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SCHOOLS: AN EXAMPLE FROM KOPANO MATLWA'S *SPILT
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**REDEFINING PUNISHMENT AS A MEANS OF DISCIPLINE IN SCHOOLS: AN
EXAMPLE FROM KOPANO MATLWA'S *SPILT MILK***

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Abstract

Purpose: Punishment has been used by authorities of schools as a means of instilling discipline in the school. The nature and type of punishment used vary from one school to another. Some are utilitarian while others are retributive. In most Nigerians schools, especially the public schools, the latter holds. As a result of this students have not shown any meaningful change in behaviour and this highlights the failure of the structure of discipline in our schools. This study aims to consider a redefinition of the nature of the punishment structure used in schools as presented in literary text.

Methodology: The data for the study were gathered from Kopano Matlwa's *Spilt Milk*. Instances of punishment meted out to erring students in a school were descriptively analysed with a view to determining the nature and informing philosophy behind them. The study also seeks to seek the gains or otherwise of the nature of punishment used to discipline students in the text.

Findings: The study discovered that the nature of punishment given to students is reformative and utilitarian against the retributive nature of punishment used in the Nigerian structure. It is also more dignifying and less dehumanising for the student-offenders but of most importance is that students acquire more knowledge especially

around the type of their offence. Parents are also more receptive of this type of punitive measures and encourage that it be used in the school.

Unique Contribution to theory, practice and policy: The study recommended that government should legislate on the present structure of punishment in most Nigerian schools to allow for punishments that are more reformatory and utilitarian in nature. School authorities should adopt the positive-oriented methods that are philosophically utilitarian.

Keywords: *Punishment, Reformatory, Discipline, Utilitarian,*

Introduction

Crime or wrong conduct and punishment have a cause and effect relationship. The day to day interaction between people always gets them at loggerheads with each other, with societal values, cultural ethos and rules and regulations of various institutions. When this happens, the structure within which the offence occurred already has built-in mechanism of punishment. This is overtly stated in some organisations and in some others, punishment is not overtly stated on a one-to-one basis between specific offences and corresponding punishments. The ideology, belief system, worldview and informing realities determines the view of punishment held by an institution and this in turn determines the type(s) or range of punishment adopted by the institution. The person representing the authority determines the type of punishment that he thinks best suit the gravity of the offence.

Generally, punishment is broadly divided into two based on the major informing philosophy: utilitarian and retributive. In the former, punishment is considered on the basis of its capacity to benefit the society or the institution while in the latter; punishment is a way of balancing the weight of the offence. Gaurav Dhiman identifies the 5 “theories” of punishment: “Preventive, deterrent, Retributive, Expiatory and Reformatory”. Each of these has different focus and the end result of the punishment. Proponents of the preventive theory hold that offenders must be punished in such a way that the nature of the punishment prevents them “permanently” from repeating the offence. In places where this is practiced, offenders are decapitated and in some cases, placed in detention, lose his office or have his license revoked. This raises some question. To what extents can the punishment, PERMANENTLY, prevent the offender from carrying out the same offence? Even if it achieves this for a particular offence, does it also stop the offender from committing other offences on a permanent basis too? The capacity of this theory to achieve all these is low. The deterrent theory wants the punishment to generate fear in the mind of the offender and others. Retributive is laden with a tinge of vengeance. It sees punishment as being the destination, the end in itself.

Punishment is considered to be the expiation of the crime in the view of the expiatory view of punishment and the sees punishment as a means to and end which is making the offender a better person. Gershoff and Font (2016) notes that physical punishment increases disobedience, aggression, and defiance. It also makes children less empathic. In the Nigerian context, the nature of punishment given to students is more retributive and dehumanizing than dignifying. This focus sees punishment as an end in itself. The negative fallout of this is that there is no noticeable positive behavioural change in the students arising from the punishment meted out to them. Invariably, the process of instilling discipline in schools has not been able to achieve the desired end. Students become more hardened in their negative ways (Nakpodia, 2012, Umezinwa and Elendu, 2102, Aboluwodi, 2015). This study aims to provide an other dimension t the concept of punishment in schools drawing from the literary perspective Kopano Maltwa presents in her work *Spilt Milk*. It seeks to interrogate the prevailing philosophy guiding discipline/punishment in schools as presented in the literary text, the type(s) of punishment meted out to offenders in schools, the effective or otherwise of these punishments, and try to suggest the best ideology that should guide the choice of punishment type using the descriptive approach to come to a better understanding of Maltwa’s perspective on punishment in *Spilt Milk*.

