

# Turning Around Negative Attitudes Toward Human Rights Through Human Rights Education

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**T**o many Malaysians, human rights are western values and are antithesis to Asian values because the former give importance to the individual while the latter to community. Furthermore, there is the perception that upholding human rights necessitates pampering to the wants of the individuals. With these two beliefs of human rights, it is not unexpected that the attitudes towards human rights of those in authority—in both the private and public sectors—parents and the society at large are generally negative. But, increasingly people, especially the vulnerable groups, are appreciating human rights as they provide them with leverage for a better quality of life.

In the early days of its existence, the Human Rights Commission of Malaysia (SUHAKAM) met with great resistance in its attempts to promote and protect human rights. In addition to “human rights” being an alien term to the vast majority of the people, the difficulty in precisely defining “human rights” added to the bewilderment and roused negative attitudes toward human rights. These people failed to realize that no matter what are their attitudes toward human rights, their fundamental rights and freedoms (such as equal justice before the law, freedom of worship, freedom of movement, non-discrimination on account of one’s gender, race or religion and the right to vote) are guaranteed in the Federal Constitution. More than seven years into SUHAKAM’s existence and its promotional efforts, awareness of human rights is much higher but there are many sectors of the population who are either not pro-human-rights

or lacking in knowledge and understanding of human rights.

Teachers, school administrators, education officers and parents are wary of human rights, especially the rights of the child. Raising awareness of human rights among them is not easy. However, they have to be cognizant of the rights of the child as Malaysia had signed and ratified the Convention on the Rights of the Child on 17 February 1995. This Convention is one of the five United Nations human rights instruments acceded to by Malaysia. Since the Commission is mandated by the Human Rights Commission of Malaysia Act 1999 (Act 597) to promote and protect the rights of people in Malaysia, it has to take up the challenge of making sure children are not denied of their rights to survival, protection, development and participation.

### Human Rights Education in School

From its early days, SUHAKAM had maintained that a human rights culture is vital for the wellbeing of the people in Malaysia and the school is the best place for the development of this culture. To achieve this objective, human rights education has to become a part of the school curriculum, not as a subject but for it to be integrated into various subjects to inculcate human rights values which include non-discrimination, justice and respect for others. Human rights education should not be reduced to a mere subject to an already overburdened curriculum and furthermore human rights values permeate all school subjects. In addition, human rights education should encompass the learning and practice of human rights, implying that human rights are to be taught through content and experiences and with opportunities to develop and practice the skills to respect human rights. In other words, human rights education should not only be theoretical but should also be incorporated into school life to practice non-discrimination, promote justice, respect the rule of law and resolve interpersonal conflicts through non-violent and non-psychologically harmful means.

The Sub-Working Group on Human Rights Education in School, a committee in the Promotion and Education Working Group in SUHAKAM, was formed in 2001. The following year, Tan Sri Musa Mohammad, then the Minister of Education, agreed to nominate three representatives from the Ministry to sit on this Sub-Working Group - a representative each from the Curriculum Development Centre, School Division and Teacher Education Division. The other members of the Sub-Working Group include three academics from three different public universities and three non-governmental organization (NGO) representatives.

In spite of having three representatives from the Ministry of Education on the Sub-Working Group, the support of the various Directors-General of Education, the involvement of

SUHAKAM in training master teachers for the school subjects, “Moral Education” and “Civics and Citizenship”, SUHAKAM encountered resistance and had great difficulty in making inroads into the acceptance of human rights education in school. Resistance came in very subtle forms such as non-cooperation and red tape.

A two-pronged approach was used to overcome the negative attitudes toward human rights and to break through the barrier of resistance. The first approach was to devise a way to open the door for human rights and SUHAKAM to be known in schools. An art competition on human rights could provide a non-threatening entry for human rights into schools and an indirect way for children to learn about human rights. This tactic appeared to be effective because 4,434 entries were received in the first art competition which was launched in 2003. For subsequent art competitions, the School Division gave its full cooperation and was represented in the panel of judges. However, the novelty of art competition weaned among schools and students. Only seven hundred fifty entries were received in the art competition in 2006. The withdrawal of the “school with the most entries” award from the 2006 competition also contributed to the reduction.

