

Hitting people is wrong – and children are people too

A practical handbook for
organisations and institutions
challenging
corporal punishment of children



Global Initiative to
End All Corporal Punishment
of Children



Save the Children
Sweden

www.endcorporalpunishment.org

STATEMENT OF AIMS OF THE GLOBAL INITIATIVE

“Children too are holders of human rights. It is widely acknowledged now that corporal punishment is a fundamental breach of children’s rights to respect for their human dignity and physical and mental integrity. The Convention on the Rights of the Child requires States, in its article 19, to protect children from ‘all forms of physical and mental violence’ while in the care of parents and others. The fact that corporal punishment of children is legal in many countries, unlike other forms of inter-personal violence, challenges the universal right to equal protection under the law.

“Hitting children is also a dangerous practice, which can cause physical and psychological injury and even death. Corporal punishment is identified by research as a significant factor in the development of violent attitudes and actions, both in childhood and later life. It inhibits or prevents positive child development and positive forms of discipline. Promoting positive, non-violent forms of discipline empowers parents and reduces family stress. Yet corporal punishment in the family home is still a legal and common practice in most states of the world. In many, corporal punishment remains an accepted form of discipline in schools and other institutions, and in some it is authorised as a sentence for juvenile offenders and as a punishment in penal institutions.

“We believe this is the right time to make quick progress towards ending social and legal acceptance of corporal punishment globally. Some countries have already prohibited all corporal punishment, including in the family. The purpose of legal reform in this area is to change attitudes and to promote positive family relationships – not to increase prosecution of parents. Many States have banished corporal punishment from their schools and other institutions, with positive results. Constitutional and supreme courts have provided landmark judgments condemning it.

“We therefore call on governments to declare their opposition to corporal punishment of children and to set a timetable for eliminating corporal punishment. This requires both explicit legal reform and also public education involving all sectors of the community including children.”

The Global Initiative has the support of UNICEF, UNESCO and the United Nations High Commissioner for Human Rights, Mr Sergio Vieira de Mello, members of the Committee on the Rights of the Child, and the NGO Group for the Convention on the Rights of the Child. Individuals and organisations sign up to this Statement of Aims. See inside back cover for details of how to play an active role.

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Aims of this handbook

The handbook provides basic information about corporal punishment of children – its definition, how common it is, why it is a fundamental breach of children’s human rights, how children feel about it and progress towards ending it. The handbook aims to help organisations and institutions develop campaigns to challenge all corporal punishment of children through public education and legal reform. Campaigns often meet strong resistance and a key section provides answers to arguments that are commonly raised in defence of corporal punishment.

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1 WHAT IS CORPORAL PUNISHMENT?

Corporal or physical punishment is any punishment in which physical force is intended to cause some degree of pain or discomfort: hitting children with a hand, or with a cane, strap or other object, kicking, shaking or throwing children, scratching, pinching, biting or pulling their hair, forcing them to stay in uncomfortable positions, locking or tying them up, burning, scalding or forced ingestion – for example washing mouths out with soap.

There are other harmful and humiliating forms of punishment of children which do not involve the direct use of physical force. Changing attitudes to corporal punishment, and hence to children, will discourage other harmful forms of punishment.

The imperative for removing adults' assumed rights to hit and humiliate children is that of fundamental human rights. Research into the harmful physical and psychological effects of corporal punishment and into links with the development of other forms of violence, in childhood and later life, add further compelling arguments for condemning and ending the practice. They suggest that it is an essential strategy for reducing all forms of violence in societies.



2 CORPORAL PUNISHMENT – PART OF CHILDREN'S EVERYDAY LIVES

In most countries worldwide, many children – even babies – continue to be subjected to corporal punishment in their homes, with significant numbers suffering death or serious injury. In many countries, teachers are still authorised to beat school pupils with canes or straps; corporal punishment is also used in residential institutions and in children's workplaces. In at least 50 countries, children and young people can still be sentenced by courts to whipping or flogging and corporal punishment is used within penal institutions.

An essential strategy for ending corporal punishment is to make it more visible through research interviewing children, parents, teachers and others. The Global Initiative aims to build a global map of the prevalence and legality of corporal punishment.

Extracts from research reports from around the world:

- Barbados:** 70 per cent of parents “generally approved” of corporal punishment and of these 76 per cent endorsed beating children with belts or straps, according to a study published in 1989.
- Egypt:** large-scale 1996 survey of children found over a third were disciplined by beating – often with straps or sticks; a quarter of these children reported that discipline led to injuries.
- Korea:** survey by Child Protection Association in the 1980s found that 97 per cent of children had been physically punished, many severely.



