INVESTIGATING THE CONFLICT BETWEEN CHILD HUMAN RIGHTS AND CHILD DISCIPLINARY PRACTICES IN THE FAMILY INSTITUTIONS OF LUSAKA'S CHAWAMA TOWNSHIP

BY

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A DISSERTATION SUBMITTED TO THE UNIVERSITY OF ZAMBIA AND ZIMBABWE OPEN UNIVERSITY IN PARTIAL FULFILMENT OF THE REQUIREMENTS FOR THE AWARD OF THE DEGREE OF MASTER OF SCIENCE IN PEACE, LEADERSHIP AND CONFLICT RESOLUTION

UNIVERSITY OF ZAMBIA AND ZIMBABWE OPEN UNIVERSITY

LUSAKA, ZAMBIA

2018

Student Declaration

I Charles Muleya of NRC number 457169/11/1 hereby do proclaim that this dissertation is my own independent work. Neither the substance nor any part of the dissertation has been submitted in the past, or is being, or is to be submitted for a degree in the university or any other institution of higher learning. All published work or material from other sources included in this thesis have been acknowledged and adequate reference thereby given.

I consequently present the study for inspection for the award of a Masters' Degree program in Peace, Leadership and Conflict Resolution in the department of Social Sciences, School of applied Social Sciences University of Zambia / Zimbabwe Open University.

Charles Muleya

Signature:

Date:

Approved by the Supervisor

This study of Charles Muleya of NRC number 457169/11/1 has been approved as satisfying the condition for the award of a Masters' Degree Program in Peace, Leadership and Conflict Resolution in the department of Social Sciences, School of applied Social Sciences University of Zambia / Zimbabwe Open University.

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Acknowledgement

I Charles Muleya would like to earnestly extend my gratitude to all the people that contributed to the preparation of this thesis. I am chiefly indebted to my supervisor Dr. Farrelli Hambulo for his well thought-out management, guidance, methodological contribution, counsel, time, and perseverance, which helped me nature this work. Extraordinary appreciation also go to Dr. Gistered Muleya, the course coordinator and Lecturers in the Department of Social Sciences, School of applied Social Sciences whose advice and thoughtful criticisms have contributed to the shaping of this dissertation.

Special thanks go to my wife Jesika Chichi Munsanje, sons Simushi Chikale Muleya, Chilala Handsome Muleya, Saliya Muleya and Nduba Muleya. Thank you for your love, support, patience, understanding and encouragement that you gave me. My heartfelt appreciation goes to my mother and our last born brother whose love, support and encouragement kept me going.

Members of staff at UTH-HAP, my work place such as Dr. Mwiya Mwiya, Dr. Sylvia Mwanza, Mr. Emmanuel Mwanza for the support rendered to this study. I would like to also thank members of staff at Human Rights Commission- Zambia, Zambia Police's Victim Support Unity and all other institutions and respondents for their invaluable cooperation in furnishing the needed data for my dissertation.

To my classmates and colleagues Clara Kamaila, and Davy Mainde, I thank them for their constant encouragement and support that kept me going especially in times when I felt like giving up.

I also thank all those I have not mentioned but have had any impact on my life and consequently on my research. My greatest appreciation and gratitude also goes to the almighty God for his grace, and strength which saw me through my studies.

Dedication

I would like to dedicate this dissertation to my mother Dinah Moono, my brother Willie Muleya, and my father in law Mark Munsanje. Your relentless advice regarding the importance of academics has made me reach this stage.

In addition I dedicate this study to my supervisor Dr. Farrelli Hambulo for his leadership all the way through my research. I also devote this project to all those that supported me. I could not have done it devoid of them.

Copyright

List of Abbreviations

AIDS - Acquired Immune Deficiency Syndrome

Art - Article

CDPFI – Child disciplinary practices in family institution

CGP - Caregiver Participant (Parents/Guardians)

CP - Child Participant

CRC   Convention on the Rights of the Child

CR – Child rights

CRIN - Child Rights International Network

CSO - Civil Society Organization

FGD – Focused Group Discussion

LIC – Local in Charge

HIV - Human Immune - Deficiency Virus

HRA - Human rights activist: police (VSU) and HRC

HRC - Human rights commission

HRW - Human Rights Watch.

POI-C – Provincial Officer in – Charge

POP - Police Officer (Victim Support Unity)

P - Parents

VSU - Victim Support Unity

UN-OHCHR United Nations Office of the High Commissioner for Human Rights

UN - United Nations

UNICEF - United Nations Children's Fund

UNCRC - United Nations Convention on the Rights of the Child

WHO – Word Health Organization

ZCEA- Zambia Civic Education Association

Abstract

The focus of this study was to investigate the conflict between child human rights and child disciplinary practices in the family institutions of Lusaka's Chawama Township. The study endeavoured to address the following objectives: To verify the presence of the conflict, to describe the actual conflict experienced, to explore effects of the conflict and to suggest possible ways of how the conflict can be resolved. A qualitative case study design was used to gather data for this research. Data was gathered using structured and focused group interviews/discussions. This research study was guided by conflict theory. Research participants included Human Rights Commission of Zambia, Parents/guardians, Children and Police Officers from Victim Support Unit.

The following are the main research findings revealed by the study: Beatings versus child protection from physical or emotional abuse, right to quality health care and nurturing versus neglect and abandonment which leads to archaic uncontrolled behaviour, right to shelter versus no or poor shelter, right to education versus no or poor education, right to security and social protection by both parents and state agents versus physical injuries and deformities, child right to participate in community programs for themselves versus denied freedom of community participation and programs for themselves. It was also revealed that, there was misunderstanding and hatred between children and their parents/guardians. The conflict also leads to the fear by parents for prosecution by their own children. It was also revealed that there are poor government policies on both child rights and child disciplinary practices in family institutions.

The study concluded that, the most common form of discipline was physical abuse followed by verbal abuse which is an infringement on the part of child rights. Children are used as tools of labour and undergo many abuses as there is no security and social protection, and commitment

to fulfil children's rights by child rights duty bearers. It was also concluded that, the conflict can be resolved by formulating policies that promote, protect and fulfil child rights.

Based on the findings, the study recommends that government should provide clear policies, disciplinary practices and guidelines on how children should be disciplined to harmonise and reduce the conflict between child rights and child disciplinary practices in the family institutions of Chawama Township, in order for the two conflicting institutions to fulfil their obligations.

Key Words

Conflict; Child; Human Rights; Disciplinary Practices; Family Institution.

TABLE OF CONTENTS

CHAPTER 1

INTRODUCTION OF THE STUDY

1.0. Introduction

This chapter provides the background information to the study. It further presents the definition of the key concepts, problem statement, research objectives (both main and specific objectives), the research questions and the significance of the study.

The study aims at exploration of the conflict between child human rights and child disciplinary practices in the family institution in Zambia. The research proposes to answer the following questions: Whether there is a conflict between child human rights and child disciplinary practices in the family institution in Lusaka's Chawama Township? What kind of conflict is experienced? What are the effects of the conflict? And finally, what should be done to resolve the conflict between child human rights and child disciplinary practices in the family institutions in Zambia?

1.1. Background of the Study

A long time ago there were no special protections given to children. In the Middle-Age, children were considered as small adults. Older children were expected to swiftly adopt adult tasks and accountabilities, to meet the strict necessities of daily life. Further, harsh punishments for minor violations were common. Beatings and other forms of physical discipline occurred regularly; one legislator even suggested capital punishment for children's misbehavior (Orme, 2008).

The use of physical punishment practices was used as a disciplinary action taken to shape behavior, not a pervasive dispensing of beatings for no reason. Corporal punishment was undoubtedly the norm. Therefore, there was need to change this norm as it had negative effects on the child in their adulthood.

Many parents continue to use physical punishment to discipline their children for various reasons. The most common reason is the belief that if parents truly love their children and care about their well-being then, they must impose their authority, values and cultural beliefs on them. This belief is based on the fear of spoiling a child. However, later with the coming of human rights, such notion was being discouraged as physical discipline was said to be cruel to humanity. One of the unknown scholar said, "If you strike an animal it's called cruelty, if you strike an adult it is called assault, but if you strike a child it's called discipline, (Ibid)." Despite human rights advocacy, child discipline through physical punishment is still a common aspect of society (Murray, etal. 2006).

The conflicts between child human rights and child disciplinary practices in family institutions remains a world's phenomenon today. According to the United Nations Report of (2007), the conflict between child human rights and those of the family institutions accounted for 47% worldwide as of 2006. The conflict was estimated to be high in Africa with nearly

27%, followed by South America with 26.9% while Asia accounted for 21.7%. Africa was found to have higher conflicts rates due to strong cultural beliefs among the indigenous dwellers (UN, 2007).

However, an overview of expulsion events indicates that this conflict between child human rights and child disciplinary practices have been in existence since 1920s after the adoption of the Declaration of the Rights of the Child in 1924 by the League of Nations, which was the first international treaty concerning children's rights. Later on, in 1959 another declaration was made by the General Assembly of the United Nations which in turn paved way to a Universal Declaration of Children Rights (UNICEF, 2010). These conventions collided with those of the family institutions such as harsh punishments, beating of a child, sexual abuse and other forms of physical discipline that occurred regularly in family institutions as well as the adoption of adult tasks and accountabilities by the children in order to meet the strict necessities of their daily life and that of the family at large (UN, 2008).

Even if efforts had been made to overcome the conflicts between child human rights and child disciplinary practices in family institutions, the tension between these two forms of rights remains an issue throughout the world (UNICEF, 2017). The evidence still remains in the literature with regard to the conflicts between child human rights and the child disciplinary practices in family institutions. For example, the study conducted by UNICEF in 2017 found that the conflict accounted for 44.7% in Afghanistan. A review of literature by the United Nations, similarly, observed that the conflict between these two laws had increased from 37% to 42% in South Africa (United Nations, 2014). This conflict remains the world's issue despite various measures from different nations. It is from this understanding that this study addresses itself to the realm of assessing the conflict between child human rights and child disciplinary practices in family institutions

Moreover, some measures to resolve the conflicts between child human rights and child disciplinary practices were carried out in vain. For example, In Chile, certain measures have been put in place in attempt to address the conflicts between child human rights and child disciplinary practices in the family (United Nations, 2017). The government had put in laws which favour the human rights instruments and conventions to resolve the issue. Similarly in August 2007, the South African government sensitized the parents to reduce on the number of disciplinary laws during socialization of the children as a way of overcoming the conflict between child discipline in families and child human rights (UNICEF, 2010).

In Zambia, from the time immemorial, the country has been experiencing conflicts between child human rights and child disciplinary in family institutions. The government of the first republican president Doctor Kenneth Kaunda tried to explain to the people from various parts of the country that child human rights are adopted in order to promote the wellbeing of children, hence they were not supposed to conflict with child discipline practices of the family (UN, 2000).

Traditionally and culturally, children in Zambia have been raised with the use of physical punishment (UNICEF, 2003). The white settlers came with education and as the majority of Zambians were getting more educated, many saw the need of regulating child disciplinary practices just like the international agencies also realized the plight of children concerning disciplinary practices in a home institution. Moreover, these conflicts became more intense in 1968 when Zambia adopted international conventions on the children's rights, United Nations report, (2001). This marked the genesis of the conflict between child rights and the disciplinary practices in home institutions such as canning (ibid).

1.2. Statement of the Problem

In 1968 Zambia adopted international conventions on children's rights (UN Report, 2001). This led to the conflict between child human rights and child disciplinary practices in family institutions in Zambia. In Zambian context children have been raised by physical punishment when disciplining the child and this is well backed by Zambian tradition and culture as an acceptable disciplinary practice. However child rising in Zambia, conflict with certain child human rights making it very difficult to discipline the children in Zambian situation, because when this happens, children complain that their human rights are violated and in the course of discipline, the disciplinarian may be arrested for inhuman treatment or assaulting. Despite the existence of this conflict since 1968 when Zambia adopted international conventions on child human rights, not much has been done to investigate the nature of this conflict hence the need to do so particularly in Lusaka' Chawama Township.

1.3. Purpose of the Study

The purpose of this study is to investigate the conflict between child human rights and child disciplinary practices in the family institution in Zambia, Lusaka's Chawama Township.

1.3.1. Study Objectives

1.3.2. Main Objective

- ❖ To investigate the conflict between child human rights and child disciplinary practices in the family institutions of Lusaka's Chawama Township.

1.3.3. Specific Objectives:

1. To verify the presence of the conflict between child human rights and child disciplinary practices in family institutions in Lusaka's Chawama Township.

2. To describe the actual conflict experienced between child human rights and child disciplinary practices in the family institutions in Lusaka's Chawama township.

3. To explore effects of the conflict between child human rights and child disciplinary practices in the family institutions in Lusaka's Chawama township.

4. To suggest possible ways of how the conflict between child human rights and child disciplinary practices in family institutions in Lusaka's Chawama township can be resolved.

1.3.4. Research Questions

The study sought to answer the following research questions:-

1. Is there a conflict between child human rights and child disciplinary practices in family institutions in Lusaka's Chawama Township?

2. What is the actual conflict experienced between child human rights and child disciplinary practices in the family institutions in Lusaka's Chawama Township?

3. What are the effects of the conflict between child human rights and child disciplinary practices in the family institutions in Lusaka's Chawama Township?

4. What are the possible ways to resolve the conflict between child human rights and child disciplinary practices in family institutions in Lusaka's Chawama Township?

1.4. Theoretical Framework

This section intends to use a theoretical framework encompassing an adopted study. It states what it is and also explain how it is related to the study or rather how it is applied in the context of the current study.

Before discussing the theoretical framework which has been adopted in this study, it is important to state what is meant by a theory. A 'theory' has been defined differently by different scholarly disciplines. Moore (2001:2) as quoted by (Gondwe, 2017), states that a theory is a reduction of our knowledge to basic ideas, presented in a way that shows their underlying patterns and relationships. A theory may refer to set of concepts and principles about a phenomenon. Usually, a theory has a purpose of explaining or predicting the phenomenon under scrutiny.

1.4.1. Explaining Theoretical Framework

According to Creswell (2009), a theoretical framework is a collection of interrelated concepts. Like a theory but not necessarily so well worked-out. A theoretical framework guides the research, determination of what things will be measured, and what statistical relationships you will look for.

Theoretical framework is perceptibly critical in deductive and theory-testing of studies. The theoretical framework must be very specific, well-thought out. theoretical framework are also important in exploratory studies where you really don't know much about what is going on, and you are trying to learn more. There are two reasons why theoretical frameworks are important here. First , no matter how little you think you know about a topic, and how unbiased you think you are, it is important for a human being not to have pre-conceived notions, even if they are of a very general nature. For example, some people fundamentally believe that people are basically lazy and treacherous, and you have kept your wits about you to avoid being conned. These fundamental beliefs about human nature affect how you look things when doing personnel research. In this sense, you are always being guided by a theoretical framework, but you do not know it (Bryman, 2001).

The framework tends to guide what you notice in an organization, institution or society, and what you don't notice. We can never completely get around this problem, but we can reduce

the problem considerably by simply making our implicit framework explicit. Once it is explicit, we can deliberately consider other frameworks, and try to see the institutional or societal situation through different lenses.

Having outlined what a theory and theoretical framework is, attention is now shifted to discussing what social conflict theory is. Being founding theorists of 'conflict theory', the ideas of Karl Marx and Friedrich Engels (The Communist Manifesto, 1848) as quoted by Malia (1998:35), entirely shape the perspective from which the theory is perceived in the next section.

1.4.2. Conflict Theory

This study is guided by conflict theory advanced by Karl Marx and Friedrich Engels who focused on the causes and consequences of class conflict between the bourgeoisie (capitalists) and the proletariat (working class and the poor). Focusing on the economic, social, and political implications of the rise of capitalism in Europe, Marx theorized that this system, promised on the existence of a powerful minority class (the bourgeoisie) and an oppressed majority class (the proletariat), created class conflict because the interests of the two were at odds, and resources were unjustly distributed among them.

According to Travillion and Snyder (1993), conflict theories draw attention to power differentials, such as class conflict and generally contrast historically dominant ideologies. Alan Sears (2008), recently commented that, Inequality on a global level is characterized by the purposeful underdevelopment of Third World Countries, both during colonization and after national independence. The global system (that is, development agencies such as World Bank and International Monetary Fund) benefits the most powerful countries and multi-national corporations, rather than the subjects of development, through economic, political, and military actions. Marx (1848), reasoned that as the socio-economic conditions worsened for the proletariat, would revolt, demanding changes to smooth the conflict.

Conflict theories are perspectives in sociology and social psychology that emphasize on a class interpretation of history, dialectical method of analysis, a critical stance toward existing social arrangements or reform. Conflict theories draw attention to power differentials, such as class conflict, and generally contrast historically dominant ideologies. It is therefore a macro level analysis of society. Karl Marx is the father of the social conflict theory, which is a component of the four paradigms of sociology. Certain conflict theories set out to highlight the ideological aspects inherent in traditional thought. While many of these perspectives hold parallels, conflict theory does not refer to a unified school of thought, and should not be confused with, for instance, peace and conflict studies, or any other specific theory of social conflict.

As propounded by Karl Marx conflict theory, is a theory that claims society is in a state of perpetual conflict due to competition for limited resources. It holds that social order is maintained by domination and power, rather than consensus and conformity. Those with power try to hold on to it by any means possible, chiefly by suppressing the poor and powerless.

Conflict theory has been used to explain a wide range of social phenomena, including wars and revolutions, wealth and poverty, discrimination and domestic violence. It ascribes most of the fundamental developments in human history, such as democracy and civil rights, to capitalistic attempts to control the masses rather than to a desire for social order. The theory revolves around concepts of social inequality in the division of class and resources, and focuses on the conflicts that exist between classes

According to Alan Sears, (2008), he tabulated the following on conflict:

- Societies are defined by inequality that produces conflict, rather than which produces order and consensus. This conflict based on inequality can only be overcome through a fundamental transformation of the existing relations in the society, and is productive of new social relations.

- The disadvantaged have structural interests that run counter to the status quo, which, once they are assumed, will lead to social change. Thus, they are viewed as agents of change rather than objects one should feel sympathy for.

- Human potential (for example, capacity for creativity) is suppressed by conditions of exploitation and oppression, which are necessary in any society with an unequal division of labor. These and other qualities do not necessarily have to be stunted due to the requirements of the so-called "civilizing process," or "functional necessity": creativity is actually an engine for economic development and change.

- The role of theory is in realizing human potential and transforming society, rather than maintaining the power stature and structure. The opposite aim of theory would be the objectivity and detachment associated with positivism, where theory is a neutral, explanatory tool.

- Consensus is a euphemism for ideology. Genuine consensus is not achieved, rather the more powerful in societies are able to impose their conceptions on others and have them accept their discourses. Consensus does not preserve social order, it entrenches stratification, a tool of the current social order.

- The State serves the particular interests of the most powerful while claiming to represent the interests of all. Representation of disadvantaged groups in State processes may cultivate the notion of full participation, but this is an illusion/ideology.

Conflict resolution, then involves changing reality (by changing the casual links), changing the demands of actors, by compromise, persuasion, or manipulation, so that values can be distributed in a manner that is acceptable to both actors (Andrew, 2005:9).

