



Teachers' Views on Tanzania Corporal Punishment Legal Policy in Schools: Level and Manner of Implementation

Elkana S. Ntebi
Institute of Adult Education, Tanzania
Email: entebi@iae.ac.tz

Abstract: Globally, countries are working out to abolish the use of corporal punishment in schools. With no exclusion, Tanzania has been making different efforts to attain full eradication of corporal punishment (CP) in schools, including introducing the policy on how to administer corporal punishment in schools. Despite the efforts, teachers are witnessed using CP in managing discipline to their students. Studies revealed that the manner and extent for implementation of CP policy differs from one school to another. This study focused on exploring factors accounting for the level and manner of implementing the policy. The study used quantitative approach, and descriptive design which applied questionnaire as a tool for data collection. The data were collected from 13 Tanzanian primary school teachers. The findings show that students' discipline; poor society involvement; lack of support from school and teachers not being updated of the policy are factors associated with manner and level of implementation of the policy. There is a need to find inclusive methods on how schools and community can work on improving students' discipline, the responsible body for the policy needs to work on how it updates teachers on the policy. This will help them to see challenges and find collective ways to mitigate.

Keywords: Corporal Punishment, Legal, Discipline, Policy, Implementation

How to cite this work (APA):

Ntebi, E. (2024). Teachers' views on Tanzania corporal punishment legal policy in schools: Level and manner of implementation. *Journal of Research Innovation and Implications in Education*, 8(2), 213 – 219. <https://doi.org/10.59765/svpr58429>.

1. Introduction

In schools and classrooms context it has been argued that teaching and learning process run smoothly in peacefully and orderly environment (Ukpabio, Usen, & Etor, 2019). It is further contended that in order to create such environment in schools, students are required to comply with school rules and regulation (Ukpabio, Usen, & Etor, 2019). This argument reveals the truth on the responsibility of both teachers and students in abiding by the rules and school regulation to enhance and promote the concentration in sessions. Farooq, (2014), suggested that in

order to have an orderly environment in schools, and make students follow school rules and regulation, it is important to have strategies and principles that guide school function and routines. The presence of school routines will ensure that students behave in the intended ways and they do not breach school rules and regulation. Ukpabio, Usen, & Etor, (2019) in their study suggested three strategies that can be used as the methods to ensure safe environment at schools which includes code of conduct, punishment and other behavior management methods.

The above suggestion on the strategies to enhance the peaceful and orderly environment in classrooms has led to the debate on whether the use of corporal punishment should be banned or not. The group that supports the use of corporal punishment they see it as appropriate and necessary in controlling the behavior of learners and in creating smooth teaching and learning environment in schools (Ukpabio, Usen, & Etor, 2019). In other hand, the application of the corporal punishment is seen as ineffective and cannot control or create the safe leaning environment rather it creates fear and anxiety and other long-term effect that last with human life (Ntebi & Mbennah, 2021).

Historically, legalized use of Corporal Punishment in Tanzanian schools emerged from the Corporal Punishment regulations of 1978 under section 60 of the Education Act. Additionally, Tanzania Education Act number 25 of 1979 gave powers to the Minister of Education to develop policies that enable management of discipline in schools (Semali & Vumilia, 2016). This regulation was moderated in 2000 to enable oversight. Unfortunately, the moderation still reserved the use of corporal punishment in dealing with misbehaviors in schools (Ntebi, 2018). Reserving the use of corporal punishment and being used as the way of dealing with indiscipline has led to different effects as some of the teachers have failed to follow the stated regulation. This has resulted to some of the students being injured, and in few cases are killed due to excessive corporal punishment.

