

VIOLATIONS INSIDE THE EDUCATION SYSTEM

A. Corporal Punishment

MYTH: Sometimes it becomes necessary to punish children in order to teach them discipline. Parents and teachers have a right to discipline their children.

FACT: *Spare the rod and spoil the child is what most adults have grown up believing.*

Adults who were beaten by their parents and teachers always feel it is their right to do so. They often forget the trauma which they had undergone when they were young and were subjected to physical and degrading forms of punishment.

Corporal punishment is often used as a measure to discipline children. Children are at the receiving end from parents, teachers and non-teaching school authorities. Almost all schools inflict corporal punishments on students for various reasons and most parents beat their children.



In the name of discipline, children are known to have had their bones and teeth broken, their hair pulled out and forced into acts of humiliation.

Corporal punishment is defined as the use of physical force with the intention of causing a child pain, not for the purpose of injury but for correction.

Types of Corporal Punishment-

Physical Punishments:

1. Making the children stand as a wall chair.
2. Keeping the school bags on their heads.
3. Making them stand for the whole day in the sun.
4. Make the children kneel down and do the work.
5. Making them stand on a bench.
6. Making them stand with hands raised.
7. Hold a pencil in their mouth and stand.
8. Holding their ears with hands passed under the legs.
9. Tying the children's hands.
10. Making them do sit-ups.
11. Caning and pinching.
12. Twisting the ears.

Emotional Punishments:

1. Slapping by the opposite sex.
2. Scolding, abusing and humiliating.
3. Label the child according to her or his misbehaviour and send her or him around the school.
4. Make them stand at the back of the class and told to complete the work.
5. Suspending them from school for a couple of days.
6. Pinning paper on their back and labeling them "I am a fool", "I am a donkey" etc.
7. Teacher takes the child to every class she goes and humiliates the child.
8. Removing the shirts of the boys.

Negative Reinforcement:

1. Detention during the break and lunch.
2. Locking them in a dark room.
3. Call for parents or asking the children to bring explanatory letters from the parents.
4. Sending them home or keeping the children outside the school gate.
5. Making the children sit on the floor in the classroom.
6. Making the child clean the premises.
7. Making the child run around the building or in the playground.
8. Sending the children to the Principal.
9. Making them teach in the class.
10. Making them stand till the teacher comes.
11. Giving oral warnings and letters in the diary or calendar.
12. Threatening to give TC for the child.
13. Asking them to miss games or other activities.
14. Deducting marks.
15. Treating three late comings equal to one day absence from school.
16. Giving excessive imposition.
17. Make the children pay fines.
18. Not allowing them into the class.
19. Sitting on the floor for one period for a day, week or month.
20. Placing black marks on their disciplinary charts.

*Source: Corporal Punishment Violation of Child Rights in Schools -
Author - Prof_ Maadabhushi Sridhar_- Nalsar University Of Law -
Hyderabad.htm*

Corporal punishment is the most ineffective form of disciplining as it rarely motivates an individual. It does more harm than good to the child.

Punishment may deter a child from repeating the act of indiscipline to some extent, but it cannot improve her/his understanding of the subject or make her/him more intelligent.

In fact it has numerous negative consequences on the child.

How does corporal punishment harm a child?

It has a negative impact on the psyche of young minds as it usually takes the shape of hatred, terror and fear in the nascent minds.

The punishment of such kind leads to creation of anger, resentment and low self-esteem. It contributes to feelings of helplessness and humiliation, robbing a child of her/his self-worth and self-respect, leading a child to withdrawal or aggression.

It teaches children violence and revenge as solutions to problems.

Children might imitate what the adults are doing. Children begin to believe that it is good to use violence and there is nothing wrong with it. Children may even assault their own parents or teachers in retaliation. Victims of corporal punishment during childhood are more likely to hit their children, spouses or friends in adulthood.

Many street and working children have pointed out corporal punishment at school as one of the reasons for running away from school and also from their families and homes.

Right to discipline children cannot be at the cost of children's right to development and participation. In fact children's right to participation alone can set the tone for discipline.