1.4.3. Relation of Conflict Theory to the Current Study

The theoretical framework embraced in this research was 'social conflict' due to the fact that this study was based on 'value' grounded in society. Theories were developed and presented from a social conflict perspective through causal relationships for the purpose of understanding the identity change or reformation experienced by these institutions (Andrew, 2005:9). The Marxist argument fits in this study.

Karl Marx theory argues that the competition of individuals and groups for wealth and power is the fundamental process shaping social conflicts. For conflict theories, the basic question about this social conflict is *"who gets what and why, who does what and why"?* In the case of child human rights and child disciplinary practices in home institutions, this has created tension between disciplining of the children and child rights. The status of home disciplinary practices, verse vie the child rights can be seen as part of stratification. The child rights instruments tend to place child disciplinary practices in a lower position. On their side, children may feel that they are protected by the international children's rights making them to misbehave in the name of human rights.

The two conflicting parties consist of human rights and parents or guardians as actors who have clear and conscious goals that are difficult to satisfy for as long as human rights make impossible for parents or caregivers perform their parental duties. Furthermore, with the knowledge of conflict theory, changes can be made to a new system,

The success of conflict resolution between child human rights and child disciplinary practices in family institutions relies on understanding of United Nation's Convention on the Rights of

the Child, governments and parental involvement at home to agree on each of their delimitations.

There are social constructs consisting of the values formulated by social institutions. Zambian society and policies are grounded in desired social values points to the other facts that social conflict theory and the current study have an important point of convergence making them share a fundamental common aspect. Therefore, social conflict theory is the most suitable theory to provide a systematic examination and analysis of the concerns of the present research because just like the central concern of the current research, social conflict is also based on social ethics, values and morals.

The theory provides the methodology framework in the evaluation of conflict between child human rights and child disciplinary practices. Conflict theory therefore would be useful during child human rights determination, child discipline practices (implementation phase).

The major difficult in the concept of conflict comes from the fact that both in daily and scholarly language, the term denotes some kind of behavior, some types of attitudes, some states of incompatibility or contradiction between the goals or interest of actors or parties or combination of these. According to Wilberg (1988), the other problem is about priorities, whether to direct attention on conflict behavior and look for removable causes or to focus on goal conflict and study how it can be resolved. Trying to conceptualize conflict in the sense of incompatibility is also a problem. The first delimitation can serve as an epistemologically neutral point of departure. There can only be conflict between two parties if there is no consensus on how best to distribute values in a manner that satisfies both. Therefore, in peace research, there are several contentious issues but for this purpose, only two conflicting issues will be discussed, thus, child human rights and disciplinarily practices in family institution.

Further in this study, immediate relationships of all target correspondents in all target institutions together with their wider set of relationships and values that allow them to pursue

their goals will be investigated using the various concepts of social conflict outlined earlier. This is because as pointed out above, from social networks can also result positive or negative social conflict. Therefore, positive social conflict at both individual and institutions levels enables the achievement of desired outcomes and the opposite is the case in term of negative social conflict. As a result, social conflict is a suitable theory to examine the challenges by child rights and family institutions faced in achieving its purpose of harmonizing the best form of child discipline in Zambian society, Africa and at a global level. As pointed out, social conflict theory also hypothesizes that people may sometime find that options are either enabled or constrained by the nature of the prevailing conditions that they are knowledgeable of through their connections (field, 2008:3). In regard to this, social conflict theory will help determine what needs to be done to enable the two conflicts to come to terms on the best way on how to discipline the child, to achieve desired outcomes in the Zambian society.

With regards to conflict theory, it has been also pointed out earlier that related to this theory is also the fact although the closest and highly valued ties in people's especially children's lives often bring meaning and affirmation, for the same reason they can also prove to be the cause of deep pain or failure (Godwe, 2017:16). This is a possibility which needs to be investigated through the use of social conflict theory.

1.5. Conceptual Framework

A conceptual framework can be described as an analytical tool with several distinctions and contexts. It is used to make conceptual distinctions and organize ideals. Strongly conceptual frameworks capture something real and do this in a way that is easy to remember and apply (Ravitch and Riggan, 2012) as quoted by (Gondwe, 2017).

Conceptual frameworks are mainly valuable as organizing devices in empirical research. One set of scholars has applied the impression of conceptual framework to deductive, empirical

research at the micro- or individual study level. Shields and Ranagrajan (2013), argue that likewise conceptual frameworks are abstract representations, connected to the research project's goal that directs the collection and analysis of data.

The conflict between child human rights and child disciplinary practices in family institutions can be viewed from food, shelter, protection beating, puling ears, burning fingers and canning a stick and so forth.

The conceptual framework shows the interrelations between various groups based factors and child rights (governmental/law enforcement agencies) and family institutions related factors thought to contribute not achieving to harmonize acceptable child discipline in Zambia. State based actors like the police and judicially including civil societies such as Zambia human rights commission, law association of Zambia and others are inconsistencies with inefficiency and, ineffective draconian laws. Coming from factors like lack of commitment by law enforcers, variables of child rights-like social/security protection and assistance, adequate standard of living with shelter, enough food, health care and nurturing, association with parents, be loved and cared for including freedom of expression, education and gainful employment and participate in programs for themselves will be put into consideration as they affect or do not affect child discipline.

The attitude of parents or caregivers in family institutions variable disciplinary practices in family institution, such factors as beating, puling ears, burning fingers or any bodily injury, canning, chasing child away, starvation/food taboos, corporal punishment, circumcision & sex initiation and virginity testing and cosmetic mutilation/organ removal. These inhuman, cruel, degrading treatment variables may affect the growth and development of the child and a constraint to child rights. These variables between the child human rights and child disciplinary practices in the family, among which have shown a considerable correlation between home affairs issues and legal matters. They play an important role in achieving the

resolution of the conflict for it is both the purpose of child human rights and parental home based disciplinary practices. This is the interaction of variables -the conflict between child rights and disciplinary practices makes some children to misbehave in the name of human rights. Similarly children misbehaved in the name of child human rights despite them being disciplined by their parents the declaration of children's rights made it difficult for parents/caregiver to teach their children how to behave in society as it is against children's human rights instruments, hence the overall purpose of this study. Below are variables that help to frame the research agenda as indicated in the conceptual framework.

Conceptual framework

Child Human Rights

Child Disciplinary practices in family institutions

Conflict Areas

Effects

Possible solutions
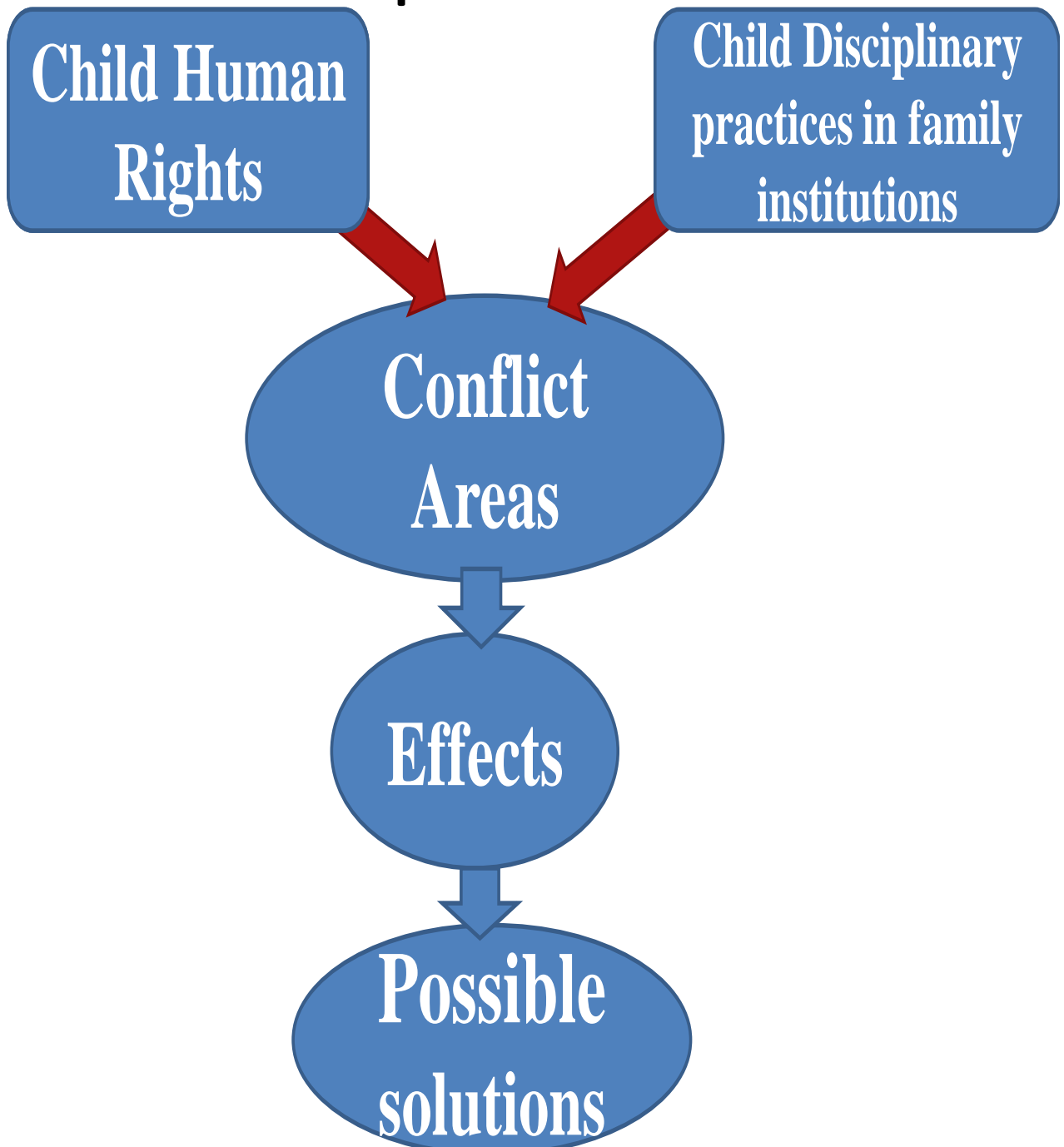
1.6. Significance of the Study

This study is rationalized for a number of reasons. Firstly, the study is relevant as it may generate new knowledge that may contribute to the existing body of knowledge with regard to the conflict between child human rights and child disciplinary practices in family institutions. Secondly, the study is important as it may help in filling the gaps in the existing body of knowledge on the role of stakeholders in overcoming the conflict. The findings of the study may also contribute to knowledge through bringing to the fore the effects of the conflict between child human rights and child disciplinary practices in the family institutions in Lusaka's Chawama township and Zambia at large.

To that effect, the study is significant because it may contribute to limited empirical literature in regard to the conflict between child human rights and child disciplinary practices in family institutions. Additionally, the study may provide factual data that will add to the growing discourse of conflict between child human rights and child disciplinary practices in family institutions.

The nature and scope of the study is to explore the conflict between child human rights and child disciplinary practices in the family institutions of Lusaka's Chawama Township. This exploration will help to identify the actual conflict if it real exists. This study will lead to the verification of the presence of the conflict such as protection during childhood, physical, mentally and emotionally and further verify traditional practices where the child is taught sex practices before the age of 18 years (nkolola,or mukanda). The question is, what do parents derive from these practices and on the other hand the law enforcement agencies' views on such matters that is victim support unity and child human rights activists.

In addition, the study explores effects of these conflicts such as right to food and denying child food, and abuses by parents/caregivers; right to education and employment, and denying the child education & employment. Others are right to protection from- social abuse,

corporal and physical punishment and injuries, and on the other hand - beatings, kicking, burning, pulling hair/ears chasing away and yelling at the child. Burning child fingers or any bodily harm, inhuman, cruel, degrading treatment, neglect & exploitation and the result of such actions,.

More so, the study is important because stakeholders such as the chiefs, human rights advocates and so on, are concerned with resolving of the issue for the wellbeing of the children. To that end, therefore the research findings may be of interest to a number of stakeholders including policy makers, researchers, UN, ministry of home affairs, and the general public. The areas of interest for stakeholders would be the effectiveness of measures that are designed to resolve the conflict between child human rights and the child disciplinary practices in family institutions. The entire findings of the study may provide valuable information to policy makers in the Ministry of Social Welfare and Community Development in dealing with matters of child rights and child disciplinary practices in family institutions in Zambia.

Consequently, the study may make policy contributions on how the conflict between these two rights can be resolved. The study will therefore provide information that may be used by stakeholders to develop policy measures and other interventions that would ensure that the conflict between child human rights and child disciplinary practices in family institutions is addressed.

1.7. Scope and Delimitation of the Study

This study is limited to examining the conflict between child human rights and the child disciplinary practices in a home institution in Lusaka's Chawama Township. The study includes the parents, human rights activists and police as they are the parties and enforcers of these two conflicting rights and discipline as well as the victims themselves (children) of the issue under investigation. The study will look at one country (Zambia), specifically Chawama

Community of Lusaka city. Chawama Community has been chosen for the study because it is one of the areas in Zambia where the prevalence of the conflict between child rights and disciplinary practices is high representing similar township within the country which have been experiencing the burden of the phenomenon and difficulties to eradicate it, hence this scope.

1.8. Assumption of the Study

The research assumptions are as follows:

- The population under study is heterogeneous

- Have different understanding of the challenges faced by children, parents/caregivers and child rights activists concerning the two conflict actors, thus child rights and disciplinary practices in family institution.

- They share different experiences

- All respondents who will be co-opted, will provide the essential data without partiality

1.9. Limitation of the Research

Parents were not willing to disclose confidential information about their lived experiences concerning the conflict because they are the ones who discipline their children in home institutions. In this regard, the researcher ensured that participants were asked questions in an empathetic, assertive and non-judgmental way in order for them to disclose the information freely.

Another challenge is that respondents could have demanded for money for spending their time with the researcher. Instead of paying them, the researcher emphased their benefits. This study accorded the participants an opportunity to freely express their views, opinions and

share experiences concerning the conflict between child rights and child disciplinary practices in home institutions.

Another challenge was lack of adequate financial resources to carry out the research proposal. To this end, the researcher was required to fund rise before carrying out the research proposal.

1.10. Organization of the Study

This research proposal contains three chapters. Chapter one comprise the following subheadings; background to the study, and definition of significant terms, child human rights, History of child disciplinary practices in homes and child rights, statement of the problem, purpose of the study, objectives of the study, research questions, significance of the study, delimitation of the study, limitation of the study, and basic assumption of the study.

Chapter two presents literature review composed of basic facts of child discipline, the presence of the conflict between child human rights and child disciplinary practices in home institutions, actual conflict experienced, physical punishment in form of disciplinary practices in Africa, effects of the conflict, how to resolve the conflict between child human rights and child disciplinary practices in family institution including theoretical framework, and summary of the literature review.

Chapter three is on research methodology comprising of; research design, target population, sampling techniques and sample size, data collection, research instruments, research procedure and data analysis techniques.

1.11. Ethical Considerations

It is not always easy or even possible to measure the dangers of a certain context to a given population, let alone to individuals. It is therefore essential to protect the identity of the

person from whom you gather information. If collected, the identity of the participants must be protected at all times and not be left lying around in notebooks or un-protected computer files (Roche, 2004). Therefore in this study researcher observed a number of ethics such as the informed consent form, ascent form, beneficence, confidentiality and anonymity.

According to Armiger (2013), informed consent means that a person knowingly, voluntarily and intelligently, and in a clear and manifest way, gives his consent". To this end, participants in this study were informed about any possible physical harm or discomfort, any invasion of privacy and any threat to dignity as well as how they will be compensated in that case. Respondents were also provided with a "Non-coercive Disclaimer" which states that participation is voluntary and no penalties are involved in refusal to participate. Moreover, the subject were told that some information has been deliberately withheld in order to avoid altered behaviors. The researcher also took into account that persons with physical, cultural and emotional barriers may require a very simple language in order to understand him.

Beneficence requires a commitment to minimizing the risks associated with research, including psychological and social risks, and maximizing the benefits that accrue to research participants. Researchers must articulate specific ways that is achieved (Ford and Reutter, 2011). Therefore, respondents in this study were given detailed information about the purpose of the study and how they should benefit from the study.

The issue of confidentiality and anonymity is closely connected with the rights of beneficence, respect for the dignity and fidelity. Levine (2014), advocates that confidentiality means that individuals are free to give and withhold as much information as they wish to the person they choose and that the researcher is responsible to "maintain confidentiality that goes beyond ordinary loyalty. In this study, the researcher ensured that all information collected remains private. Anonymity was also be taken into consideration by ensuring that the names of the participants are not disclosed.

1.12. Definition of the Key Terms

Conflict: Harry (2014), defines conflicts as a serious disagreement or argument, typically a protracted one. For Gill (1997), conflict is defined as an active disagreement between people with opposing opinions or principles. According to Miriam (2001), conflict is defined as a friction or opposition resulting from actual or perceived incompatibilities. This study will use Gill (1997), definition which defines conflict as an active disagreement between people with opposing opinions or principles.

A Child: According to the Africa Charter on the Rights and Welfare of the Child, a Child means every human being below the age of 18 years. On the other hand, Child (2016), defines a child as every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier. According to the Zambian draft constitution (2014), "child" means a person who is below the age of eighteen years, and "children" shall be construed accordingly. The Employment of Young Persons and Children Act (2015), defines a child as a person under the age of fifteen years. This study will use the Africa Charter on the Rights and Welfare of the Child of 2017 definition which define a child as every human being below the age of 18 years.

Human Rights: are moral principles or norms that describe certain standards of human behaviour, and are regularly protected as legal rights in municipal and international law, commonly understood as absolute fundamental rights to which a person is inherently entitled simply because she or he is a human being.

Child Human Rights: refers to human rights that protect the child as a human being. Human rights activist in this study refers to the Human Rights Commission (HRC) and Zambia Police at victim support unity (VSU).

Discipline: refers to the process of teaching a person the type of behaviour acceptable and that which is not acceptable to society.

Child Discipline: is the process of teaching a child the type of behaviour acceptable and that which is not acceptable to society.

Practices: to do or perform or order of conducting legal suits or prosecutions, systematic exercise for proficiency.

Disciplinary Practices: Punishment intended to correct or train a person.

Family: a group of consisting of a mother, father and their children living together as a unit (nuclear family). While there is also an extended family which consists of other family members like Uncles and Aunties

Punishment: United Nations Committee on the Rights of the Child has defined punishment as any form of physical force or violence used and intended to cause some degree of pain or discomfort, however light. Most involves hitting (smacking, slapping, and spanking) with the hand, whip, stick, belt, shoe, spoon, etc. It can also involve Kicking, shaking or throwing children, and scratching, pinching, pulling hair, burning, scalding or forced ingestion. Punishment is invariably degrading. In addition, there are other nonphysical forms of punishment such as punishment which belittles, humiliates, threatens, scares or ridicules the child. (http://unicef.in/Story/197/All-You-Want-to-Know-About-Corporal-Punishment)

The words physical and corporal punishment will be used interchangeably. Save the Children identifies two categories of punishment of children that can occur separately or together, i.e. corporal or physical punishment, and humiliating or degrading punishment. Both forms of punishment constitute violations of children's rights.