Kuwait: a 1996 survey of parents' attitudes found 54 per cent agreeing, or strongly agreeing, with severe beating in cases of gross misbehaviour. 9 per cent of parents agreed with burning as a form of punishment.

Pakistan: a study covering parents and teachers at 600 primary schools in the North West Frontier Province in 1998 found over 70 reports of serious injury arising from corporal punishment; the most common forms of punishment were beating with sticks, pulling ears, slapping faces and forcing children to stay in humiliating positions.

Romania: 1992 survey found 84 per cent of parents regarded spanking as a "normal" method of childrearing. 96 per cent did not consider it humiliating.

UK: Government-commissioned research in the 1990s found that three quarters of a large sample of mothers admitted to smacking their baby before the age of one. In families with children aged one, four, seven and eleven where both parents were interviewed, over a third of all the children were hit weekly or more often by either or both parents, and a fifth of the children had been hit with an implement.

Europe: A UNICEF opinion survey of children and young people across 35 countries in Europe and Central Asia in 2001, including 15,200 interviews representative of the 93 million 9 to 17 year olds in the countries surveyed, found six out of ten children reporting violent or aggressive behaviour within their families.

Brazil:



Successive surveys have found very high levels of corporal punishment, both with the hand and with slippers, belts, canes and other implements, leading to the conclusion that "Hitting mania is one of the national institutions of Brazilian culture"

(Hitting Mania: domestic corporal punishment of children and adolescents in Brazil, 2001).

“ Severe punishment at home and at school as well as in the workplace are part of daily life for children in **Bangladesh**. Pain is often inflicted on children by parents, guardians and teachers to secure better academic performance and to enforce obedience. This practice is augmented by the traditional view in Bangladesh society that parents, guardians, teachers and elders 'can do no wrong' ”

Better Days, Better Lives: Towards a strategy for implementing the CRC in Bangladesh,
Kamal Siddiqui, 2001.

In **South Africa** until 1993, up to 30,000 young offenders were whipped each year. But in 1995 the new Constitutional Court declared whipping unconstitutional, and since then corporal punishment has been prohibited throughout the penal, school and child care systems; enforcement is not yet effective but the law is now clear. In 2003-03-06, proposals to ban corporal punishment in the home are under discussion.





“ For most **Kenyan** children, violence is a regular part of the school experience. Teachers use caning, slapping, and whipping to maintain classroom discipline and to punish children for poor academic performance... Bruises and cuts are regular by-products of school punishments, and more severe injuries (broken bones, knocked-out teeth, internal bleeding) are not infrequent. At times, beatings by teachers leave children permanently disfigured, disabled or dead. Such routine and severe corporal punishment violates both Kenyan law and international human rights standards...”

”
Kenya – Spare the Child: Corporal Punishment in Kenyan Schools, Human Rights Watch, 1998; in 2001 Kenya prohibited school corporal punishment.

3 CORPORAL PUNISHMENT AND HUMAN RIGHTS

Corporal punishment breaches fundamental rights to respect for human dignity and physical integrity. The existence of special defences in state laws, excusing violence by parents, teachers and carers, breaches the right to equal protection under the law.

Article 19 of the Convention on the Rights of the Child requires States to protect children from “all forms of physical or mental violence” while in the care of parents and others. During the first decade of the Convention, its Treaty Body, the Committee on the Rights of the Child, has stated consistently that corporal punishment is incompatible with the Convention. The Committee has recommended to over 120 States in all continents that they should abolish all corporal punishment, including in the home, and develop public education campaigns to promote positive, non-violent discipline in the family, schools and other institutions.

The Committee highlighted the issue in the recommendations adopted following two General Discussion days on violence against children, in 2000 and 2001. In 2001, when the discussion focused on violence in families and schools, the Committee concluded that States should:

“ ...enact or repeal, as a matter of urgency, their legislation in order to prohibit all forms of violence in families and in schools, including as a form of discipline, as required by the provisions of the Convention...”

