

The Discipline and Guidance of Children

MESSAGES FROM RESEARCH

A Review of Research Literature for
the Office of the Children's Commissioner
by the Children's Issues Centre



The Discipline and Guidance of Children: Messages from Research

A Review of Research Literature
for
the Office of the Children's Commissioner
by the
Children's Issues Centre, University of Otago

Edited by

Anne B. Smith
Megan M. Gollop
Nicola J. Taylor
Kate A. Marshall



Te Whare Wānanga o Ōtāgo



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Office of the Children's Commissioner

PO Box 5610, Wellington

Ph: (04) 471-1410; Fax: (04) 471-1418

Email: children@occ.org.nz; website: www.occ.org.nz

Children's Issues Centre

University of Otago

PO Box 56, Dunedin

Ph: (03) 479-5038; Fax: (03) 479-5039

Email: cic@otago.ac.nz; website: www.otago.ac.nz/cic

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FOREWORD

This review of research commissioned by my Office in 2003, is intended to provide parents and professionals with important information about the effects of physical punishment on children's behaviour and well-being.

The report is timely as we debate about how to better protect our children, in light of a damaging UNICEF report titled *A League Table of Child Maltreatment Deaths in Rich Nations*, which shows that New Zealand fares poorly with high rates of maltreatment of children.

There is also a growing debate about the numbers of children killed or seriously hurt by adults who should be caring for them. Much of this public debate revolves around repeal of section 59 of the Crimes Act that allows reasonable physical force to be used when disciplining children.

Section 59 stands in stark contrast to other legislation, which bans physical force between adults and stops humans hurting animals. The reason given for keeping section 59 is a belief by some that parents and caregivers need to be able to physically punish children in order to teach them how to behave.

This research review finds that this is a false hope. Firstly, most research confirms that the use of physical punishment increases the likelihood of disruptive or 'bad' behaviour among children. Secondly, it is experienced by children as anger from adults and is rarely associated with 'good' feelings or lessons. Thirdly, it demonstrates the absurdity of trying to find 'safe' levels of hitting.

We can get ourselves into all sorts of arguments about the place of physical punishment in raising children, but this summary of international and national research shows that it boils down to simple lessons. Children do well when they are given clear guidelines about how to live their lives in a consistent, supportive and authoritative (not authoritarian) manner. Conversely, they do badly when these things are absent or where repeated physical punishment or extreme physical punishment are used.

It is a sad indictment on our society when so many children experience violence with such regularity and severity; often at the hands of the very people who should most protect and care for them. In 1999, Dr Peter Watson found that homicide was the third leading cause of death for those aged 0 to 14 years of age in New Zealand. Drowning and motor vehicle crashes (including pedestrian) deaths were first and second.

Clearly, we need to face up to what's going on in New Zealand in order to change it. These problems are not isolated incidents, but are often associated with stress generated by poverty, lack of support, ignorance or failure to recognise that children have rights too.

This review forms an important evidence base for this debate in New Zealand. I welcome it and thank the Children's Issues Centre for a superb job in bringing this together in such a comprehensive and informative way. Let's work together as a society to stop violence against children.

Dr Cindy Kiro
Children's Commissioner for New Zealand

Preface

This project was initiated by the Children's Issues Centre, but could never have been achieved without the ongoing financial and collegial support of the Office of the Children's Commissioner. In 2001 Professor Anne Smith, the Director of the Children's Issues Centre, approached the Office recommending that an up-to-date evidence-base of research on family discipline be undertaken. At that time the Hon. Roger McClay was the Children's Commissioner and Heather McDonald was a research and policy officer at the Office, and they both strongly supported and helped initiate the proposal. The new Commissioner, Dr Cindy Kiro, and the new research and policy officer, Dr Mavis Duncanson, both continued to provide strong support for the project. A Reference Group consisting of members of government departments, non-government organisations and academic institutions¹ provided advice and feedback to the researchers to guide their work, and we are grateful for their assistance and support.

This research was undertaken by the Children's Issues Centre, under contract to the Office of the Children's Commissioner. Anne Smith, Megan Gollop, Nicola Taylor and Kate Marshall were the researchers who wrote the literature review. The researchers are all parents, and two are also grandparents. Their backgrounds are diverse, including fields such as child development, education, psychology, counselling, social work and law.

The project's aim was to: examine evidence on the use of family disciplinary practices with children and related issues; to identify practices which support children's well-being and healthy development; and to advise parents and caregivers, policy makers and the general public accordingly. During 2003 to 2004, the Children's Issues Centre completed a critical literature review and synthesis of the research evidence on family discipline and guidance. A comprehensive search for both national and international literature relating to family discipline was completed using library catalogues and the following research databases: Psychinfo; ERIC; ISI Web of Science; Current Contents; Expanded Academic; Proquest 5000; Proquest Digital Dissertations; Index New Zealand; Infotrac; Te Puna; and Medline. In addition web-based searches were also conducted

and material retrieved from a variety of websites. Personal contact was made with New Zealand and international researchers who provided unpublished or difficult-to-access material. While the majority of the material accessed was peer-reviewed research, opinion and descriptive pieces were also included where appropriate. Material accessed included journal articles, reports, books, book chapters, theses, conference papers, consultation documents and web-based articles. Generally, all material gathered was published from 1990 onwards although, if regarded as particularly relevant, earlier material was also included. Approximately 480 articles were retrieved (narrowed down from about 1300 possibilities) and around 430 were ultimately deemed to be relevant and included in the review. The areas the literature covered fell into several categories which formed the outline of the review structure. The criteria for inclusion of material was that it was published in the last 20 years (though mainly the last 15) and was relevant to the topics listed in the chapter headings. While each member of the research team took responsibility for one or more sections of the review, the four researchers consulted each other regularly and shared material and ideas. Each researcher read, digested, collated and summarised the articles relevant to their section and individually wrote their chapters. However, the document as a whole was read and edited by all four authors. The literature review has been peer reviewed by Professor Jane Ritchie from the Department of Psychology at the University of Waikato.

The Children's Issues Centre is part of the University of Otago, and carries out independent research related to children's well-being. One of the roles of the Centre is to disseminate information that is relevant to children and young people's well-being and optimal development. Therefore, a goal of this project was to widely disseminate the findings of our literature review to promote engagement and debate amongst families/whānau; professionals working with parents, children and families/whānau; policy-makers; and the general public about family discipline and guidance, and the use of physical punishment.

Two reports have been completed with this goal in mind. Firstly, a summary version² of the report has been published jointly by, and is available from, the Children's Issues Centre³ and the Office of Children's

1 Members of the Reference Group and others who have contributed to this work include: Beth Wood, Dr Jan Pryor, Sonya Hogan, Sonya Reesby, Penny Hawkins, Anne Kerslake Hendricks, Sue Buckley, Gael Surgenor, John Waldon, Sarah Te One, Rebecca Thompson, Andrew Zielinski, Dr Carmen Dalli, Rhonda Pritchard, Gordon McFadyen, and Trish Grant.

2 We appreciate and acknowledge support from the Ministry of Social Development's SKIP Programme which enabled the summary report to be produced and widely disseminated free of charge.

3 Children's Issues Centre, University of Otago, PO Box 56, Dunedin. Ph: (03) 479-5038; Fax: (03) 479-5039; Email: cic@otago.ac.nz; website: www.otago.ac.nz/cic

Commissioner⁴. It provides information for parents and for the professionals who support parents, so that a common understanding of the risks and benefits of various family disciplinary practices can start to develop. This larger report is the full literature review, which is primarily designed for an academic and policy audience, but will be of interest to anyone wanting a more detailed examination of the issues. In addition to the reports, the Children's Issues Centre held a two day national seminar in Wellington in June 2004 entitled: *'Stop it, it hurts me': Research and perspectives on the physical punishment of children*. The seminar provided another opportunity to share the findings of the review with those interested in the issue and for others to contribute to the discussion. Keynote addresses and other selected papers from the seminar are published in the October 2004 (Volume 8(2)) issue of the Children's Issues Centre journal *Childrenz Issues*.

We believe this project has been particularly timely given the current debate about physical punishment, the Ministry of Social Development's public education campaign SKIP (*Strategies with Kids – Information for Parents*), and the forthcoming consideration of a repeal of s.59 of the Crimes Act 1961. Public health messages, in our view, can change people's thinking and actions, and these should be based on the best research evidence available. We hope the reports and the seminar will contribute to that goal.

The most important reason for putting these research messages into the public arena, however, is that what happens in families during childhood has a lifelong effect on children's happiness and success. As many as possible of Aotearoa/New Zealand's diverse children should be given the chance of fulfilling their potential and leading productive lives.

Children's Issues Centre

⁴ Office of the Children's Commissioner, PO Box 5610, Wellington. Ph: (04) 471-1410; Fax: (04) 471-1418; Email: children@occ.org.nz; website: www.occ.org.nz.

The summary report can be downloaded from: http://www.occ.org.nz/childcomm/resources_links/reports_publications

Executive Summary

Context and theoretical background

This report reviews research literature on the guidance and discipline of children within family contexts. *Discipline is the process of teaching children the values and normative behaviours of their society. Physical or corporal punishment is the use of force to cause pain, but not injury, for the purpose of correction or control.* Differentiation of physical punishment from physical abuse is problematic, and there is no consensus on where the dividing line lies between the two.

The following ideas emerge from theories of childhood:

- Children come to know and understand the world through their social and verbal interactions with others, particularly parents. Their development moves from reliance on external control, towards self-regulation, responsibility and initiative-taking, in a context of support. When children experience pain and negativity from their caregivers they are likely to internalise these modes of interaction. Sensitive parental scaffolding which builds on current competency and provides clear messages about acceptable and unacceptable behaviour, is likely to support internal control over behaviour and empathy towards the point of view of others.
- Attachment is a fundamental process in human development, which enables children to feel safe, explore, learn, develop a secure identity, and positive social relationships with others. Rejection has universally been shown to have negative outcomes for children. Secure attachments to caregivers are promoted by warm, positive parenting, which helps children internalise rules and moral values and develop conscience. Excessive use of power assertive discipline, such as physical punishment, threatens secure attachment.
- Punishment weakens the behaviour it follows but does not entirely suppress it. The most effective way of teaching appropriate behaviour is to provide models of prosocial behaviour, and consistently follow appropriate behaviour with positive consequences. Teaching appropriate prosocial behaviour, combined with not rewarding or mildly punishing antisocial behaviour, is an effective way of weakening undesirable behaviour. Physical punishment models aggressive behaviour and can trigger coercive cycles of family dynamics. Other modes of punishment, such as time-out or withdrawal of privileges are safer.
- Family discipline is influenced by the wider ecological context of the family, such as employment

conditions and poverty. The degree of social capital (social support), cultural capital (symbolic meanings and cultural norms about parenting), and human capital (capacity acquired through education) are other factors which influence parenting. Different types of violence in society are related to each other – such as violence towards children and assaults and conflict.

- The predominant research and theory on family discipline emphasises socialising passive children. An alternative view is that children are social actors whose interpretations, feelings, actions, and experiences within the family, need to be understood in order to encourage effective family discipline.

The effects of physical punishment

Methodological problems in family discipline research include difficulty in determining the direction of causality, confounding variables (for example, socioeconomic status), validity of outcome measures, limited sample populations, and decontextualisation (ignoring the context and antecedents of discipline). Nevertheless recent studies have been able to measure behaviour over several periods of time, giving more confidence that changes in child behaviour are caused by the intervening family discipline processes.

The main desired short-term effect of physical punishment is children's immediate compliance with directives. While there is some evidence of physical punishment being linked to immediate compliance, it is only under the following conditions that physical punishment is effective, according to proponents like Robert Larzelere. The punishment should not be severe, the punisher should not be angry, it should be accompanied by reasoning, it should be done privately, only children between two and six years should be so punished, and the punishment should be motivated by concern for the child. The goal of immediate compliance can be achieved equally effectively, however, with other types of punishment, such as time-out.

The cause for concern in the use of physical punishment relates to the long-term effects of its use. There is overwhelming consistency in the findings of these studies indicating that long-term, parental use of physical punishment is associated with negative outcomes for children's behaviour. Generally relationships are linear, with more severe punishment being associated with more adverse outcomes. While the use of physical punishment does not guarantee a negative outcome, it is clearly a risk factor for poorer developmental outcomes.

The following are some of the negative developmental outcomes associated with parental use of corporal punishment:

- Social behaviour: aggressive, disruptive, delinquent, and antisocial behaviour, violent offending, being the victim of violence, and low peer status.
- Cognitive development: poorer academic achievement, lower IQ, poorer performance on standardised tests, poorer adjustment to school, more ADHD-like symptoms, and poorer self-esteem.
- Quality of parent-child relationships: less warmth in parent-child relationships, poorer quality attachment, and less reciprocity.
- Mental health problems: internalising problems such as depression, anxiety, suicidal ideation, and psychiatric disorders. This is probably one mechanism through which intergenerational patterns of punitive discipline are established.
- Moral internalisation: poorer moral internalisation of parental values and rules, poorer conscience development.
- Other: alcohol and substance abuse, bulimia, sexual deviance, family violence including child to parent, and partner violence.

Factors which influence parental disciplinary practices and attitudes

The study of the factors which influence parental discipline is rooted in the aetiology of child abuse and maltreatment. As such, much of the research views such factors as potential 'risk factors', with the aim of identifying parents who are more likely to use harsh or punitive discipline so that interventions and/or parent support and education can be targeted towards these parents as preventative measures. An ecological perspective sees parenting behaviour as being multiply determined by features of the child, the parent, and the family/society that the child and parent are part of. Research has therefore investigated characteristics of each of these influences, and the impact they have on parental discipline, in particular the use of or support for physical punishment.