In any case there is no religion or law that allows corporal punishment. Nobody has any legal or moral authority to physically punish children simply because they are unable to control the situation in any other way.

- Discipline can never be taught, it is learnt.
- Discipline is an attitude, character, responsibility or commitment.
- Discipline is basically internal, while the attempt to impose it would be an external process.

B. Examination Pressure and Student Suicides

MYTH: India's education system has made the world curious of the brains we produce. As a result, many Indian scholars, scientists, engineers and other professionals have successfully settled in the West and a number of them are doing very well for themselves in the country too. Strict discipline along with a competitive examination system has been the way to success. All parents want to put their children into schools that produce good results.

FACT: There is no doubt that India produces the world's finest brains. But does the credit really go to the present day schooling or the education system or to the sheer will power of some students to do well in life despite family and social pressures? The pressures of cut throat competition, rising expectations from our children and students, good results being the main stake for the reputation of a school or a teacher and inability to help children cope with all this has led to increasing depression amongst students, leading to growing number of student suicides. The brains are dying and if we do not open our eyes to this reality now, we may lose out on a whole generation of bright young people very soon.

For some students, there is no life after CBSE exams

Within five days of the CBSE declaring the Class X and XII results, half a dozen students in the Capital have committed suicide. And while you are reading this, there

could be many others contemplating ending their lives because they have failed to clear the exams.

The rising incidence of suicides among students is a manifestation of a deeper malaise. "Earlier, people did not associate depression with adolescence. There is a nascent realisation that adolescents also suffer from depression and more so", points out Dr. R C Jiloha, Professor and Head, Psychiatry, G B Pant and Maulana Azad Medical College. The problem gets aggravated because at this tender age they neither have the sagacity nor the experience to reconcile with failure.

... Says Ms. Sharma, a tele-counsellor, "It is vital for parents and teachers to recognise the need for counselling. ... Exam results are not the end of the world; there is life after exams, even if you have performed badly. That is what the parents and the teachers need to understand," says Ms Sharma.

Source: Smriti Kak, The Tribune, Chandigarh, India, Friday, May 31, 2002, <http://www.tribuneindia.com/2002/20020531/ncr1.htm>



No doubt parents want to send their children to schools that produce good results. But has anyone asked them if this is fine at the cost of the well-being or the very existence of their child? No parent will want to lose her or his child. Indeed it just shows that parents too need to be counselled. But if the pressure from schools continues, if all PTAs are only about how well or badly the child is doing in her/his class and if teachers continue to compare one child with another and neglect the emotional and psychological needs of their students, nothing can ever help change the situation. The schools will have to make the first move and also perhaps start counselling the parents along with children.

Street and Runaway Children

MYTH: Only children from poor families run away to become street children. Children living on streets are bad children.

FACT: Any child could runaway if she/he is not taken good care of. Every child has a right to live with dignity and any parent/ family/school/village that denies this right may have to lose out on their child(ren).



A large section of street children comprises runaway children, who leave their home in search of better life opportunity or, for the glamour of metros or, succumb to peer pressure or, run away from the rigours of the education system that their parents force them to be in or, escape domestic violence and enter cities where they live in most pathetic conditions.

Children runaway from their homes for many reasons

- Better life opportunities.
- Glamour of metros.
- Peer pressure.
- Unhealthy family relations.
- Abandoned by their parents.
- Fear of being beaten up by parents or teachers.
- Sexual abuse.
- Caste discrimination.
- Gender discrimination.
- Disability.
- Discrimination due to HIV/AIDS.

Street children are never bad. It is the situation in which they are living that is bad.

These children are often unable to find even two square meals a day for themselves and are most vulnerable to abuse. Once on the streets, they enter the vicious cycle of exploitation and related problems. On coming in contact with older children the new and younger ones soon engage in rag picking or other forms of work easily available or in illegal activities like pick-pocketing, begging, drug peddling etc.