According to Soneson (2005), corporal or physical punishment of disciplining children and the threat of it includes hitting the child with the hand or with an object (such as a cane, belt, whip, shoe, etc.); kicking, shaking, or throwing the child; pinching or pulling their hair;

forcing a child to stay in uncomfortable or undignified positions, or to take excessive physical exercise; and burning or scarring the child.

Physical Disciplinary Child Abuse: In this study is defined as physical force that may result in bodily injury and physical pain. This included acts of violence such as striking (with or without an object) hitting, beating, pushing shoving, shaking, kicking, pinching and burning.

Socialization: is the process by which human infants begin to acquire the skills necessary to perform as a functioning member of their society, (Bandura, 1997).

Shamboko: Is a big whip that is used to whip any offender especially used in prisons and elderly people could use it to whip offending children. In most cases is used to drive and control animals during ploughing time.

Children: according to Zambian national policy the word children in this study refers to young persons between 0 to 18 years, (Zambian national policy, 2015).

Convention: A convention is an agreement between countries to obey the same law. When the government of a country ratifies a convention, which means it agrees to obey the rules set out in that convention, (UN, 2005).

Chawama: this is a township found in Lusaka the capital city of Zambia. It is surrounded by areas like Kuku, John Laing, Misisi, Kamwala South and Kamwala.

Nkolola: is a local name i.e. sexual teaching of a child when she reaches puberty (usually before the of age 18).

Mukanda: is another local name describing boys going away from home in the busy during cold season for circumcision, sexual teaching and so that they become strong.

1.13. Summary

This chapter introduced the research proposal aiming at the exploration of the conflict in order to answer the questions such as the kind of conflict that is likely experienced between child rights and child disciplinary practices in the family institutions, the effects and what should be done to resolve the conflict between child human rights and child disciplinary practices in the family institutions in Zambia. Apart from the background of the conflict between the two, it also gave the statement of the problem in which the challenges between child rights and child disciplinary practices in family institution are faced. The objectives of the research and the research questions are also given. The theoretical and conceptual framework are explained and based on the conflict theory. Finally this chapter ends by looking at the assumptions of the study giving out some of the limitations and defining key terms that are used in the study. The subsequent chapter looks at some of the available literature which is deemed to be directly significant to the research.

CHAPTER TWO

LITERATURE REVIEW

2.0. Introduction

This chapter presents the relevant literatures or studies that were previously conducted on this subject. It discusses literature related to conflict between child human rights and child disciplinary practices in the family institution. It particularly focuses on basic facts of child discipline in homes, effects of child rights/parental discipline and the conflict between child human rights and parents/caregivers. Most of these studies aimed at exploring the conflict between the child human rights and child disciplinary practices in the family, among which a number of them have shown a considerable correlation between home affairs issues and legal matters (Ormen, 2007). The literature review further focus on a general perspective, on a global front (parts of America, Europe and African) as well as local perspective in the Zambian society. To sum up the study, a research gap has been identified as not much research has been done on child rights and disciplinary practices in family institutions in Zambia and hence the need for this research.

The literature reviewed in this research has been sourced from credible source such as books, journals, national and international newspapers sources that cover in the Zambian society, government publications and the other academic journals to ensure that the process of gap analysis is founded on a comprehensive, valid, sound and reliable set of data. This study has focused on most recent studies and publications to ensure the data used in the study represents the most recent situation as far as child rights and disciplinary practices in family institutions in the Zambian society is concerned.

2.1. What are the Rights of the Child?

Firstly, there is need to understand child rights in a more detailed manner. Child Rights have been mentioned above a few times. Child Human Rights- Convention on the Rights of the Child (CRC) (1989), defines a child as "any human being below the age of eighteen years. Children's rights are also defined in a wide spectrum of economic, civil, political and social rights. Children's rights take into account the necessity of development of the child. According to Ginsburg et. al., (2009). As a vulnerable group, children have particular rights that recognize their special need for protection and help them develop their full potential, It is every child's right to have a say on the things that affects their life. However, some children are either too young to make solid decisions. Children are not helpless objects of charity or a property of their parents. They are recognized as human beings and the subjects of their own rights. A child is an individual, a family and community member with rights. Children should enjoy the basic qualities of life as rights rather than privileges accorded to (CRC, 2006).

The child has the right to enjoy his or her interests must be respected in all decisions concerning to the child, the child's survival and his or her growth must be secured to the best of society's ability, and that the views of the child must be heard and respected. The children have the right to live and to develop suitably, physically and intellectually, access to an appropriate provision of nourishment and necessary care. As such the children have to be helped and supported and must be protected against all forms of exploitation, kidnapping, ill-treatment, and that includes buttering, spanking or any form of ill treatment (Bandura, 1986). The right to empowerment, right to be provided with a good standard of living, education and services, health care and a right to play. These include access to schooling, a balanced diet and a warm bed to sleep in, food, shelter. They also have a right to be protected from neglect, abuse, discrimination and exploitation, right to association with both parents, human identity (CRC, 2006).

Children also have a right to participation. They have a right to their own programs and services and to take part in them, to grow up healthy and free. Right to freedom of speech, thought, freedom from fear, freedom of choice and to make decisions and ownership over one's body.

2.2. What are Common African Child Disciplinary Practices in a Family Institution?

All child disciplinary practices in a home can legitimately be described as good in view of parents/caregivers. Some of common African child disciplinary practices in a family institution are canning the child, beatings, pulling hair or ears, yelling, kicking, burning fingers, flogging, denying the child food. In addition, some of the examples of undesirable practices in Africa are birth superstitions, male circumcision (mukanda), corporal punishment, cosmetic mutilation, cursing, dowry and bride price, food taboos, withholding food / starvation, child marriage, marriage by abduction (elopement), menstruation exclusion, organ removal, educative sex (rape), Sex teaching (Nkolola), and virginity testing among others. Child human rights and child disciplinary practices in home institutions clearly shows this gap and the conflict that are being exhibited between the two rights.

2.3. History of Child Disciplinary Practices in Homes and Child Rights

Most of nations were colonised one way or another by either ancient or civilised Middle East countries or recently European nations who later imported Christianity and other religions to Africa. However they were all alike heavily influenced by Judeo-Christian missionary teachings that promoted, among other teachings, the use of physical punishment practices to discipline their children (Barrow, 2003 and Payne, 1989). Barrow, (2003: 44), comments that most of the nations cling persistently to the biblical injunction that to ''spare the rod'' is to ''spoil the child''. Many references have been made to the Bible to justify the use of child disciplinary physical punishment practices, (Boesveld, 2011 and Watkinson, 2004). The

research done supports the connection of conservative protestant religious affiliation to the prevalence of child discipline through physical punishment (Berlin etal., 2009). The belief that human nature is fundamentally sinful; the hierarchical imagery and rule through God; and the belief that persons who violate God's rule must be punished out of fear of eternal Hell (Ellison and Bradshaw, 2009).

The children's rights movement is a historical and modern movement committed to the acknowledgement and expansion of the rights of children around the world. The first global charter protecting the rights of a certain particular section of the community focused on children. It was taken by the League of Nations in 1924 as the Geneva declaration of the rights of the child, and with some additions and amendments by the UN in 1959

The United Nations Convention on the Rights of the Child (CRC) provides a framework for addressing not only rights to child protection care and adequate provision, but also for participation. The Global Initiative for the elimination of all forms of child physical punishment, along with other organizations has called on those who adhere to religious beliefs to challenge these views and take support from a large number of congregations who have advocated for the elimination on child discipline by punishment (Global Initiative, Save the Children Sweden and Churches' Network for Non-violence, 2011).

Further support from faith communities comes from Archbishop Desmond Tutu (2007), who wrote: "I support the Global Initiative and child rights to eliminate all corporal punishment at home, in institutions and community for disciplinary purposes. Millions of the world's children still suffer from humiliating acts of violence and these violations of their rights as human beings can have serious and lifelong effects. Violence begets violence and we shall reap a whirlwind. Children can be disciplined without violence that instils fear and misery, physical and psychological imbalances" (Tutu, (2007).

2.4. The Presence of the Conflict between Child Human Rights and Child Disciplinary Practices in Home Institutions

Brady (2015) conducted a study on the conflict between child human rights and child disciplinary practices in home institutions. The study was conducted in Afghanistan. The findings of the study revealed that the conflict between child rights and child disciplinary practices in home institutions accounted for 48%. The findings further showed that the conflict had increased from 17% in 2009 to 28.2% in 2011. Similarly, a study by George revealed that the presence of conflict in Bangladesh accounted for 21% (George, 2014).

However, the above study which was conducted by Brady and George is limited. Moreover, the study did not indicate a detailed prevalence of the conflict between child human rights and child disciplinary practices in family institutions. In this regard, it is important to conduct the study of this nature to fill these gaps.

Another similar study was conducted by Muhammad in 2007 in Zambia. The study investigated the prevalence of child disciplinary practices at home. The findings of the study showed that child disciplinary practices accounted for 41.3%. It was further noted that the child disciplinary practices were high in rural areas at 27% compared to urban parts of the country where it accounted for 13.2%. However, the above study conducted by Muhammad is limited for a number of reasons. Firstly, the study did not specifically investigate the presence of the conflict between child human rights and child disciplinary practices in home institutions. It sort to investigate the prevalence of child disciplinary practices at home which is contrary to the researcher's current topic. Secondly, the study did not specify the exactly place where the study was conducted (Muhammad, 2007).

A review of literature by Johnson in Uganda, on the other hand observed that the prevalence of conflict between child human rights and child disciplinary practices in family institutions

accounted for 3% thereby placing new pressures on the United Nations with regard to enhancement of children's human rights (Johnson, 2016). The study further found that the conflict increased from 1% in 2010 to 3% in 2016. Despite the fact that the study by Johnson indicated the presence or prevalence of the problem in Uganda, it is still limited as it was done in Uganda which is a different society from that of Zambia. To that effect, there is need to conduct a study of this nature which will sort to assess the presence of the conflict between child human rights and child disciplinary practices in home institutions in Zambian context in order to fill this gap.

2.5. Actual Conflict Experienced between Child Human Rights and Child Disciplinary Practices in the Family Institutions

Clachert (2014), show the actual conflict experienced between child human rights and child disciplinary practices in the family institutions. He observed that parents fail to discipline their children because of the human rights which were the actual conflict. It was also observed that misbehavior of the children in the name of human rights is where real conflict is experienced, (Clachert, 2014).

The study by Hatton (2015), however is also limited as it did not clearly indicate the actual conflict experienced. The study just provides crucial insights into potential conflicts. To that effect, it is vital to conduct the researcher's current study in order to specifically assess the conflict between child human rights and child disciplinary practices in the family institutions.

2.6. Physical Punishment in form of Disciplinary Practices in Africa

According to Brady et.al. (2009), child discipline includes training directed at developing the judgement, behavioural boundaries, self-control, self-sufficiency and positive ethical social conduct in children. Therefore, child disciplinary practices are vital as they have broad implications in the child's well-being, and appropriate discipline is viewed as being a

necessary part of child rearing. Further, the study of child disciplinary practices in a multi-cultural context is broad, as culture and care giving interact to influence children's development and their experience of developmental stages (Bourdieu and Passeron, 1990).

Africa's capacity to translate this understanding into changing norms and behaviours has lagged behind, in part due to the lack of cross-cultural research. Traditionally, in Africa a child as early as 3 years, is expected to do a lot of works and this include Goat and Cattle rearing, field ploughing, harvesting, taking care of siblings, cooking and serving adults and many other activities especially in rural parts of African countries. According to the human rights organisations this is a direct conflict to human rights of the children.

Until recent times in the late 1980s corporal punishment still strived in African homes and institution of learning especially in primary and secondary schools. It is until recent years that most African countries, Zambia inclusive became signatories of United Nation Child Human Rights Convention.

However, despite African countries signing the United Nations child human rights convention there is enough evidence that the adherence levels among parents or guardians is low (UNICEF, 2010). This is because violent physical discipline is still being exhibited on the children. Violent physical discipline is also known as corporal punishment which uses physical means to control children, such as spanking or physically forcing children to do things he/she may not want to do.

2.7. Effects of the Conflict between Child Human Rights and Child Disciplinary Practices in the Family Institutions

United Nations (2002), also conducted a study on the conflict between the child human rights and child disciplinary practices in home. The study was conducted in Canada. The findings indicated that 37% of the parents faced challenges in teaching their children how to behave in society as it against children's human rights instruments. It was also observed that the child

rights had effects as it hindered the parents from disciplining their children on how to behave in society. The findings of the study further showed that 13% of the children had no direction in terms of how to behave in society due to the tension between child rights and child disciplinary practices in home institutions (United Nations report, 2002).

However, the above study which was conducted by UN is limited as it did not go in detail to show how child rights hindered the parents from disciplining their children on how behave in society. This necessitate the conduction of the researcher's current study in order to fill this gap by carrying out the study which will go into details to show child rights hindered the parents from disciplining their children on how behave to acceptable ethical and moral standards in society.

The reveal of literature indicates that the conflict between child human rights and child disciplinary practices normally have a negative impacts on the children (UNICEF, 2013). For example, a study by Mwanga showed that the conflict between child rights and disciplinary practices makes some children to misbehave in the name of human rights (Mwanga, 2010). A study by Verwimp, similarly observed that 67% of children misbehaved in the name of child human rights in Kenya despite them being disciplined by their parents (Verwimp, 2009).

Chanda (2008), on the other and have it that the declaration of children's rights made it difficult for parents or caregiver to teaching their children how to behave in society as it is against children's human rights instruments. In this respect, the international human rights hinder the parents from disciplining their children on how to behave in the society.

Another similar study was conducted by UNICEF in Kenya in 2004. The findings indicated that the discipline, despite being in conflict with child human rights, is important and that it is through discipline that children internalize the rules, values and beliefs that help them become respectful and contributing members of society. The findings also showed that disciplining children had impacts on united nation's conventions on the rights of the children

as it make these articles be ineffective in terms of implementation (UNICEF, 2014). However, this study is limited as it did not specifically investigate the effects of the conflict between child human rights and child disciplinary practices in the family institutions. To that effect, the current study constitutes itself to the investigation of effects of the conflicts.

A study by Harrell, (2012) on the other hand observed that the conflicted between child rights and child disciplinary practices in home institutions impacted on the children by making them grow in the way which is socially unacceptable to some cultures due to the declarations of children's rights which tend to favor children even if they are wrong in the home institutions. The findings further revealed that the 24.2% of the children were abandoned by their parents due to the tension between child human rights and child disciplinary practices in home institutions. Apart from physical, psychological or emotional effects and imbalances, there are many other like bruises, nosebleeds, welts, swellings, and chipped teeth, loss of hair, child delinquency, aggression, withdrawal, rebellious, psychosis, poverty and its effects like stress and high illiteracy levels in the communities and this is why child disciplinary practices in a family institution is at odds with the fundamental rights of the child. This information is helpful in researcher's current study as it may help determine whether the conflict between child rights and child disciplinary lead to children's abandonment by their parents in Zambia's Chawama township.

2.8. How to Resolve the Conflict between Child Human Rights and Child Disciplinary Practices in Family Institution

There are challenges faced by parents in teaching children how to behave in a socially responsible manner. Discipline is important for all children and it is through discipline that children internalize the rules, values, and beliefs that help them become respectful and contributing members of society positively.

However, the United Nation Convention on the Rights of the Child does not specifically address what type of discipline parents should use. The convention and social science data are in agreement with the use of a non-violent method that is, non-physical discipline. This is in the best interest of the healthy development of the child. Unfortunately, nation's laws that of many countries, continues to allow for the use of physical punishment with children (Katherine, 2017).

There is now general agreement that it is not possible to distinguish physical punishment from physical abuse regardless of parental intent, degree of force, or extent of injury. In addition, there is compelling evidence, recognized by health association including World Health Organization that, the use of any degree of physical discipline punishment is a major risk factor for serious physical and psychological abuse of children. It therefore remains that nations and parents do more to easy or completely stop this conflict between child human rights and child disciplinary practices in family institution and this research may be one of the catalyst to the inside conflict and try to help resolve it (Covell, 2005).

In some countries Criminal Code provides a legal defense for the parental use of physical disciplinary practice. There have been numerous recommendations to repeal such laws which infringe on children's rights and freedoms. The state's obligation is to defend and promote the rights of children as enshrined in the United Nations Convention on the Rights of the Child and in the African Charter on the rights and welfare of child and in domestic legislations, in a country where the physical integrity of children is violated on a daily basis (ZCEA, 1991).

2.9. Research Gap

The research gap between the above studies and this study is the focal area of study that earlier studies did not specifically explore the conflict between child rights and disciplinary practices in home institutions but related studies which did not state clearly why child

disciplinary practices in a family institution is at odds with the fundamental rights of the child and resolve the conflict.

In Zambia many children live with physical abuse everyday disguised as discipline. On average three out of four children between the ages of 2 and 14 are subject to some form of violent discipline in their own home and much violence goes unreported. More so, very little work has been done to systematically document and review information on prevalence and consequences of the conflict between child's human rights and the child disciplinary practices in families (Ministry of home affairs, 2016). Therefore, this study is designed to explore the existence of the conflict between child human rights and child disciplinary practices in family institutions as a barrier to increased promotion and enjoyment of human rights by the children in Lusaka Chawama Township and come up with new body of knowledge the government of the republic of Zambia requires in coming up with effective measures aimed at addressing the conflict between child human rights and child disciplinary practices in families in Lusaka's Chawama township.

The research gap on this conflict between child's human rights and the child disciplinary practices in families is clearly shown here starting with child human rights and as shown above- Convention on the Rights of the Child (1989), defines a child as "any human being below the age of eighteen years. Many other rights among others according to Geneva Declaration of the Rights of the Child in 1924 are right to: association with both parents, childhood social protection and assistance, right to express their views freely in accordance with age and maturity, right to security and special protection during childhood, this include physical, mentally and emotionally protection and free from abuse, freedom of thought, freedom from fear conscience and religion, freedom from discrimination, freedom from inhuman treatment, neglect and exploitation, right to food, life, health care and nurturing, right to adequate standard of living, and to play and recreation, right to education, gainful

employment, participate in communities and have programs and services for themselves, right to adequate shelter, to live in safe and healthy environments, free from preventable illness or injury etc. (Child Rights International Network (CRIN), and Human Rights Watch). The gap in relation to the child rights is indicated next as in the context of common African child disciplinary practices in a family institution.

All child disciplinary practices in a home can legitimately be described as good in view of parents/caregivers. Some of common African child disciplinary practices in a family institution are canning the child, beatings, pulling hair or ears, yelling, kicking, burning fingers, flogging, denying the child food. In addition, some of the examples of undesirable practices in Africa are birth superstitions, male circumcision (mukanda), corporal punishment, cosmetic mutilation, cursing, dowry and bride price, food taboos, withholding food / starvation, child marriage, marriage by abduction (elopement), menstruation exclusion, organ removal, educative sex (rape), Sex teaching (Nkolola), and virginity testing among others. Child human rights and child disciplinary practices in home institutions clearly shows this gap and the conflict that are being exhibited between the two rights.

