

Violations of Basic Children Rights at Elementary Level Education

Syed Azam Shah* Syed Manzoor Hussain Shah† Umbreen Ishfaq‡



Abstract

Violations of children rights are the grey areas in Pakistan that have grave consequences for the educational progress of students especially those studying at elementary level. This study probes the major children rights contravention at elementary level schools located in Pakistan; particularly in government sector schools where the learning course is usually taken by the principals and teachers as a regular affair without any fervent approach. In order to investigate the state of children rights in schools, principal, teachers and students from rural and urban area public sector institutions of Capital Territory Islamabad were taken as the sample for this study so that the state of these institutions in terms of providing basic rights to elementary students could be analyzed and it could be seen if they affect the performance of children in class or not. The result indicates the prevalence of several nuisance areas including corporal punishment, bullying, unhygienic environment, lack of educational facilities and proper infrastructure in these institutions which are directly affecting the performance of children in form of a decline in learning outcomes, specifically in rural areas where the use of physical punishment is reported to be practiced more in ratio as compared to urban areas. The study is significant as it explores issues and causes for children rights violations and suggests the necessary measures that would make the learning environment more conducive for students.

Key Words:

Children Rights Violation,
Corporal Punishment,
Elementary Education,
Academic Performance.

Introduction

Every child has the right to acquire proper education in a learning environment which is conducive and fear free. Under Article 25A, the prime responsibility lies in the hand of the state to ensure the provision of free education to every child in Pakistan. Generally, elementary level children are subject more to the defiance of right as they are incapable to defend themselves autonomously. The educational setup revolves around the teachers and the learner where the conscious efforts of

* Principal, F.G Public School, HIT Taxila Cantt, Punjab, Pakistan.

† Professor, Department of Education, Hazara University, Mansehra, KP, Pakistan

‡ Assistant Professor, Department of Education, The University of Haripur, Haripur, KP, Pakistan.

both learners and teachers make the acquisition of certain ability and knowledge possible. The main attributes of formal education include the planning organization and the conscious efforts of learner with plausible role of teachers. The elementary level education usually follows imitation and observational mode of teaching where parents, teachers and head teachers not only contribute towards the learning in a coordinated effort but their role befalls more imperative in shielding their rights as they are vulnerable and inexpressive. The violations of children rights include any form of physical abuse, maltreatment, sexual exploitation and emotional ill-treatment which is inflicted on minor (Towers, 2003) The recognition of children rights came into consideration with the adoption of Declaration of Geneva in 1924 (Children Rights History, 2008) Many countries across the world including France, Poland, Norway and Australia have carefully contemplated on the violation of children rights in their educational setup and completely banished its practice from their system (Larzelere, 1999). Most of the children rights welfare organizations existing in these countries and numerous educationists have totally condemned the practice of any form of child abuse as it is considered an affront to the self-esteem of the child.

Though developing countries including Pakistan adopted the declaration in true spirit but due to numerous reason including poverty, lack of awareness, educational depravity and weak law enforcement, the rights of children are reportedly being violated. More alarmingly, the statistics of these violations are far higher that what actually is being reported. One such form of child abuse is the use of corporal punishment, which, despite of being declared unlawful, is still administered with in the institutional premises.

Many prior researches pointed out that the adults including parents and teachers, who themselves have been the victim of physical abuse in their childhood tend to observe this more often than those who were not subjected to it (Hyman, 1988), hence there is a dire need to make the school environment safe for the children so that they could grow up and contribute positively to society. Similar to many other countries, Pakistan also sanctioned the convention for the rights of children in 1990 (Sadruddin, 2008) Government of Pakistan took abundant governmental, judicial and legislative measures to execute this in true spirits but so far it has remained ineffective in this regard. In 1962, a law was enacted to declare the education mandatory for children followed by the celebration of 1979 as the “Year of Child” by the General Assembly of United Nations (Jillani, 2000) which gave a boost to this notion in Pakistan. However, the public sector schools in Pakistan do not adhere to “the Minimum Standards for Education” (UNICEF, (2010), hence children rights are frequently violated which has adverse effects on their performance. The study focuses on the rights which are frequently violated at institutional level. There is a lack of theoretical structure to identify which rights are being violated hence the model of needs

(Maslow, 1943) has been used to correlate the basic needs with the performance of students in the study.