Investigations into the role of characteristics of the child reveal that, in general, boys are at greater risk of physical punishment and of it being administered more severely. The use of physical punishment peaks at about ages three to five, both in terms of prevalence and chronicity. Behaviours that are most often dealt with by way of physical punishment are those which break a moral code, directly challenge parental authority and control, or present a danger to the child or others. Children who show difficult or challenging behaviours or who have less easy temperaments are also more likely to be physically punished. Parental

perceptions and expectations of children's behaviour are also factors which influence physical punishment use, with children who are viewed as culpable and responsible for their actions being judged as being more deserving of physical punishment.

A wide range of parental factors may influence a parent's use or approval of physical punishment. Generally, it is younger, less-educated parents who use physical punishment more. While findings are inconsistent, mothers tend to use physical punishment more than fathers, but show less approval of it. Given mothers' greater caretaking roles some researchers have suggested that fathers are actually more physically punitive relative to the time they spend with their children. Parents who are depressed, have drug/alcohol problems or antisocial/hostile personality characteristics are also more likely to use physical punishment. Parental motivation for disciplinary practices is addressed by an examination into whether the use of physical punishment is a reasoned instrumental disciplinary strategy or the result of an angry outburst. Strong correlations have been found between parental attitudes and behaviour providing support for the former, but there is also evidence that parents use physical punishment when they are feeling angry, stressed or frustrated. Even parents who have made the decision not to use physical punishment will occasionally smack their children in anger or frustration. Similarly, parents do report feeling ambivalent about the use of physical punishment, and while some parents believe in the efficacy or appropriateness of using physical punishment they don't necessarily always feel good about using it and can feel remorse, distress and guilt as a result. It does not appear to be the case that parents use physical punishment because they do not have other strategies to use. Parents seldom rely on physical punishment as their sole disciplinary practice, and generally parents who use physical punishment tend to use more discipline of other types, both non-physical and physical. They also tend to use more other punitive techniques, such as yelling, threatening and time-out. While the intergenerational transmission of physical punishment use is not preordained, experiencing physical punishment as a child has a powerful impact on one's use of it as an adult. However, parents can and do 'break the cycle'.

Contextual factors such as family structure (sole parenting and having a large family), lower socioeconomic status, and family stress have been identified as risk factors for the use of physical punishment. Poor relationships within the family (in terms of violence between parents and conflictual or distant child-parent relationships) also make the use of physical punishment more likely. A picture emerges of parents in stressful situations, facing money/employment issues, family violence or coping

with large numbers of children, or parenting alone. The wider context of society and its sanctioning of physical punishment also contributes to its use.

While there are strong predictors of physical punishment use or approval, these are by no means a guarantee. The factors which influence parental disciplinary attitudes and practice all interact with one another, making the relative impact of each characteristic impossible to determine. What is clear is that there is not a generic picture of the parent who uses physical punishment, and any consideration of 'risk factors' must take into account the impact of individual (child and parent) and wider contextual factors (such as family structure, stress, poverty, and society/cultural norms).

Cultural issues

Research on cultural/ethnic differences in attitudes towards or use of physical punishment is inconclusive and largely contradictory. Overall, there is not a great deal of evidence to suggest significant differences in prevalence, chronicity or severity rates for the use of physical punishment across different ethnic groups. Where differences are reported the percentage of difference is often quite small. Ethnicity is confounded with a range of other factors and variables that make it difficult to establish the effect or relative influence of culture or ethnic group status. There are a range of parenting styles and disciplinary strategies used across and within ethnic groups, and these are influenced by a range of inter-related factors, including parent, child and family characteristics, and social, environmental and cultural contexts. There is some evidence of cultural differences in the meanings ascribed to parenting/disciplinary practices. Physical discipline, however, is not the preferred disciplinary strategy of any one cultural/ethnic group and research suggests that parents within ethnic groups adopt a range of practices and parenting styles, in order to meet their culturally preferred goals.

There are a range of factors that contribute to parental use of physical discipline, and some of these factors may be universal, such as having less education, being younger, being poorer, higher levels of family stress, and maternal depression. It is also clear, however, that these factors or combinations of factors impact in different ways on different groups and sub-groups of populations. Additional social, economic and environmental factors may influence the parenting/disciplinary practices in immigrant or ethnic minority groups. Cultural/ethnic differences in beliefs, values or goals may also have an influence on parenting and disciplinary attitudes and practices according to factors such as age of the child and the type and context of the misbehaviour.

Ethnicity may have a mediating effect on the relationship between the use of physical punishment and outcomes for children. However, overall, the evidence suggests that the use of physical punishment is associated with the risk of negative long-term outcomes for children regardless of ethnic groups status. There is also a linear relationship between the frequency and severity of the physical punishments used and the risk of poor outcomes. The quality of parent-child relationships, such as the presence or absence of qualities such as parental warmth and involvement, has been found to have a similar influence on developmental outcomes for children across all ethnic groups.

There is a general lack of research on the use of or attitudes towards discipline in New Zealand. The research so far investigating ethnic/cultural differences in the use of physical punishment or wider disciplinary practices does not reveal any significant differences between ethnic groups. However, research also fails to illuminate the possible existence of cultural differences in values, beliefs or goals around parenting and child rearing and the influence these may have on disciplinary practices. There is no empirical evidence that physical discipline, in particular, forms a significant part of the traditional/cultural practices of either Māori or Pacific groups. What the research so far does suggest is that any evidence of normative support for the use of physical discipline as a disciplinary strategy amongst these ethnic groups likely mirrors the attitudes evident within Pākehā/European groups and is likely influenced by the same historical and social processes.

There is some evidence that the processes of colonisation, immigration, urbanisation and racism have influenced the use of physical discipline in Māori and Pacific cultural groups, rather than cultural beliefs/practices per se. However, those same processes have contributed to an interaction between the traditional cultural practices of minority groups in New Zealand and those of Pākehā/European culture. It is likely that the disciplinary practices within cultural/ethnic groups in New Zealand are influenced by a range of other factors such as parent, child and family characteristics, socioeconomic and contextual factors, and that there are variations between and within cultural/ethnic groups. Further research is needed in order to further understand the influence of those variables in relation to different ethnic groups or sub groups of ethnic populations in New Zealand. Similarities or differences between cultural/ethnic groups and the parenting/disciplinary processes that occur in families also need to be investigated.

Religious affiliation and beliefs have been shown to have an influence on parental attitudes towards and use of discipline strategies. Religious affiliation is linked to stricter and more controlling disciplinary

strategies, including more positive attitudes towards physical punishment. However, this finding largely pertains to specific religious populations (Conservative or Fundamentalist Protestants) and cannot be generalised to other religious denominations or beliefs. The numbers of Conservative Protestants in the United States are reported to be between 25 and 28% of the general population, which would represent a small percentage of the total number of religious affiliations and belief systems that could possibly be represented. The relationship between religion and discipline appears to be mediated by ideology and theological beliefs rather than religious affiliation *per se*. Differences in ideology/theology across different religious groups would likely contribute to considerable variation in the ways those beliefs influence disciplinary practices. However, there is a general lack of research investigating those relationships or differences across a broader range of religious groups.

There is no substantial evidence to link positive attitudes or higher prevalence rates of physical punishment in Conservative Protestant groups with harsher or more severe forms of physical punishment. These groups also support a range of disciplinary practices other than physical punishment. Religion/religious beliefs are associated with a range of other parenting practices, including high levels of parental warmth, involvement and engagement. Some religious groups are less likely to endorse the use of physical punishment, and are more likely to support positive parenting/disciplinary practices. However, the research focus on physical punishment has so far obscured any understanding of the wider range of disciplinary strategies that those parents employ. The focus of much of the research has been on attitudes or ideologies around the use of discipline rather than the disciplinary practices that actually occur in those families. There is a general lack of research investigating the relationship between religious affiliation, beliefs and the wider contextual factors or range of variables other than religion that might influence disciplinary processes.

Children's perspectives

Children, from preschoolers to college students, are able to discriminate between different forms of transgressions (moral, social, prudential) and to evaluate which ones they consider to be more severe than others. Generally, moral transgressions are regarded as the most serious, especially among young children. Young children are also the group most likely to have a broad acceptance of punishment, although studies asking children for their views on smacking show that children of all ages think smacking hurts and is wrong. Boys and girls are more likely to perceive that boys will encounter stricter

discipline methods in their upbringing, and that fathers are more likely to use more severe discipline methods than mothers. One study assessing children's views of alternatives to physical discipline, found that pre-school children expressed largely negative views about the use of time-out in 11 American early childhood centres. Recent qualitative studies in the UK and New Zealand exploring children's own experiences of and perspectives on family discipline are challenging a number of commonly-held adult attitudes and views about physical discipline. The children say that:

- Smacking is hitting;
- They feel hurt when they are smacked, both physically and mentally;
- Some are hit on their heads;
- Only a minority are smacked when they are facing immediate or potential danger;
- Smacking interrupts children's behaviour, but has many other negative associated effects – children say they did not like their parents any more, they felt angry, upset, grumpy, unloved and sad after being smacked, and for many smacking made them be more naughty.

While children dislike being smacked, many seem to accept it as a parental right or fact of life. Children can, however, offer various alternatives to smacking (particularly preferring induction methods) and most say they do not plan to use physical discipline with their own children when they become parents in the future. Children are also well aware of the conflict caused by the double message being promoted when adults tell children that hitting is bad, yet sometimes use smacking to discipline them.

International law

A range of ethical and moral arguments abound in the literature, and within the community, concerning the rightfulness or wrongfulness of using physical punishment to discipline children. These ethical and moral arguments mainly exist within an anecdotal or philosophical, rather than a research, context. Proponents of physical punishment primarily base their support for this disciplinary practice on their interpretation of biblical statements and other religious teachings, as well as their firm conviction that physical punishment is a parental obligation or duty. Many also recount their personal experience of physical discipline within their childhood home or school and note that as 'it never did me any harm' it is likely to work with the next generation as effectively. Advocates of physical punishment therefore support existing legal provisions which avail them of a defence to a charge of assault provided the force they used was reasonable. Most see no need for law reform, although some want to clarify the limits of the defence. Advocates of this

'conditional' or 'gradualist' corporal punishment position believe that mild or occasional smacking can be beneficial for children under certain conditions, and that the effectiveness of alternative disciplinary practices (such as explanations or time-out) can be enhanced by a mild spanking. Providing parents with guidelines about the use of physical punishment (e.g. use with over-two-year-olds and pre-adolescents; open hand to the buttocks; leaving no mark; as a back-up rather than primary disciplinary method; within a loving family environment; and in conjunction with reasoning) are regarded as being of more value than simply prohibiting its use. Variants of this approach have recently been enacted in New South Wales and Scotland, and adopted in the majority decision of the Supreme Court of Canada during a constitutional challenge to s.43 of their Criminal Code.

Opponents of physical punishment argue from a human rights perspective encompassing respect for children's human dignity and rights to physical integrity and to equality of protection under the law. They regard physical punishment as a breach of fundamental human rights principles that is inhuman and degrading. Many are concerned about this form of discipline as a form of violence and argue that children have the right to be protected from it. Physical punishment is seen as a detrimental model for conflict resolution that contributes to later violent and criminal behaviour in adulthood, as well as a general community tolerance for violence towards children. In this respect, the concern that physical punishment can escalate into child abuse is a particular worry. Most opponents of corporal punishment believe that its abolition requires a combination of legal reform and public education.

The UN Convention on the Rights of the Child 1989 does not explicitly mention corporal punishment or physical discipline, but nearly all human rights commentators regard several articles, most notably Article 19, as pertinent to the issue. The United Nations Committee on the Rights of the Child, charged with responsibility for monitoring compliance with the Convention, has confirmed this interpretation and taken every opportunity in its examination of States Parties reports, and in its issuing of general comments, to advocate the prohibition of corporal punishment and the implementation of education programmes promoting non-violent discipline methods.

The international human rights committees monitoring the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, have, in their comments and recommendations, all condemned corporal punishment of children in penal systems and schools. The European Committee of Social Rights

has adopted a similar approach, although it also condemns the use of physical punishment in homes.

Landmark judgements from the European Court of Human Rights and from Constitutional and Supreme Courts (in India, Israel, Italy, Namibia, South Africa and Zimbabwe) have upheld human rights principles and challenged the legality of corporal punishment of children in the penal system or schools, and more recently, the home. On some occasions the judgement has acted as a catalyst for law reform within a country, with Israel being the most notable example of this approach. The most recent Supreme Court decision was delivered in Canada on 30 January 2004 when nine justices (three of whom dissented) upheld the constitutionality of the defence in s.43 of the Canadian Criminal Code but substantially limited its scope.

International developments

Corporal punishment has been more willingly prohibited in schools and penal institutions, than in homes, throughout the world. Worldwide, corporal punishment has been abolished in schools in more than 90 states. It has also been banned in the penal systems of over half the world's nations. Thirteen countries have abolished **all** corporal punishment of children – Sweden (1979), Finland (1983), Denmark (1986, and more explicitly in 1997), Norway (1987), Austria (1989), Cyprus (1994), Latvia (1998), Croatia (1999), Israel (2000), Germany (2000), Iceland (2003), and, most recently, Ukraine (2004) and Romania (2004). Several of these countries initially prohibited the use of corporal punishment within schools, followed by the later removal of their defence to parental assaults from their criminal law. Countries which removed this defence include Sweden, Finland, Norway, Austria, Denmark, Israel (following an Israeli Supreme Court decision in January 2000) and Iceland. After 1980, these countries also amended their civil child protection legislation to state that no child should be subjected to corporal punishment for correction. Cyprus, Latvia, Croatia, Israel, Germany and Iceland all undertook their reforms by amending their civil child welfare legislation to prohibit corporal punishment by parents. Sweden's reforms in 1928 (banning corporal punishment in schools), in 1957 (repealing the legal defence of reasonable correction from their Penal Code) and in 1979 (prohibiting all corporal punishment of children) have been the most extensively researched with respect to citizens' current attitudes toward, and use of, physical and other means of parental discipline.