Committee’s General Comment on the aims of education

In its first General Comment, adopted in February 2001, on article 29(1) of the CRC (the aims of education), the Committee on the Rights of the Child emphasises that school corporal punishment is incompatible with the Convention:



“ *...Children do not lose their human rights by virtue of passing through the school gates. Thus, for example, education must be provided in a way that respects the inherent dignity of the child, enables the child to express his or her views freely in accordance with article 12(1) and to participate in school life. Education must also be provided in a way that respects the strict limits on discipline reflected in article 28(2) and promotes non-violence in school. The Committee has repeatedly made clear in its concluding observations that the use of corporal punishment does not respect the inherent dignity of the child nor the strict limits on school discipline.* ”

Other human rights Treaty Bodies have also condemned corporal punishment of children in various contexts. For example, in 1999 the Committee on Economic, Social and Cultural Rights adopted a General Comment on “The Right to Education”. It states:

“ *In the Committee’s view, corporal punishment is inconsistent with the fundamental guiding principle of international human rights law enshrined in the Preambles to the Universal Declaration of Human Rights and both Covenants: the dignity of the individual. Other aspects of school discipline may also be inconsistent with human dignity, such as public humiliation....* ”

More details, including all relevant recommendations of the Committee on the Rights of the Child, are on the Global Initiative website at www.endcorporalpunishment.org

Launch of Global Initiative: Mrs Mary Robinson, then UN High Commissioner for Human Rights, condemns corporal punishment:

“The recourse to physical punishment by adults reflects a denial of the recognition, by the Convention on the Rights of the Child, of the child as a subject of human rights. If we want to remain faithful to the spirit of the Convention, strongly based on the dignity of the child as a fully-fledged bearer of rights, then any act of violence against him or her must be banned, in accordance with articles 19 and 28.2 of the Convention...”

“The Convention on the Rights of the Child offers valuable tools to combat the use of corporal punishment. It requires States parties to take all necessary legislative measures to prohibit all forms of violence. It also encourages States to take preventive action, including through human rights education and by creating an environment conducive to the administration of discipline ‘in a manner consistent with the child’s human dignity’.

“I believe that in addition to legal prohibition, sensitization of all actors of society – in particular parents and teachers – to the negative impact of physical violence is a key aspect of the process leading to a non-violent society. Violence should never be legitimized...”

Extracts from Statement made by the High Commissioner for Human Rights for the launch of the Global Initiative, Geneva, April 2001.



4 PROGRESS TOWARDS ABOLISHING CORPORAL PUNISHMENT

Abolishing corporal punishment means removing any existing legal defences that excuse violence by parents, teachers and others to give children equal protection under laws on assault.

By 2001, 10 states had prohibited all corporal punishment of children: **Austria (1989); Croatia (1999); Cyprus (1994); Denmark (1997); Finland (1983); Germany (2000); Israel (2000); Latvia (1998); Norway (1987); Sweden (1979)**. More have reforms under discussion and are close to a total ban.

Corporal punishment in schools and penal systems is prohibited in more than half of the world's countries. These states, for example, have recently banned school corporal punishment: **Ethiopia, Kenya, Korea, South Africa, Sri Lanka, Thailand, Trinidad and Tobago and Zimbabwe**. The issue is now on the political agenda in many other countries.

There have been landmark human rights judgments condemning corporal punishment of children, from constitutional and supreme courts at national level – for example in **Israel, Italy, Namibia, South Africa, Fiji and Zimbabwe** – and from the **European Court of Human Rights**.

The European Social Rights Committee, monitoring compliance with the European Social Charter, has told the 44 member-states of the Council of Europe that the Charter requires abolition of all corporal punishment of children. In an observation issued in 2001 it quotes the consistent recommendations of the Committee on the Rights of the Child and the European Human Rights Court judgments and concludes that Article 17 of the Charter

“ requires a prohibition in legislation against any form of violence against children, whether at school,

in other institutions, in their home or elsewhere. It furthermore considers that any other form of degrading punishment or treatment of children must be prohibited in legislation and combined with adequate sanctions in penal or civil law. ”

“ ...One would have thought that it is precisely because a juvenile is of a more impressionable and sensitive nature that he should be protected from experiences which may cause him to be coarsened and hardened. If the State, as role model par excellence, treats the weakest and the most vulnerable among us in a manner which diminishes rather than enhances their self-esteem and human dignity, the danger increases that their regard for a culture of decency and respect for the rights of others will be diminished. ”

Constitutional Court of South Africa: judgment declaring judicial whipping of juveniles unconstitutional, 1995