The moderation, however, focused on ensuring minimization of corporal punishment use in schools, but the situation in managing indiscipline cases is worse as the manner and extent of the punishment are uncontrollable. Thus, management of misbehavior and indiscipline matters in schools has attracted attention of many international and local organizations to call upon various rules that would protect children from all forms of torture, humiliation and exploitation that they may encounter at schools (Ntebi & Mbennah, 2021). Ntebi (2018) argue that students need to be treated in a positive way that will not create fear in their mind to try new things when they learn. As such, a number of international laws and treaties with respect to child safety, protection and welfare have been passed and ratified by many countries, including Tanzania. With this argument it is important to ensure that, policy introduced to guide teachers on how to administer punishment to students is well implemented. However, it is very important to note that this task need to be understood by both teachers and parents for successful implementation (Kambuga, Manyengo & Mbalamula, 2018).

The amendment of Corporal punishment Act of 2000 expected to change the situation on controlling the teachers on administering the corporal punishment to students

(Ntebi & Mbennah, 2022). However, it is important to note that the Act amendment still retained corporal punishment in disciplining the students at school; the amendment retained the use of corporal punishment in managing students' behavior. This is to say, schools continue to use corporal punishment as the way of dealing with misbehavior among students. In order to ensure that schools are following the established policy and regulations in the Act, different studies are conducted to assess different aspects pertaining to behavior management and corporal punishment. However, there are few studies conducted on factors for the level and manner of implementation of the corporal punishment legal policy in schools. Hence, this paper focuses on exploring teachers' views on factors accounting to the manner and level of corporal punishment implementation policy in Tanzanian schools.

2. Literature Review

Many studies conducted on the views of teachers in regard to the use of corporal punishment seem to be in favor of retaining corporal punishment as an effective way of managing behaviors of the students in schools (Mpagi, 2014). Kambuga, Manyengo & Mbalamula (2018) in their study on Corporal Punishment as a Strategic Reprimand used by Teachers to Curb Students' Misbehaviors in Secondary Schools: Tanzanian Case; they found that, majority of teachers seem to agree that indiscipline issues in schools and in classroom can be dealt with by the use of corporal punishment because many teachers adore its use. They further argued that the corporal punishment was favored by teachers as they believed that it improved the discipline faster due to that it is always quickly administered soon after the misbehavior shown.

Despite the fact that majority teachers favor the use of corporal punishment in managing students' behavior, corporal punishment has been causing different effect to students and schools. Its effect includes but are not limited to anger, dissatisfaction, vandalism, violence and strikes. Other effects may include but are not limited to anxiety, fear, absenteeism, lack of confidence, poor participation in learning process, rudeness, ant social behavior, hardness in paying attention and focusing. (Kambuga, Manyengo & Mbalamula, 2018). Such kind of violences and strikes in schools are caused by unfairly administration of corporal punishment by teachers and it has led to distraction of school properties (Kambuga, Manyengo & Mbalamula, 2018). Other effects of unfair administration of corporal punishment in schools includes absenteeism, poor performance, and fear of trying new things (Ntebi & Mbennah, 2021).

Furthermore, the administration of corporal punishment to students violates convention rights of children, it further treats students as instrument rather than people who can be changed through the civilization process, which may include guidance and counselling (Ntebi & Mbennah, 2022). Additionally, studies reveal that most of teachers who tend to use corporal punishment in Tanzania are those from public schools (Kambuga, Manyengo & Mbalamula, 2018). However, despite their favor to corporal punishment, teachers are in support of ensuring moderation of corporal punishment to ensure fairness and prevent excessive use of corporal punishment that could cause harm. Teachers' support to the moderation evidently shows that they are aware of the effect of corporal punishment to students both physical and psychological effects.

Similar findings were presented in the study by Cheruvalath and Tripath (2015) conducted in India. In their study they assert that teachers still apply corporal punishment in controlling the behaviors of the students. Teachers also perceived corporal punishment as an effective method of controlling the disciplinary issues at school. The study further argued for corporal punishment asserting that it always produces a good result (Kambuga, Manyengo & Mbalamula, 2018). Arguably, the urgings for corporal punishment have only presented the results that are produced after the administration of corporal punishment and not the result left after the administration of the punishment. Hence, such support shows the necessity of the responsible authority to provide the education on the result that are caused by the punishment in the life of the person.