A number of other countries have recently, or are currently, giving consideration to the physical punishment of children and whether or not reform of their law is desirable. Italy may well follow the Israeli example given the 1996 ruling of Italy's highest Court

prohibiting all parental use of corporal punishment. An explicit ban on all physical discipline is currently under consideration in Belgium following amendments to their constitution and criminal law. In the wake of the European Court of Human Rights decision in *A v UK*, public consultation exercises, incorporating law reform options, have been undertaken in Scotland, Northern Ireland, England and Wales. The Criminal Justice (Scotland) Act 2003 abandoned a proposed prohibition on the use of physical punishment with children under the age of three, and instead introduced the concept of 'justifiable assault' of children. The use of implements to hit children, shaking and blows to the head have been banned.

The Crimes Amendment (Child Protection Physical Mistreatment) Act was introduced in New South Wales in 2001. Prior to this the common law defence of reasonable chastisement applied. The new legislation attempts to specify to which parts of a child's body force can be applied, provided it does not harm the child more than briefly. In Tasmania, the Law Reform Institute, on the recommendation of the Commissioner for Children, undertook a public consultation process, followed by publication of a Final Report in 2003 that concluded that the current law relating to the physical punishment of children was unclear. Various options for reform have been proposed ranging from clarification of the law to abolishing the defence in s.50 of the Tasmanian Criminal Code allowing a parent to use reasonable force to correct a child.

All US states, except Minnesota, regard physical punishment as a defence to a charge of assault. The law varies from state to state, with many outlining factors in statute or case law to assist courts in determining whether parental conduct is deemed to be reasonable or unreasonable discipline. These factors include the child's age, personality and level of understanding, the necessity of the force, the amount of force used and the circumstances surrounding this, the risk of injury to the child, and the parent's intention.

In New Zealand, the common law on parental chastisement and corporal punishment within schools was initially codified in s.68 of the Criminal Code 1893. The use of corporal punishment was subsequently abolished in New Zealand schools and early childhood centres by s.139A of the Education Act 1989. However, s.59 of the Crimes Act 1961 still provides a statutory defence in law if a parent (or any other relevant adult) is prosecuted for assaulting a child. Provided the force they used was by way of correction and was reasonable in the circumstances, then s.59 can be invoked in court to say that the assault was justified. This may lead to an acquittal if the judge or jury agrees. Section 59 does not sanction child abuse, nor protect parents from the consequences of using excessive force. A review of NZ case law reveals that s.59 has been inconsistently applied in court

cases relating to parental violence against children. The United Nations Committee on the Rights of the Child has expressed concern at the lack of progress on its 1997 recommendation to the NZ Government that s.59 be repealed. In its 2003 *Concluding Observations on New Zealand's Second Periodic Report* the Committee again recommended that NZ amend the Crimes Act to prohibit corporal punishment in the home and strengthen public education campaigns and activities to promote positive, non-violent forms of discipline and respect for children's right to human dignity and physical integrity. Action Area 4 of the 2002 *Agenda for Children* suggested that a public education process should be developed on alternatives to physically disciplining children. The Ministry of Social Development launched the *SKIP: Strategies with Kids – Information for Parents* campaign on 6 May 2004, and the Government will give further consideration to changes to the law on the physical punishment of children once evaluation of this strategy has occurred in 2005.

Effective discipline and supporting change

There is no universal recipe for effective parental discipline applicable in all societies, but there are useful research findings showing parenting practices which are associated with positive outcomes. The long-term goal of effective discipline is to support children's development from dependency and external control, to internalisation, ability to take initiative, and to be socially responsible.

Research on parenting styles shows that an authoritative parenting style characterised by warmth, responsiveness, involvement, reasoning, combined with firm boundaries, is associated with healthy social adjustment. Authoritarian styles involving power assertion and demands for complete obedience without reasoning, have negative effects. Permissive styles are characterised by warmth, but low monitoring and expectations, and have also been associated with poorer outcomes.

Coercive family dynamics are associated with a variety of negative outcomes in adolescence, such as antisocial behaviour, school failure, and delinquency. Coercive patterns of parenting involve erratic and inconsistent discipline shifting from lax to punitive control.

Six principles or characteristics of effective discipline have been described:

1. Parental warmth and involvement: responsive, reciprocal relationships and a climate of attention, care and affection are most favourable. Rejection is universally found to have negative effects, but mild punishment can be combined with warmth without having negative effects. A high ratio of

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positive to negative interactions (about seven to one) is optimal.

2. Clear communication and expectations: since disciplinary encounters are a form of teaching, children must understand, retain and internalise parental messages. If the messages are vague or confusing or inappropriately matched to children's capabilities, the outcomes are poorer. Messages about the parents' goals should be clear and achievable for children.
3. Induction and explanation: reasoning, explanation and setting up logical consequences are characteristics of good discipline. Children need to know why their behaviour is appropriate or inappropriate.
4. Rules, boundaries and demands: for children to internalise rules and limits, these need to be clear and consistent, and perceived to be fair and equitable. When parents set high but reasonable standards for child behaviour and apply these non-coercively, the effects are likely to be positive.
5. Consistency and consequences: positive models and effective contingencies of reinforcement are very important for teaching children to behave appropriately. Positive consequences like praise or extra treats strengthen appropriate behaviour, and mild punishment such as time-out or withdrawal of privileges discourage inappropriate behaviour. Many parents inadvertently reinforce inappropriate behaviours (like whining) by paying attention to it, or inconsistently reinforcing it. Ongoing scolding and reprimanding is not only ineffective, but likely to lead to negative outcomes.
6. Context and structure: inappropriate or appropriate behaviour is influenced by the context or antecedents. One type of context is modelling – children are likely to imitate the behaviour of models (e.g. parents, siblings, peers) even when this is not intended. Physical contexts – for example, having space to play or enough toys for everyone to have a turn – can also influence whether behaviour is inappropriate or appropriate.

Research suggests that it is possible but not necessarily easy to change parental disciplinary practices. Parents already change their discipline as a result of their own reflection and experience, and public campaigns

can change views of appropriate family discipline. A large body of literature on parent education/support programmes suggests that there is no one model which is the best for influencing all parents. Models which use contextualised, family strengths-based approaches, universal early preventative health or education-based interventions, partnerships between professionals and parents, culturally responsive and sensitive programmes, are all approaches which are recommended.

Conclusion

The report presents an ecological model that integrates the different chapters of the review. The microsystem is the immediate family environment of the child, where parenting varies along a continuum from nurturance and responsiveness, to harshness and coerciveness. The characteristics of the child including age, temperament, and gender and the structure of the family (size, number of caregivers) influence the activities and interactions which take place within the microsystem. The family microsystem is linked to other micro- and exosystems such as family and friendship networks, employment, and external support systems and agencies. Microsystems, mesosystems, and exosystems are all influenced by the wider macrosystem, which contains laws, social policies, community and cultural values. Each section of the report covers different parts of the ecological model.

The review concludes that physically punishing children should be avoided, because it is difficult to determine where to draw a line between moderate and severe punishment, which has been shown to have very harmful effects on long-term outcomes. Children are more likely to become responsible and competent members of society when discipline focuses on sensitivity to others, providing a loving and safe family environment, giving clear messages and firm boundaries, and providing consistent consequences (mainly positive) and good models for behaviour. The authors recommend the importance of recognising children's 'personhood' and respecting and listening to their points of view.

1. Context and Theoretical Background

ANNE B. SMITH

The New Zealand context

This report is a review of the research and policy literature relating to the issue of family discipline. No issue generates so much passionate debate and such strongly held beliefs as family discipline, especially the physical punishment of children.

Parental use of corporal punishment is the single most controversial and emotionally charged topic in parent-child relationships. No other child-rearing topic has elicited as much attention or heated debate as whether parents should engage in the practice. (Holden, 2002, p.590)

The debate has reached fresh heights in New Zealand, with the release of the government's *Agenda for Children* (Ministry of Social Development, 2002), and statements by the Governor-General, the Ministers of Social Development, Youth Affairs and Justice, as well as other members of the public. Vigorous argument is taking place about whether smacking or physically punishing children should continue to be allowed, or whether the time has come to reconsider our legislation. Section 59 of the Crimes Act 1961 sanctions the use of physical punishment by parents, provided the force used is reasonable in the circumstances.

Reflection on our current practice and legislation in the light of international research and policy frameworks is timely. It is clear that attitudes have changed since the Crimes Act was first introduced, and New Zealand's ratification of the United Nations Convention on the Rights of the Child draws attention to the apparent contradiction between children's rights to physical integrity (Article 19) and the sanctioning of physical punishment (Rose-Krasnor, Durrant & Broberg, 2001). Article 19 of UNCROC highlights our obligations to protect children from all forms of physical and mental violence and to establish appropriate and effective procedures for the investigation of maltreatment. Clearly, child abuse and neglect have reached high levels in New Zealand. During 2003, approximately 33,000 care and protection notifications were made to the Department of Child, Youth and Family Services (CYFS). This figure represents over 4% of the children in New Zealand. Alarming, a recent UNICEF League table on child maltreatment shows that NZ scored the third worst in the OECD; the rate of child abuse in NZ was 13 times higher than the rate of child abuse in the country with the lowest levels of deaths, Spain (UNICEF, 2003). Child advocates have argued that there are links between levels of child abuse in society

and the sanctioning of physical punishment in families (Straus, 1996).

Research over three decades by James and Jane Ritchie (Ritchie, 2002; Ritchie & Ritchie, 1970, 1978, 1981, 1993, 1997) suggests that New Zealand parents are inclined towards negative methods of child training, such as scolding, shouting and smacking. Parents are more likely to advocate physical punishment for boys than girls, and fathers are more supportive of punishment than mothers. There have only been modest fluctuations over time. For example, during the 1970 survey only one in 150 mothers (less than 1%) had **never** smacked their child, by the late 1970s this had increased to 10%, by the 1980s it had dropped again to 2%, and by the 1990s this had increased to 4%. In 1981 65% of men and 36% of women were in favour of corporal punishment for boys, and 52% of men and 30% of women were in favour of it for girls. Little change was apparent in a 1988 survey (Ritchie & Ritchie, 1993). In a study in the late 1990s more than half of both mothers and fathers continued to hit their children once a week or more which was unchanged since the previous decade (Ritchie, 2002). Many parents were not particularly happy with the effectiveness of physical punishment and said that they used it because they did not know what else to do. The Ritchies' research suggests that public opinion is slow to change in New Zealand, and that in the absence of some strong intervention a culture of acceptance of physical punishment is unlikely to change.

Another study of attitudes to physical punishment (Maxwell, 1995) is supportive of the Ritchies' picture of physical punishment in New Zealand families. The vast majority of parents (88%) thought that it was permissible for parents to smack a child in some circumstances, with twice as many men as women endorsing severe physical punishment (40% of men compared to 21% of women). Almost one in five parents (17% and 16%) thought that it was alright to hit a teenage son or daughter. About a third (36%) had smacked their preschool child with the hand in the past week, but only 3% had pushed, shoved or grabbed, and 1% had used an implement such as a stick. Almost half (45%) of the parents had used some form of physical punishment in the last week. Maxwell compared her data with those of the Ritchies' and concluded that attitudes were changing somewhat, especially in being more likely to reject severe forms of punishment such as the use of implements, and more accepting of the use of positive methods of discipline. Most parents, however, still approved of

smacking with an open hand. Younger, more affluent and better-educated parents were less likely to approve of corporal punishment.

Fergusson & Lynskey (1997) found that 10% of a sample of 18-year-olds reported that neither of their parents had used physical punishment, 78% said that their parents had seldom used it, 8% reported that their parents had used it regularly, 2% said that one parent used corporal punishment often and too severely, and a further 2% said that at least one parent had treated them harshly and abusively. This study suggests that only about one in 10 young people had experienced a substantial amount of physical punishment, one in 10 had received none, whereas eight out of 10 had experienced a low level of physical punishment.

These studies suggest that there is a culture of acceptance of physical punishment in New Zealand just as there is in many other Western countries like the United States (Straus, 1999), the United Kingdom (Leach, 1999) and Canada (Durrant, Broberg & Rose-Krasnor, 1999). The retrospective reports of adolescents indicate less use of punishment than the reports of parents. The majority of young people had, however, experienced some physical punishment. That the climate of acceptance is perhaps less strong here than in the United States, is suggested by Maxwell's finding that only 1% of parents in New Zealand used an implement for physical punishment, whereas one in four in the United States had used implements (Gershoff, 2002a).

The use of corporal punishment was abolished in New Zealand state and private schools and early childhood centres by s.139A of the Education Act 1989. This took effect from 23 July 1990. An amendment to s.59 of the Crimes Act 1961 (via s.45 of the Crimes Bill 1989) excluded the statutory authorisation for teachers to use reasonable force against pupils in schools. Thus, s.59 of the Crimes Act 1961, entitled 'Domestic discipline', now reads:

- (1) Every parent [of a child and, subject to subsection (3) of this section, every person in the place of the parent of a child is justified in using force by way of correction towards the child], if the force used is reasonable in the circumstances.
- (2) The reasonableness of the force used is a question of fact.
- (3) Nothing in subsection (1) of this section justifies the use of force towards a child in contravention of section 139A of the Education Act 1989.

The term 'justified' is further defined in s.2(1) of the Crimes Act as meaning in relation to any person that they are "not guilty of an offence and not liable to any civil proceeding". Thus s.59 provides what is known as a statutory defence (an excuse) in law. If an adult

is prosecuted for assaulting a child then s.59 can be invoked in court to say that the assault was justified. This may lead to an acquittal if the judge or jury agrees. A parent (or any other relevant adult) has to satisfy the following tests before being sheltered by the protection offered by s.59 – firstly, any force used must be by way of correction, and secondly, the force used must be reasonable in the circumstances. Section 59 does not sanction child abuse, nor protect a parent from the consequences of using excessive force.

Definitions

Discipline is guidance of children's moral, emotional and physical development, enabling them to take responsibility for themselves when they are older. Discipline involves making children aware of the boundaries of what is acceptable and unacceptable behaviour. It also involves teaching or guiding them to behave appropriately and how to relate to the world around them. Discipline is not the same as punishment, because discipline emphasises instruction about what is valuable and the consequences of actions (Holden, 2002). Discipline is the process of teaching children the values and normative behaviours of their society (Wissow, 2002).