In view of the declining interest in the art competition on human rights, a competition on the best human rights practice in school was organized in its stead in 2007. This change in the competition was also due to the Plan of Action for the World Programme for Human Rights Education, First Phase (2005-2007)<sup>1</sup> which focuses on the integration of human rights education into the primary and secondary school curriculums. The Sub-Working Group on Human Rights Education for Schools agreed that a competition of this nature would fulfil the aim of the Plan of Action as well as promote the development and practice of skills to respect human rights and citizenship.

The second approach taken by SUHAKAM was to break down the resistance through dem-

onstration of the relevance of human rights to one's life and to schools. As the education system in Malaysia is highly centralized and top-down, the breaking down of the resistance was targeted at senior officers in the Ministry of Education and State Department of Education. This resistance-breakdown onslaught began with a National Conference on Human Rights Education in School held on 1-2 March 2004 with a keynote speech by the Director-General of Education. Twelve officers from the Ministry of Education, forty-one officers from the State Department of Education and sixty headmasters, principals and senior teachers attended the Conference. A workshop for participants to discuss specific education policies pertaining to the rights of the child was part of the Conference program. Acting on the participants' recommendation that the workshop be conducted at the state level, SUHAKAM organized workshops on the relevance of human rights education in six zones, namely North, East Coast, Central, South, Sabah and Sarawak. These workshops succeeded in turning around the participants' attitudes toward human rights.

### **Turning around negative attitudes towards human rights**

The subject, "Moral Education" for secondary schools has human rights as one of the areas. Hence, SUHAKAM was invited to conduct the human rights component in the training for master trainers of this subject. SUHAKAM was also involved in the training of master trainers of Civics and Citizenship. These master trainers displayed neither positive nor negative attitude towards human rights although they liked the participatory activities involving case study and role play. This attitude could be due to their acceptance of human rights as a component of their subject.

More than a decade after acceding to the Convention on the Rights of the Child (CRC), only six percent of the teachers and seven

percent of the school administrators had been briefed on this convention (Human Rights Commission of Malaysia, 2006).<sup>2</sup> In short, the vast majority of the teachers, school administrators and education officers had no notion of the rights of the child. Secondly, almost all of them had the perception that the rights of the child refer to what the child wants. Consequently, they were very apprehensive of the CRC. Thirdly, discipline or rather lack of discipline is a serious problem in many schools and teachers have a hard time in managing misdemeanour. A number of bad publicity due to the mishandling of discipline problems added to teachers' and school administrators' qualm to accede to children their rights.

Against this scenario, the task of promoting awareness of human rights and human rights education in school was expectedly an arduous one. Though the attitudes of the participants of the National Conference on Human Rights Education were positive, the response to the SUHAKAM's invitation to the Workshop on Human Rights and their Relevance in School was, at best, cool. Much persuasion was needed. The majority of the participants came to the Workshop with great reluctance while others found ways to avoid coming to it.

In all the Workshops conducted in the six zones, the initial reluctance gave way to interest in human rights for most of the participants. The Workshop brought a change in their perception of the significance of human rights and the importance of understanding the child's rights in at least ninety percent of the participants. In one of the zones, all the participants (one hundred percent) indicated that the Workshop had helped them understand human rights, the rights of the child and the Universal Declaration of Human Rights (UDHR). This exposure seemed to whet their appetite for more as they requested for more complete and comprehensive information on the CRC and the UDHR or for longer workshops to enable them have an in-depth understanding of the CRC.

They also would like others, especially par-

ents, community leaders, teachers and students, to be given similar information. In the “further comments” section in the evaluation form, they suggested the workshop be conducted throughout the country, the information given in the workshop be disseminated to all in the school community, the greatly beneficial workshop to be organized for parents, community leaders, teachers and students for them to understand human rights, the public to be exposed to similar programs and the workshop to be made available to all. These suggestions indicate that the workshop had helped the participants realize the importance of human rights to the wellbeing of the individual and society.