The concept of discipline

The term discipline refers to the creation of an orderly environment that permits teaching and learning to occur, but, at another more fundamental level, it is centrally linked to issues of social cohesion, justice and equality (Martin, 1997:2). This view, as expressed, underscores the importance of punishment as a tool for ensuring not only a social but also a psychological balance for members of the society. The level of discipline is also kept on a respectable high level. Whether in its retributive or restorative forms, punishment helps to reduce the psychological impact of the offence on the victims and the society at large. When an offender is punished, the victim of the action feels relieved because justice has been served. But in cases where the offence does not directly inflict any pain on any body, like the situation can be in the nature of offences committed by students in Schools, punishments helps to display the zero tolerance such a school has for such offences; it helps to curb others from committing the same and other offences; and also ensure that there is ordering in the school. Clark, Janine Natalya (2008) interrogates the “retributive” and “restorative” justice as yardsticks for achieving true reconciliation. He adopted Gilbert and Settles (2007) which defines restorative justice as a form of justice which “views crimes as a harm to individuals, neighbourhoods, the surrounding community, and even the offender...in this sense, crimes are more than a violation of law, and justice is more than punishment of the guilty. Restorative justice strives to promote healing

through structured communication processes” (p. 340). Natalya’s main argument is that “restorative justice has the greatest potential to initiate further reconciliation and should, therefore, complement the administration of retributive justice” (p. 331). This view is pragmatic in nature.

Punishment in school

The school is an institution within the society. From time to time, students behave in ways that run foul of the rules and regulations guiding the structure of discipline in the school. The philosophies guiding the choice of punishment for an offender operates even in our schools. It is noteworthy that the prevailing ideology in our schools in Nigeria is retributive. It is backward-looking. The dimension of punishment in developed parts of the world tends towards the restorative angle. Punishment should not be seen as an instrument to ridicule or inflict physical pains on the offenders as a way of ensuring that the offender does not commit the offence or other offences again. Corporal punishment still reigns supreme in our Schools in Nigeria. It is also apparent that this retributive dimension of punishment has not achieved the desired success in curbing indiscipline in school; it has even pushed indiscipline a notch higher because offenders are used to the physical abuse and it has hardened them.

School Corporal Punishment

Al hassan (2013: 138) defines corporal punishment thus: “The use of physical force with the intention of causing a child pain but not injury for the purpose of correction or control of the child’s behaviour”. The expression that seemingly connote control in his definition is “causing pain but not injury” but this is not the reality because many students have sustained life threatening and lifelong injuries in the course of been punished by authorities of the School. Incidences where students have suffered injuries have led to the cries for the eradication of corporal punishment in schools. Nakpodia (2012: 13) examines the types of corporal punishment meted out to offending students in Nigeria and submits that “a form of corporal punishment of school students for misbehaviour that involve striking the student a given number of times in a methodical and premeditated ceremony”. This is done mostly on the assembly ground in the full glare of all the other students. This is intended to create some fear in the other students who may not want to be “disgraced” in the same way.

Various manifestations of corporal punishment in Schools include cutting of grass, fetching of water, scrubbing the floor, sweeping the class, washing the toilet, flogging with stick or case, giving students knocks on the head, slapping or beating with hand, pulling the ear or hair, etc..

Effect of corporal punishment

The effects of corporal punishment on students have manifested in various forms. Students have become more defiant; it has made them less empathic; they have perpetrated more anti-social behaviour leading to increased mental health problems; increase in mental stress. The parent-teacher/teacher-student relationship has been stressed stretched to the limits or destroyed. Parents go to Schools to fight, arrest or even beat teachers who have inflicted physical abuse on their children, especially in cases where the punishment has resulted in physical injury to the students. In some extreme cases, in the case of *Fadahunsi vs Kokori 1977*, there have been loss of lives, permanent injuries, loss of body parts like the eyes (Nakpodia, 2011).

Corporal punishments have failed to teach children why the behaviour is wrong and what they should do instead because its focus on the retributive end of the exercise not the restorative end. It has also effectively inhibited parent's intended message owing to fear. Even in cases where students seem to obey rules under corporal punishment, it is not because they understand the need for discipline and why they should not do that again. It is just because of fear of the corporal punishment. The day they overcome that fear by whatever process is the day they will start committing the offence again because their behaviour was motivated by fear of punishment, not because they understand the need for positive behavioural changes. The psychological impact lies in that it makes students believe that using aggression to get their way is right and acceptable.

