

# What is 'Discipline' in the Age of Children's Rights?

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# What is 'Discipline'?

- Control obtained by enforcing compliance or order.
- A state of order based on submission to rules and authority.
- Punishment intended to correct or train.

*(Free On-Line Dictionary)*

- Control that is gained by requiring that rules or orders be obeyed and punishing bad behavior

*(Merriam-Webster)*

- The practice of training people to obey rules or a code of behaviour, using punishment to correct disobedience

*(Oxford Dictionary)*

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# And yet . . .

'Discipline' comes from the Latin word,  
*"disciplina"*

Teaching

Education

Study

Knowledge

# Two World Views

Shaping

Unfolding

Compliance

Autonomy

Punishment

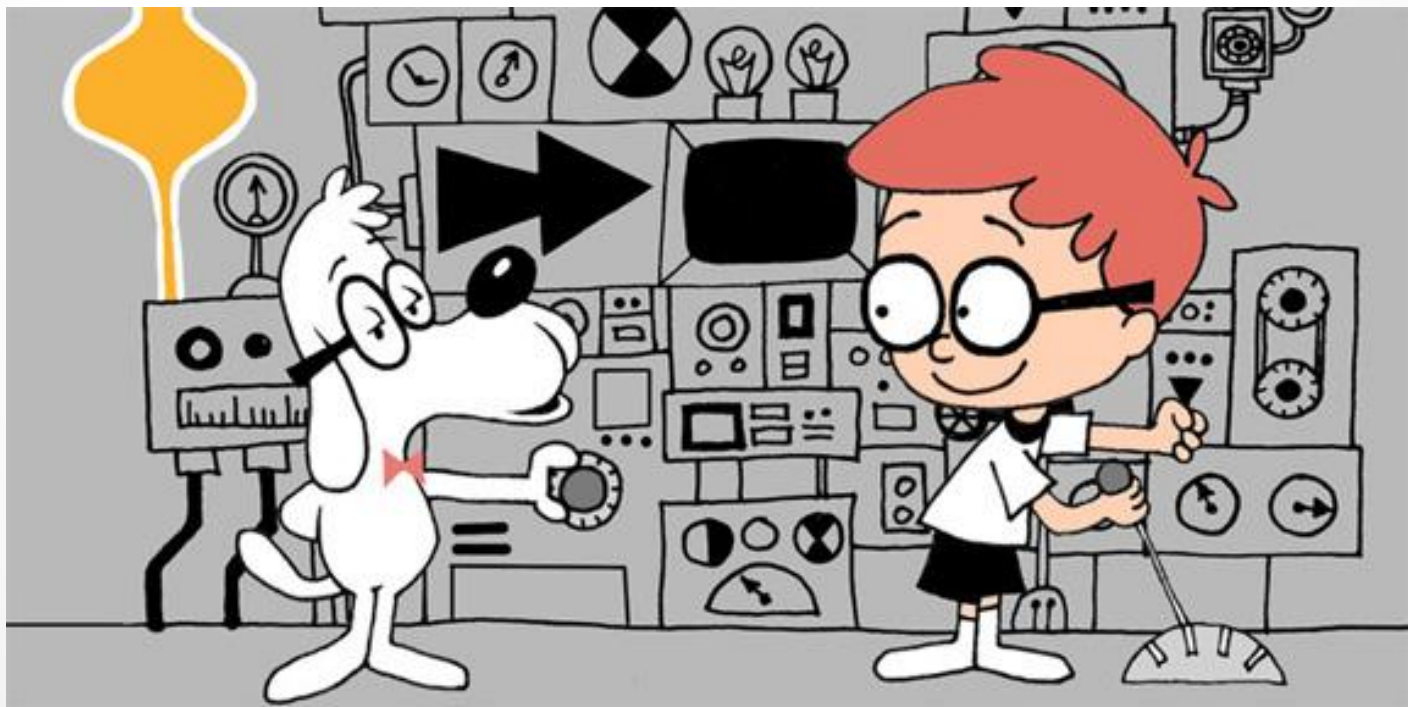
Mentoring



# A Brief History of Discipline in Canada



Sherman, set the wayback machine  
to ancient Rome



# In Ancient Rome . . .

Fathers had complete power over the household.

