

5 *Global progress in gaining faith-based support for law reform*

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The influence of religion

It is estimated that almost five of the six billion people in the world are members of religious groups or have some affiliation with a faith-based community. In many countries, religions have had a very powerful influence on local customs, culture, and traditions.

Religious organisations are multi-generational and have the capacity to reach individuals, institutions, and sectors that other organisations cannot reach. Religion also affects those who do not profess allegiance to a particular faith.

Historically, religions have been involved in social justice and care but they have also failed to protect people from violence. In some countries, the introduction of corporal punishment goes back to the arrival of Christian missionaries in the nineteenth century. It has become deeply entrenched across the world, both in different faith-based groups and in secular society.

The Bible and other sacred texts have been used to justify corporal punishment by those who believe the scriptures to be the word of God. Although these interpretations are increasingly being challenged within different faiths, some groups continue to use the practice despite evidence of the harm it causes. In some parts of the world juvenile offenders are still being sentenced under Shariah law to cruel and degrading treatment including flogging, stoning, whipping and amputation. Interpretations of the law depend on local judges and courts.

Opportunities for changing attitudes

Recent global events such as the World Council of Churches (WCC) Decade for Non-violence, which put violence against children on its agenda for the first time, the UN Study on Violence against Children, and the World Conference of Religions for Peace (WCRP) World Assembly in Kyoto have provided a platform to address the issue of corporal punishment within religious groups. The UN Study has had a profound influence on religious thought. Religious leaders have admitted to a lack of contemporary theology about children and have been examining their spiritual teachings, focusing on how children are treated in society and in their own religious communities.

The level of respect and compassion given to children in the religious community is key to the level of involvement of religious groups in addressing violence against children and in becoming actively engaged in child advocacy and law reform.

Religious principles and values as a basis for change

Most of the world's religions say they regard the child as a person with inherent human dignity. Some believe children are created in the likeness and image of God. In Islam the child is placed on trust to the parents, by God. Jains practice non-violence in action, thoughts

and speech. The basic tenets of Buddhism are completely against imposing pain on others. In the Hindu tradition there is no greater good than a child: children should be allowed to develop without being hurt physically, emotionally or psychologically.

Some religions see themselves as having a prophetic role that challenges them to work for change for the vulnerable in society. These beliefs, together with the religious imperative to protect children from harm, can form a strong basis for engaging with faith-based groups and working collaboratively to address violence against children. All the world religions have in their scriptures a version of the golden rule: “Do to others as you would have them do to you.”

World religions say ...

Islam	The child is placed on trust to parents by God
Jainism	Religion and culture have deep-rooted relevance to human development
Buddhism	The basic tenets are completely against imposing pain on others
Hinduism	There is no greater good than a child
Christianity	Children are created in the likeness and image of God
All religions: “Do to others as you would have them do to you.”	

A global commitment by religious leaders – the Kyoto declaration

Global consultation of religious leaders

Recognising the pivotal role religions can play in addressing violence against children, WCRP and UNICEF convened a multi-religious consultation, ‘A Global Commitment to Confront Violence against Children’, in Toledo, Spain in May 2006. Fifty representatives of all the world’s religions, from 30 countries, took part.

The aim of the consultation was to develop a multi-religious response to the UN Study on

Violence against Children. Participants were asked to confront the reality and effects of violence against children, to think deeply about the causes of violence, and to find solutions and immediate responses to protect children. They also looked at how faith communities could come together to take leadership in their societies to protect children. The meeting pledged to help mobilise the international community and work in partnership with governments, UN agencies and others to implement the UN Study recommendations.

The success of the consultation relied on the sacred respect with which children are regarded by all religions and a strong consensus about the inherent dignity of the child. The meeting rejected all forms of violence against children and named the principles of compassion, justice, love and solidarity as strengths in addressing violence against children. This consensus enabled the group to address different cultural interpretations about what constitutes ‘violence’ and ‘discipline’, and to clarify them in a collaborative environment. The belief held by some that corporal punishment must not be used as a disciplinary tool in schools but is acceptable in the home, was resolved by a Muslim scholar who stated clearly that corporal punishment was unacceptable in all settings. There were instances throughout the meeting when differences were respected and put aside in the shared concern for children.

“Religion does not accept any form of violence against humans, especially against 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.”

– Ayatollah Sayed Mousavi Bonjnourdi, Head of Law at the Khomainsi Research Institute, speaking at a press conference in Tehran on his return from the consultation

A key action during the consultation was the confession and acknowledgement of the past failures of religious groups to protect children from violence and to be advocates for them.

Religious leaders admitted that the suffering of children, and their vulnerability, had been increased through the silence, omission and failure of religious leaders to listen to children and take measures to protect them.

It was agreed that religion, once seen as part of the problem, must now be part of the solution to eliminating all violence against children, including corporal punishment. A declaration was made, which went on to become the Kyoto Declaration.

