted by Masimong High School's head-teacher. He explained that immediately after the Ministry of Education and Training in Lesotho abolished corporal punishment, the school called the parents to discuss the issue. The parents deliberated on the matter and concluded that harsher disciplinary measures, such as suspension and expulsion would have to replace corporal punishment. Parents also insisted that teachers should use corporal punishment, though it has been outlawed. The current study further solicited information from the parents on their support of corporal punishment. Only two parents were against the use of corporal punishment at school. This finding corroborates Pokothoane (2011) who found out that parents in Lesotho encourage teachers to use corporal punishment and blame poor performance of learners at school on lack of corporal punishment. A similar finding was revealed by Crocker and Pete in the United Kingdom in the 1980s when corporal punishment had just been abolished. A majority of the parents and teachers were still in support of the use of corporal punishment in schools and some even made efforts to reverse the laws abolishing corporal punishment. The difference between the parents in the UK and those in Lesotho is that the UK parents were negotiating for the laws governing corporal punishment to be reversed, while Basotho parents are supporting teachers to break the laws.

The foregoing reflects a harmonious working relationship between parents and teachers in Lesotho high schools. Parents give a go ahead for teachers to use corporal punishment illegally. This, according to Eggen and Kauchak (2010) indicates two microsystems which work together to enforce the use of corporal punishment in schools. This provides a conducive environment for the use of corporal punishment besides the law. The sustaining of the illegal use of corporal punishment in the school seems to be done through two categories of the learners' meso-system, the inter-setting participation and indirect setting. Inter-setting participation on the one hand refers to participation that takes place when a child engages in two microsystems such as the home and the classroom. Indirect linkage, on the other hand, indicates that a child is not directly participating in either session but someone close to the child participates in both settings (Sontag 1996).

Learners are beaten at home, a measure taken to discipline them, and they are reported to expect the same treatment at school. The learners are however involved both at the school and the family. This indicates the inter-setting participation of the meso-system. An indirect linkage is seen where the parents discuss issues of corporal punishment at school in the absence of the learners. Both the inter-setting participation and the inter-linkage seem to enforce the use of corporal punishment in the schools of Lesotho.

Parents have a duty to protect their children against the violation of laws, such as the illegal use of corporal punishment, by suing the perpetrators either at the teaching service Commission or at the courts of law (Machobane 2000). However, in Lesotho, parents seemed to be unable to protect their children against the use of corporal punishment. This occurs because parents perceive corporal punishment as good for their children. In the UK some parents requested schools to guarantee that teachers would not beat their children in an effort to protect them. Although the school did not give them the requested guarantee and the children were beaten, these parents had done their part of protecting their children against the use of corporal punishment (Dunnemann 1994). It is therefore surprising for parents in Lesotho to suggest that teachers should continue to use corporal punishment against the law instead of protecting them.

5.5.3 Lack of awareness of the illegal status of corporal punishment by the learners and parents

The current study further revealed that learners and parents were not aware that corporal punishment is illegal in schools in Lesotho. One boy from Letsoapo High School, Tefo was aware of the 1995 law which allowed only the head teacher to administer corporal punishment to learners. Some learners such as the form B learners at Lithaba High School said their teachers told them that the Ministry of Education allowed teachers to beat learners a minimum of five strokes and teachers had a right to administer a maximum of fifteen strokes at a time to a learner. The form Ds in the same school were not

aware of the allegations made by the junior learners on the number of strokes permitted by the ministry. The learners' lack of knowledge about the illegal status of corporal punishment enables teachers to use corporal punishment on learners. Learners cooperate when teachers beat them, not knowing that it is illegal. It also became clear that some teachers mislead learners on the laws governing corporal punishment. The intention of misleading learners could be to ensure that they do not question the use of corporal punishment at school. All the parents did not know the laws governing corporal punishment in Lesotho. Only one parent was aware that corporal punishment is a violation of children's rights but was not aware that there is a law in Lesotho that addresses corporal punishment.

It also emerged that learners were not aware of the international laws governing corporal punishment. Learners had information about what human rights were and could mention a few, including that children should not be treated in a degrading and inhumane manner. However, they did not know about the CRC. Moreover, learners did not view the application of corporal punishment as treating children in a degrading and inhumane manner. A few learners were aware that learners were not supposed to be beaten in South Africa and said this with some envy. Learners' lack of information on the national and international laws gives way for teachers to apply corporal punishment illegally. Furthermore, learners do not regard corporal punishment as degrading, as a result, they allow teachers to apply it because they do not see anything wrong with it.

The laws that eradicated corporal punishment in Lesotho emanate from the international conventions and not from the Basotho communities. The wording and the essence of the laws is that of the CRC. The government, being a signatory to the CRC had to adopt its resolution and abolish corporal punishment. This makes the implementation of the law to be top-down, from the government to the communities. This occurs in a context where parents and the learners have a positive regard of corporal punishment. The positive regard for corporal punishment prevents the law, considered as foreign, from infiltrating the communities, thus rendering the law ineffective in protecting the children.

Ziegert (1983) highlights the importance of making sure that the new law is widely known. Members of the community have to be conversant with the law in order to abide by its specifications. In Sweden, a new law that abolished corporal punishment was widely circulated through government television programmes, pamphlets and printings on the milk containers. This publication of the laws was in an accessible language which made it possible for the law to be known widely by both younger and older adults. Ziegert (1983) asserts further that making the law public enabled people to discuss the law at micro-system and changed their attitudes towards corporal punishment in the process. In Zimbabwe, Shumba, Mpofo, Chireshe and Mapfumo (2009) found out that a majority of the learners were conversant with the national laws that protect them from corporal punishment. The knowledge of the national laws governing corporal punishment suggested that learners could recognise any violation of their rights at school and report it.

The current study also revealed that the head teachers knew the Lesotho Education Act of 2010. They were cognisant of the fact that corporal punishment was legally banned as they had heard about the abolition of corporal punishment from different sources such as the media and work-shops organised by the Ministry of Education and Training. Nonetheless, the practices in all the nine schools were contrary to the stipulations of the law because corporal punishment was found to be rife. The head-teachers were also aware that it was still used in their schools, except the Lerako High School head-teacher who said that it was not used in that school. The head-teachers who turned a blind eye to the illegal use of corporal punishment in their schools rationalised the application of corporal punishment on the grounds that it was culturally permissible and that its application in schools was in line with disciplinary measures used at home.

However, some head-teachers, such as Mrs. Pako of Lehlaka High School, felt that more work-shops on the implementation of the law were necessary. Teachers used corporal punishment from time in memorial and they need support to stop using it. In South Africa, the Department of Education ran

workshops for teachers and issued practical guidelines on discipline in schools (Crocker and Pete 2009). In the UK, a circular explaining that slapping, beating, rough handling and throwing pieces of chalk at children were outlawed was sent to parents, local authorities, governors and teachers (Crocker and Pete 2009). This suggests that it is imperative for the stake-holders to know what is wrong and what measures should be taken to maintain discipline in the classroom.

The running of the head-teachers' work-shops on the laws governing corporal punishment in Lesotho affected learners at the exosystem. The exosystem influences a child indirectly. A child does not belong to this system, but a member of the child's microsystem belongs to this system and uses experiences from that system to influence the child (Tudge et al 2009). Head-teachers were given a work-shop by the ministry of Education and Training. Learners did not participate in that work-shop but the content of the work-shop is supposed to help head-teachers to protect the learners against the corporal punishment. However, the intervention on the use of corporal punishment at the learners' exosystem seems to have failed because teachers continue to beat the learners out-side the law, despite being work-shopped on its illegal status.

