

# BEYOND THE BAN

*An Investigation into the Causes of Corporal Punishment's Persistence in Nepalese Schools*



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Legal Literacy - Nepal

Beyond The Ban:  
*An Investigation into the Causes of Corporal  
Punishment's Persistence in Nepalese Schools*

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## TABLE OF CONTENTS

Foreword .....	vii
Executive Summary .....	1
Chapter 1: Introduction and Background.....	5
1.1. Introduction .....	5
1.2. Study Rational .....	7
1.3. Objectives .....	8
1.4. Previous Findings .....	8
1.5. Legal Framework .....	12
<b>Chapter 2: Methodology.....</b>	<b>15</b>
2.1. Research Design .....	15
2.2. Sample .....	16
2.3. Data Collection Methods.....	16
2.4. Ethics .....	18
2.5. Data Analysis Approach .....	18
<b>Chapter 3: Findings and Analysis .....</b>	<b>19</b>
3.1 Thematic Categories .....	19
3.2 Societal Views .....	20
3.3 Institutional Failures .....	26
3.4 Lack of Enforcement .....	30

3.5 Perceived Need for Corporal Punishment	37
3.6 Narrative analysis .....	43
<b>Chapter 4: Discussion and Recommendations .....</b>	<b>47</b>
Bibliography .....	53
Annex .....	27

## FOREWORD

It is with great pride that I present this important study on the persistence of corporal punishment in Nepalese schools, despite its legal prohibition. This report represents Legal Literacy Nepal's continued commitment to promoting the rights and dignity of children, and to ensuring that every child in Nepal is able to learn in a safe, nurturing, and non-violent environment.

Corporal punishment has long been embedded in our social and educational systems, often accepted as a tool for discipline. However, as this study clearly demonstrates, legal bans alone are not sufficient to eliminate harmful practices. Without meaningful social transformation, adequate training for teachers, effective enforcement of laws, and the active participation of communities, corporal punishment will continue to harm our children and undermine their right to education. This report provides an in-depth analysis of the causes that allow corporal punishment to persist, highlighting societal acceptance, institutional shortcomings, lack of enforcement, and misconceptions about its effectiveness.

I would like to extend my sincere appreciation to **Mr. Om Prakash Sen Thakuri, Executive Director of Legal Literacy Nepal, and the lead researcher of this study**, whose vision and dedication have been central to this work. My heartfelt thanks also go to the research team—**Elvis Birell, Bishnu Jung Pandey, and Laxina Thapa Chhetri**—for their valuable contributions in collecting, analysing,

and presenting the findings. Likewise, I would like to thank to Dr. Tush Wickeramanayak from Sri Lanka for her valuable inputs.

This study would not have been possible without the generous support and cooperation of our stakeholders. We are deeply grateful to **Bideha Municipality (Dhanusha), Endara Rural Municipality (Mahottari), Konjyosom Rural Municipality (Lalitpur), and Tokha Municipality (Kathmandu)** for their collaboration. Special thanks also go to the school administrations, head teachers, teachers, School Management Committees, parents, guardians, and community members who candidly shared their experiences and perspectives on the practice of corporal punishment. Your voices and insights have enriched this study and made it a powerful resource for change.

As Chairperson of Legal Literacy Nepal, I firmly believe that this report is more than a research document—it is a call to action. Ending corporal punishment requires a collective effort from government, schools, teachers, parents, and communities. With the recommendations provided in this study, we have a clear roadmap to ensure that our classrooms are places of respect, encouragement, and positive growth.

Let us work together to protect the dignity of every child and build a future where learning is free from fear and violence.

**Hari Bhatta**

Chairperson

Legal Literacy Nepal



## EXECUTIVE SUMMARY

This report is qualitative investigations into the causes of corporal punishment's continued prevalence in Nepalese schools. Chapter 1 of this report will contextualize the issue, providing the necessary background information on corporal punishment in Nepal. This includes a breakdown of the legal framework, both internationally and domestically. International law has been highly influential upon Nepal's domestic law, starting from the 1948 Universal Declaration of Human Rights. Nepalese law has progressed significantly and in 2018 the Children's Act comprehensively banned the practice in all contexts and settings. This ban however, has been ineffective. This chapter provides a summary of *Legal Literacy Nepal's* previous findings, which found that 87.79% of student respondents had experienced corporal punishment. The responses of other key stakeholders are also considered. Given the high use of corporal punishment despite the law, this studies' objective is to understand why this is the case, investigating the drivers of corporal punishment.

Chapter 2 delves into the methodology. Qualitative data was collected from a sample of teachers, head teachers, school management committee members, parents and community members. This was done via focus group discussions and key informant interviews, which were then analysed using both thematic analysis and narrative analysis.

In Chapter 3 the findings of this study are analysed. The thematic analysis is done using the following categories: societal acceptance, institutional failures, lack of enforcement and perceived effectiveness

of corporal punishment. For each theme all stakeholder responses are analysed separately and then used to form collective conclusions. Regarding societal acceptance, this was found to be a fundamental cause of corporal punishment's prevalence. Many noted that it has always been a part of discipline and that they would not be inclined to discourage it. In this way, legal change without social change has no effect. Institutional failures also played a role, with stakeholders highlighting a complete lack of education and training on the issue. Therefore, schools do not have the tools or knowledge to transition away from corporal punishment. This ties in with the lack of enforcement. Stakeholders were found to be highly unlikely to face any serious consequences for using corporal punishment, despite the law, and many were unaware of any official policy prohibiting it. The perceived need for corporal punishment further adds to this issue, as stakeholders are reluctant to stop corporal punishment, fearing that doing so will result in a decline in student performance and behaviour. No one theme can take full responsibility, but together these factors create an environment in which corporal punishment is unlikely to decrease. This chapter also includes the narrative analysis of two key accounts, one from a head teacher and another from an SMC member, recounting a recent complaint they received. This provides further insight into the limitations of legislation prohibiting corporal punishment. In particular, the lack of universal school policy and positive attitudes towards the practice are evident.

Chapter 4 provides conclusions and recommendations based off of the findings and analysis. It is found that corporal punishment is a multifaceted problem with both societal, cultural and institutional factors contributing to the laws ineffectiveness. The study recommends significant change at various levels to reduce corporal punishment. The government advised to standardise policy, provide mandatory

training for schools, provide awareness and education programmes to shift community attitudes and enforce the law when it is broken. Head Teachers are encouraged to create a zero-tolerance environment in their schools, penalise teachers who abuse, have clear policy and educate students on their rights. Teachers are recommended to better follow the law and policy on corporal punishment, study non-violent discipline methods and report abuse if they are aware of it. SMCs are told to work with the government to provide training for the schools, monitor teacher behaviour and deal with complaints. Finally, parents and community members are encouraged to raise complaints of corporal punishment, educate children on their rights and to follow the law. The implementation of these recommendations will work to create an environment in which child welfare is protected and corporal punishment decreases.

## **CHAPTER 1**

# **INTRODUCTION AND BACKGROUND**

## **1.1 INTRODUCTION**

Corporal punishment refers to the practice of physically punishing an individual or child as a form of discipline. It has been commonly used across nearly all cultures throughout history, however, in recent decades significant global progress has been made in prohibiting the practice and protecting children. In Nepal, corporal punishment was comprehensively banned with the Children's Act 2018, a landmark legal achievement. In spite of this ban, the practice remains nearly completely unchallenged in Nepal and is highly prevalent in schools. This report investigates why this is the case, examining the various complex and interconnected factors which contribute to the continuation of abuse.

Corporal punishment has a deep rooted history in Nepalese culture, with traditional values and societal hierarchy placing significant emphasis on respect for elders and the complete authority of teachers and parents over students and children (Mishra et al, 2010). Within this, students are expected to be fully obedient and physical punishment is considered the necessary and beneficial approach in dealing with poor behaviour. This belief has been reinforced over countless generations, including the current, meaning that most teachers, parents and school administrators were themselves educated under a regime of corporal punishment. Therefore, perspectives on

child rights and positive discipline have struggled to gain traction in Nepal, where implementation of the corporal punishment ban has faced cultural and practical obstacles (Khanal and Park, 2016).

This study emerges at a critical juncture in Nepal's educational development. As the country works to improve school quality and access, the persistence of violent discipline undermines these efforts, creating learning environments that contradict the principles of child friendly schooling. CP has been shown to negatively impact children's academic performance, physical wellbeing, mental health, and long term development (UNICEF, 2001; Allison, Beers and Peterson, 2023; Gershoff, 2016). Yet in Nepal, many educators and parents genuinely believe it remains essential for maintaining classroom order and driving academic achievement (Shrestha et al, 2017).

Using both focus group discussions (FDGs) and key informant interviews (KIIs) with head teachers, teachers, school management committees (SMCs), parents and community members, this report identifies four key themes which are primarily responsible for driving continued corporal punishment in Nepal. First, a societal acceptance of the practice which causes parents to actively request schools to administer corporal punishment, motivated by a history of cultural acceptance. Second, a lack of institutional support means that the government has not allocated sufficient resources or provided the training needed to transition away from corporal punishment. Third, is a lack of enforcement, whereby poor monitoring allowed corporal punishment to continue unchallenged and even when incidents are reported, consequences are rarely enforced. Finally, the withstanding perception that physical punishment is needed and even essential in ensuring student success creates resistance against the ban from stakeholders.