Analysis: Re-imagining punishment in *Spilt Milk*

In *Spilt Milk*, Matlwa presents the dilemma of the generation of South Africans who were referred to as the "born free". They are the ones who witnessed the collapse of apartheid as kids or were born afterwards. Like in other African countries, the expectation of a better living politically, socially, economically and psychologically condition and the hopes they promised were dashed by the quality of leadership. There is no gainsaying the fact that African political leaders failed abysmally. Consequently, the "born free" generation was stuck in the quicksand of unresolved past grievances. Matlwa understands the daunting nature of the task she was embarking on so from the very first page of the novel, she alluded to the story of Jeremiah in the Bible and sought God's intervention for boldness to tackle all issues. Mohumagadi, also known as Tshokolo, is the head of the "Sekolo Sa Ditlhora School for talented black children". Her former lover, Fr. William Thomas, popularly known as Fr. Bill, is sent to her school to help reform erring students but it is meant to be a time of reflection on his past sin so it is the Bishop's way of tactically punishing him. The story centres around the challenges he faces from the children and also from Mohumagadi as he tries to perform his duties. Fr. Bill was to give

the erring students some spiritual guidance and monitor their punishment. What was their offence?

Some students of the Sekolo Sa Ditlhora School for talented black children- Zulwini Dladla, Mlilo Graham, Ndudumo Mazibuko, and Moya Mntambo, were placed in the same group to work on a project. They were working on a Biology class project in which “they have been put into groups and told to “come up with an *innovative* way to teach the class the various stages of puberty” (emphasis mine) (p. 171). The keyword in the assignment is *innovative*. In a bid to be innovative as demanded by the question and which is also the yardstick for choosing the winner, they decide to do a video recording explaining the stages of puberty. Having discovered that all of them were at different stages of puberty and being male and female, they decided to use their own genitals as instructional materials. While trying to do this in the Bus, they were caught, allegedly, engaging in illicit sexual behaviour on the bus in their way to school. Ironically, they were “caught” and reported by Dr. Tshivhase, their public health and epidemiology teacher and the one who gave them the assignment.

Dr. Tshivhase reports the alleged indecent sexual behavior of the children which happened in the bus to Mohumagadi, the head of the school for an. Without listening to the students’ side of the story, she decides to punish them and asked the Bishop for some help. The tragic irony of the story lies in that these children were trying to expand the frontiers of knowledge. With the keyword, “innovative” in mind and the zeal to win, the children made series of researches and visits to the medical school to find theoretical facts about the topic. Having gathered enough theoretical facts about puberty, they decide to make a video of the stages of puberty using themselves as instructional material in order to make the discussion more concrete and original. They were “caught” in the process but the assignment was already done. Even Father Bill, on seeing the film during their punishment notes that, “there was no vulgarity to any of it [the final film]” (p. 175). They were trying to fulfill the mission of their school as the place to build the new generation of African leaders. Ironically, their own people who have placed this task on their little shoulders could not understand them. The white man they have been taught to treat with suspicion is the only person that identifies their geniuses and allows them present their findings. These students are symbolic of students who are wrongfully punished at times, even when they are innocently striving to do their academic work. Unfortunately, Mohumagadi will have none of it. Dr. Tshivhase who represents the older generation has wrongly accused and reported them to Mohumagadi. Her inability to pay some attention to the changing realities of the next generation veiled by her drive for vengeance set the tone for the tragedy that strikes and shakes the school to its foundation. Mlilo is the school’s model of how the children should turn out; he is “the one they

thought was testimony to the success of the school” (p. 187). He is the carrier of the torch for the next generation; its directions and ideals. However, he came to realize that the kind of direction he was taught to follow will not give the future he has started envisioning since coming in contact with Fr. Bill. Consequently, he decided to take a u-turn and retrace his step and by inclination those of the next generation which is different from what Mohumagadi wants. She feels that the pains and hurts which the white man has caused the Africans will not be avenged that way. For her, justice MUST be retributive; the offender must pay. Mlilo favours the restorative form of justice more and tried to work with that unfortunately, this action leads to his untimely death and foregrounds the tragedy of the text. The school disciplinary committee, also representing the older generation of African leaders believe that in committing the offence, they have “disgraced [themselves], and disappointed [their] parents...the reputation of the school has also been called into question”.