In all the nine schools, the researcher requested to see a copy of the law that abolished corporal punishment. None of the head-teachers had it. Some head-teachers pointed out that they had misplaced the school copy while others stated that the school did not have copies of the 2010 Education Act. Instead, two head-teachers from Masimong and Lehlaka High Schools showed copies of the Head-teachers' Manual where issues of corporal punishment were discussed in line with the 1995 Education Act. In this manual, only the head-teacher was allowed to administer corporal punishment and the use had to be recorded. Surprisingly, the use of corporal punishment in these two schools was not in line with the provisions of the 1995 Education Act, for every teacher in these schools was reported to be beating learners without the presence of the head-teacher and cases of use of corporal punishment were not recorded in a log book. It was in only one school, Maralla High School, where the head-teacher produced a log-book to the researcher, but the entries were not related to corporal punishment. This suggests that the use of corporal punishment in

schools does not follow the guidelines provided by the old and the current law, and as such teachers used corporal punishment using their own preferences. The unavailability of a copy of the 2010 Education Act suggests that teachers may not know the law. One would expect the law would be within easy access if it was regularly read by the teachers.

It also emerged that the head-teachers in all the nine schools were still in favour of the use of mild corporal punishment. However, they emphasised that its use should be strictly regulated and that only a light cane should be used. The general positive attitude of all the head-teachers towards corporal punishment seems to have a negative impact on the reduction of corporal punishment. Head-teachers are aware that corporal punishment exists in their schools yet they do not seem to do much to control the situation. Mrs Pako went further to explain that she does not know what has to be done to reduce corporal punishment because she does not like it. Furthermore, corporal punishment has a negative impact on the teacher-learner's relationships. A similar finding in Lesotho was revealed by Makura (1999) who found that some head-teachers are unable to implement the new decisions because they are afraid of the experienced teachers who have been in the schools for a long time. The head-teachers in this study were aware of the new law but were unable to implement it seemingly because it is against the traditions of the schools.

The quantitative data revealed that a majority of the teachers (76.5%) were conversant with the laws that govern corporal punishment in Lesotho. However, only 50.7 % of the participants felt that the national law on corporal was observed. These figures suggest a wide gap between those who know the law and those who abide by the law. It further indicates that knowledge of the law does not necessarily imply abiding by it.

5.5.4 Perpetrators go unpunished

Teachers who violate the laws governing corporal punishment were not punished at all. Though some head-teachers, such as Mrs. Pako of Lehlaka High School, were not in support of the practice they seemed unable to

implement the new laws. In addition, they seemed to protect teachers who were punishing learners severely. For example, a teacher who often severely beat the learners at Lehlaka was reprimanded and the parents of the child were convinced not to take the matter to court. A similar situation occurred at Maralla High School where the school paid for an injured child's medical expenses and no serious measures were taken against the teacher. The results of the teachers' questionnaire corroborated the learners' and the head-teachers opinions on the action taken against the teachers who unlawfully beat the learners. The majority (77.9%) said that they were not aware of teachers being disciplined for breaching the laws governing corporal punishment. The 2010 Education Act is silent about the action that has to be taken against teachers who breach the law. Article 4 of the 2010 Education Act states that no learner shall be subjected to cruel, inhumane and degrading punishment. The objects and reasons of the same law indicate that the purpose of the law is to abolish corporal punishment.

The findings corroborate Crocker and Pete's (2009) outcomes from a study in South Africa in which they established that a majority of cases where corporal punishment had been used went without being reported. The reasons behind this lack of reporting of the breach of the law included that some teachers and schools convince parents not to report incidences of illegal use of corporal punishment because that would reflect badly on the school. In such cases the concerned teachers paid for the children's medical bills. The payment of medical bills and some other financial gain would silence parents, especially those from poverty stricken families in the rural areas.

5.5.5 Poor mechanisms of reporting the breach of the laws

It also emerged that learners reported the use of excessive use of corporal punishment. The discussions referred to excessive use of corporal punishment because they did not have a problem with reasonable corporal punishment. The channel of reporting on severe corporal punishment was however, hierarchical and started from the class teacher up to the principal. Learners had to voice their grievances to their class teachers, who could solve the problem or report it

to the deputy principal if he/she was unable to deal with the problem. The deputy principal could solve the matter, failing which he or she would pass the complaint to the head-teacher. However, learners felt that reporting incidences of ferocious punishment in this manner was not beneficial to them because some class teachers did not entertain learners' grievances. The class teachers usually responded in a sarcastic manner, telling learners that they complain about being severely beaten because they are "rights' generation" that does not want to be disciplined with a stick. In addition, some teachers would exclaim that the learners deserved the punishment. The teachers' response on learners' grievances about severe punishment are surprising because teachers are entrusted with taking care of the learners, *in loco parentis*. One would not expect them to go over-board with beating the learners and not being worried about the situation (Shumba 2011).

In some schools, learners reported the use of severe corporal punishment to their parents at home. Some parents marvelled at the severity of corporal punishment and did nothing about it, while others came to school to discuss the issue with the teachers. Parents who came to school confronted the teachers angrily. The teachers, however, instructed learners not to skip school personnel and report such incidences at home in an effort to limit confrontation with parents. Some studies in South Africa revealed that some parents fail to play a major role in the maintenance of their children's discipline at school. These parents, usually from the poverty stricken areas in the townships, have other pressing commitments and therefore end up not paying attention to the disciplinary measures taken at school (Motseke 2010). This researcher did not establish the reasons why parents fail to question the unlawful disciplinary measures at school as this was beyond the scope of the current study.

Some learners said that instead of reporting corporal punishment at home or at school, they preferred to refuse to be beaten. They refused to be beaten when they felt that canning was too severe or unfair and would then be sent home to call their parents. In most cases, learners would then be given a chance to say their side of the story in the presence of their parents, hence the refusal to be beaten in the first place. The calling of parents to school to discuss their

children's acts of misdemeanor is in line with the Lesotho 2010 Education Act, which stipulates that parents shall participate in maintaining discipline in schools. However, the observation made by the researcher in the current study is that parents were rarely called to school to discuss their children's disciplinary problem. Parents only came in isolated cases and the learners did not want to see their parents at school regularly.

It was also noted that some teachers expelled learners who refused to be beaten from class and when the learners refused to leave the classroom the teachers would leave. The teachers' decision to leave the classrooms was considered unfavourable because other learners suffered as a result of one learner's defiance. A further disadvantage of the refusal of a beating was that other teachers would start mistreating such learners by mocking them. Some learners felt that they would rather be beaten than have the teacher leaving the classroom. These learners felt that it is not fair for their fellow learners to forfeit the lesson, therefore they would submit and allow teachers to beat them. There was scarcity of literature on teachers who left the classroom after learners' refusal to be beaten. According to the current researcher's recollection, this is the first study to report this matter.

The above case in which learners agreed to the teachers' beating on the grounds that their friends should not forfeit the lesson, is in line with the bio-ecological theory which posits that peers have an influence on an individual's decision making. Their influence is related to values, social development and emotional support. Peers interact on the attitudes and values related to different aspects such as what is right and wrong (Eggen and Kauchak 2010). In the current study peers influence the decision not to refuse to be beaten because it would be wrong to allow the teacher to leave the class, hence an individual would rather be beaten.

The participants' knowledge of the procedures for reporting the breach of the laws governing corporal punishment seemed to be unclear. A majority (50.6%) of the teachers revealed that they were not aware of the procedure for reporting transgressions of the law that govern corporal punishment. Some teachers

(34.7%) said that there were no procedures for reporting the transgressions on the corporal punishment laws, while 14.7 % pointed out that there was a procedure to be followed when reporting the incidences of the transgression of the laws. The lack of comprehensive procedures suggest that teachers would not report the illegal use of corporal punishment, as a result, the learners continue to be illegally beaten at school.

