

Violence Against Children: Corporal Punishment

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Abstract

This essay will investigate the issue of corporal punishment against children as a method of discipline. Studied through the perspective of human and children's rights, corporal punishment has been undressed of its traditional misleading layers and is exposed as being a method that does not respect children's rights. However, when we investigate the social attitudes towards corporal punishment, we confront the actual dimensions of the problem: in many countries around the world, whether developed or not, corporal punishment is a socially accepted method of discipline. In order to gain a deeper understanding as well as explore the deeper roots of corporal punishment and violence against individuals and children, this essay examines briefly the issue under a historical perspective. It then discusses the effects of corporal punishment including data and research findings that were carried out about this issue. Before concluding, the essay makes some recommendations that evolve around changing the misconception between discipline, which is necessary for bring up a child, and punishment, a practice that should be legally banned all over the world. Education and awareness-raising campaigns could aid towards this end.

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Introduction

During the last few decades, the use of corporal violence against children as a technique of discipline has become an issue of research, of social politics, of legislative reforms and controversy. International researches have repeatedly shown not only how extended and systematic is the use of violence against children, but also what are the negative effects produced by violent practices in terms of the individual, the family, the society.

When arguments like “a little slap cannot do any harm” are used to defend the right of parents to use violence to discipline their children, one can point out that it is in the same line of reasoning used to ‘excuse’ other forms of violence, which are not tolerated anymore, at least in western societies. However, no matter what the arguments are, corporal and non-physical violence of children is actually a violation of children’s fundamental human rights to respect for human dignity and physical integrity recognized by all relevant international human rights instruments and monitoring mechanisms, including the United Nations Convention on the Rights of the Child (2006).

This essay will explore the origins of violence against children, will bring forth research findings that shed light to the circumstances under which children are exposed to violence, will comment on the social approval of such violence and the arguments for the use of violence as a discipline method and will discuss the negative impact violence has on children. It will also make recommendations and suggestions for the elimination of violence against children in the domestic and non-domestic sphere, by clearing defining discipline and punishment.

Children’s Rights

Children have the same rights as adults to respect for their human dignity and physical integrity and to equal protection under the law. The 17 out of the 47 member states of the Council of Europe in October 2007 banned legally corporal

punishment of children at home, at school, in care institutions or in places of detention (Council of Europe, 2007). The issue of course is not a regional one, but a global goal. The United Nations Committee on the rights of the child set a target in 2006 for achieving universal abolition of corporal punishment by 2009 (Council of Europe, 2007) and more than a third of member states had achieved prohibition, and at least eight others had committed to themselves to full reform. One way of defining corporal punishment is as any action taken to punish a child, which, if directed at an adult, would constitute an unlawful assault. However, for the violence directed to children, other words have been devised which might make adults more comfortable. The Committee on the Rights of the Child (CRC), the monitoring body of the United Nations Convention on the Rights of The Child (UNCRC) has emphasized that human rights require the elimination of all corporal punishment, however light, as well as all other cruel or degrading punishment. In a Committee's general comment (2006) corporal punishment is defined as *"any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light. Most involves hitting ("smacking", "slapping", "spanking") children, with the hand or with an implement – a whip, stick, belt, shoe, wooden spoon, etc. But it can also involve, for example, kicking, shaking or throwing children, scratching, pinching, biting, pulling hair or boxing ears, forcing children to stay in uncomfortable positions, burning, scalding or forced ingestion (for example, washing children's mouth out with soap or forcing them to swallow hot spices). In the view of the Committee, corporal punishment is invariably degrading. In addition, there are other non-physical forms of punishment that are so cruel and degrading and thus compatible with the Convention. These include, for example, punishment which belittles, humiliates, denigrates, scapegoats, threatens, scares or ridicules the child"* (2006).

In addition to the UNCRC, other international instruments also require action against corporal punishment: The UN Universal Declaration of Human Rights (Article 7) and the UN International Covenant on Civil and Political Rights (Article 26) guarantee all people, without any discrimination, equal protection under the law; the Universal Declaration and International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights also emphasize on children's rights to special care and protection (Articles 25, 24, and 10). The UN human

rights treaty bodies, which monitor compliance with the covenants, have condemned corporal punishment of children when examining state's reports (Council of Europe, 2007:19).

