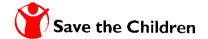


EXPERIENCES FROM ANDHRA PRADESH AND ORISSA, INDIA

BY NEHA BHANDARI
REVIEWED BY Y. PADMAVATHI AND RAVI KARKARA



WORKING AGAINST PHYSICAL AND DEGRADING/HUMILIATING PUNISHMENTS OF GIRLS AND BOYS

Experiences from Andhra Pradesh & Orissa, India

by Neha Bhandari

Reviewed by Y. Padmayathi and Rayi Karkara

The vision...

Save the Children works for:

- a world which respects and values each child
- a world which listens to children and learns
- a world where all children have hope and opportunity

The mission...

Save the Children fights for children's rights.

We deliver immediate and lasting improvements to children's lives worldwide.

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Published by Save the Children Sweden Regional Programme for South and Central Asia c/o SCUK, OSCAR Lalitput, GPO Box 5850 Kathmandu, Nepal

Save the Children A-20, Kailash Colony, New Delhi, India

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Concept: Ravi Karkara and Y. Padmavathi

Copy-editing: Bela Malik

Printing: Format Printing Press, Kathmandu

Preface

Children need discipline. Without any rules, boundaries and consequences, children would not learn how to fit in with society. They would suffer, and society would suffer. Probably few people would disagree. The question is what type of discipline. Many times discipline is considered only as physical punishment. Parents, educators and other adults who work with children often think of physical punishment as the only means available to achieve discipline of children.

However, there are alternative forms of discipline besides physical and degrading/humiliating punishment. Positive discipline is a concept that has grown and has been used in many households, schools and communities around the world. Some schools in Andhra Pradesh are starting to use this approach. Even in the challenging environment of classrooms in poor areas of the country, where the average class size is very large and the number of trained school teachers is relatively small, positive discipline works.

This report raises the voices of children on the issue of negative discipline. Often we forget to ask children their opinions. If children are allowed to speak, they will tell about the damaging impact that physical and degrading/humiliating punishment often brings. This report documents some of the experiences of children who have been beaten in the classroom. This report documents the growing consensus among adults and children who oppose the use of violence in the classroom. It also documents the growing consensus among some legislators in Orissa and other parts of India who see violence in the classroom as a violation of rights and their determination to ban corporal punishment in education. Finally, this report shows that there are alternatives that uphold the dignity of children and adults and ensure discipline in a positive way.

Most importantly, it is an issue of rights. Most people would never consider beating adults who do not follow our instructions or rules. Why do we consider children to be so inferior? Women were considered very inferior not long ago. We might make a comparison with progress in the field of women's rights.

Many societies previously did not accept that women should enjoy the right to be treated with dignity and respect, and they should be protected from beating regardless of who is doing the beating. Today most of us accept that women should not be beaten. We recognise beating as a form of violence & humiliation and a violation of rights. Yet today many societies do not accept that children enjoy the right to be treated with dignity and respect, and that they also should be protected from violence. Leaders in government, education and communities have the opportunity to initiate positive and progressive change without waiting for a major attitudinal shift in society. They can lead the shift rather than following it. Eventually, attitudes will shift and practices will change. How long will we wait for the change?

I hope you will find this report informative and useful in the debate on the issue of banning corporal punishment in education in Orissa and Andhra Pradesh.

October 2004

Brian Heidel

Programme Director India Country Programme Save the Children

Acknowledgement

This document presents Save the Children's work against physical and degrading/humiliating punishments of girls and boys in two states in India, Andhra Pradesh and Orissa. There are many challenges and difficulties, as is to be expected in a context where such forms of punishment are treated as socially acceptable. This report presents the processes, methods, practices and tools in dealing with the problems and challenges. The experience shows that, along with duty-bearers, children can also be partners, change-makers and advocates for transformation. It intends to provide insights and possible programme tools for working against physical and degrading/humiliating punishment of children. It is hoped that it will also contribute to the ongoing UN Study on Violence against Children.

Many persons and organisations have to be thanked. The staff of Save the Children in Hyderabad (Bijay Bhaskar, K Dorjee, Prafulla Gowda, Laxmi Narayan Nanda and Y G Bhavani) were committed and dedicated through the process.

The partner organisations—Aaina, Adivasi Krushi Swasthya Sikhya Unnayana Samithi (AKSSUS), Ashray, Collective Action for Rural Development (CAFORD), Centre for Child and Women Development (CCWD), Janachetana, Mahita, Nature, Open Learning Systems (OLS), Sahara and South Orissa Voluntary Action (SOVA)—worked with patience and determination at the grassroots level. Isidore Philip, Kasturi Mahapatra, Ramesh Shekhar Reddy, Range Gowda, Sanjit Patnayak were generous in sharing their experiences.

Triveni, Kalavathi, Kiran Kumar and Kiran were only a few of the children who travelled long-distance to be part of this documentation process.

Many girls and boys have contributed to the document from Andhra Pradesh and Orissa.

None of this would have been possible without the children, parents, teachers, community leaders and government officials, who are an integral part of this project.

Martin Kelsey guided and supported the initiation of this work and Brian Heidel has been a source of encouragement and enthusiasm through the process.

Save the Children Sweden, Regional Programme for South and Central Asia for supporting this publication. The energetic Regional Programme Manager, Ravi Karkara, has to be especially thanked for his inputs to the documentation. Many thanks to Neha Bhandari for her hardwork and energy in bringing out this valueable document. Thanks to Bela Malik for editorial support.