There is a distinct disconnect between policy and practice. Although the law has been passed, no real effort nor initiative is being taken to change behaviours. Children therefore continue to experience physical abuse which hinders their development. By understanding the cultural logic and institutional failures which sustain CP, we can better develop effective strategies to implement change. These findings can be used by policy makers and educators to align school practice with official policy.

Ultimately, ending CP in Nepal requires more than just legal prohibition, it demands active policy making which challenges long standing acceptance and provides stakeholders with the tools and support to transition to a non-violent approach.

## **1.2 STUDY RATIONAL**

Nepal is a nation of constant change and evolution. Legal Literacy Nepal's 2024 study found that, despite strong legal prohibitions against corporal punishment in schools and homes, the practice remains widespread. These findings, which are supported by UNICEF (2018) report, have confirmed that physical discipline persists despite clear laws, highlighting a troubling gap between legislation and implementation. This has a deeply negative impact on child welfare, physically and mentally, as well as access to education. While existing research has established the prevalence of this issue, there remains a critical need to investigate the underlying reasons why such practices endure despite legal restrictions. Understanding these factors, whether cultural, institutional, or systemic, is essential for developing targeted and effective recommendations to reduce corporal punishment. By identifying the root causes, policymakers and advocates can design interventions that address the problem at its source, ensuring better protection for children's rights in Nepal.

### 1.3 OBJECTIVES

This study seeks to investigate the causes of CPs continued prevalence in Nepalese schools, identifying the key barriers to effective implementation of the ban. This will build upon the existing evidence of CP, seeking to go further in understanding why this is the case, providing a comprehensive analysis of the socio-cultural and institutional factors which play a role. Specifically, this study will attempt to answer the following questions:

What socio-cultural beliefs and norms maintain the continued acceptance of CP?

How does institutional failure contribute to the poor implementation of the ban?

How do various stakeholders contribute and sustain the persistence of CP?

In addressing these objectives, the study will add to a growing body of literature on the subject, which is essential in the drive to improve children's rights and welfare within Nepal. By identifying the root causes of this disconnect between law and practice, the findings will inform targeted interventions and policy recommendations to eliminate corporal punishment in educational settings.

### 1.4 PREVIOUS FINDINGS

Legal Literacy Nepal's (2024) study *Corporal Punishment in Nepalese Schools: Trends, Impacts and Stakeholders' Roles*, sought to investigate the trends, impacts and key stakeholders regarding the practice in Nepalese schools. The following section will briefly summarise the findings of this study.

*STUDENT RESPONSES: PREVALENCE AND TRENDS*

LLN (2024) used questionnaires to gain responses from 242 children. The sample was diverse and representative of the population, considering students of both genders and over nine distinct caste/ethnic groups aged 12-18. The schools selected were a mixture of private and government schools across 12 districts, both rural and urban.

Findings indicated that knowledge of their own rights was limited, with just 45.45% were aware that the Constitution of Nepal prohibits the physical punishment of children in schools and just 46% expressed awareness that individuals could be punished by law for physically harming a child. Having established this lack of legal awareness, students were asked about prevalence.

Regarding experiences of corporal punishment, 88% of students responded that they had experienced corporal punishment, which occurred in different ways. The most common method of corporal punishment was beating with a stick, scale or other object, which 87.79% of respondents had experienced. Following this, 82.22% were forced to do sit-ups, 71.36% were kicked out of class, 59.62% were slapped or kicked and 50.7% experienced ear pinching or hair pulling. Such punishments were inflicted most commonly for not doing homework (78.87%), quarrelling with friends (62.44%) and not paying attention (55.86%).

This is supported by Mishra, Thakur, Koirala and Shrestha (2010) who found that CP was still common in schools, due to a lack of enforcement of the law.



*IMPACTS OF CORPORAL PUNISHMENT ACCORDING TO STUDENTS*

LLN (2024) further found that corporal punishment had a negative effect on students. Specifically, 41.78% answered that they did not like going to school as a result, 42.25% felt that it caused their academic performance to worsen and 41.31% noted feelings of shame and embarrassment. These responses indicate that the use of corporal punishment in schools makes the classroom an unsafe space for students. Both their mental and physical health is likely to suffer as a result which can have long term effects. Additionally, it can discourage and scare students away from school, resulting in restricted access to education and drop out.

*TEACHER RESPONSES*

A sample of 37 teachers was used from the same schools as the student respondents. The teachers also illustrated a limited understanding of Nepali law on corporal punishment. While 91% said they knew that children's rights were protected by the 2015 constitution, just 62.16% were aware that violating the Children's Act 2018 could result in legal consequences. Regarding their own practice of discipline, 62.17% admitted to still using corporal punishment. This shows that a majority of teachers still use the practice, some out of ignorance to the law, other in spite of it. Of those who admitted to using it, 100% expressed the belief that corporal punishment was a justified response to students' failure to complete assignments. Types of corporal punishment they claimed to use varied, with 84% acknowledging they force children to do sit-down or stand-up exercise, 26% to hitting with a stick and 22% to slapping, pinching and hair-pulling. In spite of this, teachers noted that forms of corporal punishment had become less extreme and

violent compared to their own experiences at school but highlighted that they had received no training on alternative teaching methods.

#### *MUNICIPALITY/ EDUCATION OFFICERS RESPONSES.*

Legal Literacy Nepal's study had only a minor focus on education officers within their initial study. It revealed that of the nine municipalities they investigated, only one had received even a single complaint regarding corporal punishment. This is in stark contrast to the evidence of its high prevalence and indicates that the mechanisms of monitoring and the ease of reporting are flawed and ineffective.

#### *RECOMMENDATIONS*

Finding that corporal punishment remains so common within Nepalese schools despite strong legislation, the study made various recommendations. To the School Management committee, they suggested an increase in training for staff on alternative forms of discipline, and the adoption of a more firm Child Protection Policy which is implemented effectively. To teachers, they recommended ensuring that they were aware of the law and policy on corporal punishment, using this to create a safe, open learning environment in which positive reinforcement is used. On a community, parental and child welfare level, they suggested increasing awareness of the negative effects of corporal punishment in order to discourage the practice. Finally, for local authorities and the provincial and federal government, they argue that effective complaint mechanisms, improved monitoring and an increased allocation in resources to prevention is needed.

## 1.5 LEGAL FRAMEWORK

Nepal has notably strong laws against corporal punishment. In 2018 it became the first country in South Asia and 54<sup>th</sup> in the world to fully ban the practice in all situations by law. This was a great achievement and a step forward in child rights. The ban came as a result of gradual improvements over a number of decades, brought about by both international law and domestic law. The strength of the legislation provides the context in which violations are taking place. The following section will give an overview of this progression and clarify the law to date.

### *INTERNATIONAL LAW/ RECOMMENDATIONS*

Before analysing Nepal's national legislation, the international framework must be taken into consideration. Engagement with international treaties, bodies and recommendations guided and helped to shape domestic policy. Early international guidelines arose with the 1948 Universal Declaration of Human Rights. While this did not explicitly refer to child rights or welfare, it laid a foundation of human rights awareness and protection from harm. Article 5 expresses that, "No one shall be subjected to torture or to cruel, inhumane or degrading treatment or punishment." This concept was applied directly to children with the 1989 Convention on the Rights of the Child and subsequent Committee on the Rights of the Child. This appealed to states to protect children from violence (article 19) and to ensure dignified discipline. Nepal's decision to ratify the convention in 1990 was the first major step towards the protection of children in schools and displayed a commitment to child welfare. Since its creation, the CRC has worked to further develop and focus its recommendations, first highlighting corporal punishment

in 1996 and clarifying in 2005 that states work to fully abolish all forms of corporal punishment. Nepal's continued ratification to the convention meant that they maintained a commitment to achieve these recommendations and align its own policy with this mandate. The landmark 2015 Sustainable Development Goals again reinforced international work for child protection, with SDG goal 16.2 calling for an end of all forms of violence against children. Throughout this progression, the UN Human Rights Council's Universal Periodic Review taking place in cycles in 2011, 2015 and 2021, which made growing recommendations for Nepal to shift from a legislation focus to implementation. From a regional perspective, Nepal's membership to the South Asia Initiative to End Violence Against Children since 2010 further commits them to ending corporal punishment on the global stage. This international framework created an avenue of advocacy against corporal punishment and aided the progression of Nepalese law.

These various international treaties and recommendations applied pressure to lawmakers in Kathmandu and have provided the necessary framework for adopting the legislation.

#### *DOMESTIC / NEPALI LAW*

Domestically, legislation on corporal punishment has also undergone significant change in recent years. Early provisions, such as the 1963 **Civil Code** (*Muluki Ain*), permitted teachers to use physical discipline without legal consequences, even in cases of grievous harm to students. A significant shift came with the **1992 Child Act**, which prohibited torture or cruel treatment against children. While this did not explicitly outlaw corporal punishment, it was the first step in recognising and working towards child protection.