Effective discipline enables children to develop increasing independence and a sense of self-worth. Family members need an understanding of what can reasonably be expected from children to be able to be effective teachers of appropriate behaviour. Discipline can be positive – e.g. praising the child for acting appropriately; or negative – e.g. smacking a child for doing something wrong. Positive discipline normally involves helping children to understand why certain behaviour is unacceptable and other behaviour is acceptable. Negative discipline focuses on compliance in order to avoid punishment. Power-assertive disciplinary methods involve application of aversive consequences such as physical punishment, threats or withdrawal of privileges with little justification. Power assertive approaches are often contrasted with inductive methods, which involve reasoning, explanation, setting up logical consequences and limit setting (Hart, DeWolf, Wozniak & Burts, 1992). There are long-term consequences in personality, motivation and social behaviour from different approaches to family discipline as this report will show.

Physical punishment is the use of force to cause pain, but not injury, for the purpose of correction or control (Straus & Stewart, 1999). Most authors distinguish physical or corporal punishment from abuse but often the definition does not help the differentiation of the two concepts. For example, Lenton (1990, p.159) defined child abuse as "any act, excluding sexual mistreatment, carried out by a parent or parent substitute that has the intention of, or is

perceived as having the intention of, hurting a child in his or her care”, which seems very little different from punishment except that in the latter there is the intention to correct behaviour. Two-thirds of physically abusive incidents develop out of disciplinary action taken by parents. The probability of physical abuse is directly related to the number of disciplinary confrontations. The main difference between abusive and non-abusive parents is the frequency and intensity with which parents direct negative behaviour towards their child (Wilson & Whipple, 1995). Where the line dividing the two concepts is drawn depends very much on cultural values, and there is no consensus amongst professionals on this issue. The average amount of “non-abusive” spanking in the US is 2.5 times within a 27 hour time-frame, while spanking six times or more a day or more than two standard deviations above the mean, puts parents at risk of abuse (Cheng, 2000; Whipple & Richey, 1997). The level of “non-abusive” spanking suggested in this study seems extraordinarily high!

Family discipline issues in theoretical framework

1. Sociocultural theory

Sociocultural theory (Rogoff, 1990; Vygotsky, 1978) suggests that children gradually come to know and understand the world through their own activities within the context of social interactions and relationships with other people. Children perform more competently with the help of others while they are developing skills. Help and guidance can be gradually withdrawn and children become able to act independently. There is an important role for scaffolding⁵ and guidance by adults in helping children develop appropriate behaviour. Children come to internalise the modes of social interaction which they experience. Actions (and language) occur between people and these external processes are internalised by the developing child and come to regulate action. Controls on behaviour become internal, and external control becomes unnecessary. The implications of a sociocultural view for family discipline is that if children experience pain and negativity from their caregivers, they will internalise these modes of interaction, and come to use them later in their interactions with others.

Ideally families provide ‘responsive learning contexts’ which allow children to gradually take more and more initiative in controlling their own behaviour. Family members can do this well usually, because they are more aware of children’s current level of competence and understanding, and can judge when and where they need support. The key elements of

responsive learning contexts are dialogue, social interaction and graduated assistance. While in the early years the emphasis is on heavy scaffolding and a dominant role for the more skilled family member, responsive learning contexts move as quickly as possible to give the learner more opportunity for self-regulation, responsibility and initiative.

Language helps children relate to and understand others, and it enables them “to reflect on, represent, and communicate about the self and others” (Laible & Thompson, 2000, p.1424). Conversations between children and their caregivers influence children’s learning about moral issues. Language is the means through which messages are carried from the social world to the individual’s thinking processes. The exchange of messages between parents and children about what is acceptable or unacceptable behaviour, influences the internalisation of moral values. Laible & Thompson (2000) showed that when mothers referred to feelings and moral evaluations in conversations with their children, their children were more likely to be sensitive to the feelings of others, be aware of the consequences of their actions, and feel guilty if they had acted inappropriately.

2. Attachment and moral internalisation

Attachment – the affectional tie which binds the child to the parent/caregiver together across space and time – is central to learning and development, most particularly in the formation of identity (an internal working model of self). Close and reciprocal relationships between caregivers and children in the first year of life are of central importance to all early learning and development. Attachment provides a secure base of trust from which children explore their world, helps them to develop a sense of self, and to relate to other people. Attachment security is vital for children’s sense of well-being and their feeling of safety within and outside the boundaries of their family (Garbarino, 2001). Children’s secure attachment is associated positively with warm, responsive parent-child interactions and negatively to punitive and negative interactions (Coyl, Roggman & Newland, 2002). Attachment plays an important role in the development of conscience and the internalisation of rules and moral values (Laible & Thompson, 2000) and is therefore a very important concept to keep in the foreground when we theorise about appropriate methods of family discipline.

Promoting the development of internal control over behaviour is an important long-term goal in family discipline (as opposed to the more limited goal of achieving immediate compliance). ‘Moral internalisation’ involves appropriating the values and attitudes of society as one’s own to guide behaviour,

⁵ Scaffolding refers to permitting children to do as much as possible alone, while the adult fills in what the child cannot do (Bruner, 1985).

which promotes autonomy and choice and requires minimal use of parental power (Gershoff, 2002a). Early compliance with caregivers' requests is linked to the internalisation of moral rules even during the preschool years (Kochanska, Coy & Murray, 2001). If children internalise moral guidelines for behaviour, there is less need for ongoing external control such as through punishment. Power assertive methods of discipline, including physical punishment, are thought by many authors to be less successful long-term in promoting moral internalisation than the use of induction or reasoning (e.g. Grusec & Goodnow, 1994).

Some developmental psychologists (Hoffman, 1994; Larzelere, 1996a), however, argue that a combination of power assertive and inductive disciplinary techniques can encourage moral internalisation. Focusing on the cognitive social information processing involved in a disciplinary encounter, risks ignoring the importance of affective components, according to Hoffman. He believes that power assertion in a disciplinary encounter can provide the motivation and arousal to direct the child's attention to the message, which should then be explained using inductive methods. Hoffman argues that discipline should produce an optimal level of arousal in the child, since a low level may result in the child ignoring the parental message, and too high a level will result in fear, anxiety and resentment which will direct the child's attention not to the message but to the consequence for him/herself. The implication is that physical punishment is not appropriate because it is usually associated with high levels of arousal.

3. Social learning theory

Social learning theory suggests that the consequences of behaviour strengthen or weaken behaviour. Punishment (defined as the presentation of an aversive stimulus or the removal of a reinforcing stimulus) following the behaviour weakens the behaviour. The problem with using punishment as a primary method of controlling behaviour is that it is not likely to suppress the undesirable behaviour permanently unless it is very severe. Otherwise the undesired behaviour is likely to reappear. Punishment, to effectively suppress behaviour, should occur immediately after every transgression and be intense (Domjan, 2000, as cited in Holden, 2002). These conditions are unlikely to be fulfilled by parents and it would seem that they are likely to have undesirable side effects (such as physical injury) if used.

Punishment can become associated with other stimuli (through classical conditioning) so that fear, hostility and avoidance can become associated with the punisher (the parent) or the place (home). Hence the presence of the parent can evoke fear or anxiety. This can be very damaging for attachment

relationships between child and parent. Reliance on negative modes of discipline is likely to disrupt attachment relationships and identity formation. Parents who intrude harshly on children's physical and emotional exploration, risk creating a 'false self' that is adaptive, in the short-term, to parents' demands but inadequate in an adult life that requires self-direction and an internal sense of purpose and well-being (Wissow, 2002).

Another powerful concept from social learning theory is modelling. Children learn by watching others. Hence when family members control children's behaviour primarily through negative means, then children are likely to try to influence others' behaviours using similar techniques. If their own behaviour is controlled by other people inflicting pain on them, then they are likely to inflict pain on others when they want them to do something (or as a response to anger).

The child who is frequently coerced and punished by parents is likely to become resentful, hostile, coercive and physically violent towards others. This escalates the level of punishment from parents and may set off a negative cycle. The contingencies of reinforcement and punishment are important within social learning and behavioural theory. Contingencies refer to the consistencies with which particular behaviours are rewarded or punished. Negative child behaviour is likely to be strengthened by inconsistent and non-contingent punishment. There is a bidirectional relationship between parental discipline and child aggression over time, according to Patterson and his colleagues, whose research has been used to explain antisocial behaviour in later childhood (Patterson, 1995; Patterson, Dishion & Chamberlain, 1993; Stoolmiller, Patterson & Snyder, 1997).

Corporal punishment can be embedded in a pattern of coercive social relationships. Serious antisocial behaviour can begin at an early age. For example, toddler tantrums are at a peak at the age of two years, but in most families these rapidly decline (Stoolmiller, 2001). An ineffective parenting response can actually strengthen undesirable behaviours and perpetuate a coercive family cycle, which can continue to adolescence and beyond. Children learn that aversive behaviour is highly effective for controlling others, and parents inadvertently reinforce this behaviour. Patterson (1995) says that something as mild as a parent nagging a child to do homework may elicit negative behaviour like arguing, yelling, whining, or lies. The parent may then stop scolding and the child 'wins', with the outcome that no homework is done. Within coercive families the payoffs for children for antisocial behaviour are higher than they are for prosocial behaviour.

The discipline reflects parents' desperate effort to control a child who is essentially socially unskilled. Presumably, this is because the parent

is nonsupportive for prosocial-skill behaviours. As a result, they issue three or four times as many commands, threats, and scoldings; but the punishments they use tend to be ineffective. (Stoolmiller et al., 1997, p.223)

A cognitive behavioural perspective (Caselles & Milner, 2000; Nix et al., 1999) suggests that parents who use punitive or abusive discipline differ in their interpretation of, and attributions for children's behaviour. These parents, for example, may over-react to minor transgressions, have unrealistic expectations for compliance, and judge transgressions as more wrong than parents with more regular strategies. They are more likely to believe that children's transgressions are intentional and controllable (Durrant et al., 1999).

4. Ecological theory

An ecological perspective suggests that modes of discipline within the family should be viewed within a wider ecological context. Physical punishment should not be seen in isolation from the wider context of family, culture and society.

The experience of community violence takes place within a larger context of risk for most children. They often are poor, live in father-absent families, contend with parental incapacity due to depression or substance abuse, are raised by parents with little education or employment prospects and are exposed to domestic violence. (Garbarino, 2001, pp.363-364)

Bronfenbrenner's ecological model (1979) portrays the family as embedded within other overarching systems of influence. The well-being of children is affected profoundly by events occurring in settings in which they are never present (such as parental employment). The individual family is a microsystem nested within a wider framework of social and economic influences which either supports or undermines the capacity of the family to support children's well-being. Risk and resiliency research shows some of the factors associated with the use of coercive and hostile treatment (including physical punishment), or more nurturing styles of interaction (Masten, 2001). Some factors come from within the individual and the family (including past family history, cultural and religious values and beliefs) whereas others come from outside. Outside factors can include economic circumstances, law and public policy, family support systems (or lack of them). Other microsystems which contain the child (such as the school and early childhood centre) can have a large influence on supporting or undermining the ability of the family to use positive disciplinary techniques.

The macrosystem values and practice around violence in society are hugely important in providing

a climate of support for physical punishment and violence (and vice versa – the use of physical punishment at home is linked to violence in society). Garbarino (2001) argues that children are increasingly living in a dangerous environment and a climate of insecurity, with threats to their feelings of safety from kidnapping or terrorism, traffic, crime, and violent television and video (in news and drama programmes). In some areas in the United States, there is no doubt that aggressive and externalising behaviour may actually be adaptive in terms of helping children survive in a hostile environment (Belsky, 1997).

Straus (1996) believes that all types of violence are related to each other and that countries with the highest homicide rates have the highest use of corporal punishment. He also suggests that countries with low tolerance of parental use of corporal punishment are less violent societies. For example, in Sweden prosecutions for assault and child deaths have declined dramatically since the legislation was changed to recognise children's rights to physical integrity.

There is considerable research, not only on the effects of physical punishment but on the determinants of physical punishment, which fits into an ecological perspective. Such research looks at the cultural, structural and personal characteristics which are associated with the use of physical punishment. Xu, Tung & Dunaway (2000) have developed an integrated theoretical model of the determinants of physical punishment, categorising the four main determinants of parental use of corporal punishment as cultural capital, human capital, social capital and endogenous factors.

Cultural capital includes the symbolic meanings, and cultural values of norms which guide parenting. These may be influenced by practices accepted in particular societies (such as the widespread use of guns in the US), intergenerational beliefs, religious, and cultural values. Human capital, according to Xu et al. (2000), provides people with the skills and capacities to help them to act differently and the resources from which parents draw for developing their parenting practices. Such factors include educational attainment, employment and income. Social capital involves the relationships which people have with each other, and these influence their parenting functions. They include informal support networks, assistance with child care and domestic work, and emotional support from partners, extended family members, neighbourhood networks, or outside agencies. The fourth set of exogenous determinants includes family demographic variables, such as family size, marital status of parents, and parental age. These multiple sources of capital operate jointly in determining how likely it is that parents will resort to the use of physical punishment.

. . . parenthood is best understood through an ecological lens. Of singularly powerful influence is the theoretical and empirical work of Urie Bronfenbrenner. His 1974 analysis of the effects of early childhood programmes triggered a major turning point in contemporary thinking about how best to alter the course of child development. Among his often-cited conclusions is the call for 'ecological intervention' that enables a family to function as an optimal child-rearing system. These supports include health care, nutrition, housing, employment, and 'opportunity and status for parenthood'. (Powell, 1997, p.9)

5. Sociology of childhood

It is very apparent from reading the literature on the influence of family discipline (including smacking), that children are usually constructed by researchers as the passive objects of socialisation. Sociologists of childhood (Mayall, 2002; James & Prout, 1997) have been highly critical of such an approach. They say that childhood is a social construct which varies in different times and places. Expectations and values about children have a major impact on how we treat them. Mayall and others see it as more appropriate to view children as social actors with a viewpoint of their own, for example, about social issues such as fairness, justice, punishment and rules. There is only a tiny amount of literature looking at children in this light of being competent participants with a contribution to make to society. Most of the literature constructs children as immature beings who must be shaped or moulded into being 'appropriate', and therefore as a legitimate target of physical discipline, and not as a fully fledged human being (Gough & Reavey, 1997). Respecting children as persons with rights is not a salient part of our social construction of childhood in New Zealand, but the current debate about the appropriateness of physical punishment has at least

resulted in challenges to traditional perspectives, and these should eventually be reflected in our laws and social policies.