A study, 'Sexual Abuse of Street Children Brought to an Observation Home' by Deepti Pagare, G.S. Meena, R.C. Jiloha and M.M. Singh, Indian Paediatrics, Department of Community Medicine and Psychiatry, Maulana

Azad College, conducted in 2003-2004, to assess the magnitude and pattern of sexual abuse among male inmates of an observation home in Delhi, revealed that majority of boys were runaways and 38.1% had suffered sexual abuse. On clinical examination, 61.1% showed physical signs and 40.2% showed behavioral signs of sexual abuse. Forcible sex was reported by 44.4% of victims and 25% had signs suggestive of sexually transmitted diseases. Strangers were the most common perpetrators of sexual abuse.

By and large, if there is not enough time lapse since a child leaves her/his home, the chances of children being restored to their families are greater and such children often do not run away again.

HIV/AIDS

MYTH: HIV/AIDS is an adult issue. Children have nothing to do with it and therefore need not know what it is all about. By informing them about HIV/AIDS, reproductive health, sexuality and such issues we will only corrupt their minds. It is only when children come from families with some history of HIV/AIDS that one has to be careful and keep them away as far as possible in order to avoid the spread of HIV/AIDS.

FACT: HIV/AIDS does not discriminate on the basis of age, skin, colour, caste, class, religion, geographical location, moral turpitude, good or bad deeds. All humans can become infected with HIV.

In Asia, India has the largest number of people with HIV/AIDS, followed by China. According to UNAIDS, 0.16 million children in the 0-14 years age group are infected with HIV in India.

HIV i.e. human immunodeficiency virus that causes AIDS is transmitted through contact with an HIV positive person's infected body fluids, such as semen, pre-ejaculate fluid, vaginal fluids, blood, or breast milk. HIV can also be transmitted through needles contaminated with HIV-infected blood, including needles used for injecting drugs, tattooing or body piercing.

Millions of children are today either infected or affected with HIV/AIDS. Children are becoming orphans and are deprived of parental care and protection due to untimely deaths of their parents.

While mother-to-child transmission of HIV/AIDS is the most common way of infection among children, with increasing number of cases of child sexual abuse and incest, many more children are likely to fall prey to the disease. Drug abuse among children and young people also poses a threat. In such a situation it is not fair to withhold HIV/AIDS related information from children and deny them their right to know how they can protect themselves.



According to news reports, six year old Babita Raj, whose father died of AIDS, was barred from attending a government-aided primary school in Parappanangadi, Kerala, after the parent-teacher association and school authorities protested, ... Officials reportedly refused to readmit her even after the intervention of social workers and local government authorities, who obtained a medical certificate stating that she was HIV negative. The local government school also refused to allow her to attend.

Source: Future Forsaken, Human Rights Watch, pg. 73, 2004

It is true that children's right to information and participation is based on the principles of 'best interest of the child' and therefore, age-specificities need to be borne in mind while discussing sexuality, reproductive health or HIV/AIDS with children. The fact is that we are not prepared in our own minds to deal with questions our children might have and therefore find excuses to avoid any discussion. It is important to prepare ourselves rather than negate the importance of life-skill education, which indeed includes sex education.

Instead of educating people about HIV/AIDS, in the past many schools have thrown out children simply because they came from families with some history of HIV/AIDS or because there was some apprehension of a family member being HIV positive. Denying them access to basic services and human rights on grounds of HIV/AIDS, amounts to discrimination. The Constitution of India guarantees right to equality and non-discrimination and those who promote inequality or discrimination on any grounds are liable to punishment.