The Supreme Court was the major driver of change. The *Pro-Public Nepal v. Office of the Prime Minister and Council of Ministers* ruling declared that the ability for adults to assault children for the sake of their education, which was part for the *Muluki Ain*, was void. The subsequent *Devendra Ale v. Nepal Government* Supreme Court ruling in 2005 which again declared void the legal right for anyone to inflict minor beatings upon a child. The court additionally issued a directive order calling for effective government methods to reduce corporal punishment. The action of the Supreme Court was a catalyst for legislation on the issue and various laws were passed. The **2011 School Zones of Peace National Framework and Implementation Guidelines**, which promoted non-violent discipline, and the **2011 Child-Friendly Local Government Strategy**, encouraging local bodies to protect children. The **2012 National Children's Policy** further emphasized safeguarding children from abuse.

The **2015 Constitution** reinforced child rights under Article 39, prohibiting physical and mental torture. Legislative reforms followed, including the **2016 Education Act (Eighth Amendment, Section 16)**, which barred physical or mental abuse when disciplining students. The **2018 Compulsory and Free Education Act** prohibited excluding children from education as punishment, while the landmark **2018 Children's Act** introduced a full legal ban on corporal punishment in all settings. It was this act which marked the complete ban in all settings. Finally, the **2019 National Education Policy** reinforced non-violent discipline in schools.

## CHAPTER 2

# METHODOLOGY

### 2.1 RESEARCH DESIGN

This study employed a qualitative approach to gain a deeper understanding of the underlying attitudes, beliefs and contextual factors influencing the persistence of corporal punishment in schools. While quantitative data can offer valuable insights into the prevalence and patterns of such practices, it is often limited in its ability to capture the nuanced reasoning and personal experiences that drive behaviour. Additionally, a wealth of quantitative data has already been collected in previous studies.

Qualitative methods were therefore chosen to allow participants to express themselves in their own words, providing space for reflection and explanation. This approach was particularly suited to the research aim: not only to confirm that corporal punishment is occurring, but to explore *why* it continues to take place, despite legal prohibitions and awareness campaigns.

This study directly engaged with teachers, head-teachers, school management committees, parents and independent community members through discussions and interviews, allowing for deep insights which would not have been achievable through structured or quantitative measures alone.

## 2.2 SAMPLE

This study used a diverse sample of 32 teachers, 8 head and deputy teachers, 14 SMC members, 14 parents and 12 community members. Focus group discussions were conducted with teachers and school management committee members whereas Key Informant Interviews were conducted with head teachers, parents and random community members. These samples were taken from 2 community schools in Ekdra Rural Municipality, Mahottari district, 2 community schools from Bideha Municipality, Dhanusha district, 2 community schools in Konjyosom Rural Municipality, Lalitpur district and 2 community schools from Tokha Municipality, Kathmandu district.

## 2.3 DATA COLLECTION METHODS

In order to collect the most relevant data possible, the sample was divided into four distinct groups: teachers, headteachers, school management committees, and parents/community members. Dividing the sample in this way allowed the research team to tailor the method of data collection and specific questions to each group. By aligning the method with the nature of the respondent group, we maximized the depth and relevance of the insights obtained. Two qualitative methods were employed: **Key Informant Interviews (KIIs)** and **Focus Group Discussions (FGDs)**.

### *FOCUS GROUP DISCUSSIONS*

**FGDs** were used to collect data from teachers and SMCs in separate sessions. This method was chosen because it allowed for free and open conversation, encouraging participants to build on one another's ideas and engage in dynamic discussions, which would not have been

possible through one-on-one interviews. FGDs were particularly appropriate for these groups, as both teachers and SMC members typically operate within collaborative settings. Placing them in familiar group contexts with their colleges helped elicit more authentic responses. The informal, peer-based environment fostered open discussion, allowing participants to express underlying beliefs and attitudes that may not have emerged through more structured methods.

The FGDs followed a **semi-structured format**, balancing consistency with flexibility. Questions were written in advance and structured in a way that would ensure discussions remained focused and relevant. Simultaneously, the format allowed the researcher to explore emerging themes in greater depth, picking up on certain responses and seeking additional detail. The question guides were tailored to each group, with teachers responding to 20 questions and SMCs to 15. These differences were primarily practical; for instance, it would not have been appropriate to ask teachers how they receive complaints from SMCs. The complete set of questions for each group is provided in the annex.

#### *KEY INFORMANT INTERVIEWS*

KIIs were the other primary method of qualitative data collection. The other key method of qualitative data collection was key informant interviews. In part, the rationale behind this was practical. The sample is far smaller and not intuitive to FDGs, which require a group. By contrast, KIIs are ideal for these smaller samples and achieving highly detailed and specific data.

With head-teachers the KII was especially useful in understanding the decision making process of officials. With parents and community members, KIIs allowed researchers to gain an in-depth understanding



of their attitudes and beliefs, essential in understanding how this might have a wider impact on corporal punishment in schools.

## **2.4 ETHICS**

All participants of this study took part voluntarily and provided informed consent prior to their involvement, meaning that they were fully aware of the purpose of the study, how their data will be used and their right to withdraw. Throughout the process all data was kept anonymous and stored securely. Care was taken in the method design to ensure that no potential distress was caused amongst participants.

## **2.5 DATA ANALYSIS APPROACH**

Following quantitative data collection, all FDGs and KIIs were cleaned, transcribed and anonymised. The data was then coded, revealing four key thematic categories which formed the basis of this studies analytical framework. Thematic analysis was used to examine patterns in the data and to evaluate various beliefs and behaviours of the different stakeholder groups. For each theme, the four stakeholders were analysed independently and then a theme conclusion summarised the collective findings.

Additionally, narrative analysis techniques were used to understand and compare two in depth accounts of CP in schools. This was valuable in uncovering underlying motivations and contextual factors which impact CP policy and attitudes. Together, the thematic analysis and narrative analysis provide a rigorous and comprehensive evaluation of the drivers of CP in Nepal.

## CHAPTER 3

### FINDINGS AND ANALYSIS

#### 3.1 THEMATIC CATEGORIES

Following coding, the following four thematic categories were identified. Given the complexities of the topic, there is some unavoidable overlap between them, however, they nonetheless provide a clear and structured breakdown of the key causes of CPs continued prevalence.

*Societal Acceptance:* This first thematic category will be used to identify responses which reflect community views. Corporal punishment has historically been accepted as standard practice, the concept of it being harmful is relatively novel. This category will explore how this historic acceptance still influences contemporary attitudes and how it has changed in recent years.

*Institutional Failures:* This category captures the systematic shortcomings and failures of the government in providing the support necessary to implement the ban. This highlights the gap between policy and implementation and includes lack of training, unclear policy and inadequate resources.

*Lack of Enforcement:* This theme will be used to categorise responses which discuss the means by which the law is enforced. This analyses

ineffective oversight, report mechanisms, monitoring and enforcement of policies and consequences for practicing physical punishment.

*Perceived effectiveness of Corporal Punishment:* This thematic category documents the degree to which stakeholders hold the perception that CP is necessary for effective discipline.

Together, these interconnected themes provide a comprehensive framework for analysis into the drivers of CP.

## 3.2 SOCIETAL VIEWS

### HEAD TEACHERS

Interviews with head teachers revealed a prevailing trend that parents in many communities not only accept but often actively encourage CP as a disciplinary tool. A significant majority of respondents emphasized that parental expectations directly influence teachers' use of CP. One head teacher stated, "Parents expect us to be very strict with children...95% of them demand punishment to ensure discipline." Another participant elaborated, "Some parents frequently visit the school and explicitly request that we beat their children to enforce good behaviour." These statements underscore a deeply ingrained belief among many parents that CP is necessary to maintain discipline and academic performance, which reinforces its persistence despite legal prohibitions.

Equally, head teachers indicated that this was not the universal societal view. As one respondent noted, "*Not all parents feel this way, but those who oppose it are few.*" Head teachers also clarified that acceptance is often conditional on *moderation*. Most parents tolerate "a light slap" if administered with "good intentions" but would

object to excessive or sustained physical harm. There were exceptions, such as one participant who stated that a parent demanding their child be beaten “until bruised” but generally, societal expectancy seemed founded upon the idea of harming a child for their own benefit.

The data also indicated that societal views have changed drastically in recent years. All participants responded that the severity of punishment has decreased since their own time at school. One respondent said that for, “even a small mistake,” teachers would, “beat us so hard that even their hands would hurt.” Another said that he, “used to get afraid even seeing them from afar.” However, they say that thing, “are not like before.” Many acknowledge that while CP is not eradicated, it is significantly reduced.

Head teachers identified deeply entrenched parental attitudes as the most significant obstacle to eliminating corporal punishment (CP) from schools. One respondent explicitly linked the challenge to broader cultural perceptions, stating, “there is a lack of moral values amongst parents,” and further emphasized, “parents not accepting non-violent punishment makes it very difficult.” While acknowledging their own responsibility in enforcing the legal ban, participants stressed that progress depends on shifting community expectations. As one explained, efforts must “maximise the involvement of parents,” particularly because many “believe that once they send their children to school it is entirely the responsibility of teachers to ensure they pass the class exams.” This perspective, head teachers noted, reflects a widespread assumption that families bear only minimal accountability for children’s discipline and academic success. In this way head teachers felt that they cannot be fully successful unless wider societal views shift.

