

Ending corporal punishment of children – a handbook for working with religious communities

CNNV • Save the Children

Global Initiative to End All Corporal Punishment of Children

PUBLISHED 2015

CNNV

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.

<http://churchesfornon-violence.org>, info@churchesfornon-violence.org

CNNV

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, info@endcorporalpunishment.org



Save the Children

Save the Children has made a significant contribution to the UN Study on Violence against Children, as well as to its follow up studies. Save the Children has been advocating for the prohibition of physical and humiliating punishment in all settings, including the home and has supported children and young people to consolidate and advocate key messages. 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 of achieving legal ban and total elimination of physical and humiliating punishment and to put the issue on the political agenda around the world.

<http://resourcecentre.savethechildren.se>, info@rb.se



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Note on facts and figures

The Global Initiative bases its analyses on a total of 198 states – all states parties to the UN Convention on the Rights of the Child except Holy See, plus Somalia, Taiwan, US and Western Sahara. Child population figures are from UNICEF 2013 except for Western Sahara (*World Population Prospects 2010* (0-19)) and Taiwan (Dept of Household Registration, Ministry of Interior, 2013).



Foreword

The years since the initial publication of this handbook have seen important strides forward in efforts to prohibit and eliminate corporal punishment of children. When the UN Secretary General's Study on Violence against Children was published in 2006, fewer than 20 states had prohibited all forms of corporal punishment. That figure has since tripled.

While this progress must be celebrated, there is no room for complacency. We must not forget that violence remains part of the everyday experience of children all over the world, including in settings where children should feel at their safest and most secure, like the home. Indeed, as highlighted by recent United Nations reports, every year almost 1 billion children between the ages of 2 and 14 are subject to physical punishment by their caregivers.

Religious communities and faith-based organisations have played a key role in building and maintaining the positive momentum that has brought us closer to the universal prohibition of corporal punishment. They have dispelled myths and challenged prevailing attitudes that condone violence against children; they have raised awareness of the long-lasting and negative consequences of corporal punishment on children; and they have argued passionately and persuasively in favour of non-violent discipline and education values.

This handbook will serve as an invaluable resource for those working with religious communities and faith-based organisations as their essential work continues. It sets out in clear terms the arguments behind the call to prohibit and eliminate corporal punishment of children, as well as providing practical and inspiring guidance for religious leaders and communities that will support them in taking an active part in the promotion of children's right to freedom from violence.

This revised edition of the handbook also comes at an auspicious time. In 2016, the international community will mark the tenth anniversary of the Secretary General's Study on Violence against Children. Next year will also start the implementation of the post-2015 development agenda, which recognises both the right of all children to a life free from violence and the fact that ending violence is essential for sustainable development.

Making this vision a reality will be challenging but success is within our reach. This publication will assist greatly with those endeavours. Together, we can secure a future in which every child can grow up happy, healthy, resilient, and protected from all forms of violence.

Marta Santos Pais, Special Representative of the United Nations Secretary General on Violence against Children

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PART ONE: Understanding the issue

1.1 Introduction

“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 what 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.”

(Kyoto Declaration, 2006)

a) Religion and corporal punishment of children

Corporal punishment has for too long been a common part of tradition and culture in all societies worldwide. The mistaken belief that it is an effective form of discipline for children is widespread and many people do not view it as the act of violence that it is. This attitude is not only held by individuals but is endorsed at state level. In some religious traditions it is condoned through different interpretations of sacred texts and religious teachings.

Some societies retain the use of corporal punishment in traditional justice systems and through religious law such as Sharia or Islamic law. Although many states have developed child protection laws they continue to authorise corporal punishment of children. But child protection policies can never be fully effective unless corporal punishment is explicitly prohibited.

The use of corporal punishment is widely promoted by some Christian preachers and parent educators. There is also a view in many schools, including faith-based schools and madrasas, 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, remains part of the disciplinary system.

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 a human rights violation, as dangerous and unjust and incompatible with the teachings of most major world religions. As evidence of past institutional and family abuse has come to light, those affected have revealed their deep sense of humiliation and trauma. The countless numbers of children who have suffered violent punishment at the hands of parents, teachers and carers in religious schools and institutions bear the marks of their suffering into adulthood, including in their relationships with others and in the parenting of their own children. Religious leaders have begun to acknowledge the harm perpetrated on children and to express remorse.

But corporal punishment remains widespread and many who have expressed outrage about revelations of “severe” abuse of children have failed to make it clear that so-called “ordinary physical discipline” violates a child’s physical and emotional integrity. The notion that a certain degree of violence against children is acceptable perpetuates a culture of disrespect for children and undermines child protection and positive non-violent parenting education.

Harnessing the strengths and influence of religious leaders and faith-based communities is a vital measure towards ending this commonplace violence against children. As growing numbers of religious leaders pledge support for reform they can be encouraged to take action and use their power and influence to speak out about the urgent need to work in solidarity with others towards the prohibition and elimination of all corporal punishment of children.

Hitting children and causing them pain is incompatible with the values expressed in most teachings of the world religions. These teachings are very similar to the human rights principles of respect for human dignity, equality, justice, compassion and non-violence. Religious values helped inform the Universal Declaration of Human Rights and generations of religious leaders and scholars have played a significant role in defending human rights.

“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.”

(Kyoto Declaration, 2006)

b) The handbook and how to use it

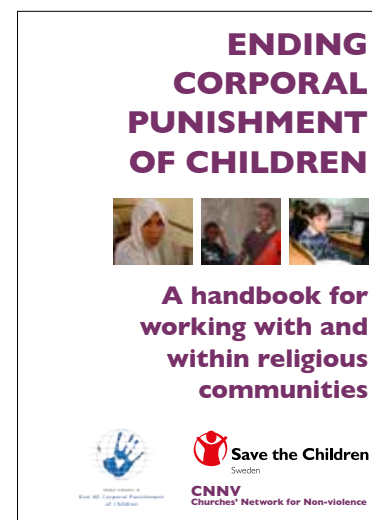
This handbook is a revised, abridged version of the handbook *“Ending corporal punishment of children – working with and within religious communities”* (2011). It provides links to tools and resources for engaging with and enlisting the support of religious communities and faith-based institutions towards the prohibition and elimination of all corporal punishment of children. It can also be used by those in religious institutions and communities who wish to broaden work within their own religious tradition and work in solidarity with multi-faith groups.

The handbook promotes a rights-based approach towards raising the status of children. As rights holders children have a legitimate claim to be treated with respect and to live their lives free from violent punishment. The handbook seeks to broaden the involvement of diverse religious communities as active partners in the global movement towards achieving children’s right to equal protection under the law.

The handbook is based on the premises that the major world religions profess respect for the inherent dignity of every person including children and that the universal principles of compassion, justice, equality and non-violence are central to their religious teachings. At the same time, it recognises that there are those in most world religions who use their faith and interpretations of religious texts to justify violent punishment of children. Most campaigns for legal reform encounter strong resistance – sometimes well organised and publicised – from some faith-based communities and influential religious leaders. The handbook aims to inform discussion, planning and action around these issues and provides resources to counter religious opposition to reform.

