

Against Corporal Punishment – Moving Toward Constructive Child Discipline

A UNESCO PUBLICATION Executive Summary

This publication clarifies the human rights imperative and logical dictates of child development knowledge for eliminating corporal punishment of children. It provides guidance for selecting and applying constructive disciplinary practices that respect the human dignity of children. The publication was commissioned by UNESCO's Education Sector. .

The publication includes three major sections: 1 The Human Rights Imperative for Ending All Corporal Punishment of Children; 2 Corporal Punishment: Prevalence, Predictors and Implications for Child Behavior and Development; and 3 The Way Forward to Constructive Child Discipline.

1 The human rights imperative for ending all corporal punishment

The section outlines in detail the human rights standards that require prohibition of all corporal punishment. Hitting people violates their fundamental rights to respect for their physical integrity and human dignity, as set forth in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. Children are people too and equal holders of human rights.

This is confirmed in the United Nations Convention on the Right of the Child, which is also the first international instrument to require protection of children from “all forms of physical or mental violence” (article 19). The Committee on the Rights of the Child, Treaty Body for the Convention, has consistently interpreted it as requiring prohibition of all corporal punishment, including in the family. It has emphasized this in its concluding observations on reports from more than 130 states, in the conclusions of two days of General Discussion on violence against children (in 2000 and 2001) and in its first General Comment on “The Aims of Education”.

Condemnation of corporal punishment on the basis of the child's human rights, quoting the Convention and the Committee on the Rights of the Child, has been expressed by other human rights bodies and by judgments of high-level courts in all continents.

Abolition of corporal punishment in schools and other institutions and in penal systems for young offenders is accelerating in all continents and is complete in Europe (although enforcement may not be consistent). The banning of corporal punishment by parents and all caregivers, begun in Sweden 50 years ago, has spread to at least 12 countries.

2 Corporal Punishment: prevalence, predictors and implications for child behaviour and development

Corporal Punishment is counterproductive, relatively ineffective, dangerous and harmful according to research findings.

Corporal punishment has not been found to be an effective means of achieving positive long-term developmental outcomes, such as moral internalization or social problem-solving. Corporal punishment threatens the physical well being of the child. Physical harm is a repeated risk,

particularly for young children, and the more often it is used the more likely it is to progress to severe forms of violence.

Corporal punishment has been found to be consistently related to poor mental health; including depression, unhappiness, anxiety, and feelings of hopelessness in children and youth. Corporal punishment is a risk factor for relationship problems, including impairment of parent-child relationships, increased levels of aggression and anti-social behaviour in children, raised thresholds for defining an act as violent, and perpetration of violence as an adult, including abuse of one's family members.

Factors most strongly associated with use of corporal punishment by a caregiver are approval of corporal punishment, experience of physical punishment as a child, anger reactions to conflict with the child; attributions of the child's behaviour to willful defiance, and marital and parenting stress.

3 The way forward to constructive discipline

Established human rights standards require abolition of all corporal punishment, and the evolving understanding of child development and social environments add strong arguments against corporal punishment and other destructive punitive practices, including psychological maltreatment. The Convention on the Rights of the Child provides a vision and accompanying set of standards for the goals of child behaviour and development that have achieved international and cross-cultural acceptance and commitment.

The following principles, derived by combining principles in the Convention on the Rights of the Child with understanding of child development, are offered to guide the selection and development of constructive discipline practices:

- Respect the child's dignity
- Develop pro-social behavior, self-discipline, and character
- Maximize the child's active participation
- Respect the child's developmental needs and quality of life
- Respect the child's motivational characteristics and life views
- Assure fairness and transformative justice
- Promote solidarity