*TEACHERS*

Teachers expressed a greater degree of variation regarding societal views. Some suggested that it was not viewed as acceptable by the community and that if CP were used, “*the community would go against the teacher.*” On the other hand, other groups gave contradictory claims that “parents want us to hit the children” accompanied by observations of “parents brutally hitting their own children.” These responses support the views of head-teachers and indicate a normalisation of physical punishment that extends beyond school boundaries. As one explained, parents expect good results “at any cost,” including CP, and “They not only tolerate, they encourage... the shift in attitudes has been slow.”

Discussions about societal opposition to CP exposed strong biases among teachers. One group dismissed opponents of CP, remarking, “some ignorant parents fight against use of CP... such ignorant parents are rare.” Another described instances where parents “don’t understand and raise a dispute” when CP is administered. The language used, labelling objectors as “ignorant” and claiming they “don’t understand”, demonstrates that teachers perceive anti-CP parents not merely as a minority but as misguided outliers. This rhetoric underscores a cultural norm where CP acceptance is dominant and dissent is marginalised. This is fundamentally important in unveiling the truth about teacher views. While they might say that they are against CP, underlying attitudes means that it will continue unless changed.

Like head teachers, participants acknowledged that CP’s severity has diminished compared to their own schooling. Many recalled extreme punishments from their childhood, such as being forced to “stand and stare at the Sun forcefully” or “carry heavy bricks in our hands,” but noted that today, “punishment is much more structured

and systematic.” Once again this shows that societal attitudes to CP have changed. Despite this shift, teachers continued to blame parents for students’ behavioural issues, arguing that “they do not discipline children at home,” leaving it as “the full responsibility of the teacher.” In this way, social views remain a barrier to the eradication of CP, but teachers’ own attitudes must also change.

#### *SCHOOL MANAGEMENT COMMITTEES*

Discussing societal acceptance, SMCs noted a greater division in community views than teachers or head-teachers. They described a polarised community, with one member stating, “we have one group who accept [CP] and another who do not.” Despite this split, most SMC members contended that CP was widely supported when administered “with good intentions and without badly hurting them.” Another participant added, “parents are always positive towards simple punishment,” while one committee member disclosed their personal endorsement, saying, “I personally have requested for [teachers] to slap my children when they commit mistakes.” These responses suggest that while opposition exists, a significant portion of parents and the broader community actively promote CP as a means to enforce good behaviour and secure high exam performance. Academic pressures were frequently cited as motivating factors in society tolerance for CP. One SMC member explained, “in exam periods parents can force us to be more strict with the children,” highlighting how high stakes testing exacerbates demands for punitive discipline.

Similarly to previous groups, SMCs acknowledged that the severity of CP has diminished over time, noting, “there is a huge difference...teachers used to hit us with a stick.” However, many respondents viewed this shift negatively, linking the reduction in CP to declining standards. One participant claimed the decreased

use of CP had, “totally degraded the quality of education,” arguing that, “student behaviour shows that they do not believe they must strictly follow discipline,” unlike when CP was more prevalent. Another lamented, “students were more morally disciplined” in the past, implying a nostalgic preference for harsher methods. This suggests that the societal shifts in attitudes to CP are seen as negative by some and that CP is viewed as necessary. This idea will be explored in more detail.

#### *PARENTS AND COMMUNITY MEMBERS*

Parents and community members, whose views directly reflect wider societal attitudes, largely supported the findings from other stakeholder groups. Their responses demonstrated nuanced acceptance of CP, with one participant observing, “some say it is ok but not all.” Others specified tolerance for moderate physical discipline, such as “yes, low level punishment such as slapping once or twice is ok...but being forced to hold chicken position is not ok.” Another remarked, “parents of naughty children don’t mind if the teacher hits them.” These accounts collectively illustrate that acceptance is conditional on the punishment being perceived as reasonable and non-excessive. Parents would likely withdraw their support if CP caused long-term harm or crossed into what they view as unduly violent behaviour. Participants also acknowledged that attitudes have changed, noting that current school punishments are “very different...we used to receive very harsh punishments.” This recognition of shifting norms suggests that while traditional attitudes persist, the severity of CP has diminished significantly compared to previous generations.

## CONCLUSION

These findings indicate that societal views play a fundamental role in facilitating and motivating the continued persistence of corporal punishment. Societal acceptance can be best understood as the interplay between long standing cultural beliefs and evolving social attitudes. While all stakeholder groups acknowledge a decline in the severity of physical discipline compared to previous generations, their testimonies reveal a more nuanced reality where traditional norms continue to shape disciplinary practices despite formal legal prohibitions.

Three distinct but interconnected patterns emerge from the data. First, corporal punishment is actively encouraged within traditional culture, driven by the perceived need for corporal punishment, a theme which will later be analysed in greater detail. This foundational view shapes how stakeholders approach behaviour management and is intensified by the high importance of exam success in Nepal. Secondly, the research indicates that acceptance of corporal punishment is a spectrum and that attitudes differ depending on the method used. Certain punishment is viewed as severe as increasingly unacceptance, while more mild and moderate corporal punishment maintain social legitimacy. This sheds light upon the cultural negotiation taking place in Nepal and is to be expected as the country goes through a period of transition. Considering this blurred line of acceptance, a purely legal approach is unlikely to be successful in changing social attitudes. Thirdly, this data indicates a tension between changing views on corporal punishment and resistance to this change. While all stakeholders report that the severity and frequency of corporal punishment has reduced, there is some indication of contempt for this fact. Many express a nostalgia for more extreme disciplinary practices, viewed them as more effective. In this way change seems



to have outpaced the underlying beliefs, leaving people unsure and resistant to the ban.

### 3.3 INSTITUTIONAL FAILURES

#### *HEAD TEACHERS*

Nearly all head teachers demonstrated awareness of corporal punishment (CP) and its problematic nature, with one exception who admitted being “not totally aware.” However, the sources of this knowledge revealed systemic institutional shortcomings. Most had not received information through official channels, with respondents reporting they learnt about CP “by reading laws and online materials,” while another had only “learnt through social media.” Two participants stated their awareness came solely from NGO-led initiatives. One head teacher mentioned the topic was “discussed at the monthly head teachers meeting,” though not in substantial detail. The prevailing sentiment was summarised by the remark: “we have received no training from the government.”

Only one head teacher confirmed receiving any formal government training on CP, but noted this had occurred years earlier, with no subsequent follow-up: “the government has provided no training since 2074 B.S.” This absence of institutional support was nearly universal, with another participant observing, “There doesn’t seem to be any organisation because no one has provided such training.” Multiple respondents directly linked this knowledge gap to CP’s persistence, with one asserting, “if the government ran programmes to raise awareness, corporal punishment would naturally decrease.”

Every respondent criticised the lack of government action, with one emphasising: “The local authorities should take ownership and arrange various training for teachers.” Two head teachers revealed

they had actively requested support, only to be told there “is no available budget” for such programmes. These accounts collectively demonstrate that government institutions have failed to fulfil their responsibility to reduce CP, whether through training, awareness campaigns, or budgetary allocation for disciplinary reform.

### *TEACHERS*

Teachers reported gaining awareness of CP primarily through informal channels rather than structured government training, planning or initiatives. While some had encountered the topic during school meetings or general discussions, only a minority had received targeted training. One group mentioned having “received some basic information regarding CP” during school sessions, while others referenced support from Center for Human Resource and Human Resource Development (CEHRD) years ago. For the minority who had received training, they reported its inadequacy, stating, “it is not enough.” Most respondents confirmed they had “not received any training from the government,” echoing the systemic neglect highlighted by head teachers.

In the absence of national guidance, schools have attempted to develop independent policies, but teachers noted these efforts were undermined by inconsistencies and a lack of wider leadership. As one explained, “we have not seen national guidelines,” resulting in fragmented approaches. This institutional failure was framed as part of broader systemic deficiencies, with participants linking CP’s persistence to overcrowded classrooms, staff shortages, and resource constraints: “We lack institutional support...other problems such as large class sizes, lack of teaching staff and low resources make discipline more difficult.” These conditions create an environment where punitive discipline often appears as a default solution.

Teachers stressed that addressing CP requires both institutional and societal shifts. They advocated for increased funding and specialised support, “*we need additional budget and trained resource personnel,*” and emphasised the need for government institutions to work to shift cultural norms. As one participant noted, the government must “*focus on parental awareness,*” recognising that schools alone cannot drive cultural change without coordinated efforts to shift attitudes beyond the classroom.

#### *SCHOOL MANAGEMENT COMMITTEES*

SMCs echoed similar concerns, emphasising the lack of institutional backing in addressing CP. Members noted that “no government unit provides training or support,” and stressed that “we need specialized training.” Although SMCs are positioned to drive positive change within schools, respondents expressed feeling ill-equipped to fulfil this role effectively. The absence of practical support emerged as a critical barrier. While SMCs acknowledged that “local governments should promote child-friendly teaching,” they admitted limited understanding of how to “use these strategies [non-violent teaching] effectively.” This knowledge gap underscores the need for structured training programmes, without which, meaningful progress remains unattainable.

SMCs identified head teachers as pivotal figures in enforcing non-violent discipline, describing them as “the most authoritative person who has the duty to promote non-violent teaching.” However, they argued that ultimate accountability lies with the government, asserting that systemic change cannot occur without institutional commitment.