October 2004

Y. Padmavathi

Zonal Director Save the Children Hyderabad

Abbreviations

AKSSUS Adivasi Krushi Swasthya Sikhya Unnayana Samithi

CAFORD Collective Action for Rural Development
CCWD Centre for Child and Women Development

CRC UN Convention on the Rights of the Child, 1989

GMC Global Movement for Children

© Government Order

MEO Mandal Education Officer

MLA Member of Legislative Assembly

OLS Open Learning Systems
PRI Panchayati Ray Institutions
SEC School Education Committee
SOVA South Orissa Voluntary Action

SSA Sarv Shiksha Abhiyan

VEC Village Education Committee

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WE CANNOT TEACH FREEDOM USING TOOLS OF SLAVERY

-HORAACE MANN, EDUCATIONIST





Physical & Degrading/Humiliating Punishments

In terms of definition¹, physical and degrading/humiliating punishment is the use of physical force or degrading/humiliating treatment causing some degree of pain or discomfort, in order to discipline, correct, control, change behaviour in the belief of educating/bringing up the child.

- Physical punishment includes hitting the child with the hand or with an
 object (such as a cane, belt, whip or shoe); kicking, shaking, or throwing
 the child, pinching or pulling their hair; forcing a child to stay in
 uncomfortable or undignified positions, or to take excessive physical
 exercise; and/or burning or scarring the child or the threat of it.
- Degrading/humiliating punishment takes various forms such as verbal abuse, ridicule, insult, shame, isolation or ignoring the child.

While degrading/humiliating punishment may not show physical manifestations, it is damaging to the child. It may in fact be even worse than physical punishment. Physical punishment is also psychologically damaging (causing low self-esteem and image, sadness, shame or depression). These forms of punishment, often combined, are frequently practised in South Asia. Children are at the receiving end on streets, schools, homes, shops, factories, and in their neighbourhoods. In this report, we focus on two states of the Indian Union, Andhra Pradesh and Orissa.

It has been proved that physical and degrading/humiliating punishments either outright deny or minimally pose a risk to children's survival, physical integrity, optimal development and to education. It denies children's

¹ Save the Children Definition on Corporal/Physical and Humiliating Punishment, 2004.

rights directly. This has been recognised by most international human right interpretative and monitoring bodies and instruments, by the European Court on Human Rights and by other institutions and organisations. The UN has centrally recognised the problem in its instituted Study on Violence against Children.

Apart from the direct denial of child rights, physical and degrading/humiliating punishments can be the indirect basis of denial of children's rights. Often times, children run away from home or drop out of school because they have been subject to degrading/humiliating or violent punishment. The children then can end up on the streets without any support. Sometimes they find themselves in institutions without their community or familial care. These forms of punishment constitute violence against children and addressing them provides an opportunity to confront other forms of violence against children.

Save the Children's mandate strongly includes working towards creating a ban on physical and degrading/humiliating punishments for children across all ages, gender, disabilities, HIV/AIDS status, class and caste in schools, streets, homes, workplaces and institutions. It has been advocating for a replacement with techniques of positive discipline. In simple terms, positive discipline takes into account wider practices and principles of child development, rearing and child care. It is integral to a child-based participatory and inclusive approach to teaching, working and caring for children. This approach and technique centres on respect and responsibility. It pushes adults to empathise with a child's point of view and to negotiate with it instead of simply imposing by force (physical or psychological) the adult's perspective. Positive discipline is participatory. It does not prevail or instruct. It involves the child in collective problem solving. Ground rules can be mutually agreed upon. Blame is not apportioned; rather the focus is on finding lasting solutions to differences in perspectives. A creative atmosphere involving play and participatory tools and techniques will actually work best to channelise children's energies and interests for their own development as responsible and accountable citizens. A childfriendly approach strengthens the child's ability to solve his or her own problems. The child can then determine its own learning space and become more responsible.

NATIONAL LEGISLATION ON PHYSICAL & DEGRADING/ HUMILIATING PUNISHMENTS IN INDIA²

UN Convention on the Rights of the Child (CRC), a code for children's rights guaranteeing them survival, protection, development & participatory rights, has been ratified by India in 1992

There is no national legal provision prohibiting physical punishment in India. Legislations are there to protect people from severe form of physical violence. The proposal by the Indian National Policy on Education (1986) to abolish physical punishment in schools has not been legalised. The existing government orders and amendments of education rules prohibiting physical punishment in education institutions are toothless without legislation. There have been amendments of education rules in some of the states of India, which prohibit physical punishments in schools. The relevant portion of Rule 37 of the Delhi School Education Rules, 1973 (Hindustan Times, Delhi, 2 May 1999) is below:

- (a) Physical punishment maybe given by the head of the school in cases of persisting impertinence or rude behaviour towards the teachers, physical violence, intemperance and serious form of misbehaviour with other students.
- (b) Physical punishment shall not be inflicted on the students who are in ill health.
- (c) Where physical punishment is imposed, it shall not be severe or excessive and shall be so administered as not to cause bodily injury.
- (d) Where cane is used for inflicting physical punishment, such punishment shall take the form of strokes not exceeding ten on the palm of the hand.
- (e) Every punishment inflicted on a student shall be recorded in the Conduct Register of such student.

² Famida Jabeen, Ravi Karkara and Lena Karlsson, Physical and Degrading/Humiliating Punishment against Girls and Boys in South and Central Asia, Save the Children, South and Central Asia, 2005.

In December 2000, in response to public interest litigation, the Delhi High Court struck down provisions of physical punishment in the Delhi School Education Act (1973) as being inhumane and detrimental to the dignity of children. An interesting feature of this case was the state government's contention that physical punishment in moderation is meant to inculcate discipline in the child in his or her own interest. This judgment has paved the way for a public debate on this issue.

According to the Tamil Nadu Education Rules, Rule 51 allowed a headmaster to legally beat a child by merely quoting the circumstance specified in the rule (Hindu, 18 October 2002).

Corporal/physical punishment shall not be inflicted, except in a case of moral delinquency such as deliberate lying, obscenity of word or act or flagrant insubordination and it shall be limited to six strokes on the hand and be administered only by or under the supervision of the headmaster.

Legal sanction for physical punishment has finally been withdrawn from Rule 51. It has been replaced with a section, which recommends every child be given an opportunity to learn the error of his/her ways through 'corrective' measures. While making it clear that the school shall not cause mental and physical pain to the child, among the corrective measures suggested are 'imposition' and suspension from class. However, there are no punitive measures suggested for violators.

