

Corporal Punishments: Historical Legacy and Contemporary Legal Status

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ABSTRACT

Corporal punishment—i.e., the deliberate application of physical force for behavior control or disciplining—has been an timeless control technique of universal popularity in a broad variety of cultural, religious, and legal contexts. The essay that follows gives a thorough analysis of its past development from its initial usages in ancient civilizations like Egypt, Greece, Rome, and Confucian China, where it was administered regularly in the family home, schools, and courts of law. It goes on to explore how physical punishment accelerated in medieval European governments and went on to disseminate with colonialization, planting punitive values into governance and education systems of lands like Asia, Africa, and the Americas.

Although well entrenched in tradition, physical punishment has been more and more met in recent decades, especially in the broader context of evolving international human rights norms. The piece examines its own legality around the world and discovers that there's a bit of patchwork policy there, also—some have banned it completely, but many still allow it in domestic, academic, or judicial applications. Special attention is given to the United Nations Convention on the Rights of the Child (UNCRC) and international agency activism, like that of UNICEF and Save the Children, which has played significant roles in catalysts for legal change and the protection of children's rights.

With a focus on empirical evidence, the article identifies the social and psychological impacts of corporal punishment such as increased aggression, emotional maladjustment, academic underachievement, and continuation of violent patterns of behavior. The article critically analyzes cultural and religious arguments sustaining the practice and delves into ethical balancing acts between dominant tradition and modern standards for child protection. In addition, the research offers humanization of punishment through non-violent practices with a focus on empathy, communication, and emotional intelligence.

Drawing on case histories of Sweden, India, and the United States, the article follows out the different paths to reform and ongoing threats of gaps in implementation, cultural- level resistance, and popular opinion. It concludes that corporal punishment is inherently incompatible with the values of dignity, respect, and nonviolence on which discourse about child rights today is based. The report calls for a worldwide shift toward models of discipline based on rights and informed by empathy, underpinned by strong legal frameworks, advocacy through education, and community-driven change.

KEY WORDS: Corporal punishment, Child rights, Historical legacy, International human rights law, psychological impact, Legal reform

INTRODUCTION

Physical punishment—the explicit employment here of physical force as a means of discipline, correction, or control device for the child—has origins in the religious, cultural, and legal milieu of societies throughout history. Generation after generation, place after place, it has been a daily feature of home, school, church, and courtroom. Hotly rationalized as a necessary tool for imposing discipline, social order, and moral behavior, corporal punishment has reflected changing ideas about power and the need to control conduct through physical suffering. From Rome's savage floggings of yesteryear to colonial schools' daily beatings, corporal punishment has been a favorite power tool and control device. Historical cultures accommodated not just corporal punishment but formalized it. It was legislated into codes of laws, blessed in religious scripture, and embedded in philosophies of governance and education. Civilizations as old as Egypt, Greece, and Rome legalized and moralized corporal punishment. It was stated in Confucian China as a matter of filial obligation, and Islamic legal traditions permitted it to be exercised under highly regulated conditions. In medieval Europe, religious conviction legitimized physical punishment, the death being symbolic of spiritual purification. Monasteries, schools, and courts all habitually used physical chastisement as a tool for maintaining discipline and moral order.

Colonial periods consolidated such penal practices. European powers exported their discipline ideologies to colonies and situated corporal punishment within administrative and educational systems of governments in Asia, Africa, and the Americas. In British India, for example, physical punishment was not only employed for discipline but also for asserting superiority and enforcer racial hierarchies. These colonial practices continue to affect the culture of discipline in the majority of postcolonial societies where corporal punishment is still deeply rooted though changing legal norms. The modern era has brought, however, a qualitative difference in the perception and control of corporal punishment.

Global evolution of international norms of human rights—particularly since the United Nations Convention on the Rights of the Child (UNCRC) entered into force—has been accompanied by a global rethinking of punitive punishment. Article 19 of the UNCRC explicitly calls for the safeguarding of children from any and all forms of physical and mental harm, calling into question the validity of corporal punishment in any form. These organizations, including UNICEF, Save the Children, and the Global Initiative to End All Corporal Punishment of Children, have all contributed to calling for legal change and encouraging nonviolent, rights-based discipline strategies. The lawfulness of corporal punishment remains disproportionately biased around the world, though.