They could:

- Execute their children
- Expose their newborns
- Buy and sell children
- Inflict corporal punishment





# And then in 365 AD . . .

- Corporal punishment was restricted to minors
- Extremely severe punishment was prohibited





Over the centuries,  
Roman law enters  
English Common Law.

Protection for children  
becomes a justification  
for adults.

Whippings are not punishable  
if imposed by a master or parent  
(unless they are immoderate)  
since they are taken to be inflicted to correct  
not injure.  
(Bracton, 1250)

Moderate chastisement is a power of the father  
to lawfully correct his child being under age,  
in a reasonable manner,  
for this is for the benefit of his education.  
(Blackstone, 1770)

# Then came Hopley's Case, 1860

A boarding school master obtained permission from a 13-year-old pupil's father to "chastise him severely."



Hopley flogged the boy  
with a heavy brass-tipped stick for 2 ½ hours.

The boy died.

Hopley was convicted of manslaughter.

# Court's Ruling in the Hopley Case

*A parent or a schoolmaster ...  
may for the purpose of correcting  
what is evil in the child  
inflict moderate and reasonable  
corporal punishment,  
always, however, with this condition,  
that it is moderate and reasonable.*

1892

# Criminal Code of Canada

*It is lawful for every parent,  
or person in the place of a parent, schoolmaster  
or master,  
to use force by way of correction towards  
any child, pupil or apprentice under his care,  
provided that such force is  
reasonable under the circumstances.*

# 1955: Masters are removed from the defense



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or person in the place of a parent, schoolmaster  
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any child, pupil  
or apprentice under his care,  
provided that such force is  
reasonable under the circumstances.  
Section 43, Criminal Code of Canada*

# 1960s:

## Physical Punishment is the Norm

- Spanking at home
- Strapping in schools





- 1957 – 1967
  - An average of 30 strappings a year were administered in federal penitentiaries, both as discipline and as judicial sentences

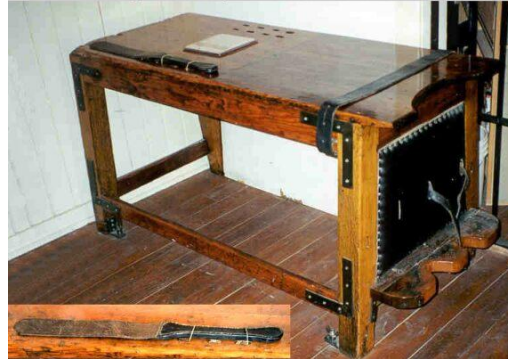


The Criminal Code of Canada provided for the punishment of whipping of male convicts until 1972. Whipping was of two forms: lashing with the cat-of-nine-tails on the bare back, or padding on the bare buttocks with the leather paddle. The court could direct which form of whipping would apply. The paddle was almost always the instrument of choice as it was assumed erroneously to be the less severe punishment. The whipping frame here was used to secure a prisoner upright for the application of the cat-of-nine-tails. The prisoner's feet went through the spaces at the base of the frame and his ankles were secured to the frame by straps. His wrists were similarly secured over his head. The cat-of-nine-tails is hanging just below the center of the frame.

