

ENDING CORPORAL PUNISHMENT OF CHILDREN



**A handbook for
working with and
within religious
communities**



Global Initiative to
**End All Corporal Punishment
of Children**



Save the Children
Sweden

CNNV
Churches' Network for Non-violence

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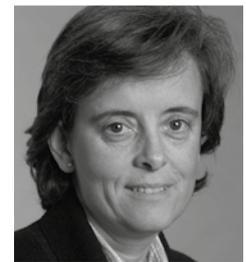
Foreword

Religious leaders and their communities, through their extensive networks and organisations at the local, regional, national and international level, command an extraordinary moral authority and influence towards ending all violence against children. With strong resolve, leadership and example, they can demonstrate deep respect for children's dignity and rights, protect the sanctity of life in every stage of a child's development, and serve as role models of compassion, equality and non-violence. It is therefore crucial that religious leaders and communities be part of the solution to eliminate all violence against children, including through the promotion of law reform.

Achieving the prohibition of all forms of violence against children, including corporal punishment, in all settings of children's lives, was a key recommendation of the UN Secretary-General's Study on Violence against Children and it remains a crucial priority for my mandate as the Secretary-General's Special Representative. Religious leaders and their communities have a unique moral authority and capacity to speak out and influence social change by raising awareness about the impact of violence on children, by rejecting harmful and violent forms of punishment, and by promoting non-violent discipline and education. They also have an influential voice in emphasising that violence against children, whether or not disguised as discipline, cannot be justified or condoned through culture, tradition or faith.

In spite of progress achieved, violent punishment of children remains pervasive, lawful and socially approved in many nations. It continues to cause widespread pain and suffering to children. It is urgent to build on the collective strengths of religious communities and promote multi-religious alliances with other organisations to move towards the prohibition and elimination of all forms of violence against children, including corporal punishment. This handbook provides invaluable tools, examples of successful and imaginative advocacy and links to resources for working with and within religious communities. I am confident it will accelerate progress in all regions.

Marta Santos Pais
UN Special Representative of the Secretary-General
on Violence against Children
May 2011



"... millions of the world's children still suffer from humiliating acts of violence and these violations of their rights as human beings can have serious lifelong effects. Violence begets violence and we shall reap a whirlwind. Children can be disciplined without violence that instils fear and misery, and I look forward to church communities working with other organisations to use the context of the Study to make progress towards ending all forms of violence against children.

"If we really want a peaceful and compassionate world, we need to build communities of trust where all children are respected, where home and school are safe places to be and where discipline is taught by example. May God give us grace to love our children as He loves them and may their trust in us lead them to trust in Him."

(Archbishop Emeritus Desmond Tutu, in Global Initiative to End All Corporal Punishment of Children, 2006, *Ending Legalised Violence against Children: Global Report 2006*, www.endcorporalpunishment.org/pages/pdfs/reports/GlobalReport.pdf)

Introduction

1

“No violence against children is justifiable; all violence against children is preventable.”

Paulo Sérgio Pinheiro, the Independent Expert for the United Nations Secretary-General’s Study on Violence against Children, 2006¹

a) The links between religion and corporal punishment of children

Corporal punishment of children occurs globally and in all societies. It takes place in many settings including the home, in schools and institutions, care systems such as foster and day care, and on the streets. In some countries children and young people can still be legally whipped or beaten as punishment for an offence. Children in situations such as forced or bonded labour, domestic labour, or those being abused in prostitution and trafficking are also at risk.

The mistaken belief that corporal punishment is an effective form of discipline for children is widespread, and many people do not view corporal punishment as the act of violence that it is. This attitude is not only held by individuals but is widespread in societies and endorsed at state government level. Religious views often underpin this belief with reliance by some communities on particular interpretations of their religious texts. Some societies retain the use of corporal punishment in traditional justice systems and through religious law such as Shariah or Muslim law. Although many states have developed child protection laws they continue to authorise corporal punishment of children.

Religious justification for corporal punishment is complex and presents a challenge for those campaigning for law reform. For centuries religious teachings and various theological positions held by some religious groups have been used to justify corporal punishment, and the cultural environment of different religious communities has reinforced the practice. In some cases the justification of corporal punishment may be based on a literal reading and interpretation of ancient religious texts.

Some groups of Christians believe in the notion of “original sin” – a belief that all children are born inherently bad and that it is therefore the duty of parents to control the child’s behaviour and “break the child’s will” through physical punishment. This attitude towards children, when coupled with a belief that the Bible is beyond criticism and contains divine instructions to physically punish children, means that all the compelling research evidence and advances in child development which condemn physical punishment make little impact.



¹ *Rights of the child: Report of the independent expert for the United Nations study on violence against children*, 29 August 2006, A/61/299, para. 1, www.unicef.org/violencestudy/reports/SG_violencestudy_en.pdf



There is also a view held by many teachers and parents that corporal punishment is necessary to teach good behaviour and that it encourages children to learn. In a number of states, hitting children with sticks, belts and canes and deliberately humiliating them in other ways, remains a part of the school disciplinary system. But research shows that physical punishment can adversely affect a child's school performance. Fear of punishment makes it difficult for children to learn, with many dropping out of school because of it.

A warm and loving family can be both nurturing and empowering. But for many children the home is a place of violence where children experience the humiliation and pain of physical punishment and psychological abuse including name-calling, rejection, isolation and persistent threats.

Corporal punishment may be a deliberate form of punishment or the momentary reaction of an angry parent. In every case corporal punishment is wrong and demonstrates deep disrespect for children.

In some communities, parents and those who should be most concerned about protecting children choose to keep silent, particularly if the violence is perpetrated by a spouse or their own family members. For some families the safety and well-being of children is secondary to maintaining the "honour" of the family.

Although all the major world religions profess non-violence and declare a reverence and respect for all human beings, religious groups have played a part in condoning and perpetrating violence against children. Historically and to the present day, children have been subjected to corporal punishment and other forms of violent and humiliating treatment in religious institutions, care homes and religious schools, often in the guise of discipline. While growing numbers of faith-based institutions have adopted child protection policies and are outspoken about "child abuse", few have declared support for the prohibition and elimination of corporal punishment as an essential element towards achieving full and effective child protection.

In a number of faith-based institutions around the world, people in the highest positions of leadership and power have failed in their duty to protect children by covering up evidence of physical and sexual abuse to preserve the reputation of the institution. Many have maintained silence to protect clergy and other perpetrators rather than ministering to vulnerable children.

Abuse of children has occurred in most of the world's religious communities. Recently the Roman Catholic Church has been called to account for the abuse of children by priests and others in positions of trust, in institutions and other settings. Instead of being brought to justice, clergy who abused children were in a number of cases moved on to work in other situations where they continued to abuse the children in their care. For example, in its report published in 2009 the Commission to Inquire into Child Abuse in Ireland exposed the systematic physical and sexual abuse of thousands of Irish children in schools and institutions and reported the harrowing details of their maltreatment. One witness highlighted the impact of corporal punishment on her daily life:

"You don't seem to understand, the place was built on terror; regular beatings were just accepted. What you're hearing about is the bad ones, but we accepted as normal run of the mill from the minute you got up that some time in that day you would get beaten...."

Witness, St Joseph's Industrial School, Artane²

² Commission to Inquire into Child Abuse (2009), *Commission Report*, (Ryan Report), vol. 1, ch. 7, para. 7.267, www.childabusecommission.com/rpt/01-07.php

Pope Benedict XVI has expressed remorse for the failings of the Roman Catholic Church following the revelations of the widespread physical and sexual abuse of children by Catholic priests. During a public apology in Australia, July 2008, he stated: "These misdeeds which constitute so grave a betrayal of trust, deserve unequivocal condemnation.... I ask all of you to support and assist your bishops and to work together with them in combating this evil."³ During a visit to England in 2010, Pope Benedict acknowledged that the Church had failed to act quickly or decisively enough to stop the abuse and prevent it from recurring. At a vigil in Westminster Cathedral he said: "Above all I express my deep sorrow to the innocent victims of these unspeakable crimes."⁴

Many of those who have expressed outrage about revelations of "severe" abuse of children have not made it clear that so-called "ordinary physical discipline" violates a child's physical and emotional integrity. The notion that a certain degree of physical violence against children is acceptable perpetuates a culture of disrespect for children and undermines the work of child protection. Religious leaders can use their power and influence to speak out about the urgent need to work together towards the prohibition of all corporal punishment and the promotion of non-violent discipline.

Religion and the law

Corporal punishment occurs across all cultures and religions and the tension between modern laws and indigenous, religious and traditional customs and authoritarian practices continues to hinder legal reform and policies for the protection of children. Lack of awareness of policies, rules and regulations maintains the situation. Even in largely secular societies corporal punishment of children is often deeply rooted in cultural and traditional beliefs and practices. Violence against children, including corporal punishment, is also linked to inequality in some societies where discrimination based on caste, gender, disability and/or social class increases children's vulnerability to violence. Children are usually at the bottom of hierarchical social structures and the last to receive justice.

Traditional common law defences allow parents and other adults the right to use "reasonable punishment" or "lawful correction" against children. In some countries these defences are written into the law; in others the law is silent but corporal punishment is accepted. Many countries have adopted the ancient English common law defence of "reasonable chastisement" which spread throughout the world during the nineteenth century largely through colonisation, military occupation and some Christian missionary teaching. Prohibiting all corporal punishment requires the explicit removal of all such defences.

For centuries corporal punishment has carried with it the mask of religious credibility in religious schools, institutions and family homes. But in recent times it has been widely exposed as dangerous and unjust and incompatible with the teachings of the major world religions. As evidence of past institutional and family abuse has come to light, men and women who endured corporal punishment in childhood have revealed their deep sense of humiliation and spoken about the trauma and psychological damage they sustained. Others have trivialised childhood experiences of being hurt by parents and teachers, out of loyalty to their parents. As adults they may go to great lengths to protect their parents from painful memories of being physically punished as children. They may hide their true feelings with the comment: "It never did me any harm – it made me the person I am today."

"Violence against children persists as a permanent threat where authoritarian relationships between adults and children remain. The belief that adults have unlimited rights in the upbringing of a child compromises any approach to stop and prevent violence committed within the home, school or state institution. For lasting change, attitudes that condone or normalise violence against children, including stereotypical gender roles, need to be challenged."

(Paulo Sérgio Pinheiro, 2006, *World Report on Violence Against Children*, UN Secretary-General's Study on Violence against Children, XVII, www.unicef.org/violencestudy/reports.html)

"Adults' physical assaults on children produce both rage and outrage; they cause injuries to the body and the spirit that have long-lasting consequences. But the powerful impulse to love and the anxieties generated by the helplessness of the child, who cannot survive without the nurture and support of the adults who are abusing him or her, often makes repression of the rage and hate inevitable."

(Philip Greven, 2006, *Spare the Child: The religious roots of punishment and the psychological impact of physical abuse*, New York: Alfred A. Knopf, 147)

³ Reported in *The Guardian*, 19 July 2008

⁴ www.bbc.co.uk/news/uk-11354357

The persistent social and legal acceptance of corporal punishment as a form of discipline or “correction”, and its acceptance by adults and children as an inevitable part of childhood, means that this violence often goes unreported. But corporal punishment is never acceptable. It breaches children’s fundamental human rights to equal protection and its legality means that children, the smallest and most vulnerable people in society, have less protection from assault than adults.

Religion and reform

Hitting children and causing them pain is incompatible with the values expressed in most religious teachings, which are very similar to the human rights principles of respect for human dignity, equality, justice and non-violence. Religious values helped inform the Universal Declaration of Human Rights⁵ and generations of religious leaders and scholars have played a significant role in defending human rights. These universal values are shared by most religious communities and a growing number of religious leaders have recognised the need to highlight and put them into action towards eliminating all corporal punishment of children.

Religious leaders at a global consultation in Toledo, Spain, in 2006 acknowledged that many faith-based institutions have been responsible for acts of violence against children. They recommended that leaders of the major world religions should address the problem as a matter of urgency. Their recommendations and commitments were incorporated into a declaration (the Kyoto Declaration) endorsed at the Eighth World Assembly of Religions for Peace held in Kyoto, Japan in 2006. It states:

“We must acknowledge that our religious communities have not fully upheld their obligations to protect our children from violence. Through omission, denial and silence, we have at times tolerated, perpetuated and ignored the reality of violence against children in homes, families, institutions and communities, and not actively confronted the suffering that this violence causes. Even as we have not fully lived up to our responsibilities in this regard, we believe that religious communities must be part of the solution to eradicating violence against children, and we commit ourselves to take leadership in our religious communities and the broader society.”⁶

Religious leaders have a key role to play

Five billion of the world’s six billion people are said to profess a religious belief. As members of one of the largest groups in society, religious leaders are in a position to engage with communities and to mobilise multi-religious action to end all forms of violence against children, including corporal punishment.

Religious leaders often have extensive local, regional, national and global networks which provide opportunities for raising awareness and changing attitudes within and beyond their local communities. They are in a unique position to be advocates for children and agents for change.

While some religious leaders continue to teach their communities that corporal punishment of children is natural or even a duty in childrearing, a growing number of religious leaders publicly acknowledge that corporal punishment is at odds with and debases their religious principles and core religious beliefs. Many are involved in the movement for the elimination and prohibition of corporal punishment and regard ending this injustice towards children as a religious imperative.

The above mentioned Kyoto Declaration was endorsed by more than 800 religious leaders from all the major world religions. As its preamble states:

“We find strong consensus across our religious traditions about the inherent dignity of every person, including children. This requires that we reject all forms of violence against children and protect and promote the sanctity of life in every stage of a child’s development...”⁷

5 Universal Declaration of Human Rights (1948), www.ohchr.org/EN/UDHR/Pages/Introduction.aspx

6 *A Multi-religious Commitment to Confront Violence against Children* (the Kyoto Declaration), Eighth World Assembly, Religions for Peace, Kyoto, Japan, August 2006, preamble

7 *A Multi-religious Commitment to Confront Violence against Children* (the Kyoto Declaration), Eighth World Assembly, Religions for Peace, Kyoto, Japan, August 2006, preamble

b) About the handbook

This handbook aims to provide a useful tool and reference for all those engaging with and within religious communities and faith-based institutions and organisations to prohibit and eliminate corporal punishment of children. It may also be helpful for those who are in direct contact with children such as in children’s homes and welfare services, and religious schools including Sunday schools and madrassahs, as well as for those who influence policy and relations with children, for example in church congregations and organisations and as publishers of religious literature. It provides information, tools and resources which can be used to work in partnership with others, engage with religious leaders, mobilise support and encourage multi-religious and community collaboration towards the prohibition and elimination of all corporal punishment of children.

The handbook is based on the premises that the major world religions value and respect the human dignity of every person including children and that compassion, justice, equality and non-violence are claimed by most people of faith to be central to their religion. At the same time it recognises that there are those in most of the world’s religions who use their faith and sacred texts to justify corporal punishment of children, and most campaigns for legal reform encounter strong resistance from some religious communities and organisations. These are often highly organised, publicised and well-funded. Challenges presented by religious opposition and resistance to legal reform are discussed and suggestions given on how to deal with these.

A call for information and examples of action

We are aware that the examples given of faith-based action and information are not equally representative of all religious communities. We welcome any additional relevant material and contributions, for use online and in future publications (email info@churchesfornon-violence.org).

Terms used in the handbook

The terms *religion* and *faith* are used interchangeably in the knowledge that one or other term is preferred by different groups and that there is no universal consensus about the definition for either.⁸

References to religious and faith-based groups include the wide range of organisations under the umbrella of religious organisations. These include all places of worship, meeting places and congregations, as well as groups with direct contact with children for example, children’s homes, Sunday schools, madrassahs, childcare settings, mission schools and those which influence relations with children including church congregations, theological and ministerial training institutions and seminaries, and publishers of religious and education materials.

For consistency, the spellings of Islamic words and terms are taken from *The Oxford Dictionary of Islam*⁹ unless used as direct quotes, in which case they have been retained in their original form.

Biblical passages are taken from the Revised Standard Version of the Bible (RSV) 1972 unless indicated otherwise.¹⁰

A *child* is defined in the handbook as in article 1 of the UN Convention on the Rights of the Child – every human being under 18.

Corporal punishment and *physical punishment* mean the same thing. The handbook uses the definition adopted by the Committee on the Rights of the Child in 2006 (see box on page 6).

The term *religious leaders* is used to describe those who exercise leadership roles and functions in religious orders, communities, administrations and organisations at local, community, national and international levels, including Ayatollahs, Imams, Gurus, Swamis, Pastors, Ministers, Priests, Bishops, Rabbis and others who hold religious office.

8 Definitions and further information are available at www.religioustolerance.org/rel_defn.htm and <http://wordnetweb.princeton.edu/perl/webwn?s=faith>

9 Esposito, John L. (2003), Editor in Chief, *The Oxford Dictionary of Islam*, Oxford University Press

10 *The Holy Bible*, The Revised Standard Version (RSV) 1946-1952, World Bible Publishers, Iowa, 1972



A note on religious texts

The handbook refers to examples of religious texts which have been used to justify corporal punishment, but a detailed, scholarly commentary on the different scriptures and religious texts relating to corporal punishment is beyond its scope. However, the handbook includes examples from the growing number of religious scholars and theologians who are addressing the issue. It also describes some of the practical ways in which religious leaders, inspired by their faith, have used their teachings to promote a culture of respect and non-violence for children.

Principles underpinning the handbook

The handbook is based on the following principles:

- Corporal punishment violates a child's physical, emotional and spiritual integrity;
- Universal regard for the child as a person with inherent rights and dignity should inspire people of faith to join with others in rejecting all forms of violence against children, including all corporal punishment;
- Religious communities have unique opportunities to create awareness about the effects of corporal punishment on children and put into action the shared values of compassion, respect for human dignity, non-violence, equality and justice towards the prevention of all forms of violence against children including corporal punishment;
- Children have a key role to play. Religious communities and organisations can work with others to promote the meaningful participation of children by listening to children's views on and experiences of violence and creating opportunities for them to express their thoughts, ideas and solutions for taking action to end all corporal punishment.

Defining corporal/physical punishment

In 2006, the UN Committee on the Rights of the Child adopted the following definition of corporal punishment:

“The Committee defines ‘corporal’ or ‘physical’ punishment as any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light. Most involves hitting (‘smacking’, ‘slapping’, ‘spanking’) children, with the hand or with an implement – a whip, stick, belt, shoe, wooden spoon, etc. But it can also involve, for example, kicking, shaking or throwing children, scratching, pinching, biting, pulling hair or boxing ears, forcing children to stay in uncomfortable positions, burning, scalding or forced ingestion (for example, washing children’s mouths out with soap or forcing them to swallow hot spices). In the view of the Committee, corporal punishment is invariably degrading. In addition, there are other non-physical forms of punishment that are also cruel and degrading and thus incompatible with the Convention. These include, for example, punishment which belittles, humiliates, denigrates, scapegoats, threatens, scares or ridicules the child.”

(General Comment No. 8, 2006, on “The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment (arts. 19; 28, para. 2; and 37, inter alia)”, para. 11, www2.ohchr.org/english/bodies/crc/comments.htm)

An overview of the handbook

Section 2, *Corporal punishment of children – a global problem*, discusses the prevalence of corporal punishment and its impact on children's lives, children's perspectives, the importance of legal reform and progress towards reform worldwide. It includes examples of the involvement of religious leaders.

Section 3, *Children's right to protection from corporal punishment*, looks at the United Nations Convention on the Rights of the Child and how the guiding principles of the Convention are relevant to religious practice. A brief overview of the UN Secretary-General's Study on Violence against Children is given.

Section 4, *Religious perspectives*, discusses the challenges posed by faith-based opposition to corporal punishment and ways of responding to them. It looks at faith-based support for prohibiting corporal punishment and gives a brief account of some of the teachings about children and non-violence from the major world religions, including the Golden Rule.

Section 5, *Working with faith groups to achieve reform*, and **Section 6, *Taking action through religious leaders' existing roles and functions***, address ways of engaging with religious leaders and organisations and developing multi-religious support and partnership at every level. They discuss ways in which the diverse roles and functions of religious leaders provide unique opportunities for action towards prohibiting and eliminating corporal punishment. Examples of faith-based initiatives are included, together with further suggestions for taking action.

Section 7, *Resources*, provides information on further resources relevant to each main section in the handbook, including links to downloadable resources and useful websites.

Corporal punishment of children – a global problem

2

“Violence against children is a violation of their human rights, a disturbing reality of our societies. It can never be justified whether for disciplinary reasons or cultural tradition. No such thing as ‘reasonable’ violence is acceptable. Legalised violence against children in one context risks tolerance of violence against children generally.”

Louise Arbour, former United Nations High Commissioner for Human Rights¹¹



a) The prevalence of corporal punishment

Although corporal punishment occurs in almost all societies worldwide, gathering accurate data on its prevalence is difficult because so much violence against children takes place behind closed doors – and it is especially difficult to obtain information on physical punishment of babies and very young children. The only way of getting a near-accurate picture of children’s real experiences of corporal punishment is through interview research with children, with appropriate ethical safeguards. Information on violence against babies and small children can only be gained through interviews with parents in situations of trust and confidentiality. The lack of visibility is one of the reasons why eliminating this commonplace form of violence against children has for too long had such a low priority.