“ It may be argued that this ruling is one that the community will be unable to bear, for many parents make use of force that is not disproportionate in nature against their children (e.g., a light slap on the bottom or the hand) in order to educate and discipline them. Are these parents criminals? “The proper response is that in the legal, social and educational reality in which we live, we cannot leave open the definition of ‘reasonable’ and thus compromise at the risk of danger to the health and welfare of children. We must also take into account that we live in a society in which violence is as pervasive as a plague; an exception for ‘light’ violence is likely to degenerate into more serious violence. We cannot endanger the bodily and mental integrity of the minor with any type of corporal punishment...” ”

Israel Supreme Court judgment (January 2000)



“ Before parting with the case we would like to observe that fundamental rights of the child will have no meaning if they are not protected by the State... The State must ensure that corporal punishment to students is excluded from schools. The State and the schools are bound to recognise the right of the children not to be exposed to violence of any kind connected with education.

High Court of Delhi (December 1 2000) ”

“ The Committee does not find it acceptable that a society which prohibits any form of physical violence between adults would accept that adults subject children to physical violence... Moreover, in a field where the available statistics show a constant increase in the number of cases of ill-treatment of children reported to the police and prosecutors, it is evident that additional measures to come to terms with this problem are necessary. To prohibit any form of corporal punishment of children, is an important measure for the education of the population in this respect in that it gives a clear message about what society considers to be acceptable. It is a measure that avoids discussions and concerns as to where the borderline would be between what might be acceptable corporal punishment and what is not.

European Committee on Social Rights, Conclusions XV 2 – Volume 1, 2001, General Introduction ”



Full details of abolition and of key judgments are on the Global Initiative website: www.endcorporalpunishment.org

5 CHILDREN'S VIEWS

Children's experiences and views are beginning to be heard on corporal punishment – an issue which plainly affects them most of all. Children speak not only about the pain, but about the humiliation of corporal punishment, how it hurts them “inside”. Article 12 of the Convention on the Rights of the Child requires States to respect children's right to express their views on all matters that affect them – and to give their views “due weight”.

In the **UK**, five to seven year old children were consulted about smacking. They defined smacking as hitting; most of them described a smack as a hard or very hard hit. Smacking hurts. They said children responded negatively to being smacked, and that smacking was “wrong”. “[I]t feels like [they] shouldn't have done that, it hurts. It feels embarrassed, it feels like you are really sorry and it hurts” (7 year old girl). “It hurts people and it doesn't feel nice and people don't like it when they are smacked” (5 year old). “[It makes you] grumpy and sad and also really upset inside. And really hurt.” (5 year-old girl)

In **Ethiopia**, researchers from Swedish Save the Children asked 13 and 14 year-old girls about the effects of corporal punishment. They listed: disturbed personality, physical injury, death, running away onto the streets, suicide due to fear of punishment.

Children in **Bangladesh**, asked about perceptions of their working lives, frequently complained of beatings in their workplaces as well as at home and in school: “I get punished by my employer but I don't tell my father. My father will get even more angry than my boss if he knows that I play. Physical punishment is everywhere. If we don't do our lessons teachers beat us. They beat us with a cane or a bamboo stick on our palms or back... At times they also push our heads under a table and hit us on our buttocks. We are also made to stand on a stool holding our ears... Sir hits us with a duster or a thick stick... My teacher hit me



with a date-palm stick (which is very thorny). I was scared when I couldn't understand my lessons because the teacher would beat me..."

The NGO Coalition on Children's Rights in **Pakistan** carried out a survey of children's experiences in the North West Frontier Province: "I hate being beaten by stick; it hurts for days... When my mother pulls my hair, I feel a shooting pain in my eyes. I hate it... Whenever I get punishment at home, I get nausea and vomiting. I lose my appetite for days... Once my father slapped my face with full force. I felt some strange noises in my ears. Everything in the room was moving in a circle. Bleeding started from my nose and I fell on the ground. My grandmother came to me. She cried and started cursing my father..."

Children aged seven to nine years in **Brazil**, asked to express in a drawing and a word what they feel when they are being physically disciplined at home most often identified pain and sadness: "The pain mentioned by the children is not always physical. It is a psychological pain, the 'pain in the heart', or 'the pain from the inside'". Older children spoke more of rage and rebellion.

In South Africa in 1992 a representative group of children adopted a Charter of Rights at the Children's Summit in Cape Town. It asserts: "All children have the right to freedom from corporal punishment at school, from the police and in prisons and at home."



