



RIGHT TO PROTECTION

AS TEACHERS YOU MUST BE ABLE TO ENSURE THAT ALL CHILDREN IN YOUR CONSTITUENCY ARE PROTECTED FROM ALL FORMS OF

- Exploitation.
- Abuse.
- Inhuman or degrading treatment.
- Neglect.

While all children need protection, because of their social, economic, or even geographical location, some children are more vulnerable than others and need special attention.

These children are:

- Homeless children (pavement dwellers, displaced/evicted, refugees etc.)
- Migrant children.
- Street and runaway children.
- Orphaned or abandoned children.
- Working children.
- Child beggars.
- Children of prostitutes.
- Child prostitutes.
- Trafficked children.

- Children in jails/prisons.
- Children of prisoners.
- Children affected by conflict.
- Children affected by natural disasters.
- Children affected by HIV/AIDS.
- Children suffering from terminal diseases.
- Disabled children.
- Children belonging to the Scheduled Castes & Scheduled Tribes.

The girl child within all categories is even more vulnerable.

FOLLOWING ARE SOME OF THE POPULAR MYTHS RELATED TO ABUSE AND EXPLOITATION OF CHILDREN:

MYTH: Children are never abused or exploited. Society loves its children.

FACT: Yes it is true that we love our children, but clearly there is something missing. India has the largest number of child labourers in the world, the largest number of sexually abused children and the lowest ever male to female child ratio in the 0-6 age group, showing that the very survival of the girl child is at stake. Even young infants are not spared when they are sold for adoption or simply killed.

Crimes recorded against children present a sordid tale! Going by the Government's own records, there has been a 11.1 percent increase in crimes against children between 2002 and 2003. There are many more cases that never get reported.

MYTH: Home is the safest haven.

FACT: The extent of abuse faced by children in their homes clearly belies this belief. Often children are seen as their

parents' private property who can be used (rather abused) any which way.

We witness incidents of fathers selling their daughters to friends or strangers for money every other day. Studies on sexual abuse have shown that incest is the most common form of abuse. There are also many cases of fathers' raping their daughters being reported in the media and proved in the court. Female infanticide i.e. killing of new born girls, child sacrifices resulting from superstition, dedication of girls to gods and goddesses in the name of custom and tradition such as 'jogini' or 'devadasi' in some parts of India, are some forms of home-based violence. Marrying away young children is not out of love for children but a need to pass on the responsibility of care and nurturance, even if that brings ill health and trauma to their own child.

While these are some extreme cases, beating up children ruthlessly is a common practice in almost every household in the country. Neglect too has become a common practice in both poor and rich families, often leading to different forms of behavioural problems, particularly depression, amongst children.

MYTH: There is no need to worry about a male child. Male children need no protection.

FACT: The boy child is as much a victim of abuse – physical and emotional – as the girl child, although the girl child remains more vulnerable because of her lower status in society as a whole. Boys are victims of corporal punishment at school and at home; many are sent, and often even sold for labour, while many are victims of sexual abuse.

MYTH: It does not happen in our school/village!

FACT: Each one of us tends to believe that child abuse happens elsewhere - not in our homes, our school, our village or our community. It affects 'other' children, not ours. It occurs only

among the poor, the working class, unemployed or uneducated families. It is not a middle class phenomenon. It occurs in the cities and towns and not in the rural areas. The reality is just the opposite of all this as the abused child is in all these spaces and needs our assistance and help.

MYTH: The abusers are psychopaths or mentally ill persons.

FACT: The abusers are not mentally sick persons, against popular belief. Abusers are in fact characterised by their normality and diversity. Child sexual abusers, for example, attempt to justify their action in different ways and this is just one of those. Most child traffickers are persons close to the family or known to the family and misuse the trust that the family vests in them as a weapon to take their children away.

Child protection issues and what every teacher needs to know

Child abuse occurs across socio-economic, religious, cultural, racial, and ethnic groups.

Research, documentation and interventions by government and the civil society groups in the past have clearly brought forth some of the following child protection issues and categories of children that deserve special protection:

- Gender Discrimination.
- Caste discrimination.
- Disability.
- Female foeticide.
- Infanticide.
- Domestic violence.
- Child sexual abuse.
- Child marriage.
- Child labour.
- Child prostitution.

- Child trafficking.
- Child sacrifice.
- Corporal Punishment in schools.
- Examination Pressure and Student Suicides.
- Natural disasters.
- War and conflict.
- HIV/AIDS.

MYTHS, MYTHS AND MORE MYTHS – IF YOU KNOW YOUR FACTS YOU CAN MAKE A DIFFERENCE!

Gender Discrimination

MYTH: Beta to Chahiye hi, ham uske liye char-paanch betiyan kyon paida karen? (We want a son, come what may, then why should we risk 4-5 daughters for that?)