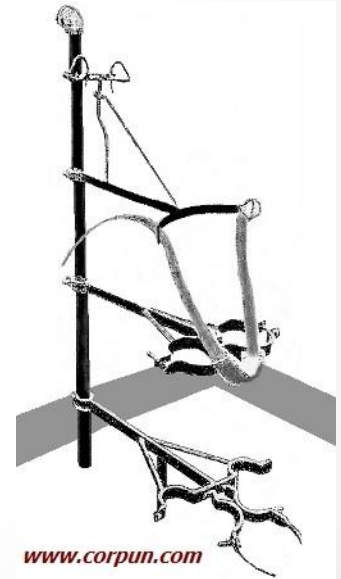
Whipping frame for use with cat-o'-nine-tails

- as judicial sentence

Padding Table of the type used in Canadian Penitentiaries until 1968 when the regulations authorizing corporal punishment in penitentiaries were repealed. The paddle or strap is enlarged for detail. This table and strap were probably made in about 1912 when the penitentiary from which it was taken was built.



Canadian Penitentiary  
“Paddling Table”

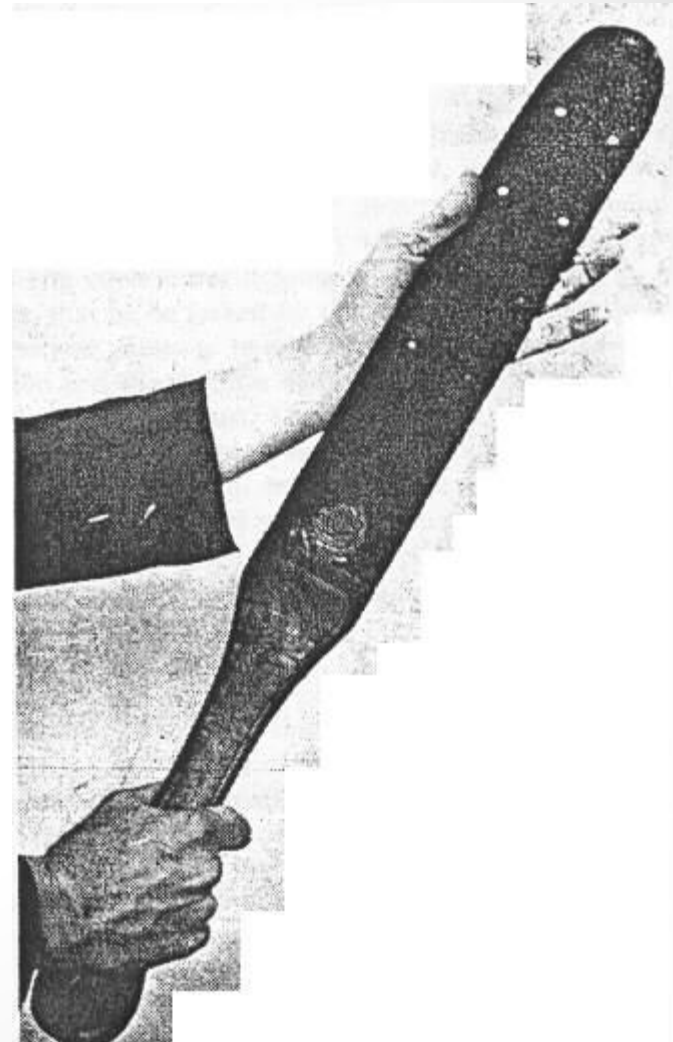


[www.corpun.com](http://www.corpun.com)

Ontario “Strap Machine”

# 1970s: A Reformation

- 1972
  - Corporal punishment abolished as a judicial sentence



- In schools and homes, physical punishments are replaced by other punishments

isolation (time-out rooms)

removal of objects, 'privileges' (e.g., recess)

segregation (standing in hallway)



# 1980s: The Age of Behaviour Modification

- Training through
  - Rewards and incentives
  - Sticker charts
  - Response cost
  - Extinction (ignoring)
  - Competition for rewards
  - Non-physical and group punishments



# Discipline According to the Behavioural Model

- Shaping
- Compliance
- Punishment and Rewards



# Problems with the Behavioural Model

- Discipline = training
- External rewards decrease intrinsic motivation
- Punishments erode confidence and initiative, create fear
- The underlying reasons for behaviour are ignored

# Problems with the Behavioural Model

- Compliance prioritized over understanding, autonomy, creativity
- Competition fuels bullying and exclusion

What is really being learned???