As growing numbers of religious leaders pledge support for reform, they can be encouraged to use their power, moral authority and influence to speak out about the urgent need to work in solidarity with others towards the prohibition of all corporal punishment of children. Many religious leaders have relationships not only with the local community but also with national and international religious networks. Through their diverse roles and functions they are in a unique position to be powerful advocates for children.

The handbook gives a brief overview of the teachings of the major religions on non-violence and looks at ways in which religious leaders and communities have used religious texts and teachings to promote prohibition of all corporal punishment and other humiliating and degrading treatment of children. It includes suggestions for ways of working with multi-religious communities and for other action.



Terms used in the handbook

“child” – defined as in the UN Convention on the Rights of the Child as anyone under 18.

“faith” and **“religion”** – 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 of either.

“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 below).

“religious leader” – someone who leads and guides a community of people who profess a particular religion or belief in the divine or in a deity or deities. Religious leaders may be linked to a religious order, organisation or institution and may play a prominent role in society at the local, national and international levels. They are often recognised within the religious body or order as having authority. Their responsibilities may include offering spiritual and moral guidance, interpreting the scriptures and religious texts of their faith, leading public worship and performing other religious rituals and ceremonies. Not all religious communities have recognised leaders.

“religious communities” – includes groups of people who practice the same religion. They may live and work with others but worship or gather separately within their own religious group, and may form interdenominational, ecumenical and inter-faith groups and networks. They may include local worshipping communities, religious institutions, religious orders, international charities and global missions working in a humanitarian capacity.

“religious groups” and **“faith-based groups”** – these refer to the wide range of organisations under the umbrella of religious organisations, including all places of worship, meeting places and congregations, as well as groups with direct contact with children (e.g. children’s homes, Sunday schools and clubs, madrasas, childcare settings, mission schools) and those which influence relations with children (e.g. church congregations, theological and ministerial training institutions and seminaries and publishers of religious education materials).

“multi-religious communities” and **“multi-faith communities”** – people with different religious allegiances who may meet in counsels or forums to promote good relations between their religious communities or they may work in solidarity with others and speak with one voice for a common cause.

“religious texts” – scriptures, holy books, holy writ, sacred texts or writings which are central to particular religious traditions. Some religions believe their religious texts are divinely revealed or inspired or are the literal word of God.

“madrasa” – an Arabic word for any school or educational institution whether religious or secular. In the West it generally refers to a type of religious school for the study of Islamic religion although other subjects may also be taught.



Note that, unless indicated otherwise, **spellings of Islamic words** in this handbook are taken from Exposito, J. L. (Editor in Chief) (2003), *The Oxford Dictionary of Islam*, Oxford University Press Inc.; **Biblical passages** are from *The Holy Bible*, The New Revised Standard Version with Apocrypha, Anglicized Edition, Oxford University Press, 1995.

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 faith-based communities to work in solidarity with NGOs and others to end all violent punishment of children;
- Religious communities have unique opportunities to raise awareness about the effects of corporal punishment on children and to put into action the shared values of compassion, respect for human dignity, non-violence, equality and justice towards the prevention of corporal punishment and all other forms of violence against children;
- Children have a key role to play – religious communities and organisations can work with others to promote meaningful participation of children by listening to children’s views and experiences of violence and by creating opportunities for children to express their thoughts, ideas and solutions for taking action to end all corporal punishment;
- In countries which have outlawed corporal punishment in all settings, religious communities have an important role to play in supporting public education, promoting non-violent parenting and ensuring that non-violent discipline is a reality in all settings in religious communities.

Defining corporal/physical 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.”

(Committee on the Rights of 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)

Physical effects

Children who are physically punished may suffer injuries and sometimes these cause permanent damage. For example, shaking can cause whiplash or brain damage, hitting can damage nerves, bones or blood vessels, pushing can cause accidents.¹ Tragically, corporal punishment causes the deaths of thousands of children every year,² and the intent to discipline or punish has been shown to be a common precursor in many child homicide cases.³

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 neurodevelopmental processes.⁴

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, despair, depression or withdrawal. Depression may induce a person to abuse alcohol or use illicit drugs.⁵

American Academy of Child and Adolescent Psychiatry

"The American Academy of Child and Adolescent Psychiatry does not support the use of corporal punishment as a method of behavior modification. Corporal punishment includes a wide variety of discipline methods that employ pain as a negative reinforcement to modify behavior.

"When assessing and treating children and families, child and adolescent psychiatrists should provide information to parents about the hazards associated with corporal punishment and encourage and assist parents to modify their child's behavior by other methods. Components common in evidence based parenting programs include appropriate limit setting and use of praise to increase positive behaviors, decreasing hostile or coercive family interactions and enhanced family problem solving. These techniques, based on social, cognitive-behavioral and developmental learning theories tend to improve the parent-child relationship."

(The American Academy of Child and Adolescent Psychiatry (AACAP), Policy Statement, 2012)

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 adolescence, even when the abuse has ceased.⁶

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 partner; physical punishment is also negatively associated with mental health.⁷ The consequences and losses for society in both the short- and long-term include those associated with childcare, welfare, mental health and justice systems. For a detailed summary of research on the negative impact of corporal punishment see the review by the Global Initiative to End All Corporal Punishment of Children.⁸

School corporal punishment in the USA

"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 and 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 crisis 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 the past there have 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. Children are increasingly being consulted about their experiences and ideas for solving the problem of corporal punishment. The box below 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 have for too long had to suffer in silence.

Children's views

"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." (Yemen)⁹

"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." (Belize)¹⁰

"So when my mom hits me, it feels like she doesn't love me." (South Africa)¹¹

"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." (Tibet)¹²

"When they spank us, we cannot explain ourselves, and express our feelings." (Spain)¹³

"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." (Swaziland)¹⁴

The views of young children

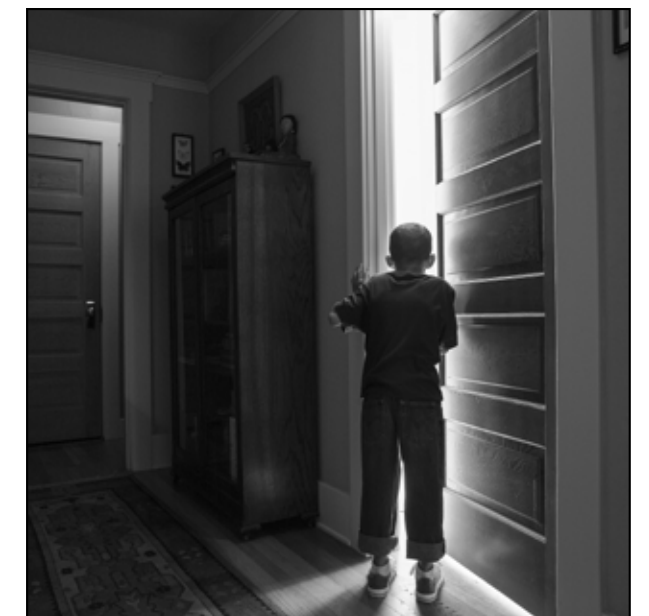
In 2009, Children Are Unbeatable! UK – the UK campaign to prohibit all corporal punishment of children – published a report on research into the views of very young children on family discipline, carried out in centres for young children and using a storybook to introduce the issue (*"I don't get sad, only when my mum smacks me"*, available at www.childrenareunbeatable.org.uk). The children condemned smacking as a form of parental discipline and spoke about the hurt it causes physically and emotionally.