Rule 122 of Andhra Pradesh's Education Rules (1966) has been amended to prohibit physical punishment in schools in the state of Andhra Pradesh in February 2002. It was a long haul for NGOs and civil society for securing an official prohibition. This needs to be followed by legislation and establishing of proper complaining and investigation procedures.

It is in this legal setting that work in Andhra Pradesh and Orissa is based.



-A Chinese proverb



WHERE IT ALL BEGAN

Save the Children has been working in Andhra Pradesh and Orissa on various issues. Its mandate includes working for promoting and fulfilling child rights through rights-based programmes on education, child protection, HIV/AIDS and child labour. Working against physical and degrading/humiliating punishments cuts across all the above priority areas.

To learn more about the topic, Save the Children undertook extensive consultations in the Indian states of Andhra Pradesh and Orissa in 2001 and 2003. Consultations not only included children but also the multiple stakeholders/duty-bearers namely parents, teachers, community leaders, Village Education Committee (VEC)/School Education Committee (SEC) members and local government officials. The results of these consultations were startling. Apart from depicting widespread prevalence of physical and degrading/humiliating punishments in the zone, consultations also showed a complete lack of awareness on the practice.

To sensitise people on the issue Save the Children began spreading awareness on physical and degrading/humiliating punishments using the simple yet effective technique of wall writing. Simultaneously, field workers began holding informal discussions on the issue with children, families, community leaders and teachers.

This was met with immediate resistance as parents and teachers refused to acknowledge that punishing children was wrong. They uncritically subscribed to the old saying – 'spare the rod and spoil the child'. Teachers argued that punishing a child is in his/her best interest as fear of punishment is the only thing that will make him/her study. To add to the problem, parents sided with the teachers. They even came to school asking teachers to punish their children, which they felt would make them work better. So every time, fieldworkers pressed teachers on the issue, teachers felt they were being dictated to and felt offended.

Save the Children and partners realised that without the support of the most crucial stakeholders i.e. teachers and parents, the campaign would be futile. Save the Children outlined its position clearly. It believes that disciplining is important. But this can be done through positive disciplining techniques. Physical and degrading/humiliating punishment should be banned. Save the Children encouraged teachers to be involved and to discuss the issue. With this approach, teachers began to feel a part of the programme rather than mere targets without any agency. Teachers began to listen and to think on the topic.

After the teachers, the Village Education Committees and School Education Committees needed to be influenced, as they are responsible for the development and management of schools. Initially there was resistance, but frequent capacity building meetings of VEC/SEC members and teachers unions helped to change that. In the Save the Children supported workshops and meetings, VEC/SEC members and teachers noticed how the facilitators were engaging with 50-60 children for long hours at a stretch. It was apparent that children were effectively and meaningfully involving themselves in the proceedings without the use of force and negative disciplining techniques. The extensive workshops also brought forth Save the Children's commitment to the issue. This led to a shift in the attitude of the VEC/SEC members and teachers.

These workshops also highlighted the techniques of positive discipline, joyful and participatory learning and child-led techniques.

These methodologies and tools provided teachers with alternative ways of teaching and disciplining. This would not only reduce physical and degrading/humiliating punishments but also improve the retention rates along with the quality of education imparted in schools.

Save the Children works with its partner organisations at various levels. Not only does it provide them with financial and technical support, it involves them in internal strategic planning, reviewing and intervention. Since 2003, children have been regularly involved in the internal planning

meetings as well. This mammoth task at the project level was undertaken by Save the Children's partner organisations. Of the eleven partner organisations that Save the Children works with, only six focus on education. However, the crosscutting nature of physical and degrading/humiliating punishments makes it a relevant theme even for the remaining five organisations.

As the campaign on banning physical and degrading/humiliating punishments gained momentum, duty-bearers and stakeholders in all the regions started to ask the same questions.

- 'Is it possible to teach without hitting?'
- 'Are the suggested alternatives to physical and degrading/humiliating punishments for real?'
- 'What is positive discipline?'

For Save the Children and partners, the most comprehensive reply to these questions was to run a model school themselves. This would not only prove by example but also set the stage for furthering the awareness process.

DEMONSTRATING THROUGH A MODEL SCHOOL

In April 2003, Save the Children supported by the Commonwealth Education Fund, started two residential schools each in the six project areas of Andhra Pradesh, one each for boys and girls. The districts targeted were Anantapur, Karimnagar, Srikakulum and Hyderabad in Andhra Pradesh and Koraput and Rayagada in Orissa. Of these, Hyderabad has only day schools and not residential schools. Initially the teachers who joined these schools found it difficult to teach without punishing students. But after attending special training programmes on joyful learning methodologies and positive discipline techniques, they realised that it was possible to teach in a different and more effective way.

Joyful learning goes beyond using traditional forms of teaching such as lectures. Instead, it involves using more creative and interactive learning and teaching methodologies such as singing, dancing, and theatre. Joyful learning encourages expressiveness.





'MY TEACHER TEACHES IN ORIYA, WHICH I DON'T understand. When he asks ME A QUESTION, I CAN'T ANSWER BECAUSE I DON'T FOLLOW WHAT HE SAYS. HE ABUSES ME AND HITS ME WITH DUSTER EVERYDAY FOR

These schools primarily target working children, school dropouts and children who have never attended school. Children in the age group of 8-18 years are provided basic education for two years, so that they can be sent to mainstream schools thereafter. Children between six to eight years are also enrolled but are only taught for a period of six months to a year, before transferring them to regular schools.

The residential schools are designed to incorporate basic principles of quality education such as child participation, non-discrimination and inclusion in every sphere. Children are involved in the management, planning and curriculum building in every school. This proves by demonstration to the government that such a structure can successfully work. These schools are also working on the development of bilingual texts for children from underdeveloped areas so that teaching can be imparted in regional and local languages simultaneously.