More details on the Global Initiative website at www.endcorporalpunishment.org

6 CORPORAL PUNISHMENT – A VERY PERSONAL ISSUE

Corporal punishment of children is a very personal issue: most people were hit as children; most parents have hit their children. We do not like to think badly of our parents or our parenting. This gets in the way of compassionate and logical consideration of the arguments.

Challenging parents', other carers' and teachers' rights to hit children often provokes emotional reactions. That is not surprising: corporal punishment is in most countries still a deeply embedded traditional practice, a habit passed down from one generation to another as part of the child-rearing culture, and in some cases supported by religious belief.

Before developing campaigns and programmes to end the use of corporal punishment and other humiliating forms of discipline, it is essential to understand the underlying beliefs and attitudes to children that have allowed adults to justify these practices for so long. This will help to determine how best to approach parents and teachers as well as policy-makers and legislators.

Ending all corporal punishment requires a combination of legal reform and public education. Legal reform is essential to send clear messages that it is no more acceptable to hit or humiliate children than anyone else. But legal reform will achieve little unless it is well publicised to children and adults and linked to the promotion of positive, non-violent discipline. Programmes and materials need to be developed to give positive advice to parents, teachers and others on effective ways of discipline. These will need to be carefully prepared, using examples and ideas appropriate to the particular culture and different audiences within it. The Global Initiative aims to provide advice, help and examples of programmes and materials promoting positive, non-violent forms of discipline – see www.endcorporalpunishment.org.



Mobilising action to end all corporal punishment of children is not just about promoting one way of child-rearing over another: it is about seeking to apply fundamental human rights to all adult/child relationships.

7 “IT NEVER DID ME ANY HARM...” – ANSWERING COMMON DEFENCES OF CORPORAL PUNISHMENT

There are active national campaigns to end corporal punishment of children in many states in all continents now. The issue arouses strong feelings, and campaigners often meet strong resistance.

There are certain “defences” that are commonly raised by parents, other carers and teachers when corporal punishment is challenged. This section suggests answers to these commonly-raised arguments. Organisations and institutions may wish to adapt and expand on the answers in ways appropriate to their own country or culture, and consider using them in their own publications.

“Corporal punishment is a necessary part of upbringing and education. Children learn from a smacking or beating to respect their parents and teachers, to distinguish right from wrong, to obey rules and work hard. Without corporal punishment children will be spoiled and undisciplined.”

Children need discipline, and particularly need to learn self-discipline. But corporal punishment is a very ineffective form of discipline. Research has consistently shown that it rarely motivates children to act differently, because it does not bring an understanding of what they ought to be doing nor does it offer any kind of reward for being good. The fact that parents, teachers and others often have to repeat corporal punishment for the same misbehaviour by the same child testifies to its ineffectiveness. Smacking, spanking and beating are a poor substitute for positive forms of discipline which, far from spoiling children, ensure that they learn to think about others and about the consequences of their actions. In the countries where corporal punishment has been eliminated through



legal reform and appropriate public education there is no evidence to show that disruption of schools or homes by unruly children has increased: the sky does not fall if children cannot be hit.

Corporal punishment may lead children to fear rather than respect their parents or teachers. Do we really want children to learn to “respect” people who use violence to sort out problems or conflicts?

“Corporal punishment may be wrong, but it is a trivial issue compared with the extreme breaches of their rights which children suffer in many countries. Why should ending it be a priority?”

Where millions of children suffer for lack of adequate food, shelter, medical care and education, even those most concerned with children’s rights may argue that corporal punishment is a relatively minor problem that should await better times. But human rights issues do not lend themselves to a sequential approach, as the Convention on the Rights of the Child recognises. Pressure to end corporal punishment should be an integral part of advocacy for all children’s rights. Refraining from hurting and humiliating children does not consume, or distort the deployment of, resources. When children are asked, they identify ending corporal punishment as an issue of high importance to them. Just as challenging routine violence to women has been a central part of their struggle for equality, so it is with children. Challenging corporal punishment is fundamental to improving their status as people and asserting their rights to participation as well as protection.

While any level of violence to children in their homes and institutions remains legal and socially approved, progress to protect children from extreme violations and to reduce and prevent all forms of violence is hampered.

“Many parents in our country are bringing up their children in desperate conditions, and teachers and other staff are under stress from overcrowding and lack of resources. Forbidding corporal punishment would add to that stress and should await improvement of these conditions.”

