

He could have talked to me ...



**Ending Corporal
Punishment of Children**

in Mozambique



Save the Children's mission is to inspire breakthroughs in the way the world treats children, and to achieve immediate and lasting changes in their lives.

Our vision is a world in which every child attains the right to survival, protection, development and participation.

Published by:

Save the Children Sweden
Regional Office for Southern Africa
P o Box 13993
Hatfield
Pretoria, 0028
Telephone: +27 (0)12 342 0222
Fax: +27 (0)12 342 0305
Web: <http://www.rb.se>

Copyright Save the Children Sweden

Published in July 2010

Author:

Ms Deidre Kleynhans, Save the Children Sweden, Pretoria

Research conducted on corporal punishment in Mozambique during 2009 was done with Save the Children Mozambique and Rede Came.

Designed by:

Save the Children Sweden

Drawings inside the publication:

Children who participated in the survey on children's views and experiences of corporal and humiliating punishment discussed in chapter 5 drew the pictures inside this publication.

ISBN: 978-0-620-46193-1

To order additional copies please contact Save the Children Sweden Regional Office for Southern Africa or Save the Children in Mozambique.

Ending Corporal Punishment of Children **in Mozambique**

“He could have talked to me...”

December 2009

TABLE OF CONTENT

| | |
|---|----|
| 1. INTRODUCTION | 3 |
| 2. DEFINITION OF CORPORAL AND OTHER FORMS OF HUMILIATING AND DEGRADING PUNISHMENT OF CHILDREN | 4 |
| 3. WHY IS CORPORAL AND HUMILIATING PUNISHMENT OF CHILDREN WRONG? | 5 |
| 4. CHILDREN'S VIEWS OF CORPORAL AND OTHER FORMS OF HUMILIATING AND DEGRADING PUNISHMENT | 8 |
| 5. MOZAMBIQUE'S INTERNATIONAL OBLIGATIONS | 12 |
| 6. MOZAMBIQUE'S NATIONAL LAWS | 14 |
| 7. FREQUENTLY USED ARGUMENTS JUSTIFYING CORPORAL PUNISHMENT | 15 |
| 8. ALTERNATIVES TO CORPORAL AND OTHER FORMS OF HUMILIATING AND DEGRADING PUNISHMENT | 20 |
| 9. RELIGION AND CORPORAL PUNISHMENT | 22 |
| 10. CONCLUSION AND RECOMMENDATIONS | 24 |
| USEFUL CONTACTS | 27 |
| END NOTES | 28 |

ABBREVIATIONS

| | |
|-------|--|
| ACRWC | African Charter on the Rights and Welfare of the Child |
| CBO | Community-Based Organisation |
| CRC | UN Convention on the Rights of the Child |
| NGO | Non-Governmental Organisation |
| UN | United Nations |

1. INTRODUCTION

*“I would've liked him to ask me why I didn't wash the pot,
before he started hitting me. He should have found out why
I didn't wash it. He could have talked to me...”¹*
Girl, Maputo

As in so many other countries in the world, many children in Mozambique suffer corporal and other forms of humiliating and degrading punishment in the home, in the school and in different institutions.

As at November 2009, only 25 countries worldwide have adopted legislation to prohibit corporal punishment of children². In addition, a number of countries have outlawed corporal punishment of children in schools and other institutions. The global movement to reverse the culture of corporal and other forms of humiliating and degrading punishment of children is gaining momentum. It is based on a growing understanding of children as holders of rights, and the growing body of evidence from medical, educational and psychological authorities on the negative effects of corporal punishment and its ineffectiveness as a method of discipline.

Corporal punishment of children violates children's human rights to physical integrity and human dignity, as upheld by the UN Convention on the Rights of the Child (CRC) and the African Charter on the Rights and Welfare of the Child (ACRWC). The Mozambican Constitution provides in Article 40 that “[a]ll citizens have the right to life, physical integrity and cannot be subject to torture, cruel and inhumane treatment “. The reference to citizens includes children.

It is the obligation of all states around the world to ensure that children's right to a life free from violence, including from corporal and other forms of humiliating and degrading punishment, is protected. Children's right to a life free from violence also extends into the private life and home of the child.

Defenders of corporal punishment suggest that children are different. But their differences - their dependence, developmental state and fragility - do not reduce their human rights or justify less protection from all forms of violence, including corporal punishment³.

This publication aims to provide information about corporal and other forms of humiliating and degrading punishment of children in Mozambique. It outlines international obligations to prohibit corporal punishment of children and to engage in public education. It provides recommendations on steps to be taken by the government and civil society to ensure that the culture of corporal and other forms of humiliating and degrading punishment of children is replaced by positive, non-violent forms of discipline based on respect for children's rights.

In this publication, a child is referred to as a person below the age of 18 years in accordance with the CRC.

2. DEFINITION OF CORPORAL AND OTHER FORMS OF HUMILIATING AND DEGRADING PUNISHMENT OF CHILDREN

The UN Committee on the Rights of the Child 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”⁴.

Most corporal punishment 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 Committee's view, corporal punishment is invariably degrading.

Corporal punishment and other cruel or degrading forms of punishment of children take place in many settings, including within the home and family, in all forms of alternative care, schools and other educational institutions and justice systems - both as a sentence of the courts and as a punishment within penal and other institutions - in situations of child labour, and in the community.

*“I get beaten with a stick at home because I am too agitated.”*⁵

Boy, Manica

In addition, there are other non-physical forms of punishment that are humiliating, cruel and degrading and thus incompatible with the UN Convention on the Rights of the Child. These include, for example, punishment which belittles, humiliates, denigrates, scapegoats, threatens, scares or ridicules the child. It is important to note that there is no clear line between corporal punishment and humiliating or degrading punishment. Very often children perceive corporal punishment as also being humiliating or degrading.

*“My father shouts at me and says I am stupid.”*⁶

Boy, Manica

*“My mother shouted at me because I was late from getting water. I felt embarrassed as the other children were there. She called me very bad names.”*⁷

Girl, Maputo

Non-corporal forms of punishment, such as making children do heavy physical labour or staying in degrading or uncomfortable positions, also constitute corporal punishment.

A range of different words are used to describe the use of physical force against children. Common examples are hitting, slapping or smacking, 'a good beating', 'six of the best', a thrashing, or 'a good hiding'.