In this section, an international panel of experts presents descriptions some of the constructive discipline orientations and practices known to be applied in Asia, Africa, Europe, the Middle East, and South America. They include: involving learners and their parents in decisions about codes of conduct and associated practices (Shirley Mabusela); providing guidance in the selection of positive models in peers and classmates (Hassan Qasem Khan); family meetings and inter-generational dialogue (Elizabeth Protacio-de Castro); rendering services to the community to rectify rule infractions (Benedito Rodrigues dos Santos); and exploring ethical-moral meanings and implications in current events (Nora Katona). Additionally, two experts on Indigenous peoples provide descriptions of constructive child rearing and discipline orientations and related practices for peoples they know well, including the provision to young children of a mentor among the older youth who gently guides them into the practices and norms of good behaviour appropriate for their age and status (Anastasia Pinto) and reinforcement of connectedness to each other and the community through guided observation and the words and advice of elders (William A. White/Xalemuxw/Kasalid).

Further information on a wide variety of constructive discipline practices is provided by examples from and reference to Internet sources (compiled by the Global Initiative to End All Corporal Punishment of Children: www.endcorporalpunishment.org).

Conclusion

Corporal punishment of children breaches children's fundamental human rights. It has been found to be a threat to the healthy development and welfare of children and their societies, and an ineffective form of discipline or control. Constructive, non-violent, child discipline is needed. It should be formulated and applied in a manner that respects the human dignity and rights of the child and understanding of child development. Positive, non-violent ways of discipline and child rearing are being promoted and applied in all regions and cultures. Supportive information, resources and guidance for achieving constructive discipline and child rearing are available. They should be promoted and made readily accessible to families, schools and communities throughout the world.

Authors and Editor

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A panel of international experts provided review and advice for all sections of the publication and contributed material on constructive disciplinary practices:

- Shirley Mabusela, Trustee of the Nelson Mandela Children's Fund; on the Boards of the Centre for Human Rights of the University of Pretoria and the Human Rights Institute; consultant for a ten year review of government performance for the Office on the Rights of the Child in the Presidency of South Africa; served as Chief Commissioner of the South African Human Rights Commission, with Primary Responsibility for Children's Rights; instrumental in establishing a focal point for children at the South Africa Human Rights commission; served as expert for study on HIV/AIDS commissioned by the Nelson Mandela Foundation and the Nelson Mandela Children's Funds.
- Elizabeth Protacio-de Castro, Associate Professor, Department of Psychology and Head of Program on Psychosocial Trauma and Human Rights, Center for Integrative Development Studies University of the Philippines, Former President and presently Member of the Board, National Association for Filipino Psychology, Founder and First Executive Director of the Children's Rehabilitation Center, Member of the NGO Advisory Panel for the UN Study of Violence Against Children
- Hassan Qasem Khan, Yemen Psychological Association, member of Yemen's National NGO to Child Rights Care, Chief of the Department of Behavioral Sciences at Aden University, Regional Vice-President of the World Federation for Mental Health, Member of the NGO Advisory Panel for the UN Study of Violence Against Children;
- Benedito Rodrigues dos Santos; University Professor of Anthropology and coordinator for the Research Center on Childhood, Adolescence, and Family at the Catholic University of Goiás State, Brazil; Consultant to UNICEF regarding child labor and street children in Brazil; an activist for children's rights, co-founder and member of several Brazilian organizations, including the Brazilian National Movement of Street Boys and Girls (MNMMR) and the National NGO forum in Defense of Children's Rights (DCA); and
- Nora Katona, Research Fellow of the Psychology Institute and the International Relations Officer and Coordinator of the Socrates and Erasmus Exchanges, Eotvos Lorand University, Hungary; Past-President of the Hungarian School Psychology Association; President-Elect of the International School Psychology Association.

Two experts provided descriptions of constructive discipline practices among Indigenous peoples in India and British Columbia.

- Anastasia Pinto, director of the Centre for Organization Research and Education (CORE)/World Coalition for Indigenous Children and Youth in India, an Indigenous Peoples' rights organization working on the Convention on the Rights of the Child and its optional protocols and the participation of indigenous children and youth.
- William A. White/Xalemuxw/Kasalid, the Indigenous Liaison Officer of the University of Victoria, Victoria, British Columbia.