They also indicated that they would encourage their colleagues to attend similar programs organized by SUHAKAM and would share the information gained at the workshop with their colleagues. These were the responses of more than ninety-five percent of the participants.

The desire to share their knowledge of human rights with their colleagues or workmates was also expressed in their actions. The slide presentation on human rights and their relevance to schools as well as the presentations of the workshops’ discussions were copied into their thumb-drive to help them in their presentation to their colleagues. In addition, they enquired whether SUHAKAM would support them in terms of human resources and materials when they conduct similar workshops in their districts and in schools.

While the participants found the one and half hour lecture useful as it provided an introduction to human rights, UDHR and CRC, it was the workshop sessions (Case Study and Discussion of Educational Policies and Practices) that convinced them of the significance of human rights and their relevance to their work as an educator. Since the cases referred to real incidents, the participants were able to identify with them and some participants had encountered similar situations. Identifying the articles in the UDHR and CRC in the workshops helped them have a better understanding of human rights

and the rights of the child. Analysis and reflection on the educational policies and practices to ascertain whether they promote or deny a child of his/her rights enabled the participants to realize the importance of the CRC.

Owing to the limitation of each of the groups to eight to twelve members and the provision of a facilitator to provoke thinking, the issues were animatedly deliberated. The high quality of the discussions was due to the years of experience of the participants and their diverse backgrounds.

The objectives and materials used in the two workshop sessions are in Annexes I and II.

### **Conclusion**

The change in attitude towards human rights education of the participants, comprising heads of the various sections in the State Department of Education, district officers, senior school administrators and senior teachers, is most encouraging. However, what needs to follow this change is their willingness to become agents of societal change by initiating transformation in schools through observance of human rights in schools. There are numerous ways by which they can bring about the changes. One of them is to promote human rights values to develop a human-rights-friendly and safe school environment.

SUHAKAM’s research on the knowledge and practice of human rights in secondary school found 28.8 percent<sup>3</sup> of the teachers approving the use of ridicule to motivate students to study. A desired outcome after studying the case of “Why am I called ‘fatty’?” and knowing the effects on the child’s development as well as the violation of Article 7 of the CRC is that teachers stop using ridicule to discipline or motivate students to study.

The use of cane to punish misdeeds and the authority of teachers to cane were intensely debated at almost all the six workshops. Many of the participants, especially the male participants,

were for caning the offenders which concurred with SUHAKAM's research that found 84.0% of the male and 77.4 percent of the female respondents in favor of caning persistent offenders.<sup>4</sup> While it is unlikely that the participants will advocate for corporal punishment to be outlawed in school, it is hoped that the case of "What wrong have I done?" will make them pause before meting out punishment because the offender might be another Ahmad, who throughout his life, had received harsh treatments at home and in school.

Hopefully the case of Azizah would make participants reflect on the difficulties persons with disabilities encounter in school. Instead of washing one's hands off by recommending that the disabled child be sent to a school for children with special needs, the school community would rally to help the disabled acquire knowledge and be accepted as a part of the school community.

Obviously from their responses, providing participants with genuine cases involving violations of child rights and with platforms to discuss policies that support or deny the child his/her rights enabled the participants to see the need to respect the rights of the child. Whether this change in their attitudes toward human rights will effect a change in behavior and produce changes in the school environment is difficult to predict. A one-and-a-half-day workshop can only provide a snapshot of human rights in general and the rights of the child in particular. SUHAKAM agrees with the participants that longer and more workshops are needed. In the meanwhile, it is hoped that the participants will continue to water and nurture the seeds of a human rights culture that had been sowed in them in the workshops.