Very often adults are making statements such as, “I just gave my child a light smack. That is not child abuse, because I know what is best for my child. I only wanted to correct his/her behaviour”. All forms of corporal punishment of children, however light, constitute violence against the child. Corporal punishment is one form of violence against children, or child abuse. It is not a separate method of discipline used by parents, teachers or other care givers as they see fit. In today's society, violence against women and elderly people are not accepted in any form. Why should it be different for children?

While corporal punishment is more visible, emotional punishment in the form of humiliating or degrading punishment is more difficult to identify and confront as forms of child abuse. Disciplining a child by sending him or her outside to stand in the sun for hours, to undermine a child's self-esteem or to deny a child food or clothing is as damaging as different forms of corporal punishment.

“When a boy doesn't work in class, the teacher tells him to collect stones/pebbles and tells him to kneel down on the stones. This happens if a boy is late for class.”⁸
Boy, Maputo

3. WHY IS CORPORAL AND HUMILIATING PUNISHMENT OF CHILDREN WRONG?

Over the last decades, the world has recognized that people are entitled to basic human rights. International and regional bodies such as the United Nations and the African Union have developed standards for the respect of people's basic human rights. Hitting and deliberately humiliating people violate their fundamental rights to respect for their physical integrity and human dignity.

Children are bearers of human rights from the moment of their birth, and they are entitled to physical integrity and human dignity in the same way as adults. Children are human beings that are simply smaller and more fragile than adults.⁹

Corporal and other forms of humiliating and degrading punishment breach children's fundamental human rights to respect for human dignity and physical integrity. This has been confirmed in international human rights instruments such as the CRC and the ACRWC, with similar provisions in the Mozambican Constitution (for further information see Chapters 6 and 7).

Despite being in contradiction with international law, corporal punishment and other forms of humiliating and degrading punishment are in many instances still legalized and socially-accepted forms of violence against children. The low status of children in society and children's lack of power have prevented a complete prohibition of corporal punishment in many countries around the world, including Mozambique.

In addition to breaching children's basic human rights, there is also a body of evidence from medical, educational and psychological authorities on the negative effects of corporal punishment of children.

Studies have shown a significant, positive correlation between the frequency of interpersonal violence experienced as a child and the approval of the use of interpersonal violence as an adult.¹⁰ A South African national household survey also found that parents who agreed with the corporal punishment of children were more likely to experience higher levels of partner violence than parents who disagreed with corporal punishment.¹¹ There is strong evidence that corporal punishment places children at risk of physical injury, poorer mental health, impaired relationships with parents, weaker internalisation of moral values, anti-social behaviour, and poorer adult adjustment.¹²

In Mozambique, interpersonal violence is widespread and conflicts are in many instances resolved by violent means. The use of corporal punishment on children contributes to a perception from an early age that violence is an appropriate response to conflict and unwanted behaviour. It teaches that it is acceptable for powerful persons to be violent towards the weak and to solve conflicts through violence.

A survey among children in Mozambique indicated that the corporal punishment of children can also elicit aggressive feelings.¹³

*“I was late arriving at school and then the teacher grabbed a stick and hit me.
I was embarrassed. Then I felt angry that he hit me in front of the class.”*¹⁴
Boy, Maputo

Research shows that corporal punishment is not an effective way to ensure change of behaviour and discipline among children. If corporal punishment 'works' as a deterrent, it should stop unwanted behaviour among 'difficult' children. However, it has been established that in schools where corporal punishment is used, the same learners are being beaten for the same offences over and over again. Classes with the fewest behavioural problems over time are run by teachers who are committed to non-violent and child-centred approaches to classroom discipline.¹⁵

Corporal punishment works against the process of ethical development. It teaches children not to engage in a particular behaviour because they will be beaten. It does not teach them to consider the reasons and ethics for not behaving in a particular manner.¹⁶

It is also important to remember that a large number of children engage in unwanted behaviour due to practical problems, for example hunger, thirst, lack of rest due to having to walk long distances to school, stressful or abusive family situations, caring for a sick parent or taking care of siblings due to the HIV and AIDS pandemic, or medical problems. By using a 'quick fix' such as corporal and other forms of humiliating and degrading punishment, an adult might miss the opportunity to deal with the actual problem facing the child.¹⁷ This might lead to a situation where children's rights to food, health care and education are violated in addition to their right to physical integrity.

4. CHILDREN'S VIEWS OF CORPORAL AND OTHER FORMS OF HUMILIATING AND DEGRADING PUNISHMENT

Research and surveys on children's views and experiences of corporal punishment and other forms of humiliating and degrading punishment in Mozambique are very limited. The only exception is a quantitative and qualitative survey of 2682 Mozambican children's views and experiences of these forms of punishment in the home and at school. There is a lack of information on children's views and experiences of punishment in child care facilities, prisons, police stations and other institutions.

In 2009, a survey with Mozambican boys and girls aged 6-18 years explored children's experiences, views and feelings in relation to corporal punishment and other forms of humiliating and degrading punishment. The survey had a quantitative component, which included 2682 children from three provinces, and a qualitative component, which included 168 children also from the three provinces. The quantitative component of the survey provides information about the prevalence of corporal and humiliating punishment, about levels of unacceptability of these forms of punishment, and about forms of discipline preferred by children. The qualitative part of the survey on the other hand gives more detailed information about the subject in children's own words and assists in interpreting the quantitative data. The findings of this survey are complex, with variations in how children experience, perceive and respond to these forms of punishment, depending on factors such as socio-economic status¹⁸, age and gender. Within this complexity there are, however, some clear trends.¹⁹

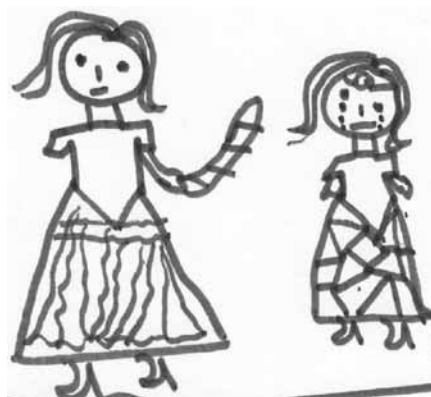
It should be noted that the survey looked at corporal punishment and other forms of humiliating and degrading punishment of children experienced over a period of two weeks. It is important to keep this in mind when comparing the findings of this survey with other surveys, which might have used different time frames.