Literature Review

Literature on the children rights violations at elementary level suggests that public schools in Pakistan are subjected to basic rights infringements (Jillani, 2000). The public sector institutions are not meeting the minimum standards of education prescribed by UNICEF and lack infrastructural and academic quality (Sadruddin, 2008). According to the Article 37 (b) & (c) of the Constitution of Pakistan, (1973), it is the major liability of the state to provide free basic education to the minors across the country and provide the adequate environment to the students which is their basic right.

Despite all the measures taken by the government in this regard, the use of physical punishment broadly exists at equally public and private schools in Pakistan (Sadruddin, 2008). The institutions remained unsuccessful in restraining this practice from their classrooms especially in remote areas of Pakistan. The children are in a vulnerable state of being subject to the violations of basic rights which includes the provision of basic infrastructural facilities; protection against emotional and physical assaults like bullying, neglect, gender discrimination, sexual abuse and corporal punishment.

Corporal Punishment and Emotional Maltreatment

A Momentous number of researches have already been carried out on the propositions of physical punishments and their adverse implications on students. According to Naz, Khan, Daraz, Hussain, and Khan (2011), one of the greatest causes of child drop out from school is the use of corporal punishment which has also impacted their academic performance and socio-psychological development. The main inflictors of these children rights violations are usually teachers, school administrators, allied staff, senior students and peers, (Gulrez, 2005). Other than physical abuse, bullying also has long lasting affects over the personality development of children which, in adverse state, can drive a child toward strong depression and suicide contemplation, (Dombeck, 2014).

In the parameters of a school, emotional mistreatment can be referred as indifference or cold expression and heartless silence of teachers which apparently does not cause any physical harm but its implications are long lasting and relentless (Hornor, 2010). Emotional abuse, in views of many experts, is the most distressing form of child abuse as it has drastic consequences in the development of pupils (Aluede, 2004). The emotional abuser can generate a chain of sufferers at a particular moment and affect them consequently (Chianu, 2000).

Gender Discrimination

The constitution of Pakistan proscribe gender based inequality and discrimination and in this regard numerous initiatives have been taken to ensure gender equality and women empowerment, (CEDAW, 2012). Only four out of 10 women in Pakistan above the age of 15 can read or write in comparison to 70% of men population. This gender based inequality in literacy is the major drawback of our educational system. Although the enrollment of girls in primary schools has escalated in past few years but it is far less than boys. There are more than 8 million girls, both at primary and secondary level cannot attend school. There are various socio-cultural reasons which compel the parents to inflict gender discrimination among their own children when provided with limited resource, boys are preferred to send schools compared to girls. It is recommended that the school must promote gender equality and friendly environment for girls so that the rights of children can be protected, (Jillani, 2000). Although in Pakistan, majority of schools are separate for girls and boys, but the enrollment ration of girls is far less than boys (CEDAW, 2012).

Statement of the Problem

Being the asset of the nation, the safeguard of children rights becomes imperative in institutions especially at elementary level as the personality development and elementary education are inter-reliant. Hence, children if mishandled at this stage can be adversely affected for the rest of life. The notion of children rights desecration is comparatively new-fangled in our social set up and the teachers as well as school administration is of the opinion that teaching in a strict disciplined environment is imperative for the achievements of learning outcomes.

Owing to such extra ordinary authoritarian administration of the school, a huge number of students leave the school before reaching high school in Pakistan (UNESCO, 2013). Though the use of corporal punishment has strictly been prohibited (Education Code, 2006) but it is still being administered in many schools. The main aim of the study is to explore the basic rights as per the model of Maslow, being violated in public sector institutions, which is significant owing to its implications at large.