This argument is a tacit admission of an obvious truth: corporal punishment is often an outlet for pent-up feelings of adults rather than an attempt to educate children. In many homes and institutions adults urgently need more resources and support, but however real adults’ problems may be, venting them on children cannot be justifiable. Why should children wait for this basic protection? Nobody argues that we should wait for full employment and an improvement in men’s living conditions before we challenge domestic violence against women.

In any case, hitting children is an ineffective stress-reliever. Adults who hit out in temper often feel guilty; those who hit as a conscious strategy find they have upset or angry and resentful children to cope with. Life in homes and institutions where corporal punishment has been abandoned for more positive discipline is much less stressful for all.

“I was hit as a child and it didn’t do me any harm. On the contrary I wouldn’t be where I am today if it were not for my parents and teachers physically punishing me.”

People usually hit children because they themselves were hit as children: children learn from and identify with their parents and teachers. It is pointless to blame the previous generation for hitting children because they were acting in accordance with the general culture of the time; nor should bonds of love and gratitude which children have towards their elders be denied. However, times change and social attitudes with them. There are plenty of examples of individuals who were not hit as children becoming great successes, and even more examples of individuals who were hit failing to fulfil their potential in later life.



Parents and teachers often hit out of anger and frustration – children, like adults, can be very wearisome and difficult – and because they have no knowledge of alternative methods. Those who try alternatives report success.

“Schools need corporal punishment as a last resort – a deterrent to discourage bad behaviour and encourage good work.”

If corporal punishment is available as a sanction, you can be sure it will be used. And because it is not effective, it will tend to be used repeatedly on a minority of students. If it is regarded as a “last resort”, it may well lead students to regard other, more positive forms of discipline as unimportant and so render them ineffective. Corporal punishment teaches children nothing positive, nothing about the way we as adults want them to behave. On the contrary, it is a potent lesson in bad behaviour.

Children do not learn well when they are distracted by fear, and corporal punishment has been shown to increase school drop-out rates significantly.

“Parents’ right to bring up children as they see fit should only be challenged in extreme cases.”

The Convention on the Rights of the Child replaces the concept of parents’ rights with “parental responsibilities” (which of course carry with them certain rights), including the responsibility to protect the rights of children themselves. The assertion of children’s rights seems an unwarranted intrusion to people accustomed to thinking of children as parents’ possessions, but children are now recognised as individuals who are entitled to the protection of human rights standards along with everyone else. Human rights do not stop short at the door of the family home. Other forms of inter-personal violence within families – including wife-beating – are already subject to social control and are unlawful in almost every society. It is quite wrong that children, the smallest and most vulnerable of people, should have had to wait until last for protection.

The few countries that have outlawed all corporal punishment of children have done so first in institutions and only then within the family. But now that corporal punishment is visible and recognised as a breach of children’s fundamental rights, pressure on parents to stop hitting their children should not await prohibition in school and care systems. Corporal punishment of children should be challenged wherever it occurs and whoever administers it. Given traditional attitudes to children, many parents feel threatened by any attempt to change the status quo. This is why any change in the law needs to be accompanied by public and parent education to promote positive, non-violent forms of discipline.

“There is a big difference between a vicious beating and corporal punishment administered in a controlled way by a parent or a teacher. This is not dangerous, causes little pain and cannot be called abuse. Why should it be outlawed?”

Everyone, including children, has a right to respect for their human dignity and physical integrity.

People would no longer get away with condemning “violence” against women, but continuing to defend “little slaps”. In any case, “minor” corporal punishment can cause unexpected injury. Hitting children is dangerous because children are small and fragile (much corporal punishment in the home is targeted at babies and very young children). Ruptured eardrums, brain damage, and injuries or death from falls are the recorded consequences of “harmless smacks”.

There is a large body of international research suggesting negative outcome from corporal punishment. These are some of the conclusions:

- **Escalation:** mild punishments in infancy are so ineffective that they tend to escalate as the child grows older. The little smack thus becomes a spanking and then a beating. Parents convicted of seriously assaulting their children often explain



that the ill-treatment of their child began as “ordinary” corporal punishment.

- **Encouraging violence:** any corporal punishment carries the message that violence is an appropriate response to conflict or unwanted behaviour. Aggression breeds aggression. Children subjected to corporal punishment have been shown to be more likely than others to be aggressive to siblings; to bully other children at school; to take part in aggressively anti-social behaviour in adolescence; to be violent to their spouses and their own children and to commit violent crimes. National commissions on violence in America, Australia, Germany, South Africa and the UK have recommended ending all corporal punishment of children as an essential step towards reducing all violence in society.
- **Psychological damage:** corporal punishment can be emotionally harmful to children. Research especially indicts messages confusing love with pain, anger with submission. “I punish you for your own sake”, “I hurt you because I love you”, “You must show remorse no matter how angry or humiliated you are”.