# 1990s: The Age of Brain Science

Integrated neural pathways

Relationships

Communication

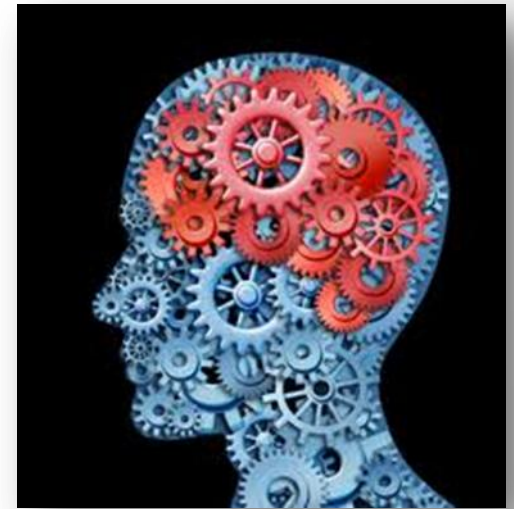
Empathy

Stress circuitry

Co-regulation

Curiosity, creativity, innovation

Scaffolding

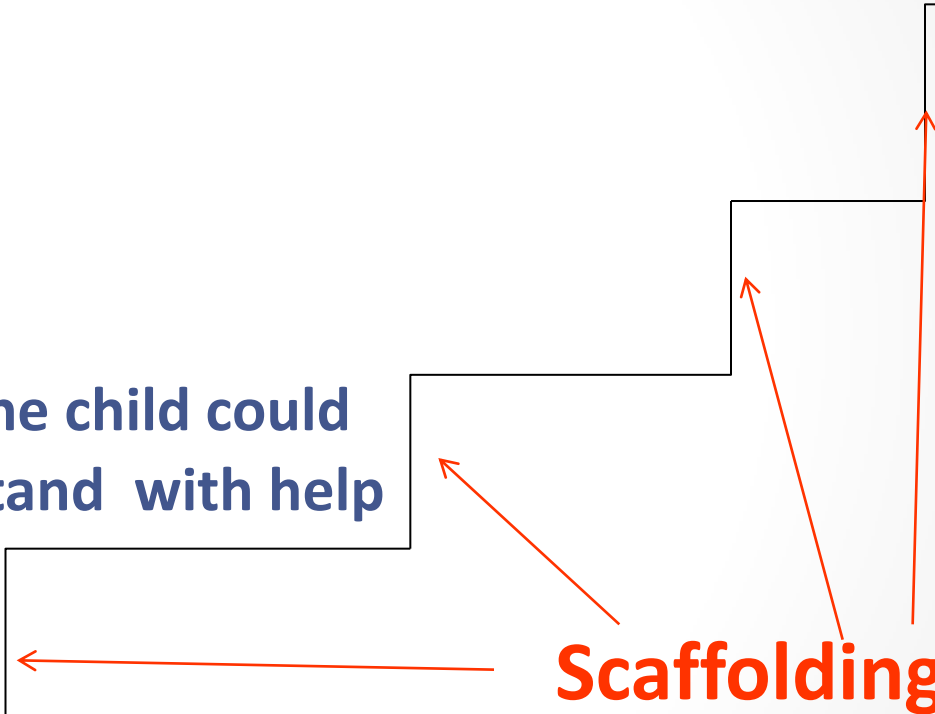




What the child could understand with help

What the child understands now

**Scaffolding**



# The New Millenium: The Age of Children's Rights

- Children as:
  - Autonomous persons with valid perspectives
  - Active contributors to solutions



- **UN Convention on the Rights of the Child**
- Ratified by Canada in 1991
- Supercedes domestic law

# The 3 Pillars of Children's Rights

## The Right to Provision

Safety &  
security

A respectful  
learning  
environment

## The Right to Protection

From  
violence

Of dignity

## The Right to Participation

Inclusion

A voice

# Discipline According to the Neuroscientific and Child Rights Models

Unfolding

Autonomy

Mentoring



# What Is Rights-based Discipline?

## The Right to Provision

Safety &  
security

A respectful  
learning  
environment

Freedom from fear.