While some states have implemented comprehensive prohibitions throughout the family, school, and courts, others continue to license or de facto support its use. Political opposition, religious beliefs, and social habits are bound to undermine reform and produce an unequal and patchy system of law. In the overwhelming majority of jurisdictions, prohibition of corporal punishment is present but weakly applied, especially at home. The

objective of the current article is to put the historical record and the legal position of corporal punishment today under critical examination from an interdisciplinary perspective, employing the theories of legal theory, psychology, sociology, and human rights activism. The argument develops by tracing the history and development of corporal punishment after its initial creation in premodern society and institution-building under colonial systems.

It then goes on to examine existing legal regimes elsewhere and identifies areas of reform need, as well as some of the common issues. The article also addresses the social and psychological consequences of corporal punishment, detailing its ill effects on child development and public health as a whole. Aside from these, the research intersects with cultural and religious arguments in favor of corporal punishment but agreeing on the need for reform in the face of tradition without demeaning human dignity. It delves into new trends in positive discipline that give more weight to empathy, communication, and emotional intelligence. Drawing on Indian, Swedish, and US case studies, the article establishes the plural routes to legal reform and the critical roles of advocacy, education, and public awareness in transforming disciplinary norms. Lastly, this article argues that corporal punishment is necessarily in opposition to the values of dignity, respect, and nonviolence that underlie modern child rights thinking. It urges a worldwide shift towards empathetic, rule-based, and socially accepted practice of punishment. In doing so, it aims to make a significant contribution to the scholarship of law and to the larger child protection, human rights, and social justice movement.

1. Corporal Punishment's Historical Legacy.

Its history is as wide and complex, rooted in the social constructs that have been familiar with bodily pain as a punishment, as moral punishment, as a demonstration of power throughout centuries. To grasp the heritage is to recognize how corporal punishment has been normalised throughout cultures and throughout history, how judicial systems, religious orthodoxy, and didactic ideologies supported it.

1.1 Ancient Civilisations:

In all ancient civilizations, corporal punishment was not only employed but institutionally established as a moral and legal imperative. Corporal punishment was carried out in ancient Egyptian homes and state, and in both institutions frequently regarded as a way of maintaining cosmic order, Ma'at. In Greece, corporal punishment was practiced in schools and slaves, and even philosophers Plato and Aristotle debated its boundaries but never considered its abolition seriously.

In Roman antiquity, the law allowed the paterfamilias—house head—discretion to physically chastise members of the household, i.e., wives, children, and slaves. It was a reflection of a culture that assumed a belief in obedience and strict hierarchies and thus corporal punishment became an institutional symbol of domestic life and civic order.

In Confucian China, corporal punishment was linked with the ethical requirements of obedience to parents,

parents needing to account for misbehaviour in children through punishment. Islamic legal cultures permitted corporal punishment in strict ethical frameworks, with restraint in exercising moderation and upholding human dignity.

In all these societies, corporal punishment was not intended to punish per se—it was considered to be educational, a tool of character building and social norms.

1.2 Medieval Europe:

In the medieval period, the physical punishment acquired spiritual and religious meaning. Pain had to a large extent already been made understood in Christian theology as being a ritual of moral cleansing. The body itself was now known to be sinful, and it was thought that pain cleansed the soul.

Monasteries used flogging as punishment among the monks in the hope that corporal punishment would suppress immoral thoughts and acts. Pupils were also subjected to it by schools utilizing physical punishments like caning and whipping in an attempt to instill humility and submissiveness.

In the ordinary system of law, public shaming in the guise of pillories, stocks, and whipping was the norm. Not only punishment but also theater—intended to shame the criminal and reaffirm public values publicly. Public display of punishment was deterrent as well as re-statement of divine justice.

Legal documents, e.g., the Saxon Mirror and Canon Law, consecrated bodily punishment legally, committing it to secular as well as religious law. Syncretism of law and theology provided bodily punishment with legal power as well as moral duty.