Objectives of Study

The research caters the following objective:

- I. To investigate the infringement of fundamental children rights at elementary level.
- II. To explore the implications of children rights violations on the students' achievements

Significance of the Study

The present research is of significance as it has explored the fundamental rights that are being frequently desecrated at elementary schools which could help teachers and head teachers to redress their role in educational set up to make the learning environment more conducive for the children. It also draws attention to the infrastructural and academic facilities that are deficit in public sector school which contradicts to the “Minimum Standards for Education” (UNICEF, 2010).

Theoretical Framework

The study utilizes quantitative approach as it can formally relate the cause and effect relationship between variables more objectively and systematically, (Burns & Grove, 1997). Descriptive survey is the appropriate method which can provide object account of the problem under discussion of a particular group or individuals hence, the researcher adopted this method. The questionnaire was the main tool for data collection. In order to design the questionnaires, Maslow’s Hierarchy of Needs Model provided the theoretical framework where the needs were linked with the rights of the students. All the basic rights of children were grouped in six categories which are analyzed with the help of statements (Table 1) in three questionnaires served to principal, students and teachers of the schools administered by the Federal Directorate of Education (FDE), Islamabad.

Methodology

Population and Sample

The study was undertaken in Public Sector Schools existing in both rural and urban areas of Islamabad where 361 males and female heads, 6978 elementary teachers and 7220 students of primary and middle grade were taken as the target population of academic session 2014-15 in FDE. The sample consisted 10% of the main population.

Research Tool

After due consideration and the study of related literature, the researcher took the help from the Maslow’s Hierarchy of Needs Model and linked it with the violation of children rights at elementary level. There were three separate questionnaires for heads, teachers and students. The questionnaires address the basic Rights of the Children that are being violated. The researcher, after sufficient deliberation and consultation with the experts, segregated the rights of children into two groups- PEASE (Physiological, Esteem, Actualization, Security

and Educational) and PLEASE (Physiological, Love & Belongingness, Esteem, Actualization, Security and Educational) which directly relate to the violations. The questionnaire designed for the students had only five dimensions sequenced as PEASE, whereas, the questionnaires of teachers and head teachers consisted six dimensions listed as PLEASE. Collectively 85 items were enlisted in three questionnaires which were grouped under multiple components and six dimensions respectively. The particulars are given below: -

Table 1. Constructs of the Questionnaire

| Right | Components | Heads | Teachers | Students | Total Items |
|-------------------------------|---|------------------------------------|------------------------------------|-----------------------------------|-------------|
| Physiological Rights | Food water basic infrastructure facilities | 1 } 1 } 3 1 } | - } 2 } 5 2 } 1 } | - } 1 } 2 - } 1 } | 10 |
| Love and Belongingness Rights | Parents | - | 2 | 5 | 7 |
| Esteem Rights | From others | 3 | 2 | 7 | 12 |
| Actualization Rights | Self- realization (Realizing personal | 2 | 2 | 2 | 6 |
| Safety / Security Rights | Corporal Punishment Bullying Sexual Abuse Physical security | 6 } 3 } 17 5 } 3 } | 4 } 3 } 13 3 } 3 } | 3 } 1 } 5 1 } | 35 |
| Educational Rights | Appropriate teachers Educational Facilities | 3 } 2 } 5 | 4 } 2 } 6 | 1 } 3 } 4 | 15 |
| Sum Total | | 30 | 30 | 25 | 85 |

Data Source

The data concerning the rural and urban educational institutions administered under FDE and their centralized examination result GPA, was obtained from Result Gazette 2014-15 and Census Report of FDE. The respondents were served with the questionnaire after the initial pilot testing and improvement.

Coefficient of Reliability

The 10% of the target population which was pilot tested, was not included in the final sample of the study. The validity and reliability of the questionnaires were gauged. The reliability of the final instrument for the study was greater than .90 which determines that the instrument is highly reliable as per Chronbach's Alpha minimum standard of scale which is .60.