Empathy, understanding, trust.

Mentoring, scaffolding replace  
power-based punishments.

Respect for the child's level of brain  
development.

Understanding the child's perspective.

Co-regulation over compliance.

Learning over 'misbehaviour.'



# What Is Rights-based Discipline?

## The Right to Protection

From  
violence

Of dignity

No physical or emotional punishment.

Respect for children's humanity,  
individuality, competence, self-respect.  
Encouragement of independent  
thinking.

# What Is Rights-based Discipline?

The Right to  
Participation

Inclusion

No isolation, ignoring, depriving children of social interaction or love.

A voice

Listening actively to children.  
Engaging children in problem solving.

# Imagine . . .

- Your work day began at 8:00 this morning. It's now 5:30 pm and you are returning home, tired and hungry. Throughout your day, you had several conflicts with your colleagues and your boss, you were given tasks beyond your skill level, and you were unable to finish an important project before the end of the day. You're looking forward to being home and getting comfort from your partner.

- When you walk through the door, you see your partner preparing dinner in the kitchen and you feel better already. You say, “I had a lousy day and I really need to talk.” Your partner says, “Well you’ll just have to wait because I have to get dinner on the table.” You try to understand, and move in for a hug. Your partner says, “I can’t make dinner with you clinging to me. Go somewhere else and calm yourself down.”

- Unable to contain your emotions any more, you burst into tears. All of the frustrations of the day pour out of you. Your partner says, “I can’t talk to you when you’re like this. Go and sit in the bathroom until you calm down.”
- So you go and cry it out in the bathroom. When you come back to the kitchen, your partner acts as though nothing had happened and still doesn’t ask you about your day. Over dinner, you talk about your partner’s day and then you watch TV together and go to bed.

- **How do you feel?**
- **What does your behaviour look like?**
- **What is happening to your relationship?**
- **What do you need?**

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# Imagine . . .

- A week later, you have another bad day. You long to talk with someone who will understand. Rather than going home after work, you go to the home of a friend who greets you at the door, gives you a hug, and welcomes you in. You say, “I had a lousy day at work and I’d really love to talk.”
- Your friend gives you another hug and says, “I’ll make us a pot of tea and we can sit and talk for as long as you need to. Maybe together we can figure out the problem and think of some solutions.”





- **How do you feel?**
- **What does your behaviour look like?**
- **What is happening to your relationship?**