Neglecting the perspectives of children on the issue of family discipline has left a real gap in the research literature, because even researchers who have not looked at children's perspectives (such as Deater-Deckard & Dodge, 1997) believe that children's understanding and experience of family discipline mediates its effect. If parental messages are to guide children's behaviour "the child must perceive the message as appropriate, the child must be motivated to comply with the message, and the child must feel the message has not been imposed but rather has been self-generated" (Grusec & Goodnow, 1994, p.17). Our report does review the small amount of research which does explore children's perspectives on physical punishment.

Summary of context and theoretical background

This section has outlined why family discipline is such an important issue in New Zealand currently. It has clarified the meaning of a variety of terms used in relation to disciplinary practice and provided a theoretical framework to explain how family discipline influences children's well-being and development. The conceptual framework draws on sociocultural, attachment, moral internalisation, social learning, ecological and sociology of childhood theories. Children's learning and development is profoundly affected by relationships and interactions within families, but that parenting is influenced by individual and collective family history, by wider conditions, values and practices in society, particularly what we think about childhood and what we think the goals and methods of child rearing should be.

2. The Effects of Physical Punishment

ANNE B. SMITH

Methodological issues

There are problematic areas in relation to assessing the effect of family discipline on outcomes for children. These issues include the problem of determining causality, confounding variables, limited outcome measures (e.g. retrospective parent or child reports), the definition of punishment (and distinguishing it from physical abuse), and lack of generalisability because of limited sample populations (e.g. clinical samples or European samples).

Because it is impossible to randomly assign children to punishment or non-punishment groups it is difficult to establish a causal relationship between corporal punishment and children's behaviour (Pitzer, 1997). In the real world it is not possible to have controlled experiments which compare different parenting behaviour in different groups. Many studies have indicated positive relationships between corporal punishment and various measures of child behaviour but most of these studies have been cross-sectional and correlational in design. Correlational studies simply show the relationship of two or more variables at a given point in time. In many cases there is an equally plausible argument to explain results other than that physical punishment leads to child aggression. The child's aggressive behaviour may be the causal variable which leads to the parental punishment. It is clear that children whose behaviour is more noncompliant elicit more punishment from their parents (Cavell, 2001). It is most likely, however, that there is a bidirectional effect with both variables both causing and being the effect of the other.

One way of establishing causality without random assignment and control groups, is to show that one event occurred before another one and to control for the behaviour at a baseline point in time (Benjet & Kazdin, 2003). If it is shown that physical punishment preceded some other behaviour, such as the incidence of aggression, then the study provides some evidence of causality. In order to show the direction of causality, measures of child behaviour outcomes at different times are needed. It is then possible to look at how intervening variables (such as type of family discipline) are related to differences in behaviour at time one and time two. There are now a small number of longitudinal studies which are able to control for behaviour at time one, which provide stronger evidence of the causal effect of family disciplinary processes and outcomes in children's behaviour (Straus, 1999, 2001).

Problems with the definition of physical punishment and where the dividing line from physical abuse lies, have been discussed earlier. The majority of researchers find it impossible to distinguish between injurious and non-injurious physical punishment. Crittenden (1998) says that there is a continuum from physical punishment to physical abuse, and that abusive parents are not categorically different from other parents. Larzelere (1996a, 1996b, 2000) excludes from his literature review, the harsher end of the punishment scale on the grounds that it is "too severe", but other researchers (e.g. Gershoff, 2002a) show that such high levels of punishment are normative and practiced by a quarter to a third of the population (in the US). Hitting with an implement (such as a stick), for example, is practiced by one in four parents in the United States, so should be considered normative (Gershoff, 2002b). There are many authors (including pro-corporal punishment advocates) who point out that we do not know how much is too much, and what 'overly severe' really means (Benjet & Kazdin, 2003; Gawlik, Henning & Warner, 2002; Gershoff, 2002b; Larzelere, 2000; Wissow & Roter, 1994).

How to measure parental discipline validly is problematic in much of the literature (Locke & Prinz, 2002). Methods of determining parental discipline vary from simple survey based rating scales and questionnaires, to single questions on an interview, to longer interviews, daily diaries, repeated phone interviews, and detailed observation over time. Many studies rely on parental self-report (or adult retrospective reports on their treatment during childhood) and do not measure frequency or intensity of disciplinary episodes. At one extreme of simplicity are studies like Feehan, McGee, Stanton & Silva (1991) which asked brief questions on strictness and consistency of parental discipline in an interview devoted to other issues, to gathering complex and rich data on parental discipline from surveys, interviews and observations (e.g. Smith & Brooks-Gunn, 1997). Smith & Brooks-Gunn demonstrated that there was a relationship between maternal reports of their use of punishment and observed use of punishment. Interview-generated indices are considered superior to self-report and observational measures of family interaction are likely to yield the most valid measures (Chamberlain & Patterson, 1995; Hinshaw, 1997).

Another methodological problem with measuring parental discipline is that measurement is often decontextualised. Many researchers ignore the specific context and antecedents of the disciplinary act, and the way it is embedded in a larger constellation of

parenting practices (Locke & Prinz, 2002; Parke, 2002). It makes much more sense, according to Parke, to view punishment as “a packaged variable” which should be viewed within the context of other socialisation practices. It is difficult to tease out the effects of a particular aspect of discipline such as physical punishment, when it is linked to other parenting processes. Parke (2002) argues in favour of a much wider range of methodology, including qualitative and ethnographic approaches, which will give more insight into how discipline takes effect in the everyday lives of children and parents. Locke & Prinz (2002) are also critical of the lack of cultural appropriateness of many discipline and nurturance measures, and the lack of establishment of measurement equivalence across cultural groups.

Short-term effects

Most parents are looking for short-term effects when they punish children, and whether the punishment ‘works’ immediately is a key issue for them. The main short-term effect of punishment which has been studied, is immediate compliance with a parental directive.

In her meta-analysis of 92 studies on corporal punishment (which examined the effect of punishment on 11 outcome variables), Gershoff (2002a) found that corporal punishment was only associated with one desirable behaviour, and this was immediate compliance. The mean effect size⁶ for this variable was large (1.13), but the study findings were inconsistent, with two of the five studies showing that corporal punishment was associated with less compliance. Three of the five studies were of clinical samples of children who had been referred for problem behaviours. Hence the generalisability of the findings are dubious and suggest that the procedure may only be effective for disobedient and disruptive children. Gershoff points out that most parents are interested not only in immediate compliance, but in ongoing compliance and her other results show that this does not necessarily take place, and that there are other unforeseen long-term consequences of corporal punishment. Another review (Kalb & Loeber, 2003) concludes that apparent immediate effectiveness is not the same thing as ongoing effectiveness:

Although physical punishment may increase compliance in the short-run, research suggests that in the long run it may actually lead to an increase in noncompliance and may even place a child at risk for more serious behavior problems. (p.646)

Another review of literature (Larzelere, 2000) challenged an unpublished, earlier (1999) version of

Gershoff’s (2002a) review on methodological grounds, and selected studies for review by setting different and more selective criteria for inclusion. Studies had to be published in peer-reviewed journals, have child outcome measures with unambiguous beneficial versus detrimental outcomes, and include at least one measure of “customary” (i.e. not overly severe) physical punishment. Only 16 of Gershoff’s 92 studies met Larzelere’s criteria. The results showed that six of the studies involving clinical trials found predominantly beneficial effects such as reduced noncompliance and fighting, and in one case enhanced parental affection. Five of the controlled longitudinal studies found a broader range of predominantly detrimental outcomes, while the remaining three showed both beneficial and detrimental outcomes. The findings were more positive for children younger than six years and tended to be detrimental for teenagers. The findings also varied by the type of disruptive behaviour, with physical punishment being more effective for children whose behaviour was most disruptive. The more frequent use of physical punishment was associated with detrimental outcomes.

Based on the above arguments there is a small group of researchers (e.g. Baumrind, 1996a; Baumrind, Larzelere & Cowan, 2002; Chenoweth & Just, 2000; Larzelere, 1996a) who believe that physical punishment, provided that it is “judicious and limited”, is an effective method of achieving children’s immediate compliance. They also say that Gershoff’s findings are based mainly on correlational research and cannot establish a causal link between physical punishment and child behaviour (Baumrind et al., 2002). These researchers argue that the studies showing negative effects of corporal punishment focus on the effects of “severe physical punishment” and do not take sufficient account of frequency or severity. Larzelere suggests that smacking is an effective mode of discipline for younger children (two to six-year-olds) as a back up for the use of milder disciplinary strategies such as time-out or reasoning. He has suggested that two smacks on the bottom is an acceptable degree of punishment, (though does not specify a desirable frequency – once a day or once a week). Larzelere (2000, p.215) suggests that corporal punishment is only effective under the following conditions:

- it is not too severe;
- the punisher is under control (i.e. not punishing in anger);
- the age of the children is from two to six years;
- it is accompanied by reasoning;
- it is done privately;
- it is motivated by “concern for the child”.

6 Effect size is an indication of the size of the effect that is attributable to a particular variable. A small effect size would include values up to .33, a moderate effect size would be from .34 to .59, and a large effect size .6 or larger (Gershoff, 2002a)

As most of the critics of this viewpoint suggest, it is very unlikely that the vast majority of parent-dispensed corporal punishment fulfils the above criteria. Moreover, the goal of immediate compliance is a very limited one, and able to be achieved equally well by other methods of punishment, which do not have the same undesirable side effects (Straus & Stewart, 1999). Straus (2004) cites studies which compare corporal punishment with alternatives, such as time-out for one minute, showing that these alternatives were equally effective in producing child compliance.

There are varying cultural standards for what is an acceptable level in physical punishment. For example, family discipline typically used in Tonga, Nigeria, or the West Indies would probably be regarded as physical abuse in Western cultures (Ani & Grantham-McGregor, 1998; Kapavalu, 1993; Rohner, Kean & Cournoyer, 1991). Nevertheless there is also wide variation within single cultures. Regardless of culture, there is almost uniform acceptance that severe physical punishment has negative long-term effects. A Tasmanian report (Gawlik et al., 2002) suggests that there is also absolutely no consensus within the law about what is reasonable and unreasonable physical punishment. For example, using a cane has been held in some cases to be reasonable and other cases to be unreasonable, and welts or bruises can be judged to be reasonable or unreasonable.

It is also mentioned by a number of researchers that corporal punishment has a built in risk of escalation (Elliman & Lynch, 2000; Leach, 1999; Patterson, 1995; Stoolmiller et al., 1997). As its effectiveness declines (which may happen over time and frequent use) severity increases, and physical punishment shades into physical abuse.

Long-term effects

Corporal punishment has unintended consequences which are long-term and hence not easily observable by the punisher (McCord, 1996). McCord argues that some of the unintended consequences include teaching children to avoid being caught, endorsing giving pain, reducing the possibility of influencing children through example or discussion, making the forbidden more attractive, and teaching children to be selfish and egocentric (because they are motivated by avoidance of pain). According to Straus & Stewart (1999) the research on the effects of corporal punishment achieves a degree of consistency which is rare in social science. This research shows that there are a variety of negative long-term consequences of using physical punishment as a method of family discipline.

A recent review and meta-analysis of the research literature on corporal punishment provides the following summary:

Ten of the 11 meta-analyses indicate parental corporal punishment is associated with the following undesirable behaviours and experiences: decreased moral internalisation, increased child aggression, increased child delinquent and antisocial behaviour, decreased quality of relationship between parent and child, decreased child mental health, increased risk of being a victim of physical abuse, increased adult aggression, increased adult criminal and antisocial behaviour, decreased adult mental health, and increased risk of abusing own child or spouse. Corporal punishment was associated with only one desirable behaviour, namely, increased immediate compliance. (Gershoff, 2002a, p.544)

In part because of the methodological problems with studies of corporal punishment, pro-corporal punishment advocates have dismissed many of the overwhelmingly negative findings. Straus (2001), however, argues that there are now five prospective studies (where children's behaviour is observed at different points in time) which all show the long-term negative effect of corporal punishment. In these studies, higher rates of misbehaviour occurred two and four years later for children who were spanked versus those who experienced little or no corporal punishment. Critics of Gershoff's (2002a) review have also said that it is not appropriate to include studies of severe corporal punishment. They argue that the negative effects of corporal punishment are only associated with harsh, punitive discipline "which is acknowledged by all experts to be detrimental to children's well-being and ethically unacceptable" (Baumrind et al., 2002, p.581). In response Gershoff (2002b) has argued that rather than being deviant the levels of punishment included are normative.

Use of physical punishment is associated with a wide variety of negative child outcomes which will be covered under the relevant headings. While Gershoff's (2002a) review will be drawn on, some further individual studies will be discussed, usually because they are relatively recent and cover issues of importance. One striking feature of the Gershoff review is that the findings are highly consistent with the direction of effects being largely uniform in predicting undesirable long-term consequences associated with physical punishment (Holden, 2002).

1. Social behaviour

That corporal punishment is associated with children's aggression and other antisocial behaviour (towards peers, siblings, adults), has been proposed by many researchers and there are sound theoretical reasons for expecting it. Modelling theory, for example, suggests that corporal punishment may legitimise violence for children in interpersonal relationships, and sociocultural theory suggests that children internalise

the social relations they experience. Ironically the behaviour which parents are most likely to intend to prevent when they physically punish children, is exactly the behaviour that they are likely to be strengthening.