These gaps remain in the current legal framework related to conflict. Studies that have been conducted on similar topic attempted to focus on the effects of child disciplinary practices on the wellbeing of the children in Zambia. A good example of such studies is the study conducted by Muhammad in 2012 which attempted to investigate the impacts disciplinary practices on the psychological wellbeing of the children in Lusaka (Muhammad, 2012). So, not much has been done to address this conflict in Zambia and so the need for this research which will now focus on the conflict between child human rights and child disciplinary practices in Zambia's Chawama township. Unlike the previous researchers conducted by various scholars and academicians, this research explores, and determine the extent of conflict, the effects and analyze the roles of both child human rights enforcers/advocates and

family institutions in Zambian society in order to possibly find an amicable solution to this issue.

2.10. Summary

This chapter presented relevant literatures and studies that were previously conducted on this subject. It discussed literature related to conflict between child human rights and child disciplinary practices in family institution. It particularly focused on basic facts of child discipline in homes, effects of child rights/parental discipline and the conflict between child human rights and parents/caregivers. Most of these studies aimed at exploring the conflict between the child human rights and child disciplinary practices in the family, among which a number of them revealed a considerable correlation between home affairs issues and legal matters. The literature review further focused on a global front (parts of America, Europe and African) as well as local perspective in the Zambian society. A research gap has been identified as not much research has been done on child rights and disciplinary practices in family institutions in Zambia and hence the need for this research.

CHAPTER 3

RESEARCH METHODOLOGY AND DESIGN

3.0. Introduction

This chapter presented the research approach, research design, study cite, data collection methods and tools instruments, data analysis methods and the sample size that were be used in researcher's current study.

3.1. Methodology

A qualitative research approach was used in this study. Saunders and Lewis (2016), define qualitative approach as the approach usually associated with the social constructivist paradigm which emphasis the social constructed nature of reality. It is about recording, analyzing and attempting to uncover the deeper meaning and significance of human behaviors and experience, including contradicting beliefs, behaviors and emotions (Lewis, 2015). Researchers are interested in gaining a rich and complex understanding of people's experience and not in obtaining the information which can be generalized to other larger groups. To that effect therefore this approach was used as it enabled the researcher to gain complex understanding of the conflict between child human rights and child disciplinary practices in family institutions from people's point of view. Furthermore, the approach helped the researcher to collect rich information regarding the issue under investigation as there was little data on this subject.

3.2. Research Design

The study used a case study research design to assess the conflict between child human rights and child disciplinary practices in families in Lusaka's Chawama Township. Case study was adopted because the current study focused on specific area (Chawama Township) which was

intended to evaluate in-depth interviews. Gulsecen & Kubat (2014), assert that Case study design allows the exploration and understanding of complex issues. It is a robust research design particularly used when a holistic, in-depth investigation is required. Through case study methods, a researcher is able to understand the behavioral conditions through the actor's perspective. Descriptive survey has been used hence the study was a qualitative study, which helped explain both the process and outcome of a phenomenon through complete interviews and to some extent observation, reconstruction of sentences or thoughts, and analysis of the cases under investigation (Telis, 2015). Case studies are characterized by exploratory study and an interpretative paradigm, which emphasizes subjective experiences they have for an individual. Therefore, the subjective views of a researcher on a particular situation play a vital part in the study results (Vogrinc, 2013:14). Another characteristic of qualitative research design is its idiographic approach, which emphasizes an individual's perspective on the investigative situation, process and relations.

According to Ivan (2014), case studies are interested on the meanings of the lived experiences that people share from their own perspective. Therefore, this approach helped the researcher have a broader understanding of the conflict between child human rights and child disciplinary practices in family institutions from the perspective of the research participants in Lusaka's Chawama Township. This research design also allowed the researcher to collect data through various means such as focus group discussion, in-depth semi-structured and unstructured interviews, narrative interviews, and field notes.

3.3. Study Area

This study was conducted in Chawama Township of Lusaka city as a preferred site for data collection after observing some conflict incidences between child human rights and child disciplinary practices in family institutions. This study was conducted to specifically explore

the conflict between child human rights and the child disciplinary practices to provide the necessary information to policy makers to intervene in order to solve this issue.

3.4. Research Participants

This study consisted of the human rights activists, police officers from victim support unity, parents (families), and children between the age of 10 to 17 years. Parents were included in the study because they are the ones practicing in child disciplinary, while the human rights organizations and police officers were included in the sample because they are custodian of child human rights while children were included because they are key stakeholders and are at the center of this conflict.

3.5. Sample Size

The aim of this study was to generate in-depth information on the conflict between child human rights and the child disciplinary practices in family institutions in Lusaka's Chawama Township. Therefore, the sample consisted of 31 participants; two (2) human rights activists, 14 parents, 3 police officers and 12 children. These were sampled on the basis of their knowledge about the conflict between child human rights and the child disciplinary practices in family institutions. According to Mohan (2003), sample sizes in qualitative research should not be too large as it may be difficult for the researcher to extract thick and in-depth data. Therefore, this sample size was appropriate for easy analysis of data as well as for gathering detailed information regarding the issue under study.

3.6. Data Collection Methods and Research Instruments

The methods of data collection that were used in qualitative research enable researchers to understand something from the subjects' point of view and to uncover the meaning of their experiences (Kvale, 2014). They also allow people to convey to others a situation from their own perspective and in their own words. Therefore, this study used various methods of

qualitative data collection to collect primary data. Primary data was collected using semi-structured interviews. The researcher employed the face-to-face individual semi-structured interview with parents, focused group discussion with children. These methods enabled the researcher to ask open-ended questions, probe and ask follow-up questions in order to solicit for in-depth information from respondents.

Specter (2014), defines a focus group discussion as a qualitative data collection technique in which a small group of 4 - 8 people gather to discuss a particular topic of interest. Focus group discussion was used to collect data from children aged between 10 to 17 years. This was conducted at secondary schools in Chawama. It was a data gathering technique that relies upon the systematic questioning of several individuals simultaneously in a formal or informal setting (Simbarashe, 2011). The other method that was used is open ended questionnaires. The researcher used the approach known as the semi-structured open ended interviews. This was used to collect data from police officers- victim support unity (VSU) and human rights activists at human rights commission of Zambia.

3.6.1. Data Analysis

The data was systematically analyzed using qualitative thematic analysis. Thematic content analysis was used as a method for analyzing qualitative data (Lippincott, 2012 cited by Chanda, 2014). This involves content analysis to extract the meanings of the transcriptions of recorded or written interviews. In researcher's current study the data was firstly read and re-read in order to be familiar with what the data entails. Secondly, the initial codes that have reoccurring patterns were generated in order to gain meaningful of data as it related to the research questions. Thereafter, data was coded into conceptual categories of similar meaning. This is called meaning categorization according to Edmonds (2015). Thirdly, themes were searched. This enabled the researcher to examine how codes combine to form overreaching

themes in the data. At this point, the researcher had a list of themes and his focus was on broader themes in the data. The researcher also narrowed down the potential themes into main themes in order to allow categories of data to emerge. Fourthly, themes were refined and reviewed to see if they are connected between overlapping themes. Themes were then be defined and named and helped the researcher in analyzing data within each theme. Lastly, the researcher decided which themes make meaningful understanding of the main concerns of the research. Chapter four (4) will follow and amplify this chapter.

3.6.2. Research Methods

Earlier, concentration was given to the Research methodology and design. This is due to the unavoidable requirement of the researcher to work out a plan ahead of undertaking on any research project. It was emphasized that a plan or approach for any research project was key because of the a variety of aspects a researcher have to think before undertaking on research thus; the primary rational assumptions of the study, data gathering techniques selection of respondents, data analysis and others, (Babbie, 2001).

Here the researcher highlights approaches influenced by theoretical assumptions. He gives consideration to what is meant by a 'thoughtful worldview' prior to discuss the 'constructivist worldview' as the preferred worldview in the current study. Always looking from the constructivist worldview is qualitative research, for this reason, embracing the 'qualitative research design'.

The researcher presents, analyses, interprets, discusses the participants of the study got all the way through the utilization of qualitative data compilation techniques that is; semi-structured interviews, focus-group interviews discussions. However, quantitative data describing inter-alia demographic presentation are presented. The presentation, analysis, interpretation and discussion are done to boost the development of explanations for the conflict experienced in Zambia's Chawama township of Lusaka. Relevant data for the study were collected from

primary data sources. Primary sources include children, parents and guardians/caregivers, police and relevant NGO officials of human rights commission.

Forming a main component of the presentation, analysis, explanation and argumentation of the result of the study is the exploitation of 'Conflict Theory', (child being on the centre stage) because of its grounding in *conflict and social ethical values* and the power of Conflict *social networks* to augment either *positive* or *negative* outcomes in the social lives of people and social institutions that include home institutions, human rights commission, victim support unity (police) and others while the government encompasses all actors (Coleman, 1990), characterized under social institutions, family institutions and civil society organisation (CSO) such as the human rights commission of Zambia are among social entities whose social dynamics can be obtainable, analysed, interpreted and discussed using social conflict theory, below is the diagrammatic elastration conflict power struggle directed at a child.

Conceptualization of Power Conflict
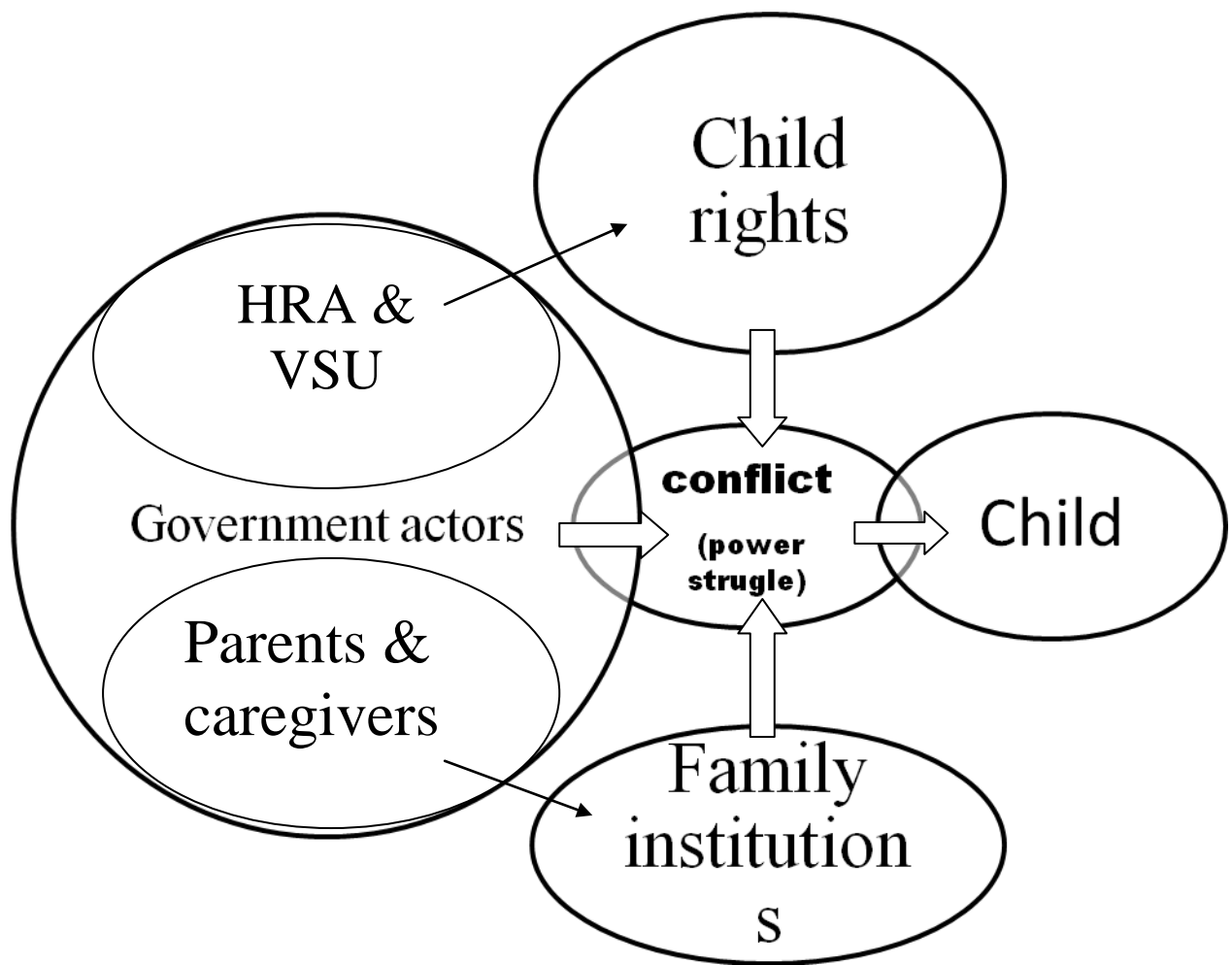
The conflict theory asserts that the competition of individuals and groups for wealth and power is the fundamental process shaping social conflicts (Snyder,1993) For conflict theories, the basic question about this social conflict is who gets what and why, who does what and why. In the case of child human rights and child disciplinary practices in home institutions, this has created the tension between disciplining of the children and child rights. The status of home disciplinary practices, interplay the child rights can be seen as part of stratification. The child rights instruments tend to place child disciplinary practices in a lower position being controlled by two powerful forces, the parents at home and the human rights activists.

To do this, a sound presentation, analysis, interpretation and discussion of research findings, this chapter therefore is separated into sections. The first section is a demographic profile of the research respondents. The second section is on findings from semi-structured interviews held with three (3) police officers; two (2) human rights activists, focus interview held individually with twelve 14 parents in Chawama township and focus group discussion interviews held spread in this manner; four (8) from a high school in Chawama and four (4) from a church making a total of twelve (12) children. The third section involves the provision of comments on findings from the three sources of data in the study (semi-structured interviews, focus individual interviews and focused group discussions interviews) in addition to the main research question and sub-research questions of this research study. The fourth section provides explanation on the findings of the study and the fifth final section provides a rundown of the chapter.

This chapter utilizes fundamental aspects from the data gathering instruments employed in the study for the sake of reporting the findings of the study. These fundamental aspects are selected from *brief narratives* and *quotation marks* from the semi-structured interviews. In adding, some focus group interview *scripts* are included.

3.6.3. Research Techniques

The study is mainly conducted in line with a qualitative research approach, which basically intends to build up an understating of a social phenomenon by using "methods which in general, generate words, rather than numbers, as data for analysis" (Parke and Slaby, 1983). The discussion mainly is about the conflict between child disciplining practices measures experienced in family institution by the child participants in particular and child human rights will be discussed. Qualitative research is an approach used to achieve an exhaustively understanding of people, communities or individual person's experiences by using research

methods that are mostly suitable to get access to such, in depth experiences (Hennink et.al., 2010:8-9).

Moreover, it is a useful approach to see things from the point of view of the participants to give a picture of their understandings of the phenomenon being studied and the meanings they attach to it. Accordingly, this study has largely employed qualitative research methods (data collection, sampling and data analysis procedures), which are complemented with some form of quantitative analysis. These are anticipated, to produce more qualitative data and outcomes. This includes in-depth interviews, analysis and qualitative content analysis methods (accompanied by tables, graphs and numbers). An exploratory research form which seeks to uncover the experiences of parents, children, human rights activists and police officers (VSU) with conflict between home institution and child rights in Chawama township of Lusaka, Zambia, the legitimizing tradition and parental views, interplay the conflict in the responses of the relevant authorities such as the police and other civil society organization using a child human rights lens view. Raised are open-ended interviews questions following up on the initial responses of the respondents. This gave the respondents an opportunity to freely express their experiences and ideas in their own words, rather than feeling forced to reply to fixed questions as is often the case with quantitative techniques.

Making an effort to ensure that most of the research process, mainly the data collection and data analysis stages, were properly guided by the research ethics and that all principles were carefully considered before taking any action or making any decision in the key research stages. For instance, the impacts of all the techniques used to collect and analyze the data, and also of the decisions made in the research process affecting the life and development of the child participants – and children in general – was carefully examined. Child participation and the active involvement of children in all matters affecting their life are one inter-alia prominent principles. Hence, collecting relevant data, in a way that allows some genuine

space for the voices and views of the child participants, caregivers and human rights activists concerning this conflict was at the heart of the study. In addition, all possible efforts to reach out to the children that are most vulnerable to punitive physical disciplinary practices in Chawama are included.

Considering the ethical sensitivities in doing research with children, an assent form was signed. A decision was made to directly involve children (as respondents) in the research due to the lack of recent data that shows their experiences with and views on physical disciplinary practices in family institution and child human rights conflict. Obviously, involving children in a research needs distinctive care and ethical procedure. Hence forth, followed distinct ethical guidelines with the child participants requiring an adult of not less than 21 years consent on the assent form on behave of the child.

The detailed interview and ethical procedures are described in the sections that follow. It is important to note that each one of the following respondents parents/guardians or caregivers and children came from a target area being Chawama town ship of Lusaka, Lusaka Province in Zambia. Moreover, respondents were precisely children between the age 10 to 17 and from grade 10 to 12. and at least knowledgeable enough. Parents/guardians or caregivers respondents consisted of only those that have a child who is between 10 to 18 years old. The two focus group interviews were conducted in different setting in Chawama-Lusaka and were of different genders as one consisted of boys and girls as members and the other consisted of adults – men and women as members.

3.6.4. Data Collection Tools

A combination of two data collection tools was used. Accordingly, relevant data for the study were collected by using Semi-structured Interviews & focused group discussion interviews.

3.6.5. In-depth Interviews

In-depth interviews are useful methods to intensively investigate person's experiences and thoughts (Kothari, 2004). In-depth interviews were used as a main data gathering tool. However, other instruments were also employed to supplement data collected through in-depth interviews. In-depth interviews have been used to collect the needed empirical data from the child participants and other key informants who potentially have special acquaintance of the subject of the study. The interview questions were prepared in a semi-structured form, which entails a combination of both open-ended and group discussion questions. The interview questions are presented in an Annex to this paper.

As can be seen in the interview structure, the interviews with the child participants started from more general and introductory questions and then steadily dived into the questions specifically related with their experiences. This was helpful for creating familiarity between the researcher and the child participants. For example, questions were raised related to the children's currently living with their parents or caregivers, the size and members of their family and what makes you fear one of your family member/s? How do parents respond at the time you commit some wrongdoings at home? What would be the response of the father/mother (or another senior member of your family) if you did something wrong; for example spending the whole day outside playing with your friends, break a drinking glass? Have you ever experienced any form of physical or verbally humiliating disciplinary punishments at your home? How and what happen?

Other question asked related to conflict itself for example, do child rights play any roles in disciplining the child, do these roles conflict with child disciplinary practices in your home, what are the actual conflict between child human rights and child disciplinary practices in the family institutions, do you know any effects of the conflict and how best to resolve the conflict.

Starting with more general and informal questions has made the interview process more relaxed. The intention was also to make the child participants feel comfortable about the forthcoming discussion.

Content wise, the interviews with the child participants were aimed at collecting their reflections on four main issues: their experiences with physical disciplinary practices at home and human rights, their views on the necessity or implications of these disciplinary practices, their awareness about their rights to be free from such practices and finally their views on the responses from the relevant actors in the area such as the police, human rights and the government itself.

The interviews with the other key informants followed the same procedure as the interviews with the child participants. The interviews started with general and introductory questions and then proceeded to the questions specifically related with their views on the practices and responses. The interviews with parents and guardians focused on their views about the right/wrong way of child disciplining and the legitimizing discourses they employ to justify their practices. The interviews with the institutional relevant actors were focusing on the measures taken to alleviate and stop the problem or protecting children in the area from physical, psychological or emotional disciplinary practices at home, from a human rights approach.

