

Introduction:

Being a human, we all claim and enjoy inherent and inalienable rights to live in societies. These claims are pronounced and expressed in what is currently understood as human rights. Human rights ensure the dignity of every individual as a human being irrespective of his/her caste, colour, race, religion, nationality, language, sex or any such factor. Human rights have been translated into legal rights, established according to the law at national & international levels. The basis of these legal rights is the consent of the governed. Human rights can be violated at all age levels, but violation of Children human rights is of prime concern across the globe, and there is a need for a broad, multidimensional, holistic approach to curb this menace. All the countries in the world have signed up to the UN Convention on the Rights of the Child (1), which states clearly (Article 19) that children should be protected from all forms of violence. If the government does not ensure this protection; health professionals must make it a priority by carrying out research, engaging with the voluntary sector, raising the issue in the

media and bringing it to the attention of politicians.

Why child abuse study is so important:

Children's are reflection of a nation's future. The early years of life are both valuable and vulnerable, and therefore, the rights of a child should be recognized and their protection should be of utmost importance. Today's children are tomorrow's young ones and adults who are going to ultimately shape the destiny of any nation /country. It is important to understand that children who are the base of a population pyramid are going to eventually direct a society, how to create man power and utilize of the existing human resource for the overall upliftment of that society. A lot of expected outcome from children depends on the quality and quantity of inputs we are giving to our children in various means like imparting knowledge, behavioural modification, discipline learning, physical education, moral education, sense of social responsibility, importance of good health and on top of everything the ways to achieve such things needs to be taken care of. However to

achieve such things, there should be no force, no corporal or any other form of punishment. Of course there are numerous better ways of parenting which may help us to achieve such goals. Biologically the brain of a child is like a blank paper and we have an open choice to write and imprint things on it, so it becomes necessary to prevent the effect of negatives on the life of children which may hamper the overall development of the society in the long run.

India has a large child population that is vulnerable to all types of abuse, neglect and exploitation [2,3,4]. Child abuse has the potential to the child's health, survival, development and dignity. The growing complexities of life and the changed social economic conditions have exposed the children to new and different forms of abuse. Unfortunately the sad state of the affairs is that such heinous acts are reported less and thus we need to provide special and priority based attention to deal with such crimes. Reports have demonstrated that worldwide, approximately 20% of women and 5–10% of men are being sexually abused, 23% of people are being physically abused as children [5]. According to the UN Secretary General's Study on Violence

against Children, almost 53,000 child deaths occurred across the globe in 2002 due to child homicide [5]. Some of the factors which remain more or less similar between different countries of the world and are associated with child abuse are low birth weight, unwanted pregnancies, teenage pregnancy, social isolation, drug abuse, poverty, lack of support, unemployment, etc. [6, 7,8]

Indian Societies - Major Causes of Child Rights Abuse:

India is home to almost 19% of the world's children population, and children and adolescents together form approximately 40% of India's total population [9]. In India, two out of every three children are physically abused, and every second child is reported to be facing emotional abuse. Around 53% of children are reported to have faced one or more forms of sexual abuse, and almost 50% of abusers are persons known to the child or in a position of trust and responsibility [10]. Abuse and maltreatment during childhood adversely affect the physical and psychosocial development of children. A lot of factors are responsible for violation of children rights in

Indian societies, some of the major causes are:

- Lack of awareness, education and human rights culture in state.
- Poor implementation of legal provisions
- Poor implementation of social welfare programmes relating to rights of the child sections.
- Poverty and Illiterate parents
- Lack of awareness about child rights
- poor growth of civil society organization in the field of human rights
- Insensitivity among higher ruling classes about rights issues.
- Long delays & costly judicial process.
- Son preference
- Female Foeticide & Infanticide
- Misinterpretation of religious ideas
- Early Marriages where children are lacking psychological and biological maturity.
- Discrimination against children on the basis of caste, sex, tribe or indigenous background
- Child trafficking
- Discrimination against girls in terms of education
- Child labour, including working in hazardous conditions
- Violence against children, including sexual violence

Risk categories and vulnerable children for child abuse:

- Preschool children i.e child hood years below six years of age

- Boys for physical abuse, girls for sexual abuse
- Disabled children
- Children living in poor families
- Children of drug abusing parents
- Children living with AIDS
- Children in armed conflict
- Children whose birth history is not registered
- Missing Children
- Laboured child
- Children living in families with below poverty line
- Children missing early parental care
- Children receiving poor health and nutrition
- Children of Schedule casts and Schedule Tribes
- Children in families affected by domestic violence
- Street children's