Despite the international legislative framework, many countries do not provide children with the same protection as adults. The fact that corporal punishment happens primarily within a family renders it a hidden issue. Researches carried out in many countries have brought into light very high rates of assault of children of all ages, including babies (Council of Europe, 2007: 69-70). What is more, according to the Convention on the Rights of the Child (2006), punishment can take place *“in many settings, including within the home and family, in all forms of alternative care, schools and other educational institutions and justice systems, both as a sentence of the courts and as a punishment within penal and other institutions, in situations of child labor, and in the community”*.

Social Acceptance of Corporal Punishment

For many parents, corporal punishment remains an acceptable intervention and most of them report that they have spanked their children (Straus & Gelles, 1988). In fact in the States, 97% of parents asked reported that they have used a mild form of corporal punishment, such as smacking, slapping, pinching (ibid.) in most countries worldwide, many children, even babies, are still subjected to corporal punishment at home, while some of them suffer death or serious injuries (GIEACPC). In many countries, teachers are still authorized to beat pupils with canes while corporal punishment is also used in residential institutions and children's workplaces (ibid). The judicial system of at least 50 countries allow for children to be sentenced to various forms of corporal punishment such as whipping or flogging. In the appendix, some data are included to show not only the practices and legislation of countries about corporal punishment, where one could expect that in more fundamentalist and religious countries, corporal punishment would be an accepted method, but also some interesting findings about the attitudes in more developed and western countries.

The wide social acceptance of corporal punishment as a discipline method is a

result of the fact that it is part of the culture and the beliefs about childrearing, family values and freedom. Americans, according to Straus (2001), believe that at least in moderation, the use of corporal punishment has few, if any, harmful effects. This social and legal sanction provided to corporal punishment for many years has been rooted deeply in the culture. And it is not only parents, but many authors of books on childrearing that support the use of corporal punishment as well (Straus, 1994). In fact, Straus (1994) found that of 10 widely used textbooks on child development, only one argued against the use of corporal punishment. Moreover, Carson (1986) examined 31 of the most popular child rearing advice books, finding that while 35% advised against the use of corporal punishment and 35% ignored the subject altogether, 30% encouraged the use of corporal punishment.

The supporters for the use of corporal punishment usually argue that the administration of corporal punishment is a powerful way of stopping misbehavior, while it is an easy and simple technique. Another argument is that excessive permissiveness, both in childrearing and school punishment, has directly contributed to social problems such as drug taking, delinquency and lack of respect for authorities, e.g. parents and teachers (Dobson, 1970/1992). The position advocated by Dobson is that schools acting in loco parentis (instead of parents) have the right to maintain control in the classroom, even if it requires an occasional application of corporal punishment (Dobson, 1970:118). In the same line of defense, others support that corporal punishment *“has nothing to do with cruelty and would help deter school bullies, minimize classroom disruption and restore some of the lost authority of the teaching profession”* (The Daily Telegraph, 1996). Among the supporters are also scientists who introduce assumptions that spanks or slaps using an open hand are normative (Baumrind et al, 2002). These scientists support their arguments with the fact that some researches do not show a direct link between the absence of corporal punishment and positive effects on children and the society. Indeed, several studies have found corporal punishment to be less associated with negative outcomes than are other discipline techniques (ibid). However, this does not mean that there are any positive effects linked with corporal punishment, so it cannot be recommended as a method of controlling children (Gershoff, 2002).

Historical Perspective

Historian Lloyd de Mause has claimed “*the history of childhood is a nightmare from which we have only recently begun to awaken. The further back in history one goes, the lower the level of childcare, the more likely children are to be killed, abandoned, beaten, terrorized, and sexually abused*” (1974:1). Despite the strong and provocative rhetoric used, there is evidence that corporal punishment has long been an accepted form of socialization in both homes and schools. L. Stone has also claimed “*severe flogging was a normal and daily occurrence in the grammar school*” and “*whipping was the normal method of discipline in a 16th or 17th century home*” (quoted in Donnelly & Straus, 2005:46). J.H. Plumb argued that before the 18th century “harsh discipline was the child’s lot, and they were often terrorized deliberately” (1975:66).