*PARENTS AND COMMUNITY MEMBERS*

Parents and community members offered limited insights regarding institutional responsibilities in addressing CP. While their focus remained primarily on classroom practices, some acknowledged the government's role, stating simply: "governments should train teachers" to foster non-violent learning environments. Unlike teachers or SMCs, parents did not elaborate on specific institutional failures. Their lack of awareness of government work on the issue is telling itself. Governing institutions have failed to offer any awareness or training courses meaning that community members and parents are unaware of the role they are meant to play.

*CONCLUSION*

Overall, this research reveals systemic institutional failures in combating CP across all levels of Nepal's education system, in spite of strong legislation. Head teachers, teachers and SMCs all reported a major absence of any government led training, policy guidance or support. Therefore, they lack the knowledge to reduce CP and transition to non-violent discipline methods. While most stakeholders demonstrate awareness of the negative impacts of CP, this knowledge primarily comes from informal sources, such as personal research, social media or NGO initiatives, rather than structured institutional channels.

Attempting to deal with this institutional failure and neglect, schools develop their own independent policies on CP. However, without national guidelines or standardisation, disciplinary practices varying significantly between institutions and school policies are inconsistent. This policy vacuum is worsened by Nepal's resource constraints, including overcrowded classrooms and staff shortages,

which teachers identify as creating environments where CP becomes a default disciplinary measure. While stakeholders recognise their potential role in driving change, they report feeling unequipped to do so without government support. Parents demonstrate limited awareness of institutional responsibilities, which further reflects a broader communication gap between policymakers and communities. The government has failed to support its own law. These institutional shortcomings interact the theme of societal acceptance. The lack of coordinated awareness campaigns means traditional attitudes favouring CP do not change and, the lack of alternative discipline training leaves schools without the practical tools to replace CP. This creates a cycle where CP persists not through active support but through institutional neglect.

The current policy approach is to rely on legal prohibition without corresponding support systems and it has proven to be a failure. Effective reform requires coordinated action across multiple fronts including standardised teacher training and engagement with communities. Without addressing these systemic gaps, efforts to eliminate CP will continue to fail.

### **3.4 LACK OF ENFORCEMENT**

#### *HEAD TEACHERS*

Head teachers were asked various questions regarding how the ban on CP is enforced. This assessed the ways in which behaviour is monitored to ensure that CP does not take place and the ways in which violations can be reported and acted upon.

The most common means of monitoring that head teachers said was in place within their schools was a, “complaint box.” Many said that this offered students a channel through which they could express

any issues they had, including CP. However, most admitted that this was non-specific and only likely to be used for general complaints, “such as the fan not working.” Another explained that they ensured their teachers maintained good practice by, “sometimes having individual discussions with students,” to hear about how teachers are behaving. No head teacher said to have received any complaint about CP. However, given the established prevalence by various studies, it would be a fair assessment to say that the lack of reports is better attributed to poor monitoring and reporting methods. Given the highly sensitive nature of CP complaints, the available pathways do not give students a safe way to report.

The head teachers admitted that in letters of appointment (employment contracts) do not directly reference CP, saying that, “we have no such clause in our contract...but guidelines on corporal punishment are clear.” Given that the employment contracts do not explicitly indicate the consequences of using CP, when asked how, as head teacher, they would respond to a CP report, responses were varied. Two respondents suggested that “a teacher may lose their job,” although the conditional language suggests that this would not be a guarantee. It was far more common for head teachers to say that they would, “remind the teacher about the law,” or, “speak to them to remind the teacher about the ban on CP.” When asked if CP of a child might result in escalation beyond just a warning, one respondent said that, “it depends...teachers don’t punish with bad intentions so jumping to punishment for the teacher would not be my first thought.” The absence of standardized disciplinary protocols, coupled with discretionary enforcement, reveals a systemic failure to prioritize the ban’s implementation. Without clear consequences or safe reporting channels, the policy remains symbolic rather than operational.

*TEACHERS*

When discussing how schools monitor and respond to corporal punishment, teachers revealed systemic weaknesses that perpetuate its use. Like head teachers, they highlighted, “complaint boxes,” as the primary means by which students could report CP. One group said that, “children are encouraged to report,” suggesting an awareness of the need for student voices in addressing misconduct. “Classroom log books,” were also mentioned as a means of monitoring. In these logs both teachers and students report behaviour, which can include CP.

However, to a far greater degree, the teachers openly admitted to the ineffectiveness of these mechanisms. One group acknowledged that, “children think that if they complain about punishment they will be targeted by that teacher and so they prefer not to complain.” This response exposes the roots of the issue, if children do not feel safe to report CP then no change will take place. They lack the needed anonymity and protections. Children must be made to feel that they can safely report violations without being threatened or further penalised as a result. Another group admitted that when complaint boxes are reviewed, “most complaints, except for those of physical abuse, are usually addressed.” This further shows that even if CP is reported, which given the inadequacy of reporting mechanisms is unlikely, it is often to no effect. There are lack of consequences for using CP.

In their employment contracts, most said that there is, “no such clause,” which forbids CP. There is a lack of universal and clear policy integrated into contracts. Instead teachers follow the advice of their head teachers and are, “requested not to punish children,” but this can differ from school to school in strength and enforcement. Without standardised guidelines it is easy for the rules to be broken.

When asked how they would react to a colleague using CP, responses exposed a culture of acceptance. The strongest response was to, “inform the head teacher,” to escalate the issue. Yet others said that their response would be, “based on context,” suggesting that whether or not they would report CP depends on the severity and behaviour of the student or if they ‘deserved’ such punishment. This implies that they consider some CP to be justified. Others stated that they would not report other teachers at all. They said that, “there is a strong unity among the teachers in this school so even if it does become known that a teacher had administered CP no other teacher, except the principal, will take action.” Here is a clear indication that solidarity amongst staff means that reporting others would be viewed extremely negatively, even if at the cost of child welfare. It might also imply that CP is not viewed as too much of an issue, or at least not severe enough to warrant getting other colleges in trouble. This is supported by another teacher, who said that, “if I complain about it I may lose my good relations with other staff and be targeted easily.” In the same way that students may be passively discouraged from reporting abuse by the toxic environment, so too teachers are discouraged, allowing CP to continue unchallenged. This behaviour is further enforced by the lack of consequences to enforce policy. A teacher noted that, “I have never heard of any teacher losing their job because they gave CP,” and another that, “there is no strict penalty, even in extreme cases of physical harm.” This lack of enforcement and accountability allows CP to be used unchallenged within schools.

#### *SCHOOL MANAGEMENT COMMITTEES*

SMCs indicated that the failure of complaint boxes as a reporting mechanism is a multifaceted issue, failing at both receiving and managing complaints. All FDGs with SMCs identified, “complaint



boxes,” as the primary means by which teachers' behaviour is monitored and children can report abuse but admitted that these boxes were largely ineffective. It was said that, “children do not use the complaint box,” which again supports the idea that the boxes do not offer children a sufficiently safe environment to report abuse. Another noted that “students prefer to tell their problems to a teacher,” however, this too does not give students a safe channel when teachers may be complicit or unwilling to support them.

This shows that complaint boxes do not provide students with a way to report teachers. However, this failure runs deeper, if reports are submitted, there is no guarantee that they will be addressed. The frequency with which complaint boxes are checked varied widely between schools, ranging from “every 2-4 months,” to, “every two weeks,” or only checking, “depending on the number of complaints received.” This lack of standardisation is inefficient and can result in potentially time sensitive complaints being neglected. One group even admitted that, “we have a complaint box but seriously speaking we have not opened it in two years and I myself am unaware about the procedure of opening it. I have seen some complaints in the box that have not been addressed to date.” Such accounts expose the neglect and mismanagement of complaint boxes. They fail as a mechanism to report CP and are more symbolic than an effective tool.

When questioned about the consequences of CP, more inconsistencies arose. Just two groups said that, “it can affect employment,” while others contradicted this, arguing that in practice teachers are very unlikely to lose their jobs. When asked what actions they think would be most appropriate one group said that, “we don't know what would happen...no action has been taken in our school.” The lack of a clear response indicates that the schools lack strong policy which can be enforced. From others, the severity of

consequences varies. The most severe suggested reaction was to, “ask for justification,” and that, “in serious cases, we would suspend them and warn them not to do it again.” In one school an incident was said to have occurred which left a student with bruises. In this case, “the teacher was warned that if such an incident were to happen again, strict action would be taken. The teacher was made to apologise and let off with a warning.” The term, “justification,” again shows that there is a leniency and a culture of acceptance. As well as displaying a lack of standardised policy, these responses indicate that CP is unlikely to be met with serious consequences, confirming that teachers were correct in suggesting that job loss due to CP is exceptionally rare.

#### *PARENTS AND COMMUNITY MEMBERS*

Parents and community members expressed clear concern for weak monitoring and enforcement, and the impact this had on child welfare. While many were aware of complaint boxes in schools, their confidence in these mechanisms varied. Some indicated trust in the mechanism, stating that were their child to witness CP, “I would tell them to use the complaint box.” However, other respondents were more sceptical, noting that, “children don’t always feel comfortable sharing complaints with teachers.” This scepticism reinforces the idea that existing reporting systems fail to provide a truly safe or reliable way for students to speak up.