It is clear from the study that many boys and girls of all ages in Mozambique experience high levels of corporal and other forms of humiliating and degrading punishment in the home and at school. Despite the directive issued by government prohibiting corporal punishment in schools, corporal punishment - in many cases in the form of severe beatings with an object - is reported at school by more children than at home.²⁰

Thirty seven percent of children reported being subjected to corporal punishment in the home during a period of two weeks. Children reported being beaten with hands, sticks and belts.²¹

*"I was hit with a belt and then with a stick. On that day, they told me to wash the dishes."*²²
Girl, Maputo

Boys aged 6-8 years described being beaten for behaviour expected from young children, such as being high spirited and less coordinated. Older boys are most often receiving corporal punishment for not staying at home when told to do so, for staying out late, fighting, or breaking something like a window when playing.



Girls in the age group 6-12 years seem to receive corporal punishment for breaking household goods or for not doing work at home. Children are also beaten for what is seen as a waste of resources. ²³

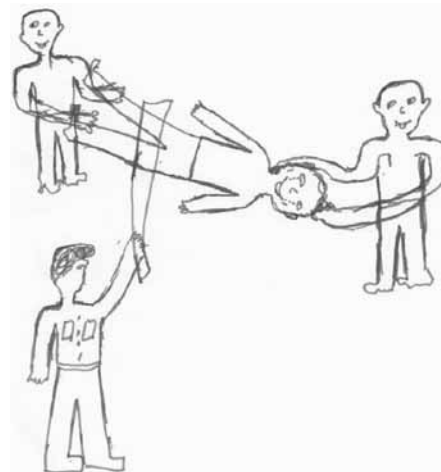
"I get beaten with a stick at home because I am too agitated." ²⁴
Boy, 6-8, Manica

"My mother beat me with a stick. I had not done the sweeping" ²⁵
Girl, Sofala

Thirty five percent of children reported being hit with a hand and 41.2% reported being beaten with an object at school during the two-week period. In schools, children are most often hit with the hand, a stick, a ruler or board duster.

In addition to more traditional forms of corporal punishment and other forms of humiliating and degrading punishment, a trend of punishment emerged that does not involve hitting or beating, but is intentionally designed to cause both physical pain as well as humiliation, and often involved very heavy labour or staying in uncomfortable positions for long periods of time, such as kneeling on stones or sitting like frogs. ²⁶ These kinds of activities constitute excessive physical exercise and are, according to the definition of corporal punishment in Chapter 2, seen as one form of corporal punishment of children. ²⁷

*"Another teacher hits us while we are "hanging".
I: What do you mean "hanging"?
Someone holds your hands, and someone else holds you by
the legs. While you are facing the ground, the teacher
hits you with a stick."* ²⁸
Boy, Maputo



*"The teacher told me to dig a hole 3 meters deep.
I had not done my homework.
It took a very long time to dig I could not get to 3
meters so the teacher shouted at me."* ²⁹
Boy, Sofala

Forty three percent of children reported being exposed to humiliating punishment at home, while 42.4% have experienced this form of punishment at school. Examples of humiliating punishment related to verbal abuse, being singled out, feeling embarrassed especially when others laugh because of punishment being received. ³⁰

*"The teachers they make fun of people from PC (an area). When you get something
wrong they say it's because you are from PC. You feel very bad."* ³¹
Boy, Maputo

Children from low income environments generally experience corporal and other forms of humiliating and degrading punishment to a greater extent than children from high income environments. ³²

One of the explanations for this is that low income households experience more stress and it also appears that stress and associated relationship problems were indicators for corporal punishment in all homes no matter what the income.

Corporal punishment is also used more frequently on younger children (6-8 years) than on older children (9-12 years and 13-18 years). Older children (13-18 years) experience humiliating and degrading punishment to a greater extent than younger children. ³³

The study also found that it is mostly mothers who administer corporal punishment at home. The main reason for this is most likely that mothers have the major daily responsibility for children. At school, corporal punishment is most often administered by teachers. ³⁴

Although the study found no statistically significant difference between boys and girls, there was a small but consistent trend for boys to be subjected to corporal punishment more often than girls. From the qualitative data, more older boys appear to be given punishments in the form of heavy labour than girls. Older girls appear to experience humiliating and degrading punishment in the form of verbal abuse to a larger extent than boys. ³⁵

If children themselves could choose, they would prefer to be disciplined in a non-violent and non-humiliating manner. Approximately 84% of the children found corporal punishment in the home and at school unacceptable. Their sentiment was approximately the same for humiliating punishment, which 87% found unacceptable. ³⁶

The overwhelming majority of children would like parents and teachers to talk to them and explain what they did wrong instead of using corporal and other forms of humiliating and degrading punishment. According to the study, an overall 82% of the children would like adults to talk to them, while 11% of the children would prefer non-violent disciplinary measures in the form of staying in one's room, writing punishment or detention. This indicates that the majority of children (93%) wish to be treated with respect, to have adults listen to them, and to be given a better understanding of what they have done wrong. ³⁷

"My father should have told me not to go out without warning them at home and explained why." ³⁸
Boy, Sofala

"I would've liked him to ask me why I didn't wash the pot, before he started hitting me. He should have found out why I didn't wash it. He could have talked to me..." ³⁹
Girl, Maputo

Seven percent of the children preferred corporal punishment when being disciplined. This option was more favoured among children from low income environments. ⁴⁰ One tragic explanation of this perception could be that these children live in an environment where violent forms of discipline are the norm. These children are so used to violent forms of discipline that they cannot imagine any forms of non-violent solutions. Another explanation could be that corporal punishment is perceived as less painful or tedious than punishment in the form of very heavy physical labour.

Children reported a range of feelings and behavioural responses to corporal and other forms of humiliating and degrading punishment. The survey found that sadness, regret and anger are the most common feelings reported by children in response to corporal and other forms of humiliating and degrading punishment. Anger is a more common reaction in school when the punishment is perceived as unfair. Other reactions reported are “doing nothing”, withdrawal, guilt, crying, loneliness, depression, unhappiness, physical pain and going off their food. Children also tend to accept the disciplinary measures to a larger extent when meted out by an older person. ⁴¹

“My mother beat me with a stick. I broke a plate while washing. It hurt. I cried.” ⁴²
Girl, Manica.