As part of the same project, Save the Children along with its partner organisation Mahita, runs motivational centres in the Ranga Reddy and Hyderabad districts of Andhra Pradesh. These motivational centres work on the same principles as residential schools. In certain areas such as the Attapur slum area in Ranga Reddy district, motivational centres have merged with the local government schools. This makes it easier for government school teachers to observe the methodology of teachers in the motivational centres.

CHILDREN AS PARTNERS FOR CHANGE

The encouragement given to the formation of children's clubs has been useful in propagating awareness against physical and degrading/humiliating punishments. These informal children institutions create a space for structured debates and dialogues on issues relating to children. They also create an opportunity for children to interact with other duty-bearers for realising their rights.

Children's clubs also hold informal discussions on physical and degrading/humiliating punishments with parents, teachers and community leaders, which contribute to it being a topic of discussion. These discussions in turn move the issue from the private to the public domain.

'Earlier I was too sacred of speaking out, but now I can tell teachers to stop when we are being hit. I show them papers that say hitting is not allowed. These were given to us at the regional workshop on 'right to education'. We should be taught with love and affection.'

-A 14-year-old boy from Chittoor district in Andhra Pradesh.

Any reported case of violence, whether in schools, homes or institutions is discussed at the club and is later followed by meeting with parents, Panchayati Raj Institutions and VEC representatives. In certain areas, club members have also negotiated a seat for themselves in the VEC, for which they are not formally eligible. Children's clubs also motivate other children in the community who are non-members to join the clubs as active members. These clubs also work as effective mechanisms for soliciting feedback from the community.

Venkatramadu, a twelve-year-old boy from Anantapur district, a member of the children's club, was a noted bully in and outside school. Children feared him to the extent of ceasing to attend club meetings. This led to a sharp fall in the attendance in the meetings. The other club members then brought up the issue with VEC, teachers and NGO members. Venkat was invited to the discussions as well. The children clearly expressed how they felt about his behaviour. After such repeated meetings, Venkat decided a punishment for himself. For 8 days he chose to clean the school grounds. Moreover, an attitudinal change was also visible in him.

Child-led Indicators

Child-led indicators were devised as part of a larger effort to improve the quality of education and to ensure children's active participation. Child-led indicators also help to curb physical and degrading/humiliating punishments as they work as a tool, to effectively monitor and assess the work against such punishments and it's impact.

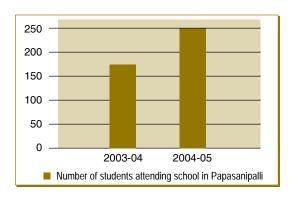
When the concept of child-led indicators was first introduced in forums for teacher unions, community leaders and VEC members it was met with a lukewarm response. Initially the community leaders were unable to understand why children needed to actively participate in the process. They felt that as adults they had more knowledge than children and would not benefit from children's involvement. It took a lot of counselling to make them accept the concept of child participation.

As part of the child-led indicators process, feedback boxes have been put in the residential schools, which both students and children can access. Initially teachers maintained the boxes. Subsequently, they were handed to the children's clubs and the SECs. This has led to reduction in the incidence of physical and degrading/humiliating punishments as children now have a forum of expression. Now, seeing the success of child-led indicators in residential schools, government schools have also started them. Children's clubs in a few residential schools have also formulated local guidelines and checklists on the basis of Save the Children's Child Protection Policy (CPP), which is a management policy for Save the Children's staff and its partners. The guidelines work as an effective monitoring tool. Each type of punishment and abuse that can possibly be inflicted on the children has been included in the guidelines along with the consequence that the teacher will have to bear for violation. In all these schools, the guidelines clearly say that the teachers will be removed if found guilty of inflicting such punishments.

In case the management does not act accordingly, the children can bring it up with Save the Children and its local partners.

Girl children in the residential school in Srikakulum complained that the warden cum teacher assigned them personal work and scolded them. They brought it to the notice of the Child Rights Protection Committee in the school. The committee called a special school assembly and the misbehaviour of the teacher was discussed in detail with all the children. Children decided to terminate her from the service and their decision came to effect immediately.

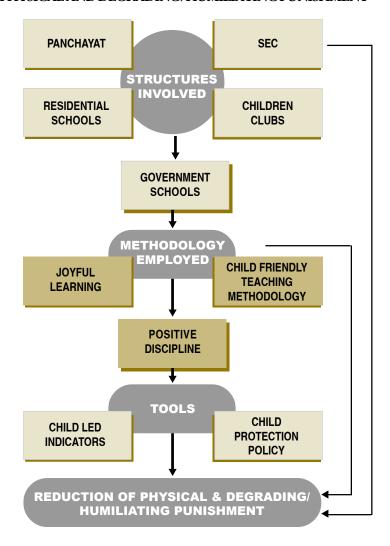
CAFORD, a partner organisation working in 18 villages in Anantapur district has been extensively working with the concept of child-led indicators. In Papasanipalli village in Anantapur district, the impact of child-led indicators can be judged quantitatively by the percentage of pass rates and enrolments in schools. For example, in Papasanipalli, earlier only 28% to 35% of total students passed Class 10, and only 45-50% passed Class 7. But now in both the classes the pass rate is 100%.



In 2003-04, there were 175 students attending school in Papasanipalli village. In 2004-05 it increased to 238 students.

The entire process of work in Andhra Pradesh and Orissa on physical and degrading/humiliating punishment can be summed up in a diagram.

THE PROCESS OF WORK ON PHYSICAL AND DEGRADING/HUMILIATING PUNISHMENT



66II takes a Village to raise a Child 99





WORKING WITH DUTY-BEARERS

CHILDREN'S CONSULTATIONS

Following the emergence of Global Movement for Children (GMC) as part of the Special UN Session on Children in 2001, Save the Children organised and collaborated with UNICEF and other international NGOs like Plan India, Catholic Relief Services, World Vision and Indo-German Social Service Society to start children consultations in three regions of Andhra Pradesh (Vijaywada, Nizamabad and Cuddapah) and in the Koraput district of Orissa.