Gershoff's (2002a) meta-analysis reviewed 27 studies in childhood, and four in adulthood, looking at the relationship between physical punishment and aggression. These studies varied in the age of the children studied (from one year to sixteen), the type of data gathered (though most were parental self-report), and the experimental design (most were cross-sectional). The findings of the meta-analysis consistently showed that the parental use of physical punishment was associated with child aggressive behaviour. Effect sizes varied from the smallest (0.1) to the largest (0.91) with a composite mean weighted effect size in childhood of 0.36, and in adulthood of .57. A small to moderate effect of physical punishment on children's aggression and a moderate effect on adult aggression, was therefore demonstrated in this meta-analysis.

Gershoff's (2002a) review also includes 13 studies of delinquent and anti-social behaviour in childhood (which are grouped together), and five studies of the same variables in adulthood. With only two exceptions, the studies showed a consistent link between the use of corporal punishment and delinquent and antisocial behaviour with the smallest effect size for childhood studies being .05 and the largest 1.77. The smallest effect size for adulthood was .29 and the largest .66. The composite effect size on delinquent and antisocial behaviour in childhood and adulthood was .42 indicating a moderate effect of punishment on delinquent and antisocial behaviour.

Cohen & Brook (1995) followed up children from a random representative sample of 976 families who had been interviewed in 1975. They carried out psychiatric diagnostic interviews with mother and youth, and assessed levels of power-assertive punishment. More than three quarters of the children were exposed to risky levels of physical punishment. The children were more than twice as likely to show conduct disorders eight years later if they were among a highly punished group, and more than three times as likely to have conduct disorders 10 years later. The authors concluded that punishment had a causal effect on increasing conduct disorders. While there was some evidence from cross-lagged analysis of a reciprocal influence from child problem behaviour to punishment, the predominant influence was from punishment to conduct problems.

Ani & Grantham-McGregor (1998) compared prosocial and aggressive 10 to 13-year-old Nigerian boys using parent, student (including peer nominations) and teacher reports to identify aggressive and prosocial children, and to report on parenting practices. The

aggressive boys were more likely to be physically punished, receive less affection and be less supervised by their parents. Beating was commonly used by parents of both groups of children. The aggressive boys, however, were beaten more frequently – 77% had been beaten four times or more with an implement in the preceding two months compared to 4% of the control children. Frequent physical punishment was a strong predictor of child aggression and the authors concluded that the risk factors of aggression cut across anthropological and social barriers. It should be noted that the level of punishment for these children is probably considerably higher than it would be in a Western sample.

Brenner & Fox (1998) surveyed a large representative non-clinical sample of 1056 American mothers of one to five year-old children recruited from 57 early childhood centres. Mothers ranked their own parenting in terms of expectations, use of punishment and nurturing. Mothers also rated the frequency of their children's behaviour problems. Parental discipline was the strongest predictor of behaviour problems in children, accounting for almost 20% of the variance in reported behaviour. Parents who used frequent punishment had more behaviour problems with their children while less frequent punishment was associated with fewer problems. Both verbal and physical punishment were associated with more problem behaviour. The main problem with this study is that it is correlational and that the data is entirely dependent on parental report.

Straus, Sugarman & Giles-Sims (1997) demonstrated a causal relationship between corporal punishment and children's antisocial behaviour by interviewing a national sample of mothers of six to nine-year-old children twice, and testing the hypothesis that the more the mothers spanked at Time 1, the higher the level of antisocial behaviour two years later at Time 2. The study was able to control for the initial level of antisocial behaviour and for six parental demographic variables. The findings were robust across all age groups and both sexes, and showed that increased risk of antisocial behaviour was associated with the use of punishment regardless of ethnicity, socioeconomic status, cognitive stimulation and emotional support. The study suggested that the more frequently that corporal punishment was used by parents the more likely it was that the negative effects would last, and that children would show ongoing problem behaviours.

Gunnoe & Mariner (1997) interviewed a large (over a thousand) representative sample of parents (half mothers and half fathers) of four to seven and eight to 11-year-old children. They were interviewed in the late eighties and five years later. The study showed that the greater the use of corporal punishment at Time 1 the greater the amount of fighting at school

at Time 2 (five years later) for the older children. The study showed that the harmful effect of corporal punishment applied regardless of race or gender. The study did not support a link between spanking and aggression in children younger than six years.

Straus & Mouradian (1998) studied the relationship of corporal punishment with children's antisocial behaviour within the context of 'impulsive' parental behaviour. More than a thousand mothers of a random sample of two to 14-year-old children were interviewed by telephone and asked about frequency of corporal punishment, the degree of anger associated with the use of punishment (whether they had 'lost it' during the disciplinary incident), and child behaviour. Acting out against others (including family, teachers, or peers) was assessed through parental report. The more that parents used corporal punishment the more likely they were to use it impulsively, and there was a clear linear relationship between the child's antisocial behaviour and both corporal punishment and impulsivity. Even among mothers who only rarely used corporal punishment, it was associated with an increased level of antisocial behaviour. The authors reported that their study did not support the view that the use of corporal punishment by loving parents was not associated with harmful side effects.

O'Leary, Smith Slep & Reid's (1999) research, because of its longitudinal nature (measurements at two points in time), was also able to establish a causal relationship between parental discipline and child behaviour. This study is also interesting because it used a sample of toddlers – the age when most pro-corporal punishment advocates argue that corporal punishment is defensible and effective. (Admittedly the conditions under which corporal punishment is advocated differ markedly from the conditions used by the overreactive mothers in this study.) One hundred and seventeen mothers of toddlers (18 to 36 months) completed questionnaires in a laboratory, and were re-contacted by phone an average of 30 months later to complete a second set of assessments. A variety of self-report scales were used to assess mother's 'over-reactive' discipline, and child behaviour problems. Overreactivity measured maternal verbal and physical punishment, arguing, and overt expression of parental anger. The study examined the reciprocity of effects, i.e. whether the child's behaviour influenced the mother's disciplinary style and/or vice versa. The study, however, did not support the hypothesis that children's externalising behaviour caused the mother's over-reactive discipline. The results showed much more support for the hypothesis that over-reactive maternal discipline had a causal relationship with the child's externalising behaviour. The authors suggest that the study offers support for Patterson's (1995) coercion theory, that parents cease being over-reactive when children act out, which negatively reinforces children's externalising behaviour.

Welsh (1998) reports on his studies of the association between severe physical punishment and delinquency. He found that in a typical white middle class community 50 (42%) members of the PTA of a medium-sized Connecticut town had used the strap at least once and that more of the group who had used the strap on their children reported having an aggressive child. Other observations had suggested that black and Puerto Rican parents were more likely to use a belt on their children than white parents, and concluded that this was one reason for the high level of delinquency amongst their children (All of the above data suggests that severe physical punishment is more normative in the US than in NZ). Data was also gathered from 58 boys and 11 girls who had been referred to seven juvenile courts about their experience of parental punishment. Ninety-seven percent of the delinquent boys had been "raised on a belt, board, extension cord, fist, or the equivalent" (Welsh, 1998, p.2). The level of antisocial behaviour was judged by the nature of the conviction in the criminal court and by two independent judges. Severity of physical punishment was a much better predictor of delinquent aggression than socioeconomic status or race.

Having been physically punished so often, and having grown insensitive to the social expectancies of our society, he [the delinquent] is now unable to gauge the effect his negative behavior has on others and is even unable to understand the embarrassments and anxieties others experience. (Welsh, 1998, p.3)

A longitudinal New Zealand study (Fergusson & Lynskey, 1997) looked at the relationship between the retrospective reports by 18-year-olds, of physical punishment by their parents during childhood and their subsequent social behaviour. The study followed 1265 Christchurch born children from birth until they were 18 years of age using repeated interviews. At 18 the adolescents reported on a five point scale whether or not their parents had physically punished them (from 'harsh' to 'never'), and on their juvenile offending and experience of being a victim of violent crime. Young people who had been regularly or severely punished were twice as likely to be involved in recurrent violent offending than young people who had never or seldom been physically punished. Receiving either regular or harsh physical punishment was also associated with twice the likelihood of being the victim of a violent crime. Even when confounding variables like socioeconomic status and family history had been statistically removed (by covariance) there was a significant influence of extent of physical punishment on recurrent violent offending and being the victim of violence.

Studies by Hart and his associates (Hart, Ladd & Burleson, 1990; Hart et al., 1992) have looked at the association between discipline and children's peer

relationships. Hart et al. (1990) interviewed mothers and their fourth grade children prior to the beginning of the school year and measured children's sociometric status (how positive peers felt towards them). The study showed that peer status was influenced by disciplinary style, with mothers who were more power assertive in their use of discipline having children who were less accepted by their peers and used coercive methods for resolving peer conflict. Hart et al. (1992) looked at the association between parents' self-reported disciplinary approaches and observations of three to six year-old children's playground behaviour. They found that the children of more inductive and less power assertive parents showed fewer disruptive playground behaviours and were more preferred by peers.

The literature is quite consistent in supporting the conclusion that there is an association between the use of parental corporal punishment, especially when embedded in impulsive, overreactive and power assertive parental discipline, and the development of antisocial behaviour in children. While there are methodological limitations in some studies, they show a remarkable degree of consistency. Although overall the research shows the most adverse effects for the use of corporal punishment with older children, there are also several studies showing negative effects from very early use of corporal punishment. The studies reviewed include several with a longitudinal design which provide evidence of a causal effect of physical punishment on children's social behaviour. That punishment has such a serious adverse influence on social behaviour is cause for concern, since we know its lifelong impact on friendship, sexual partnerships, social support and other processes which build human capital. Social development is, however, inseparable from cognitive development, since relationships and positive interactions are integral to the development of thinking.

2. Cognitive development

A sociocultural perspective of development suggests that children's cognitive development emerges out of social interactions. Social relationships such as early attachment to caregivers, friendships and collaborative learning between peers, and relationships between children and teachers, directly and indirectly influence children's learning and motivation to learn. The use of verbal methods of discipline through explanation and reasoning are likely to provide the child with more cognitive stimulation than the use of corporal punishment without induction (Straus, 2001).

Gershoff's (2002a) meta-analysis does not include any studies linking physical punishment to cognitive development or academic achievement. We have, however, located seven studies linking aspects of children's cognitive development to family discipline.

These seven studies all show an association between harsh discipline and poorer academic achievement and/or cognitive development across a range of ages and ethnic groups. One of the seven studies focused on verbally punitive behaviour and the other six studies focused on physical punishment.

A South African study (Cherian, 1994) examined the relationship between severity of parental corporal punishment and academic achievement in a large sample of 13 to 17-year-old adolescents in Transkei. Young people's reports of their experience of physical punishment were related to their performance on an aptitude test battery and performance on school examinations. Regardless of their family structure (broken or intact) there were negative effects of high punishment experience on academic aspirations and performance.

Smith & Brooks-Gunn (1997) gathered observational data in conjunction with maternal self-report, as well as measures of IQ at the age of three years. The large sample (715) consisted of mothers of low birth weight infants and their children. Parents were observed and interviewed when their children were one year and three years of age. There were strong positive correlations between maternal reports of hitting children, and the use of physical punishment during an observer's visit. The majority of the mothers (75%) who reported hitting their child in the last week had also been observed hitting their children at 12 and 36 months of age. The effect of persistent harsh discipline on children's cognitive functioning at three years was negative for girls. For girls, those children who had experienced high levels of punishment at one and three years had IQ scores on average eight points lower than those who experienced low levels of punishment. A combination of low warmth and high punishment was associated with IQ scores an average of 12 points lower (for girls) compared to girls who experienced high warmth and low punishment.

A longitudinal study in Wisconsin public schools by Shumow, Vandell & Posner (1998) examined the relationships between parental discipline, children's academic achievement at school and teacher ratings of behavioural adjustment to schools. The study used a variety of measures including parental reports (from interviews) of child-rearing expectations and discipline at two points in time (when children were in third and fifth grade), school achievement results, and teacher ratings. Reported parental harshness was negatively associated with teacher reports of child adjustment at school and parental reports of behaviour problems at home. Parenting strategies were stable over two years indicating a consistent child rearing approach. In both the third and fifth grade, parental harshness was associated with children displaying poorer developmental outcomes (in academic achievement and adjustment to school) even after controlling

for family income, race, family structure, parental education and maternal unemployment. The authors concluded that parental harshness was associated with poorer cognitive achievement (and social adjustment) in the school setting.

Jester et al. (1999) carried out a longitudinal investigation of the effect of disciplinary practices in African American families on intellectual stimulation as measured by the HOME scale (an observation and interview measure of parental responsiveness and stimulation). Seven year-old children's intellectual development was measured by two IQ tests (the WISC and the Peabody Picture Vocabulary). The caregivers' use of reasoning to resolve conflicts was positively correlated with the quality of intellectual stimulation and negatively correlated with physical punishment. The use of physical punishment was a strong predictor of the display of ADHD-like symptoms of hyperactivity and inattention, and was negatively associated with intellectual ability. The use of reasoning to resolve conflict was, however, positively correlated with intellectual ability.

Straus & Paschall (n.d.) carried out a longitudinal study of a large (around one thousand) and nationally representative US sample of mothers of one to four year-old children. The mothers were interviewed about whether they had spanked their child during the last week, and whether they hit their child during the interview was observed. Cognitive ability was measured in Year 1 and then two years later, so that ability at Time 1 was controlled, and it was possible to establish a causal link between the use of punishment and cognitive ability at Time 2. The study also controlled for mothers' age and education, family structure, ethnicity, age, gender and birth weight. It showed that higher levels of physical punishment were associated with falls in cognitive performance. The study did not show any ameliorating effect of parental emotional support or cognitive stimulation on cognitive ability.