As mentioned earlier in the study, head-teachers were aware of the 2010 Education Act. They were also aware that teachers under their authority continued to use corporal punishment on children, despite it being illegal. Data collected in this study however, revealed that head-teachers were not aware of activities meant to ensure that schools adhered to the law. Nevertheless, District Education officers (DEO) visited Maralla High School because their office had received an anonymous letter alerting them to this school's teachers who were using severe corporal punishment. According to the school head-teacher's account, they could not find the learner whose parents wrote a letter and the DEOs returned to their offices without verifying the case. In some countries, such as South Africa, teachers who breach the laws on corporal punishment are disciplined. In 2004, the Department of Education in the Western Cape Province of South Africa charged two hundred and ten teachers for utilising corporal punishment on learners, and sought to arrive at the verdicts within three months (Crocker and Pete 2009).

The results in the current study suggest that the Ministry of Education and Training in Lesotho fails to effectively monitor the implementation of the laws governing corporal punishment. There are poor reporting mechanisms and the few culprits that are identified are not disciplined. The Ministry of Education and Training is the guardian of all the learners in schools and should be protecting the learners in schools. The inability of the Ministry of Education and Training to protect children shows that learners have a negative influence at their macro-system.

National laws are part of the macrosystem. They provide a blueprint on how children are supposed to be treated and dictate how members of a microsystem

behave towards each other (Brim 1975). The public laws and policies planned within bio-ecological contexts have a high likelihood of positively impacting on children's development (Rosa and Tudge 2013). Although the laws are in place in Lesotho, they seem to be unable to filter through to influence the children in the micro-system. Hence, there is a continued use of corporal punishment on learners, despite it being abolished.

5.6 The influence of the Basotho culture on teachers' perceptions on the use of corporal punishment in the high schools in Lesotho

The research question targeting this area was: Does the Basotho culture influence teachers' perceptions of the use of corporal punishment in the high schools of Lesotho? This question was explorative in nature; hence it did not have any assumptions. Data revealed that the Basotho proverbs influence the teachers' perceptions on the use of corporal punishment. Corporal punishment is also considered to be a norm.

5.6.1 Use of proverbs

It emerged from data in the current study that head-teachers and parents perceived corporal punishment as part of the Basotho culture. All the nine head-teachers supported the view that corporal punishment was part of the Basotho culture. The eighteen parents who participated on the study echoed the head-teachers' perceptions. The proverbs such as "thupa e otolloa e sa le metsi" (*a stick is straightened while still wet*) were used to support the administration of corporal punishment in the classroom. The head-teachers explained that this idiom meant that children have to be beaten while they were still young so that they behaved appropriately. Mokitimi (1991) is of the opinion that the proverb "thupa e otolloa e sa le metsi" (*a stick is straightened while still wet*) applies to bringing the child up. It is only when child is in her/his prime age that he/she should be socialised into acceptable norms. This socialisation suggests that a stick is used to discipline children.

The second proverb that was referred to was "ha u sautloe ha u joetsoa, u tla utloa ka letlalo" (*If one cannot respond when being told, they respond well with*

pain). This was taken to mean that pain caused by beating was efficient as a disciplinary measure. Similar idioms were used by learners such as Potlako from Kamele High School to justify the use of corporal punishment. This finding corroborates the use of the proverbs within the Basotho culture and how, in the case of corporal punishment, proponents use proverbs to justify its use at school. This method of justification is effective because proverbs are crucial in expressing ideas.

“Thupa e otlolloa e sale metsi” (the stick is straightened while it is still wet) is a proverb that indicates that one should take advantage of the most favourable conditions to shape the course of events. *“Ha u sa utloe ha u joetsoa u tla utloa ka letlalo”* (If you do not understand when being told, you will respond when you feel the pain). This proverb means that if one is stubborn when being told, the pain caused by corporal punishment makes him/her to behave accordingly.

The results of the teachers' questionnaire corroborated the data from the learners and the head-teachers. A majority of the participants (29.5%) strongly agreed with the statement, while 44.3% agreed with the statement. The cumulative figure of participants who believed that corporal punishment was part of the Basotho culture, stood at 73.8 %.

The finding that corporal punishment is accepted because it is part of the Basotho culture resonates with Miller's (2009) study in Japan. Miller's (2009) found out that the Japanese culture reinforced the use of corporal punishment. Learners were beaten in schools, because according to the Japanese culture, learners learn best when beaten. Teachers enforce their authority on the learners through the use of corporal punishment and learners obediently accepted being beaten. Culturally, learners who could withstand corporal punishment were perceived by the community to be strong. This perception reflected that they do not feel abused when being beaten but they feel like real men or women. This finding is in line with Higgs (2003)'s that colonialism imposed the European norms and traditions in Africa and the two forms of traditions do not merge.

5.6.2 Perceiving corporal punishment as a norm

The use of corporal punishment at home was also used to explain the belief that corporal punishment was a cultural practice. Mr. Bereng, a head-teacher at Kamele High School said that they used corporal punishment at school because it was in line with its use at home. He went further to explain that they did not want to introduce new ways of discipline at school, which could clash with home discipline. Mr. Malepa, a head-teacher at Letlapeng High School, recollected a Basotho norm where a mother uses “lesoai”, a light cane to discipline a toddler. The significance of a light cane disciplining a toddler was to show that a stick was used on children early in life.

In South Africa, Crocker and Pete (2009) found out that some South Africans considered corporal punishment to be part of their culture. People with such positive regard for corporal punishment believe that an African child only behaves appropriately after a hard spanking. The pain incurred during corporal punishment deters children from repeating the same mistakes. Similar results were found in Zimbabwe where teachers support the legality of corporal punishment in schools because of the perception that an African child reacts positively to corporal punishment (Shumba 2003). Corporal punishment is used at school on the basis that it is also used at home (Shumba 2003). Furthermore, a perception of corporal punishment as an accepted cultural practice in Zimbabwe results in the majority of cases going unreported. The learners, parents and teachers regard it as a normal practice and, therefore, there is no need to report it.

Shumba (2003) reiterates that children’s rights seem to conflict with culture in a number of African societies because they are a new concept. In some African societies children are exposed to abuse because they are regarded as having no rights while they are in the custody of their parents. In Botswana, Garegae (2007) found that teachers complain that the laws formulated in line with the international laws strip teachers of their powers to discipline learners. Learners behave as they please and anarchy prevails in schools. Harris-Short (2003)

underscores that the problem with the implementation of human rights arises because the non-western societies' lack of the culture of human rights at the grassroots level. Harsh measures, such as corporal punishment, are seen as important in instilling adults' values and norms. Within these cultures, Human Rights are regarded as western ideas, which are imposed on the non-western cultures to undermine local cultural practices. This situation suggests that there is a conflict between the laws and culture in the macro-system. The national laws aimed at protecting learners against harsh treatment clash with the cultural practices, thus leaving teachers confused on which course to follow. However, Harris-Short (2003) argues that human rights are binding to western and non-western cultures. The non-western societies' leaders endorsed human rights out of their own will, making the human rights theirs, as much as they originated in the western cultures. Therefore, justifying the neglect of human rights because they clash with cultural practice is tantamount to concealing local practices from international criticism.

5.7 The strategies needed to reduce corporal punishment

The research question in this area was as follows: What strategies are needed to reduce corporal punishment in the high schools of Lesotho? There were no assumptions formulated for this question as the focus was to explore the participants' perceptions.

The results indicated that learners could not envision their schools without corporal punishment. 'Malepoqo, a form B learner at Lerako High School expressed her fear that if corporal punishment use cease then there would be a tougher implementation of the school rules and regulations. Thabang, a form D learner at Lithaba High School reiterated that they would have to call their parents for minor reasons that could be dealt with at school, without troubling their parents. However, a majority of the groups wanted corporal punishment to be used in moderation.