"Smacking's hitting and kicking. No kicking, no spiking, no biting, no punching." (Boy aged 4)

"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 were 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)



Summary

Corporal punishment of children is a global problem which requires urgent attention. Progress towards prohibiting and eliminating it is accelerating – but there is still much to be done.

Corporal punishment can have a devastating impact on children's lives, both in the short- and long-term. Children have spoken about their hurt and bewilderment at being hit by those who should love and care for them.

The legality of corporal punishment undermines the work of child protection and parenting education. Prohibiting corporal punishment is an obligation under human rights law and is vital if children's right to respect for their inherent human dignity is to be recognised. Governments have a primary obligation to protect children but all adults have a responsibility towards eliminating it. Religious leaders and their communities have a key part to play in the process.

1.3 Children's right to protection from all corporal punishment

a) The UN Convention on the Rights of the Child and other human rights law

The United Nations Convention on the Rights of the Child (CRC) is the most widely ratified treaty in the history of international law. The 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.

States which have ratified the CRC are responsible for explicitly prohibiting all corporal punishment of children, including in the home, 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 accessible 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.

Article 42 of the CRC obligates states to make the Convention widely known "by appropriate and active means, to adults and children alike". But many children are unaware of their rights and may grow up in the belief that they deserve corporal punishment or that it is their own fault.

"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 the 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...."

(Kyoto Declaration, preamble)

Article 14 of the CRC recognises 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.

The Committee on the Rights of the Child

The UN Committee on the Rights of the Child monitors implementation of the CRC and is the highest international authority for its interpretation. Elected by states parties to the Convention, the 18-member body meets three times a year in Geneva. States which have ratified the CRC must submit regular reports on its implementation.

The Committee has consistently stated that the legal and social acceptance of physical punishment of children in the home, institutions and all other settings is not compatible with the Convention.

The Convention on the Rights of the Child is available at www.ohchr.org/en/professionalinterest/pages/crc.aspx.



Other international human rights treaties

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 (CAT), the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). In 2008, the UN General Assembly adopted a resolution on the rights of the child (A/RES/63/241) which urged states to take legislative measures to prohibit all forms of 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.

Regional human rights treaty bodies support prohibition and recommendations to prohibit all corporal punishment have been made to governments by the European Committee of Social Rights, the Inter-American Commission on Human Rights and the African Committee of Experts on the Rights and Welfare of the Child. In 1982, the European Commission of Human Rights 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 (admissibility decision, *Seven Individuals v Sweden*, 1982; Application No. 8811/79). 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 alleging that the implementation of prohibition of corporal punishment in schools breached parents' rights to freedom of religion and respect for family life (admissibility decision, *Philip Williamson and Others v UK*, 2000; Application No. 55211/00).

The Cairo Declaration on the Convention (CRC) and Islamic Jurisprudence (OIC)

In 2009 a conference was organised in Egypt by the Ministry of State for Family and Population and co-sponsored by the then Organisation of the Islamic Conference (now Organisation of Islamic Cooperation) (OIC), to mark the 20th anniversary of the Convention on the Rights of the Child and to renew the commitment of OIC member states to its implementation. The resulting Declaration called for prohibition of corporal punishment:

"Participants to the Conference recommend that OIC Member States prohibit all corporal punishment and other cruel and degrading forms of punishment or treatment of children, in all settings including within schools and within the family, linking law reform with the promotion of positive, non-violent forms of discipline."

National high level courts have come to similar conclusions. In 2000, an association of 196 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 the right to freedom of religion (*Christian Education in South Africa v The Minister of Education* 2000 (10) BCLR 1051 (CC)).

The appellants quoted extensively from the Bible to illustrate the "requirement" on parents to use corporal punishment, and emphasised 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.

All states except Somalia and the USA have ratified the CRC; most have also ratified other relevant treaties. Somalia and the USA have ratified the ICCPR and CAT. These states are also for the most part states parties to regional instruments. And all UN member states are subject to the Universal Periodic Review of their overall human rights record every four/five years, where the obligation to prohibit all corporal punishment of children features prominently. Religious organisations can work with others at national, regional and international level to ensure through monitoring and advocacy that states fulfil their obligations under these treaties to prohibit and eliminate all corporal punishment of children.

Freedom of religion

"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 (Article 18), but practice of 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."

(Committee on the Rights of the Child, 2006, General Comment No. 8, para. 29)

b) The UN 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, 2007 (A/62/209))

In 2001 the UN General Assembly, acting on the recommendation of the Committee of the Rights of the Child, called for a Study on Violence against Children. In 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 throughout, providing their views on violence and its impact on their lives and developing plans for international action.

A key message of the Study is that “no violence against children is justifiable; all violence against children is preventable”.

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

In 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. The Study recommended that corporal punishment of children be prohibited in all settings as a matter of priority.

The *World Report on Violence Against Children* is available at www.unicef.org/violencestudy/reports.html.

c) Faith-based support for prohibition and elimination of corporal punishment

Since the launch of the UN Secretary General's Study on Violence against Children there has been growing multi-religious involvement in the global movement to eliminate corporal punishment of children.

During 2006, 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 UN Secretary General's Study on Violence against Children, following an initial consultation in Helsinki, Finland, in 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 speak out as advocates for children. Participants from 30 countries and many world religions met in Toledo and pledged support for the UN Study.

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



“Throughout the study process children have consistently expressed the urgent need to stop all this violence. Children testify to the hurt – not only physical, ‘but the hurt inside’ – which this violence causes them, compounded by adult acceptance, even approval of it. Governments need to accept that this is indeed an emergency, although it is not a new emergency. Children have suffered violence at the hands of adults unseen and unheard for centuries. But now the scale and impact of violence against children is becoming visible, they cannot be kept waiting any longer for the effective protection to which they have an unqualified right.”

(Paulo Sérgio Pinheiro, *World Report on Violence Against Children*, 2006)

There was inter-religious agreement 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 had been paid 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 corporal punishment.

One important outcome of the consultation was “A Multi-Religious Commitment to Confront Violence against Children” (the Kyoto Declaration) which was formally adopted at the Eighth World Assembly of Religions for Peace in Kyoto, Japan, in 2006.

Speaking at a news conference in Iran shortly after the global consultation, Iranian Shiite scholar, Ayatollah Sayed Mousavi Bonjourni, Head of Law at the Komeni 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.”