## Annex 1

### *Workshop 1: Case Study*

#### Introduction

The purpose of the first workshop was to enable participants to have a better understanding of human rights, in particular the rights of the child, through analysis of situations that involve violations of the child's rights. To achieve this objective six case studies were extracted from case studies carried out by educational psychology students in the Master of Education programme at the University of Malaya and Master in Education theses. Each group was assigned one of the six cases and they were required:

- i) To state what are the issues in the case.
- ii) To recommend the steps that can be taken to overcome the problems identified.
- iii) To identify the rights that have been violated in the case, based on the Universal Declaration of Human Rights and the Convention on the Rights of the Child.<sup>5</sup>

#### The Cases

The cases were written in the national language and below are the English version of the cases:

##### *Case 1: "I am lonely"*

My name is Azizah and I am 11 years old. I am deaf. I am the only one in class with this problem. I have problem in communicating with my classmates because they do not know sign language. Although the teacher writes while she teaches, I still have difficulties in understanding her because I cannot hear her explanations. My attempts to discuss my work with my classmates are fruitless and disheartening. There is no one who understands my need. I feel isolated and alone. I am greatly troubled and unhappy. As a consequence, I have lost interest in my studies.

My parents had informed the school of my

problem but it did not take any action to provide me with remedial programme or with facilities to help me. Neither had the school applied for a special education teacher.

### *Case 2: Why Am I Called Fatty?*

Ramu, a Form 1 student, was very fat and did not look like a Form 1 student. He was weak in mathematics and displayed problematic behavior in the mathematics class. He was always moving around during the mathematics class and disturbing other students. This habit of Ramu irritated the teacher who yelled out instructions such as “Fatty sit down” and “Fatty stop walking around” The teacher knew that whenever she called him “Fatty”, Ramu would feel embarrassed and would do as she instructed. After sometime, his classmates also called him “Fatty” to tease him and sometimes they placed a piece of paper with the words, “I am Fatty” on his back without his knowledge and then laughed at him. They bullied him in other ways such as taking his writing materials and not returning them to him.

The name calling, teasing and bullying made Ramu felt inferior and he lost confidence in himself. He distanced himself from his classmates and kept to himself. Ramu felt sad and alone. His academic performance dropped. He no longer wanted to go to school and gave all kinds of reasons for wanting to stay away from school.

### *Case 3: “What wrong have I done?”*

One day, Mr. Rahman, the teacher, told Ahmad who was in the canteen to go to his class as it was not breaktime. In response, Ahmad used foul language and this made Mr. Rahman really angry. He hauled him to the discipline room and caned him several times until he screamed in pain.

Though Ahmad was 15 years of age, he was small in size and well known for his misdeeds. Many teachers had encountered difficulty in controlling Ahmad as he constantly stayed away from class, did not complete his homework,

disturbed other children, and so forth. Normally he was not bothered by caning or other forms of punishment from teachers. Ahmad was not liked by his classmates who had no sympathy for him and felt that he deserved to be punished.

Mr. Rahman went to Ahmad’s house one day to discuss with his parents his misdeeds. At that time, Ahmad was not at home but his grandmother who was in the house told Mr. Rahman that Ahmad was working on a construction site nearby under the supervision of his grandfather. Mr. Rahman was taken back at the information and went to the construction site where he found Ahmad dirty and appeared to be tired. He drew near to Ahmad to enquire the whereabouts of his parents. Ahmad explained that he had lived with his grandparents since he was a baby as his mother had left him because she was not able to care for him. He could not remember when he last saw his parents who were divorced when he was a baby. He was not liked by his grandparents as they disapproved of his parents’ marriage. His grandfather always beat him even for minor mistakes or misdeeds.

Ahmad had never been loved by anyone; no one seemed to understand his problems and he had nowhere to pour out his troubles. Sadly he asked Mr. Rahman, “What have I done wrong? Why is there no one who loves me?”

### *Case 4: “Moral Teacher”*

The teacher, Ms. Rosa was three-month pregnant when she was assigned to be the replacement teacher for a Moral Education teacher (who was on maternity leave) since she had only sixteen hours of teaching. When Ms. Rosa was notified that she had to teach Moral Education in a Form I class, she informed the headmistress that she did not have the skills to teach moral education and moreover, she was having morning sickness. But Ms. Rosa had no choice as the other moral teachers had their full teaching loads.