The use of corporal violence, according to many social theorists like Durkheim, and Foucault, is linked with the phenomenon of violence within society and within families. The roots for the use of force as a discipline technique are found throughout religious and legal institutions as well as embedded in the social-cultural foundations of society. Punishment was, and still is, closely tied with worldviews about the relationship between parents and children, god and man, and the necessity of protecting the child from sin. Puritan teaching linked the harsh physical punishment of children to the concept of original sin (Montgomery, 2009:157).

For a full understanding of the attitudes towards corporal punishment, like any other social aspect, a historical perspective is necessary. Fear of the rod was the educational legacy handed down from the earliest societies to modern Europe. Social and religious attitudes supported it and primitive tribes were frequent users. Durkheim (1964) and Foucault (1977) suggested that punishment procedures signaled a fundamental break in social organization. Durkheim (1964) supported that more ‘primitive’ societies were unified by themes of shared identity expressed in strict penal laws and reinforced in rituals of severe

punishments. In those early civilizations, where a formal literary education was also instituted, punishment could have been the universal procedure for maintaining discipline and enforcing learning. Probably the earliest record of justification for its use is that found in the Old Testament, as Gibson (1978) argues mentioning the phrase “spare the rod and spoil the child”, where it is advocated as necessary for saving the child’s soul from damnation because of ignorance or error. Among the ancient Greeks and Romans it was accepted as the usual practice, possibly reinforced by the desire to develop hardiness and instant obedience. An extreme case of this latter was to be found among the Spartans. During the Middle Ages it was in general use supported by religious beliefs and popular opinion.

Only a few voices were raised against corporal punishment before modern times. Plato, though not consistent, opposed it on one occasion (Stanford Encyclopedia of Philosophy) while the strongest voices against its use were those of Quintilian and Plutarch, their main objection being that it debased the receiver; but they also maintained that it was a poor teaching method in that it did more to prevent learning than to help it. Among early societies it is difficult to separate its use as an overworked practice from religious purgation, sexual stimulation, the general violence of the times and an easy method of compulsion in place of more subtle teaching methods. There was unlikely to be any reform until a sophisticated methodology of teaching was developed and the concepts of the child’s nature and rights were changed.

According to Foucault (1977), the practice of punishment under law reflects the general forces in society, that is the dominant forms of social and political power, that is the power to threaten, to coerce, to suppress, to destroy, to transform; the power that prevails in any given epoch (Stanford Encyclopedia of Philosophy). In our modern society, which has significantly humanized the forms of punishment, he saw the prison as an exemplar of a new technology of power that became more generalized in the 19th century, that is, the disciplinary organization of space for the purpose of governing potential unruly masses of people. For Foucault (1977), punishment is a form of exercising power, which has a historical, socioeconomic and psychodynamic perspective, while for his predecessor Nietzsche (1887)

understood punishment as a way of over determining the utilities of every sort and identified the desire to punish, that is exercise force towards other people, as being deeply rooted in the human nature.

On the other hand, there was Rousseau who denied the idea of this innate instinct and affirmed the inherent natural goodness of children, who do not need to be punished; rather, they need to be guided. In his book *Emile* written in 1762, Rousseau applied his ideas to education: “*God made all things good; man meddles with them and they become evil*” (Rousseau, 1914:5). He believed that in educating the innocent and amoral child, it made no sense to punish it: “*Before the age of reason we do good or ill without knowing it, and there is no morality in our action*” (1914:34). If a child committed some wrong action, such as breaking a household object, Rousseau blamed the parents for leaving it within the child’s reach. In Rousseau’s ideas, one can detect the aftermath of the Enlightenment and the domination of Reason, which demanded a reform in juvenile justice and the establishment of more scientific ways of punishment.

Having said all that though, the issue of corporal punishment, especially of children, continued to be largely ignored, because, as Bosworth cautions, was and still is an emotional subject: “*A historical piece of research provides a unique opportunity to consider the morally troubling subject matter of punishment by revealing the longevity of the symbolic and actual violence and suffering that rests at the core*” (Bosworth, 2001:437, cited in Gard, 2009). The attitude towards punishment, even during the age of Revolution and modernity, changed only at the judicial level. At school and home, children had to be punished as such: “*Working class parents who refused to use corporal punishment themselves and who disagreed on principle with the caning of their children were often ridiculed by magistrates, education committees and teachers, who viewed this gentle approach as evidence of a failure of parental duty. It was often commented that it was folly for working-class parents to object to punishments that were taken in good spirit by public school boys and their parents*” (Humphries, 1981:252). We can realize that corporal punishment was, and in many countries and traditions continues to be an accepted form of child discipline. Beliefs such as “*children who are not spanked become spoiled or run*

wild", *'parents spank rarely or only for serious misbehavior'*", are still widespread (Dorpat, 2007:140-142) and used to justify a method that has, under no circumstances, been proven to work.