1.3 Colonialism:

Physical punishment was employed as a weapon of control and subordination during colonial times. Physical punishment was brought from colonial European imperial powers into the dominion's administration, schools, and courts into colonized society.

Flogging became more of a regular feature in British India's schools, jails, and army schools. The colonists employed corporal punishment as a tool for subjecting the colonized to discipline and demonstrating racial and cultural hegemony. The same tendencies were observed emanating from French Africa, Dutch Indonesia, and Spanish Latin America where corporal punishment had practical as well as symbolic roles. It sustained colonial power, quelled rebellion, and exercised people by terrorizing and humiliating them.

Their influence was far-reaching. They made violence legitimate, constructed postcolonial orders of law, and produced cultural inclinations towards disciplining the body. Corporal punishment remains the norm in most erstwhile colonies in the face of campaigns for legal change to criminalize it and render it unpopular.

1.4 Enlightenment and Early Reform Movements

The 19th and 18th centuries witnessed paradigmatic changes in the argument for corporal punishment in revolutionary fashion. Enlightenment thinkers like John Locke, Jean-Jacques Rousseau, and Immanuel Kant challenged its utilitarian and moral basis to reason, human rights, and the inherent worth of the child.

Education reformers such as America's Horace Mann and Germany's Friedrich Fröbel advocated for pedagogy without violence, stressing conditions of care rather than conditions of punishment. The development of child psychology further undermined the assumption that pain was an effective teacher, emphasizing its psychological damage as well as developmental impact.

Legal reform started to occur, especially in Europe, where corporal punishment started to be curtailed in prisons and schools but not within the family. Its use was still largely uncontrolled within the family. The notion that discipline could be framed around empathy and order and not terror was starting to catch hold.

1.5 Twentieth Century

The 20th century witnessed the gradual loss of formal usage by democratic states of corporal punishment. War atrocities in World War II, global diffusion of the human rights vocabulary, and institution of international norms of law led state brutality to rethink.

Treaties such as the Universal Declaration of Human Rights (1948¹) and the UN Convention on the Rights of the Child (1989)² redirected corporal punishment as an affront to human dignity. UNCRC Article 19 specifically emphasized the protection of children against every form of violent physical and mental injury, opening the door to international campaigns against corporal punishment.

¹ Universal Declaration of Human Rights, GA Res 217A (III), UN GAOR, 3rd Sess, Supp No 13, UN Doc A/810 (1948).

² Convention on the Rights of the Child, GA Res 44/25, UN GAOR, 44th Sess, Supp No 49, UN Doc A/44/49 (1989).

Sweden in 1979 and Norway in 1987 pioneered corporal punishment bans in all settings, including the home. Public awareness campaigns, enforcement, and social change promoting positive parenting and child protection were followed by these law reforms.

2. Corporal Punishment in Homes and Schools.

Corporal punishment within the home and at school is one of the oldest-practicing and most controversial fields of practice in discipline. Even though with historically having been long accepted conventionally and commonly defended as a right of parents or pedagogues, its continued practice has vast ethical, psychological, and juridical implications—particularly against the background of contemporary child rights principles and developmental psychology trends.

2.1 The Home: Parental Discipline and Child Welfare

Domestic physical punishment is considered in most societies an extension of parental power that is permissible.

Slogans such as "spare the rod, spoil the child" reflect a deeply rooted presumption that physical punishment is needed to teach morals and correct misbehavior.

Parents usually condone these incidents as being manifestations of concern, intended to direct their children towards rightness. In other cultures, it is indeed a foundation experience—one that produces strength, respect, and resiliency. But new research on child development and the brain will debunk these old myths. Study after study show that physically punished children in the home are:

- More oppositional and aggressive
- Depressed, anxious, and have low self-esteem
- Emotionally more difficult to handle
- Fighting with caregivers

Instead of encouraging discipline, physical punishment results in fear, alienation, and confusion. It instructs the individual that violence is an acceptable way of responding to conflict, thereby recycling negative patterns of behaviour into adulthood.

Domestic physical punishment is still controversial in law.