3.6.6. Participant Observation

Brief notes of all the events and circumstances observed during the data collection period in the study area were observed. Individual watching has helped the researcher more fully to understand the state of affairs and background of the dilemma. Some of the data collected was used through observation to complement the other data collected.

3.6.7. Conducting Interviews Process

The institutional participants were decisively selected based on their location and position in their own institutions and their knowledge in working with and for children in the study area. At the start, data was gathered by contacting key people from government offices. The letter was written to police headquarters requesting the Police from the victim support unity (VSU) department. The other office contacted is the Director's office for human rights commission of Zambia, a civil society organization (CSO). These two institution actors gave valuable data as they are well experience on this issue. Both institutions were provided with the official letter for the study from university of Zambia for study field work. A few hurdles were encountered in accomplishing the interviews with the key respondents from government offices and civil society organization due to their unavailability for the interviews. With human rights commission, for instance the interviews took place after consistently visiting the offices for four days. At the police headquarters it took seven days to have the conversation with the police. Despite these challenges both the human rights commission and the police's victim support unity, officers were very interested in the subject matter and finally interviews were done using semi-structured open ended interviews.

Permission was secured from the school authority, letter was written and each of the children was given an assent form for their parents to allow their children participate in the study. Seven of the children came with signed assent forms by their parents/guardians while one (1) form was not signed and so excluded from the study instead another child was sort whose parents agreed to sign the form. Two teachers were used to help and to give a brief introduction and some clarifications on the research topic to the child participants and the assent forms concerning signing by their parents or guardians, and thereafter before and after the interviews. The teachers were also available to provide clarity and support during the interviews, in case the child participant became uncomfortable or does not understand some

questions clearly. The same two female teachers also participated in the research study. Research assistant was available to write down the respondents' responses.

At the church, all four (4) agreed to participate in the study as permission was got right on the spot because their parents were within surrounding church grounds and they signed the assent forms. The contact with the parents and guardians served a couple of purposes: one was to conduct in-depth interviews with them and then to ask them permission to make contact with their children for in-depth interviews as well. Hence on this occasion, parents were used within the church, to get access to the child interviewees. Those who were not able to answer the questions in fact two of them could not answer and so stopped the interview and a deacon intervened and invited two others who were conversant enough to answer the questions. Answers were being written by the research assistant as researcher continued asking the respondents questions.

3.6.8. Sampling Methods and Procedures

The parents, police officers, human rights activists, and children were purposefully targeted because they are well vested and can provide information on the main concerns of the study as the researcher aimed at obtaining rich information on the conflict between child human rights and child disciplinary practices. Patton (2002), defines purposeful sampling as a technique widely used in qualitative research for identification and selection of cases that have got rich information for the most effective use of limited resources. It involves identifying and selecting individuals or groups of individuals that are knowledgeable or experienced about a phenomenon of interest (Creswell, 2008). In addition to knowledge and experience Bernard (2002), notes that purposeful sampling involves respondent's willingness to participate and to communicate experiences and opinions in an articulate, expressive, and reflective manner from their point of view.

Making generalizations or producing representative findings is not always a goal for qualitative research projects. Qualitative research can be done among a small number of research participants with the aim of investigating and explaining their experiences and thoughts. Accordingly, this study only aimed to explore the experiences and views of the research participants with conflict between child disciplinary practices and child human rights in Chawama's Township, in Lusaka, Zambia.

Purposive sampling method was employed that determined the sample of research participants from the total study population. Kothari (2004:59) has defined a non-probability sampling method as a "sampling procedure which does not afford any basis for estimating the probability that each item in the population has chance of being included in the sample". Hence, a purposive sampling technique involves picking particular units or samples of informants with some purpose rather than making a selection randomly (Teddlie and Yu, 2007: 81). As such, twelve (12) children, fourteen (14) parents/guardians, and five (5) officials from other important actors (human rights commission of Zambia and victim support unity) were contacted for the interviews. These were purposively selected based on criteria including their knowledge of and experience with the topic under study, their position in the concerned office, community or home and their availability for the interviews. Thus, the research included a total of thirty-one research participants.

3.6.9. Data Processing Analysis

The data was systematically analyzed using qualitative thematic analysis. Thematic content analysis was used as a method for analyzing qualitative data (Lippincott, 2012) cited by (Chanda, 2014). This involves content analysis to extract the meanings of the transcriptions of recorded interviews. In this study the data was firstly read and re-read in order to be familiar with what the data entails. Secondly, the initial codes that have re-occurring patterns were generated in order to gain meaningful data as it related to the research questions.

Thereafter, data was coded into conceptual categories of similar meaning. This is called meaning categorization according to Edmonds (2015). Thirdly, themes were searched. This enabled the researcher to examine how codes combine to form overreaching themes in the data. At that point, the researcher had a list of themes and his focus had been on broader themes in the data. The researcher also narrowed down the potential themes into main themes in order to allow categories of data to emerge. Fourthly, themes were refined and reviewed to see if they were connected between overlapping themes. Themes were then defined and named and helped the researcher in analyzing data within each theme. Lastly, the researcher decided which themes make meaningful understanding of the main concerns of the research. Therefore, the relevant primary data has been analyzed by using a qualitative content analysis technique.

3.6.10. Geographical Location of the Study

(Zambia, administrative division-location of the study)

Source: (Wikimedia Commons, freely licensed media, **https://en.wikipedia.org** *2014).*

The above map shows ten (10) administrative divisions provinces of Zambia. The map shows the exact geographical position of Lusaka province, an area taken as the geographical location of the study. Below is further the narrowed down map's exact location of the study area location township.

3.6.11. Specific Study Location-Chawama Township in Lusaka city
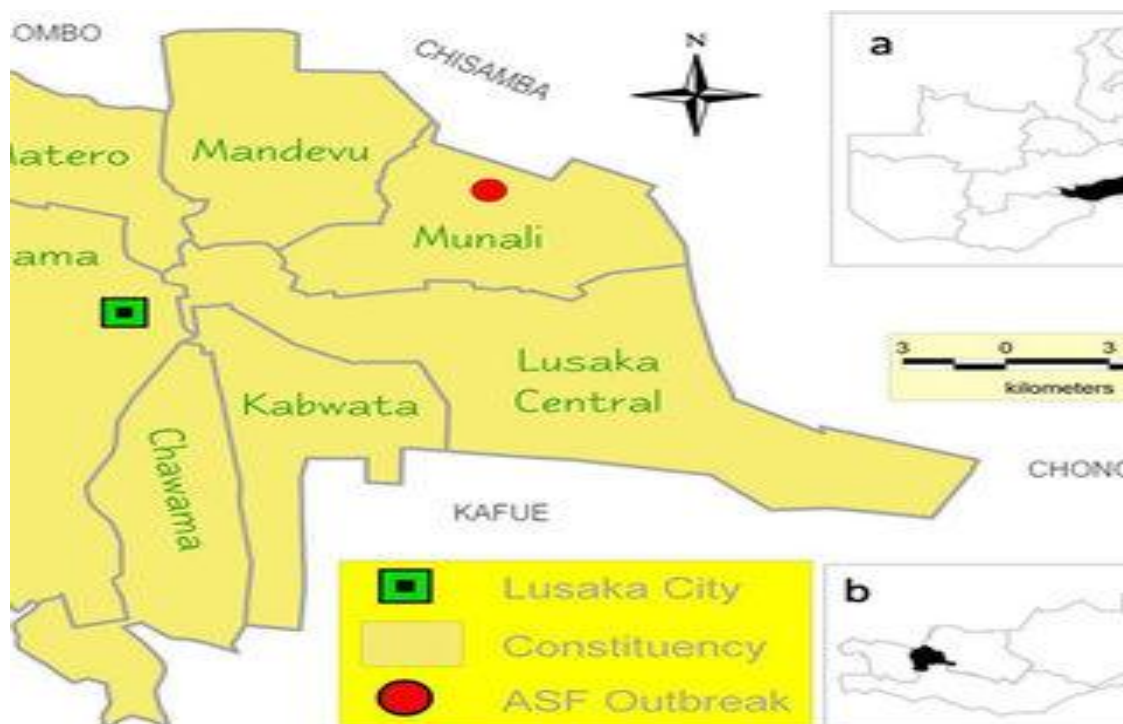
In showing the exact geographic position of Chawama Township, it can be stated that the township is bordered by: the Makeni township demarcates by the main Kafue road, the rail line on the east bordering kabwata and Kamwala South, Lilayi township on the far south. In the north Chawama is demarcated by Lusaka central.

3.7.11. Content Analysis Technique

Hsieh & Shannon (2005:1278), defined qualitative content analysis as "a research method for the subjective interpretation of the content of text data through the systematic classification process of coding and identifying themes or patterns". Henceforth, the researcher organized, managed and coded the collected data by breaking it down into different coding themes as mentioned above. Finally, the retrieved data are presented under different themes. Content analysis is a useful method to analyze qualitative data in a subjective but scientific way (Zhang and Wildemuth, 2009:1).

3.7.12. Ethics and Anonymity

The protection of the research respondents is the top main concern of the research and overrides the data collection requirements of a study. Respondents or rather participants were treated with respect in a manner that does not have an effect on their dignity and wellbeing negatively. In addition, special interest was given to the child participants. More comprehensive and appropriate ethical guidelines were employed towards child participants as assent form were sighed, which were mostly appropriate to their sensitive circumstances. And as such, separate ethical research procedures in relation to the protection and wellbeing of the child participants was used and followed.

3.7.12.1. Benefits and Challenges

All possible efforts to avoid injure the child or an adult were taken care of. The research theme, the information discussed in the research paper and the research methodology were done in a manner that does not inflict injury or cause discomfort on the children though such to some extent is unavoidable. Briefly, the purposes and nature of the study to the parents of the child participants, was explained and the children themselves, in a polite, considerate and easy way. For instance, expressions like child rearing were used in the discussions with parents, child disciplinary practices and punishments were used including the human rights aspect. Then, after having the consent of both the children (assent form) and parents/ guardians (consent form), a conducive place and time for the interviews were chosen by the children as their views and preferences for interview were taken into considerations. The child participants were asked to reflect on their experiences in relation to disciplinary practices employed at home by parents or caregivers and the conflict between the two forces on the other hand child rights. Simple and, appropriate language for their age was used. The questions were very short, easy to answer and to understand.

3.7.12. Informed Consent

The entire research association depends on this standard. Acquirement consent prior to begin any official discussion with the study participants is a universal standard that all researchers are expected to respect as such in data collection processes. Further, it is a way in which a researcher can show respect for the "dignity of the participants and their ability and right to formulate decisions regarding matters that have an effect on them" (Graham et. al., 2013:56). Consequently, child participants were also verbally informed that they have the right not to contribute or participate in the study, not to answer questions they do not want to, and withdraw from the interview at any time they feel uneasiness. Both assent forms and consent forms were used as described above.

3.7.12. Confidentiality

Article 16 of the CRC and ethical considerations requires that participant's rights should be respected and ensured to keep the information that he/she wishes not to be revealed, no matter how important the information might be for the study. (CRC 1989, art. 16).

Confidentiality and privacy of the child and adults respondents alike during and after the conclusion of the research is respected all the way. Consequently, decisive effort to carry out contacts and, interviews with some institutional officer and child participants in locations that are good to having a chat in a private and in a confidential approach. So, no one, except the researcher and the participants except where group discussion were interviewed collectively and, the presence of the teacher and the research assistant as it was necessary. Then, the researcher decided to go with the least harmful approach which, he believed, is group interviews.

The researcher was aware of the privacy concerns when he chooses to interview the respondents in groups especially children, instead of holding a secret discussion with each of them. The main point is the fact that the other children, hearing to the stories of the speaking

children in the group, may not keep the information confidential, some may be affected emotionally. Children who study together in the same class or study group have not been put together instead children who belong to different classes were interviewed together, however, intimate friends, playmates were put together if they so wished as they shared many experiences, even further than the issues raised in the discussions, together. Consultations on the arrangement on conducting the interviews were done before the interviews At the end of each interview sessions, children were asked if there was anything they wanted to add or tell the researcher in privacy. Obviously, doing the interviews in groups, has helped a lot in creating a relaxed discussion setting, gave the children more confidence and freedom to share their experiences.

Moreover, the information about the profile of all respondents (including child participants) is strictly private. Above, all respondents in the research findings are anonymously.

3.7.12. Monetary Compensation

Lunch allowance was only given to children participants as they were only free at lunch hour -1230 hours after classes ended and that included two teacher helpers. Payment also was made involvement of the research assistant. No payment was given to any other adult respondents, and those children interviewed at the church, refreshments - soft drinks were served to make a comfortable discussion atmosphere.

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3.7.12. Summary

This chapter presented research the conflict between child human rights and child disciplinary practices in the family institutions. In its effort to investigate the conflict experienced between child human rights and child disciplinary practices, the study considered the research design and research methodology such as: the underlying selection of respondents, the study included, inter-alia, data gathering techniques and data analysis (Nieuwenhuis, 2010 and Babbie, 2001). Social conflict theory was discussed as the adopted theoretical framework of the study. The protection of the research respondents was one of the main concern of the research and override the data collection requirements of a study.

CHAPTER 4

PRESENTATION OF RESEARCH FINDINGS

4.0. Introduction

The chapter presents research findings of the study. The research findings are presented in line with the research objective of the study. Specifically the chapter focuses on presenting findings from semi-structured interviews and focused group discussions respectively. All the findings presented in this chapter are grounded in the overall aim of the entire study which is to investigate the conflict between child human rights and child disciplinary practices in family institutions in Lusaka's Chawama Township.

4.1. Objectives of the Study

The study was guided by the following objectives:

4.1.1. General Objective

To investigate the conflict between child human rights and child disciplinary practices in family institutions in Lusaka's Chawama Township.

4.1.2. Specific Objectives

1. To verify the presence of the conflict between child human rights and child disciplinary practices in family institutions in Lusaka's Chawama Township.

2. To describe the actual conflict experienced between child human rights and child disciplinary practices in the family institutions in Lusaka's Chawama Township.

3. To explore effects of the conflict between child human rights and child disciplinary practices in the family institutions in Lusaka's Chawama Township.

4   To suggest possible ways of how the conflict between child human rights and child disciplinary practices in family institutions in Lusaka's Chawama Township can be resolved.

4.2. Demographic Profile of Research Participants

The Demographic of the participants refers to the statistics relating to the research participants/ respondents who took part in the study. This alludes all the back ground information of the research participants most suitable and relevant to the study by the researcher. A research participants, informants or respondent is someone who is well vested in the social phenomenon being studied and who is willing to provide information on it. The researcher interviewed a total of thirty-one (31) respondents.

4.2.1. Gender of the Respondents

The table and the pie chart below indicate gender balance of the study participants-fourteen (14) females, and seventeen (17) males representing 45% females and 54.8% male respondent

Table 1 and pie chart

Gender	M 17	F 14
Sex	54.8%	45.1%
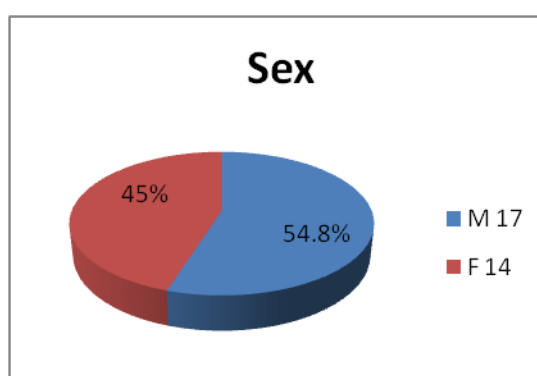
4.2.2. Age and Sex Distribution of Children

Table 2. For male the findings displays that 41.6% were between 14 to 17 years old, 16.6% were between 10 to 14 years. Females-the findings displayed that 16.6% were between 14 to 17 years and 25% were between 10 to 14 years. A total of 12 out of 31 respondents representing 38.7% children were interviewed. Seven children were in between grade 11 to 12 and five grade 8 to 11.

Table 2

Age & Sex Distribution of Children					Education
Age (years)	Males	Percent	Females	Percent	Grade
14-17	5	41.6	2	16.6	11-12
10-14	2	16.6	3	25	8-10
Total	7	58.3	5	41.6	
Grand Total		**12**		**38.7**	

4.2.3. Age, Sex Distribution and Level of Education of Parents, HRA & Police Officers

Adult respondents (table 3) below include parents, Human rights activists, and the police officers. Age, sex and percentage were considered making a total of 18 representing 58% of the total participant. The breakdowns are as follows: Males- 35.7% were aged between 36 to 45 years, 14.2% were between 46 to 55 years as well as above 56 years respectively. Females – 33.3 were aged between 36 to 45 years, 14.2% were aged 14.2% were between 46 to 55 years and 5.5% were aged above 56 years.

Table 3 & 4

Table 3   **Table 4**

Age and Sex Distribution of Parents, HRA & Police				
Age(years)	Males	percent	Females	percent
36-45	5	35.7	6	33.3
46-55	2	14.2	2	14.2
56 & above	2	14.2	1	5.5
Total			18	

Education Level	No. of Respondents	Percent
level of education		
Primary	2	11.1%
Secondary	4	22.2%
Diploma	4	22.2%
1st degree	5	27.7%
post graduate	3	16.6%
Total	18	58%

The table 4 below tabulates the number of respondents, level of education and percentage.

4.2.4. Experience in Marriage of Parents

Table 5 below displayed that 50% parent respondents had between 10 to 20 years of experience in marriage, 35.7% had an experience of marriage between 21 to 30 years, 14.2% had between 31 to 40 years of experience in marriage. A total of 14 parents representing 45% of the total sample focused group individual discussion were interviewed and all were married and had children. **2** parents were teachers by profession.

Table 5

Parents-Years in Marriage		
Experience	No. Respondents	Percent
10-20	7	50%
21-30	5	35.70%
31-40	2	14.20%
Total	14	45%

4.2.5. Human Rights Activists Work Experience

Table 4 below reveals the age, gender and work experience of 2 human rights activist respondents. The male was 46 years old with work experience of 20 years and the female 40 years with work experience of 14 years.

Table 6

HRA		work experience	
Gender	Age	Respondents	Experience
M	46	1	20
F	40	1	14

4.2.6. Gender and Work Experience of Police Officers

Table 7 & 8 displays 3 police officer participants considered, 2 males and 1 female representing 9.6% of the total sample taken. Among the 3 officers, one was 48 years old with 18 years work experience, the second had 40 years old with 12 years on the job and the third was aged 36 years with work experience of 8 years.

Table 7 & 8

Table 7   **Table 8**

Police Officers	
Gender	
M	2
F	1

Police Officers		
	Age	Work Experience
PO1	48	18
PO2	40	12
PO3	36	8

4.3. Symbols used for the Sources of Data

Table 10 below indicates symbols (codes) and data distribution for the study collected from a total of thirty-one (31) respondents. Naturally it is good to make a note of each one of the subsequent participants; two (2) Human Rights commission (HRA) came from Human Rights commission of Zambia; One (1) Police Officer (PO) is at the provincial level at victim support unity (VSU) and the other two (2) were Officers at a local police station under VSU in Chawama and the researcher had one on one interviews.