“My teacher beat us because we were making noise in class but it was not all of us. I felt like revenging my beating because the teacher was not fair.” ⁴³
Boy, Maputo

It is worrying to note that a number of children reported aggressive feelings as a reaction to their punishment. ⁴⁴



5. MOZAMBIQUE'S INTERNATIONAL OBLIGATIONS

The UN Convention on the Rights of the Child (CRC)⁴⁵ is an international convention, which covers the specific rights of children under the age of 18 years. All countries in the world except the United States of America and Somalia have ratified the CRC. By doing so, the countries have agreed to implement all obligations set out in the CRC in their respective countries. Mozambique ratified the CRC in 1994.

Article 19 of the CRC protects children from all forms of physical and mental violence. It requires states to 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”.

Furthermore, Article 37(a) provides that, *“...no child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below 18 years of age”.*

Other CRC articles of importance to the protection of children from corporal punishment and other forms of humiliating and degrading punishment are:

- Article 3, which states that the best interest of the child shall be a primary consideration in all actions concerning children,
- Article 6, which requires states to ensure to the maximum extent possible the survival and development of the child,
- Article 28, which requires states to 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, and
- Article 40, which requires that children involved with the juvenile justice system are treated in a manner consistent with the promotion of the child's sense of dignity and worth.

The highest international authority for interpreting and monitoring the CRC, the Committee on the Rights of the Child, has interpreted the Convention to mean that all forms of corporal punishment of children are in contradiction with the CRC, be it in the family, in schools, or in other institutions. In view of this, the Committee has requested states to undertake comprehensive law reforms to prohibit all forms of corporal punishment. The Committee has also proposed that legal reforms be coupled with awareness-raising and education campaigns on positive discipline to support parents, teachers and others. States that have ratified the CRC have to submit reports to the Committee to describe how they are implementing the Convention.⁴⁶

In examining Mozambique's first report on the implementation of the Convention in 2002, the Committee requested Mozambique to prohibit by law the use of corporal punishment in schools, care institutions and in the family. It furthermore requested Mozambique to reinforce its public awareness campaigns to promote positive, participatory, non-violent forms of discipline as an alternative to corporal punishment at all levels of society.⁴⁷

The African Charter on the Rights and Welfare of the Child (ACRWC), which is a regional charter specific for Africa, also protects children from all forms of physical and mental abuse, thereby prohibiting all forms of corporal and humiliating punishment of children. Article 16 of the ACRWC provides that:

“States Parties to the present Charter shall take specific legislative, administrative, social and educational measures to protect the child from all forms of torture, inhuman or degrading treatment and especially physical or mental injury or abuse, neglect or maltreatment including sexual abuse...”

Article 7 of the International Covenant on Civil and Political Rights has also been interpreted by the Human Rights Committee to protect children from corporal punishment.⁴⁸

In ratifying the CRC as well as other international human rights conventions, Mozambique is obliged not only to prohibit by law all forms of corporal punishment of children in the family, school, care institutions and the juvenile justice system, but also to develop awareness and education campaigns to promote positive, non-violent child-rearing practices in the country.

6. MOZAMBIQUE'S NATIONAL LAWS

The Constitution of Mozambique protects people's civil and political rights as well as their social and economic rights. In line with Mozambique's international obligations, Article 40 of the Constitution guarantees all citizens, including children, the right to protection from torture, inhuman and degrading punishment, or other like treatment. The Constitution, in Article 47, also explicitly provides for a right to protection for children. These rights in the Constitution are justiciable, which means that people can take legal action if these rights are infringed upon.

All forms of corporal punishment of children - be it in the family, in school or other institutions - are thus arguably in contradiction of children's rights to protection from torture, inhuman and degrading punishment, as stipulated in the Mozambican Constitution.

In Mozambique, prohibition of corporal punishment is still to be achieved in the home, schools, and alternative care settings. There is no specific "right" in law for parents to administer corporal punishment, but existing legal protection for children from ill-treatment and abuse are not interpreted as prohibiting all corporal punishment by parents. Provisions against violence and abuse in the Statute on Jurisdictional Assistance for Minors (article 108), the Constitution (2004) (article 40), the Penal Code (articles 359 and 367), the Family Law (2004) and the Children's Act (in force October 2008) (articles 4, 7, 17 and 20) are not interpreted as prohibiting all corporal punishment in child rearing.⁴⁹ As at June 2009, the Penal Code and the draft Law against Domestic Violence were under revision. There is also no explicit prohibition of corporal punishment in alternative care settings and institutions of childcare. Corporal punishment as a form of discipline is almost universally accepted and practiced, and for this reason it is required that legislation clearly states that no such punishment is accepted or lawful and should not be practiced by parents or any adult in authority over children.⁵⁰

Corporal punishment in Mozambican schools is advised against by government directives and is addressed in the National Action Plan for Children, but there is no explicit prohibition in law against administering corporal punishment as a form of discipline in schools. The Children's Act puts a duty on school management to report mistreatment of learners, but does not explicitly prohibit corporal punishment in schools.⁵¹

Corporal punishment of children in the penal systems as a sentence for crime as well as a disciplinary measure is however prohibited under the Constitution (article 40) and the Children's Act (article 64).⁵²

7. FREQUENTLY USED ARGUMENTS JUSTIFYING CORPORAL PUNISHMENT

There are certain 'defences' that are commonly raised by parents, other care givers and teachers when corporal punishment is challenged. This chapter suggests answers to these commonly-raised arguments.⁵³

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

Children need discipline, and particularly need to learn self-discipline. But corporal punishment is a very ineffective form of discipline. Research has consistently shown that it rarely motivates children to act differently, because it does not bring an understanding of what they ought to be doing, nor does it offer any kind of reward for being good. The fact that parents, teachers and others often have to repeat corporal punishment for the same misbehaviour by the same child testifies to its ineffectiveness. Smacking, spanking and beating are poor substitutes for positive forms of discipline, which, far from spoiling children, ensure that they learn to think about others and about the consequences of their actions. In the countries where corporal punishment has been eliminated through legal reform and appropriate public education, there is no evidence to show that disruption of schools or homes by unruly children has increased: the sky does not fall if children cannot be hit. Corporal punishment may lead children to fear rather than respect their parents or teachers. Do we really want children to learn to 'respect' people who use violence to sort out problems or conflicts?

Corporal punishment may be wrong, but it is a trivial issue compared to more important aspects of children's rights, such as protecting children from HIV and AIDS, poverty and sexual abuse. Why should ending it be a priority?

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

Many parents in our country are raising their children in desperate conditions, and teachers and other staff are under stress from overcrowding and lack of resources. Forbidding corporal punishment would add to that stress and should wait until these conditions have improved.