Where there is clear prohibition of public and private spaces in some states, for other states it resides in the area of parental discretion.

It is likewise hard to enforce since such activities typically occur in secrecy and in most instances are not reported. This type of statutory vagueness is part of a more general tension in society between upholding family autonomy and ensuring the right of children to dignity, security, and protection from harm.

2.2 Schools: Education Destroyed by Violence

Schools have long been spaces of corporal punishment discretion. Teachers, who were surrogate parents, were assigned with the task of inflicting bodily punishment using tools like canes, rulers, or paddles. The theory was that punishing with pain would act as a deterrent for disobedience and enforce obedience. During colonial rule and in the postcolonial world, corporal punishment was consistently employed in an effort to enforce conformity and silence opposition.

In the United Kingdom and other nations, the practice persisted until the close of the 20th century. In India, corporations continue to be prevalent—especially in rural schools with limited resources—despite legal prohibitions in the Right to Education Act (2009³). Children can be physically punished for being late, not doing well academically, or just being disrespectful without institutional monitoring and accountability.

Its effect on children is a cause for serious concern. Children who are exposed to corporal punishment in schools are more probable to suffer from:

- \tWithdrawal from school and school life
- \tBehavioral and emotional problems
- \tLoss of institutional and teacher trust
- \tGreater absenteeism and school dropout rates

³ The Right of Children to Free and Compulsory Education Act, No. 35 of 2009, Acts of Parliament, 2009.

Enabling violence in schools disallows their most basic purpose: to enable intellectual development, emotional development, and critical thinking. Instead of communication, it inserts coercion; instead of curiosity, it inserts fear.

Legally, the world is not yet equal. Although corporal punishment within schools is illegal in most nations, its enforcement is patchy. In parts of the world, the old laws still condone it; in others, again, tradition overrules legal authority. All these international bodies, from UNESCO to UNICEF, have been calling for a worldwide prohibition on this practice for many years, and arguing that the learning atmosphere should be happy and secure— never painful or punitive.

3. Corporal Punishment Today and Status in Law

The modern legal status of corporal punishment is one of inconsistency and uncertainty. International treaties on human rights have proceeded to avoid use in ascending order of severity, but domestic legislation differs vastly in extent, scope, and local acceptability. Such difference serves to sustain the continuous tension between worldwide standards of protection to children and deep-rooted local custom and between legislative reform on a progressive level and resistance from society.

a. Global Human Rights Responsibilities

The cornerstone of the global campaign to eliminate corporal punishment is the United Nations Convention on the Rights of the Child (UNCRC), adopted in 1989. Article 19 of the Convention requires signatory nations to hold children free from "all forms of physical or mental violence," i.e., corporal punishment everywhere—home, school, or institutions.

The Monitoring and Reporting Committee, that has this mandate, has consistently read this article to call for a categorical ban on corporal punishment. This same reading is used by other regional and international mechanisms and bodies of law.

The Universal Declaration of Human Rights (1948⁴) and the International Covenant on Civil and Political Rights

(1966)⁵ both advocate the intrinsic dignity of all human beings as well as the right not to be treated in an inhuman, cruel, or degrading manner.

Regional bodies like the European Court of Human Rights and the African Committee of Experts on the Rights and Welfare of the Child have also rendered judgments and recommendations against corporal punishment. But even these explicit international obligations have been ignored by most states, and they have failed to align their national law with these norms, while differential implementation and protection have ensued. b. National Legal Approaches: A Fragmented Reality

Throughout the world, countries are sorted into three general categories regarding their legal approach to corporal punishment:

i. Comprehensive Bans in All Contexts

Sweden, Norway, Germany, New Zealand, and South Africa all legislated out corporal punishment in all settings—home, school, and institution. The transition was generally accompanied by public education campaigns, parenting materials, and robust enforcement mechanisms to shift public attitudes and compliance.

ii. Partial Prohibition

It is forbidden in some countries in public settings like schools and nurseries but acceptable within the family.