Bringing up a girl child is like watering a neighbour's garden. You raise them up, protect them all through and also plan for their marriage and dowry till they are finally gone. Sons are at least there to carry forward the legacy of the family, take care of parents in their old age and perform the last rites.

There is no point educating daughters, giving them freedom to do what they like and holding on to them till they grow up to be married off. All this only adds to the family burden.

FACT: These are beliefs that are part of the patriarchal structure of society and need to be challenged. People spend as much on their son's wedding as they spend on their daughter's wedding. Clever as we all are, we give away dowry in a daughter's marriage basically to tell her that she should not claim any rights in the parental property.

Always remember that while giving and receiving 'dowry' is a

crime, excluding daughters from a share in parental property is also illegal.

In any case, we must learn to accept the realities of life. A visit to the old age homes tells us how much our sons take care of their old parents. In fact there are plenty of cases where married daughters have come forward to support their parents in old age.

Girls have as much a right to survival, development, protection and participation as boys.

Denying any of these rights to girls is perpetuating the cycle of gender discrimination and poverty.



For centuries those girls who have come into this world have suffered gender discrimination in every sphere of life – education being one of those. We always forget what Mahatma Gandhi, the father of our nation has said – “Educate one man, you educate one person, but educate a woman and you educate a whole civilisation”.

Once we facilitate our daughters' development in a manner that they are able to understand what is good and bad and take rational decisions on their own, many of our fears about too much freedom will find an automatic solution. Only a conviction that a girl child has same human rights as any other human being can make this happen. If safety and security of girls is a national concern, it is important to remember that to have daughters who are not empowered will only increase their vulnerability.

According to the Human Development Report 2005, "Every year, 12 million girls are born – three million of whom do not survive to see their 15th birthday. About one-third of these deaths occur in the first year of life and it is estimated that every sixth female death is directly due to gender discrimination".

The Census 2001 shows that there are only 933 women in this country for every 1000 men. This is even lesser in case of children and has been on a decline since the 1991 Census. From 945 girls for every 1000 boys in 1991, the child sex-ratio has declined to 927 in 2001. The situation is alarming in states of Punjab (798), Haryana (819), Himachal Pradesh (896). The capital city of Delhi now has fewer than 900 girls per 1,000 boys. Boys from these states are now buying girls from other states as brides.

Child Marriage

MYTH: Child marriage is part of our culture. Unmarried girls are more susceptible to rape and sexual abuse, so better get them married early. The problem of dowry and finding a good groom also increases as girls grow older.

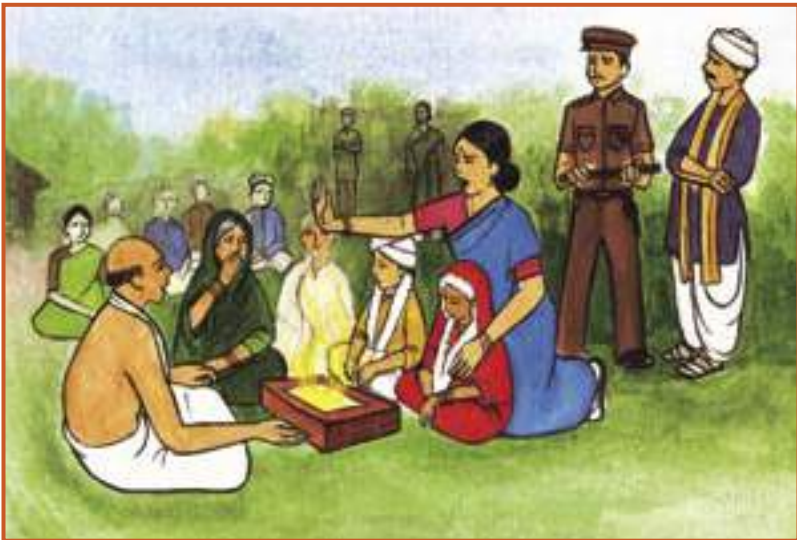
FACT: Culture cannot be a justification for any malpractice or harmful practices. If child marriage is our culture, so were

slavery, casteism, dowry and sati. But we do have laws now to prohibit such harmful practices. These laws have come into existence as and when there has been a demand from within the society. Clearly then, Culture is not static.

Moreover, different people have different cultures even if they reside in the same geographical location. As in India, there are various ethnic, linguistic and religious groups that follow their own culture. The culture of India is therefore a mix of all these and has seen many changes over the years.

If we all agree that children need to be protected, our culture must reflect it. In fact, culturally we must be recognised as a society that not only claims to love its children but one that actually ensures their protection at all times.