On the other hand, studies arguing against corporal punishment based on students' view assert that, it is ineffective in managing behavior causing emotional and physical suffering among students. Also, some teachers believe corporal punishment is ineffective in managing behavior of the students (Kambuga, Manyengo & Mbalamula, 2018). They further state that the use of corporal punishment among teachers indicate that teachers lack knowledge and skills in managing the discipline of the students in classes. Hence, they suggest that teachers need to be trained on how they can apply alternative methods to corporal punishment. The same suggestion was asserted by Ntebi and Mbennah (2022), in their study they recommend that teachers need to be informed on alternative strategies that can be applied to students in place where teachers could use corporal punishment. The recommended strategies are those that ought to add value to students' life and performance and they need to be academic related tasks that will take the time of the students but at the same time they will help the learner to behave well.

In ensuring that teachers are adopting the alternative strategies to corporal punishment, studies suggest different

ways including schools having counsellors that will be working as a full-time employee (Ndiku, Nyambosibi & Benson, Nyambosibi & Benson, 2016; Kambuga, Manyengo & Mbalamula, 2018). Their role will be conducting guidance and counselling to students and helping them to behave in acceptable way. Authors who argue for guidance and counselling they state that, this can be a good way of dealing with misbehavior as teachers seem to fail in banning its practice despite of been aware of the significant consequences which results from the use of corporal punishment.

Further, studies revealed that despite the practice of administering corporal punishment in schools still there is no evidence on academic performance improvement that is enhanced using corporal punishment. Teachers who tend to use corporal punishment frequently to their students they have showed the worse academic performance (Ndiku, Nyambosibi & Benson, Nyambosibi & Benson, 2016). This is to say the use of corporal punishment is not of advantage among students rather it is deteriorating their participation in classrooms and it affects their performance in their final exams. Additionally, Ntebi and Mbennah, (2022) asserts that students are failing to acquire innovative skills as they are fearing to be punished when they do it incorrectly. They further add that students who are subjected to corporal punishment frequently they are associated with different effect including depression, fear and anger as the result during the learning process they tend to disengage in school and academic activities.

In the same vein Kambuga, Manyengo & Mbalamula, (2018) pointed out that, the disengagement of students in academic activities tend to develop different behavior among students which include deteriorating peer relationship, difficult with concentration, disliking authority, ant social behavior, they tend to complain much, school drop-out, and high-risk adolescent behaviors. Kambuga, Manyengo & Mbalamula, (2018) further claim that, unfair administration of the punishment to students cause dissatisfaction, anger and it may lead to other act of indiscipline cases including strikes, vandalism, and violence in schools

3. Methodology

The study used a quantitative approach, the design for this study was descriptive. It involved discipline teachers only from primary schools, where 13 teachers participated from 13 public primary schools. The sampling technique used was convenience sampling for schools and purposive sampling for teachers. This sampling technique is usually considered adequate. The choice of the sample was supported by the claim made by Invocavity (2014) study on corporal punishment in which she argued that the

teachers, should be part of a study related to corporal punishment because these are the practitioners of corporal punishment. In any case, this sample size was deemed adequate for the study. Furthermore, the selection of the sample to be used relied much on factors such as relevant of the sample chosen to the phenomena under study. The data was collected from primary school teachers in Shinyanga rural areas. Questionnaire with close ended questions tool used to collect the data for the study. Data collection was done in respect of the study specific objectives using self-administered questionnaires. The data collected were analyzed using Statistical Package for Social Science (SPSS) software. The findings from the analysed data were presented through frequency and percentage.