# The Power-Based Approach

Attribution

- Child is misbehaving, bad, defiant, non-compliant, disrespectful

Emotional Response

- Frustration, anger, blame

Theory of learning

- Children learn through consequences

Response

- Punishment

# A Rights-Based Approach:

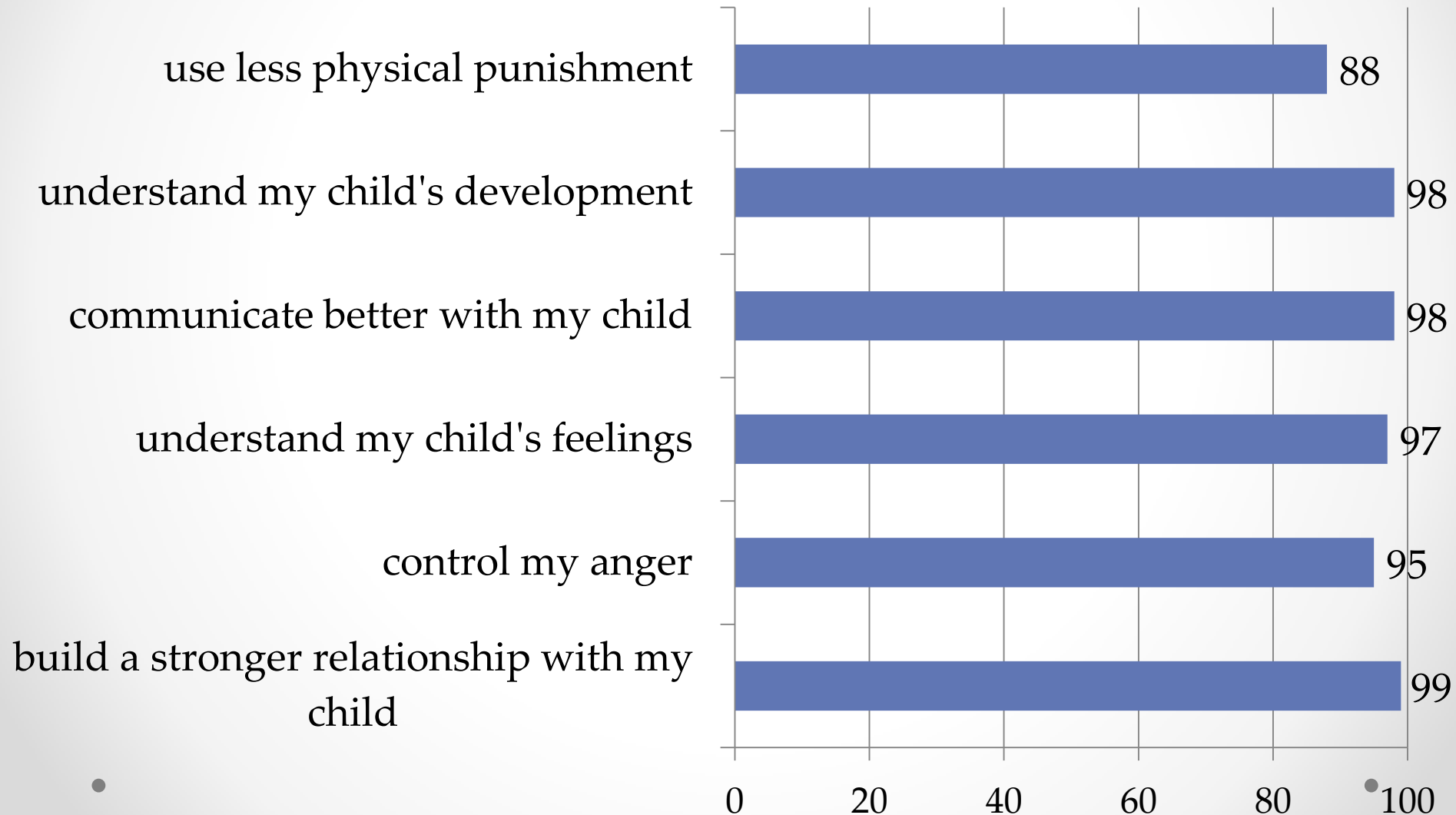
## Positive Discipline in Everyday Parenting

1. What is my long-term goal?
  - To foster empathy, respect for others, problem-solving skills, strong relationship
2. What is the child's perspective?
  - Consider cognitive level, emotional understanding, language ability, temperament
3. How can I set the stage for learning?
  - Reassure, listen, co-regulate
4. How can I scaffold the child's understanding?
  - Explain, engage child in problem solving