The Kyoto Declaration is available at <http://churchesfornon-violence.org/wp/wp-content/uploads/2012/02/Violence-Against-Children-.pdf>.

Summary

The UN Secretary General's Study on Violence against Children (2006) 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. Religious leaders pledged support for the Study, including through the adoption of the Kyoto Declaration.

The UN Convention on the Rights of the Child (CRC) requires states to prohibit all corporal punishment of children in all settings and nearly every state in the world has ratified it, thereby making a commitment to uphold the rights of children.

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.

Religious leaders are well positioned to emphasise the similarity between the CRC and religious values and to ensure that children and adults are conversant with the Convention.

Notes

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- 6 See Glaser, D. (2007), *The Link*, The Official Newsletter of the International Society for the Prevention of Child Abuse and Neglect (ISPCAN), 16(2)
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- 10 National Organization for the Prevention of Child Abuse and Neglect (2005), *Corporal punishment – A situational analysis*, Belize: NOPCAN
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- 13 Quoted in Alexandrecu, G. et al (2005), op cit.
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PART TWO: Challenging corporal punishment of children – taking action with religious communities

2.1 The religious context

a) The major world religions – strengths and shared values

Religion has been a major force in people's lives for centuries, and plays an influential part in everyday lives today. Despite differences in beliefs, doctrines, practices and views of deities or the Divine, the major world religions all profess respect for all human beings and teach compassion, equality, justice and non-violence.

Although the major religions share core values, few claim to be unified organisations under a single leader who speaks on behalf of the faith. It is therefore important when working with religious communities to include representatives from the different branches and denominations of the religion. For example, Hinduism encompasses many practices, beliefs and traditions. Even the Baha'i tradition, which appears to be one of 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. Within Christianity – estimated to be the largest religion in the world – some denominations hold widely differing views. Yet despite this diversity all adherents to the major religions share a common heritage and some values that are in common with universal human rights.

The Golden Rule

One of the most universally accepted values shared by religious communities, indigenous communities and secular traditions is the ethic of reciprocity or the Golden Rule, best expressed as: "Treat others with the same respect and consideration you would wish for yourself in the same situation." This requires imagining ourselves in the place of the person on the receiving end of our actions and understanding the effects of our actions on the lives of others.

At the heart of the Golden Rule is the concept that every person shares inherent human rights simply because they are human beings, and all human beings are equally important. It does not replace moral norms and is not an infallible guide, but it does provide consistency. The Golden Rule transcends theological differences and can form a starting point for engaging with people from diverse faith-based and secular traditions, setting a shared standard under which

people can work together towards a common goal. It is 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 multi-religious groups towards eliminating corporal punishment of children.

b) Religious leadership and roles

Religious leaders are in a unique position to mobilise faith-based communities into action towards ending all corporal punishment of children, building on a long tradition of social action. Long before the emergence of NGOs many religious communities were in the forefront of social justice and education.

Most religious leaders 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 position to be advocates for children and agents for change. Their many and varied roles and functions allow them access to all sections of the community, at different life stages.

Some religious leaders continue to teach their communities that corporal punishment of children is necessary and even a parental duty. However, growing numbers are challenging this and publicly acknowledging that corporal punishment is at odds with and debases their religious principles and core beliefs. Many religious leaders and communities are involved in the movement for prohibition and elimination of corporal punishment and regard ending this injustice towards children as both a moral and a religious imperative (see section 2.2e).

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

(Kyoto Declaration, 2006)

c) Religious texts and teachings about children and non-violence

Successful working with religious communities depends on mutual understanding and respect, trust, and a shared vision. It is helpful to have some background knowledge of the different religious traditions represented in the community together with an understanding of the core beliefs and teachings of different traditions.

Religious teachings about non-violence can be influential in countering religious justification for corporal punishment.

A downloadable chart setting out the teachings about non-violence in different religions is available at http://churchesfornon-violence.org/wp/?page_id=84.

Examples of the 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)

Christianity

"In everything do so to others as you would have them do to you; for this is the law and the prophets"
(Matthew 7:12)

Humanism

"Don't do things you wouldn't want done to you"
(British Humanist Society)

Zoroastrianism

"Whatever is disagreeable to you do not do unto others"
(Shayat-na-Shayat 13-29)

Plato

"May I do to others as I would that they would do unto me"
(Greece; 4th century BCE)

Shinto

"The heart of the person before you is a mirror. See there your own form"
(Munetada Kurozumi)

Sikhism

"I am stranger to no one; and no one is stranger to me. Indeed I am a friend to all"
(Guru Granth Sahib, pg 1299)

Sufism

"The basis of Sufism is consideration of the hearts and feelings of others. If you haven't the will to gladden someone's heart then beware lest you hurt someone's heart, for on our path no sin exists but this."

Native Spirituality

"All things are our relatives; what we do to everything, we do to ourselves. All is really One"
(Black Elk)

Hinduism

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

The Baha'i Faith

"And if thine eyes be turned towards justice, choose thou for thy neighbour that which thou chooseth for thyself"
(Epistle to the Son of the Wolf, 30)

Jainism

"A man should wander about treating all creatures as he himself would be treated"
(Sutrakritanga 1.11.33)

Judaism

"What is hateful to you do not do to your neighbour. This is the whole Torah; all the rest is commentary"
(Hillel, Shabat 31a)

Islam

"Not one of you believes until you wish for others what you wish for yourselves"
(The Prophet Muhammad, the 13th of the 40 Hadiths of Al Nawawi)

Summary

Religion is a major force in many people's lives and religious leaders and their communities are taking a stand against injustice and violations of human rights. All the major world religions profess the universal and shared values of compassion, justice, equality and non-violence, placing religious leaders in a unique position to work together as advocates for children and agents for change.

It is helpful when engaging with faith-based communities, to develop a working knowledge of the religious traditions and teachings of the particular community.

Some religious leaders teach their communities that corporal punishment of children is necessary and even a parental duty. But growing numbers of religious leaders are challenging this in their own and the wider community and publicly acknowledging that corporal punishment is at odds with their religious principles and core beliefs.

2.2 Working with religious communities and faith-based organisations

a) Taking a rights-based approach

“While the Holy Scripture is the basis by which we undertake our work, the Convention on the Rights of the Child will serve as a guiding framework for our advocacy.”

(Archbishop Emeritus Njongonkulu Ndungane, former Anglican Primate of South Africa, speaking about the Millennium Development Goals’ focus on children at the TEAM conference “Towards Effective Anglican Ministry”)

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

Taking a rights-based approach views children as people not objects; it is ethical and moral and places accountability on policy-makers and others whose actions, or inaction, have an impact on the rights of children.

There are many ways of enabling religious communities to take a rights-based approach. For example, UNICEF in Bhutan translated the guiding principles of the Convention on the Rights of the Child (CRC) into a Mandala which looks at the Buddhist approach to life, and the basic framework of the Convention. Non-discrimination, the best interests of the child and child participation are inherent in Bhutan’s Buddhist values as well as being principles underpinning the CRC.

