

## Talk for Rethinking Development, June 22, 2005

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Last week (June 13/05) Michael Jackson was acquitted of all charges brought by a young boy who reported he had given alcohol and sexually molested. The acquittal came despite testimony from more than one child, and despite the fact that Michael Jackson might be described as the text book exemplar of the pedophile and the young boy, the text book example of the pedophile's target.

So what's the relevance of the Michael Jackson case to us here? To me, the process of the trial and its outcome exemplify the challenges we face with children's rights as articulated in the UN Convention on the Rights of the Child

We don't treat children with as much respect as we treat adults, we don't understand the importance of respecting children's rights, and we don't take children's rights seriously

The *Convention on the Rights of the Child* is the most quickly and widely ratified Convention in world history, but as time passes it becomes increasingly clear that children's rights continue to be violated and that few countries have lived up to their Convention agreement that they will consider the child's best interests to be a primary concern in all their laws, policies and practices.

Do we, in Canada, or in Europe or anywhere else, treat children as citizens who are bearers of human rights - do we treat our children with respect, do we listen to their voices, are we upset when their fundamental rights are violated?

Over the past ten years I have been working in the area of children's rights education, and most recently researched and wrote the North American Report for the UN Global Study of Violence Against Children. In both areas I have been struck by two things

- 1) the lack of respect for children as citizens who are the independent bearers of rights
- 2) the impact of this lack of respect on the development of the individual child and by corollary the future of society

Let me give you examples.

*First from our work in children's rights education.*

Articles 3, 12, 29 and 42 of the Convention spell out what a child's school should be like – they provide direction on the type of teaching and on the content of the teaching. Of utmost importance is that children should be taught that they do have rights and taught to respect the rights of others, and that that teaching should take place in a democratic environment in which children are encouraged to participate in their own learning.

There is very little evidence of that type of rights-consistent schooling anywhere. In particular there appears to be little systematic teaching to children that they have rights.

It has been our experience that adults – both teachers and parents – are afraid of letting children know they have rights. Can you imagine a country in which the leaders do not allow citizens to know what their rights are? What possible justification can there be for withholding from children that they are bearers of fundamental human rights? What does this pervasive attitude tell us about our beliefs about children, our respect for them?

The resistance to letting children know they have rights is partly based on a lack of understanding of what those rights are and a fear that if children know their rights there will be anarchy –, children will become demanding and selfish teachers and parents will lose control.

We saw this attitude very clearly in Canada during the UNICEF elections a few years ago. With the intent of stimulating discussion about children's rights, UNICEF arranged for children around the world to vote on which rights they believed to be most important.

The resistance in Canada was amazing.

Family values organization, politicians and parents' groups actively campaigned to prevent schools from participating in the election. They were somewhat successful, but almost 2000 schools did take part and the findings were very ironic.

The children overwhelmingly voted that the most important right was their right to grow up in a family.

This was followed by the right to food and shelter and then the right to health care.

In fact wherever the vote took place, children voted for rights that we would all find important – for example those in Mozambique voted for the right to a name and nationality and family, in Belize and Mexico, the most important right was to education, and in Colombia the right to a safe environment was voted the most important.

The election results are consistent with the research. When children are taught about their Convention rights in a rights consistent way, they do not become demanding. On the contrary, they gain the values, attitudes and behaviors that are necessary for the promotion and protection of the rights of others and they acquire the skills and motivation for participation in democratic society.

They become good citizens, of their schools, of their communities and of the global village.

There are many examples of rights education promoting caring and social responsibility among children.

Children have started breakfast programs for children in their schools, have set up visiting programs for children in institutions, have collected money and supplies for children in war zones – and written them poems and letters – they have advocated for healthier environments in their communities, they have helped out at food banks and shelters for the homeless, and they have fought social injustices (against forced marriage and denial of education).

Armed with these positive examples, we should be able to convince schools to teach children about their rights, but there is still a lot of resistance.

But the good news is we are making progress. We are particularly proud of an initiative in Hampshire County in England - building on our own work here, educators in Hampshire are systematically implementing children's rights education into all their schools – they are providing training and supports for teachers and now, at the end of the first year of implementation at the primary school level, they are seeing the benefits.

First, an unexpected finding was that teaching children's rights had beneficial effects on teachers

- ❖ They felt more empowered
- ❖ Found the teaching to be morale boosting
- ❖ Said that it reminded them that their day to day interactions with children really do have the potential to improve society and that they can do so much more than get children through their tests.
- ❖ Also improved their relationships with each other and with their students e.g., one teacher who reported the realization that article 12 meant she must listen to every child illustrates this well.
- ❖ even the boy whose constant demands for attention she had always found particularly obnoxious. She decided that she would really listen to this boy for five minutes each morning. To her delight, this short period of attention satisfied his need for attention. The child no longer was demanding and no longer seemed obnoxious. The teacher's relationship with this pupil, and her feelings toward him, were vastly improved as was his behavior and ability to concentrate on his work.

What's clear in the England experience as well as in earlier research, is the more teachers use children's rights education in a democratic classroom, the more they realize its benefits as one principal said

“If I told my teachers we were not going to do the rights work anymore, I'd have a riot on my hands.”

The benefits are obvious in student behavior – some examples of what teachers report

- 1) strategic use of rights language - children who in the past would be intimidated by bullies, now respond with reference to their rights, for example, “stop that, I have the right to play.”
- 2) there has been a notable change from confrontational and adversarial approaches to conflict resolution to the use of rights-based explanations
- 3) Teachers reported children not just using rights discourse to settle problems, but also reported that children are more ready to accept responsibility for their errors

and behave appropriately when a rights-based explanation of what is unacceptable is used

- 4) increased respect for the protection of the rights of all children.