When Ms. Rosa first stepped into the classroom she complained that the class smell and she could not stand the smell of coconut oil.

She gave the directives that the students must stop using coconut oil for their hair and in their cooking. During one of the classes, she also informed them that she did not like black color as it represents dirt and death.

The students in the class, especially the Indian students, were not happy and told their parents of the directives of Ms. Rosa. Several parents complained to the school administrators and the school warned the children not to create problems in school.

*Case 5: "Barbarians"*

Ten-year-old Azlan was watching a documentary on an African tribe together with his parents. At the end of the program, Azlan asked his parents whether the tribes in Africa were like the *Jakun* (an indigenous group in Malaysia) who are ignorant, primitive, uncivilized, immoral and wear indecent attire.

His parents asked him why he had such views of the *Jakun*. Azlan explained that they had been taught about the different races in Malaysia, including the indigenous peoples in Malaysia, in the Local Studies subject. Their teacher told them that the indigenous peoples in Malaysia are uncivilized and they live in the jungle although Malaysia is becoming a developed nation. The teacher had shown pictures of the indigenous peoples of Sabah, Sarawak and Peninsular Malaysia to demonstrate how primitive the indigenous peoples in Malaysia are and these people wear indecent clothes.

In Azlan's class, there is a student, Japit Anak Timbangan, who belongs to one of the indigenous groups. The teacher had commended Japit's father for being brave to leave his family and homeland in the jungle to work in Miri. If he had not, Japit and his father would be living in the jungle and indecently dressed.

*Case 6: Concealed Sufferings*

Julie had just returned from the clinic looking pale, weak and tired. This was the second time that she had gone to the clinic for an abortion. Since her uncle came to stay with them,

she had been frequently raped by him. The sexual abuse occurred because both of Julie's parents returned home late and sometimes they did not come home at all because of their work and business. Julie had informed her mother of her uncle's sexual abuse but her mother was not willing to make a police report because she did not want to bring shame to the family or for the neighbors to know of the abuse.

When her teacher asked Julie the reasons for her increasingly deteriorating school performance, she told her of the sexual abuse of her uncle. At first, she was unwilling to relate the incidences of rape because of the shame but finally she did as she could not stand the abuse any longer. Her teacher was shocked to hear of the sexual abuse and asked the principal's permission to make a police report. But the principal was not willing. She felt if the parents were not willing to lodge a report then the school should not interfere.

Life for Julie became increasingly stressful. Emotionally she was disturbed. She could not concentrate on her studies as her uncle continued with his sexual abuse. Julie thought of committing suicide because only with death could her trouble end.

Julie was only 15 years old. If she did kill herself, who is responsible?

## Annex II

### *Workshop II: Discussion of Educational Policies, Practices and Events*

#### Introduction

Malaysia has acceded to the Convention on the Rights of the Child (CRC) on 17 February 1995 and this means the Government has to ratify the CRC except for Articles 1, 2, 7, 13, 14, 15 and 37 on which Malaysia has reservations. The implications of the accession is that our educational policies, regulations and practices have to be in accordance with the Convention.

This workshop is for the participants to critically examine educational policies, procedures, school practices and happenings in schools to ascertain whether any of them violates the rights of the child. The objectives of this workshop are:

- i) To enable participants to become aware and understand the rights of the child as enshrined in the Convention on the Rights of the Child (CRC);
- ii) To provide opportunities for participants to discuss rights of the child that pertain to education;
- iii) To recommend steps to be taken to raise greater awareness so that the school community will heed the child's rights.

Each group is assigned a topic which pertains to a specific right of the child. The topics and their related activities are as follows:

#### Group 1: Compulsory and Free Education

##### *Article 28 of CRC: (paraphrased)*

The child has the right to education and the State is to ensure that primary education is free and compulsory, to encourage different forms of secondary education accessible to every child and to make higher education available to all on the basis of capacity. School discipline shall be

consistent with the child's rights and dignity. The State shall engage in international cooperation to implement this right.