All the learners that participated suggested that rules and regulations should be clear and accompanied by equally clear measures of discipline. They explained

that this would restrict teachers from going overboard with punishment. Learners also suggested that communication channels between the learners and the teachers should be open in order to allow learners to say their side of the story. Topollo, a form B learner expressed these views: *“it is best to talk to me privately and show me where I have gone wrong and what I have to do to avoid the same mistake next time”*. Lineo, a form B learner at Lithaba High School appreciated her teacher’s effort to talk to them as noted here: *“our class teacher verbally reprimands us if we misbehave. If it does not work she lashes us a maximum of three strokes in the palms and we behave properly after that”*. Other suggestions included running around the classrooms, cleaning the toilets and school surroundings as well as collecting stones for various uses. This suggests that learners cannot see their lives at school without the use of corporal punishment. The alternative disciplinary measures suggested are in line with corporal punishment because they involve application of pain to curb indiscipline. From the bio-ecological theory’s perspective, learners grew up within the context of corporal punishment where disciplinary problems are curbed through the use of pain. These disciplinary measures were internalised and are used as the internal rader (O’Connor and McCartney 2007).

It also emerged that discussions with learners could help them to understand why they breached the laws. Mrs. Ndaba, the head-teacher at Lerako High School, emphasised this view in this way: *“we need learners on board; we need to talk with them and give them respect as human beings”*. Mr Malepa, from Letlapeng High school, reiterated that it was important to talk to learners and show them the possible results of their misbehaviour. Head-teachers also highlighted the importance of education, both at home and at school. They emphasised that proper home discipline was important for learners to behave appropriately at school. Mrs. Bonolo, the Lithaba High School’s head-teacher reiterated that: *“Education equips learners with appropriate knowledge of right and wrong and the home education forms a good foundation for teachers to build on”*.

The interaction between the teacher and the learners is important in influencing the learners’ development because the learners who had good relations with

their teachers were found to behave appropriately in class. These learners were also found to perform well at school (O'Connor and McCartney 2007). Teachers relate to the learners in ways that were dictated by their macrosystem. This interaction is determined by the teachers' ideological underpinnings dictated by the macrosystem.

This finding is explained by Hecker, Hermenau, Isele and Albert's (2014) Tanzania study, which found out that a high use of corporal punishment both at school and at home was so regular that it was recognised as a norm. In addition, the perception of corporal punishment as an accepted cultural norm in Zimbabwe results in the majority of cases going unreported (Shumba 2003). The learners, parents and teachers regard it as a normal practice and, therefore, they believe that there is no need to report it. Ultimately, as noted by Ziegert (1983) the use of corporal punishment is a result of social interactions which affect and are affected by the actions of the individuals within the bio-ecological theory of child abuse. Force is used when punishing children and everybody keeps quiet about this action because it is accepted as a social norm. It is indeed within this context of these social interactions that corporal punishment is seen as a norm.

5.8 Conclusions

This section focuses on the conclusions that were made in the current study. These conclusions are guided by the research questions and the assumptions of the study.

The first research question was: To what extent are teachers' meting out corporal punishment on learners in schools after it was legally abolished? The assumption related to this research question was that teachers continue to use corporal punishment on learners in the high schools in Lesotho despite it being abolished. As a result, this study concludes that though other disciplinary methods such as collecting stones and cleaning the surroundings are used to maintain discipline, corporal punishment was the most common disciplinary measure in schools. The use of corporal punishment to discipline learners could

be due to its long history within the education sub-sector. The use of corporal punishment to curb acts of indiscipline at home also provides fertile grounds for its use at school. The influence of the home use of corporal punishment at school is in the mesosystem of Bronfenbrenner's bio-ecological theory. The acceptance of corporal punishment at home makes learners accept it at school as well.

The use of corporal punishment in schools occurs despite its legal abolition in through the Education Act of 2010. The administration of corporal punishment did not stop with the enactment of the Education Act of 2010. The head-teachers seemed to favour the use of reasonable chastisement as they emphasised its application using "*lesoa*", a small stick, to administer light beatings on the learners. A great consideration was also made in order to ensure that learners were not hurt. Although the head-teachers emphasised the use of reasonable corporal punishment in schools, the current study revealed that the beating of learners is usually accompanied by verbal abuse, for some teachers insult learners as they apply corporal punishment. Furthermore, these teachers use learners' problems which are not related to the misconduct or the learners' complexion to verbally abuse the learners during the application of corporal punishment. The perception of reasonable corporal punishment as an acceptable practice can also be linked to its context within the Basotho culture. Basotho positively regard corporal punishment as far as it children are not injured. A similar principle is applied in schools. Corporal punishment is acceptable as far as it does not lead to injuries.

The study further concludes that corporal punishment is used at varying degrees by different schools and teachers as some schools use it more than others. In addition, the use of corporal punishment by different teachers was also varied. There are teachers who beat learners daily while others use corporal punishment once in three days. The magnitude of the use of corporal punishment also depends on individual teachers' preference. This can be explained by the element of processes in the Bio-ecological theory which posits that an individual is not a passive entity within the environment. Individuals acquire competences that direct their behaviour across situations and influence

the environment. Individuals are the result of their interaction with the environment (Bronfenbrenner and Evans 2000; Rosa and Tudge 2013). Teachers in this case prefer to use corporal punishment because of their own competences which seemingly prefer meting out of corporal punishment.

It was also concluded that corporal punishment is used to curb a wide range of misdemeanours. These misconducts include speaking Sesotho within the parameters of the school, using vulgar language, bullying other learners, failing a test and not doing homework. A majority of the participants consider corporal punishment to be a routine in Lesotho. The frequent use of corporal punishment and its use for different forms of misconducts, therefore, show that it is an important measure used to curb indiscipline in the schools.

The extent of the use of corporal punishment was also measured by the injuries that learners incurred as a result of being beaten. The results show that learners developed bruises because some teachers administered a large number of strokes on the learners. Most of the bruises appear when the learners are beaten on the buttocks and these can be green in colour when they are new and then turn dark with time. The bruises would take a week or two to disappear, depending on their severity. Besides bruises, learners also sustained wounds and broken nails that would appear black in colour, thus, indicating that there could be a blood clot. The cracked nails and bruised fingers were caused by the wooden duster while the wounds were caused by the chips that broke away from a stick.

The injuries sustained during corporal punishment are however, regarded by both the head-teachers and the learners to be minor. Teachers are in most cases not aware that learners were injured by the beating, while learners do not make any reports as they considered the injuries to be minor. As a result, there was no action taken over the injuries sustained by learners during punishment. In fact, it was noted that learners washed away the blood, knowing that the wound would heal. However, in some isolated cases, learners were taken to the doctor just to make peace with parents who would not be happy with the magnitude of corporal punishment given to their children.

The second research question was: What are the factors that lead to the teachers' use of corporal punishment in Lesotho high schools?

The assumption made was that both the teachers' and learners' characteristics lead to the teachers' use of corporal punishment in the high schools, despite it being illegal as the government of Lesotho had abolished its application. This study concludes that teachers' characteristics such as anger, preference for corporal punishment and regular absenteeism leads to use of corporal punishment. Learners' characteristics such as regular breach of the school rules and regulations such as arriving late at school, playing in class, making noise in class, dodging lessons, not cutting their hair, not singing well at the assembly as well as dodging punishment also lead to meting out of corporal punishment. Learners' use of drugs, bullying others, vulgar language and poor discipline was also some of the causes of corporal punishment in schools.

The study further concludes that academic reasons that lead to corporal punishment in schools include poor performance in a test. Learners who score below the pass mark are beaten. Another academic factor that leads to corporal punishment is learners' failure to submit their home-work. Learners who do not do their home-work are beaten. Sometimes learners copy responses from others. This also attracts corporal punishment. This conclusion suggests that corporal punishment is used for the majority of offenses without differentiation. According to the Bioecological theory the learners and teachers characteristics are the person elements. The individual's characteristics such as emotional resources, temperament, persistence, aggression and impulsiveness influence the proximal interactions between an individual and the environment (Darling 2007; Tudge *et al.* 2009). In the current study, the learners and teachers person characteristics seemingly lead to the meting out of corporal punishment on learners.