The Effects of Corporal Punishment on Children

Having realized the extent to which children experience corporal punishment, the next question to be asked is about the effect it has on children's physical, mental and emotional health. Indeed, corporal punishment is consistently associated with numerous negative outcomes for children. There are both short and long term effects of corporal and psychological punishment on children. Corporal punishment can lead to physical injury and has been associated with many negative outcomes in social behavior, including aggression, poorer relationships, behavior problems, lack of acceptance by peers, crime and delinquency.

Research findings of some extensive studies on the effects of corporal punishments by parents could answer many questions and doubts. Of course, one has to bear in mind that such studies rely on parents' willingness to report and share with researchers the fact that they have been using violence against their children, which means that this kind of violence, seen during all times at different social settings, is socially acceptable and parents will provide all the information necessary to researchers in order for them to arrive at well-established findings about the regularity or the severity of punishment.

Many studies have produced evidence that links physical punishment and later aggressive or criminal behavior as well as the extent to which children are hit and their intellectual development. A 1998 study of almost 1000 children by Straus strongly suggests a causal relationship between the extent to which toddlers receive physical punishment and their cognitive test scores at the age of four. The study took into account other variables such as father's presence, mother's education and the extent of cognitive stimulation and support provided by parents (Straus & paschal, 1998). A landmark meta-analysis of 88 studies of the correlates of typical forms of corporal punishment by E.T. Gershoff (2002b)

demonstrates that corporal punishment predicts numerous negative outcomes and no positive long-term outcomes. It is a predictor of poorer child mental health (12 of 12 studies), eroded parent-child relationships (13 of 13 studies), weaker internalization of moral standards (13 of 15 studies), increased child aggression (27 of 27 studies), and increased child anti-social behavior (11 of 12 studies). In addition, these outcomes persist into adulthood. Corporal punishment is associated with poorer adult mental health (8 of 8 studies) and higher levels of adult criminal and antisocial behavior (4 of 5 studies).

A significant conclusion of the research literature is that corporal punishment is closely tied to family violence in many ways. First, most physical abuse is corporal punishment (Gil, 1970; Kadushin & Martin, 1981; Troeme et al. 2001). Corporal punishment was found to be a risk factor for physical harm in all of the 10 studies of this relationship examined in the 2002 meta-analysis by Gershoff. The intensity of corporal punishment can easily intensify, both within a single occasion and over time. Indeed, children who are physically punished are many times more likely to experience severe violence than those who are not punished physically (Clement et al. 2000). What is more, the experience of corporal punishment in the early years of life can change one's definition of violence, that is, children who have been very strictly punished may grow up to believe that their experiences were normal (Knutson & Selner, 1994). These notions, in turn, increase the likelihood of maltreatment continuing. In fact, Gershoff's meta-analysis reveals that children who are physically punished are more likely to grow up to abuse their own children or spouses (5 of 5 studies).

According to Straus & Donnelly (2001:9) "*corporal punishment has an important effect on the well-being of children, the family, and indeed the society*". The traumatic experience of violence at a very young age is detrimental for the child's personal development and can lead to lifelong problems such as depression and suicidal thinking: "*For a child who can barely walk or talk (the age at which children are more likely to be hit), it can be truly traumatic if the most loved and trusted figure in the child's life suddenly carries out a painful attack*" (op. cit. 10). Apart from the traumatic effects suffered at an individual level, corporal punishment may contribute towards the legitimization of other forms of violence

(ibid). The socially approved legal violence used during childhood may destroy other later relationships where the use of violence is not legal. If someone is used to experiencing other methods than listening and reasoning, such as corporal punishment and violence, later in life, when he/she cannot get his/her message across, he/she will resort again to violence.