But the visibility of corporal punishment is increasing, with a growing number of research studies revealing the extent and enormity of the problem. According to statistics from UNICEF on child discipline in 35 low- and middle-income countries, in 2005-2006 three out of four children aged 2-14 experienced physical punishment and/or psychological aggression in their homes during the month before the survey, ranging from 38% in Bosnia and Herzegovina to almost 95% in Yemen. The rate of violent discipline was above 70% in three quarters of the countries surveyed and above 80% in half of them; Bosnia and Herzegovina was the only country with a rate below 50%.¹²

There have been many other national studies. For example, qualitative research with over 500 children in Cambodia revealed that over 80% were punished in the home, commonly with implements including sticks, electric cables, belts and chains.¹³ In 2005, Tearfund, a leading charity working in partnership with Christian agencies and churches worldwide to address poverty and injustice, conducted a large scale study of children’s attitudes towards and experiences of corporal punishment in Cambodia: most children believed that being beaten by teachers and parents was acceptable in some circumstances, and in a survey of more than 1,300 12-15 year olds, 51% of the boys and 36% of the girls reported being beaten by their parents, 35% and 24% by their teachers.¹⁴

11 The Office of the UN High Commissioner on Human Rights www.ohchr.org/en/newsevents/pages/violenceagainstchildren.aspx

12 UNICEF (2010), *Child Disciplinary Practices at Home: Evidence from a Range of Low- and Middle-Income Countries*, New York: UNICEF, available at www.childinfo.org/discipline.html

13 Beazley, H. et al. (2006), *What Children Say: Results of comparative research on the physical and emotional punishment of children in Southeast Asia and Pacific, 2005*, Stockholm: Save the Children Sweden

14 Miles, G. & Varin, S. (2005), *Stop Violence Against Us, A preliminary national research study into the prevalence and perceptions of Cambodian children to violence against children in Cambodia*, Summary Report, Tearfund

The following are examples of research from all regions:

Caribbean	In a 2010 survey of over 900 adults in the Bahamas, 77% of respondents in households with children reported that the children were sometimes “spanked”. ¹⁵ In Trinidad and Tobago, according to 2005-2006 statistics from UNICEF, 54% of children experienced physical punishment in the home during the month before the survey. ¹⁶
East and Southern Africa	In a 2006 study in Kenya involving 500 young women aged 18-24, 99% reported experiencing physical violence during childhood. Beating with an object was found to be the most prevalent form of physical violence (experienced by 80.8% of girls). Girls also experienced punching, kicking, being forced to do hard work, being choked/burned/stabbed, having spicy/bitter substances put in their mouths, being locked or tied up, and being denied food. ¹⁷ In Tanzania, a 2010 consultation on the Zanzibar Children’s Bill found that, of over 500 children aged 8 years and over, 77% thought that all school corporal punishment should be banned. ¹⁸
East Asia and Pacific	A 2010 survey of 270 students in the Philippines with an average age of 12 found that 61.1% of them had experienced physical punishment at home, most commonly pinching. ¹⁹ A 2009 study looked at all identified child homicides in New South Wales, Australia, from 1991 to 2005. It found that the most common cause of death was physical punishment, which accounted for 36% of deaths over the 14 year period. ²⁰
Europe and Central Asia	In Ireland, a 2010 survey of over 1,300 parents found that 42% believe “smacking” should become illegal. A quarter of the parents had used physical punishment in the last year. ²¹ According to statistics from UNICEF, in Kyrgyzstan in 2005-6, 54% of children aged 2-14 experienced physical punishment and/or psychological aggression. ²²
Latin America	In Paraguay, a 2010 UNICEF study involving over 800 children and young people aged 10-18 found that 61% of respondents had experienced violence or other kinds of mistreatment from their closest family members. ²³ In Peru in 2009, a survey of 1,000 adults in 15 cities found that 42% of the respondents agreed with using corporal punishment “occasionally” to discipline children. Over half (56%) were against physical punishment. ²⁴

15 Brennen, S. et al. (2010), “A Preliminary Investigation of the Prevalence of Corporal Punishment of Children and Selected Co-occurring Behaviours in Households on New Providence, The Bahamas”, *The International Journal of Bahamian Studies*, 16, 1-18

16 UNICEF (2010), *Child Disciplinary Practices at Home: Evidence from a Range of Low- and Middle-Income Countries*, New York: UNICEF

17 Stavropoulos, J. (2006), *Violence Against Girls in Africa: A Retrospective Survey in Ethiopia, Kenya and Uganda*, Addis Ababa: The African Child Policy Forum

18 Save the Children (2010), *Capturing Children’s Views on the Children’s Bill 2010: The National Child Consultation Programme in Zanzibar*

19 Sanapo, M. & Nakamura, Y. (2010), “Gender and Physical Punishment: The Filipino Children’s Experience”, *Child Abuse Review*, published online in Wiley Online Library DOI: 10.1002/car.1148

20 Nielssen, O. et al. (2009), “Child homicide in New South Wales from 1991 to 2005”, *Medical Journal of Australia*, 190 (1), 7-11, www.mja.com.au/public/issues/190_01_050109/nie10592_fm.html

21 Halpenny, A. M., Nixon, E. & Watson, D. (2010), *Parenting Styles and Discipline: Parents’ Perspectives on Parenting Styles and Disciplining Children*, Dublin: The Stationery Office/Office of the Minister for Children and Youth Affairs, http://omc.gov.ie/documents/publications/Parents_Perspectives_on_parenting_styles.pdf

22 UNICEF (2010), *Child Disciplinary Practices at Home: Evidence from a Range of Low- and Middle-Income Countries*, New York: UNICEF

23 UNICEF (2010), *Resumen Para Prensa: Estudio sobre maltrato infantil en el ámbito familiar*, Paraguay 2010, www.unicef.org/paraguay/spanish/py_resumen_periodistas_estudio_14set10.pdf (in Spanish)

24 Reported in *Living in Peru*, 27 September 2009, www.livinginperu.com/news/10206

Middle East and North Africa In Djibouti in 2006, interviews with 1,669 children aged 9-14 in 19 schools revealed that school corporal punishment is widespread. One in four (27.6%) of the children said they had been hit with an object such as a ruler, stick or “tuyau” (a PVC pipe), 19.5% had been forced to kneel in front of the class or outside as a punishment and 14.1% had been pinched or had their hair or ears pulled.²⁵ Research in the occupied Palestinian territories, which included a survey of 306 students, found that 36.6% had often seen a teacher hit students or been hit themselves.²⁶

North America A study which tracked corporal punishment of 3-11 year olds in the USA from 1975 to 2002 found that 18% fewer children were slapped or spanked by caregivers in 2002 compared with 1975. However, in 2002, 79% of preschool-aged children were spanked, and nearly half of children aged eight and nine were hit with an object such as a paddle or switch.²⁷ In a survey of mothers of preschoolers in Manitoba, Canada, 59% reported having used physical punishment in the previous two weeks.²⁸

South Asia A 2009 UNICEF report found that 91% of children in school in Bangladesh experienced physical punishment there, and 74% of children experienced physical punishment from their parents or guardians.²⁹ In Afghanistan, qualitative research into adults’ perspectives on everyday physical violence against children within the family, published in 2008, found that violence against children was widely used, though to a significant degree was not regarded with approval. Physical violence occurred in all 61 case study families.³⁰

West and Central Africa In Nigeria, a retrospective survey found that a high percentage of girls were victims of physical violence, including corporal punishment. The most widespread forms of physical punishment reported by respondents were beating (90%), hitting (84%) and kicking (55%). The majority of corporal punishment was inflicted by girls’ closest relatives.³¹ In Senegal, in a survey on violence against children with disabilities, 39% of children reported having been beaten for disciplinary purposes.³²

» Further studies are available at www.endcorporalpunishment.org.

» For further sources of information see Section 7 of this handbook.

25 Debarbieux, E. (2006), “Pourquoi pas un bonne fessée? Une recherche sur le châtime corporel à l’école”, *SPIRALE - Revue de Recherches en Éducation*, 37, 83-95, http://spirale-edu-revue.fr/IMG/pdf/8_Debarbieux_Spirale_37.pdf (in French)

26 Riyada Consulting and Training (2010), *Level of Violence in UNRWA Schools in the West Bank – Protective Sphere for Palestinian Children*, Save the Children UK

27 Zolotor, A. J., Theodore, A. D., Runyan, D. K., Chang, J. J. & Laskey, A. L. (2010), “Corporal punishment and physical abuse: population-based trends for three-to-11-year-old children in the United States”, *Child Abuse Review*, doi: 10.1002/car.1128, cited in “Spanking And Other Forms Of Corporal Punishment Of Children Are Still Common In The U.S. And Worldwide, Despite Bans In 24 Countries”, *Medical News Today*, 10 August 2010, www.medicalnewstoday.com/articles/197332.php

28 Ateah, C. & Durrant, J. E. (2005), “Maternal use of physical punishment in response to child misbehavior: Implications for child abuse prevention”, *Child Abuse and Neglect*, 29, 177-193

29 UNICEF (2009), *Opinions of Children of Bangladesh on Corporal Punishment: Children’s Opinion Poll 2008*, www.unicef.org/bangladesh/Opinion_Poll_2009.pdf

30 Smith, Deborah J. (2008), *Love, Fear and Discipline: Everyday violence toward children in Afghan families*, Kabul: Afghanistan Research and Evaluation Unit

31 The African Child Policy Forum (2010), *Childhood Scars in Africa: A retrospective study on violence against girls in Burkina Faso, Cameroon, Democratic Republic of the Congo, Nigeria and Senegal*, Addis Ababa: The African Child Policy Forum

32 The African Child Policy Forum (2010), *A retrospective assessment on violence against children with disabilities in Cameroon, Senegal, Uganda and Zambia*, Addis Ababa: The African Child Policy Forum

b) The impact of corporal punishment

“I hate being a child, I hate being hit and I hate being taken for granted. I have feelings and emotions. I need love, care, protection and attention.”

Girl 13, South Asia, 2005³³

Corporal punishment violates a child’s physical, emotional and spiritual integrity. The impact of corporal punishment is often discussed in terms of physical, psychological, behavioural and societal consequences but it is difficult to separate these as they may each in turn have an impact on the other. Physical injury such as damage to a child’s developing brain can have a psychological impact such as cognitive delay or emotional difficulties. Behavioural effects may lead to alcohol and drug abuse. Corporal punishment can have short and long-term effects on development and health which not only impact on the child and family but ultimately on society as a whole, including welfare, mental health and justice systems.

Physical effects

Children who are physically punished may suffer injuries which leave permanent damage. Tragically, corporal punishment causes the death of a significant number of children every year.³⁴

- Boxing on the ear can damage the ear drum.
- Shaking can cause whiplash injury, blindness, brain damage or even death.
- Hitting can injure the sciatic nerve, pelvis, coccyx, genitals or spine.
- Hitting a child’s hands can injure bones, blood vessels, joints and ligaments and can cause premature osteoarthritis.
- A child who is hit can accidentally fall or be pushed over and suffer serious injury.³⁵



Effects on growth and development

Corporal punishment can have serious negative effects on the growth and development of the child. There is evidence to suggest that exposure to violence in early childhood alters the developing brain by interfering with normal neuro-developmental processes.³⁶

In his paper *Violence and Childhood, How Persisting Fear Can Alter the Developing Child’s Brain* (2001), Bruce Perry considers one of the many perspectives from which to examine the impact of violence on children, violence-related neurodevelopmental changes and functional consequences. He states: “... Exposure to violence activates a set of threat responses in the child’s developing brain; in turn, excess activation of the neural systems involved in the threat responses can alter the developing brain; these alterations may manifest as functional changes in emotional, behavioural and cognitive functioning. The roots of violence-related problems, therefore, can be found in the adaptive responses to threat, present during the violent experiences.”³⁷

33 Quoted in Pinheiro, P. S. (2006), *World Report on Violence Against Children*, UN Secretary-General’s Study on Violence against Children, 12, www.unviolencestudy.org

34 UNICEF (2003), *A League Table: Child Maltreatment Deaths in Rich Nations*, Innocenti Report Card Issue Number 5

35 Robinson, B. A. (2002), “The Case Against Spanking”, Essay for Ontario Consultants on Religious Tolerance, www.religioustolerance.org/spankin4.htm

36 Perry, B. D. (2001), “The Neurodevelopmental Impact of Violence in Childhood”, in D. Schetky & E. P. Benedek (eds) (2001), *Textbook of Child and Adolescent Forensic Psychiatry*, Washington DC: American Psychiatric Press, Inc., 221-238

37 Perry, B. D. (2005), *Violence and Childhood, How Persisting Fear Can Alter the Developing Child’s Brain*, The Child Trauma Academy, Department of Behavioural Sciences, Baylor College of Medicine – Texas Children’s Hospital, www.terrylarimore.com/PainAndViolence.html

Psychological effects

Corporal punishment can be psychologically damaging and may induce a sense of low self worth, sadness, fear, shame, anger, an inability to trust, anxiety, despair, depression or withdrawal. Depression may induce a person to abuse alcohol or use illicit drugs.³⁸

Effects on behaviour

Studies have repeatedly demonstrated that both girls and boys who have been physically abused before the age of five have been found to be aggressive and have difficulty with managing their behaviour and forming peer relationships in later childhood and into adolescence, even when the abuse has ceased.³⁹

Children may feel anger, fear and resentment resulting in poor relationships with parents and those in authority. As a result, many children name corporal punishment as a reason for running away from home.⁴⁰

There is substantial research evidence that corporal punishment makes it more, not less, likely that children will become defiant and aggressive in the future. Abusive parents have often experienced abuse during their own childhoods.⁴¹

Effects on society

Research involving adults has shown that having been physically punished in childhood is associated with later antisocial and criminal behaviour and adult abuse of one’s own child or spouse; physical punishment was also negatively associated with mental health.⁴² The consequences and costs for society in both the short and long-term include those associated with childcare, welfare, mental health and justice systems.

“Corporal punishment trains children to accept and tolerate aggression. It always figures prominently in the roots of adolescent and adult aggressiveness, especially in those manifestations that take an antisocial form such as delinquency and criminality.”

(Philip Greven, quoted in Riak, J., 2010, *Spanking as a violation: Health and recovery issues for children, adults, society*, www.lotusfertility.com/Spanking_and_Social_Health_Issues.html)

Canadian Psychological Association policy statement

The Board of the Canadian Psychological Association adopted a policy statement on physical punishment of children and adolescents in 2004 which states:

“Physical punishment has been consistently demonstrated to be an ineffective and potentially harmful method of managing children’s behaviour. It places children at risk of physical injury and may interfere with psychological adjustment, socialisation, moral internalisation and positive adult-child relationships. Its use is a violation of a child’s right to physical integrity and dignity.”

(Board of the Canadian Psychological Association, 2004, *Policy Statement on Physical Punishment of Children and Youth*, Executive of the Section on Clinical Psychology, www.cpa.ca/documents/policy3.pdf)

38 For further information on the effects of corporal punishment, see Gershoff, E.T. (2002), “Corporal punishment by parents and associated child behaviours and experiences: a meta-analytic and theoretical review”, *Psychological Bulletin*, 128(4), 539-579, www.endcorporalpunishment.org/pages/pdfs/Gershoff-2002.pdf

39 See Glaser, D. (2007), *The Link*, The Official Newsletter of the International Society for the Prevention of Child Abuse and Neglect (ISPCAN), 16(2)

40 Janus et al. (1995), “Physical Abuse in Canadian Runaway Adolescents”, *L.A. Child Abuse and Neglect*, 19(4), 433-437

41 Child Welfare Information Gateway (2008), *Long-Term Consequences of Child Abuse and Neglect*, Fact Sheet, http://childwelfare.gov/pubs/factsheets/long_term_consequences.cfm

42 Gershoff, E. T. (2008), *Report on Physical Punishment in the United States: What research tells us about its effects on children*, Columbus OH: Centre for Effective Discipline



School corporal punishment in the USA

A report entitled *Impairing Education* (2009), by the American Civil Liberties Union and Human Rights Watch, focuses on corporal punishment in US schools and states:

“Corporal punishment in schools harms all children, damaging their education and making it harder for them to thrive. Corporal punishment causes immediate pain and can result in lasting physical injury and ongoing mental trauma. It humiliates and degrades students, and may leave them depressed and withdrawn. Corporal punishment teaches students that violence is acceptable and it can make students aggressive, angry and more likely to lash out in school. Students can become less engaged, less motivated to succeed, and they are more likely to drop out of school.”

“For many students with disabilities whose stories are documented in the report, physical punishment made their medical situation worse, for example by exacerbating conditions such as autism, and triggering pain crises in sickle cell patients. The fact that corporal punishment can exacerbate students’ disabilities further accentuates the inappropriate and abusive nature of the punishment.”

(American Civil Liberties Union & Human Rights Watch, 2009, *Impairing Education: Corporal punishment of students with disabilities in US public schools*)

c) Children’s perspectives

“In bringing to light the many issues of children facing violence, we realize that our plight is part of a larger worldwide struggle for the realization of human rights. Our cry is not to be treated specially but, rather humanely, in accordance with the core values of human dignity that are the cornerstones of the Universal Declaration of Human Rights. As global citizens we demand to be acknowledged as first and not second class human beings.”

Declaration of children and young people, Regional Consultation, the Caribbean, 2005⁴³



There have in the past been few studies involving children and their views and experiences of corporal punishment. But only children can explain the nature and effects of corporal punishment on their lives. They are now increasingly being consulted about their experiences and ideas for solving the problem of corporal punishment.

The box opposite gives some indication of the negative impact of corporal punishment in the lives of children, particularly the immediate emotional impact, and the strength of feeling it arouses in children who for too long have had to suffer in silence.

⁴³ Quoted in Pinheiro, P. S. (2006), *World Report on Violence Against Children*, UN Secretary-General’s Study on Violence against Children, 36, www.unviolencestudy.org

Children’s views

From research with children in Yemen by the Social Workers’ Association:⁴⁴

“They must talk to us with the tongue. God gave us the tongue to use it for talking. They have to discuss with us and teach us, because teaching in childhood is like engraving on a stone.”

“My brothers beat me with a stick at home. My father beats me and jails me in a hot pepper store. He also hits me with a rope and leaves me in the hot sun for 15 minutes. My brothers, too, agree with my father and tell him that I misbehave and I have to be disciplined. My family treats me in this way for the first time and they’ll do it with those who come after me.”

From interviews with children in Belize:⁴⁵

“I can’t wait until I am old enough to stop getting a lashing from my aunt. She never seems to understand that hitting me hurts.”

“As soon as I am old enough I am going to run away, if ever my stepfather tries to hit me again.”

South African children’s experiences:⁴⁶

“So when my mom hits me, it feels like she doesn’t love me.” (Girl, Limpopo)

“One day she hit me with ladies heel shoes on my hips and I didn’t want to go to school. My dad took me to school and I was very late and I felt embarrassed.” (Girl, Limpopo)

“She gave me five strikes on the buttocks. My heart was so sore and my bums were painful. I couldn’t sit down the whole weekend. Every time I looked at the teacher I resented her.” (Girl, KwaZulu-Natal)

From interviews with Tibetan Children:⁴⁷

“When we did not do our homework properly we were kicked and beaten with chairs. Most of the time the teachers hit us in the stomach or on the back but sometimes he hit us also on the head. This was the most dangerous because often the wounds had to be stitched. Some students fainted and some had to vomit after these beatings.”

Children speaking during the “Educate do not punish” campaign with Madrid Community Child Ombudsmen in 2001:⁴⁸

“I liked very much my rights. The one I like the most is not to get raps with knuckles from my parents when I am a bad or a good boy depending on who says so, me or my parents.” (Boy, 12 years old)

“When they spank us, we cannot explain ourselves, and express our feelings.” (Girl, 11 years old)

“It hurts your feelings and your personality.” (Girl, 11 years old)

“It makes you not like the way you are.” (Boy, 10 years old)

“If they hit me, I learn to hit.” (Girl, 12 years old)

Children’s experiences in Swaziland:⁴⁹

“I was beaten by my mom using a coat hanger. She beat me all over the body. I came home late and did not cook that day. She should tell me nicely what I’m supposed to do.”

“I had not washed my plate when I finished eating. My mother strangled me and I started crying. I did nothing. I felt like hitting her with a clenched fist.” (Boy, 9-12 year-old age group)

“The teacher came to me and he wanted to slap me and he took his rope and hit me with the rope. I felt like taking something and breaking him. I was thinking of killing him.” (Boy, 9-12 year-old age group)

⁴⁴ Quoted in Alexandrecu, G. et al. (2005), *Ending Physical and Humiliating Punishment of Children – Making It Happen: Global Submission to the UN Study on Violence against Children*, International Save the Children Alliance

⁴⁵ National Organization for the Prevention of Child Abuse and Neglect (2005), *Corporal punishment – A situational analysis*, Belize: NOPCAN

⁴⁶ Clacherty, G., Donald, D. & Clacherty, A. (2005), *South African Children’s Experiences of Corporal Punishment*, Pretoria: Save the Children Sweden

⁴⁷ Tibetan Centre for Human Rights and Democracy (1997), *The Next Generation – The state of education in Tibet today*, Dharamsala, India

⁴⁸ Quoted in Alexandrecu, G. et al. (2005), *Ending Physical and Humiliating Punishment of Children – Making It Happen: Global Submission to the UN Study on Violence against Children*, International Save the Children Alliance

⁴⁹ Clacherty, G., Donald, D. & Clacherty, A. (2005), *Children’s experiences of corporal punishment in Swaziland*, Pretoria: Save the Children

The views of young children

Children Are Unbeatable! UK published a report in January 2010 into the views of very young children on family discipline.⁵⁰ The research, which was carried out in Sure Start⁵¹ nurseries in England, focused on the views of children under five. A story book with pictures was used to introduce the topic to the 45 children who took part.

The children condemned smacking as a form of parental discipline:

“Smacking’s hitting and kicking. No kicking, no spiking, no biting, no punching.” (Boy aged 4)

Children spoke about the hurt smacking causes both physically and emotionally:

“I don’t get sad, only when my mum smacks me ... and then I cry.” (Girl aged 4)

Younger children made links between adults hitting and children hitting. Older children were concerned that children who are hit may learn to hit others, including their own children:

“I know! If children smack their mum they smack them! If their dad smacks them they smack the dad!” (Boy aged 4)

» Further resources on children’s perspectives can be found in Section 7 of this handbook.

d) The importance of legal reform

“Violence that is within the law, as in the legal right of parents to use ‘reasonable force’ in disciplining children, is viewed as violating a child’s right to equal protection under the law, as well as their physical, spiritual and emotional integrity. This view is grounded in the sacred respect that religious communities hold for every child.”

Coventry Charter for Children and Non-violence, 2006⁵²

Prohibiting corporal punishment by law is a vital measure which recognises a child’s human rights to respect for human dignity and physical integrity and to equal protection under the law. Law reform provides a clear basis for child protection. It makes it clear to all people working with and caring for children, including child and family organisations, faith-based organisations, education providers and employers, that hitting a child is no more lawful or acceptable than hitting anyone else. Law reform should be accompanied by public education to raise awareness of children’s rights and to provide information for parents, teachers and others about positive, non-violent forms of discipline.

It is important to emphasise that the aim of law reform is not to prosecute parents for a “mild smack”. The primary purpose of the law is to set a standard and work towards changing attitudes and practices so that children can grow and develop free from the fear of violence. Given children’s dependent status, and the unique relationships within the family, prosecution of

“It is imperative to launch legislation prohibiting corporal punishment all over the world. It does not set out to incriminate anyone but is designed to have a protective and informative function for parents. Sanctions could simply take the form of the obligation for parents to internalize information available on the consequences of corporal punishment. Information on the ‘well-meant smack’ should therefore be broadcast to all since unconscious education to violence takes its roots very early and inflicts disastrous imprints. The vital interests of society as a whole are at stake.”

(Alice Miller, 1998, *Every Smack is a Humiliation – A Manifesto*, www.naturalchild.org/alice_miller/manifesto.html)

50 Milne, E. (2010), *“I don’t get sad, only when my mum smacks me”*: Young children give advice about family discipline, London: Children Are Unbeatable! Alliance, www.childrenareunbeatable.org.uk/children/

51 Sure Start Centres provide advice and support for parents and early learning experiences for children

52 *Coventry Charter for Children and Non-violence: CNNV Charter for Faiths* (2006), www.churchesfornon-violence.org

parents should happen only if it is considered necessary to protect the child from significant harm and to be in the child’s best interests.

Although governments have a primary obligation to protect children, all adults have a responsibility to end violence against children. Religious leaders, faith-based organisations and community groups can play a key part in working together to support parents, carers and teachers and to give guidance on non-violent discipline. Above all, religious leaders can be role models and lead by example: by treating children with respect and compassion and actively promoting non-violence they set a standard for others to follow. Ending all corporal punishment is a key step towards eliminating all other forms of violence against children. This requires law reform and other measures.

No country can say it has prohibited corporal punishment in all settings until it has passed legislation which does this. And in order to make a difference to children’s daily lives that legislation must be accompanied by implementation and prevention strategies, including public education on positive non-violent discipline.

e) Progress towards prohibition worldwide

Corporal punishment of children is a global problem and children in almost every state in the world endure the humiliation and pain of being hit by adults. Because acceptance of corporal punishment is so widespread and frequently institutionalised, politicians and others often fail to view the problem of corporal punishment as one of equality and human rights.

The recommendations of the United Nations Secretary-General’s Study on Violence against Children (2006) urged all states to take urgent action to prohibit all forms of violence against children, including corporal punishment (see Section 3 of this handbook).⁵³

During the last decade there has been significant global progress towards achieving prohibition. By the end of December 2010, 29 countries worldwide had enacted legislation which prohibits corporal punishment of children in all settings, including within the family. Governments in at least another 23 countries have made a commitment to prohibition and/or are considering Bills in their parliaments. But the majority of children are not yet protected from all corporal punishment in their homes, with 95.5% of the global child population living in countries where it is lawful for parents to hit them in the name of “discipline”.⁵⁴

There is growing religious support for the prohibition and elimination of corporal punishment of children. The Kyoto Declaration (2006) states:

“We call upon our governments to adopt legislation to prohibit all forms of violence against children, including corporal punishment, and to ensure the full rights of children, consistent with the Convention on the Rights of the Child and other international and regional agreements. We urge them to establish appropriate mechanisms to ensure the effective implementation of these laws and to ensure that religious communities participate formally in these mechanisms. Our religious communities are ready to serve as monitors of implementation, making use of national and international bodies to maintain accountability.”⁵⁵

“The Study should mark a turning point – an end to adult justification of violence against children, whether accepted as ‘tradition’ or disguised as ‘discipline’. There can be no compromise in challenging violence against children. Children’s uniqueness – their potential and vulnerability, their dependence on adults – makes it imperative that they have more, not less, protection from violence.”