This argument is a tacit admission of an obvious truth: corporal punishment is often an outlet for the pent-up feelings of adults rather than an attempt to educate children. In many homes and institutions, adults urgently need more resources and support, but however real their problems, venting them on children cannot be justified. Why should children wait for this basic protection? Nobody argues that we should wait for 100% employment and an improvement in men's living conditions before we challenge domestic violence against women.

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

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

How do you know that you wouldn't have done so well if your parents had never hit you? None of us knows how we would have turned out if our parents had never hit or humiliated us. And how many people, in saying it did them no harm, are denying the hurt they experienced when the adults closest to them thought they could only teach them by inflicting pain?

Adults who hit their children in the name of discipline usually began doing so because they themselves were hit as children. Although research shows they often feel guilty about it afterwards, they continue to hit their children, especially when they are at the end of their tether. It is pointless to blame previous generations for this, because they were acting in accordance with the pervasive culture of the time. But it is wrong to resist change because we are afraid of appearing to criticize our parents. Times change and societies move on. Recognition of children as rights holders requires action to end the legality and social acceptance of violence against children, just as societies have moved on to end acceptance of violence against women.

Some people say: "I was hit as a child and I turned out OK." But there are people who have endured all kinds of bad experiences while growing up who have "turned out OK" as adults - nobody would say that what they experienced was good. Often it is the way they have dealt with their experiences and turned their lives around that has helped them to be "OK", not the experiences themselves.

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

If corporal punishment is available as a sanction, it will be used. And because it is not effective, it will tend to be used repeatedly on a minority of students. If it is regarded as a 'last resort', it may well lead students to regard other, more positive forms of discipline as unimportant and so render them ineffective. Corporal punishment teaches children nothing positive, nothing about the way adults want them to behave. On the contrary, it is a potent lesson in bad behaviour. Children do not learn well when they are distracted by fear, and corporal punishment has been shown to increase school drop-out rates significantly.

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

The UN Convention on the Rights of the Child replaces the concept of parents' rights with "parental responsibilities" (which of course carry certain rights), including the responsibility to protect the rights of children themselves. The assertion of children's rights seems an unwarranted intrusion to people accustomed to thinking of children as parents' possessions, but children are recognised as individuals entitled to human rights standards along with everyone else. Human rights do not stop short at the door of the family home. Other forms of domestic violence - including partner violence - are already subject to social control and are unlawful in almost every society. It is quite wrong that children, the smallest and most vulnerable of people, have to wait until last for protection. Given traditional attitudes to children, many parents feel threatened by any attempt to change the status quo. This is why any change in the law needs to be accompanied by public and parent education to promote positive, non-violent forms of discipline.

There is a big difference between beating a child and a loving smack. Isn't prohibiting corporal punishment taking things too far?

Beating a child may hurt physically more than a “loving smack”, but both are on a continuum of violence and both breach a child's equal right to respect and physical integrity. Societies do not draw lines and try to justify any level of violence when challenging violence against women, or against elderly people. So why should they when it comes to children?

And the dangers of making any connection between loving and hurting people should be obvious. A “loving smack” is a contradiction of the worst kind. This seemingly harmless term is a veil behind which rights violations can hide. Some people argue that “there is a big difference between child abuse and a light smack”, focusing less on the “loving” intention of the violence and more on the degree of violence used. But again, whatever the severity of the hitting, it breaches the child's right to respect for his or her physical integrity. And all hitting that is regarded as lawful reflects a violation of children's right to equal protection from assault under the law.

Law makers and governments have traditionally separated “child abuse” and “corporal punishment”, but most abuse is corporal punishment - adults assaulting children to punish them and gain control. No such threshold is proposed in the case of violence against women, where zero-tolerance clearly conveys the message that all violence is unacceptable. But for children, adults have invented an arbitrary distinction between punitive violence which is regarded as acceptable, and “abuse” which is not. In reality, it is not possible to differentiate between child abuse and corporal punishment.

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

The idea that hitting children can be a matter of cultural pride is unacceptable. In any event, the hitting of children seems to be a white tradition, exported to many parts of the world through slavery, colonialism and some missionary teaching. It appears that the only cultures where children are rarely or never physically punished are small, hunter-gatherer societies, arguably among the most “natural” of all human cultures, though now rapidly vanishing under the impact of urbanization.

But human rights are universal, and children the world over have the right to live lives free from all forms of violence. All cultures have a responsibility to disown corporal punishment, just as they have disowned other breaches of human rights which formed a part of their traditions. The UN Convention on the Rights of the Child upholds all children's rights to protection from all forms of physical or mental violence, without discrimination on grounds of race, culture, tradition or religion. There are movements to end corporal punishment of children in all continents. School and judicial beatings have been outlawed in many states in all regions of the world.

African cultures seem to be replete with sayings which suggest that corporal punishment of children is not the preferred child-rearing practice.

“Imbwa ya mukali taichenjela.”

Bemba proverb meaning harsh treatment of children doesn't serve anything.

“You don't build a family through a stick.”

Traditional Zulu saying

My religion requires the corporal punishment of children.

Religious freedom cannot run counter to human rights. As the Committee on the Rights of the Child makes clear: ⁵⁴

“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 practice one's religion or belief may be legitimately limited in order to protect the fundamental rights and freedoms of others.”

People with extreme religious views who advocate hitting children with implements and inflicting other forms of severe corporal punishment need to be condemned by mainstream religious opinion and by society as a whole. Leading faith figures are now joining the campaign for abolition of all corporal punishment, including within the family home. At the 2006 World Assembly of Religions for Peace in Kyoto, Japan, more than 800 faith leaders endorsed “a religious commitment to combat violence against children”, which urges governments to adopt laws in compliance with the Convention on the Rights of the Child and to prohibit all violence, including all corporal punishment.

If the corporal punishment of children is outlawed or criminalized, it will result in outrageous judicial or disciplinary intervention. Children will be encouraged to report their parents to the police.

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

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

Children must be protected from all forms of humiliating and inhuman punishment, not only corporal punishment. Parents, other care givers and teachers often need guidance on alternatives to such punishment. The starting point is not to replace one form of punishment with another, but to see discipline as a positive and not punitive process, part of the communicative relationship between adult and child. 'Good' discipline - which must ultimately be self-discipline - depends on adults modelling and explaining positive behaviour. It also depends on having high expectations of children's willingness - and realistic expectations of their developmental ability - to behave positively, and rewarding their efforts with praise, companionship and respect. Furthermore, schools must develop their behaviour codes and disciplinary systems in co-operation with students. The imposition of arbitrary, adult-designed rules and automatic sanctions will not encourage self-discipline.