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

The Mandala combining Buddhism and the CRC is available at <http://unicefbhutan.org.bt/index.php/about-us/crc>.

“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.”

(Kyoto Declaration, 2006)

b) Identifying opportunities for action

Religious leaders and their communities can use public events and national and local celebrations, campaigns and world days such as Universal Children’s Day, to create awareness of the harmful effects of corporal punishment and children’s right to protection from it and to promote action to prohibit and eliminate it. Such occasions include:

- **Universal Children’s Day** (20 November), a day of activity devoted to promoting the welfare of the children of the world, commemorating the adoption of the Declaration of the Rights of the Child in 1959 and the Convention on the Rights of the Child in 1989, www.un.org/en/events/childrenday/.
- **World Day of Prayer and Action for Children** (20 November), bringing together secular and faith-based organisations to work together and take action for the well-being of children around the world; activities are highlighted in November but the World Day is now influential throughout the year. Examples of action from the many countries which have taken part are available at <https://prayerandactionforchildren.org>.
- **16 Days of Activism against Gender Violence** (25 November, International Day for the Elimination of Violence against Women, to 10 December, Human Rights Day), when secular and faith-based communities come together to speak out and take action against violence in relationships, www.unwomen.org/en/what-we-do/ending-violence-against-women/take-action/16-days-of-activism.

During the 16 Days of Activism against Gender Violence in 2013 followers of Islam and Christianity in Zambia campaigned together under the slogan, “How are you living your faith? Every religion calls for non-violent relationships.” Speaking during the campaign, the Revd William Mchombo, Bishop of Eastern Zambia, stated:

“There should be a recommendation that any violence against male or female, be it adults or children, is morally unjust. All are human beings created in the image of God and as such, none is inferior to the other.”

Other opportunities for action include national and international days such as Mother’s Day and Father’s Day, religious and family festivals, celebrations and rites of passage such as the birth of a baby and ceremonies associated with the birth.

Action can also be taken through the media and religious newsletters and bulletins.

Examples of multi-religious action are available at <http://churchesfornon-violence.org>.



c) Responding to religious opposition to reform

Faith-based support for reform is an integral part of the global movement for prohibition of all violent punishment of children. But there are minority groups in some faith-based traditions who pose a serious obstacle to law reform. The religious view which condones corporal punishment of children often stems from a culture of authoritarianism, power and control over children. It regards blind obedience as a virtue and physical punishment as an acceptable response to children who are disobedient – the height of external control.

Some religious groups that condone hitting children also consider it their duty to promote it as fundamental to their faith and religious teachings. There is opposition to reform from minority groups within all major religions.

Countering religious justification for violent punishment of children and challenging those who use their sacred texts to justify it involves building a broad base of strong religious support and making it possible for religious leaders and their communities to play an active part in the movement for reform. Religious supporters are well positioned to challenge colleagues and minority groups in their own communities who use their faith and religious texts to justify hitting and hurting children.

Common arguments

The world over, those who are in favour of corporal punishment of children – or those who simply do not yet understand the issue and what ending corporal punishment means – present common arguments and questions when faced with the issue. And many of these arguments are not exclusive to people of faith.

Those who support and promote non-violent relationships between children and their parents and other adults have a great deal of experience in responding to common arguments against law reform, based on understanding the concerns people have, on the experiences in the growing number of countries where law reform has already been achieved and the emphasis is now on ensuring it is implemented, and on a deep conviction that children have the same rights to respect for their human dignity as adults.

Responses to common arguments are available in a handy downloadable FAQ format at http://churchesfornon-violence.org/wp/?page_id=84.

A briefing on global religious support is available at http://churchesfornon-violence.org/wp/?page_id=84.



d) Addressing the misuse of religious texts and teachings

The key message for those who use their scriptures and religious texts to justify corporal punishment of children is that hitting children is incompatible with the universal principles of respect for human dignity, compassion, justice, equality and non-violence professed by the major religions.

One of the Biblical texts commonly selected by Christians to justify the use of corporal punishment comes from the Old Testament book of Proverbs, 13:24: "He who spares the rod hates his son, but he who loves him is diligent to discipline him." This passage has come under scrutiny by Christian theologians and scholars who have studied the Hebrew origins of the text. Michael Jost in his paper "The Bible and Discipline", 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 the 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."

In 2009, UNICEF and Al-Azhar University published *Children in Islam: Their care, upbringing and protection*, which includes research papers and extracts from the Quran, Hadith and Sunnah that provide guidance on the development of the child and children's rights. It 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 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."

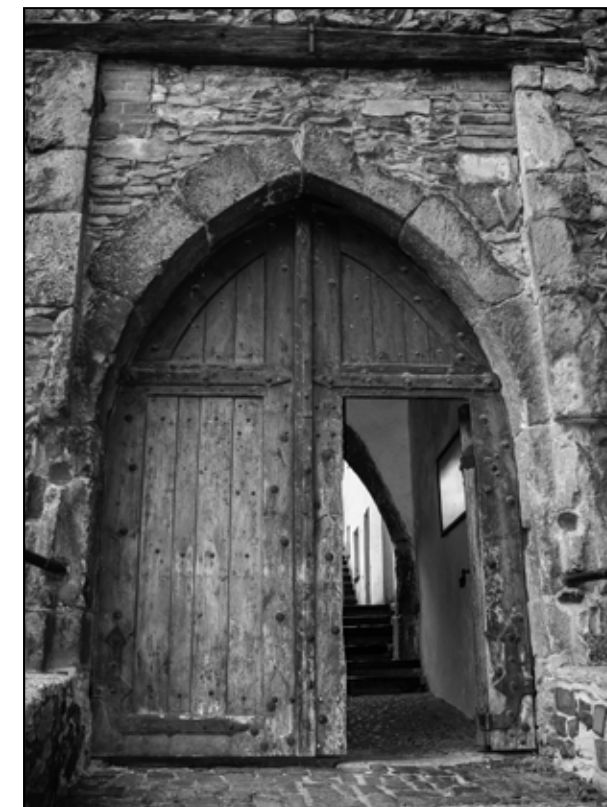
"The Bible and Discipline", Michael Jost
<http://churchesfornon-violence.org/The%20Bible%20and%20Discipline.pdf>

Children in Islam: Their care, upbringing and protection, UNICEF and Al-Azhar University
www.unicef.org/mena/Children_in_Islam_English.pdf

A growing number of Islamic leaders have spoken out about the misuse of Islamic texts which appear to promote violence. Eminent Muslim leaders have argued that the Quran teaches tolerance and moderation and that there is no instance in the Quran of Muhammad striking a child. Respected scholars and leaders highlight in their teaching the strong requirement in Islam to show love and mercy towards children and to preserve their human dignity.