Another study (Solomon & Serres, 1999) in Quebec focused on the effect of verbal aggression on children's self-esteem and academic achievement. A sample of 10 year-old children completed questionnaires about their parents' verbal aggression towards them and the use of physical punishment, and school records yielded their scores in their native language (French) and mathematics. The study showed that parental verbal aggression separate and distinct from physical punishment contributed to lowering children's self-esteem and school achievement. Children who perceived themselves as having been the targets of parents' verbal aggression thought themselves to be less competent in their school work. They were also likely to think that their peers did not accept them.

These studies suggest that another potential danger from the persistent use of physical punishment as a

disciplinary technique is its possible adverse effect on children's future academic achievement. Not all of the studies relied on self-report and several of them were longitudinal, so the studies cannot be dismissed on methodological grounds. Research has established a relationship between the punishment and later cognitive development for toddlers (Smith & Brooks-Gunn, 1997), even though advocates of corporal punishment are especially supportive of its use with toddlers.

3. Quality of parent-child relationships

One concern arising out of a framework of attachment theory is that the use of physical punishment can have an adverse effect on the quality of the relationships between children and their parents. Attachment is known to have an important influence on a wide variety of child development outcomes, and on the child's moral internalisation of disciplinary rules and social competence (Coyl et al., 2002; Kochanska et al., 2001). Gershoff (2002a) reviews 13 studies linking the use of physical punishment with the quality of parent-child relationships. The studies showed with 100% consistency that physical punishment was positively associated with poorer child relationships, with effect sizes varying from the lowest of $-.24$ to the highest of -1.25 . The composite mean effect size for this variable was relatively high at $-.58$.

A recent study (Coyl et al., 2002) investigated factors which contributed to infant attachment security, such as stressful events, maternal depression, negative parent-child interactions and corporal punishment. The study involved interviews with mothers (who were involved in a Head Start programme) when their infants were 14 months old, Q-sort measures of infant child attachment, and two questions from the Home Observation for the Measurement of the Environment (HOME) inventory about spanking. About two thirds of the children in the sample were insecurely attached, a figure about twice as high as would be expected from the general population. The study also included a measure of negative mother-child interactions – only a small number (less than 4%) had a high level of negative interactions with their infants. The majority of the mothers in the study (77%) reported no spanking in the past week, while 23% said that they had spanked the child. In the group which did spank, just under half had spanked only once in the week and about one in six had spanked the child at least six times. Using path analysis the authors showed that there was a direct path linking negative interactions and frequency of spanking to insecure infant attachment, but also that there was an indirect effect from maternal depression to infant attachment security mediated by negative interactions and frequency of spanking. Maternal depression had the strongest negative effect on attachment security,

followed by negative interactions, frequency of spanking and relationship stress. The study suggests that physical punishment and negative mother-infant interactions are more likely to take place when mothers are depressed and stressed, but that these negative disciplinary techniques have an adverse effect on security of infant attachment.

A qualitative study of the views of New Zealand parents and parent-educators (Russell, 1996) provides a graphic example of how family discipline can affect parent-child relationships. The following quotation is from a mother who made a conscious decision never to smack her own children. She talks about her own childhood:

My parents were very strict. I assumed everyone was being brought up the same. You will do as you're told and you won't question. My mother would use the wooden spoon; my father was more into bare hands. There were other things: go to your room, miss out on something. If you were naughty, they almost took it as a personal affront, they just seemed so offended by it, like you were insulting them. I was basically very good and I was hit frequently. I'm sure through being smacked it made me do so silly things without thinking. It made me go out and do the same thing again, what I'd been smacked for. The message I got from them when they hit me was not "what you're doing is bad, don't do it again". The message I got was "we don't love you". (Russell, 1996, p.69)

There is good evidence to suggest that the quality of parent-child relationships are adversely affected by the use of physical punishment. The findings underline the view that the establishment of positive reciprocal relationships between parents and children are antithetical to parental treatment which includes physical punishment.

4. Mental health

It has been clearly established that the development of externalising behaviour is associated with the use of parental physical punishment. A less visible but equally serious problem is the development of internalising behaviours such as depression, anxiety, suicidal ideation and other mental health problems. Such problems can have lifelong effects influencing the parenting of the next generation, and are often ignored and untreated. New Zealand's high levels of suicide (Action for Children and Youth Aotearoa, [ACYA], 2003) are already a concern so this is a particularly worrying effect of the culturally acceptance of punishment. According to Straus (1999) mental health problems are associated with physical punishment due to their being an outcome of the suppression of childhood anger associated with being hit by adults on whom children are dependent for love

and nurturance. Straus (1994a) quotes Greven's (1991) assertion that depression is historically associated with the Protestant tradition of violence against children, and that these depressive symptoms are rooted in experiences which often take place before children have conscious memory.

Gershoff (2002a) reviewed 12 studies of physical punishment and mental health in childhood, and eight studies of physical punishment and mental health in adulthood. Again there was 100% consistency in the findings of these studies that mental health problems in childhood and adulthood were associated with the use of physical punishment. The range of effect sizes for childhood mental health problems was -.29 to -2.26, and for adulthood from -.09 to -1.40. The composite mean effect size was a moderate -.49 for childhood and a very small -.04 for adult mental health.

Fergusson & Lynskey's (1997) research on the impact of parental discipline on adolescent mental health showed that adolescents who had experienced regular or harsh levels of physical punishment had more (24.4 and 40) symptoms of anxiety disorders compared to adolescents who had experienced no (11.7), or infrequent (16) physical punishment. A similar pattern was shown for symptoms of major depression and suicide attempts. Controlling for confounding variables such as socioeconomic status reduced the effect of physical punishment on aggression and depression to insignificance. However, the effect of physical punishment on suicidal ideation remained significant after confounding variable effects had been controlled by an analysis of covariance.

MacMillan et al. (1999) carried out a population health survey of a sample of almost 10,000 Ontario residents who were 15 or over. A sub-sample (about half) of this total sample did not have any history of physical and sexual abuse in childhood. The study examined the relationship between the incidence of self-reported parental use of slapping and spanking and the prevalence of four categories of psychiatric disorders. Just under half of the sample reported having been slapped sometimes (33%) or often (5.5%) while only 20% said that they had never been slapped. There were statistically significant linear trends showing that increased frequency of corporal punishment was associated with increased prevalence of lifetime psychiatric disorders. The association was weakest for major depression and anxiety and strongest for dependence and externalising problems.

Heaven & Goldstein (2001) surveyed 242 Anglo and Asian Australian high school students about their parent's disciplinary style, and their own depression and self-esteem. Depression was significantly related to perceptions of parents' punitiveness and of love-withdrawal. Among Anglo students low self-esteem was significantly related to low levels of inductiveness and high levels of love-withdrawal. Self-esteem was

unrelated to parental discipline in the Asian students, but significantly related to depression. Students were more depressed, regardless of ethnicity, if they had experienced punitive and unaffectionate parenting. The effect of parental discipline on depression was mediated by low self-esteem in Anglo students (but not in Asian students). Punitive discipline also had a much more negative effect on internalising behaviour for girls than for boys.

Frías-Armenta (2002) studied depression in Mexican women, who were interviewed about their history of parental discipline, levels of depression and anxiety, and the parenting of their own children. Frías-Armenta reported high rates of physical punishment in Mexico with the majority of children (97%) being beaten, and half of them as frequently as once a day. The study participants included a group of women who had physically abused their children and a control group which was matched on demographic variables. Structural equation modelling was used to map the relationship between variables. The findings indicated that history of child abuse was positively linked to depression/anxiety, which in turn had an effect on how the mothers parented (whether they were more likely to slap, insult or beat) their children. The study suggested that child disciplinary practice helps to reproduce intergenerational patterns of severe punishment and abuse. A history of abuse is linked to adult depression which influences parenting style, so that negative discipline is repeated with the next generation perpetuating the cycle of negative outcomes.

The effect of physical punishment on internalising behaviour such as anxiety, depression (the latter especially in women) and suicidal ideation has been established in the research literature. It may contribute to intergenerational patterns of physically punitive discipline. (see also pp.29-33)

5. Moral internalisation

Social information processing theory (Grusec & Goodnow, 1994) suggests that the major long-term goal of family discipline is to help children internalise the values and attitudes of society to guide their own behaviour. There is little doubt that many parents want their children to internalise such values, and that they do not realise that the excessive use of power assertive discipline in the absence of induction or explanation, may have the very opposite effect from what they wish to achieve.

Gershoff's (2002a) review supports the view that the use of physical punishment tends to lessen the chances that children will internalise parental rules and values. Reviewing 15 studies in this area showed that all but two of these studies showed an association between the use of physical punishment and lower

levels of moral internalisation. The effect sizes varied from .15 to 4.44 and the composite effect size was -.33, a small to moderate effect.

Kochanska et al. (2001) carried out a longitudinal study of the development of self-regulation in children under four years of age. Mothers of normally developing infants participated in laboratory sessions with their children at 22, 33 and 45 months. Children's committed and situational compliance with their mothers was observed in 'do' (sustaining boring behaviour) and 'don't' (ceasing pleasant behaviour) contexts and children's compliance with maternal requests were assessed. Internalisation was also observed in 'do' and 'don't' contexts by looking at whether children complied with requests when the mother moved to another room. Mothers' styles of discipline were also observed. There were several significant negative correlations between the maternal use of power and children's committed compliance as well as with children's independent compliance (when alone). The authors argue that committed compliance (embracing maternal agendas and following maternal directives in a self-directed way) is the first step towards internal control. It represents the conflict between children's wish to comply and their desire to be autonomous. Power assertive disciplinary techniques do not support moral internalisation.

Laible & Thompson (2000) observed 42 mothers and their preschool children in a laboratory session where mothers were asked to discuss with their children an incident which had occurred in the last week where the child had behaved well, and another where the child had misbehaved. Conversations were analysed for maternal references to feelings, rules, consequences of children's actions and moral evaluatives. Each child took part in a behavioural measure of internalisation and several compliance tasks, and mothers completed a maternal report of early conscience development. Shared positive affect included both attachment security and maternal references to feeling, consequences and rules and it made a significant contribution to predicting child compliance. Shared positive affect was also a significant predictor of internalisation. The study suggested that where mothers talked with children about feeling and the importance of moral values, children were more likely to show early signs of conscience development.

Hence the development of internal control of children's behaviour is more likely to occur within the context of warm, supportive conversations, than within a context of power assertive discipline.

6. Other negative effects and links

Much has been made by the advocates of parental corporal punishment of the difference between 'normal'

physical punishment and deviant physical abuse. To most researchers, however, there is an unsatisfactory vagueness about the dividing line between physical abuse and physical punishment, and an unwarranted assumption that 'everyone' understands where the line lies. Physical punishment appears to be just one end of a continuum of power assertive discipline that all too readily shades into physical abuse. There are many researchers who believe that physical abuse is rooted in cultures of the acceptance of violence (Straus, 1999; Zigler & Hall, 1989).

Gershoff (2002a) reviewed 10 studies associating physical punishment with abuse in childhood and five studies linking experience of physical punishment in childhood with adult abuse of own children. The link with physical punishment and being a victim of physical abuse in childhood was consistent. All 10 studies (varying in effect size from .32 to 1.57 with the largest mean composite effect size of .69) showed that physical punishment was linked with physical abuse.

There are other studies indicating links between physical punishment and negative outcomes. For example, experiencing high levels of physical punishment has been associated with alcohol and substance abuse (Adalbjarnardottir & Hafsteinsson, 2001; Fergusson & Lynskey, 1997; Nurco, Blatchley, Hanlon, O'Grady & McCarren, 1998); with the incidence of bulimia (Rorty, Yager & Rosetto, 1995); with sexual deviance (Green, Butt & King, 2002; Johnson, 2002; Straus, 1999); and with family violence including child to parent violence, and violence between partners (Brezina, 1999; Simons, Lin & Gordon, 1998; Straus & Yodanis, 1996; Swinford, DeMaris, Cernkovich & Giordano, 2000; Ulman & Straus, 2003).

Summary and conclusion on the effects of physical punishment

This section has established that there is little evidence in favour of retaining physical punishment in the parental repertoire of discipline. There is only one appropriate outcome for child behaviour which has been in some (but not all) studies associated with physical punishment, and this is immediate compliance. Even those who argue in favour of the use of physical punishment as a back up to other disciplinary strategies such as reasoning and time-out, suggest that it is only effective under severely

limited conditions (as to age of child, severity, timing, context, etc). When compliance can be achieved just as easily (and effectively) with alternative inductive and positive methods of child rearing and milder forms of punishment, the problems and side effects associated with the use of physical punishment may be regarded as too risky.

Research on the long-term effects of punishment are consistent, and overwhelmingly negative over a wide variety of child development outcomes. The use of physical punishment has been associated with many negative outcomes in social behaviour, including aggression, behaviour problems in school (within the classroom and playground), lack of acceptance by peers, crime and delinquency. Children's (especially girls') cognitive and intellectual development are adversely affected by parental use of physical punishment. Punishment is also linked to insecure attachment and poorer relationships between children and parents, and to a variety of mental health problems such as anxiety, depression and suicidal ideation. The overall goals of family discipline for most families are for children to internalise the values and attitudes which will lead to appropriate behaviour, rather than relying on external monitoring and control. Research suggests that the use of physical punishment does the reverse, and inhibits the development of moral internalisation.

The use of physical punishment is deeply embedded in our culture and history, but it is a clear and preventable health risk for children. One very frequently used everyday argument in favour of corporal punishment is from people who say: "I was spanked and I am okay". Straus points out that people who say this may be among the lucky ones who were not adversely affected by corporal punishment. Corporal punishment does not guarantee a harmful effect, but the more children experience corporal punishment and the more frequent and severe it is, the more they are at risk for problems like aggression or depression. There is an interesting parallel with cigarette smokers who do not develop lung cancer. There are indeed some smokers who do not contract smoking-related diseases, but they are the fortunate minority, and there is no question that smoking is linked to many health problems. The use of corporal punishment as a method of family discipline is also a definite health risk for children to which, hopefully, parents would not expose their children, if they realised the risk of harmful consequences.