 FGD one (1) were pupils and residents of the target area in Chawama Township where focus group discussion interviews (8 pupils) were conducted at a high school and FGD two (2) had four (4) children were at a local church within Chawama. Fourteen (14) parent (P) participants came from the same target area. The P coded as parents, the researcher had one on one interviews.

Table 10

Serial #	Symbol	Implication	Number of Participants
1	FGD - 1	Focused Group Discussions.	8
	FGD - 2		4
2	HRA	Human Rights Activists	2
3	PO	Police Officer	3
4	P	Parent	14
Total Number of Participants			**31**

All participants are residents of Chawama Township in Lusaka. They were of different genders as one consisted of men and women and boys and girls. Patterns of questions and answers were arranged according to the group of participants such as profession or type of participants of different characteristics as mentioned above.

4.4. Findings from Semi-structured Interviews

4.4.1. Findings Linked to Objective One: 'To Verify the Presence of the Conflict between Child Human Rights and Child Disciplinary Practices in Family Institutions in Lusaka's Chawama Township'.

In relation with the objective above, the study confirmed the presence of conflict between child human rights and child disciplinary practices in family institutions in Chawama Township. The research study revealed the presence of conflict between child human rights and child disciplinary practices in family institutions. This conflict existed at two main levels. These are: Beatings versus child protection from physical or emotional abuse and child submissiveness versus the right to freedom of speech and thought. Further, the research revealed that the conflict does exists especially that Zambia lacks clear guideline on how

someone should discipline a child in Zambian society and Chawama Township is not an exception.

One of the reasons the conflict exists as revealed by the research study is because of traditions and cultural beliefs that has existed for a long time. This remains a deep-sited situation in the mind set of parents and guardians. This phenomenon has been transferred from generation to generation and therefore, the parents feel the best way to discipline a child is through beatings. Research participants said the following in support of the findings above:

P1 said:

> *"Most parents experienced beating in their time and hence believe that child physical discipline in form of beating must be maintained as a form of discipline.*

Two Parents (P8 and P12) affirmed:

> *"Human rights conflict with the normal societal form of physical and emotional discipline action toward a child."*

However two parents did not agree with parent (P1), (P6 and P 10) who said:

> *"Us we grew up in modern times, our parents did not beat us, instead they just talked to us when we did something wrong and so we do not discipline our children by corporal punishment, we love our God given children".*

In support of the finding above, other participants, one Police Officer (PO1) said:

> *"In most families in Chawama Township, children are actually beaten when they do something wrong as a disciplinary measure."*

Police Officer (PO2) interviewed posited that:

> *"When a child does something wrong, most of the times beating using a whip solves the problem".*

A Human Rights Activists (HRA1) said:

>   *"Most families in Chawama subject their children to child labour in the name of sustaining family economy."*

The second Human Rights Activists (HRA 2) had the following to say in relations to the findings above in a reported form:

>   *"One parent said, when I'm disciplining a child I get angrier and beat the child more when a child shows disrespect when answering back."*

4.4.2. Findings Linked to Objective Two: 'To Describe the Actual Conflict between Child Human Rights and Child Disciplinary Practices in Family Institutions in Lusaka's Chawama Township'.

In line with research the objective above, the study revealed that the conflict is complex in that it is multi-faceted. In the view of the forgoing, the findings of the study revealed that the conflict involves or includes: disciplinary practices within the family which infringe child rights, that is, the right to childhood social protection versus child given extra home chores outside normal duties, adequate standard of living versus lack of shelter, right to be loved and cared for by both parents versus child labour and sexual abuse, Security and social protection versus cruelty from inhuman treatment, freedom of choice versus forced child marriage, right to food versus starvation/poverty, right to quality health care and nurturing versus neglect and abandonment, and right to life versus death at a tender age.

In relation to the finding above, the participants said the following:

 P3 said:

>   *"Children have no ethics or morals, their behaviour is bad, no dress code, move almost necked in public. This world has changed so much."*

P5 further said:

"It has become difficult for us to discipline our children because of these human rights. My children do not even listen to me and refuse to be beaten or sent to do something like

gardening, they think that is abuse and they threaten to report me to the police, because they

feel they have their own rights that protect and support them".

The other parent (P2) affirmed the conflict and said:

> *"Yes the conflict is visible because according to our culture in Zambia, there are no*
> *set of rules on how someone should discipline their child, a parent has to decide but*
> *when the parent deicide, the child may take the parent to police for them to be*
> *prosecuted. A parent is merely blamed and yet lives much of the time with the child*
> *and is the parent who notes that the child is doing that which is right or wrong. There*
> *should be a line drawn according to age instead of just putting child rights. There*
> *should be dialogue between child rights groups and parents to come up with these*
> *rules."*

P3 said:

> *"If children are not disciplined by their parents through beating, they will have no*
> *ethics or moral in the society*

P9, when asked if child rights play any role in disciplining the child, he responded:

> *"At times children's rights play a negative role as well as positive role. The negative*
> *role is that they interfere with the positive discipline of the child while the positive*
> *role is that they put a limit to child abuse and any related violence toward the child."*
> *She further said, parents have a duty to discipline their children using approved*
> *methods and not harsh treatment like child labour, sex initiation, child marriage,*
> *cruel, and starvation. That is inhuman a child should be cared and nurtured well" she*
> *concluded.*

HRA 1, while quoting from CRC said that:

> *"Conflicts endanger the child's health and welfare. Child rights are clearly*
> *recognized in the CRC as legal entitlements, corresponding with responsible actors*

with a clear obligation to respect, protect and provide these rights as a matter of obligation (CRC 1989, art. 6). Hence, working for the realization of the rights of the child is not just a matter of charity or benevolence, but a duty on the side of the relevant actors or duty-bearers – primarily the state, but also non-state actors. He added, "The violation of the rights of the child in the name of discipline in rampant because of lack of child rights and deep-sited cultural beliefs that perpetuate practices and disciplinary methods that are harmful to the well being of the child".

HRA 2 said similar sentiments that:

"Most parents experienced beating in their time and hence believe that child physical discipline in form of beating must be   maintained as a form of discipline. However, human rights do not allow any violation against children and does not believe that beating a child will correct him or her but rather breaks a child's resentment".

PO 1 reported what children said:

"Children exposed to violence become arrogant, took time to open up and lived in fear. They are not free to talk to their parents about anything this is because they feel rejected and unloved".

In support with the above findings, Police Officers (PO 1) said:

"Parents usually use punitive type of discipline where as human rights advocates for protective way of disciplining the children".

PO 1 further said:

"A child is denied food (CDPFI) versus child has the right to food (CR), child is tortured, thus, slapping, scolded, spanked, corporal punishment and other forms of discipline against child human rights (CHR), elders infringe child rights as they think children are being put in the right way.

PO 3 backed the finding and said:

> *"Children chased from home yet child rights entitles them the right to shelter, that follows endangering child's health yet children have the right to health, the right to be associated and loved by the parents but parents chase them out in the cold and are beaten.*

One of the parents (P5) said:

> *"Certain punishments are regarded to be too harsh and hence parents/guardians have to answer to legal actors."*

4.4. 3. Findings in Line to Objective Three: 'To Explore Effects of the Conflict between Child Human Rights and Child Disciplinary Practices in Family Institutions in Lusaka's Chawama Township'.

In line with the research objective above, the study revealed 85% of all the respondents acknowledged the effects of the conflict. The study findings revealed more complex effects of the conflict between child human rights and child disciplinary practices in the family institutions in Lusaka's Chawama Township. The conflict leads to fear of the parents to be taken to police by their children and may be eventually prosecuted. The conflict further leads to the abandonment of children. Major research findings revealed are: right to freedom of expression and thought versus verbal assault, right to associate with both parents versus neglect and abandonment, right to shelter versus no/poor shelter, right to care and good health versus poor health and lack of care, right to education versus no/poor education, right to security and social protection by both parents and state agents versus physical injuries and deformities, right to participate in community programs for themselves versus denied freedom of community participation and programs for themselves, right to playing and entertainment versus denied freedom to play and entertainment. There are other study research findings revealed in this current study which include the following: misunderstanding and hatred between child and their parents/guardians, marriage break ups,

72

fear, anxiety, withdrawal, lack of good morals, spoilt child, archaic uncontrolled behaviour such as: depression, drug substance abuse, poor concentration, growth retardation, mental regression and psychosis, frustration, aggression, emotional imbalance, circumcision, street begging, prostitution, unplanned pregnancies, child trafficking, sexual transmitted diseases and HIV/AIDS, and death.

The findings of the study revealed that the conflict between child human rights and child disciplinary practices in the family institutions in Lusaka's Chawama Township leads to more complex effects as revealed above. In view of many research findings above parent (P4) remarked:

"In most cases, children refuse to be disciplined by their parents/caregivers claiming that they know their rights as a consequent, division in the family. Parents feel they are disrespected and chase the children from their respective homes".

P 4 added:

"Due to the conflict between human rights and child disciplinary practices in home set up, some of us fear to discipline our children as we fear that the same children will report us to police and as a consequent, our children grow up with no discipline, no morals, no ethical considerations here in Chawama community".

P5 further said similar sentiments:

"Parents will be fearing to discipline their children for fear of being in conflict with the law as a result the child will grow up with no discipline leading to a spoilt child".

P7 on the same subject also talked about division in the family:

"Parents feel they are disrespected. Parents also threaten to disown the children who say, they will report them to the police and children fear to be chased, parents fight and divorce."

P9 and P 1 further remarked;

"Today's parents fear taking any action against their child while children begin to rebel leading to illiteracy and poor health".

P12 in agreement with P5 narrated that:

"The tension between child human rights and child disciplinary practices lead to child neglect. A child can be hurt badly and chased while the parent involved can be taken to police custody".

Parents (P7, P9, P11) commented:

"Effects are many and among others are: prostitution, children abusing themselves, family break up, creation of enmity between families and, parents and child, couple fights including divorce and loneliness."

In support of the findings above PO2 said:

"In most cases, children refuse to be disciplined by their parents/caregivers claiming that they know their rights. As a consequent, division in the family because parents feel they are disrespected and chase the children from their respective homes".

Further, similarly to what P4 said above, PO3 said:

"The tension between child human rights and child disciplinary practices lead to child neglect. A child can be hurt badly and chased while the one involved can be taken to police custody".

In support Police officer (PO 1) said:

"Frustration leads to aggression which includes both physical and verbal. Effects include physical and psychological harm to the child where parents and guardians stick to the negative tradition practices and methods of child discipline".

HRA2 and on the same finding further classified effects into two groups, he said:

"Effects of the conflict interplay Child rights and child disciplinary practices in homes are: 1. Psychological which are child delinquency, aggression, depression,

drug substance abuse anxiety, fear, poor concentration, prostitution, growth retardation, mental regression and psychosis. 2. Physical effects are scars, deformities, disfigurement, Sexual transmission diseases, loss of body parts and sometimes death"

Police officer (PO1) however agreed with some parents and said:

"The conflict between CR and CDPFI brings about hatred between child and parents".

P4 said:

"My children have resorted to violence and bullying others, all they know is that they have to be strong and tough at all times and that fighting is the only way to resolve conflicts. They see fighting as a means of survival and a way of life".

P 6 said:

"Children grow without morals and have been spoilt because they feel parents cannot correct them or teach them because of human rights".

4. 4. 4. Findings Linked to Objective Four: 'To Suggest Possible Ways of how the Conflict between Child Human Rights and Child Disciplinary Practices can be Resolved in the Family Institutions in Lusaka's Chawama Township'.

The study in line with the fourth objective revealed six findings. These are: Poor or no government policies and laws, no protection to fulfil children's rights by child rights duty bearers, freedom of expression versus lack freedom to participate in programs for themselves duty bearers, Government does not work with civil society organisation (CSO), no child rights in general school curriculum, parents are not sensitised or educated on the importance of human rights and no clear disciplinary practices between child human rights and child disciplinary practices in the family institutions.

Bearing forth the above findings, one Human Rights Activist (HRA 1) suggested that:

> *"The tension between child human rights and disciplinary practices can only be resolved if the Zambian government initiate policies that promote the welfare of the child. In doing so, the government should also respect, protect and fulfil its human rights obligations".*

In addition the police officers (PO2) said:

> *"Working with civil society that have comparative advantage in the promotion and protection of children's rights can help address the conflict between child human rights and child disciplinary practices in family institutions. For the conflict to be addressed therefore, the government should collaborate with civil society organisation that have a stake in promoting, protecting, respecting and fulfilling the rights of the children".*

PO3 suggested that:

> *"The government should come up with clear disciplinary practices for the parents to harmonise with child rights in order to avoid parents being taken to law enforcement agents.*

Further HRA 2 agreed with the children and said very similar sentiment:

> *"Rights holder (children), parents, and human rights activists, law (rights) enforcers and policymakers (government) should collaborate and consultant, sit down and find lasting solution to this conflict".*

PO 3 from the local police post remarked that:

> *"Many parents do not care about children's rights. They do not understand the importance of upholding children's rights and dangers of violating them. To that effect, the government should initiate child-human rights sensitisation programs to sensitise the parents about children's rights and on best way of parenting without causing harm on the children in order to resolve the conflict".*

HR 3 said:

> *"Conflict can be resolved by eliminating negative cultural and traditional disciplinary practices that violates the rights of the child and government should come up with acceptable disciplinary practices".*

4.5. Findings from Focused group discussion interviews

4. 5. 1. Findings Linked to Objective One: 'To Verify the Presence of the Conflict between Child Human Rights and Child Disciplinary Practices in Family Institutions in Lusaka's Chawama Township'.

In relation with the objective above, the study confirmed the presence of conflict between child human rights and child disciplinary practices in family institutions in Chawama Township. The research study revealed the presence of conflict between child human rights and child disciplinary practices in family institutions. This conflict existed at two main levels. These are: Beatings versus child protection from physical or emotional abuse and child submissiveness versus the right to freedom of speech and thought. Further, the research revealed that the conflict does exist especially that Zambia lacks clear guideline on how someone should discipline a child in Zambian society and Chawama Township is not an exception.

One of the reasons the conflict exists as revealed by the research study is because of traditions and cultural beliefs that has existed for a long time. This remains a deep-sited situation in the mind set of parents and guardians. This phenomenon has been transferred from generation to generation and therefore, the parents feel the best way to discipline a child is through beatings. In support of the research study findings in line with objective one, a child (FGD 1) in focus group discussion commented that:

"My mother always beats me whenever I do something wrong, she wants me to be always submissive. However, my friend told me that I have got a right to report my mother to police. Therefore, it is clear that conflict between child human rights and child disciplinary practice in home institutions do exist".

Another child (FGD 1) agreed that there is a conflict, she said:

"Child discipline is in conflict with disciplinary practices at home, a situation where a child has the right not to be hurt and his parents' right to physical discipline.

FGD 2 said:

"I have been disciplined both physically and psychologically and I was affected emotionally". She further questioned, "how could you beat someone you love, how could you do that to the one you love?"

4. 5.2. Findings Linked to Objective Two: 'To Describe the Actual Conflict Experienced between Child Human Rights and Child Disciplinary Practices in Family Institutions in Lusaka's Chawama Township'.

In line with research objective above, the findings of the study revealed that the conflict is complex in that it is multi-faceted. In the view of the forgoing, the findings of the study revealed that the conflict includes: disciplinary practices within the family which infringe child rights, that is, the right to childhood social protection versus child given extra home chores outside normal duties, adequate standard of living versus lack of shelter, right to be loved and cared for by both parents versus child labour and sexual abuse, Security and social protection versus cruelty from inhuman treatment, freedom of choice versus forced child marriage, right to food versus starvation/poverty, right to quality health care and nurturing versus neglect and abandonment, and right to life versus death at a tender age.

Having stated the above research findings, the participants said the following:

One child (FGD 1) said:

"My father and mother always remind me how they were being disciplined. They were beaten with shambokos (big whips), given to dig holes, going to harvest in the fields, carrying heavy loads and so comforted us that it is normal but I never accept myself to-date".

FGD 2 one child shyly said:

"My auntie chased me away from home. I slept outside in an unfinished building; I felt like am not worth a human being, I disliked her so much."

The girl (FGD 1) said:

"I was denied food, forced into initiation by bana chimbusa, I stayed in the house for one week, I was annoyed but could not do anything".

FGD 1 one child made fanny comments:

"Mu queen yellows and shouts at me, they almost divorced with Dad, one day chimudala chinanimenya (old man beat me) I felt bad, two days I did not go to school, I was very angry and ran away from home, stayed with my brother who also chased me back, yaba (OH yes, he exclaimed), I almost lived in the street."

4. 5.3. Findings in Line to Objective three: 'To Explore Effects of the Conflict between Child Human Rights and Child Disciplinary Practices in Family Institutions in Lusaka's Chawama Township'.

In line with the research objective above, the study revealed 85% of all the respondents acknowledged the effects of the conflict. The study findings revealed more complex effects of the conflict between child human rights and child disciplinary practices in the family institutions in Lusaka's Chawama Township. The conflict leads to fear of the parents to be taken to police by their children and may be eventually prosecuted. The conflict further leads to the abandonment of children. Major research findings revealed are: right to freedom of expression and thought versus verbal assault, right to associate with both parents versus

neglect and abandonment, right to shelter versus no/poor shelter, right to care and good health versus poor health and lack of care, right to education versus no/poor education, right to security and social protection by both parents and state agents versus physical injuries and deformities, right to participate in community programs for themselves versus denied freedom of community participation and programs for themselves, right to playing and entertainment versus denied freedom to play and entertainment. There are other study research findings revealed in this current study which include the following: misunderstanding and hatred between child and their parents/guardians, marriage break ups, fear, anxiety, withdrawal, lack of good morals, spoilt child, archaic uncontrolled behaviour such as: depression, drug substance abuse, poor concentration, growth retardation, mental regression and psychosis, frustration, aggression, emotional imbalance, circumcision, street begging, prostitution, unplanned pregnancies, child trafficking, sexual transmitted diseases and HIV/AIDS, and death.

The findings of the study revealed that the conflict between child human rights and child disciplinary practices in the family institutions in Lusaka's Chawama Township leads to more complex effects as revealed above. In support of the many findings above one child (FGD 1) pointed out that:

> *"We have the right to freedom of choice and the right to make decision and participate in programs of our own choice".*

The other child from (FGD 2) who said:

> *"I was frustration and that made me to be aggression and I will not discipline my children or encourage someone to use traditional punitive measures to effect discipline in children because of what I have undergone through myself".*

He further said,

"This leads to frustration and aggression and human rights do not help this situation as they do not come to help the battered child who is eventually chased from home if he reports the parents for assaulting the child.

One boy FGD 1 narrated:

I hate my dad so much such that whenever I see my dad I feel bad. I hate him for what he did to me and I often tell myself that I do not want to be like him when I grow up because he is a bad father".

Similarly, FGD 2 girl narrated:

My dad is a bully and I hate him for that, he doesn't show us any love or care, he never speaks to us unless he is shouting at us.

Child (FGD 1) in support to the other child said:

"I almost went crazy, sometimes when father or mother hit me, I feel confused and get depressed. To relieve stress, I turn to drugs and alcohol".

The other (FGD 2) said:

"I go to my boy friend that comforts me, I end up in his arms but I also feared him for obvious reasons-STIs or HIV and so I ran away quickly when I realise he wants to do something.