(Paulo Sérgio Pinheiro, *Rights of the child: Report of the independent expert for the United Nations study on violence against children*, 29 August 2006, A/61/299, para. 1, www.unicef.org/violencestudy/reports/SG_violencestudy_en.pdf)

53 *The World Report on Violence against Children*, which documents the Study and its findings and recommendations, is available at www.unviolencestudy.org

54 Global Initiative to End All Corporal Punishment of Children & Save the Children Sweden (2010), *Ending legalised violence against children: Global report 2010*; see www.endcorporalpunishment.org for up to date information on progress

55 *A Multi-religious Commitment to Confront Violence against Children* (the Kyoto Declaration), Eighth World Assembly, Religions for Peace, Kyoto, Japan, August 2006, para. 6



Summary of Section 2

Corporal punishment has become more visible: research has revealed the extent and enormity of the problem.

Corporal punishment violates a child's physical, emotional and spiritual integrity and can have a devastating effect on the lives of children both in the short and long-term. It also negatively affects society as a whole. But only children really know about the physical punishment they suffer, how it makes them feel and how it affects their lives: it is important that opportunities are made for their perspectives to be heard.

Prohibiting corporal punishment by law is vital if children's human right to respect for their human dignity is to be recognised. Without prohibition, the work of child protection and child and family workers is undermined. Although governments have the primary obligation to prohibit and eliminate violence against children, all adults have a responsibility and role in ending this violence – including all corporal punishment. Religious leaders and their communities have a key part to play in this process.

Children’s right to protection from corporal punishment

3

“Islam and Shiite concepts have a special focus on children’s rights which should be introduced to the society. If people understand that children’s rights are mentioned in Islam’s laws, many problems will be solved.”

Ayatollah Sayed Mousavi Bojnourdi, 2006⁵⁶

Corporal punishment of children breaches their fundamental human rights to respect for their human dignity and physical integrity and to equal protection under the law, upheld in the Universal Declaration on Human Rights, the International Covenant on Civil and Political Rights and other international human rights instruments.

a) The Convention on the Rights of the Child

The United Nations Convention on the Rights of the Child (CRC) explicitly requires states to protect children from all forms of physical or mental violence (Article 19) and from torture or other cruel, inhuman or degrading treatment or punishment (Article 37). Under Article 39, States must provide support to children who are victims of violence. The CRC requires school discipline to be “consistent with the child’s human dignity and in conformity with the present Convention” (Article 28.2) – that is, without using corporal punishment.

The Committee on the Rights of the Child – the monitoring body for the CRC – has identified certain rights in the CRC as general principles underpinning all rights in the Convention. There are four such general principles. In all actions concerning children, the best interests of the child should be a primary consideration (Article 3). Every child has an inherent right to life, survival and development (Article 6) and to non-discrimination (Article 2). And all children have the right to express their views freely in all matters affecting them and to have their views given due weight (Article 12).

Article 14 identifies the child’s right to freedom of religion. It respects the rights and duties of parents or legal guardians to provide direction to the child in the exercise of his or her right “in a manner consistent with the evolving capacities of the child”. But adults cannot rely on religious belief to justify imposing corporal punishment on children. In its General Comment No. 8, the Committee on the Rights of the Child states:



56 UNICEF Media Interview with Ayatollah Bojnourdi, Media Centre, Islamic Republic of Iran, 2006, www.unicef.org/iran/media_2914.html

“Some raise faith-based justifications for corporal punishment, suggesting that certain interpretations of religious texts not only justify its use, but provide a duty to use it. Freedom of religious belief is upheld for everyone in the International Covenant on Civil and Political Rights (art. 18), but practice of a religion or belief must be consistent with respect for others’ human dignity and physical integrity. Freedom to practise one’s religion or belief may be legitimately limited in order to protect the fundamental rights and freedoms of others. In certain States, the Committee has found that children, in some cases from a very young age, in other cases from the time that they are judged to have reached puberty, may be sentenced to punishments of extreme violence, including stoning and amputation, prescribed under certain interpretations of religious law. Such punishments plainly violate the Convention and other international human rights standards, as has been highlighted also by the Human Rights Committee and the Committee against Torture, and must be prohibited.”⁵⁷

States which have ratified the Convention on the Rights of the Child are responsible for explicitly prohibiting all corporal punishment of children and should ensure, where legislation is in place, that proper implementation occurs. Legal reform should be accompanied by sustained public education, combined with high quality support for parents and resources for the promotion of positive non-violent parenting and child development training, for parents, carers, teachers and others entrusted with the care of children.

The Convention on the Rights of the Child is the most widely ratified document in the history of international law. Nearly every government in the world has ratified it, and in doing so has made a commitment to uphold the rights of children. But much violence against children is legal and widely tolerated. In many cultures the child is seen as an object or the property of parents, not as the subject of human rights.

Governments and communities, including religious communities, are jointly responsible for addressing the cultural and religious roots of violence. Religious organisations should collaborate with NGOs in campaigning for governments and parliaments to fulfil their obligations under international and regional treaties, including the obligation to prohibit all corporal punishment of children in all settings.

Article 42 of the Convention on the Rights of the Child obligates states to make the principles and provisions of the Convention widely known “by appropriate and active means, to adults and children alike”. But many children are unaware that they have rights. They may grow up with the belief that they deserve corporal punishment or that it is their own fault.

All children have the right to effective child protection, from all forms of violence, wherever they are, in all aspects of their lives. States must ensure that children are not subjected to violence within the family, the school or community, nor in institutions and systems established by the state or others to provide them with care and protection. Neither should states sanction corporal punishment of children as a sentence of the courts.

“Rights can be established on paper – but they will lead to the realization of human dignity only if social action is taken. Hence, children’s rights require: conducive laws; social, economic and judicial policies; services and cultural behaviour to become of practical value for children. Religious leaders, as guardians of human dignity, have always had and will continue to have special responsibility and accountability in the search and practical implementation of legal and social solutions for the problems of children.”

(Christian Salazar-Volkman, Representative of UNICEF Iran, 2007, “Preface” to *Disciplining Children with Kindness – A Shiite Shari’a Perspective*, Tehran: UNICEF, www.unicef.org/iran/CP-Eng.pdf)

» *The Rights of Children – a Photo Essay is available on UNICEF’s website for 20th Anniversary of the Convention on the Rights of the Child at www.unicef.org/rightsite/.*

⁵⁷ Committee on the Rights of the Child (2006), General Comment No. 8 on “*The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment (arts. 19; 28, para. 2; and 37, inter alia)*”, para. 29, www2.ohchr.org/english/bodies/crc/comments.htm

Convention on the Rights of the Child

Article 19

“(1) States parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

“(2) Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.”

Article 28(2)

“States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child’s human dignity and in conformity with the present Convention.”

Article 37(a)

“States Parties shall ensure that:

No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment....”

UN Committee on the Rights of the Child

The Committee on the Rights of the Child monitors implementation of the Convention on the Rights of the Child. It is the highest international authority for interpretation of the Convention. Elected by States Parties to the Convention, the 18-member body meets three times a year in Geneva. States Parties must submit an initial report on progress towards implementation of the Convention within two years of ratification; then periodic reports must be submitted every five years.

The Committee has consistently stated that legal and social acceptance of physical punishment of children, in the home, institutions and all other settings, is not compatible with the Convention. Since 1993, in its recommendations following examination of states’ reports on their efforts to implement the Convention the Committee has recommended prohibition of physical punishment in the family, in all types of institutions, care settings and as a sentence of the courts, together with education campaigns to encourage positive, non-violent childrearing and education. In examining states’ reports, the Committee has singled out for particular criticism national laws that allow some level of violent punishment justified as “reasonable chastisement” or “moderate correction”.

General Comment No. 8 (2006)⁵⁸

General Comments are an authoritative statement by the Committee of its interpretation of states’ obligations under the Convention. The Committee highlights in its General Comment No. 8 (2006) on “The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment (arts.19, 28, para. 2 and 37, inter alia)”, the obligation of all state parties to move quickly to prohibit and eliminate all corporal punishment and outlines the legislative and other awareness-raising and educational measures that states must take. As well as being an obligation under the Convention on the Rights of the Child, addressing and eliminating corporal punishment of children is identified in the Comment as a key strategy for reducing and preventing all forms of violence in societies.⁵⁹

⁵⁸ Committee on the Rights of the Child (2006), General Comment No. 8 on “*The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment (arts. 19; 28, para. 2; and 37, inter alia)*”, www2.ohchr.org/english/bodies/crc/comments.htm

⁵⁹ General Comment No. 8, para. 3

The Committee addresses common arguments by governments against prohibition of all corporal punishment. For example, in response to the argument that a certain degree of “reasonable” or “moderate” corporal punishment is in the “best interests” of the child, the Committee states that “interpretation of a child’s best interests must be consistent with the whole Convention, including the obligation to protect children from all forms of violence and the requirement to give due weight to the child’s views; it cannot be used to justify practices, including corporal punishment and other forms of cruel or degrading punishment, which conflict with the child’s human dignity and right to physical integrity”.⁶⁰ And there is no conflict between realising children’s rights and the importance of the family unit, which the Convention fully upholds.

The Committee recognises that some religious groups seek to justify the use of corporal punishment through religious teachings, stating:

“Some raise faith-based justifications for corporal punishment, suggesting that certain interpretations of religious texts not only justify its use, but provide a duty to use it. Freedom of religious belief is upheld for everyone in the International Covenant on Civil and Political Rights (art. 18), but practice of a religion or belief must be consistent with respect for others’ human dignity and physical integrity. Freedom to practise one’s religion or belief may be legitimately limited in order to protect the fundamental rights and freedoms of others. In certain States, the Committee has found that children, in some cases from a very young age, in other cases from the time that they are judged to have reached puberty, may be sentenced to punishments of extreme violence, including stoning and amputation, prescribed under certain interpretations of religious law. Such punishments plainly violate the Convention and other international human rights standards, as has been highlighted also by the Human Rights Committee and the Committee against Torture, and must be prohibited.”⁶¹

Southern African bishops support prohibition

The Southern African Catholic Bishops’ Conference Parliamentary Liaison Office supported legal prohibition of corporal punishment during the South African Parliamentary deliberations on the Children’s Act Amendment Bill in 2007, which proposed to prohibit all corporal punishment in childrearing. The introduction to its submission quotes the address by Archbishop Silvana Tomasi, the Holy See’s permanent observer to the UN, to the fourth session of the Human rights Council in March 2007: “The child should not only be placed high on the political agenda but at the centre of concern. The future of society depends on children and on how they are prepared for it, and their vulnerability calls for special protection.”

“Our faith traditions take a holistic view of a child’s life, and thus seek to uphold all the rights of the child in the context of its family, community and the broader social, economic and political environment. All children hold these rights equally and we must ensure that boys and girls have equal opportunities to enjoy these rights, particularly education, protection, health, social development and participation....”

(A Multi-religious Commitment to Confront Violence against Children (the Kyoto Declaration), Eighth World Assembly, Religions for Peace, Kyoto, Japan, August 2006, preamble)

“We have articulated the importance of creating networks to address issues of children’s rights.... While Holy Scripture is the basis by which we undertake this work, the United Nations Convention on the Rights of the Child will serve as a guiding framework in our advocacy.”

(Archbishop Njongonkulu Ndungane, 2006, Millennium Development Goals – Focus on Cape Town, Report to General Synod, TEAM)

60 General Comment No. 8, para. 26

61 General Comment No. 8, para. 29

Promoting greater understanding of the Convention on the Rights of the Child in Bhutan

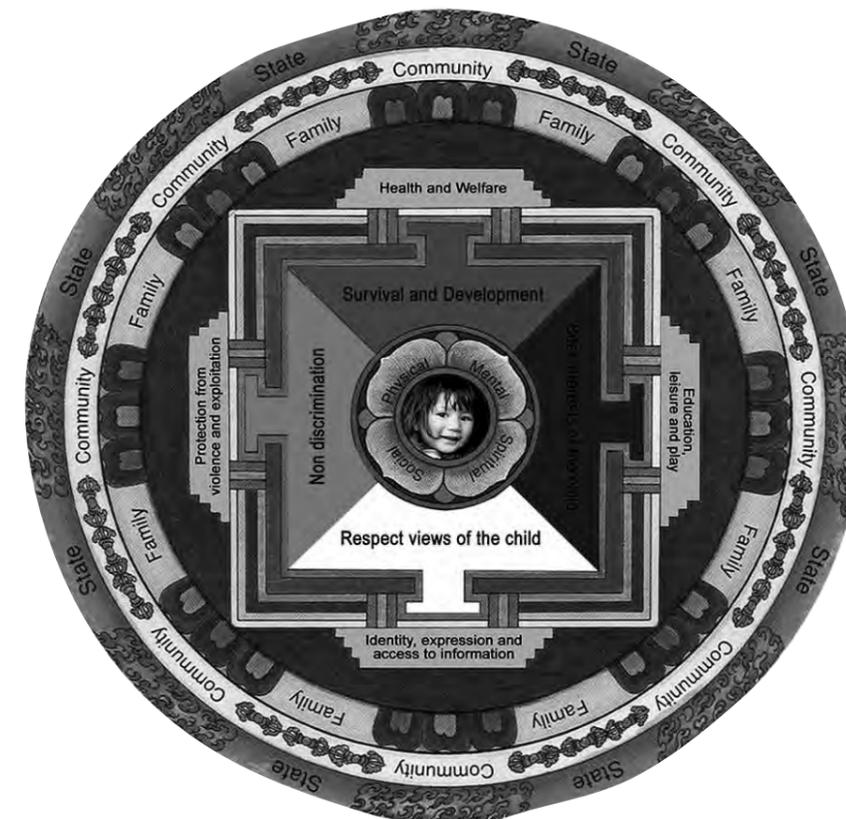
The child is at the heart of Bhutan’s development. UNICEF Bhutan has translated the guiding principles of the Convention on the Rights of the Child into a Mandala which looks at the Buddhist approach to life and the basic framework of the Convention (see www.unicef.org/bhutan/mandala.htm). “Developing a child is like building a healthy nation,” said Chief Justice Lyonpo Sonam Tobgye. Non-discrimination, the best interest rule and participation are inherent in Bhutan’s Buddhist values. These social values protect the dignity, equality and fundamental rights of the child.

In Sanskrit “mandala” means circle or centre. The centre is the abode of the deity, and in this case the child is placed in the centre surrounded by a series of circles and squares symbolising the provisions and principles of the Convention.

The mandala is traditionally a symbol used for concentrating the mind so that it can pass beyond superficial thoughts and focus more precisely on valued concepts progressing toward enlightening the mind. Using the mandala in this context helps to promote greater understanding of the Convention of the Rights of the Child.

Children promote the Convention artistically

UNICEF Bhutan worked with a group of school children learning about the Convention on the Rights of the Child and encouraged them to promote it to other children (see www.unicef.org/bhutan/childtochild.htm). These young enthusiasts expressed artistically what the general principles of the Convention – survival, development, protection and participation – meant to them in their daily lives. It was recommended that the artwork should be featured in a travelling exhibition in schools throughout the country and that the children should take full control of the programme. It was decided to arrange similar art camps around the country and as part of national activities in support of the Global Movement for Children.



b) Other international and regional human rights treaties

The prohibition of all corporal punishment is required by other international human rights treaties, including the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. In December 2008, the UN General Assembly adopted a resolution on the rights of the child which urged States to take legislative measures to prohibit all forms of violence against children in all settings, to change attitudes which “condone or normalize” violence against children, including “cruel, inhuman or degrading forms of discipline”, and to promote positive discipline in the home, schools, and care and justice systems.⁶²

Regional human rights treaty bodies also support prohibition and there are high level court judgments in a growing number of states condemning corporal punishment. For example, in 1982, the European Human Rights Commission declared inadmissible an application to the European Court of Human Rights in which Swedish parents alleged that the prohibition of physical punishment by parents breached their rights to respect for family life and to freedom of religion as guaranteed in articles 8 and 9 of the European Convention on Human Rights. The parents believed that their Protestant Christian faith and particular Biblical texts supported the use of corporal punishment. The Commission concluded that the Swedish law did not breach other human rights, including to freedom of religion:

“The fact that no distinction is made between the treatment of children by their parents and the same treatment applied to an adult stranger cannot, in the Commission’s opinion, constitute ‘an interference’ with respect for the applicant’s private and family lives since the consequences of an assault are equated in both cases....”

“... The Commission finds that the scope of the Swedish law of assault and molestation is a normal measure for the control of violence and that its extension to apply to the ordinary physical chastisement of children by their parents is intended to protect potentially weak and vulnerable members of society....”

“The Commission considers that on the facts of the application before it the same reasoning applies, mutatis mutandis, to the applicants’ complaints [concerning the right to freedom of religion]. It follows that there has been no interference with the applicants’ rights as guaranteed by Article 9 and that this aspect of the applicants’ complaints is therefore manifestly ill-founded....”⁶³

In 2000, the European Court of Human Rights unanimously rejected an application by individuals associated with a group of Christian private schools in the UK who alleged that implementation of the prohibition of corporal punishment in schools breached parents’ rights to freedom of religion and respect for family life.⁶⁴ In the same year, an association of 196 independent Christian schools in South Africa appealed to the South African High Court and then the Constitutional Court to declare the law prohibiting corporal punishment in schools invalid in relation to independent schools where parents had consented to the use of corporal punishment and on the grounds that the law interfered with their right to freedom of religion.⁶⁵ The appellants quoted extensively from the Bible to illustrate the “requirement” on parents to use corporal punishment and the centrality of corporal punishment to their faith. The Constitutional Court concluded that the prohibition of corporal punishment was a justifiable limitation of the right to freedom of religion.

» **Further information on regional human rights and national high-level court rulings can be found at www.endcorporalpunishment.org.**

⁶² Resolution on the Rights of the Child adopted by the General Assembly, 13 March 2010, A/RES/63/241, 18 December 2009, para. 27

⁶³ European Commission on Human Rights, admissibility decision, *Seven Individuals v Sweden*, 1982; Application No. 8811/79

⁶⁴ European Court of Human Rights, admissibility decision, *Philip Williamson and Others v UK*, 2000; Application No. 55211/00

⁶⁵ *Christian Education South Africa v The Minister of Education 2000(10) BCLR 1051 (CC)*

Religious organisations should play a part in campaigning for governments to sign and ratify human rights treaties, both international and regional. They can work with others to ensure through monitoring and advocacy that states fulfil their obligations under the treaties.

c) The UN Secretary-General’s Study on Violence against Children

“The Study has raised the expectations of millions of children in all regions; they want their childhood, free of violence, now. A year is a long time in the life of a child. We cannot keep them waiting.”

Paulo Sérgio Pinheiro, the Independent Expert for the United Nations Secretary-General’s Study on Violence against Children, Progress Report to the General Assembly, 2007⁶⁶

In 2001 the UN General Assembly, acting on the recommendation of the Committee on the Rights of the Child, called for a study on violence against children.⁶⁷ In February 2003 the UN Secretary-General appointed the Independent Expert Paulo Sérgio Pinheiro to lead the first global study to present a detailed view of the nature, extent and causes of violence against children.

Many thousands of people contributed to the study and many participated in working groups. There were nine regional consultations involving governments and civil society. Children were actively involved globally and on every level. Children provided their own views on violence and its impact on their lives and developed plans for international action.

The study looked in detail at the following settings where violence against children occurs:

- in the home and family
- in schools and educational settings
- in care and justice systems
- in work settings
- in the community.

On 29 August 2006 the Independent Expert’s report was submitted to the General Assembly and the *World Report on Violence against Children* was published, accompanied by child friendly publications, in October 2006.⁶⁸ The Study found that violence blights the lives of children worldwide and that the majority of violent acts experienced by children are perpetrated by people who are part of their lives: parents, schoolmates,



⁶⁶ *Promotion and protection of the rights of children: Report of the independent expert for the United Nations study on violence against children*, 7 August 2007 A/62/209, para. 5

⁶⁷ See *Rights of the child: Report of the independent expert for the United Nations study on violence against children*, 29 August 2006, A/61/299, www.unicef.org/violencestudy/reports/SG_violencestudy_en.pdf

⁶⁸ Pinheiro, P. S. (2006), *World Report on Violence Against Children*, UN Secretary-General’s Study on Violence against Children, www.unviolencestudy.org

teachers, employers, boyfriends or girlfriends, spouses and partners. According to the final report to the General Assembly:⁶⁹

- Studies from many countries in all regions of the world suggest that 80-98% of children suffer physical punishment in their homes, with a third or more experiencing severe physical punishment resulting from the use of implements.
- In a global survey of school children in 2001/2002, between 20% and 65% reported having been verbally or physically bullied in the past 30 days. Corporal punishment such as beating and caning is standard practice in schools in a large number of countries.
- Violence in the family in the form of harsh punishment is common in both industrialised and developing countries. Children in all regions reported the physical and psychological hurt they suffer at the hands of parents and caregivers.
- Violence against children is very expensive to societies and is linked to lifelong social and health problems, including post-traumatic stress disorder; depression; antisocial and aggressive behaviours; substance misuse; lung, heart and liver disease; impaired academic and work performance; problematic peer relations and greater involvement with the criminal justice system.
- The Study also noted the persistence in some states of corporal punishment as a sentence of the courts for child offenders, including whipping, flogging, stoning and amputation.⁷⁰

» For further sources of information on the UN Study see Section 7 in this handbook.

Summary of Section 3

Corporal punishment of children breaches their fundamental human rights to respect for their human dignity and physical integrity and to equal protection under the law.

The United Nations Secretary-General's Study on Violence against Children exposed the nature and extent of children's rights violations and the vast scale of violence against children including the widespread use of corporal punishment.

The United Nations Convention on the Rights of the Child (CRC) explicitly requires states to protect children from all forms of physical or mental violence (article 19) and nearly every government in the world has ratified it. In doing so, they have made a commitment to uphold the rights of children.

But much violence against children is legal and widely tolerated. In many cultures the child is seen as an object or property of parents but not as the subject of human rights.

Article 14 of the CRC confirms the child's right to freedom of religion. It respects the rights and duties of parents or legal guardians to provide direction to the child in the exercise of his or her right "in a manner consistent with the evolving capacities of the child". But adults cannot rely on religious belief to justify imposing corporal punishment on children.

In recognition of this, a number of religious leaders have emphasised the similarity between the CRC and religious values. They have demonstrated ways in which the CRC can provide a framework for child advocacy work and in work with adults and children in peer education.

69 *Rights of the Child: Report of the independent expert for the United Nations study on violence against children*, 29 August 2006, A/61/299, www.unicef.org/violencestudy/reports/SG_violencestudy_en.pdf

70 Pinheiro, P. S. (2006), *World Report on Violence Against Children*, UN Secretary-General's Study on Violence against Children, www.unviolencestudy.org

4

Religious perspectives

“The most enduring and influential source for the widespread practice of physical punishment ... has been the Bible. Both the Hebrew Scriptures in the Old Testament and passages from the New Testament have sustained for centuries the defence of physical punishment and the use of the rod.... So embedded are these [religious] assumptions in our minds and culture, and so familiar are they to most of us, that it is often almost impossible to discern their actual influence on us.”

Phillip Greven⁷¹

a) Faith-based opposition to legal reform

Using a literal reading of scriptures and texts to condone violence cannot be associated with any one religion. Holy books and ancient sacred texts have enormous significance for religious communities and have influenced both religious and secular law. This section explores support for corporal punishment within Christianity and Islam.

Christian support for corporal punishment and opposition to reform

It can be argued that any religion that uses its scriptures and teachings to justify violence is not true to its core values.

Adherents of most religions regard their deity, deities or spirits as just, compassionate and merciful, and the leaders of different religious traditions preach messages of love and non-violence. But these principles are disregarded by some who selectively use quotations from ancient texts to justify corporal punishment of children.

Passages from the Old Testament book of Proverbs are used by some Christians to condone physical punishment of children. Verses such as “He who spares the rod hates his son, but he who loves him is diligent to discipline him” (13:24), “Do not withhold discipline from a child; if you beat him with a rod, he will not die” (23:13) and “Folly is bound up in the heart of a boy, but the rod of discipline drives it far from him” (22:15)⁷² are often referred to in shorthand as “Spare the rod and spoil the child”. The implication is that children will only flourish if they are physically punished for misbehaviour.



