

## Eradicating Corporal Punishment in Pakistan: Upholding Children's Rights and Promoting Healthy Development

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The physical form of disciplining children is the most common form of violence globally in this demographic.<sup>1</sup> *"The right of child to protection from corporal punishment and other cruel or degrading forms of punishment"* was developed by the United Nations Committee on the Rights of the Child in its General Comment 8 in 2006. It went on to provide a clear definition of physical/corporal punishment as "any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light".<sup>2</sup> It provided examples of such punishment as: 'smacking', 'slapping', 'spanking', and many other forms of more severe physical violence; and deemed it degrading for the child. It also defined "Child" as "every human being below the age of eighteen years unless under the law applicable to the child, the majority is attained earlier." "By" the majority is attained earlier" implies the legal age at which a person is considered an adult according to their country's laws.

The '2030 Agenda for Sustainable Development' adopted by the United Nations in 2015, comprised of 17 lofty goals and 169 accompanying targets. The SDG Goal 16 aims to "Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels"; while within this goal, the Target 16.2 calls to "End abuse, exploitation, trafficking and all forms of violence against and torture of children".<sup>3</sup> Together these and other international treaties and goals have laid out a clear vision of a world free from corporal punishment for children ensuring their health, and safety to thrive and grow in a less violent world.

Corporal punishment (CP) is widely prevalent in homes and schools worldwide. About 60% of children aged 2 to 14 years old experience CP perpetrated by their parents/caregivers, and in some countries, nearly all students experience CP perpetrated by their school staff, according to the World Health Organization.<sup>1</sup> CP is an equal-opportunity form of abuse, posing similar risks for children of both genders, regardless of family wealth status.

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Findings indicate that corporal punishment contributes to a rise in behavioural challenges among children over time and offers no beneficial results. It is associated with adverse physical and mental health outcomes ranging from cognitive impairment, adverse educational outcomes, and worst of all when the victims themselves start and continue the cycle of violence.

An ecological study from 88 countries examining the association between the prohibition of CP and youth violence concluded that such prohibitions were associated with less youth violence.<sup>4</sup> Another ecological study based on 97 countries reported that policies banning CP may improve the health of adolescents in terms of reducing suicide risk.<sup>5</sup> A review study based on 53 articles reported that CP is associated with problems in the domains of physical and mental health and academics for children.<sup>6</sup> Thus, the deleterious effects of CP on children and conversely, the positive effects of its banning have been amply documented.

There is a dearth of published studies on CP from Pakistan, although widely assumed to be almost universally present in the country as a necessary form of disciplining children and adolescents. A study of 1,752 sixth graders, aged 11-14 years from 40 public schools in Hyderabad reported gender differentials in CP exposure, with boys being more likely to experience it both in school and at home. However, poverty expressed as food insecurity was reported to be a putative pathway for higher risk of CP in these children.<sup>7</sup>

Pakistan is a party to the United Nations Convention on the Rights of the Child (UNCRC), having formally ratified it in 1990; a commitment that emphasizes ensuring children's well-being and upholding their rights. After this ratification, a 'National Commission on the Rights of Child' was established with the explicit mandate to meet Pakistan's international obligations pertaining to child rights under various treaties and obligations.<sup>8</sup> The Human Rights Commission of Pakistan in its 2023 'State of Human Rights' report, stated that 79 cases of CP against children were reported in the media.<sup>9</sup>

In the Islamabad Capital Territory (ICT) a law was enacted in 2021 prohibiting CP, called 'Prohibition of Corporal Punishment Act, 2021'. Which explicitly prohibits physical

punishment in all government and private schools within ICT.<sup>10</sup> However, there is a need in the country for nationwide laws and strict enforcement to protect children from physical punishment both at home and at school. Since physical punishment as a method for disciplining children is an archaic practice deeply rooted in history and culture; there is a need for public awareness campaigns to change societal attitudes and cultural norms that perpetuate CP endemic in Pakistan. Health education and promotion campaigns targetting parents and teachers, informing them about the harmful effects of CP on children in terms of their physical and mental health, including academic performance, would be pivotal in eradicating physical punishment as a disciplining method. Such endeavours need to be consistent and continuous to alter age-old misinformed practices, and to encourage acceptance of alternative disciplinary practices without resorting to physical violence and violation of child's rights. Such health education and promotion campaigns would inherently require the active engagement of community and religious leaders to promote non-violent disciplining and respect for children's rights, and their caregiver's obligation to ensure that children thrive in a healthy and safe environment, free from violence, both at home and in schools.

Professional medical societies and associations would also need to play a more proactive role in promoting non-violent disciplining practices in the country. Finally, the need for research studies on the prevalence, correlates, and risk factors of CP need encouragement in the country; including studies on innovative and local context-specific programmes and trials that promote the adoption of non-violent disciplining methods for children by their guardians and caregivers in the home, as well as educators in academic settings.

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## References

1. WHO. Corporal punishment and health - 23 November 2021 – Key Facts. <https://www.who.int/news-room/fact-sheets/detail/corporal-punishment-and-health> (accessed November 01 2024).
2. United Nations. Digital Library. <https://digitallibrary.un.org/record/583961?ln=en&v=pdf> (accessed November 01 2024).
3. United Nations, Department of Economic and Social Affairs. #Envision2030 Goal 16: Peace, Justice And Strong Institutions. <https://social.desa.un.org/issues/disability/envision-2030/envision-2030-goal-16-peace-justice-and-strong-institutions> (accessed November 01 2024).
4. Elgar FJ, Donnelly PD, Michaelson V, Gariépy G, Riehm KE, Walsh SD, Pickett W. Corporal punishment bans and physical fighting in adolescents: An ecological study of 88 countries. *BMJ Open*. 2018;8:e021616.
5. Cramm L, Elgar FJ, Pickett W. Corporal punishment bans and adolescent suicide rates: An international ecological study. *Child Abuse Negl*. 2023;137:106022.
6. Heekes SL, Kruger CB, Lester SN, Ward CL. A Systematic Review of Corporal Punishment in Schools: Global Prevalence and Correlates. *Trauma Violence Abuse*. 2022;23:52-72.
7. Khuwaja HMA, Karmaliani R, McFarlane J, Smani R, Gulzar S, Ali TS, et al. The intersection of school corporal punishment and associated factors: Baseline results from a randomized controlled trial in Pakistan. *PLoS One*. 2018;13:e0206032.
8. Ministry of Human Rights – Government of Pakistan. National Commission on the Rights of Child. <https://mohr.gov.pk/Detail/MWJkZjM5ZGUtZTU1Ni00MDAxLTkwODktZTNjOGYyOTAxZjBm> (accessed November 01 2024).
9. Human Rights Commission of Pakistan – State of Human Rights in 2023. <https://hrcp-web.org/hrpweb/wp-content/uploads/2020/09/2024-State-of-human-rights-in-2023-EN.pdf> (accessed November 01 2024).
10. Z. Qureshi. Gulf News. Islamabad enforces 'Prohibition of Corporal Punishment Act'. May 26, 2023. <https://gulfnews.com/world/asia/pakistan/islamabad-enforces-prohibition-of-corporal-punishment-act-1.96025013> (accessed November 01 2024).