4. Results and Discussion

4.1 Results

As stated earlier, the study focused on exploring factors accounting for the manner and extend of CPP implementation. The respondents were given a questionnaire to fill out. The tool for data collection were having four variables with 5 likert scale that was to be filled based on the perspective of respondent from strongly agree as number one to strongly disagree as number 5 value. Table 1 below presents the summary of the findings.

Table 1: Factors accounting for the extent and manner of Corporal Punishment policy implementation in Shinyanga Rural District

Response	SA		A		D		SD		N	
	Fr	(%)	Fr	(%)	Fr	(%)	Fr	(%)	Fr	(%)
Students discipline	6	46.2	1	7.7	2	15.4	0	0	4	30.8
Poor society involvement	5	38.5	4	30.8	3	23.1	0	0	1	7.7
Not been updated on the policy	3	23.1	2	15.4	1	7.7	3	23.1	4	30.8
Lack of support from school	7	53.8	3	23.1	1	7.7	0	0	2	15.4

Key: Fr=Frequency, SA=Strongly Agree, A=Agree, D=Disagree, SD=Strongly Disagree and N=Neutral

From table 1 above, the result shows that 6 (46.2%) respondents strongly agree that discipline of students account for the manner and extent for the implementation of CP legal policy while 1 (7.7%) agree, 2 (15.4%) disagree and 4 (0.8%) were uncertain on the factor. Furthermore, 5 (38.5%) respondents strongly agreed that poor society involvement account for the manner and extent of the implementation of corporal punishment and only 4 (30.8%) agreed. While 3 (23.1%) disagreed and only 1 respondent (7.7%) was neutral on the variable.

Additionally, the respondents were asked on the variable on not updated of the policy and the results yielded from the study shows that 5 respondents (38.5%) agree, and 4 respondents (30.8%) disagree while 4 (30.8%) undecideds on the variable. Lastly, lack of support from school account for the manner and extent for the implementation of corporal punishment legal policy as 10 teachers (76.9%) agreed on it, 1 (7.7%) disagreed while 2 (15.4%) of respondents were neutral.

4.2 Discussion

4.2.1 Students' Discipline

Schools differ in the way they instillemphasize,ze and manage the discipline of their students. The variation among schools on how they deal with discipline and indiscipline cases are key in determining the extent and manner to how the respective school implements the legal policy on corporal punishment. From the study, the implication of the findings is that more than half of the respondents agree that there is relationship on the extent and manner of implementation and how students behave. Furthermore, results imply that to manage manner of administration of corporal punishment schools need to focus on managing the behavior and discipline of their learners. This may range from having sessions with students to school-based policy that can be used to ensure that students are behaving in manner that is agreed among the community and school.

Study by Hassan & Bali (2013) show that students do not favor the use of Corporal Punishment that does not adhere to policy, at the same time, it was revealed that, students behave well when there is a pre-determined document that

guide them on how they must behave at school. Furthermore, Ntebi (2018) study shows that teachers agreed to use the Corporal Punishment to control students' behavior, the study reported that teachers use Corporal Punishment more frequently to reform students' misbehavior rather than helping them to study well.

Similarly, ideally, teachers expressed a generally negative perception towards the use of Corporal Punishment to discipline students in primary schools as teachers from both school categories claim to be against it. However, teachers from both school categories felt that students respect teachers who use Corporal Punishment as a form of discipline than those teachers who do not use it (Gwando, 2017). Henceforth, it is clearly concluded that students' behavior and discipline in school has opportunity to show and determine the manner and extent to how the implementation of corporal punishment legal policy is implemented.

4.2.2 Poor society involvement

From the study and results above, the implication of the finding is that more than half of respondents claimed that due to poor involvement of the society throughout the procedure from the formation of the policy to the implementation the society is not involved to present their view on how the policy need to be. Isolating society which is the part and parcel of the school community is making the implementation of the policy being hard as some of the issues in the policy need to be implemented at both home and school. The different habit of managing discipline of the students at home and school define also the extent and manner of how schools implement the policy.