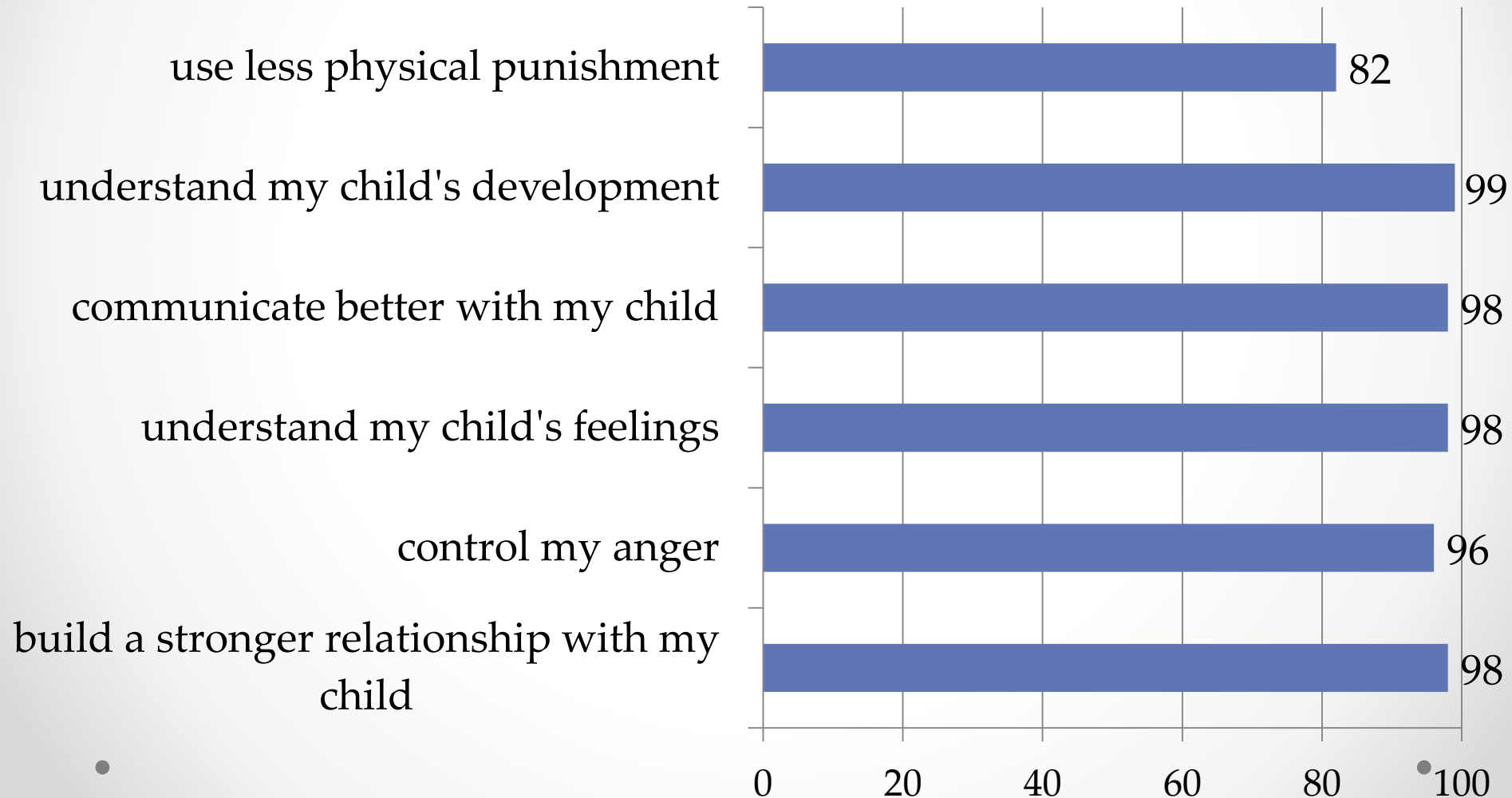
# 650 Parents in Canada (ON, MB, SK, AB)

**% Agreeing that "PDEP will help me to:"**



# 639 Parents in Australia, Gambia, Georgia, Palestine, Philippines, Solomon Islands, Sweden

**% Agreeing that "PDEP will help me to:"**



# The Evolution of Discipline

Power  
Scaffolding

Coercion  
Collaboration

Control  
Problem-Solving

Mentorship  
Punishment