The purpose of the consultations was to discuss the status of children and the progress on realisation of their rights particularly in areas of education and protection. These consultations identified physical and degrading/humiliating punishments as the most prevalent form of violence against children that impeded their development and overall well-being. Children said that physical and degrading/humiliating punishments affected their school performance as the fear of punishment dominated their mind rather than learning. Girls and boys pointed out the need for a more participatory, inclusive and non-violent classroom teaching method. Also, many children categorically said that they dropped out of school because of such punishments meted out to them. Children also discussed violence at homes and how at times running away from home was the only solution available to them.

Despite the horrifying and sometimes sadist nature of beatings, children did not sound revengeful. They were practical. They wanted to be told what mistakes they had made so that they would have a chance not to repeat them. Very often they are beaten and they have no idea what the beating is for.

Various forms of punishments were a recurring theme in the testimonies of the children. While on one hand they were reluctant to talk for fear of retaliation from adults; on the other hand, they talked of little else.

The teacher at the school humiliated me. This made me reluctant to go to school. I bunked one or two classes. Once a few of us could not answer a question...while the girls were made to do sit-ups as punishment...a girl was made to slap me in front of everybody. I was ashamed and vowed not to go to school again.

- A school dropout boy from Narmadanagar

My mother died when I was very young. My stepmother harassed me so my father sold me to my aunt for Rs 2,000. I did all the household work there and ate leftover food... when I was suffering from small pox, nobody provided care for me. Once I put my aunt's daughter on my lap and she beat me up. She tried to cut off my fingers. I tried to resist, yet I lost one finger. I ran away and ended up in the railway station.

– A girl child from the street

The teacher asked us to pull off branches from the bush outside. Then they give us a beating with them... They force us to beat other children too. If we beat them softly, we are beaten and told - "beat like this". Boys are forced to beat girls and girls to beat boys.

- A boy from Chittoor, Andhra Pradesh

Sometimes when we are [verbally] abused, it hurts more than when we are slapped.

– A fifteen-year-old boy from Koraput district, Orissa

A positive development occurred in February 2002 when the Andhra Pradesh government passed a Government Order (GO) prohibiting corporal punishments in schools.

Divya Disha, an NGO, working for underprivileged children and marginalised communities, lobbied extensively along with UNICEF at the state level on the issue of corporal punishment, which finally resulted in the Andhra Pradesh GO. They currently run a child rights cell in partnership with the government. The cell has a helpline with a toll free number (1600334008) and an email address: (apchildrights@hotmail.com).

Any parent, child or concerned adult can forward complaints on physical & degrading/humiliating punishments through these channels.

Following the GO, in November 2002, Save the Children planned consultations of children, stakeholders and duty-bearers in five areas of AP—Cuddapah, Nalgonda, Medak, Srikakulum and Ongole. The idea was to raise awareness, particularly of children, on three issues: quality education, problem of education for girl children and corporal punishment. The aim was also to identify other issues in education in these five regions. The consultations were also extended to teachers, community members, media, government officials and Village Education Committees (VECs). The consultations provided insight to the prevalence and extent of physical and degrading/humiliating punishment even after the passing of the GO. To increase awareness on the subject, the GO was immediately translated in local languages and distributed.

CHILDREN'S FILM ON PHYSICAL & DEGRADING/ HUMILIATING PUNISHMENTS

A film made by children on corporal punishment was also showcased at a public open forum. This film was a product of Save the Children's belief in child participation and inclusion that led to the idea of involving children in documenting the issues that affected them. Instead of choosing more traditional forms of documentation, a contemporary medium such as film-making was chosen.

In 2003, 25 children were chosen from five consultations of Save the Children to be trained in video filmmaking. Children were divided into groups, which would work on different films simultaneously. Each group was then trained in different aspects of filmmaking such as script writing, camera usage, on location production and editing. The themes of these films were chosen by the children. The themes were - child labour (two films), education for all, drop outs, HIV/AIDS and physical and degrading/humiliating punishments.

In the film on physical and degrading/humiliating punishments, children employed role-playing to highlight the problem. To get different perspectives on the issue, they interviewed teachers, principals, counsellors, parents, children and NGO workers. The film is now being used as a tool in forums and meetings to initiate debates on the topic.

PUBLIC FORUMS

Andhra Pradesh

These consultations and discussions culminated in an open public forum organised by Save the Children, Commonwealth Education Fund and AP Alliance for Child Rights in July 2003 in Hyderabad. It was attended by 800 members. The forum was divided into five issues that came to light during the consultations:

- Physical and Degrading/Humiliating Punishments
- Bilingual Teaching
- Community Ownership
- Teaching Learning Material
- · Role of the Media.

Each issue was taken up by a panel that had a representative each of a child, teacher union, parents, VEC, NGOs, media and state education officers. Triveni, a fourteen year-old child panellist on physical and degrading/humiliating punishments, presented a paper on her experience (see newspaper clipping in the annexure).

The public forum resulted in a number of recommendations:

- Along with scholastic aptitude, the candidate's attitude to teaching should also be tested before recruiting them even for teacher training.
- Only trained teachers should be appointed in the schools.
- Parents as well as the village communities should take an interest in the running of schools
- Private schools must also be brought under the control of the government.
- An overall policy on discipline should be evolved.
- A small guidebook for teachers titled How to teach effectively without corporal punishment? should be produced.

Conduct a micro-level survey; with the help of the VECs, on how well each village school is functioning.

At the conclusion of the public forum the Secretary of School Education, Government of Andhra Pradesh admitted to the lack of awareness on the issue and requested Save the Children and its partners to prepare training manuals on positive discipline for teachers of 70,000 primary and upper primary schools in the state. The follow up to the forum is in progress.