Different studies show that poor involvement has an effect on implementation of the policy. For instance, Ntebi & Mbennah, (2022) who state that to take the example of education policy, successful implementation has been evidenced in schools where there is coherence, stability, peer support, training, and engagement. Thus, successful system reform means that a small number of powerful actors are interacting to produce substantial impact. Additionally, study revealed that implementation of the policy needs to involve education practitioners and agency who are held accountable for reaching specific indicators of success, goals of the statute are achieved, local goals are achieved or there is an improvement in the political climate around the program. Local capacity and will matter for policy success; adequate resources and clear goals are important too. In addition, the implementation process is characterized by a 'multi-staged, developmental character' (Ntebi & Mbennah, 2021; Ntebi & Mbennah, 2022)

4.2.3 Not been updated on the policy

From the course of the study respondents claimed that the policy was formed in 2002. From that time teachers have been employed every year but there are no clear strategies to help new teachers to be aware of policy. As a result, most of teachers are not aware of its presence and on how it works. There is no clear channel on how teachers will be informed about the policy. Also, teachers who were present at the time of its introduction need to be re-trained and be updated on the presence of the policy. According to respondents none of the above are done in schools and as the result the manner and extent of the implementation of the policy is not effective and it differ from one school to the other. Thus, in order to rise and bring about same understanding of the policy teachers need to be updated on the policy and have clear understanding of the policy that guide teachers on how they have to administer corporal punishment to students.

The findings align with the study by Kambuga, Manyengo & Mbalamula, (2018). In their study they state that most teachers adopt the use corporal punishment in managing the behavior and discipline of the students as they lack proper training in managing the behavior of the students in the classrooms. From the statement above, teachers are not aware and well trained on the policy that should guide them in administering corporal punishment. Furthermore, lack of appropriate and proper training on behavior management has led to excessive of corporal punishment as well as improper moderation of it. All of these have resulted to different results as it has been argued before. The findings from the study should be used as the reinforcement factor that should remind the education sector practitioners on the essence of training in service teachers and ensuring that student teachers in colleges and universities are also trained on how they have to manage the behavior of students in their classrooms.

4.2.4 Lack of support from school

As shown in table 1 above the results shows that, among other lack of support from the school account for the manner and extent for the implementation of corporal punishment. During the study, it was asserted that teachers are not cooperating in ensuring total implementation of the policy. There was a big difference on the commitment of implementing the policy among teachers of the same school. With this different, it is therefore concluded that the way and factor that account for the manner and extent for the implementation of the policy is highly influenced by how teachers collaborate together to ensure that they address and perceive the policy among themselves. With the result from the study, it is clear that when teachers will collaborate to implement the policy this will affect the manner and extent of policy implementation in schools.

This claim is supported by the study by (Ndiku, Nyambosibi & Benson, Nyambosibi & Benson, 2016) who asserts that collaboration among teachers will lead to positive result on how schools and teachers implement the corporal punishment legal policy. Differently, Ntebi (2018) and Semali & Vumilia (2016) claimed that African cultures in the continent and the diaspora support the use of Corporal Punishment despite the global changes in favor of its eradication. So, for the teachers who support the use of Corporal Punishment cannot harmonize with teachers who do not in eradicating the practice. Thus, with such practice the extent and manner for the implementation will always be affected and challenged.

5. Conclusion and Recommendations

To practice corporal punishment legal policy, there is a need for the governments or responsible ministry that is the ministry of education, science and technology, to find the best way that will work better to ensure that the teachers are implementing the policy to the maximum extent. There is a need to move from the current percent of the implementation to reach the highest. This will make the students to learn and develop well.

On part of the knowledge, there is a need to raise awareness on the level of the implementation. This awareness raise will help the responsible body to find a good way that will increase the understanding of the policy. Researchers assume that some of the teachers are not implementing the policy because they do not understand its importance. There are no updates that are given by the ministry with regard to the policy on the behavior management. With such lack of updates, as well as having the new intake of the teachers in teaching profession, the new teachers practice corporal punishment without following the policy.