71 Greven, P. (1991), *Spare the Child: The religious roots of punishment and the psychological impact of physical abuse*, New York: Alfred A. Knopf, 6 and 97

72 *The Holy Bible*, The Revised Standard Version (RSV) 1946-1952, World Bible Publishers, Iowa, 1972, Proverbs 13:24, 23:13 and 22:15

Most people are unaware of the original source of the saying “Spare the rod and spoil the child”, which has been passed down through generations as a form of folklore or “wisdom” for parents. In fact, the saying does not come from the Bible but was coined by Samuel Butler in his poem *Hudibras* published in 1663. *Hudibras* is a satirical attack on Roundheads, Puritans and others involved in the English Civil war.⁷³

The “rod” passages have been used to justify corporal punishment of children worldwide. Corporal punishment in this context is most often associated with patriarchy and an authoritarian parenting style based on fear which requires a child’s unquestioning obedience, compliance and subordination rather than fostering loving relationships through encouragement, equality, trust and freedom of thought. As John Shelby Spong, former Episcopal Bishop of Newark, USA, writing about the book of Proverbs in 2005, stated:

*“Although this book has had influence in Christian history, its impact has generally not been recognised by most people. Yet the words from this book suggesting that physical discipline of children is appropriate have played a major role in the history of child-rearing and, I would argue, in the history of child abuse.... Words that affirm the rightness of punishment seem to touch something in the human psyche and to illumine something deep in the human experience. If one is the victim of corporal punishment, these words suggest a sense of ‘deserving’ and thereby play into a self-negativity that rises from a particular definition of humanity. If one is the perpetrator of corporal punishment, these words seem to feed a human need to control, to exercise authority or even to demonstrate that forced submission is a virtue.”*⁷⁴

Texts from the Book of Proverbs used to justify corporal punishment of children

“On the lips of him who has understanding wisdom is found, but a rod is for the back of him who lacks sense.” (10:14)

“He who spares the rod hates his son, but he who loves him is diligent to discipline him.” (13:24)

“Discipline your son while there is hope; do not set your heart on his destruction.” (19:18)

“Folly is bound up in the heart of the child, but the rod of discipline drives it far from him.” (22:15)

“Do not withhold discipline from a child, if you beat him with a rod he will not die. If you beat him with the rod you will save his soul from Sheol [the abyss].” (23:13-14)

“A whip for the horse, a bridle for the ass and a rod for the back of fools.” (26:3)

“The rod and reproof give wisdom: but a child left to himself brings shame to his mother.” (29:15)

(Extracts from *The Holy Bible*, The Revised Standard Version (RSV) 1946-1952, World Bible Publishers, Iowa, 1972)

So entrenched is the view amongst some Christian groups that corporal punishment is necessary for children’s upbringing, that small businesses have been set up in the United States to manufacture “paddles” and “rods of correction”, described in some advertisements as “an ideal tool for child training”.⁷⁵

“More than two thousand years of physical violence and painful assaults against the bodies, spirits, and wills of children have been justified by these proverbs, scattered through the Old Testament collection of sayings attributed to Solomon.”

(Phillip Greven, 1991, *Spare the Child: The religious roots of punishment and the psychological impact of physical abuse*, New York, 49)

73 For further information: www.pepysdiary.com/p/5746.php

74 Spong, J. S. (2005), *The Sins of Scripture: Exposing the Bible’s Texts of Hate to Reveal the Love of God, The Bible and Children*, San Francisco: Harper, 146

75 Wen, P. (2005), *Sale of spanking tool points up larger issue*, Globe Staff, www.boston.com/news/local/articles/2005/01/10/campaigner_targets_spanking_tools_sale/

Christian authors and physical discipline

Some Christian proponents of corporal punishment have expounded their “biblical” parenting theories as published authors and lecturers. James Dobson, an influential American evangelical Christian author, psychologist and founder of the Christian Agency “Focus on the Family”, has used the organisation to promote his books *The New Dare to Discipline*⁷⁶ and *The Strong-willed Child*, both of which encourage parents to use corporal punishment. Dobson recommends spanking children in some situations from the age of 18 months. In *The Strong-willed Child* he states: “Some strong-willed children absolutely demand to be spanked, and their wishes should be granted.”⁷⁷ In the same publication he states: “Two or three stinging strokes on the legs or buttocks with a switch are usually sufficient to emphasise the point, ‘You must obey me’.”⁷⁸

Christian authors Debi and Michael Pearl from the organisation “No Greater Joy Ministries” have toured widely promoting their book *To Train a Child*, which claims to offer techniques that promise to yield happy and obedient children. The Pearls believe corporal punishment is “doing it God’s way”. They quote Proverbs 20:30, “Blows that wound, cleanse away evil; strokes make clean the innermost parts”, and Proverbs 13:24, “He that spareth his rod hateth his son, but he that loveth him chasteneth him betimes”, as justification for corporal punishment.

In her review of *To Train a Child*, Beth Felker Jones writes: “The Pearls compare children to stubborn animals; both have the same predictable responses to unpleasant stimuli. The book advocates a consistent behaviourism that involves switching a child’s bare skin until the child’s will is broken. The result – a model child who is completely compliant: a model parent who is a conqueror.”⁷⁹

Commenting on the dangerous consequences of using the Bible to justify authoritarian, violent parenting methods, Giles Fraser, an Anglican clergyman, stated in a British newspaper in 2006:⁸⁰

“US evangelists are twisting the Bible to say that beating the young is a Christian Doctrine. The Pearls believe that salvation only comes through punishment and pain and that God punished his son with crucifixion so that humanity might not have to face the father’s anger. This image of God the father, for whom violence is an expression of tough love, is lodged deep in the imagination. And it twists a religion of forgiveness and compassion into something dark and cruel. It’s terrifying how deep this teaching penetrates into a philosophy of childrearing.... Last month Lyn Paddock of North Carolina was charged with the murder of her four-year-old son, Sean. She had apparently beaten him with a length of quarter-inch plumbing-line plastic tubing. Like many in her church, Paddock had turned to the Pearl’s resources on biblical parenting. The Pearls say chastisement with plumbing-line is ‘a real attention getter’.

“Sean Paddock’s autopsy describes layers of bruises stretching from his bottom to his shoulder.”

Some Christians argue that corporal punishment is a loving act. During New Zealand’s public debate before and after the passing of the law to ban all physical punishment of children in 2007, Christian lobby groups who opposed the reform coordinated an extensive campaign. The leader of Destiny Church⁸¹ was reported in the press as having said that the Bill “contradicted the God-given responsibility of parents to raise their children according to biblical principle, and that included administering loving, proper corrective discipline in appropriate circumstances”.⁸²

Another reason why some Christians advocate physical punishment may be explained by their view of God as a parent to be feared and as one who inflicts punishment on “sinful children”. Some Christians relate the image of the “suffering servant” from a verse in the Bible’s Old Testament Book of Isaiah, to the death of

76 Dobson, J. C. (1996), *The new dare to discipline*, Tyndale House

77 Dobson, J. C. (1992-09), *The strong-willed child*, Living Books, 73

78 Dobson, J. C. (1992-09), *The strong-willed child*, Living Books, 53-4

79 Jones, B. F. (2007), “Christian child abuse: Spanking away sin”, *Christian Century*, 8-9, cited in “Religious Tolerance”, www.religioustolerance.org/spankin18.htm

80 Fraser, G. (2006), “Suffer little children, US evangelists are twisting the Bible to say that beating the young is a Christian doctrine”, *The Guardian*, 8 June 2006, www.nospank.net/fraser.htm

81 www.destinychurch.org.nz

82 Cited in Wood, B., Hassall, I. & Hook, G. with Ludbrook, R. (2008), *Unreasonable Force New Zealand’s journey towards banning the physical punishment of children*, Save the Children New Zealand, 103

Jesus.⁸³ The passage from Isaiah 53:5 – “But he was wounded for our transgressions, he was bruised by our iniquities; upon him was the chastisement that made us whole, and with his stripes we are healed”⁸⁴ – is used by some to imply that goodness and healing are an inevitable result of physical punishment.

Adults who attempt to turn violence into a virtue to justify their actions may argue: “I did it for their own good – it always hurts me more than it hurts them.” These firmly held convictions can constitute a serious obstacle to law reform especially when religious leaders and activists lobby to retain the use of corporal punishment.

The notion of driving out sin and evil is reflected by English Judge, Lord Cockburn, in his summary of the case of a schoolmaster (Hopley) who was convicted of manslaughter for beating to death a 13 year old boy, Reginald Cancellor, who was in his care.

*“By the law of England, a parent or a schoolmaster (who for this purpose represents the parent and has the parental authority delegated to him) may for the purpose of correcting what is evil in the child, inflict moderate and reasonable corporal punishment....”*⁸⁵

“Fear and suffering still shape the characters of children whose obedience is obtained involuntarily by physical punishments.... The fear of punishment is the primary motivation for obedience and submission to both parental and divine authority.”

(Philip Greven, 1991, *Spare the Child: The religious roots of punishment and the psychological impact of physical abuse*, New York: Alfred A. Knopf, 198-199)

This common law defence has influenced laws worldwide. Its explicit repeal is an essential element of law reform to prohibit corporal punishment in childrearing.



83 See Spong, J. S. (2005), *The Sins of the Bible, Exposing the Bible's texts of Hate to Reveal the Love of God*, San Francisco: Harper

84 *The Holy Bible*, The Revised Standard Version (RSV) 1946-1952, World Bible Publishers, Iowa, 1972, Isaiah 53:5

85 *Regina v Hopley*, Summer Assizes (1860) In the Circuit Court, Law online, www.bailii.org/ew/cases/Misc/1860/J73.html

The influence of religion and culture on discipline and family life in Papua New Guinea

Corporal punishment of children can never be justified by religion, culture or tradition. But it is important to gain insights and an overview of the prevalence and nature of deeply rooted traditional and cultural practices which perpetuate violence against children, so that effective education and awareness raising tools can be developed to eliminate corporal punishment.

The following description of religious and cultural influences on discipline and family life is based on interviews in Papua New Guinea conducted by Raka Raula, Senior Legal Officer and Law Reform Agency Representative of the national Constitutional and Law Reform Commission.

Christians representing a number of different denominations make up 96% of the population of Papua New Guinea. Many combine their Christian faith with traditional indigenous beliefs and practices. Other (minority) religions include the Baha'i faith, Hinduism and Islam. Those interviewed were mainly Christians, and there was an interview with the Secretary General for the Muslim Religion in Papua New Guinea.

The extended family and community are closely involved in Papua New Guinean family life, in both village and town settings. In some communities a number of people may be given permission to use corporal punishment to discipline a child. In one village parents were encouraged to use the cane which the pastor kept in the church, to discipline children.

The tradition of corporal punishment is intended to build a culture of reverence and respect for parents and elders. It is the custom that a child should speak only when spoken to. If this is not observed customary compensation may be made to the adult concerned. In the Islands region, “shell money” is used as a form of customary compensation for disrespectful behaviour.

In most areas of the country religion takes precedence over culture. Parents use the phrase “to wield a firm rod” and quote verses from the Bible to justify beatings, including the “rod” passages from Proverbs and Ephesians such as:

“Children obey your parents in the Lord, for this is right. ‘Honour your father and mother’ (this is the first commandment with a promise), that it may be well with you and that you may live long on the earth. Fathers do not provoke your children to anger, but bring them up in the discipline and instruction of the Lord.”

(Ephesians 6: 1-4, *The Holy Bible*, The Revised Standard Version (RSV) 1946-1952, World Bible Publishers, Iowa, 1972)

Severe forms of discipline include beating children and throwing them in front of a moving vehicle. There are cases of children being tied to trees and having a can of tuna poured over their heads to attract bull ants, infants being thrown over balconies because they are crying for food, and teenage children being shot with bows and arrows in the highlands because it is difficult for parents to run after them.

Children may be beaten with hands, belts and brooms. Hands are used to show love, belts are used because they inflict the most pain, and a broom is used – as one person suggested – “to sweep the rubbish out of children.”

Islamic support for corporal punishment and opposition to reform

Corporal punishment is used as a punishment under Shariah (Islamic) Law. Shariah is described as “God’s eternal and immutable will for humanity as expressed in the Quran and Muhammad’s example (Sunnah), considered binding for all believers”.⁸⁶ The Arabic word *shariah* means “the clear well-trodden path to water”.⁸⁷

Shariah is known as “God’s law” and influences legislation in most Muslim countries. It covers all aspects of human life – spiritual and social life, crime and punishment – and influences both civil and criminal law. In some countries it is incorporated into written legislation, in others it operates alongside codified laws. In some countries laws based on Shariah apply only to Muslims, in others non-muslims are also subject to Shariah. In some states it is used in criminal justice systems to justify cruel, barbaric punishments such as flogging and

86 Esposito, J. L. (Editor in Chief) (2003), *The Oxford Dictionary of Islam*, Oxford University Press

87 www.bbc.co.uk/religion/religions/islam/beliefs/sharia_1.shtml

amputation, which violate the Convention on the Rights of the Child and other international human rights standards (see pages 19 to 25).

There are varying interpretations of Shariah. The Prophet Muhammad's life and actions became a model for all Muslims to follow and, together with his sayings, were documented and collected by scholars into what is known as the Haddith. Since the death of the Prophet Muhammad in 632 CE, haddith literature has grown and developed according to local customs into eight major and diverse schools of Islamic legal thought. Of these, the four Sunni schools known as Hanafi, Maliki, Shafii and Hanbali, and two Shii (Shia) schools are of critical importance in the history of Islamic philosophy and jurisprudence. Most Muslims are either Sunni (the largest branch of Islam) or Shii (the second largest branch of Islam).⁸⁸

The remainder of Islamic law is the result of jurisprudence (fiqh) which represents human efforts to codify law in practical ways. Fiqh is regarded as fallible and changeable and open to revision. While the term *sharia* is often applied to Islamic law, a number of modern scholars now distinguish between sharia and fiqh, calling for reform of fiqh codes to be in keeping with contemporary development and progress.

There are certain states in which punishments fixed in the Quran and Haddith for crimes against God are applied. These are known as hadd punishments (plural hudud). They include the severe penalties of amputation, death by stoning, and flogging for various offences relating to theft, illicit sexual relations, alcohol consumption, apostasy and highway robbery. There are usually strict evidence requirements for conviction and the precise nature of the punishment often depends on the identity of the person convicted.⁸⁹

Punishments for crimes that are not fixed by the Quran are left to the discretion of the court and are usually known as tazir. Tazir punishments range from fines or imprisonment to flogging and execution, and their imposition is for the court to decide.⁹⁰ The possibility of corporal punishment also arises for offences causing injury punishable by retaliation (qisas).

Governments sometimes state that conviction and punishment of hadd crimes are rare due to the stringent evidence requirements, or that children are not sentenced to such punishments in practice. But the potential for child offenders to be punished in these ways is real so long as these punishments remain lawful. International human rights law requires that they are explicitly prohibited. And the focus on fixed hadd punishments should not detract from corporal punishment as discretionary tazir, which must also be prohibited.

The principal purpose of Shariah is to bring justice to everyone. In some states this results in children from a very young age or from puberty being liable to sentences of corporal punishment under Shariah. Under certain interpretations of Shariah law girls who reach puberty before boys may receive more frequent and severe punishments at a very young age.

There are debates amongst scholars in some countries over what is sanctioned by the Quran and what practices derive from local customs that predate Islam. Those who seek to eliminate harsh punishments cite the religious tenet of *tajdid* (renewal), which promotes the concept of revival and renewal of Islamic society.



⁸⁸ www.infoplease.com/spot/islam1.html

⁸⁹ For detailed information see the individual country reports produced by the Child Rights Information Network as part of its campaign to end inhuman sentencing of child offenders, www.crin.org/violence/campaigns/sentencing/

⁹⁰ Esposito, J. L. (Editor in Chief) (2003), *The Oxford Dictionary of Islam*, Oxford University Press Inc., 318. Tazir: *punishment for a crime not measuring up to the strict requirements of hadd punishments, although they are of the same nature, or those for which specific punishments have been fixed by the Quran. Punishments range from the death penalty for espionage and heresy to flagellation, imprisonment, and local banishment and a variety of fines. Determination of punishments is left to the judge*

A view on Islam and law reform

Mohamed Sadek, writing "On the concept of Reform", states:

"The debate over the question of the renewal, revival and reform of Islamic sciences, and more particularly of law and jurisprudence (fiqh), has been running for a long time among Muslim scholars. Since the first schools of law (madhab, sing. madhhab) were constituted between the 8th and 10th centuries, intense legal discussions have opposed those who favour strict attachment to the historically constituted schools and those who call for a constant return to the primary source, the Qur'an."

Sadek observes that many scholars (ulama) as well as thinkers or ordinary Muslims, oppose the use of the word "reform" because they think it represents a danger as far as faithfulness to the Islamic tradition is concerned. For some, "reforming" Islam means changing Islam or altering it in order to adapt it to modern times and this is unacceptable to some believers. Some feel that the timelessness of the teachings of Islam is in no need of reform because they can be implemented universally across time and place.

Sadek explains:

"... The term 'tajdid' is highly frequent in contemporary Islamic literature (and has been so most particularly for the past 150 years): it literally means 'renewal', or even 'rebirth' and 'regeneration'. The verb root of this noun can be found in a famous hadith of the Prophet: 'God will send this [Muslim] community, every hundred years, [someone/some people] who will renew [yujaddidu] their religion'."

"... What the hadith tells us is that the Muslim community will nevertheless be accompanied and guided through the centuries by scholars and/or thinkers who will help it, every hundred years or so, 'regenerate' or 'renew' the religion of Islam. This renewal of religion (tajdid ad-deen) does not, of course, entail a change in the source, principles and fundamentals of Islam, but only in the way the religion is understood, implemented and lived in different times and places."

"This is precisely the point: scripture source (the Qur'an) remain the primary reference and the fundamentals of faith and practice are left as they are, but our reading and our understanding of the text will be 'renewed' by the contribution of those scholars and thinkers, who will point to new perspectives by reviving timeless faith in our hearts while stimulating our minds so as to enable us to face the challenges of our respective times...."

"This [to 're-form' constantly] is also the meaning of the concept of 'islah' which appears several times in the Qur'an and which conveys the idea of improving, purifying, reconciling, repairing and reforming. This is the meaning the prophet Shu'ayb conveys to his people when he says in the Qur'an: 'I do not desire, in opposition to you, to do that which I forbid you to do. I desire nothing but reform [betterment, purification] (al-islah) as far as I am able.' Thus, divine messages through the centuries came to reform human understanding, and messengers are 'muslihun' who bring good, reconcile human beings with the divine and reform their societies for the better."

(Mohamed Sadek, undated, "The Debate over the question of the Renewal, Revival and Reform: On the Concept of Reform", Part Two, Ahl AlQuran, www.ahl-alquran.com/English/show_article.php?main_id=5042)

United Arab Emirates

In 2010, the Federal Supreme Court upheld a husband's right to "chastise" his wife and children. The ruling cited the UAE Penal Code, and sanctions beating and other punishment which leaves no physical marks. Dated 5 October 2010, the ruling states: "Although the husband has the right to discipline his wife in accordance with article 53 of the Penal Code, he must abide by conditions setting limits to this right, and if the husband abuses this right to discipline he shall not be exempt from punishment." According to Human Rights Watch, article 53 of the Code provides for the right of "chastisement by a husband to his wife and the chastisement of minor children". The case concerned a man who slapped and kicked his wife and his adult daughter. The man was convicted because of the severity of the attack. Human Rights Watch called for the repeal of all discriminatory laws sanctioning violence against women and children.

(Reported in *Global Initiative Newsletter 14* (November 2010), www.endcorporalpunishment.org)

b) Responding to faith-based opposition

This section identifies some common statements used to resist reform to prohibit and eliminate corporal punishment of children and suggests ways in which they can be countered. It is worth noting that many of these arguments are not exclusive to people of faith but are raised by most people resistant to reform. In addition to the responses suggested below and the information contained throughout this handbook, use can be made of the many other resources available to support law reform (see Section 7).

My religion requires me to use corporal punishment

Hitting children is not compatible with the ideals, values and beliefs of the major world religions, which profess compassion, equality, justice and non-violence. Adherents of the major world religions model their lives on the example and teachings of their founders. Scholars and theologians in Christianity and Islam emphasise that there is no evidence in the Bible or the Quran of Jesus or Muhammad striking a child.

Religious leaders are part of the global movement to eliminate corporal punishment of children. More than 800 religious leaders at the World Assembly of Religions for Peace in Kyoto, Japan (2006) endorsed a declaration – *A Multi-religious Commitment to Confront Violence against Children* – which urges governments to adopt laws to prohibit all violence against children including corporal punishment (see page 49).

The Committee on the Rights of the Child, in its General Comment No. 8, asserts that religious freedom “may be legitimately limited in order to protect the fundamental rights and freedoms of others” (see page 21).

» For a full discussion of religious values and their incompatibility with the use of corporal punishment see Section 4.

Corporal punishment teaches children right from wrong

Young children learn most of their behaviour from the adults around them. Children who are physically punished learn at an early age that hitting is an acceptable way to resolve conflict and they are therefore more likely to hit other children. The more a child is hit, the more likely it is that the child may grow up to be an adult who deals with others, not with reason, respect and good example, but with force.

All children are entitled to positive non-violent relationships with the adults who care for them. And all children are entitled to learn to solve problems and conflict non-violently. By using corporal punishment adults miss the opportunity of teaching children by their own example to respect the human dignity of others and solve problems without force.

Research reveals that corporal punishment hinders rather than helps learning. It can create fear in a child who learns that a loved and trusted adult is prepared to inflict pain to force unquestioning obedience. Young children may be left with feelings that they cannot yet resolve, such as fear, shame, rage, revenge and hostility.

Corporal punishment places children at risk of physical injury and may interfere with psychological adjustment, socialisation, moral internalisation and positive adult-child relationships. Its use is a violation of a child’s right to physical integrity and dignity. Corporal punishment hinders child protection. There is a danger that hitting children teaches them to accept the idea that older people have authority over their bodies, including the right to inflict pain. It is difficult for children who are physically punished to regard their bodies with respect and as their personal property.

» For further information on research see Section 2.

Without physical discipline children will become out of control

It is important for children to have safe limits appropriate to their age and development but this should not involve physical punishment. The term “discipline” is too often misunderstood to mean “punishment” but it means literally to learn. Discipline can also be understood as discipleship, with adults serving as positive role models for children, not as people who inflict emotional or physical pain as punishment.

Punishment means to “cause to undergo pain”. The philosophy that supports punishment regards blind obedience as a virtue.

Physical punishment is ineffective because it does not tell children what they have done wrong or what to do instead. It teaches children to use force to get what they want. Children are usually too overwhelmed with hurt and anger to listen to explanations. It may stop a certain type of behaviour for the moment, but this may only last for a short time and may actually increase the child’s undesirable behaviour in the future. It can reinforce a sense of failure, resentment, rebellion and resistance.

There is no place for punishment in positive non-violent discipline. Positive non-violent discipline is based on an understanding of the needs and rights of the developing child and works through enhancing the relationship between parents/adults and children. It is always respectful, acknowledges and delights in a child’s achievement, focuses on acceptable behaviour and gives encouragement.

Positive, non-violent discipline by adults fosters self-discipline in children, and because it improves relationships between children and the adults who care for and work with them, it can reduce stress. Children depend on adults to teach positive, non-violent behaviour by example.

Positive non-violent discipline respects the human dignity and physical, emotional and spiritual integrity of the child. It:

- gives guidance to a child without the use of violence;
- builds loving, trusting and empathic relationships;
- fosters an understanding of the physical and emotional needs of the developing child;
- promotes and encourages the child’s participation and self-evaluation and respects the child’s view;
- listens to a child’s point of view and encourages the child to problem-solve;
- teaches and models skills for resolving conflict without the use of violence;

» For further information and links for resources on positive non-violent discipline see Section 7.

I was hit as a child and it never did me any harm

People usually hit children because they were themselves hit as children and corporal punishment was part of the tradition and culture in which they grew up. But times have changed and we must move on.

Today we regard children with respect for their human dignity. We are aware of the dangers and ineffectiveness of physical punishment and we are aware of children’s developmental needs. A full-sized adult who hits a much smaller child can cause harm in the short and long-term.

Corporal punishment in childhood has been linked to many adult problems such as depression, low self esteem, psychiatric problems and addictions.