Child trafficking- A prime Child right Abuse:

Human trafficking is the third largest profitable industry in the world. Child trafficking unlike many other issues is found in both developed and developing nations. According to UNICEFF: a child victim of trafficking is "any person under 18 who is recruited, transported, transferred, harbored or received for the purpose of exploitation, either within or outside a country. Trafficked children are used for prostitution,

forced into marriage, illegally adopted, used as cheap or unpaid labour, used for sport and organ harvesting. Some children are recruited into armed groups. Trafficking exposes children to violence, abuse, neglect and exploitation. Child trafficking in most of the cases involve children from poorer and backward families where education, health, socio-economic condition are very poor; and from families of larger size where suitable and needful attention is not paid to each and every children owing to different reasons. Less are the evidences of child trafficking from rich and economically sound families indicating the proneness of this act in such so called backward societies where the offender gets ample opportunities to perform such acts?

Trafficking in Indian states:

Several NGOs have estimated that about 12,000 - 50,000 women and children are trafficked into the country annually from neighbouring states for the sex trade. Thousands of girls are trafficked from Bangladesh and Nepal. 200,000 Nepalese girls under 16 years are in prostitution in India. An estimated 1,000 to 1,500 Indian children are smuggled out of the country every year to Saudi Arabia for begging

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during the Hajj [11]. Andhra Pradesh, Karnataka, West Bengal and Tamil Nadu have the largest number of people being trafficked. Intra state/inter district trafficking is high in Rajasthan, Assam, Meghalaya, Bihar, Uttar Pradesh, Andhra Pradesh, Karnataka, Tamil Nadu and Maharashtra. Delhi including NCR and Goa are the major receiving states/ends. Trafficking from north eastern states is high but often overlooked. There is a rising demand for live-in maids in urban areas. This has resulted in trafficking of girls from villages in West Bengal, Jharkhand and Chhattisgarh who live under extremely poor conditions; first in "placement agencies" and later in the employer's homes. As per the reports of National Anti-Trafficking Committee (NATC), there were 35,000 cases of child trafficking and 1,25,750 cases of women trafficking in India between 2016-17, among 35,000 reported cases of child trafficking, 13,000 were registered in West Bengal accounts for 37 percent [12]. Falling sex ratios in Haryana and Punjab has led to a need for trafficking of brides from villages in Orissa, Jharkhand, Bihar, Assam and West Bengal, who have been sold off by the parents. Jyoti, age fourteen, was sold and married to a 40-year old man for Rs 15,000

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in order to produce a mail heir [13]. In states which are disturbed and having armed conflicts like Jammu and Kashmir, in absence of a mechanism to check the influx of people from other states human trafficking is growing into a serious issue in Kashmir where underage girls and sometimes boys also find themselves sold off for work of any nature[14] and this trend keeps on rising. The ongoing conflict in Kashmir valley has given rise to more than 30,000-40,000 orphans who are living a miserable life, and this indicates how badly their rights of parenting are being taken away in the conflict of Kashmir [15]. These children, who dreamt of better future, end up begging, become prostitutes, become sufferers of different mental disorders and some of them become child labourers and are living in the worst conditions.

Sexual Abuse in India:

Child sexual abuse (CSA) is defined as the misuse of power and authority, combined with force or coercion, which leads to the exploitation of children in situations where the offender seeks sexual gratification in developmentally immature children.

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Child sexual exploitation also involves possession, manufacture and distribution of child pornography, online enticement of children for sexual acts, child prostitution, child sex tourism and child sexual molestation. Incidences of CSA in India are high, in a study of 160 boys and 160 girls who were randomly selected from Grades 8 and 9 in school in the state of Tripura an average of 18 % of the children had experienced sexual abuse in the home environment. Child sexual abuse was more for the girls than boys and boys experienced more physical punishments than girls in their homes [17]. Chief reasons behind CSA in India:

- Luring of sexually abused girls with better future prospects and finally their selling in brothels.
- Forcing of girls to work as child sex workers and prostitutes, bar girls or dancers.
- Lack of communication of CSA with their families, some girls does not want to return back home even they can do so, due to their earlier unhappy and domestic violence experiences.
- Less reporting of child sexual abuse with police.