Analysis of Data

The data was processed and analyzed through SPSS Version 22 where data of each item and composite score were calculated using Chi Square to find correlation between the violations of rights and the effect on their performance. The data was tabulated and interpreted in the light of the stated objective and conclusions were drawn on the basis of findings

Results and Discussion

Themes related to six dimensions of the needs/ rights emerged from the quantitative analysis of data which explored the violations of rights with reference to their difference of ratio in rural and urban areas. The composite score of Children Rights Violations derived from all three groups of respondents is $p < .001$, which clearly indicates that the violations of children rights are prevalent in both rural and urban areas school.

Table 2. Whole T-Test Tables and Scale Wise Tables for Heads

| Scale | Urban (<i>n</i> =119) | | Rural (<i>n</i> =242) | | 95% CI | | | |
|---------------------------|------------------------|-------|------------------------|-------|--------|------|------|-------|
| | M | SD | M | SD | t(359) | P | LL | UL |
| Children Rights Violation | 84.60 | 18.60 | 74.52 | 20.30 | 4.54 | .000 | 5.70 | 14.40 |

Above table indicates the composite score of sample population both rural and urban on children rights violations. The statistics reveal that the principals of urban area have higher mean score on children right infringements compared to the ones who are serving in rural area. The mean difference between their score is highly significant as $p < .001$. This indicates that the children rights violations have been observed in these public sector schools and their frequency is higher in urban areas. The mean score of principals in urban areas is higher which indicates the reported incidents in these areas are more compared to the rural areas. It also indicated the growing awareness about children rights in these areas where parents are more concern about these violations.

Table 3. Correlation among Children Rights Violation and GPA which Affect the Achievements.

| Rights | GPA |
|----------------------|------------|
| Physiological rights | 0.134* |
| Esteem | 0.045 |
| Actualization | 0.163** |
| Safety rights | 0.134* |
| Educational rights | 0.192*** |
| Heads total | 0.151** |

Academic performance of Heads All (N=353) * $p < .05$; ** $< .01$; *** $< .001$

All subscales of children rights are significantly correlated with their academic achievements except subscale esteem. The results show that the lower the children rights violation leads to higher academic achievements.

Table 4. Whole T-Test Table and Scale Wise Tables for Teachers

| Scale | Urban(n =295) | | Rural (n =402) | | | | 95% CI | |
|---------------------------|---------------|-------|----------------|--------|--------|------|--------|-------|
| | M | SD | M | SD | t(695) | p | LL | UL |
| Children Rights Violation | 96.50 | 16.50 | 106.70 | 18.342 | -7.60 | .000 | -12.8 | -7.59 |

Above tabulated data indicates the composite score of teachers both rural and urban on children rights violations. The results display that the teachers of rural area have higher mean score on infringements of children rights compared to the ones who are serving in urban area. The mean difference between their score is very significant as $p < .001$. However, tendency beckons that the urban teachers have lower score on infringements of children rights, compared to rural teachers. These results indicate that the rural areas have more propensity on infringements of children rights in comparison to urban areas.

Table 5. Subscale Correlation among Children Rights Violation and GPA which Affect the Achievements.

| Rights | GPA |
|-------------------------------|------------|
| Physiological rights | -.10** |
| Love and belongingness rights | -.14** |
| Esteem rights | -.08* |
| Actualization rights | -.07* |
| Safety rights | -.14** |
| Educational rights | -.12** |
| Teachers total rights | -.15** |

Academic achievements of Teachers All (N=689) * $p < .05$; ** $< .01$; *** $< .001$

All the subscale of children rights violation is non-significantly correlated. The cumulative score of all the teachers on dimension of the rights which are violated in the Table 5 also suggested that irrespective of rural and urban areas, the violations of children rights are frequently observed at elementary level.