It has also been linked to sexual problems in adulthood. The buttocks are an erogenous zone connected to the body’s sexual nerve centres. Children who are hit on the buttocks may experience the confusion of an association between sexual pleasure and pain. This can have a lasting effect and may influence the way in which sexuality is expressed in adulthood.

» For further discussion of the harm caused by corporal punishment in the short and long term and on children’s feelings on being physically punished see Section 2.

There is a difference between a loving smack and child abuse

The notion of a “loving smack” is perverse. We cannot equate the pain of hitting a vulnerable child with love. Some people advocate using a “loving smack”, accompanied by an explanation about their behaviour. But this sends a confusing message to children and equates love with pain. It interferes with the trust and respect between children and the parents who are meant to protect them.

Because smacking children is ineffective, “little smacks” often escalate and get out of control. Parents convicted of seriously assaulting children often explain that the ill-treatment began as “ordinary” punishment.

As compassionate, just communities we must be clear and say that all hitting of children is wrong, however “light” or “loving”.

Decisions about using corporal punishment should be left to parents

Hitting children is wrong, just as it is unacceptable for adult family members to hit each other. Children are not their parents’ possessions. As rights holders, children are entitled to physical and emotional integrity and respect for their human dignity. Human rights do not stop at the family door. Children are individuals who are entitled to enjoyment of their human rights like everyone else.

“All children are entitled to positive, non-violent relationships with the adults who care for them.... Adults are the protectors, guides and supporters of children and as such responsible for their quality of life.”

(Coventry Charter for Faiths, 2006)

» The rights of children are discussed in more detail in Section 3.

Why is it necessary to change the law?

It is difficult to believe that in modern times we still have laws that sanction violence against children and that some people, including some religious communities, plead the right to retain corporal punishment. All children have a right to the same legal protection from assault as adults. Law reform is part of an educational process. Efforts to change attitudes will be ineffective while the law provides a defence for adults who hit children. Without law reform all the work of those who promote non-violent discipline is undermined.

» For further discussion of the importance of law reform see Sections 2 and 3.

Law reform will mean prosecuting more parents

Law reform is about setting standards for the care and protection of children. The purpose of prohibiting all corporal punishment of children is not to increase prosecutions of parents. As in cases of assaults against adults, perpetrators are generally not prosecuted for “minor” assaults and this would usually also apply where parents mildly assault (physically punish) children. Rather, positive and supportive responses should be developed for use with parents who use corporal punishment. And parents are more likely to seek help earlier when they recognise that hitting children is socially and legally unacceptable. As the Committee on the Rights of the Child states:

“The principle of equal protection of children and adults from assault, including within the family, does not mean that all cases of corporal punishment of children by their parents that come to light should lead to prosecution of parents. The de minimis principle – that the law does not concern itself with trivial matters – ensures that minor assaults between adults only come to court in very exceptional circumstances; the same will be true of minor assaults on children. States need to develop effective reporting and referral mechanisms. While all reports of violence against children should be appropriately investigated and their protection from significant harm assured, the aim should be to stop parents from using violent or other cruel or degrading punishments through supportive and educational, not punitive, interventions.”

(Committee on the Rights of the Child (2006), General Comment No. 8 on “The Right of the child to protection from corporal punishment and other cruel and degrading forms of punishment”, para. 40, www2.ohchr.org/english/bodies/crc/comments.htm)

c) Faith-based support for prohibiting and eliminating corporal punishment

“Non-violence is therefore in its active form good-will towards all life. It is pure Love. I read it in the Hindu Scriptures, in the Bible and in the Koran.”⁹¹

Mahatma Gandhi

Christians who advocate corporal punishment of children rarely discuss Jesus’ views on children. From the recorded accounts of Jesus and children it is evident that Jesus loved and respected children and referred to them often as models for others to follow. For many Christians, the crucial text concerning Jesus’ attitude towards children is Matthew 18:1-6:

“At the same time came the disciples unto Jesus saying, Who is the greatest in the kingdom of heaven? And Jesus called a little child unto him and set him in the midst of them, and said, Verily I say unto you, Except ye be converted, and become like little children, ye shall not enter the kingdom of heaven. Whosoever therefore shall humble himself as this little child in my name receiveth me.”

Philip Greven explains in *Spare the Child* (2006) that Christian parents who tell a child who is about to be punished that Jesus teaches that they must receive the rod, cannot justify this with any text from the Gospels. Greven states:

“Jesus never advocated any such punishment. Nowhere in the New Testament does Jesus approve of the infliction of pain upon children by the rod or any other such implement, nor is he ever reported to have recommended any kind of physical discipline of children to any parent.”⁹²

Christian support for ending corporal punishment

Some of the scriptural passages selectively quoted by defenders of corporal punishment have come under scrutiny by contemporary Christian theologians and scholars. They have studied the Hebrew origins of Proverbs 13:24 – “He who spares the rod hates his son, but he who loves him is diligent to discipline him” – and concluded that this passage has been misunderstood and is not about beating children. Michael Jost, in his paper “The Bible and Discipline”⁹³, explains that the Hebrew word for “rod” in Proverbs 13:24 is “shebet” which can be translated as “sceptre” or “staff”. Jost explains that if a rod for beating was intended here, the term “muwcar” would be used.

A shebet is a shepherd’s staff. It is a sign of authority and a tool to shepherd sheep; the shepherd is one who cares for sheep. Jost states:

“As parents we are to guide our children in the wilderness of the modern world. We need to provide them with a set of values and with ways of approaching life that have integrity and respect for others as a cornerstone. We certainly don’t do that by beating them. A shepherd who beats sheep will have no flock – the sheep will run from the shepherd’s calling.”

“The much-touted ‘religious argument’ to support corporal punishment is built on a few isolated quotes from the Book of Proverbs. Using the same kind of selective reading, one could just as easily cite the Bible as an authority for the practice of slavery, the rigid suppression of women, polygamy, incest and infanticide. It seems to me that the brutal and vindictive practice of corporal punishment cannot be reconciled with the major themes of the New Testament which teach love and forgiveness and a respect for the beauty and dignity of children, and which overwhelmingly reject violence and retribution as a means of solving human conflicts.”

(Thomas E. Sagendorf, United Methodist Pastor, Toledo, Ohio, quoted in *Plain Talk About Spanking*, revised February 2003, www.religioustolerance.org/spankin31.htm)

91 Gandhi, M. K. (1922), “Nonviolence” (excerpt), *World History: Patterns of Interaction*, McDougal Littell Inc., www.cbhs.brevard.k12.fl.us/teachers/moyer/World%20History%20Readings/gandhi7.pdf

92 Greven, P. (2006), *Spare the Child: The religious roots of punishment and the psychological impact of physical abuse*, New York: Alfred A. Knopf, 51

93 Available on the Multi-Religious Resources page at www.churchesfornon-violence.org

Others believe the word “discipline” implies corporal punishment. But the Latin roots of “discipline” mean to teach and to learn. Neither of these implies that force or punishment should be used. Christians who support reform explain there is no evidence in the Bible’s New Testament of Jesus supporting corporal punishment of children. On the contrary, Jesus rejected the tradition of violence and challenged the morality of existing laws. Jesus’ kingdom was of a new social order free from domination and characterised by equality, compassion, justice and non-violence. Jesus exemplified this new way of living in his regard for children: “Let the children come unto me; for to such belongs the Kingdom of God” (Luke 18:16) and “Whoever receives a little child in my name receives me” (Matthew 18:5).

“Ultimately, the Old Testament must be understood through the prism of the New Testament – the fulfillment of the law. Indeed, the Fathers of the Church, saints and prelates from St Hilary of Poitiers, St Cyprian, St Ambrose, St Martin of Tours and St Leo, consistently declared that the severe sanctions of the Old Testament were abrogated by the mild and gentle laws of Christ.”

(Gregory Popcak, undated, *Ten Reasons I Can't Spank – a Catholic Counsellor's Critical Examination of Corporal Punishment*, www.nospank.net/popcak.htm)

Christian action against corporal punishment in the USA

A General Conference of the United Methodist Church, USA, passed a resolution in 2004 calling for the complete abolition of corporal punishment of children. Citing the teachings of Jesus, the group “Christians for Non-violent Parenting” aims to persuade Americans to reject corporal punishment at home, school and childcare facilities.

The Inquirers Sunday School class and Church and Society Ministry Team at Grace United Methodist Church, Pittsburg, USA, honoured John Wesley as an evangelist and teacher but wanted to separate the contemporary church from Wesley’s belief that corporal punishment of children was necessary to break their rebellious wills and save their souls. They decided to do this by building on Wesley’s teaching which had given Methodists a way of responding to the advancing knowledge through analysis and decision-making based on scripture, tradition, experience and reason.

Using Wesley’s method, the team prepared resolutions on corporal punishment. They called for laws prohibiting corporal punishment in all schools, day care and residential childcare facilities.

They pointed out that the purpose of corporal punishment was to cause pain while the purpose of discipline is to teach, stating: “It is difficult to imagine Jesus of Nazareth condoning any action that is intended to hurt children physically or psychologically.”

The United Methodist Church is the second largest protestant church in the USA. Policies adopted by the United Methodist Church Conference May 2004 are available on the website of The Center for Effective Discipline, www.stophitting.com/index.php?page=unitedmethodist



Christian support for prohibition in New Zealand

In May 2007, the New Zealand Parliament legislated to prohibit the use of corporal punishment in the family. An overwhelming majority of the country’s parliamentarians supported the cross-party proposal, led by MP Sue Bradford. On the day of the announcement of the passing of the Bill, a well-organised group of Christians who opposed the Bill arrived in Wellington to protest. Christians who supported law reform gathered in Wellington’s Anglican Cathedral for an ecumenical prayer vigil, “Let the Children Come”. During the service a bell was tolled for every child who had died as a result of violence at home. At the same time, all New Zealand’s Anglican Bishops declared their support for the repeal of section 59 (a section of the Crimes Act 1961 containing the statutory defence available to adults who assault their children for the purpose of correcting them). After the vigil they presented a statement to Prime Minister Helen Clark entitled “Removing the Loophole: Anglican bishops support repeal of Section 59” (available at www.churchesfornon-violence.org). In response to those who argue that the Bible condones corporal punishment the Bishops stated: “As Christians, our reading of the Bible must always be done through the lens of Christ’s teaching and life.” They said:

“Removing a loophole that has been used to justify the use of excessive force against children will reinforce the total unacceptability of violence against children. It will help break the cycle of violence, and is therefore in the best interests of our children, and of our society as a whole.

“... As Christians our primary role model is Jesus Christ.... The way of Jesus was one of non-violence....

“This is a moment for our values to shape our laws and the future of our nation. This is a moment to make a positive difference. We believe repeal of section 59 provides an expression of hope, and we wholeheartedly support it.”

For further information on the role of religion in New Zealand’s law reform see Wood, B. et al. (2008), *Unreasonable Force: New Zealand’s journey towards banning the physical punishment of children*, Save the Children New Zealand, available at www.savethechildren.org.nz/news/publications/.

Islamic support for ending corporal punishment of children

Conscious of the harm caused by the misuse of religious texts which appear to promote violence against children, a growing number of Islamic religious leaders emphasise the non-violent teaching which lies at the heart of their religion. Eminent Muslim leaders have spoken out against corporal punishment in homes and madrassahs, arguing that the Quran teaches tolerance and moderation and that there is no instance in the Quran of Muhammad ever striking a child. Respected scholars and leaders highlight in their teachings the strong requirement in Islam to show love and mercy towards children and to preserve their human dignity.

The publication *Children in Islam: Their care, upbringing and protection* includes research papers and extracts from the Quran, Haddith and Sunnah which provide guidance on children’s rights and states:

“Given that it is not permissible to incur harm, no parent (or teacher, or employer) has the right to smack a child; this would inevitably inflict psychological as well as physical damage. Both psychological and physical damages have been banned by the Islamic Sharia. In handling children, the Sharia urges us to embrace them, and show them love and compassion. We should take into consideration the natural development of the child and what each stage of its development requires, along with the different needs that necessitate understanding and awareness on our part. We are expected to respect the child’s personality, and to wisely reinforce his or her self-confidence and ability to confront life and its challenges.”⁹⁴

As already noted, Islamic opposition to prohibiting corporal punishment is often encountered in relation to criminal punishments (see Section 4(a)). Yet there are countries in which child offenders may not be sentenced to corporal punishment even though criminal law is influenced by Shariah. There are also countries where the legality of corporal punishment as a judicial sentence seems not to have prevented prohibition in

94 UNICEF & Al-Azhar University (2009), *Children in Islam: Their care and upbringing and protection*, 56, www.churchesfornon-violence.org

schools and other institutions.⁹⁵ In preparing this handbook, it has been difficult to find information on the detailed arguments which have led to such reforms and on the involvement, if any, of faith communities and NGOs in the process. We would welcome any information or resources that can help us in this respect (email info@churchesfornon-violence.org).

Religious leaders speak out for law reform

Prominent religious leaders, including the much respected late Grand Sheik Sayyed Mohammed Tantawi, of Cairo's Al-Azhar Mosque and the Coptic Pope Shenouda 111, declared publicly that harmful traditional practices have “no foundation in religious texts” of either Islam or Christianity. Sheikh Tantawi stated:

“Parental care is the main foundation for protecting children and enabling them to enjoy the rights guaranteed by Islam. But society and state institutions also have a key role in this regard. For all children to acquire such rights without discrimination, lawmakers must also ensure children are protected from physical or moral humiliation.”

Hindu scriptures and corporal punishment

Hindu scriptures are used by some to justify corporal punishment. The scripture which is sometimes cited comes from the Neeti Shastra by Chanakaya (dated 350 BCE). Dr Jayaraman, head of the Bharatiya Vidya Bhavan in New York, explained in *Hinduism Today* in 1998 that the term tadayet “while literally meaning strike or hit, symbolically means to teach discipline or to teach strictly”. He stated:

“My personal view, and that of the Bhavan, is completely against corporal punishment of children. We cannot quote some references from smritis [secondary scriptures, such as Neeti Shastra or the various Dharma Shastras] in favour of this, since smritis are subject to change from time to time and are based on the circumstances of the time and period in which they were written.”

(Quoted in Rajan, V. G. J., 1998, “Sparing The Child: Should corporal punishment end?”, *Hinduism Today*, www.hinduismtoday.com/modules/smartsection/item.php?itemid=4621)

⁹⁵ For detailed information, see the individual country reports available at www.endcorporalpunishment.org. For information on countries where sentencing of child offenders to corporal punishment under Shariah remains lawful, see the information provided in support of the campaign to end inhuman sentencing of children launched by the Child Rights Information Network in 2010, www.crin.org/violence/campaigns/sentencing/

d) Understanding shared values

“Our religions share principles of compassion, love and solidarity that are great strengths in dealing with the difficult presence of violence in human society.”

Kyoto Declaration, Japan 2006⁹⁶

Despite the many differences in the beliefs, doctrines and practices of the major world religions and in their view of the deity or deities, they profess respect for all human beings, and teach compassion, equality, justice and non-violence. This provides a strong foundation and starting point for engaging with religious leaders and communities and for mobilising their support for ending corporal punishment of children.

However, although the major religions share the same core values, there are few that claim to be a single unified organisation, with one recognised leader who speaks on behalf of the faith. It is therefore important when working with faith groups to include representatives from the different branches and denominations of the religion. For example, Hinduism is often described as a collection of very different traditions within a geographical and national identity. Even the Bahá'í tradition, which appears to be the most unified of the classical world religions and almost entirely contained within one very highly organised hierarchical denomination, has small breakaway groups in different parts of the world. And Christianity – estimated to be the largest religion in the world (2.1 billion or about 33% of the total world population)⁹⁷ – has major branches with some denominations holding widely differing views. Some Christian denominations are excluded and not considered to be “in communion” with others.

Even though separate branches and denominations have developed from the major religions, all adherents share at least some things in common such as a shared historical heritage, some doctrinal practices and core values that are also in common with universal human rights values.

The following table highlights the teachings of some of the major religions with regard to children and violence, including corporal punishment.



⁹⁶ *A Multi-religious Commitment to Confront Violence against Children* (the Kyoto Declaration), Eighth World Assembly, Religions for Peace, Kyoto, Japan, August 2006

⁹⁷ Information from Major Religions of the World Ranked by Number of Adherents, www.adherents.com/Religions_By_Adherents.html

Bahá'í Faith

"Ye have been forbidden in the Book of God to engage in contention and conflict, to strike another, or to commit similar acts whereby hearts and souls may be saddened."

Bahá'ulláh: The Kitab-i-Aqdas, 72-73⁹⁸

The Bahá'í teachings ground human rights in what is regarded as the objective spiritual nature of the human person. The Bahá'í Faith teaches its followers to abstain from violence; violence against children is forbidden.

The Bahá'í commitment to justice and human rights is an essential and tangible expression of faith. During the 19th century, the founder of the Bahá'í Faith, Bahá'ulláh prohibited corporal punishment of children in his scriptures. He said:

*"Whensoever a mother seeth that her child hath done well, let her praise and applaud him and cheer his heart.... it is not permissible to strike a child, or vilify him, for the child's character will be totally perverted if he be subjected to blows or verbal abuse."*⁹⁹

Bahá'ulláh's eldest son Abbás Effendi, usually known as Abdu'l-Bahá wrote:

*"In the estimation of God all people are equal; there is no distinction or preferment for any soul in the dominion of his justice and equity."*¹⁰⁰

Buddhism¹⁰¹

"Treat not others in ways that you yourself would find hurtful."

The Buddha, Udāna-Varga 5:18

"A state that is not pleasing or delightful to me, how could I inflict that upon another?"

Samyutta Nikaya v.353¹⁰²

Modern Buddhism consists of many different schools of thought, but they all spring from the basics taught by Siddhartha Gautama. The basic tenets of Buddhism are completely against imposing pain and harm on others and there is no room for violence in the Dharma (teachings of Buddha). Buddhism is concerned with the welfare of all beings. Sigālovāda Sutta makes the point that if everyone develops compassion, mutual respect, courtesy (sammānāya) and loving kindness (mettā) children will not be ill-treated.

The Buddha's advice to parents is clearly to support children to become generous, compassionate, virtuous and responsible. From the Buddhist view, true compassion has the power to root out misery and suffering in people's lives and direct them to a state of happiness.

98 The Kitab-i-Aqdas is available at www.bahai-education.org/ocean/

99 Quoted in Swan, R., *Religious Attitudes on Corporal Punishment* http://childrenshealthcare.org/?page_id=146

100 The writings of Abdu'l-Bahá, www.bahai-education.org/ocean/

101 Buddhism is commonly viewed as one of the major world religions but some expressions of Buddhism describe Buddhism as a philosophy. Some argue that whether Buddhism is or is not a religion depends on the definition of religion. Certain definitions require a religion to believe in a deity, others do not. Those requiring a belief in one or more deities would classify most expressions of Buddhism as non-religious or as a philosophy. The late Ven Dr. K. Sri Dhammananda Nayaka Maha Thera JSM described the Buddha's message as a religious way of life: "Keeping away from all evil deeds, cultivation of life by doing good deeds and purification of mind from mental impurities." He stated: "For our purposes, religion may be defined in a very broad sense as a body of moral and philosophical teaching and the acceptance with confidence of such teaching. In this sense Buddhism is a religion." Further information is available at www.religioustolerance.org/buddhism8.htm

102 *Religious beliefs governing behaviour towards other people*, www.edminterfaithcentre.ca/goldrule.htm

Christianity

"So whatever you wish that men would do to you, do so to them; for this is the law and the prophets."

Matthew 7:12¹⁰³

Christians believe human beings are created in the image and likeness of God, and they look to the example of Jesus to live their lives. Jesus always treated the vulnerable with love and compassion. The way of Jesus was non-violence. Reading the Bible through the lens of Jesus' teachings provides a guide for Christians' lives and relationships with others.

All the recorded encounters between Jesus and children were kind, gentle and respectful. Children were central to the new social order Jesus initiated. By blessing and laying his hands on children Jesus received children as people in their own right; he gave them status, respect and dignity (Mark 10:16).¹⁰⁴

For many Christians, the crucial text concerning Jesus' attitude and regard towards children is Matthew 18:1-5:

"At the same time came the disciples unto Jesus saying, 'Who is the greatest in the kingdom of heaven?' And calling to him a child, he put him in the midst of them, and said, 'Truly, I say to you, unless you turn and become like children, you will never enter the kingdom of heaven. Whoever humbles himself like this child, he is the greatest in the kingdom of heaven. Whoever receives one such child in my name receives me.'"

Hinduism

"This is the sum of duty: do not do to others what would cause pain to you."

Mahabharata 5:1517¹⁰⁵

"Ahimsa paramo dharma" translates as "Non-violence is the highest religion" (Chandogya Upanishad XIV 17:4). Another translation from Brihadaranyaka Upanishad reads:

*"The reason why all family members are to be loved and looked after is because they represent the clearest vision of God on earth."*¹⁰⁶

Hinduism is a culture of kindness that teaches ahimsa (non-injury) and preaches against himsa (hurtfulness). In the Hindu tradition there is no greater good than a child. Hindus believe their children are gifts from the gods and products of their previous karma. Many consider that their children were related to them in their past lives or were their close friends.

There is a saying in Hinduism:

"Siva's followers never govern through fear. They are forbidden to hit children, use harsh words, neglect or abuse them. They know you can't make a child better by making them feel worse."

Writing in *Hinduism Today*, V. G. J. Rajan, quoting Swami Brahmailyananda of the Divine Life Society of South Africa, states:

*"Beating children does not instill discipline. Rather, violence brings into play myriad spiritual and psychological problems for both parents and child. 'Violence is a shameful act,' states Swami Brahmailyananda. Beating children 'is an act of violence with its root in anger. Anger is caused by a desire for something which, when not fulfilled, results in uncontrolled action. Everything is based on karma. What goes around comes around. You will reap what you sow.'"*¹⁰⁷

103 *The Holy Bible*, The Revised Standard Version (RSV) 1946-1952, World Bible Publishers, Iowa, 1972, Matthew 7:12, Mark 10:16

104 *The Holy Bible*, The Revised Standard Version (RSV) 1946-1952, World Bible Publishers, Iowa, 1972, Matthew 18:1-5

105 *Mahabharata* 5:1517, www.edminterfaithcentre.ca/goldrule.htm

106 Swami Krishnananda, *The Brihadaranyaka Upanishad*, www.swami-krishnananda.org/brhad_00.html

107 Rajan, V. G. J. (1998), "Sparing the Child: Should corporal punishment end?", *Hinduism Today*, www.hinduismtoday.com/modules/smartsection/item.php?itemid=4621

Islam

“Not one of you believes until you wish for others what you wish for yourself.”

The Prophet Muhammad, the 13th of the 40 Hadiths of Al Nawawi¹⁰⁸

The Muslim Prophet Muhammad (pbuh) has said:

“Respect your children and treat them politely.” (Tabarsi’s book, volume 2, page 625)¹⁰⁹

One meaning of the Arabic word “Islam” is “peace”. Islam teaches that the way of peace is to do no harm to any of Allah’s creation.

Islam views all human life as a sacred gift from God. The Quran repeatedly stresses the sanctity of life (hurmat al hayat). The life of every individual regardless of gender, age, nationality or religion is worthy of respect. In verses referring to the sanctity of life the term is “nafs” (soul life). There is no distinction made between young and old, male and female. Children are regarded as amanat (trust) from Allah. Islam does not advocate violence against children.

Islam encourages every human being to place the needs of others before his own. Corporal punishment and other forms of humiliating treatment of children conflict directly with the advice of the Prophet, which is about treating those under the age of seven as children, employing tenderness and compassion, treating those from seven to 14 with care and concern and from 14 upwards as close friends and with trust and compassion. The noble Prophet of Islam said:

*“Take good care of your children and bring them up well.”*¹¹⁰

Annas (R) the Prophet’s companion said:

*“I never saw anyone who was more compassionate to children than the messenger of Allah.”*¹¹¹

The Prophet said:

*“The strong is not the one who overcomes people by his strength, but the strong is the one who controls his anger.”*¹¹²

Jainism

“One should treat all creatures in the world as one would like to be treated.”