For example, corporal punishment in Indian schools is prohibited by the Right to Education Act (2009) and guidelines of the National Commission for Protection of Child Rights (NCPCR). Corporal punishment within the household is not prohibited, and control is inadequate. Lack of awareness and social attitudes is likely to undercut the impact of existing legal protection. iii. Legal Sanction or Laxness

Other where, corporal punishment is the law of the land in most of the United States, with its mosaic of state laws, and wide expanses of Asia, Africa, and the Middle East. Corporal

⁴ Universal Declaration of Human Rights, GA Res 217A (III), UN GAOR, 3rd Sess, Supp No 13, UN Doc A/810 (1948).

⁵ Covenant on Civil and Political Rights (1966)

punishment can be legalized within the home, school, and even criminal justice system in such countries on generally religious or cultural grounds.

c. Barriers to Implementation and Legal Loopholes

Even when there are prohibitions, the police fail. The corporal punishment is usually inflicted in hidden locations—homes, tiny schools, or religious institutions—where it is hard to find and stop. The children can be reluctant to report the abuse because they are embarrassed, scared, or desire to defend their caregivers. The legal system may also fail the necessary infrastructure, training, or political will to investigate and prosecute the cases

adequately.

Mealy-mouthed legal jargon—"reasonable chastisement" or "moderate correction" speak—merely serves to complicate the problem of enforcement. The vague language creates loopholes for corporal punishment to continue under the guise of discipline since there is reduced opposition to confront entrenched habit and recreate power through nonviolence.

d. Advocacy and the Pressure for Legislative Reform

Advancement in this space typically has collective campaign actions following it. Save the Children, Plan International, and the Global Initiative to End All Corporal Punishment of Children work together with governments, teachers, and civil society to ensure that legal reform is promoted. Their actions include:

- \tModel law and policy paper development
- \tClosing law enforcement and judicial officials' capacity gaps
- \tRaising public awareness through campaigning
- \tWorking with survivors and reporting on violations

In India, HAQ: Centre for Child Rights and Childline India Foundation are just some of the organizations that have been spearheading the call for further legal protection and accountability measures, most especially in the school and institutional environments.

The law concerning corporal punishment in the present era is an index of a society's values and commitment to child protection. Although international standards

unequivocally advocate for its abolition, the institutions of law in the majority of nations are still trapped by convention, political complacency, and public support. Legal reform, as much as it is needed, therefore has to precede broader cultural change.

Law should not just regulate action—it should be transformative. It should uphold the worth and dignity of all children, be an antidote to the normalization of violence, and foster empathetic, rights-grounded approaches to discipline. For legal scholars, policymakers, and child rights advocates, the task is to overcome the gap between law on the books and life on the ground and make sure all children are safeguarded—not stigmatized—by the law.

4. Psychological and Societal Impacts of Corporal Punishment

Although corporal punishment is always justified from the perspective of discipline, its impact continues long after the physical action itself. The damage caused to it reaches beyond the child—it resonates throughout families, schools, and all of society. Legal commentators, educators, and lawmakers must therefore understand its impact in

order to establish systems founded upon keeping children safe and fostering nonviolent discipline.

a. Psychological Effects on Children

The psychological and developmental cost of corporal punishment is established and high. Even though there are a few individuals who believe that such events are character-building, evidence overwhelmingly indicates that corporal punishment ruins the psychological stability and intellectual growth of a child. Some of the most critical effects are:

- **Increase in Oppositional and Aggressive Behavior:** Children who have undergone physical punishment are likely to associate violence with resolving conflict. They will use bullying, oppositional behavior, and have an inability to form enduring social relationships.
- **Mental Disorder:** Chronic exposure to corporal punishment will undermine the security and self-esteem of the child and lead to depression, anxiety, and hopelessness that can persist into adulthood.
- **Disabled Emotional Development:** Physical punishment breaks the development of emotional regulation. The impacted children will struggle to control anger, show vulnerability, or solicit aid when it is required.
- **Mistrustful Family Relationships:** Instead of teaching respect, physical punishment might result in mistrust among children and parents. It can produce emotional distance, secrecy, and hostility within the family.