The third research question of the current study was: What are the learners' perceptions on the use of corporal punishment out-side the law in the high schools in Lesotho? The assumption that the study was carried with was that

learners loath the illegal use of corporal punishment. The study concludes that learners had mixed feelings about the use of corporal punishment. They seemed to appreciate the use of corporal punishment because they said that they deserved it if they had breached the rules and regulations of the school. They also felt that it deters them from engaging in acts of misbehaviour. Learners' appreciation of corporal punishment was also based on its use at home and this made them perceive corporal punishment positively. This is in line with the element of processes as explained in the bio-ecological theory (Rosa and Tudge 2013). The proximal enable learners to internalise the norms of the society. Children grow up in an environment where corporal punishment is used to curb indiscipline. They identify with its use and accept it as a normal practice.

Learners also accepted the use of corporal punishment at school because it was an easy way out compared to other forms of punishment. It was quickly applied and done with and the pain did not take a long time to disappear. Other forms of punishment such as digging a pit took a long time to complete and learners do not attend lessons while serving them.

Learners' positive perception of corporal punishment changed when they talked about the severe use of corporal punishment. They indicated that they understand that they are beaten as a form of discipline but they considered severe corporal punishment to be tantamount to a fight rather than an act of discipline. It is during severe beating that some teachers beat learners all over the body without targeting a particular area. Though learners loathe severe corporal punishment they revealed that they did not consider dropping out of school. Learners only drop out of school in isolated cases. Reporting teachers who applied severe corporal punishment was not considered because they could lose their jobs.

The fourth research question was: Why does corporal punishment persist despite it being legally abolished? The researcher did not have an assumption for this question. This is because the researcher felt that this is the area that needs to be explored to obtain answers.

The study concludes that corporal punishment persists in Lesotho high schools because teachers and head-teachers perceive it to be effective as a disciplinary measure. Its effectiveness is derived from its deterrent nature. If learners are beaten for a particular offense for two consecutive days they would not commit that offense for that week. The positive perception of corporal punishment by teachers is related to a perception that learners respect teachers who use a stick.

The use of corporal punishment in schools persists further because both parents and learners accept its use at school. Learners are beaten at home as a way of discipline and they see the use of the stick at school as in line with its application at home. Some parents support the use of corporal punishment to the extent of even applying it on their children at school. Furthermore in some schools, parents encouraged teachers to beat learners despite being informed that the law is against its use.

The third reason for the persistent use of corporal punishment was found to be the learners' lack of awareness on the illegal status of corporal punishment. Learners were not aware of the laws governing corporal punishment. They were also not aware of the Convention of the Rights of the Child as well as the African Charter on the Rights and Welfare of the Children. However, learners could mention a few of the children's rights, including the right not to be treated in a degrading and inhumane manner. But the learners did not consider corporal punishment to be inhumane and degrading. This lack of knowledge about the laws governing corporal punishment suggested that teachers can illegally use corporal punishment without the learners raising an eye brow on it.

Although the head-teachers knew about the Lesotho Education Act 2010 and that the Act abolished corporal punishment, they seemed unable to implement the laws in their schools. Some head-teachers turned a blind eye to the illegal use of corporal punishment in their schools because they rationalised that it was culturally permissible. The long history of corporal punishment in the country also exacerbates the situation. Head-teachers seemed to advocate for

mild and reasonable corporal punishment and even suggested that the use of corporal punishment should be regulated.

The study therefore concludes that the use of corporal punishment in schools persist because of a number of reasons. These include the reason that perpetrators were not punished in any manner. The knowledge of the laws governing corporal punishment were minimal as has already been explained in this study and this made the learners and the parents fail to realise that the use of corporal punishment was a breach of the laws. Consequently, both the learners and the parents were only concerned about the severe corporal punishment. Even with severe corporal punishment, perpetrators were not disciplined in any manner. The schools and the community at large talked parents against taking any action. The concerned teacher of the school paid for the learners medical expenses.

The lack of structures for dealing with the breach of the laws governing corporal punishment causes its use to persist. Learners have to report to their class-teachers who in most cases ignore the learners' grievances. Consequently, nothing is done. Some teachers thought that their schools did not have structures meant to report on the illegal use of corporal punishment. The Ministry of Education and Training seemed not to have put in place the structures necessary to support teachers. Head-teachers were informed of the illegal status of corporal punishment but it was not clear on what could be used as a disciplinary measure in the absence of corporal punishment.

The fifth research question was: How does the Basotho culture influence teachers' perceptions of the use of corporal punishment in the high schools in Lesotho? The assumption that went with this research question was: The Basotho culture provides a supportive context to the use of corporal punishment in the high schools in Lesotho.

The study concludes that the Basotho culture supports the use of corporal punishment in the schools. A cumulative number of the teachers who agreed that corporal punishment is part of the Basotho culture is 73.8 %. Proverbs are

used to back-up the use of a stick to learners. Such proverbs includes “*thupa e otlolloa e sa le metsi*” (*a stick is straightened while still wet*) and *ha u sautloe ha u joetsoa, u tla utloa ka letlalo*” (*If one cannot respond when being told, they respond well with pain*).

Secondly, head-teachers perceived corporal punishment to be a norm within the Basotho society. It is used at home and it is the type of punishment that learners are used to. As a result no one raised their concerns when teachers continued with their use of corporal punishment in their daily business.

The sixth research question was: What strategies are needed to reduce corporal punishment in the high schools of Lesotho? The assumption that guided this question was that a multi-strata intervention that considers different contextual levels may reduce the use of corporal punishment in the Lesotho high schools.

The study concludes that both the learners and the head-teachers do not envisage their schools running smoothly without the use of corporal punishment. Learners feared that their schools would be chaotic and their parents would regularly be called to school for minor problems. Learners advocated for mild corporal punishment guided by rules, with some opting for open communication channels between the learners and the teachers. These open communication channels would allow learners to say their side of the story and the teachers to address the learners on the misconduct committed.

5.9 Suggestions for intervention

Having observed the contextual factors that seem to sustain the use of corporal punishment in Lesotho high schools, the current study suggests the following intervention. The suggested interventions draw on Bronfenbrenner’s bio-ecological theory and positive discipline. Principles of positive discipline should be infused in various systems of the learners’ life as perceived by Bronfenbrenner.

The macro-system, which is the 2010 Education Act that abolishes corporal punishment, is already in place. However, it seems to be competing with an established Basotho culture, which makes it difficult for the law to positively influence the learners. This necessitates the strengthening of the publicity of the law. In Sweden the introduction of the anti-corporal punishment law was widely circulated through media campaigns (Ziegert 1983; Durrant 1999; Roberts 2000). At the macro-system the law may be made widely known by repeatedly talking about it on the government radio and television station. As revealed in the current study, the learners were found not to be aware of the law that abolished corporal punishment in the country, however, the use of media campaigns would therefore allow the information to filter through from the macro-system to other systems.

The law has to be explicit. It should clearly abolish corporal punishment and indicate the reparations of its violation. The law is silent on what should happen on teachers who beat learners outside the law. The current study could not find any evidence of teachers being disciplined for beating learners; hence clarity in this regard could help to monitor the implementation of the law.

Another intervention can also occur at the learners' exo-system, which is a system where the learners are not members but some individuals in the learners' micro-system belong to this system. For example, learners do not belong to the teachers' unions or the subject area organisations or parents' organisations. Workshops on the 2010 Education Act could be held in this area. These workshops could also focus on issues such as the disadvantages of corporal punishment as well as the alternative methods that can be used to curb acts of indiscipline. The current study revealed that few workshops were held to alert the head teachers about the change of the law. These workshops were seemingly not adequate to reduce the use of corporal punishment in the country. Corporal punishment has been used to discipline learners from time in memorial. Rigorous implementation efforts need to be made to up-root the practice.