Table 6. Whole T-Test Table and Scale Wise Tables for Students

| Scale | Urban (n =238) | | Rural (n =484) | | 95% CI | | | |
|---------------------------|----------------|-------|----------------|-------|--------|------|-------|-------|
| | | | M | SD | t(720) | p | LL | UL |
| Children Rights Violation | 81.73 | 16.32 | 89.50 | 15.22 | -6.60 | .000 | -10.4 | -5.52 |

Above mentioned tabulated data indicates the composite score of students both rural and urban on children rights violations. The results display that the students of rural area have higher mean score on infringement of children rights equated to the ones who are studying in urban area. The mean difference between their score is highly significant as $p < .001$ on scale i.e. 7.96. This indicates that the students of rural areas are subject to more violations of children rights.

Table 7. Area Wise Comparative Analysis of Children Rights Violations

| Rights | Cumulative Score | Sig. (2-tailed) p-value |
|-------------------------------|------------------|-------------------------|
| Physiological rights | -.124** | .001 |
| Love and belongingness rights | -.135*** | .000 |
| Esteem rights | -.079* | .036 |
| Actualization rights | -.062 | .097 |
| Safety rights | -.152*** | .000 |
| Educational rights | -.091* | .015 |
| Students total rights | -.129** | .001 |

*Academic performance of Students All (N=706) * $p < .05$; ** $< .01$; *** $< .001$*

The above tabulated data suggests that irrespective of stratification, the children rights are being desecrated in government school of Islamabad. The frequency of different rights violations might vary but the physiological needs including the provision of basic infrastructure, water and hygienic environment are clearly violated in these institutions. Moreover, the use of corporal punishment and emotional maltreatment which was grouped under the dimension of Safety Needs is also evident. While addressing the violation of educational rights including all the educational facilities, appropriate resources and provision of trained teachers, the respondents agreed to the fact that these institutions lack them which evidently points toward the clear violation of rights.

The research over all encircled the prevalence of children rights infringements in elementary level institutions. The results of the research are in line with the study of Sadruddin, (2011), who also concluded that in Pakistan the fundamental rights of children including all the above listed needs, are being breached at elementary level public schools with a varying ratio in rural and urban areas. The study also reinforced the conformation of general perception about the non-availability of basic infrastructure in these institutions and is affirmative of the findings compiled by Abbasi, (2015), which addresses the lack of proper educational environment in these institutions. The use of corporal punishment has also been confirmed by the finding of this study which coincides with the research of Naz, Khan et al (2011), who also deduced that physical reprimands have been recurrently administered in public sector institutions of Pakistan.

Conclusions

Children are the assets of a nation hence require proper care and attention both on the part of parents and teachers, when dealt with. The educational institutions play a momentous role in overall upbringing and personality grooming of children. The elementary schools lay the foundation of the personality of a child which can determine his future conduct hence, the kind of treatment he gets in elementary school, leaves everlasting impact on his psychological development. The conducted research significantly concludes that the public sector schools present in FDE Islamabad adhere to the infringement of children rights which are prescribed according to international standards (UNICEF, 2010). According to the results it is concluded that the teachers, head teachers and students unanimously agree on the violations of children rights which are being observed in these public sector institutions. The fundamental rights which are being infringed in elementary schools strongly correlate with the performance of students. There is a dire need to address these violations to upgrade the standard of education especially in public sector schools to provide a safe environment to the students where their all needs (as per Maslow's hierarchy) are catered conductively.

Recommendations

There is an immense requirement to modify the curriculum content and teacher training program which could provide sufficient guidelines to the teachers in order to cater the individual needs and behavior issues without administering the strap. It is recommended that the government should take pre-requisite steps to curb the punishment in all forms while revising the SOPs (Standard Operating Procedures) and other rules including education code etc. The legislation reforms

are also required to curb the violations of children rights in these institutions where zero tolerance policy should be implemented against corporal punishment. It is also suggested that these institutions should be upgraded in order to meet the minimum standards prescribed by UNESCO in terms of infrastructure to make the environment more conducive for the students to learn.