World Council of Religions for Peace (WCRP) 8th World Assembly, Kyoto 2006

The declaration made in Toledo was endorsed at the eighth WCRP World Assembly in

Kyoto, which was attended by over 800 religious leaders. The Kyoto Declaration includes the call for prohibition of all forms of violence, including corporal punishment, and a multi-religious commitment to support prohibition and its implementation (see box on pages ...).

Follow-up activities have continued with the appointment of a multi-faith reference group to develop a resource guide to encourage active involvement of religious leaders and communities in addressing violence against children, including corporal punishment. The guide will look at how religious leaders can be advocates for children, changing attitudes and supporting law reform through their existing roles as pastors, leaders of religious organisations, teachers and scholars, leaders of worship, and community leaders and activists.

The Kyoto Declaration

A Multi-Religious Commitment to Confront Violence against Children August 2006

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

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

Our faith traditions take a holistic view of a child's life, and thus seek to uphold all the rights of the child in the context of its family, community and the broader social, economic and political environment. All children hold these rights equally and we must ensure that boys and girls have

equal opportunities to enjoy these rights, particularly education, protection, health, social development and participation. Our religious communities are blessed to be multi-generational, and we must use this to support the active participation of children in their own development and to address issues of violence.

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

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

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

1. We will create greater awareness in our communities about the impact of all forms of violence against children, and work actively to change attitudes and practices that perpetuate violence in homes, families, institutions and communities, including corporal punishment, emotional and sexual violence.
2. We will promote the child as a person with rights and dignity, using our religious texts to provide good examples that can help adults to stop using violence in dealing with children.
3. We have an important obligation to teach and train our children, which involves discipline and helping children understand their responsibilities. We will educate and train parents, teachers, religious leaders and others who work with children to find non-violent forms of discipline and education that will ensure their proper upbringing and protect them from violent actions.
4. We will develop curriculum to use in theological training and in parental education to raise awareness about child rights and ways to eliminate the use of violence.
5. We are committed to inter-religious cooperation to address violence and will make use of the synergies among our religious communities to promote methodologies, experiences and practices in preventing violence against children.
6. We call upon our governments to adopt legislation to prohibit all forms of violence against children, including corporal punishment, and to ensure the full rights of children, consistent with the Convention on the Rights of the Child and other international and regional agreements. We urge them to establish appropriate mechanisms to ensure the effective implementation of

these laws and to ensure that religious communities participate formally in these mechanisms. Our religious communities are ready to serve as monitors of implementation, making use of national and international bodies to maintain accountability.

7. We encourage religious communities and other public actors to use special days, such as the International Day of the Child, to bring public and media attention to child rights issues, particularly violence against children.
8. We call on UNICEF and the World Conference of Religions for Peace to facilitate the sharing of information and developing of resources to assist our communities to more effectively address violence against children.

Kyoto, Japan
28 August 2006

Examples of building faith-based support for prohibition

Investing in work with religious scholars – Islam

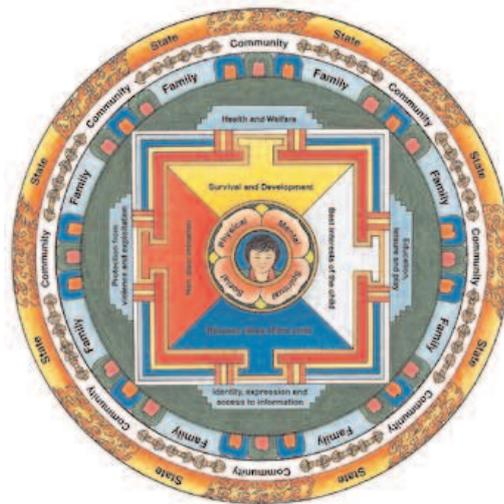
‘Children in Islam’, a study published by UNICEF in collaboration with Al-Azhar University, Cairo, is an example of how religious scholars have helped to change attitudes about children.²¹ The study is used in the region as a resource tool to promote the rights of the child and to eliminate harmful traditional practices. Future plans include extending the scope of the study to include other religions and regions.

As a result of the study, prominent religious leaders, including Sayyed Mohammed Tanta-wi, Grand Sheikh of Cairo’s Al-Azhar mosque, and Coptic Pope Shenouda 111, have publicly declared that neither Islamic nor Christian religious texts support harmful practices.

Building on existing religious symbolism – Buddhism

An understanding of the religious symbolism and the spiritual practice of a particular faith can sometimes be used in work to change attitudes towards children and promote children’s human rights. For example, in one Bhutan workshop,

the principles of the UNCRC were translated into a mandala – blending the Buddhist approach with the basic framework of the CRC:



Traditionally the mandala is a vehicle for concentrating the thoughts and mind more precisely on valued concepts towards enlightenment. In this example, the mind was concentrated on children’s rights.

Significantly, the child has been placed in the centre of the mandala which is the usual abode of the deity. The child is surrounded by a series of circles and squares symbolising the principles of the UNCRC and emphasising their

symmetry, interdependence and inter-relatedness. The cardinal points are the four main provisions and principles of the UNCRC. As a ripple in a pond, each idea builds upon the next as it grows larger and flows outward.