Intervention can also occur in the learners' micro-systems. Both the school and the family micro-systems may discuss issues of corporal punishment. Consistent support should be available at the school micro-system. The current study revealed that teachers support each other on the use of corporal punishment, as a result support at the school level would assist teachers to refrain from such acts. It would make them frown at the use of corporal punishment.

Another intervention relates to the empowerment of learners on issues of discipline. As it is suggested by positive discipline, learners would be equipped with skills that will enable them to avoid breaching regulations and getting into trouble. Discipline would be proactive instead of reactive and the students would be taking responsibility for their actions. The multi-level intervention is illustrated on figure 5.1

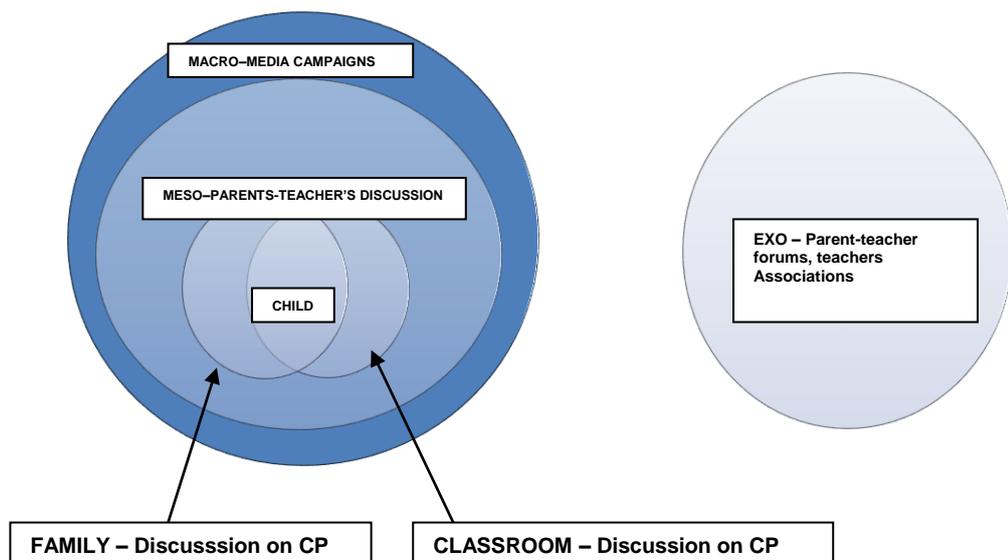


Figure 5.1: Bio-ecological Model Intervention in Corporal Punishment

5.10 Recommendations

Having gone through the conclusions, the current study makes the following recommendations aimed at intervening in various systems of the learners' lives.

1. The learners appeared to be unaware of the legal status of corporal punishment. It is therefore recommended that intervention be introduced in two of the learners' micro-systems, the school and the home. The illegal status of corporal punishment at school needs to be taught at school. It can be included in the social sciences curriculum. This inclusion will provide an appropriate context because Human Rights are part of the social sciences curriculum. The inclusion within the curriculum will also initiate discussions on various issues related to corporal punishment. Parents also need to be sensitized about the adverse results of corporal punishment and its illegal status. This will also trigger discussions on corporal punishment at home. It will also help parents to support their children against the use of corporal punishment.
2. Channels of reporting on the illegal use of corporal punishment need to be clarified. This will support learners because they would know that they have someone willing to support them.
3. Disciplinary measures should be taken against teachers who beat learners out-side the law. This will deter possible perpetrators from beating learners.
4. Support structures, which will assist the teachers to manage change, should be in place for teachers because corporal punishment has been used in the school from time in memorial. It may take some time and effort to abolish it.
5. At the school level, teachers need to be work-shopped on formulating anti-corporal punishment school policies. Such policies will help the schools to create safe schools which do not depend on corporal punishment.
6. More discussions about the laws should be held at the macro-system. It can be through media out-lets such as the radio programmes and the news-papers.

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APPENDIX 1: Letter requesting permission to collect data

THE NATIONAL UNIVERSITY OF LESOTHO

Telephone: +266 22340601
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Website: <http://www.nul.ls>



P.O. ROMA
LESOTHO
Southern Africa

The Senior Inspector
Ministry of Education and Training
Maseru 100
Lesotho

Dear Sir/Madam

I, Retšelisitsoe Matheolane, is undertaking a study on corporal punishment in some (selected) High schools in Lesotho. The list of schools is attached. This study is part of my Doctoral studies (Education) with the Central University of Technology, Free State, in South Africa under the supervision of Dr Alfred H. Makura. I humbly request that you kindly grant me official permission to collect data from high and secondary schools in the country. Participants in this study will be parents, head teachers, teachers and learners. By notice of this letter, I promise to abide by all official and ethical protocols related to this type of study. I also promise to abide by any other conditions that you may set. The information I seek is for academic purposes only, and shall be used for such purpose only.

Your assistance in this regard will be much appreciated.

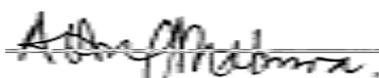
Yours sincerely,

Retšelisitsoe M. Matheolane



Date 4. 08. 2014

Supervisor: Dr AH Makura



Date 4. 08. 2014

APPENDIX 2: Letter from the MOET



THE KINGDOM OF LESOTHO MINISTRY OF EDUCATION AND TRAINING

21st August 2014

REF: ED/X/2

Ms Retselisitsoe Matheolane
The National University of Lesotho
P.O Roma 180

Dear Madam;

REQUEST TO CARRY OUT A RESEARCH STUDY IN LESOTHO'S SCHOOLS

Receipt of your request with regard to the captioned subject matter is acknowledged.

Corporal punishment is an emotive issue in the school system, probably stemming from outlawing of the practice by the Ministry. Even though it is not clear what exactly you intend focusing on, I do hope that findings of the study will provide useful insights for further interventions by the Ministry. Accordingly, you are granted permission to carry out the proposed study in our schools and we hope the results of your study will be made available to the Ministry. A word of caution though; I observed that some schools in your sample have wrongly being named high schools while they are still secondary schools. I hope you heed this, especially if these names will appear in your report.

Thank you.

Yours sincerely,


R. MAJARA(MR)
CEO-SECONDARY

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ratsiu.majara@gmail.com

TEL: +(266) 22322862

FAX: 0026622312240



APPENDIX 3: Consent form to be filled by the school head- teachers

Dear sir/Madam

I, Retšelisitsoe Matheolane, is undertaking a study on the use of corporal punishment the high schools in Lesotho. This study is carried out for fulfillment of Doctor of Philosophy (Education) with the Central University of Technology. You are requested to give consent to the researcher to ask learners to respond to this questionnaire. All answers are correct. The researcher will ensure that your name is not disclosed and your learners' participation will not put you and them under any risk. Please sign on the spaces provided if you agree to participate on the study.

Name _____

Signature _____



APPENDIX 4: Consent Form to be filled by teachers

Dear sir/madam

I, Retšelisitsoe Matheolane, is undertaking a study on the use of corporal punishment the high schools in Lesotho. This study is carried out for fulfillment of Doctor of Philosophy (Education) with the Central University of Technology. You are requested to answer the following questions as honestly as you can. All answers are correct. The researcher will ensure that your name is not disclosed and your participation in this study will not put you in any danger. Please sign on the spaces provided if you agree to participate on the study.