Orissa

Regional consultative workshops were held in the districts of Sambalpur, Cuttack and Koraput in 2003. Participants included Sarv Shiksha Abhiyan (SSA) members, VEC members, school inspectors, district officials, PRI members, teachers, parents and children.

A number of issues were brought forth such as powers and functionality of VECs, infrastructure of SSAs, the need for bilingual teaching, vulnerability of disabled children and the girl child. Children in front of their parents, admitted to being beaten. The parents and VEC also admitted to the prevalence of high dropout rates due to physical and degrading/humiliating punishments. At present in the Koraput district, 40% of dropouts can be attributed to this reason. It must be remembered that Koraput is overwhelmingly tribal and underdeveloped.

Though the final public forum at the state level in Orissa is still in the organisation phase, children in Koraput went ahead and presented their findings to the local MLA. Convinced on the issue, the MLA raised the question of physical and degrading/humiliating punishments in the State Legislative Assembly in July 2004. However there was no consensus on banning it. The MLA however went ahead and mobilised 33 other MLA signatures on the topic, but unfortunately the assembly got dissolved by the time the question could be raised again.

As a second attempt, Save the Children and its partners started advocating on the issue with newly-elected MLAs on a larger scale than ever before. This lobbying led to organisation of a formal interface of children with local MLAs on physical and degrading/humiliating punishments in Bhubaneshwar, Orissa, in August 2004.

CHILDREN TALK TO ELECTED REPRESENTATIVES

Save the Children in collaboration with it's partner NGOs (South Orissa Voluntary Action [SOVA], Open Learning Systems, CCWD, Aaina and AKSSUS) and a few MLAs, facilitated a meeting with MLAs of Orissa State Assembly to discuss ill-effects of physical and degrading/humiliating punishments on children. This is the first time in India that such interface of children with people's representatives took place on this issue. Thirty-five MLAs from the ruling and opposition parties and 22 children (10 boys and 12 girls), representing urban and tribal areas attended the meeting.

This forum was the finale to numerous consultations and dialogues among children, VECs and district officials. In all these discussions children demanded a platform to share their opinions and views on the current education system. This interface aimed to fill that void The purpose of the meeting was also to discuss recommendations and actions for banning physical and degrading/humiliating punishments and to introduce positive discipline in schools and institutions.

The interface

The meeting began by children expressing their views and opinions on physical and degrading/humiliating punishments.

Response by the MLAs

'The behaviour and attitude of the teachers should be changed and they should be aware about affects of physical and degrading/humiliating punishments. If a student is naughty, he should be punished, but the punishment should not be such that it harms the student. We need to discuss how to maintain discipline in schools.'

'The education system is in a mess. MLAs should debate in the state assembly on this issue. When we can debate on the problems of teachers... we should also give equal importance to the plight of the students.'

'The department of education should direct their teachers on how to impart education to the students.'

'We will try to enact a law in the state to prohibit physical and degrading/humiliating punishments.'

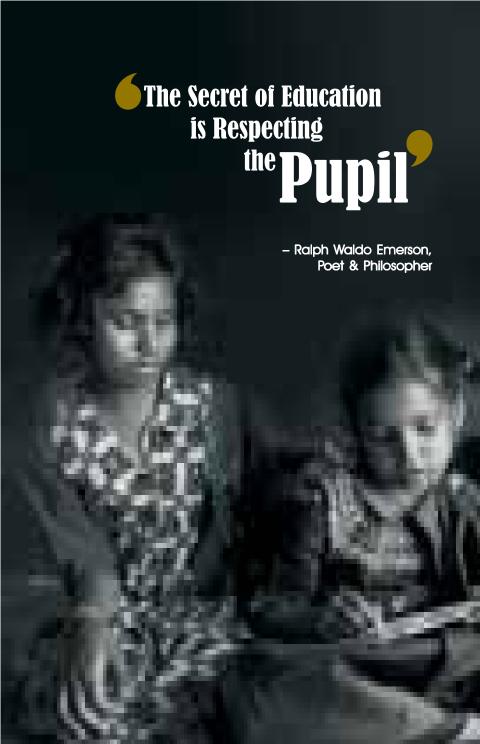
The children's demands in their memorandum were:

- Create a violence-free society
- Ban all types of physical and degrading/humiliating punishments
- Introduce bilingual teaching
- Do away with the existing fine on absenteeism.

It was clear that this was a learning experience for the MLAs. The MLAs conceded that there was a need to ban physical and degrading/humiliating punishments and to promote positive forms of disciplining. The interaction reiterated the need to intervene in the teacher training curriculum and to seek other structures and mechanisms to redress the problem. The MLAs would have to again table this proposal and debate it into a law.

Further, existing creative teaching methodologies in Orissa and elsewhere in India need to be documented and shared so that it becomes demonstrable that physical and degrading/humiliating punishments are not required.

Immediately after the interface, Government of Orissa issued a Directive to the Education Department, asking them to draft a Government Order banning corporal punishments in schools. (see annexure)







RECOGNISING CHALLENGES

The struggle against physical and degrading/humiliating punishments is ongoing, registering successes. But it is uphill. There are many challenges that remain, the biggest being the attitude that parents, schools and communities still retain on the issue. The idea that such forms of punishments violate children's basic rights is still to be realised. There is still no widespread recognition that there are other ways of raising children. The attitude is particularly damaging when it accompanies teachers' bias towards lower castes/classes/girl children and children of dark complexion, or those who are mentally and physically different.

The situation is compounded when there is lack of proper teacher training that includes child-friendly techniques. Teachers often use uninspiring teaching methodologies which are unable to draw children's motivations, causing them to 'behave badly' and invite physical and degrading/humiliating punishments. In the absence of positive discipline in homes, children tend not to expect any other form of interaction in schools. A cycle of 'bad behaviour' and non-positive discipline sets in.

Positive, child-centred teaching techniques can work only when the school atmosphere is congenial. With poor teacher-student ratios, it is difficult for teachers to focus on child development or individual children.