Child marriage marks the beginning of a long journey of violation of rights. Early marriage of boys is as much a violation of their rights as it is for girls. It takes away their right of choice and imposes family responsibilities beyond their age and capacity. There is no doubt however that girls are in a worse position.



Child brides often end up as young widows with a number of children to take care of.

Did you know?

- According to Census reports 2001, nearly 3 lakh girls below the age of 15 years have already given birth to at least one child.
- Girls aged 10 to 14 years are five times more likely to die in pregnancy or childbirth than women between the ages of 20 and 24.
- Early pregnancies are also linked to higher abortion rates.
- Infants born to adolescent mothers have greater likelihood of being born with low birth-weight.
- Infants born to young mothers are more likely to die in the first year of their life.

Source: The situation of young women (www.un.org/esa/socdev/unyin/documents/ch09.pdf)

To say that early marriage means safety and protection from abuse is wrong. In fact it actually implies all kinds of violence inflicted by people on the girl from within the family, from people, she is constantly told to trust and obey. Child marriage implies child rape, as children can never be said to have attained the age of maturity for their action or inaction at that age.

Safety from outsiders is in any case never a guarantee for any woman, married or not. All women can be targets of rape and sexual abuse, married or single, young or old, veiled or out of veil. Increasing incidence of crimes against women too proves this.

When veiled and uneducated married women are raped in our villages it is not because they are uneducated, but because they belong to a certain caste or are targets of some group rivalry.

Finally, to think that early marriage can solve the problem of dowry is not correct. In a patriarchal society like ours the groom's family always maintains an edge over the girl's family

Child Marriage and Trafficking

- Under the legal cover of marriage to old men from within the country and also the Middle East, young girls are often duped into exploitative situations, including prostitution.
- Marriage has emerged as a means to traffic young girls into labour and prostitution.

and expects the girl's family to oblige every time they need something. When dowry is not taken at the time of marriage, all kinds of demands are put on girls after marriage.

Child Labour

MYTH: There can be no solution to the problem of child labour. Poor parents do not want to send their children to school. They would rather have their children work and bring back some earning into the family income. These children have no choice but to work, otherwise they and their families will starve. Also, if they work they become equipped with some skills for the future.

FACT: When we hear such things we must ask ourselves why is it that some poor people send their children to school despite all odds while some others don't. The truth is that poverty is just an excuse given by those who need to ensure continual supply of children for their benefit. Social factors contribute to the phenomenon of child labour. The socially marginalised communities are the victims of social hierarchy characterized by unequal access to resources. We all know that starvation persists even when families and their children are working. This is because starvation is the result of unjust social and economic factors.

All parents want to educate their children, at least give them basic quality education. For uneducated parents the admission procedures are too complex. Documentary evidence of date

of birth, caste certificates are greater barriers in enrolling children into schools. For children, the curriculum is tough to cope with, particularly if they are first generation learners as their parents are not educated to provide the back-up support at home by helping them with the homework. Corporal punishment, caste discrimination, lack of basic facilities such as toilets and drinking water are some other factors that keep children away from school. In case of girls, sibling care often becomes the priority since child-care facilities are lacking in both rural and urban areas and gender biases are deep entrenched in people's psyche.

India accounts for the highest number of child labour in the world. According to the Census of India 2001, 1.25 crore children in the age group of 5-14 years are engaged in different occupations. However, estimates of NGOs put this at much more, because there are many more working in the unorganised sector and in small-scale household units, who never get enumerated as child labour.



Children who work and don't go to a school remain illiterate and unskilled for the rest of their lives. This is because children are usually part of the unskilled labour. Moreover, in some occupations exposure to harmful chemicals and other substances, long hours of work, postures for work are factors that damage children's health, and impair their development.

Children are being trafficked for labour every day. Touts and middlemen come to the villages posing as well wishers and take away children to work in different parts of the country. Children from Bihar and Bengal are brought to work in Karnataka, Delhi or Mumbai in embroidery units; from Tamil Nadu to Uttar Pradesh to work in sweet making units and to Surat to work on gem and diamond polishing etc. Hundreds of them are employed in middle class homes as domestic labour.

Existence of child labour is in direct contradiction to the fundamental right to free and compulsory elementary education for every child in the 6-14 years age group guaranteed by the Constitution of India in Article 21 A.

It should be noted that, every child out of labour means one more job available for adults. India has huge population of unemployed adults who could take the place of the children, leaving the children free to enjoy their right to childhood.

Child Sexual Abuse

MYTH: Child sexual abuse is very rare in our country. It is all media hype that is doing more harm than good. Children or adolescents have started fantasizing, making up stories and lying about being sexually abused. In any case it only happens to bad girls with loose character.

FACT: Children, as young as few months, and even a few days old, are known to be victims of child sexual abuse. While girls

are more vulnerable to being sexually abused, against popular belief, boys too are victims.