On part of the policy, because some schools have succeeded to follow and implement the policy, these results show the need of the government to go one step ahead to the abolishment of the Corporal Punishment. The Corporal Punishment is still practiced in schools thus, they do continue affecting students learning and development. Hence, these results should be the catalysis for the ministry of education, science and technology to look out how they can accomplish and attain full abolishment of Corporal Punishment in schools. But also, the education stakeholders have to look for the way forward that will enable the level of implementation in schools to increase and at the same time look out for the way which will lead to the full abolishment of the punishment. This study gives a picture that despite those teachers and students' awareness about the policy, teachers still use Corporal Punishment and violate the policy. Also, the results show that teachers who violate the policy they are not reported anywhere as stated earlier, such practice make difficult in

deciding the extent of violence. And because of the students' silence on the matter the findings on its prevalence are difficult to find.

References

- Cheruvalath, R., & Tripathi, M. (2015). Secondary School Teachers' Perception of Corporal Punishment: A Case Study in India. *Journal of Educational Strategies, Issues and Ideas*. 88 (4): 127-132
- Farooq, U (2014) Essay on Discipline in School Meaning, Definition & Concept. <http://www.studylecturenotes.com/foundation-of-education/essay-on-discipline-in-school-meaning-definition-concept>.
- Gwando, R. (2017). Pupils' Perceptions on Corporal Punishment in Enhancing Discipline in Primary Schools in Tanzania Survey Study of Primary Schools at Kawe Ward in Kinondoni. Published Master Thesis. The Open University of Tanzania
- Hassani, A. H., & Bali, T. A. L. (2013). "Assessing the Effects of Corporal Punishment on Primary School Pupils" Academic Performance and Discipline in Unguja, Zanzibar," *International Journal of Education and Research*, 1(12), 1-12.
- Kambuga, Y., Manyengo, P., & Mbalamula, Y. (2018). Corporal Punishment as a Strategic Reprimand used by Teachers to curb Students' Misbehaviours in Secondary Schools: Tanzanian Case. *International Journal of Education and Research* 6 (4): 183-194
- Invocavity, J. (2014). *The Effects of Corporal Punishment on Discipline among Students in Arusha Secondary Schools (Masters dissertation)*. Retrieved from <http://Repository.Out.Ac.Tz/582/1/Dissertation> on 17th July, 2018 at 1600 hrs.
- Ndiku, M. L., Nyambosibi, M., & Benson, K. (2016). Teacher Perception on the Ban of Corporal Punishment in Secondary Schools. *Saudi Journal of Humanity and Social sciences*, 2 (4), 299-307.
- Ntebi, E. (2018). *Assessing the implementation of corporal punishment legal policy in primary Schools in Tanzania: the case of Shinyanga rural district*. (Unpublished master's thesis). St John's University of Tanzania

- Ntebi, E. & Mbennah, E. D. (2021). Tanzania education policy on discipline management in schools: way forward on effective implementation. *Journal of Research in Innovation and Implications in Education*, 5(3), 53 – 63.
- Ntebi, E. S. & Mbennah, E. D. (2022). Teachers' understanding of corporal punishment legal policy in Tanzanian schools. *Journal of Research Innovation and Implications in Education*, 6(3), 157 – 165
- Semali1, L. M., & Vumilia, P. L. (2016). Challenges Facing Teachers' Attempts To Enhance Learners' Discipline In Tanzania's Secondary Schools. *World Journal of Education*. 6(1): 50-67.
- Ukpabio, G., Usen,M & Etor, C. (2019). Revisiting Disciplinary Control in Secondary Schools: The Issue of Corporal Punishment in Calabar South Local Government Area of Cross River State, Nigeria. *Mediterranean Journal of Social Sciences* 10 (6); 67-75