References

- 25A Right to Education. (2010).<https://pakistanconstitutionlaw.com/article-25a-right-to->
- Abbasi, K. (2015). *Public schools in capital lack basic facilities*.
<http://www.dawn.com/news/1214997>
- Aluede, O. (2004). Psychological Maltreatment of Students: A Form of Child Abuse and School Violence. *Journal of Human Ecology*, 16, 265–270.
- Chianu, E. (2000). Two deaths, one blind eye, one imprisonment: Child abuse in the guise of corporal punishment in Nigerian schools. *Child Abuse Negl.* 24, 1005–1009. doi: 10.1016/S0145-2134(00)00154-X.
- Convention on the Rights of the Child, (1989.). <http://www.unicef.org/crc/>
- Dombeck, M. (2014). The Long Term Effects of Bullying.
<http://aaets.org/article204.htm>
- Education Code. (2006). Federal Directorate of Education G-9/4, Islamabad.
- Govt. of Pakistan. (1973). Constitution of Islamic Republic of Pakistan.
- Gulrez, F. (2005). *The State of Pakistan's Children*.
- Hornor, G. (2010). Medscape Log In http://www.medscape.com/viewarticle/775782_2
- Hyman, I.A. (1988). Eliminating Corporal Punishment in Schools: Moving from advocacy research to policy implementation. *Child Legal Rights*. 15(6), 110-115
- Jillani, A., & Jiallani, Z.(2000). “*Child Rights in education*”, Society for the protection of the rights of the child, Islamabad Pakistan.
- Kiblawi, F. (2014). GNRD News.<http://www.gnrd.net/seemore.php?id=651>
- Larzelere, R.E. & Johnson, B. (1999). Evaluation of the effects of Swedens spanking ban on physical child abuses: *Psychology Rape*, 12 (54):15-16.
- Lobo. A. T, (1976). *Foundations of Educations*, Sindh Text Book Board.

- Malik, A.B. (2011). *Policy analysis of education in Punjab province*. UNESCO Islamabad. Pakistan.
- Naz, D. A., Khan, W., Daraz, U., Hussain, M., & Khan, Q. (2011). *The Impacts of Corporal Punishment on Students' Academic Performance/Career and Personality Development Up-To Secondary Level Education In KPK Pakistan*.
- Protection Laws. (2006). Islamabad: Federal Investigation Agency, Ministry of Rights of the Child. 170.
- Result Gazette. (2015). Centralized Annual Examination, V-2015, FDE, Islamabad
- Result Gazette, (2015). Centralized Annual Examination, VIII-2015, FDE, Islamabad
- Sadruddin, M. M. (2011). *Study on the Important Issues of Child Rights in Pakistan. Study on the Important Issues of Child Rights in Pakistan*. Retrieved from [www.qurtuba.edu.pk/thedialogue/.../6_1/ Dialogue January _ March2011_13-30.pdf](http://www.qurtuba.edu.pk/thedialogue/.../6_1/Dialogue_January_March2011_13-30.pdf).
- Shahid, J. (2016). *Protection of Pakistan Bill 2014 approved in NA*. <http://www.dawn.com/news/1116529>
- SOP (1996). *Circular, for FGEI C/G Dte. Sir Syed Road, Rawalpindi*
- Tower, C. C. (2003). *The Role of Educators in the Prevention and Treatment of Child Abuse*
- UNESCO (2013). Pakistan Education Statistics. Retrieved form [http://unesco.org.pk/education/documents/2013 /pslm/Pakistan_ Education _Statistics](http://unesco.org.pk/education/documents/2013_pslm/Pakistan_Education_Statistics).
- UNICEF. (1959). Declaration of the Rights of the Child. <http://www.unicef.org/malaysia/1959-Declaration-of-the-Rights-of-the-Child.pdf>
- UNICEF. (2010). Minimum Standards for Education, p.69-71. http://www.unicef.org/eapro/Minimum_Standards_English_2010.pdf