Name _____

Signature _____



APPENDIX 5: Consent Form to be filled by parents

Dear sir/madam

I, Retšelisitsoe Matheolane, is undertaking a study on the use of corporal punishment in the high schools in Lesotho. This study is carried out for fulfillment of Doctor of Philosophy (Education) with the Central University of Technology. You are requested to answer the following questions as honestly as you can. All answers are correct. The researcher will ensure that your name is not disclosed and your participation in this study will not put you in any danger. Please sign on the spaces provided if you agree to participate on the study.

[’Me/ Ntate

’Na Retselisitsoe M. Matheolane, ke etsa boithuto mabapi le ho shapa bana le mekhoha e meng e utloisang ‘mele bohloko likolong tse phahameng. Boithuto bona bo etsoa ho khotsofatsa litlhoko tsa lengolo la PhD Central University of Technology, Bloemfontein. U kupuo a ho araba lipotso tsena ho ea kamoo u tsebang ka teng. Likarabo tsohle li nepahetse. Mabitso a hau ha a na ho hlahisoa ‘me ho araba lipitso tsena ha ho na ho u Kenya tsietsing ka mokhoa ofe kappa ofe. U kopuo a ho tekena sebakeng se siiloeng ha u lumela ho Kenya letsoho boithutong bona.]

Name _____

Signature _____

APPENDIX 6: Semi-structured Interview Schedule for Head- teachers

1. Please tell me how you discipline learners in this school.
2. Please tell me how the use of corporal punishment in the school is monitored.
3. Please describe the laws that govern corporal punishment
(Are they aware of National and international laws on corporal punishment? What are their views on the laws?)
4. Please tell me about the application of these laws in your school.
(Are the laws up-held? What happens to teachers who do not abide by the laws, what is the procedure followed to report breach of the laws? Do you have teachers who were disciplined because of breaching the laws on corporal punishment?)
5. Please tell me why do teachers use corporal punishment
(Why do teachers opt for corporal punishment? Is it in line with the school rules and regulations? Is it in line with the national laws on corporal punishment?)
6. Is there any relationship between corporal punishment and the Basotho culture?
7. What do you think should be done to abolish corporal punishment?

APPENDIX 7: Questionnaire for Teachers

Section A: Biographical information

1. Please tick the appropriate option.

Male	
Female	

2. Please tick your appropriate age range/group.

20-25years		46-50 years	
26-30 years		51-55 years	
31-35 years		56-60 years	
36-40 years		61-65 years	
41-45 years			

3. Please tick your highest qualification

Secondary Teachers Certificate (STC)	
Diploma in Education (secondary)	
B.A.Ed	
B.Ed	
BSc Ed	
PGDE	
other (specify)	

4. Howlong have you been teaching? (Choose one)

5 years or less		26-30 years	
6- 10 years		31-35 years	
11-15 years		36-40 years	
16-20 years		41-45 years	
21-25 years			

5. What position do you currently hold in your school? (Please choose one)

Teacher	
HOD	
Deputy head-teacher	
Head-teacher	

6. Have you witnessed corporal punishment being used in your school?
(Please choose one)

Yes	
No	

7. If yes, which category of teachers uses corporal punishment? (Use numbers 1 to 5, with 1 showing the most frequent and 5 showing the least frequent)

Male teachers	
Female teachers	
Science teachers	
Language teachers	
Head teachers	
Other (specify)	

8. How regularly are learners punished using corporal punishment in your school?

Daily	
Three times a week	
Once a week	
A week may pass without a learner being beaten	

9. Tick the instruments which are used to punish learners in your school (use numbers 1 to 5, with 1 showing the most frequent and 5 showing the least frequent)

Stick	
Ruler	
Bare hands (slapping)	
Belt	
Whip	
Other (Please specify)	

10. On which body part is CP applied mostly? (Use numbers 1 to 5, with 1 showing the most frequent and 5 showing the least frequent)

On the buttocks	
Inside the hands	
At the back of the hands	
Behind the legs	
On the face (slapping)	

11. Have you ever applied CP during your teaching career?

Yes	
No	

12. Using a scale ranging from 1-5 show the main reasons for punishing learners in your school. (Use 1 for the most common reason and 5 for the least common reason)

For coming to school late	
For being absent from school	
For Speaking in without permission class	
For not doing home-work	
For giving wrong answers in class	
For failing a test	
For insulting other children	
Others (specify)	

13. Do you believe in corporally punishing learners at school?

Yes	
No	

14. What are your views about each of the following statements concerning corporal punishment?

	Strongly agree	Agree	Not sure	Disagree	Strongly disagree
Learners should be beaten at school so that they can learn.					
Learners can become unruly if they are not beaten at school.					
Learners are beaten in all schools in Lesotho use.					
Beating learners destroy relationships between a teacher and learners.					
Beating learners makes them fear their teachers instead of respecting them.					
Beating learners at school should be prohibited.					
Teachers are usually right in beating their students.					
Children's rights protect them from corporal punishment at school.					
Beating learners is the only thing that is effective when they disobey.					
Corporal punishment of children is ineffective as a way of disciplining children.					
Teachers have the duty to hit children as part of					

discipline.					
Corporal punishment is humiliating for learners					

15. Which category of teachers beat learners most in your school? (Use numbers 1 to 5, with 1 showing the most frequent and 5 showing the least frequent)

Maths teachers	
Science teachers	
Language teachers	
Head teachers	
Others (please specify)	

16. Which other disciplinary measures are common in your school (use numbers 1 to 5, with 1 showing the most frequent and 5 showing the least frequent)

Suspension from the class	
Verbal warning	
Written warning	
Detention after school	
Calling parents to school	
Physical (Manual) work such as cleaning toilets, surrounding etc	
Other (specify)	

17. Which forms of the following discipline measures in your view, are effective? (use numbers 1 to 8, with 1 showing the most frequent and 8 showing the least frequent)

Suspension from the class	
Verbal warning	
Written warning	
Detention after school	
Calling parents to school	
Physical (Manual) work such as cleaning toilets, surroundings etc	
Beating	
Physical (Manual) work such as cleaning toilets, surroundings etc	
Other (specify)	

18. Learners are beaten for the following reasons in my school: (use numbers 1 to 4, with 1 showing the most frequent and 4 showing the least frequent)

Insulting other children	
Making noise in class	
Stealing	

Beating/bullying other children	
Arriving late to school	
Not wearing school uniform	
Others (specify)	

19. Has anybody sustained injuries from being beaten in this school?

Yes	
No	

20. If yes, what form of injuries did they sustain? (Use numbers 1 to 5, with 1 showing the most frequent and 5 showing the least frequent)

Dislocated/fractured arm	
Bruises	
Bleeding from cuts	
Internal bleeding	
Knocked out tooth	
Others (specify)	

21. Have any of your learners ever dropped out of school for fear of being beaten at school?

Yes	
No	

22. Does your school have rules governing the use of corporal punishment?

Yes	
No	

23. If yes are the rules observed?

Always adhered to	
Sometimes adhered to	
Are not adhered to	

24. From your knowledge, are there any rules governing the use of corporal punishment in Lesotho?

Yes	
No	
I am not aware	

25. Do teachers in your school observe the national rules governing corporal punishment?

Yes	
No	
I am not aware	

26. If no, are there any procedures in place to report the transgression of laws governing corporal punishment?

Yes	
No	

27. Are there any teachers who were disciplined for transgressing corporal punishment laws in your school in the previous year?