The psychological impact is commonly worsened by amorphous social forces like poverty, trauma, and institutionalized racism that further subject vulnerable children to risk.

b. Societal Implications: Imposing a Culture of Violence

Normalization of corporal punishment has several long-term consequences for society. Since corporal punishment is normalized in schools and homes, it sends the message that violence is an acceptable way of controlling a person. Such an assumption has the potential to shape behaviour institutionally and inter-generationally.

- **\cycle of Violence:** Children who grow up in households where corporal punishment occurs will become repeat victims or perpetrate violence in their own adulthood. Left to their own devices, the cycle is perpetuated.
- **\breakdown of Confidence in the Educational System:** Schoolchildren where corporal punishment is used will be demotivated from learning, lose confidence in leaders, and learning is punitive instead of empowering.
- **\\widened Social Inequalities:** Corporal punishment disproportionately impacts poor children—those in poor families, minorities, and children with disabilities—potentially furthering inequalities and

restricting access to opportunity.

- Consolidating Violent Norms: Corporal punishment in society makes societies unable to stop other violence like child abuse, violence against women, and brutality in institutions. Corporal discipline is normal and leads to failure in attaining peaceful, rights-respecting societies.

The psychological and social impact of corporal punishment are no myths—living experiences for millions of children across the globe. Although so-called traditional societies continue to endorse its use, facts are evident: corporal punishment inflicts lasting damage. It hinders emotional growth, causes strain in relationships, and continues to perpetuate a cycle of violence.

In order for healing and development to occur, societies need to employ methods of discipline that are founded on empathy, communication, and respect for one another.

The law must be altered, but at the same time as education, campaigning, and social change. Children need to be fostered—not bruised; led—not bullied. Only through implementing caring, rights-based practice can we build homes, schools, and society where discipline is employed to raise up, not harm, and the dignity of all children is secured in law and policy.

5. Cultural and Religious Influences

5.1 Cultural Beliefs and Tradition

Corporal punishment is primarily viewed as a long-standing tradition of passage. It is meant to inculcate respect, humility, and discipline. The elderly will likely prefer it as an old tradition that cannot be questioned and hence legal reform is very difficult.

5.2 Religious Attitudes

Religious texts are generally cited to justify corporal punishment. Some of the examples include:

- Christianity: Proverbs 13:24, indicating that mildness with physical punishment is neglect
- Islam: Physical reprimand is permitted in some Hadiths
- Hinduism: Traditional texts such as the Manusmriti hold that children must be disciplined for moral correction

The majority of religious thinkers assume that attitudes are archaic and gentleness must be the prevailing ethos in bringing up children.

6. In the Direction of More Humane Discipline:

6.1 Positive Discipline being adopted

Humane discipline substitutes fear with empathy. Positive practices emphasize:

- Openness and reason
- Establishing consistent and clear limits
- Reinforcing positive behavior
- Implementing time-outs and other nonviolent discipline

These practices promote children's trust and inner strength.

6.2 Education and Advocacy

Cultural attitudes have to be repeatedly shifted. Parent education workshops, teacher training programs, and public information campaigns are needed. Nonprofits and child advocacy organizations lead the movement to promote nonviolent discipline. Story and media can also help shift cultural metaphors of punishment.

7. Case Studies:

7.1 Sweden: Head of the Revolution

Sweden was the first state to prohibit corporal punishment in 1979. The reform was accompanied by extensive public information campaigns. Sweden now has the lowest rates of child abuse and youth crime in the world.

7.2 India: Law and Tradition

India has legally prohibited corporal punishment at school under the Right to Education Act (2009). But poor implementation and prevailing general cultural acceptance still exist. Save the Children and others are striving to bridge the gap between law and practice.

7.3 United States: A Divided Landscape

In the United States, corporal punishment remains legal in schools and in private homes in most states. The question is extremely contentious, with some people seeing it as a parent's right and others as abuse. Legal reform staggers along as activism intensifies.

8. Challenges and the Road Ahead:

8.1 Strengthening Enforcement

Laws are only the beginning. Enforcing laws effectively calls for investment in child protective services, open reporting systems, and accountability measures.

8.2 Shifting Public Perception

Dealing with deeply entrenched attitudes towards discipline is a huge hurdle. Honest talk, education, and

community involvement are needed for this.