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- Poor people in India do not feel comfortable with law enforcement agencies and are scared of the police.
- Less medical care and supervision immediately after sexual abuse.
- Domestic violence at homes may compel the girls to work as child sex workers

Emotional abuse of Children:

Emotional abuse is a mental abuse, and psychological maltreatment. It includes acts or the failures to act by parents or caretakers that have caused or can cause serious behavioural, cognitive, emotional, or mental trauma. The offenders which include parents or caretakers or sometimes the ruling authorities who use extreme or bizarre forms of punishment, such as confinement in a closed or dark room or being tied to a chair for long periods of time or threatening or terrorizing a child. The emotional abuse is more prevalent in war torred zones and areas with armed conflict zones. The consequences of emotional abuse and deprivation include difficulty in maintaining healthy relationships, increased risk of mental health issues, increased social problems like aggressive behaviour, greater risk of repeating the cycle of abuse,

decline in school performance, delayed emotional development, desire to hurt himself or other people on purpose, anxiety, low self-esteem, attempts to avoid participation in certain activities like nation building and development, antinational feelings, depression, loss of patriotism etc .

Positive parenting is a better choice than physical punishment:

Violence against children in the family may frequently take place in context of discipline and takes the form of physical, cruel or humiliating punishment. Long-term effects of physical punishment of children include an acceptance of violence as a way of solving disputes, and a lack of understanding of the value of positive parenting [18]. Discipline is essential for successful child rearing and it is entirely possible to practice authoritative parenting without the use of corporal punishment [19]. Victims of emotional abuse may benefit from talk therapy with a licensed mental health professional. In addition to processing the abuse, children who have been emotionally abused may benefit from learning new skills, such as healthy ways to cope with emotions and social skills that help them resolve conflict peacefully.

Countries which have outlawed physical punishment in the home have found that this measure has been effective in reducing the harm to children and has allowed a different approach to child rearing to develop, as long as the change in the law is accompanied by extensive education on positive parenting and how to set limits effectively [20]

Legal provisions for protection of children:

1. International Conventions and Declarations

- India has signed a number of international documents and declarations that pertain to the rights of the children. The United Nations Convention on the Rights of the Child (UN CRC) was assented to by India in 1992.
- In 2005, the Government of India accepted the two Optional Protocols to the UN CRC, addressing the involvement of children in armed conflict and the sale of children, child prostitution and child pornography.
- India also signed the International Conventions on Civil and Political Rights, and on Economic, Social and Cultural Rights.

- India is also a signatory to the Convention on the Rights of the Child (CRC) adopted by the UN General Assembly in 1989 prescribing standards to be adhered to by all State parties in securing the best interest of the child and outlines the fundamental rights of children, Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) also applicable to girls under 18 years of age and the SAARC Convention on Prevention and Combating Trafficking in Women and Children for Prostitution

2. Constitution of India:

- The Constitution of India contains a number of provisions for the protection and welfare of the children. It has empowered the legislature to make special laws and policies to safeguard the rights of the children. Articles 14, 15, 15(3), 19(1) (a), 21, 21(A), 23, 24, 39(e) 39(f) of the Constitution of India contain provisions for the protection, safety, security and well-being of all it's people, including children.

3. National Policies:

- The major policies that have been formulated to ensure child rights and improvement in their status are:
- National Policy for Children, 1974
- National Policy on Education, 1986
- National Policy on Child Labour, 1987
- National Nutrition Policy, 1993
- Report of the Committee on Prostitution, Child Prostitutes and Children of Prostitutes and Plan of Action to Combat
- Trafficking and Commercial Sexual Exploitation of Women and Children, 1998
- National Health Policy, 2002
- National Charter for Children, 2004
- National Plan of Action for Children, 2005

4. Statutes dealing with the protection of Children :

A number of statutes were enacted for the welfare and protection of the rights of the children:

1. The Indian Penal Code (IPC) 1860: Its different sections cover different themes to protect child rights:

- Foeticide (Sections 315 and 316)
- Infanticide (Section 315)
- Abatement of Suicide: Abatement to commit suicide of minor (Section 305)
- Exposure and Abandonment: Crime against children by parents or others to expose or to leave them with the intention of abandonment (Section 317)
- Kidnapping and Abduction (Section 360 to Section 369)
- Procurement of minor girls by inducement or by force to seduce or have illicit intercourse (Section 366-A)
- Selling of girls for prostitution (Section 372)
- Buying of girls for prostitution (Section 373)
- Rape (Section 376)
- Unnatural Sex (Section 377)

2. The Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994

3. The Juvenile Justice (Care and Protection of Children) Act, 2000

4. The Immoral Traffic (Prevention) Act, 1956

5. Child Labour (Prohibition & Regulation) Act, 1986

6. The Prohibition of Child Marriage Act, 2006
7. The Commissions for the Protection of Child Rights Act, 2005
8. Protection of Children against Sexual Offences (POCSO) Act, 2012

Discussion:

The preventive efforts to deal with the menace of child abuse could be directed in a multidimensional way such as at household level, community level and political level. Addressing each level is equally important to cut-down the incidence of Child abuse. It is time for the parents or caregivers to educate the children to have a clear distinction between good and bad, giving them the power to use their individual will power to control when someone touches their bodies in a questionable way and reporting it immediately without any fear. Communities should consider it a collective responsibility to ensure child safety and public awareness should be increased regarding this crime and curb it at the earliest. Collaboration with NGO's working against child abuse and setting up of child welfare agencies can yield positive results. Curriculum in the schools should contain

lessons to be taught on priority basis which may help the children to identify situation of potential abuse against them and to report appropriately to a trusted adult, organisation, institution, Government agency or those working against child abuse. Commissions for the protection of child rights should be encouraged to implement Child Protection Schemes. There should be multidisciplinary centres including the counselling centres of children's rights experts in India with well trained staff. They must be possessing all those things and commodities which can help them to provide a comprehensive gender sensitive counselling, such centres should be equipped with all those resources which can help them to rehabilitate all those children who had suffered child abuse in one way or the other way, so that the victims can live a happy and prosperous life as an integral part of society.

Education is one of the single tools to eradicate child abuse, and in a multipolar process involving the teachers, parents, civil society members, monitoring agencies from Govt., there is every possibility we educate children about this issue. Largely, the fact is; today's children may be tomorrow's parent and it is better to equip them with all means

they can use to prevent such incidents in future. This is surely going to give a dual advantage to eradicate this disease. Curriculum must be designed in such a way to incorporate information about child trafficking on priority basis and Government has to play an active role to remove the evil from its roots in different societies. Biological rights of a child, like mothers milk, balanced diet, better education, adolescence education/ reproductive growth is essential and we can divert the so called the bad habits learning child hood period of our children into areas like sports where children learn discipline and leadership qualities in life .

The role of health, psychological and behavioural professionals cannot be neglected to prevent child abuse. Training of staff in recognition and management of child abuse requires active support from experts like paediatricians is also an essential component to tackle this social disease. This also requires support from other sectors like social services, police or voluntary agencies. Unless health staff understands that they will be supported for speaking out against child abuse, they are unwilling to report. Paediatrician status gives them a key role in

advocacy against the abuse of children, through speaking out, organizing positive outcome based collaboration and arranging training.

Countries like India where culturally diverse people live together and are very fond of theatres, play and love different sports games, it becomes necessary to take the opportunity to use such celebrities from diverse fields to disseminate the information among general public regarding the menace of child trafficking and child labour. By branding persons from such fields as ambassadors for anti-child trafficking, anti-child labour programmes, letting people understand the ways by which this menace can be manipulated by different offenders and institutions and the ways to reduce this in a holistic approach is one of the important means we may focus towards society response in highlighting child abuse.

Violence against children remains hidden for many reasons. One is fear where many children are afraid to report incidents of violence against them. In many cases parents, who should protect their children, remain silent if the violence is perpetrated by a spouse or other family member, a more

powerful member of society such as an employer, a police officer, or a community leader. The fear factor needs to be eliminated and we all need to behave as responsible citizens in addressing this core issue of societies in an energetic and positive manner no matter who is the offender. However there should be sufficient government measures which ensure safety measures of those who high light such issues so that we all can collectively eradicate this menace.

Conclusion:

Child maltreatment is a serious problem that in most of the cases results in immediate negative effects on children. It is followed by more chances for numerous problems throughout the life span of the person involved in particular and the society in general. Child abuse hinders the normal growth and development of the children and this has no of secondary negative ramifications like anxiety, depression, anger, post-traumatic stress, feeling loss of self-respect, less confidence and motivation level, aggressive behaviour, suicides, and of course different personality disorders. Is the increasing no of children mostly the teenagers being killed, is increasing number

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of orphans in conflict zones in India like Kashmir is an emotional abuse is still a matter of debate and question, for which least attention is being played both at regional and international levels. We can never think of a growing society unless all the sections and age groups of our society are safe and leaving one behind will hamper the overall growth of the societies. The youngest Noble Prize winner in the world Malala **Yousafzai** a Pakistani human rights activist has quoted it nicely *“I raise up my voice-not so I can shout but so that those without a voice can be heard...we cannot succeed when half of us are held back.”*

The prevalence of Child abuse is often associated with demographic and socio-cultural characteristics of the children and all of us should collectively start thinking to develop new ways and strategies to identify different forms of child abuse by us and our children and deal with the same and we should not forget to develop new ways and methodologies to respond to our children during these sensitive periods in their life.

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