The other girl FGD 1 said:

"I thought of prostitution when my parents chased me away from home and I was ready to go anywhere especially Europe or South Africa".

Another child in FGD 1 said:

"I did not like circumcision, I was taken in a far busy area during the cold season and the action was painful".

4. 5.4. Findings Linked to Objective Four: 'To Suggest Possible Ways of how the Conflict between Child Human Rights and Child Disciplinary Practices can be Resolved in the Family Institutions in Lusaka's Chawama Township'.

The study in line with the fourth objective revealed six findings. These are: Poor or no government policies and laws, no protection to fulfil children's rights by child rights duty bearers, freedom of expression versus lack freedom to participate in programs for themselves duty bearers, Government does not work with civil society organisation (CSO), no child rights in general school curriculum, parents are not sensitised or educated on the importance of human rights and no clear disciplinary practices between child human rights and child disciplinary practices in the family institutions. In support of the above findings, in the focus group discussion with children (FGD 1) suggested that:

"The government should encourage the parents to always seek the root cause and solution to that particular problem whenever the child is wrong rather than beating the child. They should not use methods that lead to vulnerability of the children and affect him or her in the future. This will definitely address the conflict with child human rights".

Children in (FGD 2) remarked that:

"The government should come up with clear disciplinary practices for the parents to harmonise with child rights in order to avoid parents being taken to law enforcement agents.

Further other children (FGD 2) said:

"Collaboration and consultation among rights holder (children), parents, human rights activists, law (child rights) enforcers and policymakers (government) should sit down and find amicable solution to this conflict".

Additionally both children similarly from (FGD 1 and FGD 2) said:

> *"Creating awareness for both parents/caregivers and children concerning how children should be disciplined and on human rights is key to avert this ongoing conflict.*

One of the children from FGD 1 said:

> *"Putting child rights in the general education system is necessary. Child rights should be part of school syllabus in both primary and secondary education (general education system of the country). Parents do not recognise the importance of child rights and also the dangers of infringing or violating child rights.*

Most of the children (FGD 1 and FGD 2) said:

> *"To that effect, society must be sensitised and educated on the importance of human rights and also dangers of abusing through different medias such as television, radio, print media and social media for the conflict between child human rights and child disciplinary practices to be addressed and possibly resolved."*

Children (85%) in both groups say parents have no right to discipline them by any means that is degrading or any other undesirable means. However 15% of children said parents have the right to discipline children the way they like without interference of the human rights groups. The study revealed that both adults and children are in agreement (except 20% of parents) that the conflict can be resolved by eliminating negative cultural and traditional disciplinary practices that violates the rights of the child and come up with acceptable disciplinary practices.

4.6. Summary

The chapter presented research findings of the study. The research findings were presented in line with the research objective of the study. Specifically the chapter focused on presenting findings from semi-structured interviews and focused group discussions respectively. All the findings presented in this chapter were grounded in the overall aim of the entire study which

investigated the conflict between child human rights and child disciplinary practices in family

institutions in Lusaka's Chawama Township.

CHAPTER 5

DISCUSSION OF THE RESEARCH FINDINGS

5.0. Introduction

The chapter discusses the research findings in line with the research objectives of the study. This chapter also integrates research findings with the literature revealed in the study before it integrates the findings with the theoretical framework employed in the study. The chapter discusses the research findings in relations to the general research objective which is: to investigate the conflict between child human rights and child disciplinary practices in family institutions in Lusaka's Chawama Township.

5.1. The Verification of the Presence of the Conflict between Child Human Rights and Child Disciplinary Practices in Family Institutions in Lusaka's Chawama Township

To verify the presence of the conflict between child human rights and child disciplinary practices in family institutions in Lusaka's Chawama Township, the study revealed the presence of conflict between child human rights and child disciplinary practices in family institutions. This conflict exists at two main levels. These are: Beatings versus child protection from physical or emotional abuse and child submissiveness versus the right to freedom of speech and thought. Further, the research revealed that the conflict does exist especially that Zambia lacks a clear guideline on how someone should discipline a child in the Zambian society and Chawama Township is not an exception.

One of the reasons the conflict exists as revealed by the research study is because of traditions and cultural beliefs that has existed for a long time in Zambia. This remains a deep-sited situation in the mind set of parents and guardians as also observed by Muhammad (2012) and Straus (1991). This phenomenon has been transferred from generation to generation and therefore, the parents feel the best way to discipline a child is through

beatings. The findings of the study correlate well with some literature reviewed from Central Statistical Office (2015). Human rights and the police in this study urge that disciplinary practices should be regulated by state actors. The parents on the other hand in this study, urge that child human rights are incapable of helping or give guidance to parents on best ways to discipline a child as there is no contact relations between duty bearer actors and child rights holders, the matter still remains with the parents to discipline the children.

The findings of the present study also seem to be in-line with a study by Miriam (2001), Muhammad (2012) and Mwanga (2010), who all presented the challenges faced by parents as observed by the respondents, in teaching children how to behave in a socially responsible manner. Discipline is important for all children and it is through discipline that children internalize the rules, values, and beliefs that help them become respectful and desired members of society. It has been revealed by the current research study that unfortunately, Zambia has not properly embraced international human rights principles and standards which prohibit any form of physical or verbal violence against children and as such, does not implement them in line with international human rights conventions on the rights of a child.

According to the convention on the rights of a child, the survival and development of children, respect and realization of their rights is the starting and end point of everything when dealing with children (Convention on the Rights of the Child, 1989).

Child (1924), mentions a number of rights that children enjoy in line with the Convention on the Rights of a child. He also mentioned that children should be allowed to freely express their views in accordance with age and maturity. This is also in line with human rights participants in this research study and supported by Child Rights International Network (CRIN), and Human Rights Watch (1924), that children should be protected from physical and emotional abuse and be allowed to express their feeling freely.

According to the Declaration of the Rights of the Child in Geneva 1924, the United Nation Convention in agreement with what parents said above, the convention does not specifically address the type of discipline parents should use to discipline the children. The conventions on child human rights are in agreement with the use of non-violent methods which are non-physical disciplinary practices. This is in the best interest of the healthy development of a child. Katherine (2017), points out that unfortunately, Zambian national laws, continue to allow use of physical punishment to discipline a child against international human rights principles and standards which prohibit any form of physical violence and disciplinary practices against children. Katherine (2017), also agrees with some of the respondent in this study that Zambia lacks clear guidelines on how parents should discipline their children.

Katherine (2017), further agrees with the findings of this study particularly, that as long as society upholds traditional and cultural practices of disciplining children, conflict between human rights and child disciplinary practices will always be there (Katherine, 2017).

The theoretical framework embraced in this research is 'social conflict'. The fact is that this study was based on 'values' grounded in society. Conflict theories draw attention to power differentials, such as class conflict and generally contrast historically dominant ideologies. As it has been revealed in this research study and in agreement with conflict theory, in regard to historical dominance, there are deep-sited values grounded in the society as Andrew (2005) mentioned. Since time in memorial, most parents experienced beatings in their life time and believe that child physical discipline in form of beatings must be maintained. However, human rights do not allow any violation against children (Andrew, 2005). The introduction of child rights poses a challenge to this long time traditional practices that has been transferred from generation to generation. This relates well with the findings of this study that, parents feel disciplining a child is inherent, traditional and culturally acceptable and as (Travillion and Snyder, 1993) observed.

The power to discipline a child is still the domain of the powerful parents who are always with the children. Therefore the powerless children remain vulnerable to their parents. This has made the children remain without a voice to defend themselves even when they are physically beaten. However, child human rights have opened up the minds of children as revealed by this study.

5.2. The Description of the Actual Conflict Experienced between Child Human Rights and Child Disciplinary Practices in Family Institutions in Lusaka's Chawama Township

The study described the actual conflict experienced between child human rights and child disciplinary practices in home institutions in Lusaka's Chawama Township.

The findings of the study revealed that, the conflict is complex in that it is multi-faceted. In view of the forgoing, the findings of the study revealed that the conflict involves: disciplinary practices within the family which infringe on child rights, that is, the right to childhood social protection versus the home chores given to children, adequate standard of living versus lack of shelter, right to be loved and cared for by both parents versus child labour and sexual abuse, provision of security and social protection versus cruelty or inhuman treatment, freedom of choice versus forced child marriage, right to food versus starvation/poverty, right to quality health care and nurturing versus neglect and abandonment, and right to life versus death at a tender age.

This research study has shown a considerable correlation between home disciplinary practices issues and legal matters mentioned by (Ormen, 2007). It is clear from the literature reveal and the findings by this study that, disciplinary practices within the family infringe on child rights.

Moreover, human rights respect the dignity and wellbeing of the child while the home disciplinary practices believe in giving extra hard work through home chores as a way of

disciplining a child. Human rights promote childhood social protection as advanced by Clachert, et.al. (2005), in their study entitled 'Zambian Children's Experience of Corporal and Humiliating Punishment.' They observed that parents fail to discipline their children because of human rights which are a source of the actual conflict. Their study also revealed that, misbehaviour of children in the name of human rights is where actual conflict is experienced. They further observed that, children are not well nurtured and cared for by their parents. Children undergo bizarre discipline such as deprivation of food and they are badly whipped or burnt. They may not be taken for health care services even when they are sick from beatings and sometimes are chased away from homes. Once chased from their homes, children suffer and experience all sorts of abuse from fellow children as well as adults which include: child labour, sexual abuse, and child marriage. Child marriage, in most cases happen within households not for punishment as such but for home economic purpose to avert poverty and hunger. In as much as they said the above, Clachert, et.al. (2005) also opined that human rights promote positive discipline through the use of alternative forms that respect the dignity and welfare of the child unlike the child disciplinary practices which involves corporal punishment as a form of discipline (Clachert, et.al., 2005).

The study done by Ginsburg et.al: (2009), entitled 'Associations between Parenting Styles and Teen Driving, Safety Related Behaviours and Attitudes,' was limited as it did not clearly indicate the actual conflict experienced as Clachert, et.al. (2005), and the current study has revealed. Ginsburg's study just provided insights into potential conflicts.

The findings in the current research study are also supported by Chikalanga (2013), who observed that the actual conflict can be seen in the area where guardians or any caregiver find it difficult to discipline their children because of human rights. In this regard, children refuse to listen to their parents because they feel they have their own rights that support them. However, Chakalanga (2013), strongly disputes the disciplinary actions taken by parents. He

does not approve chasing the child away from home, cruel and inhuman treatment, deprivation/starvation of a child, instead, he advocates that children should be loved and cared for by both parents given good nutrition rich food and provided with quality health care services. He further urges that the child did not bring himself/herself to life and therefore, the giver of life should take responsibility to care for that which he/she brought forth to life (Chikalanga, 2013). His study however, is silent on some of the findings this research has revealed, such as child abuse from labour, sexual abuse, sex testing, child marriage and circumcision.

The findings of the study also showed that the actual conflict experienced between child human rights and child disciplinary practices in Chawama Township, is that, child rights have been misunderstood by both the parents and the right holders themselves (children) in the sense that, children think the rights are absolute and that they go without responsibilities. It was also observed that the actual conflict is society's thinking that the child is being trained the desired way of living when in actual sense the child is being abused. The findings of the current study are affirmed by the findings of the study carried out by Mulili (2012), on the actual conflict between child human rights and home child disciplinary practices. According to Mulili, the actual conflict between child human rights and home child disciplinary practices is viewed in the realm where certain punishments are regarded to be too harsh making parents/guardians to answer to legal actors and therefore, the line cannot be drawn between what is accepted discipline and what is not, what is regarded harsh discipline and good discipline, the Human Rights Activists cannot outline these two at olds and the victim child remains uncertain. For example, the children also ask themselves whether to report their parents to the police or not, worse with guardians or caregivers because, if they do so, they risk being chased away from home by their own parents or caregivers resulting into poverty, sexual abuse and child marriage. This is related to what Clachert et.al. (2005), said earlier.

Therefore both Clachert et.al. (2005), and Mulili (2012), agree with what the current study has revealed as findings.

According to Mwango et.al. (2017), in his study entitled, 'Corporal Punishment in Zambia, Lusaka', the actual conflict is observed in a manner where a child is neglected. He/she is deprived of food, shelter, clothing, subjected to torture and corporal punishment in the name of discipline and in turn conflict with child human rights which asserts that no child shall be subjected to harsh treatment, and that every child has a right to food, shelter, clothing, education and quality health care services among other rights. In this regard, neglecting a child as a way of disciplining him or her always conflicts with child human rights instruments and standards (Mwango et.al., 2017).

The conflict theory asserts that the competition of individuals and groups for wealth and power is the fundamental process shaping social conflicts (Snyder, 1993). For conflict theories, the basic question about this social conflict is "who gets what, who does what, who should be treated how and why". This translates that, which is the right institution that should discipline the child, is it the family institution or the human rights agents. Who then among the stake holder is the right institution to discipline a child, how should a child be disciplined. It therefore, looks like no single institution can be pointed out to discipline a child.

The status of home disciplinary practices in home institutions, visa-a-vie the child rights can be seen as part of stratification as propounded by Malia (1998), in her book entitled, 'Marx and Engels: The Communist Manifesto'. Parents and elders in a family institution tend to place a child in a lower position because of the child's little or small stature that can also be equated to lack of wealth on the part of children (proletarians) versus parents (bourgeoisie) with wealth. On the other side, children may feel that they are protected by the international children's rights making them to misbehave in the name of human rights. Further support in relation to the above, Save the Children (2007), agrees that it is an approach that puts a child

at the centre by transforming her/his status of being a powerless victim to that of a duty right holder or stakeholder in the decision making process (Save the Children, 2007).

The results of the study further indicated that human rights respect the dignity and wellbeing of the child while home disciplinary practices do not hence the conflict between the two. In this respect, the human rights promote positive discipline through the use of alternative forms that respect the dignity and welfare of the child as Karl Max (1848), alluded to when he said proletarians will raise and fight for their rights and therefore, the children are standing up and fighting for their human rights.

5.3. An Exploration of the Effects of Conflict between Child Human Rights and Child Disciplinary Practices in Family Institutions in Lusaka's Chawama Township

The study explored effects of the conflict between child human rights and child disciplinary practices in the family institutions in Lusaka's Chawama Township. In line with the research objective above, the study revealed 85% of all the respondents acknowledged the effects of the conflict. The study findings revealed more complex effects of the conflict between child human rights and child disciplinary practices in the family institutions in Lusaka's Chawama Township. The conflict leads to the fear by parents to be taken to police for prosecution by their own children. The conflict further leads to the abandonment of children. Major research findings revealed by the current study are: right to freedom of expression and thought versus verbal assault, right to associate with both parents versus neglect and abandonment, right to shelter versus no/poor shelter, right to care and good health versus poor health and lack of care, right to education versus no/poor education, right to security and social protection by both parents and state agents versus physical injuries and deformities, right to participate in community programs for themselves versus denied freedom of community participation and programs for themselves, right to playing and entertainment versus denied freedom to play and entertainment. There are other study research findings revealed in this current study

which include the following: misunderstanding and hatred between children and their parents/guardians, marriage break ups, fear, anxiety, withdrawal, lack of good morals, spoilt child, archaic uncontrolled behaviour such as: depression, drug substance abuse, poor concentration, growth retardation, mental regression and psychosis, frustration, aggression, emotional imbalance, circumcision, street begging, prostitution, unplanned pregnancies, child trafficking, sexual transmitted diseases and HIV/AIDS, and death.

The findings of the study revealed that the conflict between child human rights and child disciplinary practices in the family institutions in Lusaka's Chawama Township leads to more complex effects as revealed above. United Nations (2002) also conducted a study on conflict between the child human rights and child disciplinary practices in homes. The findings indicated that 37% of the parents faced challenges in teaching their children how to behave in society as it is against children's human rights instruments. The findings of the study further showed that 13% of the children had no direction in terms of how to behave in society due to the conflict between child rights and child disciplinary practices in home institutions (United Nations Report, 2002). However, this study conducted by UN is limited as it did not go in detail to show how child rights hindered parents from disciplining their children on how to behave in the society.

The conflict between child human rights and child disciplinary practices normally has a negative impact on the children (UNICEF, 2013). A study done by Mwanga (2010) indicated that the conflict between child rights and child disciplinary practices makes some children to misbehave in the name of human rights (Mwanga, 2010). A study by Verwimp (2009), similarly observed that 67% of children misbehaved in the name of child human rights in Kenya.

Chanda (2008), observes that the declaration of children's rights made it difficult for parents or caregivers to teach their children how to behave in society as it is against children's human

rights instruments. In this respect, the International Human Rights hinder parents from disciplining their children. However, this study is limited as it did not specifically investigate the effects of the conflict between child human rights and child disciplinary practices in the family institutions.

A study by Harrell (2012), revealed that the conflict between child rights and child disciplinary practices in home institutions impacted on the children by making them grow in the way which is socially unacceptable to some cultures.

Archbishop Desmond Tutu in collaboration with UN General Convention on Child Human Rights supported the UN Convention on Child Rights. Desmond Tutu (2007), states that:

> "I support the Global Initiative and child rights to eliminate all corporal punishment at home, in institutions and community for disciplinary purposes. Millions of the world's children still suffer from humiliating acts of violence and these violations of their rights as human beings can have serious and lifelong effects. Violence begets violence and we shall reap a whirlwind. Children can be disciplined without violence that instils fear and misery, physical and psychological imbalances".

Harrell (2012), further revealed that the 24.2% of the children were abandoned by their parents due to the conflict between child human rights and child disciplinary practices in home institutions. Apart from physical, psychological or emotional effects and imbalances, there are many other effects such as nosebleeds, bed wets, chipped teeth, loss of hair, child delinquency, aggression, withdrawal, rebellion, psychosis, poverty, stress and high illiteracy levels in the communities and this is why child disciplinary practices in families is at odds with the fundamental rights of the child.

The current research study revealed similar effects in line with what Harrell observed in 2012. Furthermore, the findings of the study revealed that the conflict between child human rights and child disciplinary practices leads to misunderstandings between children and their

parents/guardians, parents' homes break up leading to loneliness and single parent headed homes. When children are abandoned, they go in the streets begging, some start prostitution especially girls leading to unplanned pregnancies, sexual transmitted diseases and HIV/AIDS, and eventually premature death.

In the light of the above, most of the studies done did not bring out strongly, the effects of the conflict between child rights child disciplinary practices in homes which was revealed by this study such as: fear, anxiety, withdrawal, poor morals and archaic uncontrolled behaviour such as: depression, drug substance abuse, poor concentration, prostitution, growth retardation, mental regression, psychosis, and circumcision. Forgatch (1989), in his study entitled 'The Assessment and Treatment of Aggression Conduct Disorder, and Delinquency in Children and their Families', revealed frustration and aggression, emotional imbalance, child exploitation, street begging, street gangs, prostitution, unplanned pregnancies, psychosis among others as some of the major effects of child conflict but did not go in detail to specifically discover the conflict between child rights and child disciplinary practices in family institutions. Equally, Harrell in 2012 did not reveal or realise effects of the conflict such as Mukanda (circumcision) and Nkolola or sex testing of the young girl who has become of age.