8.3 International Cooperation

Global organizations like UNICEF and WHO need to keep on helping countries reform practice in disciplining. Cross-cultural research sharing and best practice can speed developments.

Conclusion

Corporal chastisement, as an ancient and traditional form of punishment, is in direct conflict with the principles of contemporary human dignity, child development and maturation, and protection under the law. Its ancient origins in ancient civilization, religious orders, colonial rule, and institutional tradition expose the profound roots physical chastisement has had in the construction of social morality. But it is overwhelmingly so by dint of the same heritage that need for reform is highlighted.

In the modern legal landscape, corporal punishment exists in a context of inconsistency and fragmentation.

While international human rights instruments such as the United Nations Convention on the Rights of the Child (UNCRC) are calling for its abolition, national laws in most states are inconsistent in terms of definiteness, enforceability, and cultural acceptability.

All over the world, corporal punishment persists under the guise of tradition, parental or school discipline, despite mounting evidence of its deleterious psychological and social consequences. Their impact is diverse. Children who are physically punished suffer psychological scars that undercut their mental well-being, school attendance, and social adjustment. Societies that persist in tolerating this kind of behavior endanger creating cycles of violence, inflicting social injustices, and undermining institutions. These are not hypothetical threats—these are real conditions requiring swift legal and cultural actions. In the coming years, corporal punishment will need to be seen, not as a disciplinary measure, but as a violation of human rights. Reforms in law have to go hand-in-hand with mass education, community-level outreach, and public campaigning. Parents and teachers need support—not condemnation—while they learn to move towards nonviolence and empathy in handling children.

This essay thus envisions nothing short of a revolutionary paradigm shift: away from retaliatory history and toward merciful, rights-oriented models of discipline. It is by seriously considering the past and envisioning a more compassionate future that we are able to build homes, schools, and societies in which all children are safe, respected, and enabled to thrive.

Reference

1. *Universal Declaration of Human Rights*, GA Res. 217 A (III), UN GAOR, 3rd Sess., UN Doc. A/810 (10 December 1948).
2. *International Covenant on Civil and Political Rights*, GA Res. 2200A (XXI), UN GAOR,

21st Sess., Supp. No. 16, UN Doc. A/6316 (16 December 1966), entered into force 23 March 1976.

3. *Convention on the Rights of the Child*, GA Res. 44/25, UN GAOR, 44th Sess., Supp. No. 49, UN Doc. A/RES/44/25 (20 November 1989), entered into force 2 September 1990.

4. European Court of Human Rights (ECHR), established under the *European Convention on Human Rights*, Council of Europe, 4 November 1950.

5. African Committee of Experts on the Rights and Welfare of the Child (ACERWC), established under the *African Charter on the Rights and Welfare of the Child*, OAU Doc. CAB/LEG/24.9/49 (11 July 1990), entered into force 29 November 1999.

6. National Commission for Protection of Child Rights (NCPCR), established under the *Commission for Protection of Child Rights Act*, 2005 (Act No. 4 of 2006), Ministry of Women and Child Development, Government of India, New Delhi.

7. Right of Children to Free and Compulsory Education Act, 2009 (No. 35 of 2009), Government of India, New Delhi.

8. John Locke, *Some Thoughts Concerning Education* (1693), reprinted in John Locke, *Two Treatises of Government and Some Thoughts Concerning Education* (Cambridge University Press, 1996).

9. Horace Mann, *Lectures on Education* (Boston: Charles C. Little and James Brown, 1844).

10. Friedrich Fröbel, *The Education of Man* (1826), trans. W. N. Hailmann (New York: D. Appleton C Co., 1887).

11. UNICEF, *A World Fit for Children: End Corporal Punishment Campaign*, United Nations Children's Fund, New York, 2007, <https://www.unicef.org/protection/end-corporal-punishment> accessed 4 October 2025.

12. WHO, *Ending Violence Against Children: A Global Overview*, World Health Organization, Geneva, 2018, <https://www.who.int/publications/i/item/9789241515049> accessed 4 October 2025.