Section 29A Education Act 1996 amended in 2002:

(2) Every parent who is a Malaysian citizen residing in Malaysia shall ensure that if his child has attained the age of six years on the first day of January of the current school year that child is enrolled as a pupil in a primary school in that year and remains a pupil in a primary school for the duration of the compulsory education.

(4) A parent who contravenes subsection (2) shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding five thousand ringgit or to imprisonment for a term not exceeding six months or to both.

##### *Questions:*

- i) According to the amended Education Act 1996, primary education is compulsory but not free. Parents will be fined for failing to register their primary school-going children and sending them to school. Is this fair?
- ii) Many are not aware that children with disabilities aged 6-12 years have also to register and be in school. If the school administrator does not accept a child with disabilities to study in the school based on the lack of facilities, has the administrator failed to comply with the Education Act and CRC?
- iii) Apart from children with disabilities, there are other groups of children who are not attending compulsory primary education. Who are these groups of children?
- iv) What steps can be taken to ensure that all children have access to primary education?

#### Group 2: Matlamat Pendidikan

##### *Article 29 of CRC: (paraphrased)*

Education shall aim at developing the child's personality, talents, mental and physical abilities

to the fullest extent. Education shall prepare the child for an active adult life in a free society and foster respect for the child’s parents, his or her own cultural identity, language and values, and for the cultural background and values of others.

*Questions:*

- i) Article 29 of the CRC is in accordance with the National Philosophy of Education. Does the educational system in Malaysia adhere to the National Philosophy of Education (NPE) and Article 29 of the CRC?
- ii) Most of the schools always give importance to academic performance only. Is this focus on academic results in compliance with the NPE and Article 29 of the CRC? Why?
- iii) Are social problems/ills and juvenile delinquency due to the school caused by insufficient attention to the NPE and Article 29 of the CRC?
- iv) What steps need to be taken to overcome the over-emphasis given to academic performance?

**Group 3: Right to Participation – Involvement in Decision Making Process**

Children’s rights in the Convention on the Rights of the Child is divided into four categories, namely, survival, development, protection and participation. Right to participation implies that children need to be involved in decision making on matters that affect them. **Article 12 of the CRC** also states that

The child has the right to express his or her opinion freely and to have that opinion taken into account in any matter or procedure affecting the child. (paraphrased)

The Table below displays the responses given by students, teachers and school administrators to the item on election of class monitor in a research conducted by SUHAKAM.

**Table: Responses to the Item, “Class monitors should be selected by teachers and not by students”**

	Total (%) of Respondents		Gender		Location		Form	
	N	Ms*	M %	F %	Urban %	Rural %	F2 %	F5 %
Student	28.2	0.2	31.1	26.0	29.9	26.4	31.8	25.3
Teacher	45.9	1.0	43.5	47.0	49.6	41.6		
Administrator	26.1	0.0	22.4	30.3	25.3	26.7		

Answer the following questions based on the findings shown in the Table:

*Questions:*

- i. Only 30% of the secondary school children agreed that the monitor be selected by the teacher and not by students. However nearly 50% of the teachers were of the opinion that the monitor be selected by them. Do you agree that students should be given the authority to choose their monitor? If yes, why? If no, why?
- ii. Why are teachers not in favor of giving opportunities to students to choose their monitor?
- iii. Adolescents are easily influenced by their friends to smoke and to play truant. Is this because students have not been trained to make decisions?
- iv. Under what conditions should students be given the opportunities to be involved in the process of decision making so that they are trained to think and make good decisions?

**Group 4**

*Article 19 of the CRC: Right to Protection (paraphrased)*

The State shall protect the child from all forms of maltreatment by parents or others responsible for the care of the child and establish appropriate social programmes for the prevention of abuses and the treatment of victims.