“I only smack my children for safety – for their own sake they must learn about danger.”

If a child is crawling towards a hot oven, or running into a dangerous road, of course you must use physical means to protect them – grab them, pick them up, show them and tell them about the danger. But if you raise your hand to hit them, you are wasting crucial seconds and – more important – by hurting the child yourself you are confusing the message the child gets about the danger, and distracting their attention from the lesson you want them

to learn. As adults, we have a clear responsibility as far as possible to remove objects of danger to children in their homes and schools.

“This is a white, Euro-centric issue. Corporal punishment is a part of my culture and child-rearing tradition. Attempts to outlaw it are discriminatory.”

No culture can be said to “own” corporal punishment. All societies have a responsibility to disown it, as they have disowned other breaches of human rights which formed a part of their traditions. The Convention on the Rights of the Child upholds ALL children’s right to protection from all forms of physical or mental violence without discrimination on grounds of race, culture, tradition or religion. Corporal punishment of children is being challenged now in many parts of the world. School and judicial beatings have been outlawed in some states in all continents.

“My religion requires the corporal punishment of children.”

People are entitled to freedom of religion only insofar as the practice of their religion does not break the law or infringe human rights. But in fact in none of the world’s great religions does the word of God require children to be beaten. Phrases such as “spare the rod and spoil the child” do occur in some holy books, but not as a doctrinal text. Sayings which endorse peaceful solutions and kindly forms of child-rearing can be found in equal measure to punitive sayings in all religious scriptures, and in every faith there will be prominent leaders who denounce all violence to children. Attempts by schools run by particular religious groups to make a special case for retaining corporal punishment have been thrown out by courts, including South Africa’s Constitutional Court and the European Court of Human Rights.



"In my country, adults as well as children are subject to corporal punishment."

In places where law makes corporal punishment commonplace for adults too, it may be considered that there is no discrimination involved in subjecting children to it. This is a misapprehension. Corporal punishment contravenes the rights of all human beings, including children, but even where it is accepted throughout a culture, it discriminates against children because of their greater physical vulnerability and the imperatives of their growth and development.

"If corporal punishment of children is outlawed or criminalised this will result in outrageous judicial or disciplinary intervention. Children will be encouraged to act like police and spies in the home."

In countries where corporal punishment is outlawed there have been some disciplinary actions against teachers and childcare workers who persist in hitting children. In relation to the family home, these laws are about setting standards and changing attitudes, not prosecuting parents or dividing families. Child protection becomes more straightforward once confusing legal concepts of "reasonable chastisement" or "lawful correction" are abandoned. Research shows that parents seek help earlier when they recognise that hurting their children is socially and legally unacceptable. Welfare services recognise that children's needs are as a rule best met within their families, so provide parents with help and support rather than punitive interventions.

"Banning corporal punishment will just lead to children being treated in more horrible ways – emotional abuse, or humiliation or locking them up."

Children must be protected from all forms of humiliating and inhuman punishment, not only corporal punishment, and parents, other carers and teachers often need guidance on alternatives to such punishments. The starting point is not to replace one form of punishment with another, but to see discipline as a positive not punitive process, part of the communicative relationship between adult and child. "Good" discipline – which must ultimately be self-discipline – depends on adults modelling and explaining positive behaviour; having high expectations of children's willingness – and realistic expectations of their developmental ability – to achieve it, and rewarding their efforts with praise, companionship and respect.

Schools must develop their behaviour codes and disciplinary systems in co-operation with students. The imposition of arbitrary, adult-designed rules and automatic sanctions will not encourage self-discipline.

"This country is a democracy but there is no democratic support for ending corporal punishment. If there was a poll on the issue a huge majority would support retaining corporal punishment."

Representative democracies are not run by popular referenda. When elected politicians are drawing up new laws or a new constitution, they may need to make a number of unpopular decisions, based on human rights principles and informed arguments. Like the abolition of capital punishment, proposals to end the corporal punishment of children seldom enjoy popular support before they are implemented. But if the reforms are accompanied by appropriate public education, attitudes and practice rapidly change.



"I'd bet that if you asked children how they'd like to be punished they would choose corporal punishment."