Mahavira, Suttrakritanga 1.11.33¹¹³

In Jainism, religion and culture have deep-rooted relevance to the development of humankind and to the moral, spiritual and philosophical aspects of life. Jainism is a religion of love, compassion, respect and the right to live, for all human beings. Jains aim to practice non-violence in action, speech and thoughts. They believe in “showering love and respect towards all living beings”.

*“The Lord has preached that equanimity is the Dharma¹¹⁴ Know that violence is the cause of all miseries in the world. Violence is in fact the knot of bondage. This is the eternal, perennial, and unalterable way of spiritual life. Do not injure any living thing.”*¹¹⁵

Navin Shamji Dedhia writes:

*“Jainism does not entail blind adherence to customs and traditions. It provides timely practical solutions appropriate to our circumstances.... Children learn religious and cultural values from parents, teachers, colleagues and scholars.”*¹¹⁶

Judaism

“What is hateful to you, do not do to your neighbour. This is the whole Torah; all the rest is commentary. Go and learn it.”

Hillel, Talmud, Shabbat, 31a; Tobit 4:15¹¹⁷

“No law of the Jewish Religion decrees physical punishment of children. It stands to reason that modern Jews repudiate all degrading treatment of children.”

Morton Narrowe, Chief Rabbi Emeritus¹¹⁸

Chesed (kindness), compassion and justice are the classic Jewish values, and the nourishing and protecting of human life is of prime importance in Jewish law. Historically, by the end of the Talmudic period (500CE) there was an emphasis on kindness and compassion. As a result of rabbinic teachings, traditional Jewish homes were noted for treating their children with love and warmth.

Demonstrating love and respect for children is exemplified in one of the most important customs in Jewish family life which takes place on the Shabbat (Jewish Sabbath). This is the tradition of the blessing of children on Friday night. There are variations on how the blessing is made but most commonly parents place their hands on the child’s head and recite a blessing.

“May God bless you and watch over you.”

May God shine His face toward you and show you favour.

May God be favourably disposed toward you and grant you peace.”

108 The Prophet Muhammad, the 13th of the 40 Hadiths of Al Nawawi, www.edminterfaithcentre.ca/goldrule.htm

109 Quoted by Ayatollah Seyed Mousavi Bojnourdi (2008) in *Disciplining Children with Kindness – A Shiite Shari’a Perspective*, Tehran: UNICEF, 30, <http://resourcecentre.savethechildren.se/content/library/documents/disciplining-children-kindness-shiite-sharia-perspective>

110 Narrated by Ibn Majah in his *Sunan, Kitab Al-Adab* (Book of Good Manners), 2/1211, Hadith 3671. Narrated on the authority of Anas bin Malik

111 A recollection by Anas ibn Malik, *The Prophet’s compassion for children*, Aamatullah Abdullah, www.missionislam.com/family/prophetscompassion.htm

112 Good Manners and Form (Al-Adab) of Sahih Bukhari, Book 73, Hadith 135. The Hadith is available at: www.searchtruth.com/book_display.php?book=73&translator=1&start=0&number=135

113 Mahavira, Suttrakritanga 1.11.33, www.edminterfaithcentre.ca/goldrule.htm

114 *Dharma* in Jainism means the nature of the object or beyond worldly. Dharma also refers to the teachings and doctrines of the founders of Buddhism and Jainism

115 Extract from the Jain Prayer for Peace, www.healpastlives.com/pastlf/prayer/pyhindjn.htm

116 Navin Shami Dedhia (n.d.), “Maintaining and Representing our Religious and Cultural Identity as Jains in America”, *Religion and Society*, <http://jainstudy.org/jsc7.03-RelAndSociety-2.htm>

117 Hillel, Talmud, Shabbat, 31a; Tobit 4:15, www.godweb.org/goldenrule.htm

118 Narrowe, M., quoted in Modig, C. (2009), *Never Violence – Thirty Years On From Sweden’s Abolition of Corporal Punishment*, Government Offices of Sweden & Save the Children Sweden, 27

Sikhism

Human rights are the foundation of Sikhism. The fundamental tenet of Sikhism is that the formless Creator, the Supreme Soul, resides in each individual. Each human being is entitled to equal respect and equal dignity no matter what the person's age, faith, belief or station in life.

Reflecting these values, the Sikh Awareness Society has developed resources and support for families.

Parenting Tips explains that the best way to gain respect from your children is to treat them respectfully:

"You should give your child the same courtesies you would give to anyone else.... Children treat others the way their parents treat them."

"Avoid harsh discipline. Of all the forms of punishment that a parent uses, the one with the worst side effects is physical punishment. Children who are spanked, hit or slapped are more prone to fighting with other children. They are more likely to be bullies and more likely to use aggression to solve disputes with others."

"... Your relationship with your child is the foundation for her relationship with others."¹¹⁹

e) Building on shared values to support prohibiting and eliminating corporal punishment

During the Decade to Overcome Violence (2001-2010)¹²⁰ and since the launch of the UN Secretary-General's Study on Violence against Children,¹²¹ religious communities have become increasingly involved in the movement to eliminate corporal punishment. This has often involved multi-religious cooperation based on shared religious values.

The Kyoto Declaration

During May 2006, the World Conference of Religions for Peace (known as Religions for Peace) in partnership with UNICEF convened a global consultation of religious leaders and experts in Toledo, Spain to provide a religious perspective on the United Nations Secretary-General's Study on Violence against Children. It followed an initial consultation in Helsinki, Finland in September 2005. Participants were challenged to draw on the unique strengths and skills of religious leaders and communities to find solutions and adopt strategies to protect children from violence and to speak out as advocates for children.

Participants from 30 countries representing many world religions, including Buddhist, Christian, Hindu, Jain, Jewish, Muslim and Sikh religions, pledged support for the UN Study.

The religious leaders agreed that their traditions share principles of compassion, justice, love and solidarity. There was strong consensus regarding the inherent dignity of every person including children. It was agreed that this required people of faith to reject all forms of violence against children, including corporal punishment.

Early in the consultation religious leaders acknowledged they had not fully upheld their obligations to protect children from violence. They acknowledged that there were instances when silence and denial of the reality of violence against children, and lack of action against it, had increased children's vulnerability to violence.

There was inter-religious consensus that human dignity is sacred and that nobody has the right to violate it. A strong call was made to promote non-violent forms of discipline. Most importantly, representatives recognised that not enough attention has been paid by religious communities to violence against children. It was acknowledged that mistakes have been made and will continue to be made until all religious communities take action to eliminate violence against children, including all corporal punishment.

¹¹⁹ Sikh Awareness Society, *Parenting Tips*, www.churchesfornon-violence.org/parenting_tips.pdf

¹²⁰ www.overcomingviolence.org/en/about-dov.html

¹²¹ www.unviolencestudy.org

One important outcome of the consultation was a declaration of multi-religious commitment which identifies approaches and multi-religious actions for addressing violence against children. The declaration was formally adopted at the Eighth World Assembly of Religions for Peace (Kyoto Declaration) in Kyoto, Japan 2006 (see box on page 49).¹²²

Speaking at a news conference in Iran shortly after the global consultation, Iranian Shiite scholar, Ayatollah Sayed Mousavi Bojnourdi, Head of Law at the Imam Khomeini Institute in Tehran stated:

"Reason and religion must go together when dealing with children. All Muslims are duty bound to raise awareness, but for religious leaders it is their job. We should highlight the role of religion regarding this issue. Religion does not accept any kind of violence against humans especially against children."¹²³

The Golden Rule

One of the most universally accepted values shared by religious communities, humanists, indigenous communities and secular traditions is the ethic of reciprocity known as the Golden Rule. The Golden Rule is best interpreted as: "Treat others with the respect and consideration that you would like for yourself in the same situation." To apply it we are required to imagine ourselves in the place of the person on the receiving end of our actions and to understand the effect our actions have on the lives of others.

At the heart of this ethic is the concept that every person shares inherent human rights simply because they are human beings, and all human beings are equally important. The Golden Rule transcends theological differences and can form a starting point in engaging with people from diverse faith-based and secular traditions. It does not replace moral norms nor is it an infallible guide, but it does provide consistency. The Golden Rule can set a common standard to which people can appeal for the values of fairness, justice and compassion that lie at the heart of morality. It has been described as a universal ethical principle which can be promoted to address issues of human rights, equality, respect for human dignity and social justice. It provides a unifying basis for working with faith-based groups towards eliminating corporal punishment of children.

Examples of the universal Golden Rule

Confucianism

"Tse Kung asked, 'Is there one word that can serve as a principle of conduct for life?' Confucius replied, 'It is the word 'shu'....reciprocity. Do not impose on others what you yourself do not desire.'" (Doctrine of the Mean 13:3) (Note: The Doctrine of the Mean is both a concept and one of the books of Neo-Confucian teachings. The text is attributed to Zisi (or Kong Ji) the only grandson of Confucius. Encyclopaedia Britannica Online, www.britannica.com/bps/search?query=doctrine+of+the+mean)

Hinduism

"This is the sum of duty; do naught unto others what you would not have them do unto you." (Mahabharata 5, 1517)

Jainism

"A man should wander about treating all creatures as he himself would be treated." (Sutrakritanga1.11.33)

Socrates

"Do not do to others that which would anger you if others did it to you." (Greece; 5th century BCE)

Zoroastrianism

"Whatever is disagreeable to yourself do not do to others." (Shayast-na-Shayast 13:29)

» For further sources of information, see Section 7 of this handbook.

¹²² The declaration can be downloaded at www.churchesfornon-violence.org/links.html. See also the website of Religions for Peace, www.wcrp.org

¹²³ Quoted by UNICEF, Iran: www.unicef.org/iran/media_2606.html



A Multi-religious Commitment to Confront Violence against Children (the Kyoto Declaration)

“As representatives of various religious communities gathered at the Religions for Peace VIII World Assembly in Kyoto, Japan, we are committed to confront the reality of violence that affects children in our societies. We offer our support to mobilizing the international community through the United Nations Study on Violence against Children to address these critical issues, and we are ready to work in partnership with governments, UN agencies, and other civil society actors to implement the recommendations of this study.

“We find strong consensus across our religious traditions about the inherent dignity of every person, including children. This requires that we reject all forms of violence against children and protect and promote the sanctity of life in every stage of a child’s development. Our religions share principles of compassion, justice, love and solidarity that are great strengths in dealing with the difficult presence of violence in human society.

“Our faith traditions take a holistic view of a child’s life, and thus seek to uphold all the rights of the child in the context of its family, community and the broader social, economic and political environment. All children hold these rights equally and we must ensure that boys and girls have equal opportunities to enjoy these rights, particularly education, protection, health, social development and participation. Our religious communities are blessed to be multi-generational and we must use this to support the active participation of children in their own development and to address the issues of violence.

“We must acknowledge that our religious communities have not fully upheld their obligations to protect our children from violence. Through omission, denial and silence, we have at times tolerated, perpetuated and ignored the reality of violence against children in homes, families, institutions and communities, and not actively confronted the suffering that this violence causes. Even as we have not fully lived up to our responsibilities in this regard, we believe that religious communities must be part of the solution to eradicating violence against children, and we commit ourselves to take leadership in our religious communities and the broader society.

“None of us can address this problem alone. It requires partnerships, solidarity, and building alliances. Even as our religions have much to offer, we are also open to learning more about the development and well being of children from other sectors, so that we can each maximize our strengths. We are strongly committed to fostering effective mechanisms for inter-religious cooperation to more effectively combat violence against children.

“Based on these principles and guided by the power of the Divine as it is understood in each of our traditions, we make the following recommendations and commitments, speaking to our religious communities, governments, the United Nations, civil society and to all throughout the world who have held a child in love – with tears for its pain, with joy for its life:

- 1. We will create greater awareness in our communities about the impact of all forms of violence against children, and work actively to change attitudes and practices that perpetuate violence in homes, families, institutions and communities, including corporal punishment, emotional and sexual violence.*
- 2. We will promote the child as a person with rights and dignity, using our religious texts to provide good examples that can help adults to stop using violence in dealing with children.*
- 3. We have an important obligation to teach and train our children, which involves discipline and helping children understand their responsibilities. We will educate and train parents, teachers, religious leaders and others who work with children to find non-violent forms of discipline and education that will ensure their proper upbringing and protect them from violent actions.*
- 4. We will develop curriculum to use in theological training and in parental education to raise awareness about child rights and ways to eliminate the use of violence.*
- 5. We are committed to inter-religious cooperation to address violence and will make use of the synergies among our religious communities to promote methodologies, experiences and practices in preventing violence against children.*
- 6. We call upon our governments to adopt legislation to prohibit all forms of violence against children, including corporal punishment, and to ensure the full rights of children, consistent with the Convention on the Rights of the Child and other international and regional agreements. We urge them to establish appropriate mechanisms to ensure the effective implementation of these laws and to ensure that religious communities participate formally in these mechanisms. Our religious communities are ready to serve as monitors of implementation, making use of national and international bodies to maintain accountability.*
- 7. We encourage religious communities and other public actors to use special days, such as the International Day of the Child, to bring public and media attention to child rights issues, particularly violence against children.*
- 8. We call on UNICEF and the World Conference of Religions for Peace to facilitate the sharing of information and developing of resources to assist our communities to more effectively address violence against children.”*

Summary of Section 4

Although the theologies, philosophies and doctrines of the major religions may differ markedly, it is possible for different religious traditions to work together out of a shared commitment to human dignity and a belief in the rights of children to live free from corporal punishment and other humiliating and degrading treatment.

Values of compassion, equality and justice that are deeply held and shared across different religious traditions can form the basis of an ethic for cooperative working and common action. These universal principles can also be effective tools for examining and challenging theologies, structures and practices which appear to condone violence against children.

Examples of ways in which religious communities have spoken out against corporal punishment and statements of commitment such as the Kyoto Declaration can be used as tools and incentives for faith-based communities to take action and encourage others to work cooperatively to end corporal punishment of children.

Working with faith groups to achieve reform

5

“None of us can address this problem alone. It requires partnerships, solidarity, and building alliances. Even as our religions have much to offer, we are also open to learning more about the development and well being of children from other sectors, so that we can maximize our strengths. We are strongly committed to fostering effective mechanisms for inter-religious cooperation to more effectively combat violence against children.”

Kyoto Declaration, 2006¹²⁴

a) The importance of involving religious leaders and their communities

Religion has been a major force in people’s lives for centuries and religious leaders continue to play an influential role in the public and political sphere and on many societal levels. The views of religious leaders can contribute towards shaping important debates and achieving justice and human rights.

Many religious leaders exercise power and influence in both the religious and secular spheres at local, regional, national and international levels and through their extensive networks. Religious leaders are also uniquely positioned to make an effective contribution towards achieving reform to end corporal punishment through their various roles and functions. They usually have insights and detailed knowledge of their communities and contact with people at many points in their lives. It is important to engage with religious leaders who are already taking a leadership role on children’s rights and to encourage their involvement in national strategies to achieve law reform to prohibit corporal punishment of children.

Religious communities may be unaware of the involvement of others working towards eliminating corporal punishment. Building on mutual respect and trust, organisations can work together to provide opportunities for diverse faith communities to receive information, resources and encouragement to become actively engaged with the issue.

This section looks at opportunities available for engaging religious support and expertise through existing structures, including religious organisations and networks. It discusses the importance of multi-religious collaboration between religious groups and between religious groups and other organisations, gives examples of faith-based action and advocacy, makes suggestions for further action and discusses ways of ensuring children’s participation. The following section (Section 6) considers in more detail how efforts to prohibit and eliminate corporal punishment of children can be furthered through the everyday roles and functions of religious leaders.



124 *A Multi-religious Commitment to Confront Violence against Children* (the Kyoto Declaration), Eighth World Assembly, Religions for Peace, Kyoto, Japan, August 2006

b) Engaging with faith-based groups

Faith-based groups are multi-faceted. They include religious leaders and organisations such as charities and welfare organisations, local religious congregations and religious institutions, theological colleges and university departments, schools and religious orders.

Many faith-based organisations are concerned with supporting children and families. Leaders from different religious traditions may also serve as chaplains or counsellors in prisons, hospitals, schools, universities and places of work.

Religious leaders often fulfill roles and duties in the public sphere, placing them in a unique position to promote dialogue and cooperation between different religious groups, community organisations and government bodies towards eliminating violence against children. Historically many religious leaders have made a stand for justice and human rights.

Gaining the support and active involvement of religious leaders and their communities is a crucial component of efforts to prohibit and eliminate corporal punishment of children. It is important to create opportunities to listen to supportive religious leaders and seek their advice on the best ways to engage with religious communities. The Kyoto Declaration and the report of the UN Secretary-General's Study on Violence against Children (see Section 3) can be used to highlight concerns and form a framework for meetings and events to create awareness, provide information and develop a plan of action.

Building partnerships

Investing in partnerships and coalitions with religious communities and organisations brings a broader dimension to eliminating violence against children. It can have a powerful influence as people of faith unite behind a common goal. Working in solidarity enables different communities to learn from each other, strengthen commitment and take action. The sharing of information, resources and training can enlarge the capacity of religious, traditional and indigenous groups to address the issue of corporal punishment.

Many mosques, temples, synagogues, churches and houses of worship have extensive local, regional and global networks. They have long-standing links with education and youth networks and are traditionally involved in charitable work and service provision. Many are in touch with some of the most marginalised people and those who are isolated from other services.

Suggested action for NGOs

- Work with faith-based communities from the outset. Listen to each other's concerns and ideas. Use resources such as the Kyoto Declaration and the *World Report on Violence against Children* as tools to raise awareness and develop partnerships working to eliminate and prohibit corporal punishment.
- Work in partnership with local leaders to conduct a mapping of the religious groups in the area. Meet with religious leaders representing each faith tradition.
- Ensure women are included. If necessary hold a special meeting of women from different religious groups.
- Maintain contact with religious leaders through regular progress updates, newsletters, information and resources and through personal contact.
- Emphasise shared values and respect for the human dignity of the child to bridge any religious and doctrinal divisions and keep the focus on ending legalised violence against children.

Children in Islam

UNICEF recognises the importance of working in partnership with religious organisations as potential front line agents for positive change for children.

In 2009, UNICEF and Al-Azhar University, Cairo, jointly published a manual – *Children in Islam: Their care, upbringing and protection* (available at www.churchesfornon-violence.org) – designed to underscore how the care, protection and development of children are central to Islam.

The manual includes research papers and extracts from the Quran, Haddith and Sunnah that provide useful guidance on children's rights, including their right to protection from physical punishment. The section on child protection in Islam states:

“Given that it is not permissible to incur harm, no parent (or teacher or employer) has the right to smack a child; this would inevitably inflict psychological as well as physical damage. Both psychological and physical damages have been banned by the Islamic Sharia. In handling children, the Sharia urges us to embrace them, and show them love and compassion. We should take into consideration the natural development of the child and what each stage of its development requires, along with the different needs that necessitate understanding and awareness on our part....”

“All forms of corporal punishment should be avoided as a means of disciplining children. The child's parents, teachers or employers should never resort to it....” (page 56)

c) Developing multi-religious support

Investing in partnerships with religious communities to work towards a common goal can help recognise the skills and expertise of religious communities. When people from different religions come together with a common purpose and speak with one voice they can be a powerful influence in changing attitudes and achieving reform.

Women are often under-represented in religious leadership roles and multi-religious gatherings. It is important to find ways of engaging with women of faith to ensure they are included in all meetings and decision-making processes.

Multi-religious action can take place at local, regional, national and international levels. For example, global organisations and networks can provide opportunities at conferences and workshops to develop joint declarations, recommendations and statements supporting legal reform.

A model statement for religious leaders to adapt

The following model statement can be adapted by local inter-faith partnerships as a statement of solidarity on the issue, to use as an expression of support for NGO campaigns, or as a letter from local religious groups and individuals to lobby members of parliament or to gain broader support and forge new partnerships.

“We affirm that our different religions respect the human dignity of every child. This calls us to work together to confront the pain and humiliation inflicted against children through the practice of corporal punishment in homes and families, schools, religious institutions and other community settings.

We are available to put our faith into action and to speak out on behalf of all children who endure corporal punishment. There are no circumstances under which this harmful, humiliating practice can be justified either in the name of religion, in the guise of discipline or through the sacred scriptures and the tenets of our different faiths.

We are committed to taking leadership and working in solidarity with people from other sectors, communities, religious networks, NGOs and governments towards ending all corporal punishment of children.

Giving children equal protection from assault is crucial because it says so much about the sort of society we want for all children.

Ending the legality and commonplace practice of corporal punishment will reflect the seriousness with which we regard the human rights of every child to grow up free from the fear of being hit and humiliated by those whose duty it is to protect children from harm. This is not only a moral imperative, it is about giving children the respect to which they are entitled.

Discipline is about teaching and guiding children by adult example – not through hitting children and causing pain. It is important that law reform is accompanied by extensive public education promoting positive, non-violent discipline and access to resources and support for parents.

This is an opportunity for our values and hopes for our children and families to shape our laws and to make a positive difference.

If we really want a less violent society and peace in our world we must end the legality of corporal punishment, promote non-violent relationships between adults and children so that they are treated with gentleness, love, compassion and respect.”

» For further discussion on building partnerships between organisations please see Section 5(e), Forming key partnerships.

d) Facilitating children’s participation

“There is a Chinese saying, ‘Gu Cheung Lan Ming,’ that means ‘no sound can be made if only one hand claps.’ We, children, are one hand. Adults are the other hand. The community is one hand. The government is one hand.... We strongly believe that a community with peace, love and unity can be built if we work together for the future!”

Young people, 2005¹²⁵

The protection of children from violence is the responsibility of the whole community. Children should be encouraged to be active, equal participants with adults in solving problems of violence in the community.

Children have insights into how corporal punishment makes them feel and why adults treat them badly (see Section 2(c) for research into children’s feelings). These insights are important in enabling adults to understand

¹²⁵ Under 18 Delegates’ Keynote Address 15 June 2005, Children’s Forum, East Asia Pacific Region Consultation for the UN Study on Violence against Children, www.unicef.org/media/media_27368.html

the negative effects of corporal punishment and in helping to develop strategies to address violence against children. Children should be invited to use their capacity to make a positive contribution in keeping with their age and development.

Child participation requires great care and sensitivity so that the process of involvement is meaningful, authentic, safe and not in itself abusive.

Faith-based organisations involved in developing projects for children who have escaped from violent situations have opportunities to provide tools for children’s participation in campaigns to eliminate violence against children including corporal punishment.

Religious leaders can ensure that provision is made for children to learn about their human rights, make their voices heard and participate in society.

Children in Lebanon say “no” to violence

As part of its anti-corporal punishment campaign in 2008, World Vision Lebanon launched a national campaign to protect children from violence at home, in schools and institutions, at work and on the streets.

Three children from World Vision’s programmes spoke at the launch to let the group know their expectations.

Twelve-year-old Tracy Hamzo said:

“No for beating children, no for neglect and no for violating children’s rights. We want to stop the violence and raise our voice and say ‘stop.’”

World Vision also launched the World Vision Best Practice Awards for a local non-governmental organisation engaged in child protection work and the World Vision Journalism Award for the journalist who has made a significant contribution to raise public awareness to prevent violence against children.

(Reported in World Vision News, “Children in Lebanon say no to Violence”, 11 November 2008. World Vision is a Christian relief, development and advocacy organisation dedicated to working with children and families to overcome poverty and injustice. It serves people regardless of religion, race, ethnicity or gender.)

**Children appeal to governments to end violence against children**

More than 80 children from West Africa and the world appealed to regional governments to take steps to end violence against children. The children who took part in a four-day “Youth Forum Against Violence” held in Accra in September, 2010, said violence in all its forms was not only an affront to their dignity but also affected their well-being and overall development in society. The children said their concerns over the years had been relegated to the background and they were often not consulted about policies that affected them. They said that violence against children especially in the school system had become widespread, making some children drop out while others failed to answer questions in class to avoid being caned for giving wrong answers.

The Forum was coordinated by Plan International in partnership with Save the Children Sweden, with support from the United Nations International Emergency Fund, Action Aid, World Vision, ECPAT and War Child, Holland.