This country is a democracy but there is no democratic support for ending corporal punishment. If there was a poll on the issue, a huge majority would support retaining corporal punishment. Representative democracies are not run by popular referenda. When elected politicians are drawing up new laws or a new constitution, they may need to make a number of unpopular decisions, based on human rights principles and informed arguments. As with the abolition of capital punishment, proposals to end the corporal punishment of children never enjoy popular support before they are implemented. But if the reforms are accompanied by appropriate public education, attitudes and practice will rapidly change. This argument is also based on adult perspectives. If children were allowed to vote on this issue, there would be a strong support for the prohibition of corporal punishment.

8. ALTERNATIVES TO CORPORAL AND OTHER FORMS OF HUMILIATING AND DEGRADING PUNISHMENT

Children need discipline, and particularly need to learn self-discipline. But in addition to infringing on children's rights to human dignity and physical integrity, corporal and other forms of humiliating and degrading punishment are ineffective forms of discipline (as discussed in Chapter 3). Smacking, spanking, beating and humiliation are poor substitutes for positive forms of discipline which, far from spoiling children, ensure that they learn to think about others and about the consequences of their actions. In the countries where corporal punishment has been eliminated through legal reform and appropriate public education, there is no evidence to show that the disruption of schools or homes by unruly children has increased.⁵⁵

It is also clear that most Mozambican children who experience corporal punishment prefer to be disciplined in a non-violent manner. Children want teachers and parents to talk to them and explain what they did wrong, instead of using corporal punishment or other forms of humiliating or degrading punishment.⁵⁶

In addition to law reform, the challenge in Mozambique is to increase awareness among adults about children's basic right to be protected from corporal and other forms of humiliating and degrading punishment, and about the ineffectiveness of these forms of punishment. Adults should be equipped with alternative models of child-rearing that are based on positive and non-violent forms of discipline. It is also important to ensure that corporal punishment is not replaced with humiliating and degrading punishment of children.

In view of this and in line with recommendations by the UN Committee on the Rights of the Child, the Mozambican government should initiate and support public awareness and education campaigns to promote positive, non-violent methods of child-rearing. This could be done in close collaboration with NGOs and CBOs working for children's rights, political and traditional leaders, faith-based organizations, educational institutions and international donor organizations. Children themselves could play an important role in these efforts. However, before embarking on awareness and education campaigns, the government needs to secure financial and human resources to implement a programme that can be sustained in the long-term. The media could also become a key partner in campaigns to raise awareness of children's rights and alternative, non-violent forms of discipline.

It is also important to keep in mind that discipline is an ongoing process. There are no 'quick fixes' to develop children into human beings with self-discipline and respect for other human beings. Since children are individuals with individual characteristics and needs, it is important to find alternatives that are suitable for the individual child. Below are a few general hints and suggestions on alternatives to corporal punishment and other forms of humiliating and degrading punishment.⁵⁷

- Give praise when children obey or when they do things well. This encourages children to model their behaviour on positive reinforcement, and it encourages them to learn self-discipline. Praise costs nothing, and even rewards need not cost vast amounts of money: they could range from simple treats like telling the child a story at bed-time to allowing the child to visit a favourite friend or relative.

- Practice what you preach. If your child is not allowed to use dirty language or to swear, neither should you.
- Be realistic in what you expect from children at different ages. There is no point in punishing a baby for crying because he or she is hungry, or punishing a two-year-old who runs into the road in front of cars. Rather keep children safe by removing the possibility of physical danger: make sure your baby cannot reach the fire or the paraffin bottle, hold your child's hand when you walk in the road.
- Encourage children to solve their own problems, as they often can provide answers that will result in an acceptable compromise. For instance, a useful technique with older children is to use 'restorative justice' practices, which are well-known in African culture. 'Restorative justice' aims to involve both 'victim' and 'offender' in meeting together to devise a plan on how to repair harm caused or hurt relationships. At the same time, plans to prevent future misbehaviour can also be developed by all concerned parties. These techniques have been successfully used by school governing bodies seeking alternative punishments in the school system in South Africa.
- Do not use threats or shout at children. It is better if children do as you ask because they understand the reasons why, rather than because they are frightened or bullied.
- Try and use 'good' words about your child. Naming, bad-mouthing and humiliation have been shown to lead to a lower self-esteem, and can become self-fulfilling prophecies (i.e. you are just lazy/stupid/fat/bad).
- Negotiate a compromise, even if you have to reconsider your own views. Think: how important is this? Does it affect the child's safety? Will anyone be hurt if I compromise? Is this important enough to matter in ten years' time?
- Use guidance and counselling methods, especially with older children. If needed, call on a relative with whom the child has a special relationship, or an older person in the family or community whom the child respects. Ask this person to discuss the negative effects of the child's behaviour with him or her, and to give guidance on what the child's expectations are.
- Children learn by doing, therefore give the child a non-abusive task to perform, preferably one that is related to what the child has done wrong. A child who has to fix, clean or tidy something that he or she has broken or dirtied will be less likely to repeat that behaviour in future.

9. RELIGION AND CORPORAL PUNISHMENT

There are, in every country in the world those who assert that their faith approves of, or even require, corporal punishment of children. These groups often use ancient religious texts to back-up their arguments. This justification of violence against children through faith has compelled respected authorities in the world's major faiths to speak out to create greater awareness among religious communities of the devastating impact of violence on children, and to take strong leadership roles in addressing the problem of corporal punishment.⁵⁸

A number of religious leaders and theologians have stated clearly that there is nothing inherent in their faith which justifies the continued legality and social approval of corporal punishment. Those who have spoken out emphasize that the core values which most faiths share - such as compassion, equality, equity and justice - and the sacred respect which each religion holds for the inherent human dignity of every child, are not compatible with hurting children and causing them pain. They have also spoken out about the meaning of the word "discipline" which has become for some religious groups synonymous with "corporal punishment".⁵⁹

"Progress towards abolishing corporal punishment is being made, but 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 and lifelong effects."

"Violence begets violence and we shall reap a whirlwind. Children can be disciplined without violence that instills fear and misery..."