Children with mental and physical disabilities are indeed at greater risk of abuse due to their vulnerability.

Child sexual abuse cuts across gender, class, caste or ethnicity and happens to both urban and rural children.

A child may be abused in any of the following ways:

- Sexual intercourse through penile penetration i.e. rape, or use of objects or other parts of body.
- Exposing children to pornography and using them for producing pornographic materials.
- Directly or indirectly touching any part of the body of a child with an object or with a part of body for sexual gratification.
- Exposing or flashing genital organs or other parts of the body with sexual intent.
- Deriving voyeuristic pleasure by showing sexual activity or forcing two or more children to have sex with each other.
- Passing sexually coloured remarks or verbally abusing a child using vulgar and obscene language or actions.

COIMBATORE: The headmaster of a primary school near Madukkarai on the city outskirts was arrested on charges of sexually abusing girl students.

Acting on a complaint by an eight-year-old class III student, the police arrested the headmaster and registered a case under various sections, including attempt to sexual abuse. About 100 parents earlier went to Madukkarai police station seeking prompt action against the accused. The Headmaster had threatened the students of dire consequences if they complained against him.

Source: PTI, 25 March 2005

A child may be abused by someone he or she knows or by a stranger.

The perpetrator, in 90% of the cases, is someone the child knows and trusts. The abuser usually violates a relationship of trust and takes advantage of her/his power and position. In a number of cases the abuser is someone very close to the child – the father, older brother, cousin or uncle or neighbour. When the abuser is a member of the family, it is incest.

The fact that the offender appears caring, gentle and loving to the child can be a very disturbing aspect of the abuse to the child and may leave a strong legacy of self-blame, guilt and mistrust of his/her own self and others.

Sexual abuse has been in society as loneris society has existed. The selling off of girls for prostitution or even the religious and cultural practices such as 'Devadasi; system or the 'Jogini' system are examples of this. However, over the years there has been more awareness and reportage of this violence rather than media hype as people would like to put it. Studies among adult women have shown that as much as 75 per cent of them had experienced abuse in their childhood. Majority were incestuously abused or abused by known people. The myth about media hype only serves to deny an uncomfortable truth.

Men who sexually abuse children do so in addition to, rather than instead of, having sex with their wife/adult partner. They are not mentally sick persons against popular belief. Abusers are in fact characterised by their normality and diversity. Child sexual abusers attempt to justify and defend their action in different ways and this is just one of those.

Few men are careless enough to have a witness around when they abuse a child.

Children are too scared to tell anyone about the sexual abuse or



the discomfort of being forced to watch a sexual act. No matter how old the victim is, the abuser is always more powerful. The victim is no match for the craftiness of the abuser and she/he does not have the resources to stop the abuse from happening or to tell someone about it, especially if the abuser is a close family member. Often mothers, who do know about the abuse, are in no position to prevent it because of their own powerlessness. Fear of breaking up the family or the fact that they may not be believed, pushes them into silence. Parents and adults in the family, indeed society itself, brush their discomfort aside and ignore or deny the fact of sexual abuse of children.

When children do report abuse, often their credibility is called into question, and their trust and confidence is again abused. A child's sense of guilt may be preyed upon to make her or him think that in some way they have caused the abuse by their own behaviour towards the abuser.

*Source: Semantics or Substance?
Subgroup Against the Sexual Exploitation of Children, NGO Group for the
Convention on the Rights of the Child, January 2005*

Most disclosures by children about abuse and exploitation faced by them are found to be true. The fantasy theory combined with society's denial of incest/child sexual abuse/child trafficking or any other form of child abuse indeed serve to blame the victim for the abuse rather than address the problem that stares at our faces today.

Children are innocent and vulnerable. They have little knowledge of sex and of adult sexuality and can in no way be held responsible for adult's responses. Even an understanding or knowledge of sex does not in any way justify negative labeling and putting the blame on the child. A prostitute too can be raped or eve-teased and the law will come to her aid. By blaming children in different ways for what they suffer we only shift the responsibility from the abuser to the child.

In the case of a child there is no 'consent'. As per law, any sexual intercourse with a girl below the age of 16 years amounts to rape.

Impact of Sexual Abuse on Children

The impact of abuse may be short term and long term:

- Physical injury in the form of scratches, bites, cuts etc. bleeding in the genitals, or any other form of physical hurt.
- Children often suffer from fear, guilt, depression, anxiety, and sexual dysfunction and show gradual withdrawal from the family.
- Many victims also encounter problems in their adult relationships and in developing adequate sexual relationships.
- Over and above the sexual abuse that a child experiences, there is also an abuse of their trust that leaves them disturbed for a long time, sometimes for the rest of their life and affects their relationships in the long-run, unless treated psychologically.