(GNA, Accra, 2 September 2010. www.crin.org/violence_2010/search/closeup.asp?infoID=23117. See also “Say No to Violence Against Children”, a film made by children from West Africa, www.youtube.com/watch?v=oZZFzXpqVtg)

Discussion points for religious communities

- How is participation of children encouraged in the religious community?
- What are the barriers to children's participation?
- Are all children given the opportunity to participate, including children from all ethnic groups, girls and boys, and children with a disability?
- What specialist training is available to adults in the religious community to facilitate children's safe and meaningful participation?
- What preparation, support and resources do children need to participate?

Suggested action for religious communities and faith-based organisations

- Support high quality training to equip staff and volunteers to work with children and young people.
- Provide support and resources to adults working with children, including guidelines for child protection and information about available training on child development.
- Ensure safeguarding policies and practices are in place for child participation.
- Facilitate discussion in religious schools, youth groups and the community about steps to be taken to eliminate corporal punishment of children.
- Promote the material produced for young people by the UN Study on Violence against Children, www.unviolencestudy.org.
- Provide space for children to develop their own ideas and activities to address violence against children, including corporal punishment.
- Listen to the experiences, views and recommendations of children who have witnessed or endured corporal punishment.
- Facilitate and support the creation of child forums to create awareness of children's rights and to empower children to speak out and take action.
- Celebrate the best ways of working which facilitate children's participation, through awards and special ceremonies that focus on respect for children and their human rights.

» For further sources of information see Section 7.

e) Forming key partnerships

Partnerships can bring together people from different sectors to work towards achieving the common goal of prohibiting and eliminating corporal punishment of children. They can face challenges together, share resources and skills, and speak with one voice to bring about the desired change.

Religious communities, child and family organisations, and health and education sectors can form effective partnerships with other concerned groups to help change attitudes. It is also important to engage with women's faith-based organisations, which are often under-represented in leadership roles.

Local religious leaders and others can be influential in providing a gateway to national and international leadership.

Partnerships can be small or large but key factors for success include: a shared vision, valuing each member equally, commitment to the common goal, respect and trust between different groups, and flexible, complementary ways of working. Partnership working also relies on people who are prepared to champion the cause with other potential partner organisations and the wider community.

When appropriate, partnerships can be launched formally. This provides a good opportunity to create awareness and engage additional supporters and media coverage.

Engaging with religious groups at every level**Working with individual religious groups and denominations**

Most religions have their own extensive networks, decision-making assembly, synods or councils where issues of concern can be debated in a formal setting and adopted as policy. For example, during 2007, the South African Council of Churches (SACC) – an umbrella organisation representing over 16 million Christians from 26 denominations in South Africa – produced a position paper and submission to the Portfolio Committee on Social Development in the South African Parliament explaining the religious arguments against corporal punishment. It states:

“The common law does not tolerate violence against women, the aged or any adult for that matter. Neither does the common law distinguish between levels of violence, of whatever intensity on whatever parts of the body and/or with whatever implement the beating was meted out. Likewise, we should not entertain the thought of accepting any level of violence that involves children. Children are humans too.”¹²⁶

Children's issues were given prominence during the 9th General Assembly of the All Africa Conference of Churches (AACC) which was held in Maputo, Mozambique, in December 2008. Children addressed the plenary session and the Assembly resolved to embed child participation within the AACC and its member churches and to report back to the Assembly every five years on their actions and accomplishments. In a document intended to assist and stir the AACC and member churches into action, several issues were raised including a proposal that all AACC member churches ensure that their country is a signatory to the Convention on the Rights of the Child, has ratified the African Charter on the Rights and Welfare of the Child, has a legally binding Children Act duly passed into law by parliament, and has passed legislation that outlaws all forms of corporal and other humiliating punishment of children. A Biblical Mandate states:

“The church in Africa would want to realize that the Biblical basis for doing child ministry is more than a rationale; it is, especially, a command for the church to minister to children. Child ministry is a systematic programming for children that seek to achieve the holistic transformation of all children out of all forms of physical, psychological, spiritual, socio-cultural, and economic bondages so that the children attain the fullest realization of their potentials and ultimately become agents of the transformation of society, to the glory of God. Therefore, we challenge the church to realize that failure to minister to children is a great omission within the Great Commission.”¹²⁷

Working with inter-religious bodies

Working with religious groups should form a part of the strategy to end corporal punishment. One of the most effective ways of working in partnership with different faiths is through the already formed multi-religious bodies. These organisations have usually built a high degree of mutual trust and respect and can speak with one voice on issues of concern based on their shared religious values.

Inter-religious councils (or forums) provide a safe place for affirming a person's own faith tradition while understanding the religious practices and beliefs of others. These inter-religious bodies can build bridges between different faiths through conversation, education and working together for a common purpose to serve the community.

Inter-religious councils are representative of diverse religious communities and may function at a local, regional, national and international level. They often have close ties with local and national governments and

¹²⁶ Hemstreet, C. & Vermeulen, K. (2007), *Religions, the Promotion of Positive Discipline and the Abolition of Corporal Punishment: Frequently Asked Questions*, South African Council of Churches (SACC), www.churchesfornon-violence.org/links.html

¹²⁷ Reported in the All African Council of Churches (AACC) General Assembly Report, 9:1.2008

may be consulted by outside bodies for their views on policy. They can speak effectively when approaching government on issues relating to respect for human rights and they can be a powerful, visible example of cooperation between the major faiths for the protection of children.

The Inter-Religious Council of Kenya

On the International Day of the Child, July, 2007, the Inter-Religious Council of Kenya condemned the rising incidence of sexual and other forms of violence against children. In a powerful statement members of the Council called on all Kenyans to take action to protect children from all forms of violence and abuse. They said acts of violence hamper children's growth and deny them the opportunity to develop into healthy adults. The statement was signed by Nairobi Catholic Archbishop Ndingi Mwana a'Nzeki, Anglican Archbishop Benjamin Nzimbi, Professor Abdulgafur El Busaidy of the Supreme Court of Kenya Muslims and Rashmin Chitnis of the Hindu Council.

Informal inter-religious groups can also be convened. An informal, autonomous network of religious representatives can be invited to collaborate with others as part of a campaign group to develop ways of creating awareness, promoting non-violence and working with others towards achieving law reform.

The group may also agree to serve as a multi-religious reference group, providing advice and expertise on raising awareness and the preparation of resources or materials which appeal to the different religious beliefs and practices represented in the community.

The Kirklees award winning Madressah Project in the UK



Kirklees in West Yorkshire, UK, has more than 50 madrasahs (Islamic schools), which together provide a daily Islamic education to more than 10,000 children. In summer 2001, a consensus emerged within Kirklees social services that the madrasahs needed to be supported. Social services had received a few referrals about alleged physical punishment of children attending the madrasahs. A decision was made to engage with the schools in order to raise awareness about child protection concerns.

Social services looked at the best way of approaching the problem and realised that to secure the cooperation of the community they would need to work with someone with experience in the sector. With a background in child protection and experience of teaching in madrasahs, Shakeel Hafez was pivotal in opening dialogue on child protection.

The Madrasah Project was set up and launched by Muslims of Kirklees in partnership with the local social services. It included a 12-month community-wide consultation which brought together madrasah teachers and child protection and child welfare practitioners. The project published a guide called *Safe Children – Sound Learning*, which provides practical support to madrasah administrators on child protection, behaviour management and health and safety. It urges teachers in madrasahs to be calm, patient and good role models, asserting that it is the teacher who promotes or prevents good behaviour. The guide is available in English and Urdu from comm.ed@kirklees.gov.uk.

The award winning project focused its attention on encouraging positive parenting and published a leaflet that discusses how positive parenting encourages better behaviour and why smacking is harmful to children. *Positive parenting: Give your child the best start in life* can be downloaded at www.churchesfornon-violence.org/positiveparenting.pdf.

Safeguarding Children – Guidance for Madrasahs and Supplementary Schools was produced following extensive consultation (for further information email: document.solutions@kirklees.gov.uk).

Suggested discussion points for religious leaders and NGOs

- What are the strengths and resources religious leaders and communities can contribute towards eliminating corporal punishment of children?
- What are the most effective methods of working with religious groups at the local, regional and international levels?

Suggested action for NGOs

- Identify respected religious leaders who support legal reform. They can be influential role models and can help in accessing support from other religious leaders and help towards establishing dialogue and debate with more conservative colleagues.
- Create awareness about the reality of corporal punishment and its impact on children's lives.
- Maximise opportunities for engagement by resourcing religious groups and addressing gaps in information about the problem of corporal punishment including information about the UN Secretary-General's Study on Violence against Children and its recommendations.
- Women as leaders of religious organisations are often under-represented. Encourage consultation with women from all religious groups and offer the resources needed for their participation. Ensure women are included in negotiations and decision making.
- Ensure indigenous peoples and those from minority religions are included alongside the major faith-based groups.
- Put a human face on the issue of corporal punishment. Viewing the problem of corporal punishment through the eyes of the child, listening to children and hearing about their experiences, ideas and solutions can deepen adults' understanding and resolve.

Raising awareness

It is important to identify opportunities for raising awareness about corporal punishment with religious leaders and faith based organisations.

Suggested action for NGOs

- Hold special events to create awareness and change attitudes.
- Offer to write articles in the religious press and community newsletters.
- Use opportunities presented by national and international days or anniversaries to hold a vigil or event to highlight the problem of corporal punishment.
- Ask to speak about the problem of corporal punishment at meetings held by religious communities and organisations.



- Take a roadshow exhibition and resources to different venues and work with local communities to create awareness and increased support for law reform. Provide opportunities for people to discuss the issue at informal workshops. Offer free information and resources for adults and children.

Working with the media

Working in partnership with the media is an important part of awareness-raising and advocacy.

Religious leaders can work with inter-religious councils and key partners to make joint statements to the press or write letters to the editor. People are more likely to take notice when religious leaders are united behind a common goal of eliminating corporal punishment of children.

Suggested action for NGOs

- Make contact with communications and media officers in religious communities and brief them about the campaign.
- Identify religious newsletters, theology journals and magazines and invite them to print articles and cover events.
- Arrange radio or television interviews with religious leaders or other faith advocates who will speak out in support of law reform.
- Encourage religious leaders to hold press conferences and write press releases prior to religious events planned to promote protection of children.

» **For further information, see the [Multi-Religious Resources](#) page at www.churchesfornon-violence.org. The next section, Section 6, discusses in more detail the unique roles that religious leaders can play in promoting the prohibition and elimination of corporal punishment of children.**

Summary of Section 5

Religion is a major force in people's lives and many religious leaders are taking a stand against injustice and violations of human rights. Working with religious groups should form part of the strategy to end corporal punishment. Religious leaders often exert influence in both the religious and secular sphere and it is important to engage with them at every level and to involve them at the outset. It is very important to engage with women in faith groups as they are often under-represented. There are many opportunities for working with and within the religious communities. One of the most effective ways of working in partnership with different faiths is through existing groups such as inter-religious councils and other religious bodies and networks.

There are a number of examples of successful partnership working which can serve as models for initiatives towards reform. Religious leaders have a key role in encouraging the participation of the children in their communities. Opportunities should be provided for listening to the views, experiences and recommendations of children including those who have witnessed and endured violence. Local partnerships can share resources for high quality training and support for all staff and volunteers working with children.

Taking action through religious leaders' existing roles and functions

6

Religious leaders serve people at all stages of life in their roles as spiritual advisers, leaders of religious organisations, teachers and scholars, preachers and leaders of worship and as community. They can best influence change through leading by example, using their authority and position to speak out against corporal punishment at significant family events such as marriage, birth ceremonies and naming a child, and by publicly making a commitment to making violence against children a critical concern.

By emphasising the teachings of the faith which promote non-violence and respect for children they can help change attitudes and transform children's lives. They can demonstrate their commitment by supporting initiatives to end legalised violence against children and contributing towards public education campaigns which promote positive non-violent discipline.

a) ... as pastors and spiritual leaders

As spiritual advisers and pastors, religious leaders are in a unique position to address some of the underlying causes of violence, advocate on behalf of children, encourage positive relationships between adults and children and take preventive action. They usually have a deep understanding of the local community and its history and they have standing and authority to help change attitudes and challenge harmful traditional practices. At the grass roots level religious leaders have access to remote communities not served by other groups.

Religious leaders often play a part in helping individuals towards recovery from past trauma, including childhood experiences of corporal punishment. In administering corporal punishment, parents undoubtedly followed what was culturally and socially acceptable at the time, but we now acknowledge that this was wrong and society is moving on. Gaining the active support and cooperation of religious leaders is vitally important, particularly in communities where eliminating corporal punishment is perceived as a threat to religious, cultural and family traditions.

Religious leaders also have an important role and duty in ensuring that children who have endured corporal punishment receive the highest standard of support and care from people qualified to help them.

Violence against children is often disguised as "discipline" and hidden behind closed doors. With knowledge of the culture and traditions of their communities, religious leaders can work with others to break the wall of silence and collusion that so often surrounds violence against children, whether that is violence which the law already recognises as unacceptable or violence in the name of discipline which does not reach the legal threshold of "abuse". Religious leaders have the moral authority to raise awareness among people of faith of the unacceptability of all corporal punishment of children, however "light".



Strong spiritual leadership can help create awareness, change attitudes and empower a community to bring about the changes necessary for the protection of children. By expressing within their faith communities and more widely in public, their disapproval of corporal punishment, and adding their signatures to campaigns to support law reform, religious leaders send out a powerful message of respect for children.

“... millions of the world’s children still suffer from humiliating acts of violence and these violations of their rights as human beings can have serious lifelong effects. Violence begets violence and we shall reap a whirlwind. Children can be disciplined without violence that instils fear and misery, and I look forward to church communities working with other organisations to use the context of the [UN Secretary-General’s Study on Violence against Children] to make progress towards ending all forms of violence against children.”

“If we really want a peaceful and compassionate world, we need to build communities of trust where all children are respected, where home and school are safe places to be and where discipline is taught by example.”

Archbishop Emeritus Desmond Tutu, 2006¹²⁸

Many religious groups are committed to ending violence against women. Religious leaders can take the opportunity afforded through this work to denounce violence against children and so promote an end to violence against both women and children.

Challenging corporal punishment through religious publications



Child in conversation with Satguru Sivaya Subramuniyaswami

either with the hand, cane, belt or a hard object. In the feature story, “Sparing the Child, Should Corporal Punishment End?” Julie Rajan wrote:

“Though they don’t say much about it, young Hindu adults today, feel deep resentment and anger at having been beaten as children. We struggle with feelings of low self-esteem and failure. Many of us will continue the cycle of violence by beating our own children or our spouses simply because we are unable to resolve those feelings. We don’t blame our parents, who genuinely loved us and sacrificed for us, for they are themselves just the previous round in this same cycle. We don’t blame our Hindu faith either, for corporal punishment of children is present in every culture. But as advocates of nonviolence, we do claim a special role in solving this problem.”

(Rajan, V. G. J., 1998, “Parenting with love: My Guru’s Quest for a Cruelty Free System of Raising Children”, *Hinduism Today*, www.hinduismtoday.com/modules/smartsection/item.php?itemid=44)

In 1998 Satguru Sivaya Subramuniyaswami (1927-2001), founder of *Hinduism Today*, was shocked to learn from several young people among his international Hindu congregation that many of his family devotees were using corporal punishment to correct children. He was determined to bring about change.

He devoted the July 1998 edition of *Hinduism Today* to exposing the devastating global phenomenon of corporal punishment of children. He pointed out that corporal punishment in this context involved slapping, spanking, pinching or hitting a child as a means of disciplining the child at home or school,

128 Global Initiative to End All Corporal Punishment of Children (2006), *Ending Legalised Violence against Children: Global Report 2006*, www.endcorporalpunishment.org/pages/pdfs/reports/GlobalReport.pdf

Religious leaders call for ending corporal punishment of children

Corporal punishment is widespread in madrassahs and in secular primary schools and within families in the Islamic Republic of Mauritania, where it is considered an effective educational method. UNICEF Mauritania analysed the situation in order to find the best way to address the problem. Given the pre-eminent position of religious leaders in the Islamic Republic of Mauritania, partnership with the Imams and Religious Leaders Network for Child Rights was considered an appropriate starting point.

The Network of Imams carried out a study to assess whether corporal punishment is allowed in Islam. It concluded that violence has no place in the Quran and thus in Islam. The results of this comprehensive and unprecedented study formed the basis of a fatwa (religious edict) barring physical and verbal violence against children in the educational system and in the home.

A regional workshop to validate the study was held in April 2009, in Atar. Participants included 30 Imams from the Adrar and Inchiri regions, as well as UNICEF Representative in Mauritania, Christian Skoog.

It was recommended that the fatwa should be widely disseminated in Mauritania – in schools, madrassahs, Mosques and families – and internationally promoted to gain a consensus in the Islamic world, clarifying once and for all the stance of Islam towards corporal punishment against children:

“We have to use this fatwa prohibiting corporal punishment as a powerful tool to disseminate and put an end to violence in mahadras, schools and religious events.”

(Christian Skoog, quoted by UNICEF, 6 May 2009, www.unicef.org/infobycountry/mauritania_49593.html)

The fatwa states:

“... it is necessary to desist immediately and finally from beating children, regardless of the pretext given. This is not only required by law and piety, or in accordance with the principles and purposes of the glorious shariah, but it is also essential for the good of the child, the educator, the family and society. It is also necessary to adopt scientific educational methods in the upbringing of children following the example provided by the first educator and teacher, Mohammad may God be merciful to him, whose teachings are all kindness, love and goodness.”

(*On the Prohibition of Excessive Child Beating in Islamic Shariah (Law): Abstract of a Comprehensive Social, Educational and Legal Study of the Negative Impact of Child Beating, and the Rules Governing it in Islamic Shariah (Law)*, Prepared by Professor Imam Hadd Amin Ould Al-Saleck, Imam of the Old Mosque, Nouakchott, and President of the Imams and Ulema Coalition for the Rights of Women and Children in Mauritania, June 2009)

Suggested action for NGOs

The following actions could be taken by NGOs to engage with religious leaders.

- Work in cooperation with local religious leaders and community groups to survey the prevalence of corporal punishment in families and wider community settings.
- Create awareness in the community about the harmful effects of corporal punishment on children.
- Encourage religious leaders to express disapproval of corporal punishment and offer appropriate guidance, information and resources to parents and adults to end all corporal punishment.
- Develop information, training and resources in partnership with local religious communities and ask religious leaders to ensure that their traditions, rituals and rites of passage are respectful of children and do not involve any forms of violence.
- Use examples of initiatives from other religious communities as tools to encourage positive action towards eliminating corporal punishment.
- Work with religious groups to develop a high standard of support and care for children who have suffered violence.

- Encourage religious leaders to promote positive, non-violent discipline and conflict resolution for future parents during marriage preparation, and at birth celebrations and registration.
- Invite religious leaders to take action and sign up to campaigns supporting law reform.
- Encourage those religious groups which have already taken a stance against domestic violence against women to extend it to children. Encourage them to campaign for an end to all violence against women and children.

b) ... as leaders of faith-based organisations

Religious organisations form an essential part of the cultural identity of a community. Religious organisations, schools and charities have often developed very effective ways of reaching out to large numbers of people not served by other groups, using community development principles of trust-building and empowerment. Many offer practical help and support as well as spiritual guidance. Religious leaders and those in faith-based welfare organisations often work with and offer their services to people from the different cultures and traditions represented in their communities, including minority and indigenous communities.

Leaders of religious organisations are uniquely positioned to model respect for children and be in the forefront of actions to prevent and eliminate violence against children. They can take a leading role in implementing child protection policies and ensuring staff receive high quality training and facilitating children's meaningful participation. They also have opportunities in the religious institution, during contact with parents, for awareness raising, education and the promotion of change and reform in attitudes towards children.

Protecting children in madrassahs

In collaboration with other religious organisations, the Muslim Parliament of Great Britain produced a Guideline Report, *Child Protection in Faith-Based Environments*. The report highlights the dangers of widespread physical punishment as a form of discipline in madrassah education:

“Physical punishment does not effectively deter the repetition of the undesirable behaviours; rather, it teaches children that violence pays, and may lead to aggressive, anti-social behaviour in later childhood/adulthood. Instead, research suggests that positive, non-violent discipline is the key to better behaved children, and by consequence, a better behaved society.”

The Report (at www.muslimparliament.org.uk/Documentation/ChildProtectionReport.pdf) aims to break the silence about violence against children in madrassahs and recommends the implementation of a national child protection strategy in all madrassahs in the United Kingdom and transparency and accountability of policies and procedures.

No more smacking for Māori

There is no single way of working with different communities and cultures, but using community development principles of trust building and empowerment, building on the knowledge and skills of people and their communities, is an effective way of working with and involving communities in eliminating corporal punishment of children. It involves understanding the culture and history of the roots of violence in the community, challenging it and focusing on and building on existing community strengths to find solutions. It is also an important step towards achieving community accountability and implementation of the law.

A successful example of this approach is found in the work of The Venerable Hone Kaa, a Christian priest in Aotearoa, New Zealand, who has been working with Te Kahui Mana Ririki on the project “Papaki Kore: No smacking for Māori”.

Māori are New Zealand's first settlers. They journeyed to Aotearoa from other Pacific Islands over 700 years ago and comprise 14% of the population. Early records suggest that Māori children led peaceful domestic lives compared with British settlers who arrived in the nineteenth century. The Rev Samuel Marsdon, a nineteenth century English born Anglican cleric and prominent member of the Church

Missionary Society, wrote of Māori domestic life: “I saw no quarrelling while I was there. They are kind to their women and children. I never observed either with a mark of violence upon them, nor did I ever see a woman struck.” (Quoted in Wood, B. et al., 2008, *Unreasonable Force: New Zealand's journey towards banning the physical punishment of children*, Save the Children New Zealand, 21-22)

Early Māori writers also suggested that Māori never beat their children and were always kind to them.

Contemporary writers believe adults were respectful of children: “Our people did not hit their tamariki (children). That only came about through colonisation and through Christianity.” (MP Tariana Turia, quoted at www.biggie.co.nz/discussion/smack)

As British settlement increased it appears that many Māori adopted Christianity and began to use the childrearing customs of Christian missionaries and families of settlers who believed in the necessity of corporal punishment.

The Venerable Hone Kaa, in *Papaki Kore: No smacking for Maori – A story told by the Rev Dr Hone Kaa* (http://ips.ac.nz/events/downloads/2009/Rev_Dr_Hone_Kaa.doc), made the following points about Māori child maltreatment (2008):

- “Māori children are four times more likely to be hospitalised as the result of deliberately inflicted physical harm.”
- Māori are twice as likely to experience abuse as other groups
- Rates are trending slightly downwards.”

Te Kahui Mana Ririki is a national Māori child advocacy organisation which is committed to eliminating Māori child abuse and maltreatment in New Zealand. Its primary role is to voice and promote the needs of Māori children and young people at a national level, based on observations of Maori generally. The work is guided by the following values which underpin the strategic plan.

“Self-determination

Primary responsibility for addressing these issues lies with Māori. Over the last twenty years Māori expertise in child maltreatment has increased exponentially. Māori practitioners are now blending generic child protection expertise with Māori models of practice. Any solutions that are developed must come from a Māori base.

We have the leadership and professional expertise in place to develop strategies to eliminate Māori child maltreatment and ensure the ongoing wellness of our ririki.

The centrality of tradition

Historical accounts indicate that Māori were invariably kind and nurturing caregivers. This new profile of violence and abuse resonates with the experience of indigenous peoples elsewhere – it is the direct result of power-loss, poverty and cultural alienation. Answers lie in reclaiming traditions and re-constructing a violence-free culture.

Focus on Māori strengths

A combination of unbalanced media coverage, and continual exposure to negative statistics has perpetuated negative stereotypes of Māori. New strategies need to challenge these stereotypes, frame the Māori experience positively, and motivate behaviour change.

Network and collaborate

Māori services and workers are located in a whole range of Māori and mainstream agencies. Any strategies that are developed need to tap into this expertise and plug any gaps that exist.

Whanaungatanga

The concept of whanau [family] is at the core of Māori thinking. Work in Māori child health and maltreatment must strengthen and empower whanau to be violence-free. This work is not the domain of wahine only – tane and ririki must be factored into all strategies and solutions.