Desmond M. Tutu, Archbishop Emeritus

The South African Council of Churches (SACC) in a paper Religions, the Promotion of Positive Discipline and the Abolition of Corporal Punishment (2007) stated: "The root of the word 'discipline', in the New Testament comes from the Greek word 'disciple' meaning to guide, instruct and to teach. Discipline in the New Testament is never intended as an act of retribution or punishment. Instead its intentions are focused on teaching and acting appropriately as human beings, with supreme dignity." The paper states: "Contrary to belief, there is no occasion ever in the

"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 Narowe, Chief Rabbi Emeritus

New Testament where physical punishment is a justifiable means of discipline. Any attempts to justify corporal punishment of children through biblical 'proof texts' and/or through psycho-social and religious interpretations of the scriptures is unchristian, unorthodox and in the light of a human rights context bordering on a dangerous abuse of children's rights".⁶⁰

Following a study to assess whether corporal punishment is permitted in Islam, Hademine Ould Saleck, President of the Network of Imams, Islamic Republic of Mauritania, stated: "The evidence that corporal punishment of children is forbidden in Islam is clear and abiding for all of us. Let us stop arguing. We don't have a choice and we must apply Sharia which fully protects children".⁶¹

An example of how religious scholars have helped change attitudes in their communities can be found in the Study “Children in Islam, their care, protection and development”. It contains research papers and extracts from Koranic verses, Hadiths and Sunnas that provide guidance on children's rights, and states: “Shariah forbids any attack on the human body including smacking or other forms of corporal harm or sexual assault”.⁶²

Religious involvement in the movement to end corporal punishment of children has broadened considerably within the last decade and especially since the launch of the UN Secretary General's Study on Violence against Children. This movement came about with the realization that most religious texts present corporal punishment as an unacceptable form of discipline - in fact it is contrary to the core values which most faiths share.

“The evidence that corporal punishment is forbidden by Islam is clear and abiding for all of us. Let us stop arguing. We don't have a choice, and we must apply Sharia, which fully protects children.”

Hademine Ould Saleck, President of the Imams' and Religious Leaders' Network for Child Rights, Mauritania

10. CONCLUSION AND RECOMMENDATIONS

In line with international and regional human rights treaties such as the CRC and the ACRWC, there is now an international move towards abolishing all forms of corporal and other forms of humiliating and degrading punishment of children whether in care institutions, juvenile justice systems, schools or within the family.

In addition to infringing on children's basic human rights, there is also a body of evidence from medical, educational and psychological authorities on the negative effects of corporal and other forms of humiliating and degrading punishment of children.

In Mozambique, interpersonal violence is widespread and conflicts are in many instances resolved by violent means. The use of corporal punishment on children contributes to a perception from an early age that violence is an appropriate response to conflict and unwanted behaviour. It teaches that it is acceptable for powerful persons to be violent towards the weak and to solve conflicts through violence.

Corporal and other forms of humiliating and degrading punishment in the home and at school are of major concern to many Mozambican children. Boys and girls in Mozambique would like a life free from corporal and other forms of humiliating and degrading punishment. They would like parents and teachers to talk to them instead of beating them, and to use non-violent forms of discipline.

In ratifying the CRC as well as other international human rights conventions, Mozambique is obliged not only to prohibit by law all forms of corporal punishment of children in the family, school, care institutions and the juvenile justice system, but also to develop awareness and education campaigns to promote positive, non-violent discipline of children. Corporal punishment of children is still widely practised by different groups such as parents, teachers and law enforcement officials. Many teachers feel that the government directives prohibited corporal punishment without providing them with proper guidelines and training on alternative methods of discipline.

It seems that the main reasons for the persistence of this practice are linked to the legality of its use on children in certain spheres of life; a lack of understanding among adults of the human rights framework protecting children as well as the harmful effects of corporal punishment on children; the lack of skills to manage discipline through positive, non-violent measures; and cultural beliefs.

Legislation will not end the use of corporal punishment on its own. Legal reform has to go hand-in-hand with awareness-raising and public education to change attitudes and to promote positive, non-violent forms of discipline.

It is recommended that the following steps are taken in Mozambique to ensure children's right to a life free from corporal and other forms of humiliating and degrading punishment:

Law reform

Within the ongoing law reform process to bring existing legislation relating to children in line with international obligations, the Mozambican government should ensure that corporal and other forms of humiliating and degrading punishment of children are explicitly prohibited by law, including in the home, school and at child care facilities. Provisions in legislation still allowing for the use of corporal punishment, and special defences in laws excusing any form of corporal punishment of children should be repealed, and existing practices allowing for its use should be addressed. By taking these measures all forms of corporal punishment would be prohibited by law in line with Mozambique's international obligations. It would also provide a clear basis for awareness-raising and training.

Awareness-raising and public education

The Mozambican government should initiate and support public awareness and education campaigns to promote positive, non-violent methods of child-rearing. This could be done in close collaboration with NGOs and CBOs working for children's rights, political and traditional leaders, faith-based organizations, educational institutions and international donor organizations. Children themselves could play an important role in these efforts. However, before embarking on awareness and education campaigns, the government needs to secure financial and human resources to implement a programme that can be sustained in the long-term. In line with this, comprehensive legislation on children should spell out the need for the relevant government departments to undertake all reasonable steps to ensure that public education and awareness-raising on non-violent methods of child-rearing are implemented across the country.

In order to ensure that children are protected from corporal punishment in schools, the Mozambican government needs to also prohibit corporal punishment through legislation and allocate adequate financial and human resources to develop manuals on how to implement non-violent methods of discipline in the classroom. It should also ensure that teachers receive training on children's rights and alternatives to corporal punishment. Furthermore, training programs for law enforcement officials and other officials caring for children should be implemented.

It should be explored how teacher training institutions could provide in-depth training on concepts such as children's rights, information about the prohibition of corporal punishment of children in Mozambican schools, and ensure extensive training on how to manage classroom discipline in a positive, non-violent manner.

The Mozambican government, children's rights organizations and the media should strengthen efforts to create an understanding of and respect for children's rights. It is less likely that adults will use corporal and other forms of humiliating and degrading punishment of children in a society where the understanding of and respect for children's rights in general are well-developed.

Media

The media could play an important role to raise awareness on children's rights, including the rights of children not to be exposed to corporal punishment and other forms of humiliating and degrading punishment. It could also become a key partner in campaigns to raise awareness on alternative, non-violent forms of discipline. It could play an important role in monitoring how the government fulfils its obligations under the CRC, the ACRWC and the Mozambican Constitution.