Moving to the community, violence in society is deep-rooted. Social hierarchies and inequalities are based on violence, or the threat of violence. Within such a context, expecting only homes and schools to be non-violent towards children may be unrealistic. However change has to begin somewhere. Bringing about more democratic and interactive procedures with children through work with duty-bearers on a large scale is possible. Child rights can be part of government strategy.

A Sarv Shiksha Abhiyan (SSA) bill in India outlines broad strategies for children's involvement in school management. It also focuses on special groups, quality education and voilence free schools.

'Competency based and contextual teaching-learning material should be developed. Teaching-learning processes should be made child-centred and activity-based.' - SSA document, 2001.

The Education Bill 2004 also emphasises that supplementary instructions be provided to slow learners. It specifically asks that 'No child shall be awarded physical punishment in any recognised school.'

BUILDING STRATEGIES

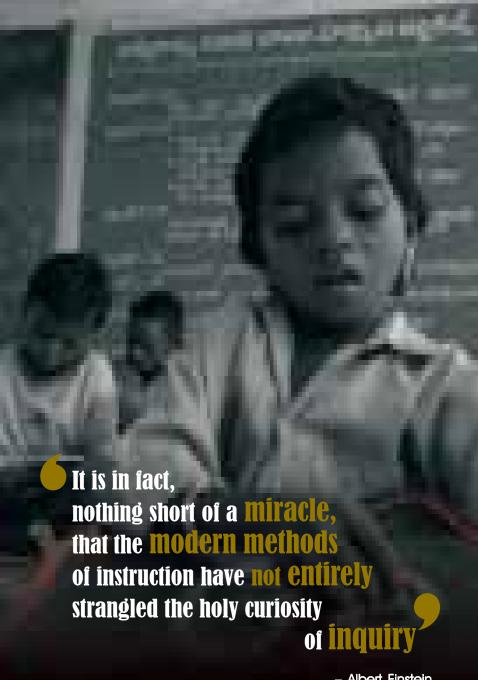
These positive statements and provisions can be built upon. More work is required in this direction. One way ahead is for Save the Children and its partners to upscale their activities to reach out to as many duty-bearers as possible. A strategy is needed to gain entry into private-owned schools. These schools, contrary to perceived opinion, tend to record more instances of physical and degrading/humiliating punishments than government schools perhaps because they are more performance-conscious, and because success in them is viewed purely through a market-determined lens.

Other international NGOs and funding agencies that are working in the area of child rights need to be influenced to work on the subject of physical and degrading/humiliating punishments. This will improve the scale of operations dramatically.

RECOMMENDATIONS

- 1. Lobby towards passing legislation on banning physical and degrading/humiliating punishment of girls and boys in schools, homes, workplace and institutions across the states of Andhra Pradesh and Orissa. Though banning is not a solution, it can be seen as a starting point for furthering discussions on the issue.
- 2. Evolve a comprehensive policy on positive discipline and appoint a task force to put in place structures and mechanisms.
- Teacher education: inclusion of child rights education, child participation, Child Protection Policy and positive discipline as part of teachers training curriculum in states.
- In-service training: integrate positive discipline and Child Protection
 Policy in the ongoing training programs of District Institute for
 Education Training (DIET) / State Council for Education and
 Research Training (SCERTs).
- 5. Child protection committees: set up child protection committees at various levels consisting of children, teachers, parents and key decisionmakers to monitor physical and degrading/humiliating punishments and good practice in positive discipline.
- 6. Encourage child participation and child-friendly mechanisms in the family, school, community, district and state on a wider scale.
- Press for better coordination between relevant agencies: schools, department of education, planning commission, finance department, media, children's organisations, UN agencies and child-right organisations.

- 8. Incorporate child-led indicators in the regular school inspection system.
- Produce guidelines on banning physical and degrading/humiliating punishments and on promoting positive discipline and child development.
- 10. Capacity building of all teaching staff on use and practice of positive discipline to replace physical and degrading/humiliating punishments of girls and boys.
- 11. Initiate a campaign on prompting positive discipline to replace physical and degrading/humiliating punishments of girls and boys in schools, homes, workplaces and institutions across the states.
- 12. Panchayati Raj departments need to empower PRIs with respect to education and violence against children at homes, schools, workplaces and institutions.
- Adopt an integrated approach to address education and violence as an integral part of overall development strategy.
- 14. State education administration to extend and exercise their regulation and support function to all schools including private and aided schools to ensure violence free schools.





ANNEX I

PROGRAMME TIMELINE

Year	Activity
2001-2001	Consultations with children and multi stakeholders
2001-2004	Formation and strengthening of children's clubs in all project villages Capacity building of VECs/SECs, Parents Teachers Associations (PTA) and Mothers Teachers Associations (MTA) · Orientation of duty-bearers (parents, PRIs, teachers, education officials and elected representatives)
December 2002	Amendment on banning physical punishments in schools in Andhra Pradesh by Government Order 16
April 2003	'Education: a joyful and continuous journey' - A project initiated in two states.
July 2003	Organisation of a public forum in Andhra Pradesh
August- September 2003	Development of child-led indicators for measuring the quality of education
November 2003	Orissa MLAs raised a question in the assembly, followed by a signature campaign by MLAs on physical and degrading/humiliating punishments
October- December 2003	Children submitted memorandum to MLAs, Revenue Divisional Commissioner (RDC) and the District Collectors (Koraput, Cuttack and Sambalpur) in Orissa
August 2004	Organisation of an interface between MLAs and children in Orissa following which the Government of Orissa issued a Directive to the Education Department asking them to draft a Government Order banning corporal punishments in schools.