Educate and Communicate

There are two main areas of activity required to achieve the changes necessary.

These principles are not new and emerged out of our Māori Child Abuse Hui [meeting] held in Auckland 2007.

Values shift

There is a subtle shift, however. Despite the continuing profile of poor Māori health we no longer see ourselves as victims of something done to us. Rather we are asserting that we have the knowledge and expertise to deal with all of the most complex issues facing our people.

One of the key messages underpinning Nga Mana Ririki was:

‘We must stop blaming colonisation. It is time to take responsibility and heal.

As Māori we must see ourselves as liberated and experts who can wrestle with any critical social issue.’

Suggested action for NGOs:

- Encourage groups and organisations, for example groups gathering for worship, faith-based charities, those working for homeless people, those providing support for people with HIV, and adoption agencies, to appoint a person to coordinate action to prevent all forms of violence against children, including corporal punishment.
- Support faith-based organisations to conduct a survey of child protection policy and procedure. Ensure that the religious setting is zero-tolerant of corporal punishment and that it emphasises this in its policies and procedures.
- Ask how the policies and practices of religious organisations reflect respect for all children, promote equality and raise the status of girls and boys.
- Invite religious organisations to take part in community child protection training activities.
- Offer support and guidance to all people working in religious organisations to ensure there are clear lines of accountability and reporting procedures designed to fully protect children.
- Promote the principles of positive, non-violent discipline and offer training for staff and volunteers.
- Encourage religious leaders and faith-based organisations to initiate and support campaigns for law reform to prohibit corporal punishment. Invite them to sign up to support the global movement to end all corporal punishment of children: www.endcorporalpunishment.org.

c) ... as teachers and scholars

Religious texts and teachings which demonstrate respect for children can be effective tools for changing attitudes.

Religious teachers and scholars have standing and authority to study religious practices, explain the history and context of religious texts and interpret them in the light of the core values of the religion. They can dispel the myths and misunderstandings that perpetuate violations of children's rights through harmful traditional practices and the misuse of scriptures to condone violence, including corporal punishment in childrearing.

Teachers and scholars have both power and influence to support change and develop resources to enable religious communities to take action to eliminate corporal punishment.

Asian teachers learn to encourage not punish

Catholic teachers from Bangladesh, India, Pakistan and the Philippines attended a workshop on how to promote peace and non-violence in the classroom. The workshop was run at the Catholic Bishops' Conference Centre in Dhaka July 2010 by the Catholic Teachers' Team Movement (CTTM). CTTM is a forum of Catholic teachers covering 40 countries. Joan Avellano, coordinator of CTTM Philippines, said that if students are abused physically and mentally, the whole point of education will be lost on them. Archbishop Paulinus Costa of Dhaka told the gathering that teaching in a pleasant and non-violent way is vital for the future of students:

"Church schools are renowned for good education. Teachers must be role models in promoting peace and non-violence."

(Quoted in *CathNews India*, 4 August 2010, www.cathnewsindia.com/2010/08/04/asian-teachers-learn-to-encourage-not-punish/)

Archbishop bans corporal punishment in Catholic school

Since 1951 teachers and administrators of Saint Augustine High School in New Orleans have used an 18-inch-long wooden paddle, known as "the board of education", to administer punishment to students. Archbishop Gregory Aymond appointed Dr Monica Applewhite, an expert in safe environment training and child protection to represent the archdiocese to review the school's practices. Dr Applewhite reported that the school's corporal punishment was both excessive and unreasonable and the school did not have effective safeguards to prevent future abuse. She reported that at least three students were taken to hospital after being paddled. There were also instances of students being paddled day after day and more than five or six times a day. In spite of overwhelming support for the practice by parents and students and members of the community, Archbishop Aymond and Fr Edward Chiffrieller, who heads the school's board of trustees, ordered an end to corporal punishment.

Archbishop Aymond stated: "I do not believe the teachings of the Catholic Church, as we interpret them today in 2011, can possibly condone corporal punishment." The Archbishop explained: "My image of Jesus is that he said: 'Let the children come to me.' I cannot imagine Jesus paddling anyone." (Quoted in EWTN Catholic Global Network, Catholic News Agency, 9 March 2011, www.ewtn.com/vnews/getstory.asp?number=112010)

After a public meeting with the school's parents and alumni during which the Archbishop was asked to lift the ban on corporal punishment, the Archbishop said that physical punishment is banned in all Catholic schools for theological and psychological reasons: "It saddens me that any school in the archdiocese uses corporal punishment.... It doesn't foster a positive self-image. I don't think it's what the Catholic Church should be doing. And it's not what Jesus would do." (Quoted in *Houston Belief*, 10 March 2011, www.chron.com/disp/story.mpl/life/religion/7466558.html)

Religious leaders in Norway take action to clarify the understanding of religious texts

Church leaders in Norway have agreed that a revision of the Bible should replace the word "chastisement" in the Old Testament book of Proverbs with more appropriate language reflecting its original and intended meaning.

In January 2008 the Bishops' Conference of Norway issued a statement:

"Today the word 'chastisement' has acquired a meaning that differs from its original intended meaning. In modern Norwegian usage, the word 'chastisement' is virtually synonymous with corporal punishment. Today this word is unsuitable for reflecting what is involved when the Bible speaks of parents' responsibility to raise and guide their children."

The Bishops continued:

"We urge those working in the Church to devote greater attention to violence against children – in their sermons, education and guidance. Men and women working in the Church must point out how such violence represents an infringement of human worth and is in conflict with Christian ethics."

"In the past, corporal punishment was practiced as a part of bringing up children. Today we know that such methods of punishment are destructive and offensive to children. Many have permanent mental or physical injuries from having suffered violence during their childhood."

("Norway: Church supports Bible rethink on corporal punishment", www.crin.org/resources/infodetail.asp?id=16217)

“An MA course on children’s rights has been initiated in the Teacher Training University in Iran. UNICEF is helping us with methods and regulations practiced in various countries. We can focus on such issues in Islam, make proper planning and hold a PhD course on children’s rights. If children’s rights become a specialisation it can really help in culture change. I have a detailed paper on children’s rights that will be published and distributed in universities and religious schools. I also intend to give lectures on this issue in public and at scientific gatherings.”

(Ayatollah Bojnourdi in Iran, speaking in an interview following his attendance at the World Assembly of Religions for Peace, Kyoto, Japan, quoted at UNICEF, Iran Media Centre, August 2006)

Child Theology and cultural relevance

Although references to children are made in all the major sacred texts, they have been largely marginalised by theologians over the last century. But there has been a resurgence of interest in the issue of religion and children’s rights.

A 2008 publication in New Zealand, *A Theology of Children* by the Reverend Nove Vailaau and Dr Elizabeth Clements (www.churchesfornon-violence.org/theology_of_children.pdf), takes as a starting point the United Nations Convention on the Rights of the Child and the statement in its preamble that a child should grow up in a family environment, in an atmosphere of happiness, love and understanding. The publication considers the biblical evidence for attitudes to children, noting the emphasis on a positive, nurturing approach which reflects God’s love. It examines the main biblically-based arguments for corporal punishment and asks: “Can you imagine Jesus smacking a child?”

Arguments are presented for eliminating corporal punishment and developing a theology of children based on love, care and protection. It provides an analysis of Samoan language, proverbs and spirituality to demonstrate the way in which different cultures define parent-child relationships. It looks at the ways in which churches can care for children and promote positive parenting.

“O fanau a manu e fafaga i fuga o laau, a o tama a tagata e fafaga i upu.” (‘The young ones of birds are fed with nectar; the children of people are fed with words.’)

“This proverb recommends that parents teach their children with words (upu), which implies face to face conversation; not through smacking. The comparison to the feeding of young birds with nectar suggests teaching children with warm words, encouraging the development of wisdom and strength.” (page 18)

Suggested action for NGOs and faith-based activists

- Make contact with clergy networks, theological colleges, seminaries, religious training institutes, temples and university departments of theology to create awareness of the impact of corporal punishment.
- Encourage theologians and scholars to study their religious texts and teachings and develop resources which convey non-violent interpretations of texts and teachings misused to condone corporal punishment.
- Ask religious scholars to develop training materials to encourage theological reflection and clarify scriptural interpretation to end religious justification for corporal punishment.
- Inform religious teachers about new resources and developments through bulletins and newsletters.
- Encourage religious teachers to:
 - promote respect for children and non-violence through religious education and the development of liturgies and prayers;

- train theological students to use religious texts in preaching and teaching to promote the core values of the faith including non-violence;
- encourage the development of teaching modules to promote respect for children and the prevention of all forms of violence against children, including corporal punishment.
- Work with religious teachers to develop training resources on children’s rights and draw similarities between religious values and children’s rights.
- Develop ways of raising awareness among children of their rights, in madrassahs, Sunday schools, clubs and other settings. Develop opportunities for children to become fully conversant with the United Nations Convention on the Rights of the Child and raise adult awareness and understanding of the Convention.
- Encourage and resource children to develop peer education initiatives.

» For further sources of information see Section 7.

d) ... as preachers and leaders of worship

Religious leaders can help break the silence which surrounds violence against children through preaching, teaching and writing liturgies and prayers which promote respect for children and non-violence and which help change attitudes towards children and engage congregations in the movement for reform. They can facilitate reflection on theological and social justice issues and take a leading role in ceremonies such as welcoming a new baby into the life of the community.

Christian Prayers

The following prayers are taken from resources published by the Churches’ Network for Non-violence in 2008, *Respecting Children: Resources for Worship* (www.churchesfornon-violence.org/CNNV_booklet.pdf):

*“In the name of God our nurturing Father and protecting mother
We commit ourselves to our children,
To helping them to learn well,
To discover boundaries and to explore safely,
Without fear of being hit or hurt by those they trust;
So we might reflect God’s gentle love
For them, for us and for all his world.”*

Aiden Platten and colleagues

*“God of love and compassion
We seek justice for children.
Help us
protect children
support parents
sustain our lawmakers
to end legalised violence against children
for the risen Christ.”*

Churches’ Network for Non-violence

“Our Prophet Mohammed is our role model and he never hit anyone, neither child nor adult. The Prophet Mohammed taught us that for seven years we shall play with our children. For seven years we shall teach them. And for seven years we shall be their friend and companion.”

(Abdallah Salah, Chairman of the Islamic Association in Stockholm, quoted in Modig, C., 2009, *Never Violence – Thirty Years On From Sweden’s Abolition of Corporal Punishment*, Government Offices of Sweden & Save the Children Sweden, 27)

Suggested action for NGOs and faith-based activists

Encourage religious leaders to:

- plan religious services, vigils and events appropriate for different faith traditions. Dedicate the event to ending all violence against children, including corporal punishment. Involve children meaningfully in the process;
- ensure religious texts used in worship, religious gatherings, festivals and public events, promote respect for the child's physical, spiritual and emotional integrity and do not condone violence against children;
- preach about the negative effects of corporal punishment and explain why corporal punishment is incompatible with the true values of the faith;
- take opportunities during preparation for marriage and religious ceremonies after the birth of a baby and during different stages in a child's life to provide information and resources for parents on positive non-violent discipline;
- provide parenting support for new parents and grandparents;
- hold a public vigil dedicated to ending legalised violence against children. Remember children who have suffered as a result of violence;
- compose prayers and services of healing for those adults who are still suffering as a result of corporal punishment in childhood;
- ensure that religious texts are used to promote positive non-violent discipline and gender equality and not to condone violence against children;
- encourage individuals in the faith community to support law reform in public opinion polls and to sign up support for campaigns to prohibit and eliminate corporal punishment.



» For further sources of information see Section 7.

e) ... as community leaders and activists

Civic duties, public events and community work provide opportunities for religious leaders to speak out about the care and nurture of children. Religious leaders are in a position to work with government bodies, NGOs, human rights organisations and others to eliminate corporal punishment. They can provide input on strategy and implementation of objectives in the communities they serve. They can also be involved in the prevention of corporal punishment through campaigning for legal and social policy change.

Religious leaders often have unique insights into attitudes and cultural practices in their communities and are well-placed to challenge all forms of violence against children. They are also in a position to influence policy and to help people find solutions to combat violence against children in the settings where it occurs.

Grand Ayatollah Abdolkarim Mousavi Ardebili of Iran speaks out against violence against children

Grand Ayatollah took the opportunity to speak out about violence against children on World Children's Day in 2007:

"In the name of God, the Compassionate, the Merciful ...

"World Children's Day offers everyone an opportunity to think about their obligations to children, not just their own children but to all children. It is an opportunity to contribute to efforts to settle their problems. Thank God, the followers of different religions are well familiar with this responsibility.... Boys and girls should be given equal opportunities to tap into their rights to education, healthcare, growth and social contribution. When it comes to the problems of children, silence or denial will only worsen the situation. We need to admit to the bitter reality that violence against children does exist in houses, families, institutions and societies around the world. All means including the lofty instructions of God and the spiritual influence religious leaders wield should be tapped in order to change the situation and eliminate violent behaviour against children."

(UNICEF Media Centre, Islamic Republic of Iran, Message by Grand Ayatollah Abdolkarim Ardebili on World Children's Day, October 8, 2007, www.unicef.org/iran/media_4153.html)

Discussion points for NGOs and faith-based activists

- What is known about the nature and scale of corporal punishment of children in the community?
- How do local laws, customs and traditions affect the protection of both girls and boys from corporal punishment in all the community settings? How far are these influenced by religious views?
- Where culture and tradition are used to justify corporal punishment of children, how can religious organisations be agents for change? What resources do they need for this work?
- Who can provide the scholarship and teaching to challenge religious justification for corporal punishment of children? How do the local laws, customs and traditions affect equal protection of children in all the community settings?
- Disabled children and children of a particular gender can be especially vulnerable to corporal punishment. What are the attitudes of the community towards disabled children or a particular gender?
- Religious leaders have been active in campaigns to end violence against women. How can the issue of corporal punishment be linked with religious teaching and campaign resources on domestic violence?

Suggested action for NGOs

- Work with religious leaders to create awareness in the community about the impact of corporal punishment on children's lives and the urgent need to eliminate it.
- Build links with the community through existing networks, organisations and faith groups.
- Invite faith leaders and organisations to help form a community action group to identify the risks to children and develop a plan of action to address the problem of corporal punishment.
- Enable the participation of children and support and encourage religious leaders and faith-based organisations to make provisions for children to voice their opinions and ensure their voices are heard.

- Approach community organisations and offer to speak about what needs to be done to end corporal punishment. Explain ways in which everyone can play a part and give examples of positive action by all other concerned organisations.
- Work with religious leaders to plan a community event to bring people together and develop partnerships for working together to eliminate corporal punishment.
- Collaborate with religious leaders to develop appropriate resources and information on positive non-violent discipline.
- Encourage religious leaders to use opportunities during public events, religious festivals and international days to speak out about violence against children including corporal punishment.

“Our religions share principles of compassion, justice, love and solidarity that are great strengths in dealing with the difficult presence of violence in human society.”

(A Multi-religious Commitment to Confront Violence against Children (the Kyoto Declaration), Eighth World Assembly, Religions for Peace, Kyoto, Japan, August 2006, preamble)

Summary of Section 6

Eliminating and prohibiting corporal punishment of children calls for a radical change of attitude towards children as people in their own right and it requires urgent action to end the suffering of children who endure corporal punishment and other humiliating treatment.

Through their varied roles and functions, religious leaders have the power, influence, and moral standing to play a pivotal role in addressing the issue, ending harmful traditional practices and leading campaigns to bring about the changes and reforms needed to transform the lives of children.

The universal values of compassion, justice and non-violence transcend theological and denominational differences and form a sound basis for engaging with religious leaders and their communities towards ending legalised violence against children.

They have an important role in engaging with and encouraging people at all levels of the community to play key roles in ending corporal punishment, including children.

Examples of positive action taken by religious leaders and their communities can be used as tools to encourage others to speak out and work towards reform.

Resources



Section 2: Corporal punishment of children – a global problem

The prevalence of corporal punishment

UNICEF (2010), *Child Disciplinary Practices at Home: Evidence from a Range of Low- and Middle-Income Countries*, New York: UNICEF, www.childinfo.org/discipline.html

Research pages of Global Initiative website: www.endcorporalpunishment.org

Children's perspectives

“Stop Smacking”, a website for children which describes child-led research, explores what makes taking action difficult for children and ways to overcome difficulties, and answers common questions: www.endcorporalpunishment.org/children

Young children speak out about smacking: www.childrenareunbeatable.org.uk/children/

Publications for children and young people

Safe Me and Safe You – Violence is not OK, Save the Children, 2006

Stop Hitting: Banning All Corporal Punishment of Children – Questions and Answers, Global Initiative to End All Corporal Punishment of Children, 2009, www.endcorporalpunishment.org/pages/pdfs/FAQ-Children-English.pdf

United Nations Report on Violence against Children, Adapted for Children and Young People, and Our Right to Be Protected from Violence, available to download at www.unicef.org/violencestudy/childfriendly.html

The importance of legal reform

Eliminating violence against children – A handbook for Parliamentarians, Inter-Parliamentary Union and UNICEF, 2007, www.ipu.org. The handbook describes the legal and other measures necessary for effective prohibition and elimination of corporal punishment. There are also online resources to support the handbook.

Prohibiting corporal punishment of children – A guide to legal reform and other measures, Global Initiative to End All Corporal Punishment of Children, 2009, www.endcorporalpunishment.org/pages/pdfs/LegalReformHandbook.pdf

Campaigns Manual – Ending corporal punishment and other cruel and degrading punishment of children through law reform and social change, Global Initiative to End All Corporal Punishment of Children and Save the Children Sweden, 2010, www.endcorporalpunishment.org/pages/pdfs/CampaignsManual2010.pdf

Progress towards prohibition worldwide

Ending legalized violence against children: Global report 2010, Global Initiative to End All Corporal Punishment of Children, www.endcorporalpunishment.org/pages/pdfs/reports/GlobalReport2010.pdf

Section 3: Children's right to protection from corporal punishment

The UN Secretary-General's Study on Violence against Children

www.unicef.org/violencestudy/ The site has links to a number of resources including the *World Report on Violence against Children*, a photo essay *Stopping the Violence*, and a video *Youth against violence*, with contributions from young people in India, Philippines, Romania, Venezuela and Zambia.

A Child Friendly Report and Video, *Youth against violence*, can be downloaded at www.unicef.org/violencestudy/responding.html

Section 4: Religious perspectives

Responding to faith-based opposition

Abolishing corporal punishment of children – Questions and Answers, Council of Europe Publishing, <http://book.coe.int>

Prohibiting all corporal punishment of children – Frequently asked questions, Global Initiative to End All Corporal Punishment of Children, 2009, www.endcorporalpunishment.org/pages/pdfs/FAQ-Adults-English.pdf, also available in French and Spanish at www.endcorporalpunishment.org

Campaigns Manual – Ending corporal punishment and other cruel and degrading punishment of children through law reform and social change, Global Initiative to End All Corporal Punishment of Children and Save the Children Sweden, 2010, www.endcorporalpunishment.org/pages/pdfs/CampaignsManual2010.pdf

Positive non-violent discipline

Durrant, Joan, *Positive Discipline: What it is and how to do it*, Save the Children, 2009. Download the manual, executive summary and a video interview with the author at: www.endcorporalpunishment.org/pages/news/pos-disc-manual.html

Grille, Robin, *Parenting for a Peaceful World*, Longueville Media, 2005. The video *Parenting for a peaceful world* by Robin Grille, a psychologist, is narrated by Ajas Swafford aged 10 and can be viewed at www.naturalchild.org/videos/parenting_peaceful_world.html. It traces the history of the violent treatment of children from early times and discusses the negative effects of violence on generations of children. It ends with a call to prohibit corporal punishment of children.

Whitehurst, Dr T., *How would Jesus raise a child*, Baker Books, Michigan, 2003

Faith-based support for prohibiting and eliminating corporal punishment of children

Children in Islam: Their care, upbringing and protection, Al-Azhar University in cooperation with UNICEF, 2009, available at www.churchesfornon-violence.org (Multi-Religious Resources)

From Commitment to Action: What Religious Communities Can Do To Eliminate Violence against Children, Religions for Peace and UNICEF, 2010, available at www.religionsforpeace.org/resources/toolkits/

Vailaau, N., *A Theology of Children*, Barnardos and the Royal New Zealand Plunkett Society, 2009, www.barnardos.org.nz/AboutUs/theology_of_children.pdf

Other resources for this section

Browning, Don and Bunge, Marcia J., (Eds), *Children and Childhoods in World Religions: Primary Sources and Texts*, Rutgers University Press, New Jersey, 2009

Ocean is a free digital library of the world's religions. Major religious texts can be searched by phrase or word in six languages, www.bahai.education.org/ocean/

Section 5: Working with faith groups to achieve reform

Facilitating children's participation

Children's Actions to End Violence against Girls and Boys – A contribution to the United Nations Study on Violence against Children, Save the Children, 2005

Willow, Carolyne, *Children's Right to be Heard and Effective Child Participation*, Save the Children, Sweden, 2010, <http://seap.savethechildren.se>

Milne, Elinor, *Guide to children and young people's participation in actions against corporal punishment*, Global Initiative to End All Corporal Punishment of Children, 2011, www.endcorporalpunishment.org/pages/pdfs/Participation_guide_March_2011.pdf

Section 6: Taking action through religious leaders' existing roles and functions

As preachers and leaders of worship

Respect Children - Resources for Worship, liturgies prayers, readings and notes, available at www.churchesfornon-violence.org

Websites

Churches' Network for Non-violence, www.churchesfornon-violence.org – works with others to end all corporal punishment of children; website contains multi-religious resources for download.

CRIN – Child Rights Information Network, www.crin.org – a network of child rights organisations working to improve the lives of children.

Global Initiative to End All Corporal Punishment of Children, www.endcorporalpunishment.org – aims to speed the end of corporal punishment of children across the world. The website contains information on all aspects of prohibiting corporal punishment of children including an up-to-date account of global progress; regional and national reports on the legality of corporal punishment in the home, schools, penal systems and alternative settings; research, resources, including positive discipline and a website for children. Publishes a bi-monthly e-newsletter on progress towards prohibition worldwide, including information on latest developments, new resources and research, and the work of human rights treaty bodies in relation to corporal punishment (to subscribe email info@endcorporalpunishment.org)



itting people is wrong – and children are people too. Corporal punishment breaches children’s fundamental rights to respect for their human dignity and physical integrity. Its legality breaches their right to equal protection under the law. Urgent action is needed in every region of the world to respect fully the rights of all children – the smallest and most fragile of people. This Handbook builds on the growing support among religious leaders and faith communities for prohibition and elimination of corporal punishment of children and aims to inform and help those working with and within religious communities to pursue reform.

CNNV Churches’ Network for Non-violence

The **Churches’ Network for Non-violence** was formed to broaden religious support for law reform to end corporal punishment and other cruel and humiliating forms of violence against children and to challenge faith-based justification for it. CNNV aims to work with others towards developing a network of support, practical resources and information and to encourage religious communities to play an active role in the movement for reform.

www.churchesfornon-violence.org

Email: info@churchesfornon-violence.org



Global Initiative to
**End All Corporal Punishment
of Children**

The **Global Initiative** was launched in Geneva in 2001. It aims to act as a catalyst to encourage more action and progress towards ending all corporal punishment in all continents; to encourage governments and other organisations to “own” the issue and work actively on it; and to support national campaigns with relevant information and assistance. The context for all its work is implementation of the Convention on the Rights of the Child. Its aims are supported by UNICEF, UNESCO, human rights institutions, and international and national NGOs.

www.endcorporalpunishment.org

Email: info@endcorporalpunishment.org

Save the Children has made a significant contribution to the UN Study on Violence against Children, including advocating the prohibition of corporal punishment in all settings, including the home, and has supported children and young people to consolidate and advocate this key message. The work has raised Save the Children’s profile as a key agency addressing violence against children worldwide. In 1979 Save the Children contributed to Sweden becoming the first country to explicitly ban corporal punishment. It is currently working to highlight the issue in many other countries and cooperating with organisations to put the issue of corporal punishment on the political agenda around the world.



Save the Children

Sweden

<http://resourcecentre.savethechildren.se>

Email: info@rb.se