However, there are researchers that do not support the abolition of corporal punishment against children and are disputing against research findings, proposing inadequacies in the studies, methodological weaknesses as well as the no direct causal link between physical punishment and detrimental child outcomes (Baumirind et al. 2002). What they also put forward is the use of moderate corporal punishment and not extreme punishment. Again, the use of concepts such as “normative spanking” (ibid) may sound dangerous and risky. These types of arguments are supported by ideas that children cannot suffer the serious harm of personal indignity caused by the painful and humiliating effects of corporal punishment. According to Mill (cited in Turner, 2002:72), since only adults or true persons are subject to such pains or humiliation, this ‘law of nature’ implies only adults need protection from them. All these arguments not only stand out against human and children rights, but also keep these hidden issues under the veil of misconception and stereotypes. What cannot be overlooked is the fact that all forms of physical punishment are a violation of basic human rights.

Recommendations and Suggestions

Discipline is not Punishment

While it is really difficult to talk about punishment, it is a very important issue. As an issue it may arise strong feelings and values, based on thousand years of tradition. The most important problem though arises from the confusion between discipline and punishment. While there can be similarities found between those two concepts, the differences do have significant implications for raising, teaching and treating children. The etymology could help us distinguish between the two

words. Discipline is related to the word disciple, or follower. Therefore discipline is the knowledge that is given by a leader to his followers. On the other hand, punishment come from the verb to punish which can trace its roots all the way back to the Latin word for penalty or great loss. We can see through the definitions as well as the practices of our society how corporal punishment overvalues pain as method of creating a good behavior and consequently undervalues children.

Indeed, many parents, along with educational and judicial systems, have incorporated corporal punishment into an acceptable norm. What is also a fact is that children do misbehave and parents need to use a method that will be not only efficient but will also respect the rights of the individuals. When parents refrain from using corporal (and psychological) punishment does not mean that they give up discipline. Discipline is necessary, not only for the safety and well being of the child but also for his/her social, emotional and cognitive development (Save the children, 2008).

On the other hand, punishment, traditionally, is something that someone in authority imposes on someone else as a penalty for a misdemeanor. It is something done to people to make them feel punished enough to pay for their misdeed. These kinds of punishments are not always effective in changing behavior. Actually, punishment is something that happens to the person, rather than something that should be done to behavior. Corporal punishment makes children feel punished and guilty and it might have little or no effect on their behavior.

It is necessary to distinguish between discipline, that is, instruction and guidance, and punishment, that is, response suppression. Punishments are not means of achieving discipline, they cannot constitute discipline, nor can they be expected to achieve long-term moral internalization (Gershoff, 2002a). When we talk about childrearing, discipline means focusing on what the children need to do in the future, relating the strategies directly to the misbehavior, helping the child to develop self-discipline and learn how to become responsible by accepting the natural or logical consequences of the misbehavior.

What is also necessary is realize why children are being punished. According to “Perception of Children on Parental Practices” (Save the Children, 2008), children themselves described the reasons for their punishment: *“not obeying their elders, talking back to their parents, refusing to listen to their parents, being stubborn on any matter, not wanting to go to school, not wanting to do any household work, going to places without taking permission of parents, telling lies, stealing, fighting with siblings or peers, not coming back at the right time, accidentally breaking household goods, spending the night out, smoking, spending money unnecessarily, and even for getting hurt while playing”*. To all the above problems, the answer cannot be violence. Otherwise violence will register in the child’s mind as an accepted behavior. Corporal punishment may bring about immediate compliance because of fear, but children will not remember and be able to link the reasons for their punishment. As the article continues (Save the Children, 2008), the next paragraph starts with bolds letters saying that children wished that their parents would explain more about what they expected from them. Children themselves recommended *“parents should be taught how to discipline and raise their children without resorting to violence”*.