Knowledge about a person being HIV-positive should be used to seek early treatment that can help the person stay healthy longer and enable her/him not to pass on the virus to someone

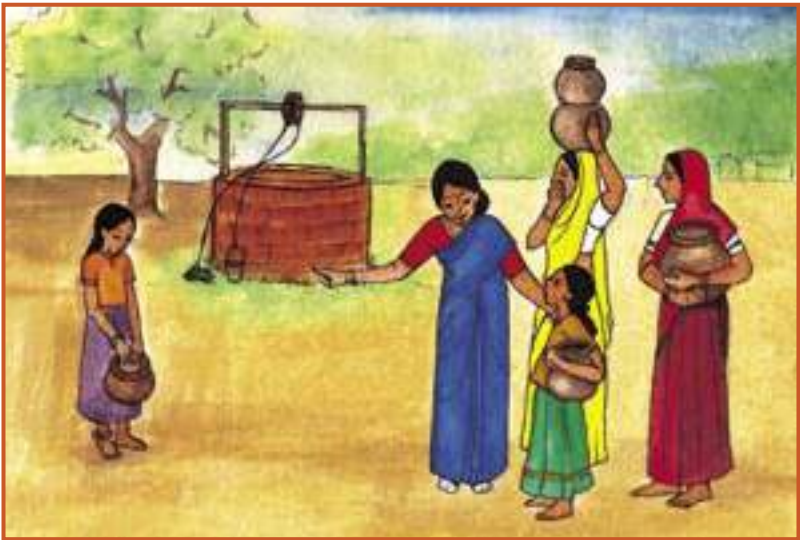
else. In fact if children who seem to be at real risk are thrown out of schools there is no way to monitor their health and provide them assistance, and this way the risk to others may be even more. Discrimination will not put an end to this growing menace.

We need to understand that HIV cannot be transmitted by touching an infected kid or by sitting next to the child or by hugging and kissing or playing with an infected person.

Caste Discrimination

MYTH: Untouchability and caste discrimination are history now. In any case *Dalit* or Scheduled Caste/Scheduled Tribe students never face any caste discrimination with reservations making their life easy.

FACT: This is not true. A person's first encounter of caste discrimination is at a very early age. She/he faces discrimination



in school, on the playground, in the hospital and the list can be endless. We can address the practice of discrimination against the poor and underprivileged sections of the society such as the scheduled castes/tribes by ensuring them their economic, social and cultural rights, particularly in terms of access to education, health care and social security services; programmes for child labourers, and the ending of degrading practices such as manual scavenging.

Disability

MYTH: DISABILITY is a curse. A disabled child has no worth. Such children are a burden on the family, they are economically unproductive and education is of no use to them. In fact most disabilities have no cure.

FACT: Disability has nothing to do with doings of the past. It is a deformity caused either during pregnancy due to lack of proper care or sometimes the child genetically inherits it. Lack of proper medical care when needed, lack of proper immunization, accident or injury are other causes that cannot be ignored.

- According to Census 2001, 1.67 percent of the total population aged 0-19 years is disabled.
- The Tenth Five-Year Plan document of the Planning Commission mentions that 0.5 to 1.0 percent of all children have mental retardation.

A mentally or physically handicapped person is usually a subject of sympathy. We forget that as an individual a disabled person too has rights and more than sympathy, what she/he requires is empathy.

Often we associate disability with stigma. A family having a mentally ill person is ostracized and looked down upon by the community.



Education is important for each and every child irrespective of the child's disability as it helps in the overall development of the child.

Disabled children have special needs and we need to address these needs. If given opportunity they can also learn life-supporting skills. Disability becomes a tragedy only if we fail to provide the things which one needs to lead one's life.

Barriers faced by a disabled child in the education system

- Lack of special schools for both physically and mentally challenged children.
- Disabled children are usually slow learners. Schools do not have special teachers who can take care of the needs of such children.
- Insensitive attitude of the peer group. Usually the physically and mentally challenged children are a subject of mockery as they are either slow learners or have physical deformity.
- Absence of disabled-friendly infrastructure, including ramps, special chairs and toilet facilities.

Through appropriate training a disabled child can be taught some skills which can provide her/him an opportunity to earn a decent living.

Moreover, if detected and diagnosed early, most disabilities can be cured or can be prevented from becoming incurable. These include mental disorders which can be treated and prevented with timely intervention.

Conflict and man-made disasters



Every school and every teacher will have to take special care in situations of conflict, political strife, war or natural disaster. Children living in such situations need special care and protection, which is possible only if the community realizes this.