*In the words of the children* “The class has changed a lot since last year because they used to be mean and nasty to each other.”

*In the words of a teacher* “They get along better and cooperate more and there is no upset when they have to work with someone different.”

- 1) Some children also appeared to be empowered to take control of their learning, through enhanced self-awareness. An example here is that of a 10 year-old boy, a fidgety boy whose work was never completed. The teacher noted a complete change – the boy started to concentrate and complete his work neatly and even before many others in his class. In fact the change was so dramatic, the teacher reported that the class applauded the boy’s work one morning. She asked the boy what had led to his new effort. He replied, “knowing I have the right to learn - it’s up to me not to be distracted.”,
- 2) most teachers reported that their students were demonstrating a broader conception of community and an expanded social understanding.

Their concerns and topics of discussion weren’t just about their lives, but about what was happening to children in Iraq and for the victims of the Asian tsunami of December 2004 – and they didn’t just talk, they took action – significant fund-raising.

**Our challenge** then is to revolutionize the education system – one step – one classroom at a time. Obviously, CRED is not the solution to all ills, but its one step in the right direction and every time a classroom teacher uses rights-consistent approaches to teaching and teaches children about their rights, we are optimizing the future of society.

Teaching children about their rights requires that we accept that children are independent bearers of rights.

We seem reluctant to do so – perhaps in part because there seems to still be a belief that children are the property of their parents.

And nowhere is this more evident than in the pervasiveness of violence against children in the family and our lack of outrage or action to stop it.

As I researched the report for the UN Violence study Official statistics in both the US and Canada tell us that children are disproportionately the victims of abuse in the family

many parents report the routine use of shaking their babies as a disciplinary measure, and many report hitting their toddlers, and even their teenagers.

Parents are responsible for the vast majority of physical child assault cases reported to the police the chance of being a victim of family homicide is greatest in the first year of life.

Our societal focus for the most part has been on understanding parental violence against children as a result of social structural conditions that are out of the parent's control.

Our sympathies are with the parent.

And so in Canada we still allow parents a legal defense for hitting children. There is of course no legal defense for hitting your wife, your husband, your mother, father, grandmother or any other person – in fact there is no legal defense for hitting your dog or cat. Only your child.

It seems as though we have legally designated children to be less worthy of protection and respect than any other members of society – including our pets.

Fortunately this is not the case in many parts of the world – the corporal punishment of children in the home has been banned in many countries – and the UN Committee on the Rights of the Child has been very vocal in calling for an end to the practice.

When children grow with violence in the family – corporal punishment, sexual abuse, emotional abuse and witnessing domestic violence – we can predict the continuation of violence in society. Exposure to and experience with violence in the home increases rates of childhood behavior problems aggression and antisocial behaviors children learn from those around them - Children who receive physical punishment learn to be physically aggressive, some become school bullies, some become violent with their dating partners and some will later show criminal violence – there is a well-documented

intergenerational transmission of violence in countries where c.p. against children is not accepted, there is less violence. In Sweden for example, where there has been both a ban on cp and parent education in non-violent forms of discipline, child abuse is rare, and infant homicide is among the lowest in the world – we do not see the patterns of intergenerational violence that we see in here in Canada

It seems obvious that if we want a more peaceful world, a good starting place would be to raise our children in non-violent homes – to end that cycle of violence

**Our overall challenge** then, I think, is to evoke a shift in attitudes toward children – to acknowledge and to embrace children as citizens of our countries and our world, as independent bearers of rights - rights that when respected promote the well-being and healthy development of each child and thereby of all society.

Until that shift takes place, we will continue to accept the word of adults over those of children, we will continue to allow the desires of an adult to override the rights of the child.

And its not just celebrities like Michael Jackson

In Canada, when parents are convicted of physical assault against their children, they are less likely to receive a prison disposition than are non-relatives & if they do receive a prison disposition it's short.

When children are murdered by their parents, the lesser charges of manslaughter or infanticide are most often brought -- juries are loath to hand down murder convictions for mothers who have killed their children.

Sentences for child physical assault, for child homicide and for child sexual abuse often are shorter than are sentences for assaults against adults, and often are shorter than those given for property crimes.

To illustrate this, let me give you examples of typical sentences that are given here in Nova Scotia - these are recent cases

1) a man who was convicted of sexually abusing his daughter from the time she was 5 years until she was aged 10 was given a two-year conditional sentence to be served in the community. The Crown appealed the sentence claiming it failed to properly denounce the crime. But the Nova Scotia Court of Appeal upheld the judge's sentencing decision. The judge argued that the man "doesn't strike me as being a pedophile in the classic sense". (reported in the *Cape Breton Post*, Jan 29, 2005).

*And as a comparison:*

2) A Nova Scotia man was sentenced to 3 years in a federal prison after being convicted of robbing a convenience store (of money and cigarettes) armed with a syringe filled with a clear liquid. He also received a lifetime ban on possessing firearms and explosives and must submit a DNA sample to the national registry. In passing sentence the judge said "He had with him a weapon that was potentially fatal." (reported in the *Cape Breton Post*, March 11, 2005 A3)

Do we really want a more peaceful world?

Many years ago, Ghandi said if we want true peace in the world, we shall have to start with the children. We will not have peace in the world if we continue to violate children's rights.