Revisiting religious texts – Christianity

Many Christians agree that the UNCRC reflects the principles of Christianity, particularly in light of the recorded encounters between Jesus and children, where he places the child in the centre (Matthew 18) and when he insists on listening to children.

Most Christians read the Bible through the prism of the teachings of Jesus, which were about treating children with respect and compassion. He not only taught how to make an adult world more compassionate and just for children; he taught about a social world in part defined by children.

Changing the attitudes of Christians who use the Bible to justify the use of corporal punishment presents a huge challenge. They often quote selective texts from the Old Testament Book of Proverbs in this regard.

Spare the rod...

‘Those who spare the rod hate their children, but those who love them are diligent to discipline them’ (Proverbs 13:24, NRSV1), or its modern version, ‘Spare the rod, spoil the child’ has been used universally to justify hitting children, by interpreting the word ‘rod’ to mean an instrument for hitting.

But the word ‘rod’ comes from the Hebrew word ‘shebet’, which in translation means ‘sceptre’ or ‘staff’. A ‘shebet’ is a shepherd’s staff and tool for guiding sheep. A shepherd cares for sheep and guides them through the wilderness and leads them to safety. This does not include hitting them.

The problem with literal interpretation of selected texts is that other texts are ignored. For example, the purpose of ‘discipline’ can be found at the beginning of the Book of Proverbs (Proverbs 1:2). Here ‘discipline’ means learning about wisdom and instruction, understanding words of insight, righteousness, justice and equity. The Hebrew word used in this context defines discipline as ‘teaching’ not beating.

Generations of parents have misinterpreted the ancient texts and used them to justify physical punishment and to break a child’s spirit. They have confused the fear caused by corporal punishment with respect, and failed to see that fear drives out respect.

Religious groups recognise the urgent need for scholars to use religious texts to promote non-violence. This is particularly important in challenging Christians who use the Bible as justification for hitting children.

Bishops’ Conference of Norway

In January 2008, the Bishops’ Conference of Norway agreed that outdated language used to justify corporal punishment of children should be replaced in new translations of the Bible in Norway. Church leaders agreed to the proposal by the Norwegian Ombudsman for Children, to replace the word ‘chastisement’ in the Bible with more appropriate language, reflecting its original and intended meaning. This was because children, who had contacted his office saying they had been subjected to physical harm, believed the violence may have been authorised by the Bible.

‘While Holy Scripture is the basis by which we undertake this work, the United Nations Convention on the Rights of the Child will serve as a guiding framework in our advocacy.’

– Archbishop Njongonkulu Ndungane, former Primate of Southern Africa and supporter of the Global Initiative, addressing TEAM (Towards Effective Anglican Mission)

South African Council of Churches

During 2007, the South African Council of Churches (SAAC) insisted there can be no Biblical justification for corporal punishment of children in the 21st century. SAAC, supported by Save the Children, produced a document explaining the religious arguments against corporal punishment entitled 'Religions, the Promotion of Positive Discipline and the Abolition of Corporal Punishment: Frequently Asked Questions'.²²

New Zealand

One of the most important examples of direct involvement of religious groups in pursuing law reform is illustrated in the work of Beth Wood and colleagues from EPOCH with Christian denominations in New Zealand.²³

In the face of opposition from a group of Biblical literalists, religious leaders presented a Christian perspective in declaring their support for the repeal of Section 59 of the Crimes Act, and a signed statement in support of repeal, to Prime Minister Helen Clark.²⁴

Ways forward

- Build good relations with religious leaders.
- Develop religious support through the existing roles and functions of religious leaders – leaders of religious organisations, leaders of worship, teachers and scholars, pastors, community leaders and activists.
- Invest in religious scholarship. Disseminate readable documents, e.g. countering the arguments supporting corporal punishment under Shariah law.
- Develop regional, national and local multi-religious reference groups.
- Develop a system for sharing information and resources.²⁵
- Use the Kyoto Declaration as a model for action.

- Understand the status of children in religious communities. Ask:

- (1) What is the status of children in the religious and wider community?
- (2) Is there support for the UNCRC?
- (3) How is child development understood in the culture of the community?
- (4) How is 'discipline' understood?
- (5) How do the cultural and religious values, traditional practices and beliefs affect the protection of children?
- (6) How can religious communities be mobilised to work together to eliminate corporal punishment?
- (7) What resources are needed?

21. See [http://www.churchesfornon-violence.org/Egy-home-page-childreninislamengsum\(1\).pdf](http://www.churchesfornon-violence.org/Egy-home-page-childreninislamengsum(1).pdf) Available at www.churchesfornon-violence.org/links.html

22. See chapter 5 of Wood, B., Hassall, I. & Hook, G. (2008), *Unreasonable Force – New Zealand's journey towards banning physical punishment of children*, Save the Children, New Zealand, and sections 3.2 and 6.2 of this report

24. The full statement is available at www.churchesfornon-violence.org/links.html

25. For further information on resources, see Annex 8 and the website of the Churches' Network for Non-Violence at www.churchesfornon-violence.org