Perhaps you could say that was a good reason not to use it! One reason some children may say they like to be physically punished is because it is "quick". In one sense this is true, in that a blow or a beating may quickly be shrugged-off, or can even bring esteem from peers. This underlines how very ineffective it is as a method of discipline.

In another sense physical punishment is not "quick" because its hidden effects – humiliation, loss of self-esteem, encouragement of aggression and bullying – can be long-lasting.

If the influential adults in a child's home and school life use corporal punishment, it is not surprising that some children may at first defend its use. Children have a natural tendency to defend their childhood. You don't want to think badly of your parents. The child learns that he or she deserves a beating and that it is a necessary part of growing up. But attitudes will change if children are enabled to reflect on how they felt when punished and are introduced to positive approaches to discipline built on respect, rewards and companionship. Young people need to be involved in real debates, be properly informed about human rights and understand that corporal punishment is part of a child-rearing culture that can be changed.

"Changing the law to ban corporal punishment will make little difference in states where the law is not widely respected or enforced."

Ending corporal punishment is fundamentally an educational process. Law reform should be seen as an essential part of that process. But changing the law will only be effective if the change is widely disseminated to children and adults and backed up by promotion of positive, non-violent methods of discipline to parents, other carers and teachers.

On the other hand, attempts to change attitudes and promote positive discipline will be ineffective while the law provides a defence to parents or teachers who hit children, or while politicians or other influential leaders persist in condoning the practice.

In schools and other institutions, there will need to be effective enforcement of the law, including through regular independent inspections and the availability of independent advice, advocacy and complaints procedures for children, parents and others.





8 INTRODUCING THE GLOBAL INITIATIVE TO END ALL CORPORAL PUNISHMENT OF CHILDREN

The Global Initiative, launched in 2001, works within the context of the United Nations Convention on the Rights of the Child to pursue children's equal human right to be protected from being hit and humiliated.

THE GLOBAL INITIATIVE AIMS TO:

- launch a wide information and education campaign to promote non-violent ways of caring for children;
- forge a strong alliance of human rights agencies, key individuals and international and national non-governmental organisations against corporal punishment;
- make corporal punishment of children visible by building a global map of its prevalence and legal status, ensuring that children's views are heard and charting progress towards ending it;
- lobby governments systematically to ban all forms of violence including corporal punishment and to develop public education programmes;
- provide detailed technical assistance to support states with these reforms.



The **Global Initiative** uses its website and a developing publications programme to accelerate reform by disseminating detailed information.

9 HOW YOU CAN PLAY AN ACTIVE PART IN DEVELOPING THE GLOBAL INITIATIVE:

Governments, international and national agencies and NGOs, human rights institutions and individuals can promote the Global Initiative's aims by:


- contributing to a global map of the prevalence and legal status of corporal punishment and alerting us to positive developments;
- identifying opportunities for the Global Initiative to lobby for reform;
- recruiting new supporters and putting us in touch with others actively involved in campaigning on the issue, nationally and regionally;
- sending us examples of programmes and materials promoting positive, non-violent child-rearing and education;
- identifying key conferences and events at which ending corporal punishment could be promoted;
- proposing international, regional or national activities, including workshops and training.

The **Global Initiative** website provides detailed advice on developing local and national campaigns to end corporal punishment.



Contact us at
info@endcorporalpunishment.org

SUPPORT FOR GLOBAL INITIATIVE



The Global Initiative has the support of UNICEF, UNESCO, the UN High Commissioner for Human Rights Mr Sergio Vieira de Mello, members of the Committee on the Rights of the Child, other prominent human rights activists, the NGO Group for the CRC and many international and national NGOs. For full list of supporting organisations and individuals, see www.endcorporalpunishment.org.

For information on how to become a supporter of the Global Initiative, contact us at info@endcorporalpunishment.org.

Joint Co-ordinators of the **Global Initiative** are Thomas Hammarberg, Secretary General, Olof Palme International Center and Special UN Adviser on Human Rights in Europe, Caucasus and Central Asia and Peter Newell, Co-ordinator, EPOCH-WORLDWIDE (an informal network of more than 70 NGOs in over 40 states seeking to end all corporal punishment of children).

Save the Children works for:

- A world which respects and values each child
- A world which listens to children and learns
- A world where all children have hope and opportunity

Save the Children fights for children's rights. We deliver immediate and lasting improvements to children's lives worldwide.

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