Religious leaders and scholars are in the best position to challenge those in their own tradition who misuse religious texts to justify violence against children in the guise of discipline. Such challenges have been made by many prominent religious leaders in recent years, including the following:

- Christian leaders from Aruba, Guyana, Jamaica and the Cayman Islands in the Caribbean in 2012 signed a statement in support of law reform to prohibit corporal punishment of children. With reference to Proverbs 13:24, they said: "... it is not appropriate to take such texts out of their ancient context to justify violence towards children. As Christians, our reading of the Bible is done in the light of Christ's teaching and example. Jesus treated children with respect and placed them in the middle of the group, as in Mark 9:37: Whoever welcomes one such child in my name welcomes me." The full statement is available at www.endcorporalpunishmentcaribbean.org/background/religious-support.html.
- In 2012 prominent Muslim leaders in the UK signed a statement in support of legal reform to prohibit all corporal punishment of children: "Islam views all human life as a sacred gift from God. Islam does not advocate any violence against children. Corporal punishment and other forms of humiliating treatment of children conflict directly with the advice of the Prophet.... 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 texts and tenets of our faith." The full statement is at http://churchesfornon-violence.org/wp/?page_id=81.



- In 2008, the Bishops' Conference of Norway responded to concerns raised by the then Ombudsman for Children, Reider Hierman, about the word "chastisement" in the Bible. The Bishops stated: "Today the word 'chastisement' has acquired a meaning that differs from its original intended meaning. In modern Norwegian language 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. We urge those working in churches to take an active lead in combating violence against children – in their sermons, education and guidance. Men and women working in the church must point out how such violence represents the infringement of human worth and is in conflict with Christian ethics." The full statement is at www.crin.org/en/library/news-archive/norway-church-supports-bible-rethink-corporal-punishment.

e) Examples of religious involvement

There are many examples of religious involvement in the global movement to end corporal punishment of children. Religious leaders have taken opportunities to make public statements on national and international days, at civic events, conferences, meetings and assemblies to make a commitment to improving the lives of children. Declarations and statements can have a lasting impact and influence. They can also form a framework for commitment towards further action.

The website of the Churches' Network for Non-violence includes many examples of religious involvement, <http://churchesfornon-violence.org>. These can be used as tools to help broaden support for prohibition of corporal punishment and as evidence of the level of religious support for reform for politicians and policy-makers.



Southern Africa

"The SACBC welcomes Clause 139(1) which states that 'A person who has care of a child including a person who has parental responsibilities and rights in respect of the child, must respect, promote and protect the child's right to physical and psychological integrity as conferred by Section 12 (1)(c) and (e) of the Constitution of the Republic of South Africa.' This clause flows from the Constitution and seeks to ensure that the rights of all citizens under the Constitution are indeed extended to children – our most vulnerable citizens. We further note the assertion in Clause 139 (2) that 'No child may be subjected to corporal punishment or be punished in a cruel, inhuman or degrading way.'"

"There is nothing in the Catechism of the Catholic Church which supports the right of parents to use corporal punishment."

(Submission of the Southern African Bishops' Conference to the Parliamentary Portfolio Committee on Social Development supporting the proposed prohibition of corporal punishment in the Children's Amendment Bill 2007 and further SACBC Parliamentary Liaison Office submission 2013)

New Zealand

In 2007 New Zealand Anglican Bishops declared their support for the repeal of Section 59 of the Crimes Act (which authorised the use of corporal punishment of children) and presented a signed statement in support of the repeal to Prime Minister Helen Clark. In response to Christians who argue that the Bible condones corporal punishment they said that physical punishment of children was not supported by contemporary religious scholarship and stated: *"As Christians our reading of the Bible must always be done through the lens of Christ's teaching and life ... the way of Jesus is non-violence."*

USA

The United Methodist Church is the first Christian denomination to take a stand against corporal punishment of children in the United States. At its General Conference in Pittsburgh in April/May 2004, The United Methodist Church, passed two policies calling for an end to corporal punishment in homes, schools and childcare.

The Policies state that corporal punishment models aggressive behaviour as a solution to conflict and that it is difficult to imagine Jesus of Nazareth condoning any action that is intended to hurt children physically or psychologically.

Wales (UK)

"The Kingdom of God is about relationship and a relationship that embodies the virtues of justice, compassion and mercy and respects children; and demands openness, trust and gentleness from us."

"How we treat those who are weak and defenceless is a marker of a civilised society.... Violence, both deliberate and directed and casual and unthinking and directed towards children especially when it has the sanction of the state and the law behind it, is pandemic. Our hope is that whatever small steps we take such as this vigil – they are steps along the way to eliminating violence against children...."

(The Rt Revd Wyn Evans, Bishop of St Davids, speaking at a vigil dedicated to "Ending Legalised Violence against Children" at St Davids Cathedral, Wales UK, February 2014)

f) Children's participation

Protection of children from violence is the responsibility of the whole community. Children should be encouraged and enabled 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 1.2c). These insights are important in enabling adults to understand the negative effects of corporal punishment and in helping to develop strategies to address violence against children. Children should be invited to make a positive contribution in keeping with their age and development.

Child participation must be meaningful for children. Their participation requires great care and sensitivity so that the process of involvement is meaningful, authentic, safe and not in itself abusive. Those working with children should also recognise that children who have been subjected to corporal punishment or other mistreatment may already be experiencing the damage caused by such experiences.

Discussion points

- How is participation of children encouraged and enabled in the religious community?
- What are the barriers to child participation?
- Are all children given the opportunity to participate, including children from diverse ethnic groups, girls and boys and children with disabilities?
- 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 for their meaningful participation?

Suggested action

- Support high quality training to equip volunteers and staff to work with children and young people.
- Provide support and resources to adults working with children, including guidelines for child protection and information about 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.
- Provide space for children to develop their own ideas and activities to address corporal punishment of children.
- Listen to the experiences, views and recommendations of children who have witnessed or endured corporal punishment.
- Facilitate and support the development of child forums to create awareness of children's rights to empower children and enable them 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.

"Practice Standards in Child Participation", Save the Children, <http://resourcecentre.savethechildren.se/start/library>

"Guide to children and young people's participation in actions against corporal punishment" (2011), Elinor Milne, www.endcorporalpunishment.org/assets/pdfs/reports-other/Participation-guide-2011.pdf

Summary

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

Religious leaders are increasingly taking action to uphold children's rights and to support prohibition of corporal punishment. Religious leaders have an important role in challenging religious opposition to reform and in addressing the misuse of religious texts to justify violence against children.

There are numerous examples of religious involvement which can be used as tools to broaden further faith-based action.

Children have a vital part to play. They have insights into how corporal punishment makes them feel and their views should be heard and acted on. But children's participation requires proper safeguards, care and sensitivity.

2.3 Working with religious leaders towards reform

a) Engaging with religious leaders and forming partnerships

“None of us can address this problem alone. It requires partnership, 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 maximise our strengths. We are strongly committed to fostering effective mechanisms for inter-religious cooperation to more effectively combat violence against children.”

(Kyoto Declaration, 2006)

Gaining the support and active involvement of religious leaders and their communities is a crucial component of efforts towards law reform.

Many faith-based organisations are concerned with supporting children and families. Leaders from different traditions may have opportunities during their work in communities and as chaplains or counsellors in prisons, hospitals, schools, universities and places of work.