Children's participation

Children have the right to be involved in processes and decisions that affect them. Children can provide valuable information and opinions, which should be considered when developing and implementing legislation and interventions to abolish corporal punishment and other forms of humiliating and degrading punishment of children. Children could also play an active part in the implementation of these interventions.

Research

National surveys comprising both quantitative components and detailed interviews with adults and children on attitudes to and the use of corporal punishment and other forms of humiliating and degrading punishment of children should be undertaken in Mozambique on a regular basis. Such surveys should not only cover these forms of punishment in the home and at school, but they should also investigate the situation in child care facilities, prisons and other institutions. This will make the extent of violence against children visible and also assist government and civil society to design appropriate interventions to promote non-violent methods of child-rearing.

Monitoring

The government must ensure that effective measures are in place to monitor adherence to laws prohibiting corporal punishment in different settings.

The newly established Mozambican Human Rights Commission could play an important role in creating awareness to reverse the culture of corporal punishment, and could also monitor the government's compliance with international obligations and national laws in this area.

Civil society can play an important role not only in assisting the government with training and awareness-raising on alternatives to corporal and other forms of humiliating and degrading punishment, but also by advocating for law reform and by monitoring the government's compliance with international and national legal obligations. In addition to the requirement that states submit periodic reports to the UN Committee on the Rights of the Child, civil society is also requested to provide the Committee with an alternative, or 'shadow', report on its analysis of the situation of children in a specific country. This requirement provides an important opportunity for civil society to reflect the current situation related to corporal and other forms of humiliating and degrading punishment of children.

USEFUL CONTACTS

Save the Children in Mozambique

To order (free of charge) copies of the main report and of this summary report, contact:

Tel: (258) 21 493 140

Email: psimbine@savechildren.org

Rede Came

Tel: (258) 21 417 910

Email: antichildtrafic@tvcabo.co.mz

www.redecame.org.mz

Save the Children Sweden

Tel: +27 (0)12 342 0222

Regional Office for Southern Africa

To order (free of charge) copies of the main report and of this summary report, contact:

Email: postmaster@za.rb.se

Global Initiative to End All Corporal Punishment of Children

An international initiative that aims to form strong alliances against corporal punishment, make corporal punishment visible, lobby governments to ban corporal punishment and to provide technical assistance to support states with these reforms. The website contains a lot of useful information and publications.

www.endcorporalpunishment.org

END NOTES

- 1 Clacherty, G., Donald, D. & Clacherty, A. (2009), *Children's Experiences of Punishment in Mozambique*, Pretoria, Save the Children Sweden.
- 2 Global Initiative to End All Corporal Punishment of Children (2009), www.endcorporalpunishment.org.
- 3 Global Initiative to End All Corporal Punishment of Children (2005), *Ending legalized violence against children, Report for Caribbean Regional Consultation - the UN Secretary General's Study on Violence against Children*, London, Global Initiative to End All Corporal Punishment of Children.
- 4 Committee on the Rights of the Child, General Comment No. 8
- 5 Clacherty, G. et al op cit.
- 6 Ibid.
- 7 Ibid
- 8 Ibid
- 9 Ennew, J. & Plateau, D.P. (2004), *How to research the physical and emotional punishment of children*, Bangkok, International Save the Children Alliance.
- 10 Presentation by Carol Bower, RAPCAN, on the psycho-sexual consequences of corporal punishment to the Children's Bill Working Group, June 2004.
- 11 Dawes, A., Kafaar, Z. & de Sas Kropiwnicki, Z.O., Pather, R. & Richter, L. (2004), *Partner Violence, Attitudes to Child Discipline & Use of Corporal Punishment: A South African National Survey*, Cape Town, Child Youth & Family Development, Human Sciences Research Council.
- 12 Durrant, J.E., Ensom, R. & Coalition on Physical Punishment of Children and Youth (2004), *Joint Statement on Physical Punishment of Children and Youth*, Ottawa, Coalition on Physical Punishment of Children and Youth.
- 13 Clacherty, G. et al op cit.
- 14 Ibid.
- 15 Porteus, K., Vally, S. & Ruth, T. (2001), *Alternatives to corporal punishment - Growing discipline and respect in our classrooms*, Johannesburg, Heinemann Publishers (Pty) Ltd.
- 16 Ibid.
- 17 Ibid.
- 18 The survey looked at children's experiences of corporal punishment and other forms of humiliating and degrading punishment within 2 income bands, i.e. low = USD 250/month or less, high = USD 250/month and more.
- 19 Clacherty, G. et al op cit.
- 20 Ibid.
- 21 Ibid.
- 22 Ibid.
- 23 Ibid.
- 24 Ibid.
- 25 Ibid.
- 26 Ibid.
- 27 Ibid.
- 28 Ibid.
- 29 Ibid.
- 30 Ibid.
- 31 Ibid.
- 32 Ibid.
- 33 Ibid.
- 34 Ibid.
- 35 Ibid.
- 36 Ibid.
- 37 Ibid.
- 38 Ibid.
- 39 Ibid.
- 40 Ibid.
- 41 Ibid.
- 42 Ibid.
- 43 Ibid.
- 44 Ibid.
- 45 United National General Assembly (1989). *Convention on the Rights of the Child*.
- 46 Committee on the Rights of the Child, General Comment No. 8.
- 47 CRC/C/15/Add.172, para.38-39, 3 April 2002.
- 48 HRI/GEN/1/Rev.4, page 108.
- 49 Global Initiative to End All Corporal Punishment of Children (2009), www.endcorporalpunishment.org.
- 50 Ibid.
- 51 Ibid.
- 52 Ibid.
- 53 The arguments outlined in this section are largely taken from the book *Hitting People is Wrong - and Children are People Too, A practical handbook for organizations and institutions challenging corporal punishment of children*, Global Initiative to End All Corporal Punishment of Children & Save the Children Sweden, 2003
- 54 General Comment No 8, para. 29.
- 55 Global Initiative to End All Corporal Punishment of Children (2003), *Hitting People is Wrong - and Children are People Too, A practical handbook for organizations and institutions challenging corporal punishment of children*, Global Initiative to End All Corporal Punishment of Children & Save the Children Sweden.
- 56 Clacherty, G. et al op cit.
- 57 Sloth-Nielsen, J. op cit.
- 58 Global Initiative to End All Corporal Punishment of Children & Save the Children Sweden, Global report 2009.
- 59 Ibid.
- 60 Ibid.
- 61 Ibid.
- 62 Ibid.