Karl Marx and Friedrich Engels who focused on the causes and consequences of class conflict between the bourgeoisie (capitalists) and the proletariat (working class and the poor). The implications of this system is that, the existence of a powerful class (the parents) and the oppressed majority class (children), creates a class conflict because the interests of the two groups are odds, this brings in the child rights to be like a go between but instead has brought another kind of conflict as human rights groups view the powerful parents as violators of child rights. These punitive practices potentially threaten the children's rights to life, survival

and progress, physical integrity, free from torment, heartless or demeaning treatment or punishments, and the right to get government protection against mistreatment and abuse.

5.4. Suggestion of Possible Ways of how the Conflict between Child Human Rights and Child Disciplinary Practices can be Resolved in the Family Institutions in Lusaka's Chawama Township

In line with the fourth objective, the study revealed six findings. These are: Poor or no government policies and laws on child rights, there is no protection and commitment to fulfil children's rights by child rights duty bearers (Human Rights Activists and other state agents), no freedom of expression for children to participate in programs for themselves, Government does not collaborate and work with Civil Society Organisation (CSO) to curb or regulate child disciplinary practices in homes and try to promote child rights, there are no child rights in general school education curriculum put for the children to learn and know their rights, parents are not sensitised or educated on the importance of human rights and no clear disciplinary practices between child human rights and child disciplinary practices in the family institutions.

The study investigated the possible ways of how the conflict between child human rights and child disciplinary practices can be resolved. The findings of the study revealed that the conflict can be resolved by formulating policies and laws that promote, protect and fulfil child rights. In this regard therefore, the participants suggested that, the Zambian government must initiate policies, programs and laws that are designed to promote, protect and fulfil children's rights if the conflict between child human rights and child disciplinary practices is to be addressed.

The above findings of this research study are affirmed in the study carried out by David (2015), on the measures that can be put in place to resolve the conflict between child rights and child disciplinary practices at home. This is because, David found that the conflict can

only be addressed through the initiation of policies that promote children's welfare. In doing so, however the government should also respect, protect and fulfil its child human rights obligations in an effort to resolve the conflict.

It is also clear from these research findings that government should start working with Civil Societies which have comparative advantage in the promotion and protection of children's rights. This can help to resolve the conflict between child human rights and child disciplinary practices in family institutions. In this regard, the Zambian government should collaborate and partner with Civil Society Organisations that have a stake in promoting, protecting, respecting and fulfilling the rights of children.

In view of the forgoing, the research study findings indicated that the government should encourage the parents to always seek the root cause and solution whenever the child is wrong rather than beating or abusing them. This means that, the parents should not use methods that lead to vulnerability of children as a way of addressing the conflict.

Furthermore, research results revealed that, parents do not recognise the importance of child rights and also on the dangers of infringing on them. This means that parents/guardians do not understand the significance of upholding child's rights. To that effect, the government must initiate child human rights sensitisation programmes on the importance of human rights and also on the dangers of punitive disciplining of children if the conflict between child human rights and child disciplinary practices is to be resolved in Lusaka's Chawama Township and the rest of the country (Zambia) at large.

Children should as well be sensitised on the need not to abuse their rights but to properly exercise them. This entails that, most children abuse their human rights by over exercising them. Therefore, there is need to educate the children on the need not to abuse their human rights if the conflict between child human rights and child disciplinary practices is to be addressed and resolved.

Further, the government must ensure a collaborative way to formulate child human rights laws and come up with a satisfying way of teaching the children. This means that the human rights practitioners and the Zambian government should consult the public, specifically the parents before formulating laws on child human rights. Clear understanding of traditional disciplinary values should be taken into account if the conflict is to be addressed. Furthermore, study results revealed that the conflict would be resolved by eliminating negative cultural and disciplinary practices that violate the rights of children. Moreover, the findings of the current study are in line with what Webster (2000), found in his study on Child Disciplinary Practices in Zimbabwe. Webster (2000), found that Zimbabwe was advanced in terms of working together with societies to harmonise the two conflicting factors, thus, child rights and child disciplinary practices in homes. Parents and government agencies worked together to educate the public and reduce child rights violations.

The main component of the discussion in this argument of the research results of the study is the exploitation of 'Conflict Theory.' Coleman (1990), categorized under family and social institutions in Zambia societies and are among social entities whose social dynamics can be accessible using social conflict theory. He argues that the competition of individuals and groups for wealth and power is the fundamental process shaping social conflicts because of its grounding in conflict and social ethical values and the power of Conflict Social Networks to augment either positive or negative outcomes in the social lives of people and social institutions that include home institutions (Coleman, 1990).

According to Karl Max (1848), the theory revolves around concepts of social inequality in the division of class and resources, and focuses on the conflicts that exist between classes. Alan Sears (2008), further said the following:

"Societies are defined by inequality that produces conflict, rather than which produces order and consensus. This conflict based on inequality can only be overcome through a fundamental transformation of the existing relations in the society, and is productive of new social relations."

The disadvantaged have structural interests that run counter to the status quo, which, once they are assumed, will lead to social change. Thus, child human rights in this case are viewed as agents of change rather than objects one should feel sympathy for and therefore child rights duty bearers should take their central role in collaboration with other stake holders to resolve the conflict.

5.5. Summary

The chapter discussed the research findings of the study in line with the objectives of the study. The chapter also integrated research finding with the literature of the study. It also integrated the research findings of the study with theoretical the framework employed in the study (Conflict Theory) as advanced by Karl Marx and Friedrich Engels. The next chapter provides the conclusions and recommendations of the study.

CHAPTER 6

CONCLUSIONS AND RECOMMENDATIONS OF THE STUDY

6.0. Introduction

This chapter focuses on conclusions and recommendations of the study. The conclusions and recommendations of the study are based on the findings of the study related to the objectives of the study. The chapter also provides some avenues for future research before the summary.

6.1. Conclusions of the Study.

In conclusion this study sought to investigate the conflict between child human rights and child disciplinary practices in family institutions in Lusaka's Chawama Township. The study specifically set out to verify the presence of the conflict, describe the actual conflict experienced, explored effects of the conflict and suggested possible ways of how the conflict can be resolved in Lusaka's Chawama Township.

It can be concluded that a conflict between child human rights and child disciplinary practices in family institutions in Lusaka's Chawama Township exists as this study confirmed. The children in the study spoke about a range of abusive disciplinary methods used by parents. The most common form of discipline was physical abuse followed by verbal abuse which is an infringement on the part of child rights. Among adults what came out strongly are the deep-sited cultural beliefs that perpetuated physical and verbal abuse disciplinary practices and therefore, the parents feel the best way to discipline a child is through beatings against child rights.

The study described the actual conflict experienced between child human rights and child disciplinary practices in home institutions. The research study concluded that, children are used as tools of labour to advance family economic gain and yet, Child Rights Activists do not help them to fight the vices. It came out clearly that children are given extra home chores

outside normal duties and chased away from homes. Among other revelation of the study includes: inhuman treatment, poverty and child neglect. Some of the children spoke of how they were physically assaulted by their elder relatives. This study in some instances, uncovered evidence of children who were beaten and left with marks on their bodies. This is a clear infringement of child rights.

The study explored effects of the conflict between child human rights and child disciplinary practices in family institutions in Lusaka's Chawama Township. The research study concluded that, hatred between children and their caregivers, marriage break ups, education and archaic uncontrolled behaviour. Direct physical abuse is obvious, as is emotional effect that often manifests itself in behavioural, psychological and social problems.

The effects from can be distressing to parents and children. Parents neglect and abandoned their children for fear of being taken to the police for prosecution in an event the child report them for child rights violations.

The study suggested the possible ways of how the conflict between child human rights and child disciplinary practices in family institutions in Lusaka's Chawama Township can be resolved. The study revealed that, there are no clear government policies that protect and fulfil children's rights and that child rights duty bearers are not doing enough to control child disciplinary practices in homes. Participants expressed concern on lack of child rights in general school curriculum and parent sensitisation on the importance of human rights. Most of the participants said that, the conflict can be resolved by formulating policies and laws that promote, protect and fulfil child rights if the conflict is to be addressed and resolved.

Overall, the study has brought to light the conflict between child human rights and child disciplinary practices in homes. The conflict is an epidemic that tortures and maims children. Child disciplinary practices in homes is one of the mostly pervasive child human rights

violations denying children equality security, self-worth and their right to enjoy fundamental freedoms in Lusaka's Chawama Township.

6.2. Recommendations of the Study

Based on the findings and in line with the objectives, the following recommendations have been made and may be considered:

❖ It was revealed in the study that the prevalence of conflict between child disciplinary practices and child human rights exists. The government should strive to provide clear policies and guideline on how children should be disciplined to avert beatings, verbal abuse and provide childhood social and security protection in order to fulfil their obligation.

❖ The government should regulate policies to reduce home chores disciplinary practices and stiff punishment for parents who used children as tools of labour to advance family economic gain, child neglect and abandonment. Child Rights Activists and other human rights organisations should help fight bad child disciplinary practices in family institutions.

❖ Direct physical abuse has emotional effect that often manifests itself in behavioural, psychological and social problems. Parents who abuse children should be taken to the police for prosecution.

❖ The government should collaborate with civil societies to educate the parents on child human rights and more especially include child rights education in the school curriculum as a subject of its own in order to reduce and possibly resolve the conflict between child disciplinary practices in family institutions and child human rights.

❖ The government should also initiate policies that are designed to promote and fulfil child right, harmonize child rights and child disciplinary practices in family institutions.

❖ The government must also ensure wide public consultations before implementing child human rights. This enable the parents to be involved in the process, thereby addressing and resolving the conflict between child human rights and child disciplinary practices in family institutions.

❖ The government should also come up with measures designed to educate the children on the need not to over exercise their child human rights.

❖ Community structures should be set by government at all community levels comprising representatives from ministry of gender and development and child development, health and community, mother and child. Local government and housing and home affairs (police victim support unity) and civil society organisation operating in the respective districts and areas to monitor, sensitise, educate both parents and children on the best way of disciplining a child, and proscute the violators of child rights.

❖ The school child rights clubs should be opened and connected to the local and regional human rights commissions. The child parliaments and child rights clubs should have an institutional shape open to every child in the school.

❖ In designing new laws to resolve the conflict between child rights and child disciplinary practices in homes, policymakers should assess the potential negative consequences of these actions and weigh them against the benefits.

6.3. Avenues for Further Research

❖ More research is needed that advances the current understanding of the conflict and effects of childhood physical disciplinarily practices through verbal, physical

beatings, emotional or any other child abuse so that policymakers and other stake holders can design appropriate interventions to address the size, nature, and complexity of the conflict.

❖ During data collection and analysis, it came out clear that there is also the conflict between child human rights and child domestic labour involved in Chawama Township. Reviewed literature indicated that there has not been any research done to specifically investigate the impacts of conflict between child human rights and child domestic labour in Zambia. Thus, this calls for a need to carry out a research on the impact of the conflict between child human rights and child domestic labour in Chawama township of Lusaka.

6.4. Summary

The chapter gave the conclusions and recommendations of the study based on the findings of the study which were linked to the objectives of the study. The chapter also provided some avenues for further research before closing with a summary.

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INTERVIEW

THE UNIVERSITY OF ZAMBIA

SCHOOL OF HUMANITITES AND SOCIAL SCIENCES

RESEARCH TOPIC: Investigating the conflict between child human rights and child disciplinary practices in the family institutions of Lusaka's Chawama Township.

INFORMED CONSENT FORM

Dear respondents,

I'm a post graduate student at the university of Zambia great east road campus, carrying out a research on the above mentioned topic. You have been selected to participate in this research. I therefore request you to complete the interview schedule by providing the most appropriate answer to the given questions.

Be assured that your responses in this regard will be treated with highest confidentiality as this research is purely academic.

INSTRUCTIONS:

Please do not write your name on the interview guide.

Write in the blank spaces provided e.g.

……………………………………………………………………………………………

……………………………………………………………………………………………

Thank you in advance for your cooperation.

The UTH-HAP,

P.O.Box 50440,

Lusaka.

21/09/18.

The Public Relations officer,

Zambia Police Service Headquarters,

Lusaka.

SUBJECT: REQUEST TO CONDUCT RESEARCH INTERVIEW

Dear Sir/Madam,

Am a post graduate student at the university of Zambia great east road campus, carrying out a research on the conflict between child human rights and child disciplinary practices in home institutions in Zambia. The target respondents are three senior police officers working with Victim Support Unit (VSU). I therefore request your approval for your officers to complete the interview guide.

Be assured that the responses of your officers in this regard will be treated with highest confidentiality as this research is purely academic. See the letter from the institution, and interview guide attached.

Your timely response will be highly appreciated.

Faithfully yours,

Charles Muleya,

MSc-PLCR student, UNZA-ZOU

APPENDIX 3

The UTH-HAP,

P.O.Box 50440,

Lusaka.

02/10/18.

The Head Master,

Kamulanga Secondary School,

P.O.Box

Lusaka.

SUBJECT: REQUEST TO CONDUCT RESEARCH INTERVIEW

Dear Sir/Madam,

Am a post graduate student at the university of Zambia great east road campus, carrying out a research on the conflict between child human rights and child disciplinary practices in home institutions in Zambia. The target respondents are eight pupils aged between 10and 18 years old learning at your school. I therefore request your approval for your pupils to have a group discuss interview including one or two of your staff preferably teachers.

Be assured that the responses of your pupils in this regard will be treated with highest confidentiality as this research is purely academic. See the letter from the institution, and interview questions intended to discuss.

Your timely response will be highly appreciated.

Faithfully yours,

Charles Muleya,

MSc-PLCR student, UNZA-ZOU

APPENDIX 4

AGREEMENT FOR PARENTS/GUARDIANS AND CHILD STUDY PARTICIPANTS

I...grant consent/assent that the information I

contribute to during the group discussions (focus group interviews) may be used by the

researcher, Mr. Charles Muleya, for research purposes. I am conscious that the group

discussions will be written and grant consent/assent for these recordings, as long as that my

confidentiality will be protected. I accept not to disclose any information that is collected in

the group discussions to any individual outside the group in order to uphold confidentiality.

Participant's Name: ....

Participant Signature: ....

Researcher Name: ....

Researcher Signature: ....

Date: ....

APPENDIX 5

SEMI-STRUCTURED INTERVIEWS SCHEDULED FOR PARENTS/GUARDIANS

Date…………………………………………………………..

Time………………………………………………………….

 Interview Site:

Site name: _____ Place: _____

Date: _____ Time: _____

Interview questions:

1. Is it right to discipline the child using physical means?

2. If it is right to discipline the child, how do you normally discipline your children? explain these disciplinary practices.

    If no why?

3. What are child human rights you know?

    If you do not know, are you interested to know?

    Are child rights necessary or not?

    If not why?

4. Do child rights play a role in disciplining the child?

    If yes how

    If no why

5. If child right play any roles in disciplining the child, do these roles conflict with child disciplinary practices in your home?

    If yes how

    If no why

6. Follow up question, if yes, what are the actual conflict between child human rights and child disciplinary practices in the family institutions?

7. Does government play any role concerning child discipline?

8. Do you know any effects of the conflict between child human rights and child disciplinary practices in the family institutions?

9. What do you think should be done to resolve the conflict between child human rights and child disciplinary practices in home institutions?

End of interview.

Thank you so much for your participation.

ASSENT FOR CHILDREN BETWEEN 10 TO 18 YEARS OLD

I have read this letter asking me to be part of the study and have understood the information about this study and I know what I am asked to do. I am agreeable to be part of the study.

Child's name:.................................... Child's signature:.................................Date:..........

Witness's name:................................Witness's signature:...........................Date:..........

(The witness is a parent/caregiver or over 21 years old and present when signed.)

Parent/ caregiver's name:.................Parent/caregiver's signature:..................Date:…...

Researcher's name:.........................Researcher's signature:..........................Date:.......

Focus group discussion interview scheduled for children between 10 to 18 years old

Date……………………………………………………………..

Time…………………………………………………………….

Interview questions:

1. Do your parents/guardian give you (child) some discipline?

   If yes how?

   If no why?

2. What do you think about child discipline at home? Is it good for children to be disciplined by their parents/caregiver at home or it is bad?

3. If it is good why?

4. If it is bad why?

5. How do the parents/caregiver discipline their children at home?

6. What are the actual disciplinary practices at home?

   Physical, verbal, or any other.

   If physical, how?

If verbal, say wards used?

If other means, which ones?

7. Are you aware of your child human rights?

   If yes, which child rights do you know?

   If not, what do you think should be done?

8. Do you support that a child should not be disciplined at home

   If yes why?

   If no why?

   Do you think there is conflict between Child disciplinary practices at home and child human rights?

   If yes why?

   If no why?

9. What are the actual conflict between Child disciplinary practices at home and child human rights?

10. Do you think the government can play an important role to resolve the conflict between child human rights and child disciplinary practices in the family institutions.

    If yes, how?

    If no, why not?

11. What are the effects of the conflict between child human rights and child disciplinary practices in the family institutions

12. Suggest possible ways of how the conflict between child human rights and child disciplinary practices in the family institutions can be resolved.

End of interview.

Thank you so much for your participation.

APPENDIX 7

SEMI-STRUCTURED INTERVIEWS SCHEDULED FOR HUMAN RIGHTS ACTIVISTS

Date……………………………………………………

Time…………………………………………………

1. Are there reports of child human rights in Zambia and to what extent are these rights violated, explain and possibly in terms of percentage?..

....

2. Explain the actual conflict experienced between child human rights and child disciplinary practices in home institutions present in Zambia?

………………………………………………………………………………………

3. If the prevalence of the conflicts is high or low, why? Kindly explain.

……………………………………………………………………………………….

4. What are the effects of the conflict between child human rights and child disciplinary practices in the family institutions?

………………………………………………………………………………………

5. What is the role of civil societies in regards to the conflict between child human rights and child disciplinary practices in the family institutions?

....

....

6. What are the possible ways to resolve the conflict between child human rights and child institutions?...

....

7. What do you think the government of the republic of Zambia should do in order to address the conflict between child human rights and the child disciplinary practices in family institutions?

…………………………………………………………………………………………………

…………………………………………………………………………………………………

End of interview.

Thank you so much for your participation.

APPENDIX 8

SEMI-STRUCTURED INTERVIEWS SCHEDULED FOR GOVERNMENT OFFICIALS (VICTIM SUPPORT UNITY- POLICE OFFICERS)

Date…………………………………………………………………………..

Time…………………………………………………………………………..

1. What is the role of Victim Support Unity in Zambia concerning child rights?

....

2. Are there roles Victim Support Unity play in Zambia concerning child disciplinary institutions?..

3. Do you think child rights conflict with child disciplinary practices in home institutions?

....…………………………………………………………

4. If there are conflicts, which conflicts are more prevalence? If you think there are no proceed...

5. If there are conflicts, proceed and give more insight. Would you please describe the actual conflicts experienced between child human rights and the child disciplinary practices in home institutions?…………………………………………………………………………

6. What are the effects of the conflict between child human rights and child disciplinary ?

………………………………………...

7. Are there any measures put in place by the government to address conflict between child human rights and child disciplinary practices in home institutions? Kindly mention and explain those measures…………….…………………………………………………

8. Suggest possible ways of how the conflict between child human rights and child disciplinary practices in the family institutions can be resolved......................................

End of interview.

Thank you so much for your participation.