Multi-religious cooperation and collaboration means putting aside individual differences in the shared interest of children and using the many opportunities religious leaders and scholars have to influence change in attitudes through their diverse roles and functions, not only in the religious organisation but in the wider community.

Partnerships can bring together religious leaders from diverse faith-based communities towards the common goal of prohibiting and elimination corporal punishment of children. Partnerships can be large or small but the key factors for success include:

- a shared vision;
- understanding of different religious traditions, competencies and leadership roles;
- valuing each partner equally;
- commitment of each member to the common goal – to eliminate corporal punishment of children;
- respect and trust between different partners, and
- flexible and complementary ways of working.

Partnership working also relies on people who are prepared to champion the cause with other potential partners or organisations within the wider

community. Religious communities, child and family sectors and health and education sectors can form effective partnerships with other concerned groups. It is important to include women from religious communities as they are often under-represented in the leadership of some religious organisations.

The benefits of effective partnership working can be substantial and sharing training, skills and resources can be cost effective.

An example from Fiji

The importance of forming partnerships between Government policy-makers and faith-based organisations to end violence against children was the key message from the Revd James Bhagwan, the Communications Secretary of the Methodist Church in Fiji, who spoke at the “Pacific countries conference to end violence against children” in Nadi, Fiji on 20 May 2015. Pastor Bhagwan called for a transformative approach to ending violence against children. This example also highlights the importance of including religious leaders from the outset and acknowledging the knowledge and resources they can contribute:

“There is a strong connection between a rights-based and scriptural-based approach.... We don't want to just be the venue or the hall where you host your programmes. The Church wants to be a partner, to develop and work with families to tackle these issues.”

Pastor Bhagwan pointed to the proliferation of churches in almost every community in his region, placing the clergy in a unique position to access large numbers of people in any community at any given time (www.samoagovt.ws/2015/05/holistic-cultural-approach-could-be-key-to-ending-violence-against-children/).

Suggested action for NGOs and faith-based activists

- Arrange meetings with religious leaders in order to seek their advice on the best ways to engage with different religious communities.
- Meet with religious leaders representing each religious tradition.
- Emphasise shared values and mutual respect for the human dignity of the child as a common starting point.
- Work with faith-based communities from the outset. Listen to the concerns and ideas of religious groups.
- Use resources such as the Kyoto Declaration and examples of religious action in this handbook as tools to raise awareness and develop partnerships.
- Work with local religious leaders to map the religious groups and potential platforms for action in the area/region.
- Ensure women are included. If necessary hold a special meeting of women from different religious groups as women are often not well represented in leadership roles.
- Maintain contact with religious leaders through regular progress updates, newsletters, information and resources and through personal contact.
- If there is disagreement, emphasise the 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.

b) Working with religious leaders through existing roles and functions

Religious leaders can influence change through leading by example. They can be encouraged to use their position and authority to speak out against corporal punishment through their existing roles and functions and at significant events such as marriage and birth ceremonies and by publicly making a commitment to making violent punishment of children a critical concern. By emphasising the particular teachings of the faith which promote non-violence and respect for children religious leaders and their communities can help change attitudes and transform children's lives.

Discussion points for NGOs and faith-based activists

- What is the status of the child in the community?
- 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 community settings? How 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 are needed for this work?
- Who can provide the scholarship and teaching to challenge religious justification for corporal punishment of children?
- Some children are particularly vulnerable to corporal punishment because of disability and/or gender. What are the attitudes of the community towards these children?
- Religious leaders have been very active in campaigns to end violence against women. How can the issue of corporal punishment link in with religious teaching and campaign resources on domestic violence?



As pastors and spiritual advisers

As pastors and spiritual advisers 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 preventative 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. They have a very important role in explaining that although corporal punishment was culturally and socially acceptable in the past, it must end and society must move on. Pastors and their communities can help and support people to access resources to help them towards parenting their children without violence.

Religious leaders 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.

Suggested action for NGOs and faith-based activists

- 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 guidance, information and resources to parents, carers, children and adults to end all corporal punishment.
- Develop information, training and resources in partnership with local religious communities and ask religious leaders to ensure 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.
- Use the opportunity of the Post-2015 Sustainable Development Goals to promote prohibition of all corporal punishment of children.

- 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.
- Work in cooperation with local leaders and community groups to survey the prevalence of corporal punishment in families and wider community settings.

As leaders of faith-based organisations

Religious organisations form an essential part of the cultural identity of the 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 services to people from the different cultures and traditions represented in their communities.

Suggested action for NGOs and faith-based activists

- Encourage religious organisations to appoint a person to coordinate action to prevent corporal punishment and all forms of violence against children.
- Facilitate discussion on the status of the child in the religious setting and in the wider community.
- Support faith-based organisations to conduct a survey of child protection policies and procedures. Ensure that the religious setting is zero-tolerant of corporal punishment of children.
- Ask how the the policies and practices of religious organisations reflect respect for children, promote equality and raise the status of girls and boys.
- Invite religious organisations to take part in and contribute to 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 and all those working with children.
- Encourage religious leaders and faith-based organisations to initiate and support campaigns for law reform to prohibit corporal punishment. Invite them to support the aims of the global movement to end all corporal punishment of children: www.endcorporalpunishment.org.

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 authority to study religious practices, explain the history and context of religious texts and interpret them in the light of the core values and revelations 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 violent punishment in childrearing.

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

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 through theological training, religious education and the development of liturgies and prayers;
 - encourage the development of teaching modules to promote respect for children and prevention of corporal punishment and all forms of violence against children;
 - 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 awareness-raising among children of their rights in madrasas, Sunday schools, clubs and other settings, and
 - develop opportunities for children to become fully conversant with the UN Convention on the Rights of the Child and raise adult awareness and understanding of the Convention.

As preachers and leaders of worship

Religious leaders can break the silence which surrounds corporal punishment and all other forms of violence against children. Through preaching, teaching, and writing liturgies and prayers they can promote respect for children, raise their status and promote children as equal members of the community. They can engage the religious community in the movement for reform and facilitate reflection on theological and social justice issues. Religious festivals and ceremonies such as welcoming a new baby into the life of the community provide opportunities to transform attitudes and promote the human dignity of the child.

Suggested action for NGOs and faith-based activists

- Encourage religious leaders to:
 - plan religious services, vigils and events appropriate for different religious traditions. Dedicate the event to ending corporal punishment of children and involve children in the process;
 - ensure religious texts used in worship, religious gatherings, festivals and public events promote respect for 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 and are still suffering as a result of violence, and
 - compose prayers and services of healing for those adults who are still suffering as a result of corporal punishment in childhood.

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 policy change.

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

Suggested action for NGOs and faith-based activists

- Work with religious leaders and activists to create community awareness 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-based groups.
- Invite representatives of the religious organisation 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 meaningful 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.
- Collaborate with religious leaders to develop appropriate resources and information on positive, non-violent discipline (see section 2.4).
- Encourage religious leaders to use opportunities during religious festivals and international days to promote prohibition and elimination of corporal punishment.

c) The role of religious leaders in implementing reform

Achieving legal prohibition sends a clear message that corporal punishment and all other humiliating and degrading treatment of children is wrong.