Yes	
No	

APPENDIX 8: Interview Schedule to Parents

Section A: Biographical Information

1. Please tick the appropriate option.

Male	
Female	

2. Please tick your appropriate age range/group. [Ke kopa u khethe moo lilemo tsa hau lieolang teng]

Between 20-25		51-55	
26-30		56-60	
31-35		61-65	
36-40		66-70	
41-45			
46-50			

3. Please tick your highest qualification. [Ke kopa u khethe lengolo la haula thuto le ka holimo-limo]

PSLE	
JC	
Other (Please specify) [Le sieo ka holimo,le hlakise]	

SECTION 2 [karolo ea bobeli]

1. Please tell me about the disciplinary measures used in this school? [Ke kopa u nqoqele ka mekhoe e khalemo e sebelisoang likolong]
2. Should teachers use corporal punishment to discipline learners? [Na matichere a ka shapa bana le mekhoe e meng e utloisang mmele bohloko e le mokhoe oa ho khalema bana?]
3. Are you aware of school regulations governing use of corporal punishment? [Na utseba melao ea sekolo e tsamaisang tsebiso ea thupa le mekhoe e meng e utloisang mmele bohloko?]
4. Are you aware of national laws governing the use of corporal punishment? [Na u tseba melao ea naha e tsamaisang tsebeliso ea thupa le mekhoe e meng e utloisang 'mele bohloko]
5. Have parents contributed in the formulation of school regulations? [Na batsoali ba ba le seabo ho etsoeng hoa melao ea sekolo?]

6. Have you ever been called to school to discipline your child? [Na u kile oa bitsetsoa ho ea khalema ngoana oa hau sekolong]
7. What are your views about the use of corporal punishment in schools? [Maikutlo a hau ke afe ka tsebeliso ea thupa le mekhoa e meng e utloisang 'mele bohloko?]
8. Do you regard use of CP As part of Basotho culture? [Na u nka tsebeliso ea thupa le mekhoa e meng e utloisang mmele bohloko e le karolo ea bochaba ba Basotho?]

APPENDIX 9: An Example of parents' interviews

Interviewer: Ke kopa u nqoqele ka mekhoe e khalemo e sebelisoang likolong
[Please tell me about the disciplinary measures used in this school.]

'Mampho: Ha basa shapuo, tichere e lula le bana fatse oa ba khalemela , o ba bontsa phoso tsa bona. Ha ba bonahalal ba sa utloe ka nako e 'ngoe ba bitsetsoa motho a mo counselang. Kapa ba fue mosebetsi oa ho hloekisa, ba phuthe lipampiri, ba leme lipoloto.
[They are no longer beaten. Teachers sit down with learners and talk to them, showing them their mistakes. If they do not understand a counselor is called. Sometimes they are given work such as cleaning the garden, collecting paper.]

Interviewer: Na matichere a ka shapa bana le mekhoe e meng e utloisang mmele bohloko e le mokhoe oa ho khalema bana?
[Should teachers use corporal punishment to discipline learners?]:

'Mampho: Ba ba shape empa e se ka thata, ba ba tsose feela. Ho thoe bana ha ba sa shapuo, ba khalengoeloe feela empa matichere a mang ha a shape bana a ba khakhatha. [Teachers should beat learners but not too much. They should reprimand them but some teachers do not beat learners, they beat them too much]

Interviewer: Na utseba melao ea sekolo e tsamaisang tsebiso ea thupa le mekhoe e meng e utloisang mmele bohloko?
[Are you aware of school regulations and the national laws that govern use of corporal punishment?]

'Mampho: Ha ke e tsebe . [I don't know]

Interviewer: Ea naha eona? [What about the national laws on corporal punishment?]

'Mampho: Ha ke e tsebe [I don't know]

Interviewer: Na batsoali ba ba le seabo ho etsoeng hoa melao ea sekolo?
[Have parents contributed in the formulation of school regulations?]

'Mampho: Chehe. [No]

Interviewer: Na u kile oa bitsetsoa ho ea khalema ngoana oa hau sekolong?
[Have you ever been called to school to discipline your child?]

'Mampho: Chehe ha ke so bitsoe. [No I have never been called]

Interviewer: What are your views about the use of corporal punishment in schools? [Maikutlo a hau ke afe ka tsebeliso ea thupa le mekhoha e meng e utloisang 'mele bohloko?]

'Mampho: Ha ke eso bitsoe. Batsoali ba bitsoa ha bana ba entse liphoso tse kholo. [No I have never been called. Parents are called when learners have committed trivial mistakes]

Interviewer: Maikutlo a hau ke afe ka tsebeliso ea thupa likolong? [What are your views about the use of corporal punishment in schools?]

'Mampho: Ngoana a shapuo, a se khakhathoe. Ke ho leka ho Kenya ngoana tseleng. Ha u mo tlohetse feela u bana motho a tsoang tseleng. Ha a shapuo ha ke na bothata . Ha ke rate ha a khakhathuo. [children should be beaten. It disciplines them. If you do not beat them they misbehave. I only have a problem with severe use of corporal punishment.]

Interviewer: Na u nka tsebeliso ea thupa le mekhoha e meng e utloisang mmele bohloko e le karolo ea bochaba ba Basotho? [Do you regard use of CP As part of Basotho culture]

'Mampho: Ho shapa bana ke karolo ea moetlo oa Basotho. Bana ba Mosotho ba hola ba shapuo. Ho etsa hore bana ba tsebe hore ba lokela hore ba khallengoe, ba se itaole. A tsebe hore ha a ka etsa phoso o tla shapuo. Ka hona o tla qoba ho etsa phoso eo. [A Mosotho child has to be beaten while growing up. It is part of our culture. This makes a children understand that he has to be reprimanded, so that they do not behave as they please. They will be beaten when they have made mistakes. In this way they refrain from doing the mistakes.]

APPENDIX 10: Focus group Discussion guidelines for Learners

1. Please tell me how you are disciplined in this school.
2. Why do you think teachers use corporal punishment?
3. How do you feel about the use of corporal punishment (on you and other learners)?
4. Please describe the international laws on corporal punishment.
5. Please describe the national laws on corporal punishment.
6. What do school rules and regulations say about the use of corporal punishment?
7. Please comment on the use of the laws on corporal punishment in your school.
8. Besides corporal punishment, what can be used to discipline learners?
9. Is there a relationship between the Basotho culture and corporal punishment?

APPENDIX 11: Focus group discussions with Form B learners at Lithaba

Interviewer: How are you disciplined in this school?

Mookho: Rea shapuoah re entse phoso. Ka nako e ngoe re shapuoah hantle joaloka bana. Empa ho nale matichere a mang a re khakhathang, ba u shapa feela ba sa khethe joaloka ha eka ba u loantsa. Mohlala: hoseng tichere e 'ngoe tichere e fihlile ea otlangoana e mong ka tlelapa. A mo otlela hore ngoana ena o ne a eme. Tischere a 'mitsa, a mo betsa ka tlelapa a sa mo famonyetla oa ho hlalosa hore na o ne a emetseng ka maoto. Motho a mokaalo-kalo, a betsa ngaona a mokalonyana ka tlelapa!

[When we have made a mistake here at school we are beaten. Some times we are beaten like kids, and there are some teachers who beat students everywhere on the whole body, as if they are fighting us. For example, in the morning there was a teachers who beat one student for standing in the classroom. The teacher called the student and simply slapped her without allowing her to explain why she was standing there. This teacher was a grown up man beating a very small kid].

Interviewer: Where was the student standing for the teacher to beat her? in class?

Mookho: Yes, she was standing in class. It was in the morning and the student had just gone to borrow a book from another student in the same class and Sir arrived just in time when she was standing. When the student tried to explain why she was standing, the teacher simply ignored the explanation and said "se ka ba oa ntloaela hampe!" and slapped her.

Interviewer: How exactly did he slap her?

Mookho: He simply pulled the student to him and slapped her. When he got to the Other student he said, "you don't know me well, i am so and so"

Interviewer: (*trying to imitate*) I arrive to you and say, "Maybe you dont know me, my name is Retshedisitswe"? had the student done any thing?

Mookho: Yes. This student was the same student who was standing to borrow a book from another. When he arrived to her he said "maybe you dont know me!" and slapped her.

Interviewer: You also know all of this issues right? (*to the rest of the students*)

All Students: Yes madam