Beyond critiquing current measures, parents emphasised the need for stronger institutional involvement. Many argued that schools and the government must take proactive steps to “encourage children to complain if they are hit,” suggesting that passive systems like complaint boxes are insufficient without active support. One respondent stressed the importance of external oversight, insisting

that “the government should regularly monitor schools” to ensure compliance with the ban.

### *CONCLUSION*

This thematic analysis reveals a disconnect between Nepal’s legal prohibition of CP and its practical enforcement. Across schools, monitoring mechanisms such as complaint boxes and classroom logbooks exist in theory but fail in practice, not only due to structural flaws but because they operate within environments where reporting carries social and professional risks. Students fear retaliation from teachers, teachers fear ostracization from colleagues and SMCs lack the clear protocols needed to act on complaints. This system of errors renders common enforcement mechanisms effectively useless and more of a symbolic symbol rather than an effective safeguard against CP.

The absence of standardised policies creates inconsistent accountability, making enforcement more challenging. While some schools have detailed disciplinary procedures, others operate on ad hoc principles, with responses to CP ranging drastically from light warnings to employment termination (very rarely). This variability, combined with the lack of explicit prohibitions in teacher contracts, sends mixed messages about the seriousness of CP violations. Additionally, the deeply ingrained solidarity among teachers, where reporting colleagues is viewed as betrayal rather than protection of children, reduces the likelihood of reporting abuse. This attitude is reinforced when even severe cases, such as those causing physical injury, result only in warnings rather than more severe consequences.

The passive nature of monitoring systems places the burden of reporting on children without ensuring their safety. The teacher holds the dominant position within the power dynamic with the student

and students lack the support and encouragement needed to report CP. Equally, infrequent checks and institutional neglect render these mechanisms ineffective, even if children so report abuse.

The implications are clear: without addressing these systemic flaws in the enforcement mechanisms, legal bans alone will not eliminate CP. Meaningful reform requires standardised, contractually mandated consequences for CP, anonymous reporting channels with mandatory response protocols and efforts prioritise child welfare over professional harmony. Until enforcement mechanisms align with the law, CP will remain common.

### **3.5 PERCEIVED NEED FOR CORPORAL PUNISHMENT**

#### *HEAD TEACHERS*

An essential aspect of ending CP in schools is eradicating the myth that the practice is necessary in order to maintain good student discipline. It should first be noted that all head teachers who were interviewed denied that CP has ever been used at their school, saying, “CP has never been used to protect the school reputation,” and “not at our school.” In spite of this, their responses on behaviour management revealed a more nuanced reality.

Behaviour is managed via a tiered system. Respondents state that teachers had been encouraged to use positive reinforcement to motivate good behaviour. For example, one head teacher explained that teachers might tell a student, “if you study well today, we’ll prepare a nice snack for tomorrow,” or, “if everyone studies with discipline, we’ll serve meat for lunch the next day.” If poor behaviour persists they give escalating tiers of punishment. This typically starts, “with a warning and then counselling...[and then] we may call in their parents...but if the student misbehaves then they will

receive a slap.” Slapping is still part of some head teachers’ arsenal. It is positive to see that CP is not the first option when disciplining children, however head teachers still view it as a necessary escalation to deal with challenging child behaviour.

Many head teachers expressed scepticism about the effectiveness of non-violent methods alone and see CP as an essential part of discipline. One respondent noted that some students, “will not behave without a slap,” and another said that sometimes, “light slap,” is needed. The lack of faith in non-violent discipline methods was especially revealing in one response which stated:

“Nowadays, we can’t even ask students why they haven’t done their homework and we’re not allowed to address them as *tā* (तैं) (you). Teachers are expected to say ‘Good Morning’ to students but students don’t greet teachers in return. There is no law that teaches students to be respectful or disciplined, there are only laws that focus on their rights.”

This response encapsulates a broader resentment toward child rights reforms, which are perceived as undermining teachers’ authority without offering viable alternatives. The speaker’s frustration equates the ban on CP with a decline in respect and discipline. CP is seen as a needed tool for school to manage student behaviour and head teachers feel that without CP behaviour will worsen. This highlights a disconnect between legal reform and perceived need for CP. He argued that, “there is no law that teaches respect,” showing that head teachers are not equipped with the knowledge and training to manage behaviour without CP. This overlaps with institutional failure: in failing to provide training, the government has not worked to challenge the perception that CP is needed and therefore it remains common.

*TEACHERS*

Teachers displayed strong support for CP as an effective and needed disciplinary tool. Many teacher groups asserted that CP is necessary for student success simply because, “nothing else will work.” They made clear that without CP children do not have respect and therefore do not behave. In support of this sentiment, one teacher added that, “in subjects where sticks are used, they listen to the class quietly and do their homework. However, in a classroom where canes are not used, there is no peace in that classroom and homework is not done.” Teachers were willing to openly admit using CP, with one noting that, “I have used a stick to beat students who repeatedly fail to do homework.” CP is seen as a determinant over whether or not a child has a positive or negative future ahead of them, as illustrated when one respondent said that without CP students will not, “be afraid and will not take discipline seriously...they will fail and their future will be dark.” The practice is viewed as necessary for academic and future success.

While CP is still considered essential, there are signs of change. It is evident that, “CP is given as a last option.” It is only considered necessary by teachers if all other methods fail, rather than as the first response. One teacher explained that his school escalates behaviour issues. “The school first tries to explain and counsel the student. If the student doesn’t listen, then they may be scolded. If that still doesn’t work, the student is taken to the principal. If there is still no improvement, the parents are called for a discussion. If the student continues to misbehave, then corporal punishment is considered necessary.” It is the final behavioural tool. While this teacher was able to give a clear discipline plan, evidence of a set school policy was varied. One teacher noted that the school had a formal seven mechanisms of punishment which would be used as appropriate. This

plan was detailed and structured. On the other hand, a different group of teachers answered that, “we do not have any specific guidelines,” on discipline. Without a set route of escalation, CP is more likely to take place.

Changing teacher attitudes on CP is a slow process, as it is with all of Nepali society. The perceived need for CP is a part of cultural acceptance, as demonstrated by one teacher who quoted the poet Kabir in saying, “there can be no love without fear.” Another teacher explained that previously discipline had been a, “one-way track,” with CP being the only option. Now, he said that the process is changing towards a, “two-way track,” where non-violent punishment is also becoming an option. This is due to the fact that, “for some students a small amount of physical discipline is unavoidable...it is about balance.” However, he noted that CP is still the secondary option due to the fact that, “students won’t learn or listen properly if they don’t feel a little bit of fear and accountability.” Change has taken place to make the practice less common, but unless teachers are made to understand that CP is not needed for student discipline and success, it will remain common.

#### *SCHOOL MANAGEMENT COMMITTEES*

SMC groups advocated for a transition to non-violent discipline but still echoed both teachers and head teachers in the perceived need for CP.

When asked the most effective way to manage bad behaviour, many expressed support for non-violent responses, for example, “if students make a mistake, instead of giving them physical punishment, it may be better to talk to them alone and explain the negative effects of their bad behaviour and how it could harm their life in the future.” Others highlighted creating a nurturing learning space by, “making

the environment loving and caring at the same time motivating them through prizes, developing attachment with children at personnel level,” or, “creating a learning environment which makes them comfortable in the study process.” However, while these ideas sound progressive, they are vague and lack implementable strategy. Others were even less sure, stating that “we have no such techniques but promote child friendly teaching,” or that, “we don’t know any techniques besides counselling by teachers at school.” This indicates that SMCs are aware that CP is not fully necessary but lack the knowledge to make real change.

Despite expressing theoretical support for non-violent methods, SMCs consistently maintained that corporal punishment remains an essential disciplinary tool. Members justified physical discipline as being administered with positive intentions, insisting teachers “never hit students with wrong intentions” but for their benefit. This perspective not only legitimises corporal punishment but frames it as an act of care rather than violence. On the extremity of punishment accepted, one group said that although, “it is unacceptable for a teacher to hit with hand or stick,” other punishments are accepted which include making them “stand in front of class and made to sing or dance. The shame of doing this in front of their classmates leads them to improve their behaviour.” This is a form of psychological punishment for the child that they deem acceptable.

One member argued the ban has led students to “not believe that they must follow discipline,” while another claimed categorically that “without CP students are less disciplined.” These statements demonstrate a fundamental belief that fear remains an essential component of education, and that policy changes implemented without corresponding support systems are destined to fail.



*PARENTS AND COMMUNITY MEMBERS*

In many previous themes, there has been reference from teachers, head teachers and SMCs to the fact that parental attitudes are an obstacle to ending CP. For the most part, the responses of parents and community members support this verdict. One parent said that CP is, “justified when students are too much involved in bad behaviour,” and they listed, “smoking or drinking alcohol,” as behaviour which justifies violent punishment. This confirms that CP is seen as necessary not just by school staff but by parents and members of the wider community.