**Table: Number of Cases of Abuses of Children by Type of Abuse and Gender**

Type of Abuse	2004			2005			2006		
	M	F	Total	M	F	Total	M	F	Total
Abandoned baby	16	10	26	22	46	68	20	33	53
Neglect	296	267	563	306	295	601	355	327	682
Physical	214	231	445	219	212	431	224	271	495
Sexual	41	488	529	42	524	566	20	650	670
Emotional/psychological	26	37	63	34	43	77	13	37	50
Incest	3	27	30	7	50	57	1	48	49
Others	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>596</b>	<b>1,060</b>	<b>1,656</b>	<b>630</b>	<b>1,170</b>	<b>1,800</b>	<b>633</b>	<b>1,366</b>	<b>1,999</b>

Source: Department of Social Welfare

The Table above shows the number of cases of abuses of children in 2001-2003.

*Questions:*

- i) The data shows that the number of children being abused has increased every year. What is the role and responsibility of the school in protecting children from all forms of abuse?
- ii) Hassan has been physically abused by his mother and his father did not bother. Su Lin was sexually abused by her father and her mother did not believe when Su Lin told her mother about the abuse. Josef always played truant and did not complete his homework because his parents were too busy to care. The school had knowledge of these three cases. What is the responsibility of the school towards the three students?
- iii) In all three cases, if there is no intervention from any quarters, it is possible that they will suffer from physical harm, emotional disturbance and psychological and/or social problems. If they do, who is responsible?
- iv) What measures can be taken so that abuses can be reduced or contained? At this moment, school is not mandated to make reports of abuses to the police. Should it be made mandatory?

**Group 5: Cruel Treatment**

*Article 37 of the CRC: Torture and Deprivation of Liberty (paraphrased)*

No child shall be subjected to torture, cruel treatment or punishment, unlawful arrest or deprivation of liberty. Both capital punishment and life imprisonment without possibility of release are prohibited for offences committed by persons below 18 years.

Mrs. Lim is a very committed and dedicated English teacher who wanted her students to do well in their examinations. She always made sure that the students gave their full attention during class. One day, one of her students, Helmi persistently refused to pay attention and kept on disrupting the class and disturbing their concentration in spite of repeated warnings from Mrs. Lim. She was so angry that she took a ruler and hit him more than ten times on his palm.

*Questions:*

- i) Mrs. Lim’s intention was to make Helmi pay attention and learn and to stop him from depriving others of the opportunities to learn. Is the action of Mrs. Lim justified? Why?

- ii) Is there a more effective way for Mrs. Lim to discipline Helmi?
- iii) Should teachers be given the authority to cane students to discipline them?
- iv) It is reported that (a) discipline in school has become increasingly worse, (b) students have no respect for teachers because they do not have much power and status, and (c) students and parents have threatened teachers and schools with legal action if they discipline their children by caning. What measures can be taken so that these three incidences can be reduced or even contained and the rights of both teachers and students can be upheld?

### Endnotes

<sup>1</sup> United Nations Educational, Scientific and Cultural Organization & Office of the United Nations High Commissioner for Human Rights (2006). *Plan of Action World Programme for Human Rights Education First Phase*. Paris: UNESCO.

<sup>2</sup> Human Rights Commission of Malaysia (2006). *Research on Knowledge and Practice of Human Rights in Secondary Schools*. Kuala Lumpur: Author.

<sup>3</sup> Human Rights Commission of Malaysia (2006). *Research on Knowledge and Practice of Human Rights in Secondary Schools*, Kuala Lumpur: Author, page 68.

<sup>4</sup> Human Rights Commission of Malaysia (2006). *Research on Knowledge and Practice of Human Rights in Secondary Schools*, Kuala Lumpur: Author, page 83.

<sup>5</sup> The Convention on the Rights of the Child is one of the five UN human rights conventions that Malaysia has signed and ratified. The other is the Convention on Elimination of All Forms of Discrimination against Women. The other three are minor human right conventions or treaties.