Religious leaders and communities have a significant role to play after prohibition has been achieved in working with others to help transform attitudes and cultural practices which may have their origin in religious tradition and teaching. In addition to the actions already listed under roles and functions, religious leaders can play a significant role in creating awareness of the implications of the law, in transforming deeply entrenched attitudes which perpetuate corporal punishment, and in evaluating the impact of law reform.

Suggested action for NGOs and faith-based activists

Invite religious leaders to discuss how information and guidance about legal reform and its implications can be widely disseminated. Encourage religious communities to develop a strategy for working with others on the issue and discuss what resources are needed.

Discussion points:

- How can the religious community support parents and carers and promote positive non-violent parenting?
- Who will provide the training and resources?
- How can the religious community support parents and carers in positive, non-violent parenting?
- What ways are there to disseminate information on the harmful effects of corporal punishment?
- How can children be involved?



Summary

The universal values of compassion, justice, equality and non-violence transcend theological and religious and denominational differences. These shared values can form the basis of partnership working towards the common purpose of ending all corporal punishment of children.

Through their varied roles and functions religious leaders have the power, influence and moral standing to play a pivotal role in ending corporal punishment of children. When prohibition has been achieved, they also have an important role in working with others to implement the law and in working with the community to transform children's lives.

2.4 Further information and resources

PART ONE: Understanding the Issue

1.1 Introduction

Churches' Network for Non-violence website, <http://churchesfornon-violence.org>. The site includes downloadable multi-religious resources; worship resources, and religious statements supporting prohibition of corporal punishment of children.

1.2 Corporal punishment of children – law, prevalence and impact

Global Initiative to End All Corporal Punishment of Children website, www.endcorporalpunishment.org. The site includes individual country reports on the legality of corporal punishment in every state and territory in the world; summaries of prevalence/attitudinal research on corporal punishment of children carried out in the last ten years; a review of research on the negative impact of corporal punishment, and information on all aspects of law reform to achieve prohibition and the human rights obligation to do so.

Hidden in plain sight: a statistical analysis of violence against children (2014) and companion publication *Ending Violence Against Children: Six strategies*, UNICEF, www.unicef.org/publications/index_74865.html

Prohibiting corporal punishment of children: a guide to legal reform and other measures (2009), in English, French and Spanish. Supported by online resources, this handbook explains the legislative measures states should take to meet their obligations to prohibit all corporal punishment, www.endcorporalpunishment.org/resources/technical-publications-on-law-reform/legal-reform-handbook-2009.html.

1.3 Children's right to protection from all corporal punishment

Committee on the Rights of the Child, General Comments 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)" and No. 13 (2011) on "The right of the child to freedom from all forms of violence", available at www.ohchr.org/EN/HRBodies/CRC/Pages/CRCIndex.aspx (General Comments).

UN Secretary General's Study on Violence against Children website, www.unviolencestudy.org. The site has links to a number of resources including the *World Report on Violence against Children* (2006), a photo essay *Stopping the violence*, and a video *Youth against violence*, with contributions from young people in India, Philippines, Romania, Venezuela and Zambia.

UNICEF web page dedicated to the UN Convention on the Rights of the Child, including downloadable copies of the Convention in English, French, Spanish, Arabic and Russian, and a child-friendly version of the Convention, www.unicef.org/crc/.

Children in Islam: Their care, upbringing and protection (2009), Al-Azhar University in cooperation with UNICEF, available at <http://churchesfornon-violence.org> (Multi-religious resources)

From Commitment to Action: What Religious Communities Can Do To Eliminate Violence Against Children (2010), Religions for Peace and UNICEF, available at www.unicef.org/eapro/UNICEF_Religions_for_Peace_Feb2010.pdf

Special Representative of the UN Secretary General on Violence against Children website, Children's Corner, <https://srg.violenceagainstchildren.org/children-corner>. The site contains downloadable child-friendly materials, a Roadmap to end violence against children and Children's Declarations.

Save the Children Resource Centre contains resources including posters, cards and videos towards ending physical and other humiliating punishment against children, <http://resourcecentre.savethechildren.se/our-thematic-areas/physical-and-humiliating-punishment>

PART TWO: Challenging corporal punishment of children – taking action with religious communities

2.1 The religious context

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

Vailaau, N., *A Theology of Children* (2009), Barnardos and the New Zealand Plunkett Society, http://churchesfornon-violence.org/theology_of_children.pdf

2.2 Working with religious communities and faith-based organisations

A Multi-religious Commitment to Confront Violence against Children (Kyoto Declaration), Eighth World Assembly, Religions for Peace, Kyoto, Japan, August 2006, <http://churchesfornon-violence.org/wp/wp-content/uploads/2012/02/Violence-Against-Children-.pdf>

Parenting for a Peaceful World (2005), Robin Grille, Longueville Media. The video *Parenting for a Peaceful World* is narrated by Ajas Swafford aged 10 and traces the history of violent treatment of children from early times and discusses the negative effects of violence on generations of children, www.naturalchild.org/videos/parenting_peaceful_world.html

Putting Children at the Centre: A Practical Guide to Children's Participation (2010), Save the Children, www.savethechildren.org.uk/sites/default/files/docs/Putting_Children_at_the_Centre_final_%282%29_1.pdf

Children's Right to be heard and Effective Child Participation (2010), Carolyne Willow, Save the Children Sweden, <http://resourcecentre.savethechildren.se/library/childrens-right-be-heard-and-effective-child-protection-guide-governments-and-childrens>

2.3 Working with religious leaders towards reform

Campaigns Manual – Ending corporal punishment of children and other cruel and degrading punishment of children through law reform and social change (2010), Global Initiative to End All Corporal Punishment of Children and Save the Children Sweden, www.endcorporalpunishment.org/resources/technical-publications-on-law-reform/campaigns-manual-2010.html

Ending corporal punishment of children – a handbook for worship and gatherings (2015), Churches' Network for Non-violence and the Global Initiative to End All Corporal Punishment of Children, http://churchesfornon-violence.org/wp/?attachment_id=1336

Faith-based support for prohibition and elimination of corporal punishment of children – a global overview. This briefing provides examples of faith-based support across the world, including multi-religious support for prohibition and relevant perspectives from different religious traditions that can be used to advocate for prohibition, http://churchesfornon-violence.org/wp/?page_id=84.

Partnering with Religious Communities for Children (2012), UNICEF www.unicef.org/about/partnerships/index_60057.html

Positive discipline in everyday parenting (2013), Joan Durrant, 3rd edition, Global Initiative to End All Corporal Punishment of Children and Save the Children. This manual sets out the foundations and principles of positive discipline and provides exercises for parents to put into practice; in English, French, Khmer, Russian and Thai, <http://resourcecentre.savethechildren.se/library/positive-discipline-everyday-parenting-third-edition>.