Although CP was seen as necessary, parents and community members indicated that it should not be the first response to bad behaviour and only used when needed. For example, one respondent argued that “a student’s behaviour should be corrected through guidance”, advocating for non-violent punishment, but that “if the student does not listen the teacher should scold or give them a light slap. If this is not done, students will not stay disciplined”. Similarly, another stated that, “physical punishment is not at all but when children do extreme bad behaviour such as bullying the teacher should be allowed to slap.” Such attitudes reinforce the idea that acceptance for CP is derived from the idea that it is the only way to manage higher levels of poor behaviour.

*CONCLUSION*

This section demonstrates that the perceived necessity of CP can partially explain its continued use in Nepal. Stakeholders fundamentally believe that CP is necessary for maintaining discipline and ensuring academic success. This deep-rooted perception, shared by all stakeholders creates significant resistance to the legal ban, as CP

is not viewed as abuse but as a legitimate and beneficial disciplinary tool.

Central to this is the belief that fear is essential for learning, that non-violent methods cannot address serious misbehaviour and that physical punishment with ‘good intentions’ serves the child’s best interests. This association between CP and success means that stakeholders see the ban as a threat to educational outcomes. In their view, removing CP risks undermining student discipline and achievement, making them reluctant to abandon the practice despite legal prohibitions.

The challenge, therefore, is not just enforcing the ban but actively reshaping these entrenched attitudes. If non-physical discipline continues to be seen as inferior, stakeholders will resist adopting alternatives and CP will endure. Ultimately, CP will only disappear when stakeholders are convinced that success can be achieved without it. Until then, the perceived necessity of physical punishment will continue to outweigh its legal prohibition.

### 3.6 NARRATIVE ANALYSIS

In this section two responses, one from a head teacher and another from an SMC member will be analysed in more detail. They reveal that

#### *A HEAD TEACHER’S CHILDHOOD EXPERIENCE*

One head teacher explained that his approach and attitude towards CP was derived from his own personal experience and told a story of his own experience as a student:

*As a child growing up in a rural area, the head teacher had to walk a considerable distance to school each day. One*

*morning during his journey, a group of older boys intercepted him in the fields. They harassed and physically attacked him, causing him to be late for school. When he finally arrived, his teacher immediately administered CP without allowing any explanation for his tardiness. The beating was severe, leaving the boy with multiple bruises on top of those from the earlier attack.*

*That afternoon as he walked home, an elderly villager who had witnessed the morning assault noticed the additional injuries. When questioned, the boy recounted how his teacher had beaten him without allowing him to explain that he had been attacked. The old man, outraged by this injustice, waited along the road until he saw the teacher cycling home. He confronted the teacher about his hasty punishment of the boy, who responded by admitting he was wrong not to have allowed the boy to explain himself.*

*Reflecting on this experience, the head teacher explained that since he had experienced this injustice as a child, he was determined to ensure none of his own students faced similar such injustice or unfair punishment. As a result, his school has a strict policy against CP.*

This narrative is a commendable account of using personal trauma and injustice for good, ensuring that others do not suffer in the same way. However, this narrative exposes the systematic failure of national CP policy. This schools' approach and strategy to CP is based upon the experiences of the head teacher as a child rather than official government legislation. The anti-CP stance is therefore dependent not on institutionalised safeguards but on one individuals' experience. Were a different head teacher with alternative views to assume the

position, the schools CP policy might change and the practice become common again. This demonstrates the degree to which CP policy can vary from school to school, rather than there being a single, national policy. Although this one school might have a positive approach to reducing CP, without standardisation CP is allowed to persist across schools in Nepal.

#### *SMC'S ACCOUNT OF A RECENT CP COMPLAINT*

The chairman of an SMC recalled an incident of CP which occurred in their school four months prior to the time of this study.

*Reportedly, a student rang a bell at an inappropriate time. In response, a teacher beat them to such a degree that the child's ear began to bleed. After the incident, the child's parents issued a complaint to the police and the case was discussed in the municipal judicial committee. As part of this process the SMC chairman coordinated with police to settle the matter. The chairman argued that the parents' decision to escalate the use of CP shows that it is not accepted practice.*

*The narrative continues that sometime later, the same child was again caught ringing a bell at an inappropriate time, this time on CCTV. The school summoned the parents of the child and showed the footage as proof of the poor behaviour. Confronted with this evidence, the parents accepted that the teacher had been right to beat the student. The SMC chairman explained that this was not unusual and that many parents have actively asked him to use CP or even call the police on children, even if they had previously opposed CP, because without this authority the students become undisciplined and fail.*

This second narrative reveals a troubling contradiction in how communities perceive CP. The child's bleeding ear indicated a high degree of physical harm and yet the parents ultimately justified the teacher's actions when faced with repeated misbehaviour. Their initial outrage and protest came not because CP was used but because they did not think their child had really misbehaved. Upon proof that he had, they accepted the CP as the appropriate response. This demonstrates that even severe CP can be retroactively accepted if deemed 'necessary' for discipline. In this narrative all stakeholders, parents, SMC and teachers, display an acceptance for CP when it aligns with their immediate disciplinary goals and expectations. This suggests that the head teacher's narrative, where personal experience created a strong anti-CP attitude, is an exception.

This narrative exposes the dangers of relying on individual discretion rather than standardised policy to combat CP. The head teacher's opposition to CP is due to personal experience and thus vulnerable to replacement. In contrast, the bell-ringing case shows how easily communities revert to punitive norms without systemic safeguards. Together, these stories underscore that sustainable change requires more than isolated leadership, it demands universal enforcement of non-violent discipline.

## CHAPTER 4

### CONCLUSION AND RECOMMENDATIONS

To conclude, this study set out to understand why corporal punishment remains so prevalent in schools across Nepal, despite strong legal prohibition. The answer is a multifaceted one, with various factors intersecting and combining in failure. Societal acceptance is a contributing factor, whereby historic cultural norms of CP motivate stakeholders to maintain this status quo and encourage the practice to be used to achieve academic success. This deeply overlaps with the perceived necessity of CP. Non-violent alternatives to CP are seen as less effective and a reduction in the school's ability to get the best out of the students. Institutional failures refer to the complete lack of government support for the ban. Stakeholders report a lack of training, support and oversight, leaving them unable to transition away from the practice. This is worsened by the lack of enforcement, the fourth theme, which intersects with institutional failure. There is no effective mechanism by which CP can be monitored or the ban enforced.

It has been seven years since Nepal passed its sweeping CP ban and yet in that time it seems very little progress has been made. This study has demonstrated that the government is failing at all levels to change practices and hold the most responsibility for the failure. Stakeholders continue to accept and encourage CP, believing alternatives to be ineffective and inferior. Change therefore requires a shift in cultural views, a process which is gradual but possible, and

a dramatic increase in institutional support to provide the necessary training, advocacy and monitoring needed to end CP.

## RECOMMENDATIONS

In order to end the practice of CP in Nepal, the study has made the following recommendations:

### *TO THE THREE TIER GOVERNMENTS*

#### FEDERAL GOVERNMENT

1. Establish a **national policy on Child Safeguarding** which can be standardized across all schools.
2. Integrate **child rights and positive discipline** into the **national teacher education curriculum**.
3. Create a **central database system** to collect, track, and analyse complaints and settled cases of CP nationwide.
4. Form a **national-level committee** dedicated to addressing CP in schools.
5. Allocate **conditional block grants** to provincial and local governments for CP prevention programs.
6. Enforce **national legal frameworks** ensuring penalties for teachers using CP.

#### PROVINCIAL GOVERNMENT

1. **Allocate provincial funding** to implement CP prevention programs at the school and community level.

2. Develop and deliver **provincial-level training modules** on CP and non-violent discipline, ensuring annual refresher sessions for teachers.
3. Establish **provincial awareness campaigns** to educate communities on the harms of CP and promote positive discipline.
4. Support the **formation and capacity-building of Child Welfare Officers** within local jurisdictions.
5. Monitor compliance by conducting **random inspections** in schools across the province.

*LOCAL GOVERNMENT (MUNICIPALITIES/RURAL MUNICIPALITIES)*

1. Ensure that **teacher employment contracts** at local schools include a clause stating CP will result in consequences.
2. Operate and promote **effective, independent, and anonymous complaints systems** for students to report CP, free from teacher influence.
3. Enforce the law at the local level by **investigating and penalizing cases of CP** in collaboration with police and child protection authorities.
4. Carry out **unannounced monitoring visits** to schools to ensure compliance with safeguarding policies.
5. Organize **regular community awareness sessions** involving parents, SMCs, and child clubs to shift social acceptance of CP.



*TO HEAD TEACHERS*

1. **Develop and enforce written school policies** that explicitly prohibit corporal punishment (CP) and communicate them clearly to all staff.
2. **Incorporate disciplinary clauses in teacher contracts** stating that any use of CP will lead to specific consequences.
3. **Establish transparent and accessible complaint mechanisms** to hear, record, and address reports of CP, and ensure regular monitoring of the process.
4. **Take disciplinary action against teachers who violate the prohibition** on CP, ensuring accountability within the school.
5. **Inform and empower students about their rights** and provide safe channels for them to report incidents of CP without fear.
6. **Collaborate with provincial and local governments** to arrange regular training and refresher sessions for teachers on positive, non-violent discipline methods.
7. **Promote a culture of zero-tolerance toward CP** by setting an example, encouraging positive discipline, and fostering a safe, respectful learning environment.
  - a) Establish official written policies which make it clear to staff that CP is prohibited.
  - b) Penalise teachers who commit abuses.
  - c) Ensure that students are aware of their rights and have the means to report CP.
  - d) Work with local government to provide training to teachers.