Education & Campaigns

Sajkavska & Wojtasik (2004) suggest that the key to changing attitudes and people’s behavior is education. Public education and public education campaigns can help bring to light the problems and negative consequences of corporal punishment. Such campaigns should use arguments that can persuade society that corporal punishment is a poor childrearing method, help in educating the parents about what is good parenting and in lobbying for the legal protection of children against corporal punishment. (Sajkavska & Wojtasik, 2004:12). Another point that should be made through these campaigns is the irrationality of corporal punishment. When parents are informed about what is best for their children, they would be irrational not to practice it. Parents who hit their children do not want to hurt them, but rather because they believe that corporal punishment teaches children positive behavior, and thus protects them from various threats. Often, parents do not know how to communicate their discontent to their children

and not often do they think about what their children feel when experiencing violence. So it is necessary to change social attitudes towards these forms of behavior and teach parents about their negative effects and help them adopt alternative childrearing methods. To achieve such goals, what is also necessary, along with these awareness-raising campaigns, is to take action framed by professionals- representatives of services and institutions working with children and for children, such as educators, psychologists, employees of law-enforcement and health-care institutions, social workers and even the clergy.

Conclusion

During the last two decades, a period which coincides with UN Convention on the Rights of the Child, the use of corporal punishment, as a method of discipline in childrearing, within the frame of the parental role, has become a subject of various researches that showed not only the extent of the corporal punishment use, but also the negative effects if this practice at many levels. Children are being harmed physically, emotionally, and intellectually. However, there is widespread acceptance that corporal punishment helps to improve children's behavior or that at least it does no harm. The historical perspective reinforced the notion of how much violence is rooted within our social structures, whether this is the educational or the judicial system.

However, it is clear, from the extensive studies, the findings of which were included in this essay, that hitting children increases the chances of aggression, delinquency and latter criminal behavior in adult life. Against the belief of the supporters for corporal punishment, there is a causal relationship, which may not appear as direct as required, between corporal punishment and increased aggressive behavior. It is also clear that corporal punishment will not teach the lessons the parents want to teach. When using aggression to teach something, aggression will be the learning outcome. There are other effective and indeed safer ways of teaching children a socially accepted behavior. To support this, there has to be a distinction between punishment and discipline. With the international organizations supporting the abolition of corporal punishment, it is true that there is progress being made, but it is slow. Taking action against

corporal punishment can be unpopular in traditional societies. It means establishing different traditions, challenging family authority, facing stereotypes and misconceptions but it is absolutely necessary, as all forms of corporal punishment are a violation of basic human rights.

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Appendix

Extracts form Research Reports from Around the World

Barbados: 70% of parents "generally approved" of corporal punishment and of these 76% endorsed beating children with belts or straps, according to a study published in 1989.

Brazil: Successive surveys have found very high levels of corporal punishment, both with the hand and with slippers, belts, canes and other implements, leading to the conclusion that "Hitting mania is one of the national institutions of Brazilian culture".

Egypt: A large-scale 1996 survey of children found over a third were disciplined by beating- often with straps or sticks; a quarter of these children reported that discipline lead to injuries.

Korea: A survey by Child Protection Association in the 1980s found that 97% of children had been physically punished, many severely.

Kuwait: A 1996 survey of parents' attitudes found 54% agreeing, or strongly agreeing, with severe beating in cases of gross misbehavior. 9% of parents agreed with burning as a form of punishment.

Pakistan: A study covering parents and teachers at 600 primary schools in the North West frontier province in 1998 found over 70 reports of serious injury arising from corporal punishment; the most common forms of punishment were beating with sticks, pulling ears, slapping faces and forcing children to stay in humiliating positions.

Romania: A 1992 survey found 84% of parents regarded spanking as a 'normal' method of childrearing. 96% did not consider it humiliating.

UK: A government-commissioned research in the 1990s found that three quarters of a large sample of mothers admitted to smacking their baby before the age of one. In families with children aged one, four, seven and eleven where both parents were interviewed, over a third of all the children were hit weekly or more often by either or both parents, and a fifth of the children had been hit with an implement.

Europe: A UNICEF opinion survey of children and young people across 35 countries in Europe and Central Asia in 2001, including 15,200 interviews representative of the 93 million 9 to 17 year olds in the countries surveyed, found six out of ten children reporting violent or aggressive behavior within their families.

South Africa: Until 1993, up to 30,000 young offenders were whipped each year. In 1995 the new Constitutional Court declared whipping unconstitutional and prohibited corporal punishment from the penal, school and child care systems. After a decade (in 2003) proposals to ban corporal punishment in the home are under discussion.

(Source: Global Initiative to End All Corporal Punishment of Children)