Their punishment

It is important in this study that some attention be paid to the nature of the punishment meted out to the “offenders.” This is necessary in order to analyse them and in order to examine and understand the sort of philosophy which informs the punishment structure in the school and the effect of the punishment on the students. Their punishment is that they were to attend afternoon detention classes from 3-5pm daily after attending the normal school lessons. During this classes, they are required to “read a variety of texts by different authors on **self-discipline, personal restraint, appropriate conduct in public places** et cetera et cetera and use what they have learnt to work on a series of exercises, which they have to hand in at the end of the six weeks.” They were to be guided and guarded by a priest, Father Bill. A critical consideration of their punishment reveals that the theme of the texts they are to read during the detention classes highlights the focus of the punishment, the areas where the disciplinary committee feels they are morally lacking. The texts on “self discipline” are meant to teach them self discipline and they have been introduced into the detention study because the committee believes that their action or offence reveals a lack self discipline and sees the need to instill this in them; not by beating it into their skull or punishing them disgracefully but by allowing them to come to terms with this through formal study; and at their own pace and time.

The committee also feels that they did not display enough self restraint because they could have chosen another place that will be more private, than “in the bus”, to do the examination of their genitalia for their assignment. As much as their style is quite innovative as demanded by the question, their choice of location pushes the innovativeness to another intolerable height. In order to understand and inculcate self restraint, they are to also read texts on the subject matter. It will also help them to

understand the dynamics of proper comportment and “appropriate conduct in public places.” The full weight of the punishment which corporal punishment hopes to achieve by inflicting pain on the offender is still achieved too. Though physical pains were not inflicted on the offending students, they still felt the pangs of the punishment in several ways. The detention classes inflict a serious and compulsory restriction on their movement and this for them is almost more than physical pains. They cannot play with their friend during these hours and are “forced” to read these texts because they are to submit a term paper on the questions meant for the text or essay. This, in itself, brings the weight of their offence to bear on them.

Analysis of the text reveals that the nature of the punishment meted out to the offending students in the text is utilitarian and reformatory. During the course of their punishment, the students were brought to terms with the nature of their offences. They were also made to appreciate the weight of their offences and its effect on all- themselves, their parents, the school, their fellow student and the society at large. The process of their punishment aligns with their academic pursuit and the drive to improve their mental capacity for justice. This also helps to improve the quality of justice system in the society. In the process of serving their punishment, they gained some new, positive knowledge into the different angles to the kind of the offence they were alleged to have committed. Their knowledge on the concepts of self-discipline, personal restraint, and appropriate conduct in public places must have become more robust than it was before the punishment. The students became more enlightened and this became a stepping stone towards their vindication. They were also healed of other societal problems like the pangs of colonialism because their punishment was supervised by the white priest Fr. Bill. It is noteworthy again to call to mind that the school was founded in order to raise young Africans who will face the white man so they have been indoctrinated to hate the white man and everything he stands for. This is against the apartheid experience of South Africans, especially those who still crave vengeance; those who felt that Nelson Mandela’s Truth Reconciliation Committee did not achieve anything in helping them to alleviate the weight of the injustice they felt during the apartheid regime. Matlwa represented this group of South Africans with the founder of Sekolo Sa Dithlora School, Mohumagadi. Their punishment brought them in close contact with one of the whitemen they are trained to hate and through this interaction, they were able to see the need for inter-racial interaction as a means to reconciliation and true forgiveness. This type of punishment is effective because it positively impacts the children (offenders) and the society. It does not dehumanize them the way washing of toilet, cutting or mowing the edges, strokes of cane and other forms of corporal punishment which are still, majorly, being used to achieve discipline in Nigerian schools would have.

Conclusion

The utilitarian philosophy is the best solution to the problem. The effect of this type of punishment calls to mind the need for a redefinition of the punishment structure in our schools. It should be built on the utilitarian foundation that aims to restore the offender to good deeds through a personal conviction of his action. Reforming the offender(s) should be of utmost importance and concern. Against the backdrop of the analysis of the restorative pattern of punishment as discussed here, the study recommends, amongst other things, that school authorities should reconsider the philosophy behind their punishment structures; they should tend towards a more utilitarian approach to punishing pupil as a means of instilling discipline in students, punishment should be conceived as a means to an end and not the end in itself, Government should legislate on the types of punishment that could be used to discipline students, School personnel should disabuse the use corporal punishment in schools because it does not achieve true discipline in students on the long run but only makes the more hardened and rebellious, and finally, Physical punishment should be avoided while nonphysical disciplinary methods should be embraced.

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