- e) Promote zero-tolerance to CP.

*TO TEACHERS*

1. **Strictly follow national laws and school policies** that prohibit corporal punishment (CP).
2. **Adopt and consistently practice positive, non-violent discipline methods** that support learning and respect children's dignity.
3. **Seek guidance and support from the head teacher or management** when facing classroom management challenges, and participate in training on non-violent discipline.
4. **Model respectful behavior towards students**, setting an example of patience, empathy, and constructive communication.
5. **Report incidents of CP** immediately to the head teacher or appropriate authority to ensure accountability and child protection.

*TO SMCS*

1. **Collaborate with head teachers and government authorities** to develop and implement a clear school policy prohibiting corporal punishment (CP) and ensure teachers receive regular training on positive discipline.
2. **Promote a zero-tolerance approach to CP** by making it a core principle of school governance and culture.

3. **Encourage and strengthen child-friendly reporting systems**, such as peer-to-peer support and parent–child complaint channels, to make it easier for students to raise concerns.
4. **Regularly monitor compliance** with the school’s CP policy through meetings, school visits, and review of reports.
5. **Oversee and facilitate complaint mechanisms**, ensuring that all cases are properly investigated and acted upon in a timely and transparent manner.

#### *TO PARENTS AND COMMUNITY MEMBERS*

1. **Actively participate in Parent–Teacher Meetings** and raise concerns if incidents of corporal punishment (CP) occur, reporting them promptly to the school.
2. **Advocate for strong and enforced school policies** that prohibit CP and promote positive, non-violent discipline.
3. **Encourage and support children to speak up safely** against CP, reassuring them that their voices will be heard and respected.
4. **Promote positive parenting practices at home**, ensuring consistency between school and family environments in rejecting CP.
5. **Collaborate with community groups and child protection networks** to build wider awareness and accountability against CP.

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## ANNEX

### QUALITATIVE RESEARCH QUESTIONS – TEACHERS AND HEAD TEACHERS.

Beyond the Ban: Causes of Corporal Punishment's Persistence in Nepalese Schools

#### *Section-1: General Information*

Name of School .....

Name of Municipality .....

Word No .....

Name of Province .....

#### *Section-2: Knowledge*

Now I am going to ask you some questions about your knowledge/ information about corporal punishment.

S.N.	Questions
1.	Are you aware of the law in Nepal regarding corporal punishment? (SMC)

2.	Have you received any training or guidance on non-violent teaching methods?
3.	Do you feel that you have been provided enough information (during teachers' training) on corporal punishment and how to avoid it?
4.	Does your employment contract include any requirement to use or avoid violence and corporal punishment?
5.	Are there any consequences to the employment if teachers use corporal punishment?

### *Section-3: Attitude*

Now I am going to ask you some questions about your attitude about corporal punishment.

S.N.	Questions
1.	What do you think is the most effective way to deal with or manage bad behaviour of students and why? (SMC)
2.	What attitudes do you find towards corporal punishment in the local community? Is slapping or keeping children in "chicken position" acceptable and normal? (SMC)
3.	How do you think parents expect you to deal with bad behaviour of students?

### *Section-4: Practice*

Now I am going to ask you some questions about your practice about corporal punishment.



S.N.	Questions
1.	How are the practices of disciplining students different from when you were at school? (SMC)
2.	What are the examples of positive disciplining techniques or tools that your school is applying? (SMC)
3.	What are some of the limitations or challenges of non-violent methods of discipline?
4.	Some forms of corporal punishment are more extreme than others. What would you consider to be 'too harsh' or unacceptable? (For example, is forcing to "sit in chicken position" acceptable?) (SMC)
5.	Do the children have a way of reporting violent punishment by a teacher? If yes, what happens to these reports? (SMC)
6.	Does pressure for achieving good results and maintaining school's reputation etc. increase the chances of corporal punishment? (SMC)
7.	If you were aware that corporal punishment was taking place would you take an action? Why/why not? (SMC)
8.	How do you receive complaints and who deals with it? (SMC)

### *Section-5: Future plans*

Now I am going to ask you some questions about your practice about corporal punishment.

S.N.	Questions
1.	What roles do you think the Head Teacher should play in promoting non-violent teaching methods? (SMC)

2.	Is there any unit of the govt. that provides training on non-violent discipline of children?
3.	What roles do you think the government should play in reducing corporal punishment? (SMC)
4.	What would help you or what do you think you need in order to adopt non-violent discipline strategies? (SMC)

**Thank you for your time.**

## QUALITATIVE RESEARCH QUESTIONS – SMCS

Beyond the Ban: Causes of Corporal Punishment's Persistence in Nepalese Schools.

### *Section-1: General Information*

Name of School .....

Name of Municipality .....

Word No .....

Name of Province .....

### *Section-2: Knowledge*

Now I am going to ask you some questions about your knowledge/ information about corporal punishment.

S.N.	Questions
1.	Are you aware of the law in Nepal regarding corporal punishment? (SMC)
2.	Are there any consequences to the employment if teachers use corporal punishment?

### *Section-3: Attitude*

Now I am going to ask you some questions about your attitude about corporal punishment.

S.N.	Questions
1.	What do you think is the most effective way to deal with or manage bad behaviour of students and why? (SMC)
2.	What attitudes do you find towards corporal punishment in the local community? Is slapping or keeping children in "chicken position" acceptable and normal? (SMC)

### *Section-4: Practice*

Now I am going to ask you some questions about your practice about corporal punishment.

S.N.	Questions
1.	How are the practices of disciplining students different from when you were at school?
2.	What are the examples of positive disciplining techniques or tools that your school is applying?
3.	Some forms of corporal punishment are more extreme than others. What would you consider to be 'too harsh' or unacceptable? (For example, is forcing to "sit in chicken position" acceptable?)
4.	Do the children have a way of reporting violent punishment by a teacher? If yes, what happens to these reports?

5.	Does pressure for achieving good results and maintaining school's reputation etc. increase the chances of corporal punishment?
6.	If you were aware that corporal punishment was taking place would you take an action? Why/why not?
7.	How do you receive complaints and who deals with it?

### *Section-5: Future plans*

Now I am going to ask you some questions about your practice about corporal punishment.

S.N.	Questions
1.	What roles do you think the Head Teacher should play in promoting non-violent teaching methods?
2.	Is there any unit of the govt. that provides training on non-violent discipline of children?
3.	What roles do you think the government should play in reducing corporal punishment?
4.	What would help you or what do you think you need in order to adopt non-violent discipline strategies?

**Thank you for your time.**

## QUALITATIVE RESEARCH QUESTIONS – PARENTS AND COMMUNITY MEMBERS

Beyond the Ban: Causes of Corporal Punishment's Persistence in Nepalese Schools.

### *Section-1: General Information*

Name of School .....

Name of Municipality .....

Word No .....

Name of Province .....

### *Section-2: Knowledge*

Now I am going to ask you some questions about your knowledge/ information about corporal punishment.

S.N.	Questions
1.	Are you aware that corporal punishment is punishable by law in Nepal?

### *Section-3: Attitude*

Now I am going to ask you some questions about your attitude about the corporal punishment.

S.N.	Questions
1.	In schools, what do you think is the most effective way for teachers to discipline bad behaviour from students and why?
2.	What attitudes do you find towards corporal punishment in the local community? Is slapping or keeping children in "chicken position" acceptable and normal?
3.	Do you think it is sometimes justified for teachers to use corporal punishment? If so, when?

#### *Section-4: Practice*

Now I am going to ask you some questions about your practice about corporal punishment.

S.N.	Questions
1.	Has your child faced physical punishment by a teacher? If, yes, what did you do?
2.	Do you think the practices of disciplining students in school is different from when you were at school?
3.	How do you think the schools should deal with complaints?

*Section-5: Future plans*

Now I am going to ask you some questions about your practice about corporal punishment.

S.N.	Questions
1.	Would you encourage to your children to complain?
2.	What steps, if any, do you think schools should take to reduce corporal punishment?
3.	What role, if any, do you think the government should play in reducing corporal punishment in schools?

**Thank you for your time.**



**Legal Literacy - Nepal** (LLN) was established in 2023 by a group of young, energetic, and experienced professionals in the field of law, human rights, and social work.

The organization is working to promote the rule of law and human rights standards in Nepal. It aims to achieve this objective by enhancing legal literacy and developing access to justice for children, women, and people from marginalized communities. The organization focuses on children's rights and juvenile justice, including their rights to quality education, to be safe from corporal punishment, to have a safe learning environment, to equal and fair treatment and full enjoyment of human rights, etc.

To achieve its mission, vision, goal, and objectives, the organization works with children's clubs, Child Correction Homes, schools, teachers, wardens, parents/guardians, and marginalized communities, as well as federal, provincial, and local government entities, courts, public prosecutors' offices, Bar Associations, Local Judicial Committees, the Nepal Police, and likeminded national and international organizations.

The organization files Public Interest Litigation (PIL) for policy and institutional reform for the protection and promotion of human rights in Nepal.



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