ANNEX II

Children present the grim realities at the photo exhibition-cum seminaron Elementary Education & Child Rights organised by Save the Children, UK in association with Commonwealth Education Fund and AP Alliance for Child Rights



S Chalapathi, Age 13 years, Std VIII, Naidumalli Govt High School

Naidumalli, Srikakulum Issues of teaching in mother tongue

belong to the Savara tribe. When I joined school, I was unable to follow Teluga and could not understand the lessons. Teachers were harsh to me and as a result, I stopped going to school. Four months later, I participated in a regional workshop on 'Right to Education' after which I developed interest in studies and joined. a residential bridge course.

Many of my friends are school drop outs and work as child labour.
Though they are interested in studies, they are not ready to go to school as the medium is
Telugu. The lessons in the textbooks have no relation to our real tribal lives.

Even teachers don't give attention to Savaras saying they don't study well. Children who study well are made to sit in the front. It is not that we don't study well but that we don't understand what is being taught. Here's some of our suggestions:

Until Class V, education in schools should be in both in Telugu and Savara languages.
 Text books should be in both Savara and Telugu
 Teachers in all the tribal areas should be proficient in both Telugu and Savara languages.

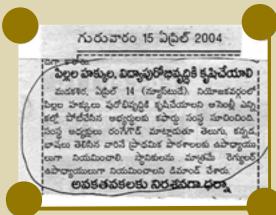
A 13-year-old boy from Srikakulum district describes his experience on physical and degrading/humiliating punishments

– New Indian Express, 30th July 2002, Hyderabad



Triveni, a child panelist at the Public Forum held in Hyderabad, presents a paper on her experience

– New Indian Express, 30th July 2002, Hyderabad



The increase in the passout rate in Papasanipalli Village was captured in a local newspaper

- Eenadu, District Special, 15th April 2002

No corporal punishment in schools



Mr Navin Patnaik

Statemala News Service

BHUBANESWAR, Sept. 2. — The state government today imposed a han on corporal or physical punishment of school chilidron. The "village school muster with a case in hund" will no longer be a scene in educational invitintions.

The chief minister of the state, Mr Navin Patnak, today discrete the chiciasts of the School & Mass Education department syste that no kind of physical punishment is improsed on the students studying in the govern ment and private schools across the state.

It may be noted that several child rights organizations including the Save the Children, an international child eights body working its more than 100 countries, had been dowarding a ban on cyopural parishment in the stare.

The demand was also put forth by the school children during their interface with the members of the Orisse Legislative Assembly have seconds.

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The child rights activists cond the precedent in Andhes Pradech where the government had issued a gasette notification in February, 2002 which had sposed a bus on physical pusposed a bus on physical pusposed.

ishment in the schools across the state of Andhra Pradesh.

The comme P., JHA graffft meet had also amended the Andhra Pradesh (Integrated) Educational Rules, 1966, to delete from it corporal punishment from the standard forms of punishment.

They had also quoted a yodgment of Dethi Bigh Court which had held that "imposition of corporal punishment is not keeping with a child's dignity and it is cruel to subject a child to physical violence in school in the name of discipline".

The children's consultations held in Sambalpur, Cuttack and Koraput dioritors had identified physical and psychological punsibuncats as the most porsident form of violence that affects, their desployment and well-beine in the later variet.

ing in the later years.
Children who pericipated in these consultations said this affected their school performance at the feet of juntiliment doublinated their mind suther than terming. Many of them had said that they drupped out of school because of physical and psychological junctuhmens artend out to them. The child rights organization had surped the stem government to enact legislation banning physical and psychological junctions and unput the proposition of purity of the stem of the state of the state

Cirposal or physical punishment, as defined by the Surv she Children, includes histing the child with the hand or an object, hicking, shaking or throwing the child, pinching or pulling their halt, forcing a child so stay in uncomfortable/undignified positions or to take excessive exist, burning or scarring the clieb, burning or scarring the

GUVERNMENT OF CHRISTA SCHOOL & MASS EDUCATION DEPARTMENT From Bri Jegadenanda Panda, IAS, . 1. Commissioner-pum-Socretary to Govt." To The Director, Elementary Education, Orista The Director, Secondary Education, Orissa die S.P.D., OPEPA, Orissa, Bhubaneswar The Secretary, Board of Secondary Education, Cullack The Supdi. Sanskrit Studies, Puri All Collectors. 5k. This is to say that a few recent incidents of inflicting corporal punishment on the Innocent school children have invited public writin and rencour. As you ere to aware, overriding priority is being accorded to mak school climate child-friendly. imbued with a culture of care and concern for them. The single-most important need of children in schools, in fact, in caring touchers who exhibit love/and concern for them. This helps them to acquire intended competency and skills. The community and parents have always respected teachers as motivators of children, placed at their disposal. Corporal punishment, in its varied monifestations, has come to be increasingly perceived as a phonomenon byegone age. It perpetrates either psychosis in children which shotters their entire psyche and eventually affects. their fearning. Corporal punishment in schools, therefore, is to be shunned by all means. No teacher, in any circumstance, shall take recourse to inflicting corporal punishment on children in schools. Taking into consideration all these factors, Hon'ble Chief Minister; has instructed that strict instructions may be issued to all schools, Gort. and Public, not to administer corporal punishment on students. I would, therefore, like to request you to issue appropriate instructions to all onnoemed to ensure that corporal punishment is stopped forthwith in all schools. Yours faithfully, 3000 Commissioner-cum-Secrotery to Govt. Mil Copy forwarded to P.S. to Hon'ble Chief Minister / P.S. to Hoo'ble Minister, S&ME for Information-Deputy Secretary to Govt. No. 15 476 At 3. 9. 3004 Copy forwarded to Section I, II, VII, VIII, IX and XIV for information and necessary action.

Government of Orissa issues a Directive to the Education Department, asking them to draft a GO banning corporal punishments in schools.

Deputy Secretary to Govi

The vision...

Save the Children works for:

- a world which respects and values each child
- a world which listens to children and learns
- a world where all children have hope and opportunity

The mission...

Save the Children fights for children's rights.

We deliver immediate and lasting improvements to children's lives worldwide.

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