3. Factors Which Influence Parental Disciplinary Practices and Attitudes

MEGAN GOLLOP

Which factors can influence a parent's choice of, or support for, disciplinary practices? The majority of the literature examining these factors focuses on parental use of physical punishment. Therefore, this chapter will, for the main part, identify factors that have been found to be associated with parental use of, or attitudes towards, physical punishment.

The underlying rationale for much of the research, particularly that which makes the link between physical punishment and abuse of children, is that if 'risk factors' can be identified then interventions and/or parent support and education, can be targeted towards particular groups of parents as a preventative measure.

The study of factors which predict parental use of physical punishment is rooted in the aetiology of child abuse and maltreatment. As such, much of the theoretical basis for research into parenting and discipline stem from models of child maltreatment and abuse and family violence, but can equally be applied to the study of non-abusive parenting. An ecological perspective sees violence against children "as a multiply-determined phenomenon, in which the child and family are viewed as part of a nested system of risk factors and protective factors at the socio-cultural, community, family and individual levels" (Ghate, 2000, p.397).

A common ecological model underpinning much of the research is Belsky's Process Model of Parenting. Belsky proposed that parenting behaviour is multiply determined by characteristics of the child, the parent and the family/society context of which the child and parent are part (Tajima, 2000). These characteristics can act as support or stress factors, and the balance of these factors determine the quality of parenting (Woodward & Fergusson, 2002). Reflecting an ecological view of parenting the literature examines three major groupings of factors which can influence parental disciplinary practices (predominantly physical punishment): child characteristics, parent characteristics, and contextual factors. This chapter discusses each of these.

Child characteristics

This section addresses factors about children that have been found to lead to an increased risk of them experiencing physical punishment. The gender and age of the child will be discussed, as will aspects of the child's behaviour, such as the type of 'punishable misdeed', and more general factors such as behavioural problems and temperament.

1. Gender of the child

There is considerable evidence that boys are physically punished more often and/or more severely than girls (Day, Peterson & McCracken, 1998; Dietz, 2000; Giles-Sims, Straus & Sugarman, 1995; Kanoy, Ulku-Steiner, Cox & Burchinal, 2003; Nobes & Smith, 2002; Straus & Moynihan, 1994; Straus & Stewart, 1999; Wauchope & Straus, 1992; Simons, Whitbeck, Conger & Chyi-In, 1991). Wissow (2001) also reported that boys were yelled at more than girls, but the difference was small (42% compared to 37%). However, research findings are mixed and some research has found no significant gender differences (e.g. Graziano & Namaste, 1990; Holden, Coleman & Schmidt, 1995; Holden, Thompson, Zambarano & Marshall, 1997; Woodward & Fergusson, 2002).

When differences have been reported, figures as to the degree of difference vary between studies, with Wolfner & Gelles (1993) reporting that males experienced physical punishment about 10% more than females, and Tajima (2000) finding that girls were 29% less likely to be physically punished than boys. A study by Simons et al. (1991) found that parents were two to three times more likely to use physical punishment with their sons than with their daughters.

There is some inconsistency in relation to findings for prevalence and chronicity rates⁷ for physical punishment for boys and girls. Giles-Sims et al. (1995) found that while there were differences in prevalence rates for spanking between three to five-year-old boys and girls, chronicity rates did not differ significantly, indicating that while more boys than

⁷ Prevalence (or incidence) refers to the percentage of parents using physical punishment (or the percentage of children experiencing it) during a particular time period. Chronicity (or frequency) indicates how often physical punishment is used among those parents who do use it (or those children who do experience it). Straus and Stewart (1999) report that chronicity (frequency) of physical punishment is a more stable measure than prevalence. They examined eight potential determinants of physical punishment and found that while six were related to the prevalence of physical punishment, only three had a significant relationship with the chronicity of physical punishment. They cite the example that while more low SES parents used physical punishment than high SES parents, among those . . . (continued over)

girls experienced physical punishment they were not necessarily smacked more often. However, another study reported both prevalence and chronicity rates as being significantly higher for boys than girls (Straus & Stewart, 1999).

Straus & Stewart (1999) also found a significant interaction between child gender and child age, with there being no difference in the use of physical punishment between boys and girls at ages two to four, due perhaps to the ceiling effect for prevalence at this age. Another interaction between child gender and child age was also found by Day et al. (1998) who analysed data from the *National Survey of Families and Households* collected in the US during 1987 and 1988. They reported that boys were spanked slightly more frequently than girls, and that this gender difference became more pronounced as the child aged. There may also be some interactions with parental sex, as Day et al. (1998) also found that older boys tended to be spanked by their mothers, while fathers rarely spanked older girls.

Severity of physical punishment has also been examined in relation to gender differences. Several studies have found that parents were more likely to use harsh or severe discipline with sons than with daughters (Nobes, Smith, Upton & Heverin, 1999; Simons et al., 1991). A similar finding was reported by Smith & Brooks-Gunn (1997) who found that boys, particularly those from low income families, received harsher discipline than girls including more spanking, hitting, denigration and scolding.

Parental attitudes to physical punishment may also be dependent on the sex of the child, but again research findings are inconsistent. Holden & Zambarano (1992) found that parents of boys held more favourable attitudes to the use of physical punishment than did parents of girls. However, Kelley, Power & Wimbush (1992) found no significant differences between mothers of boys and mothers of girls on child-rearing attitudes and reported control practices. Conversely, in a sample of 108 mothers of three-year-olds, Holden et al. (1997) found that, consistent with earlier findings, mothers of boys were more in favour of physical punishment than mothers of girls. However, no significant differences were found between a mother's actual use of physical punishment or, for mothers who did use it, the frequency of its use, and their child's sex.

A study with college students which asked them to judge vignettes about a disciplinary event between a child and a parent (Herzberger & Tennen, 1985a) found

that discipline of daughters was perceived as more severe, less appropriate, more emotionally harmful and more abusive (if it was physical) than similar treatment given to sons. Discipline of daughters was viewed as particularly harsh and inappropriate when it was administered by fathers.

Ritchie & Ritchie's New Zealand based research spanning four decades (Ritchie, 2002) found that in the 1970s fathers of sons were more likely to use physical punishment than fathers of daughters. In the 1990s this was not found, but fathers of sons were more likely to believe that they were doing the right thing when they hit their sons, than were fathers of daughters, who showed greater discomfort about hitting their child.

Gender differences in the use of physical punishment have been accounted for the suggestion that boys are less compliant (Straus & Stewart, 1999; Wauchope & Straus, 1992), or more active and more likely to misbehave than girls (Day et al., 1998; Straus & Moynihan, 1994). Another view suggests parents see girls as being more fragile and easily hurt while boys need to be 'toughened up' (Straus & Moynihan, 1994; Wauchope & Straus, 1992) to prepare them for "a world which expects toughness, aggressiveness, and the ability to cope effectively with hardship" (Day et al., 1998, p.92).

2. Age of the child

Parental use or approval of physical punishment is influenced by the age of their child, with younger children tending to experience physical punishment more than older children (Day et al., 1998; Dietz, 2000; Ghate, Hazel, Creighton, Finch & Field, n.d.; Flynn, 1998; Holden & Zambarano, 1992; Jackson et al., 1999; Maxwell, 1995; Stolley & Szinovacz, 1997; Straus & Moynihan, 1994; Tajima, 2000; Walsh, 2002; Wolfner & Gelles, 1993; see also Wissow, 2002 for a summary of findings from national US surveys; Youseff, Attia & Kamel, 1998).

Generally, toddler and pre-school children are physically punished more than older children, and this declines as children age. For instance, Nobes & Smith (1997) found that 52% of the one-year-old British children in their survey were smacked at least weekly, compared to only 35% of seven-year-olds, and 11% of 11-year-olds. Dietz (2000) also noted that in her analysis of the Gallup Organisation data in the US not only were younger children more likely to be physically punished, they were also disciplined in

7 (continued) . . . that did smack their children high and low SES parents did not differ in how frequently they smacked. Use of prevalence as a measure is relatively crude, as all it really determines is whether a parent has used physical punishment during a particular time period. No distinction would be made between a parent who smacks their child on average 10 times a week or one, who in a moment of high emotion, had smacked their child once in the past year. For instance, Peterson et al. (1994) reported that while 81% of their sample said they spanked their child, chronicity ranged from once/month to 10 times/day. As well as being a more stable measure, chronicity or frequency has also been found to be associated with more severe use of physical punishment, with Nobes and Smith (2002) finding that parents who used physical punishment more frequently were more likely to have inflicted severe punishment.

this manner more frequently. Giles-Sims et al. (1995) reported a similar trend to Nobes & Smith (1997) in relation to prevalence rates for spanking, but also found that preschool children (aged three to five) were spanked more frequently than older children. However, chronicity rates did not vary much after this age group: 67% of three to five-year-olds were spanked more than once per week, compared to 46% of six to nine-year-olds, and 43% of 10+-year-olds. Thus, after the preschool period, although prevalence rates decline, chronicity rates do not appear to follow the same pattern.

The gradual decline in prevalence rates is also apparent for adolescents, with Lau, Liu, Cheung, Yu & Wong (1999) finding that among secondary school students in Hong Kong the younger the adolescent the more likely it was that they had experienced physical punishment. At the other end of the age spectrum, Wissow (2002) reports on the *Commonwealth Fund Survey of Parents With Young Children*, which asked parents of children under three about their disciplinary strategies. Yelling, spanking and hitting/slapping became more common disciplinary strategies as children aged, with a gradual step-wise increase shown across the age groups <6 months, six to 11 months, 12 to 17 months, 18 to 23 months, and 24 to 36 months.

The general pattern which emerges then from the literature is one where the use of physical punishment peaks with children aged approximately three to five years, and tapers off from either side in terms of age. For example, Tajima (2000) reported that children over 14 and under one year of age are 87 to 96% less likely to be punished physically than two to 14-year-olds. "Previous research indicates that CP [corporal punishment] increases from infancy to age 2, stays about the same for ages 3 through 5, and decreases steadily from age 5 through 15" (Straus & Stewart, 1999, p.59). Figures from the 1985 *National Family Violence Resurvey* (Wauchope & Straus, 1992) support this, with a peak of 79% of parents using physical punishment with their three-year-olds, a rate that declined steadily with child age. Hitting with an object, however, peaked at an older age (a finding similar to that by Stattin, Janson, Klackenberglarsson & Magnusson (1995) who reported a peak at age nine for more severe beatings, compared to a peak at age four for striking). A similar pattern was found in relation to chronicity, with the frequency of physical punishment peaking for two-year-olds and declining gradually. Wauchope & Straus (1992) sum up by stating: "Both the incidence rate and the chronicity are lowest for infants, rise sharply to a peak at ages three and four, and decline thereafter" (p.144).

A 1995 survey by the Gallup Organisation ten years later and reported by Straus & Stewart (1999), found similar results. About a third of children under one

year of age were being hit by their parents, peaking at ages four to five when 94% of parents said they had disciplined their child physically in the last 12 months, with a progressive decline until age 17. While children of a greater age did experience less physical punishment about one in five 16 to 17-year-olds were still being hit by their parents. Physical punishment was also used more chronically by parents of two-year-olds, with a steady decline with age. This fits in with Holden et al. (1997) finding that mothers reported beginning to use physical punishment to discipline their children when their child was on average 23 months old.

There is some evidence that older children are more likely to be the victims of more severe physical punishment than younger children (Nobes & Smith, 2002; Straus & Stewart, 1999). For instance, Straus & Stewart (1999) found that so called 'milder' forms of physical punishment, such as spanking and slapping, were used most often with two to eight-year-olds, while more severe (and less culturally approved of) practices, such as being hit with an object, or slapped around the head and face, were more commonly reported being used in relation to five to 12-year-olds.

The use of disciplinary practices other than physical punishment appear to also vary with age. Wissow (2002) reports that of the three neutral/positive disciplinary strategies the *Commonwealth Fund Survey of Parents with Young Children* examined, time-out was the most commonly used, then explaining, followed by taking something away from the child. All of these three strategies were more commonly used with two to three-year-olds compared with 18 to 23-month-olds. It would appear from this survey that the older children (aged two to three) were disciplined more than younger ages, both positively and more negatively, rather than parents favouring more positive strategies and therefore reducing their use of physical punishment with older children. However, Chen & Luster (2002) found that mothers of older children were more likely than mothers of younger children to use scolding and criticising to discipline their children. Maxwell (1995) also gave evidence that discipline type could vary with the age of the child, finding that the younger the child the more likely they were to be sent to his/her room or smacked, and the less likely it was for his/her parents to explain or discuss the matter or to remove privileges.

So why might a child's age make a difference to how they are disciplined? Wauchope & Straus (1992) propose that parents may delay using physical punishment until a child is old enough to understand the reasons why he or she is being punished or that the observed trend might be due to a child's increasing strength and size which comes with age. Alternatively, they suggest that as children age so too do their

parents, increasing their maturity and experience. As will be shown later, parental age is another predictor of the use of physical punishment, with older parents tending to use it less (see pp.23-24). Wauchope & Straus (1992) also submit that cultural and social norms surrounding physical punishment are related to the age of the child, and that parents may use physical punishment to conform to society's expectations.

Scottish parents in Anderson, Murray & Brownlie's (2002) study believed that it was appropriate to smack children within only a narrow age range (approximately three to eight years). The most common reason parents gave for believing younger children should not be smacked was they would not understand the reasons for it, with other reasons being that alternative disciplinary strategies would be more effective, and that smacking could harm children and was ineffective. For those children aged eight to nine and older, smacking was seen as inappropriate because many parents believed that since children of this age could reason, other strategies were more appropriate. They also thought that at this age children could understand the meaning of violence and would therefore interpret physical punishment differently than younger children. Some parents also thought that smacking an older child would humiliate and embarrass them.

Durrant, Ensom & Wingert (2003) suggest that the highest prevalence of physical punishment amongst preschoolers may be due to these children being "in a stage of high activity, exploration, and drive for independence. Children in this age group also are likely to exhibit negativism, impulsivity, and limited understanding of harm and danger" (p.4). This notion, that children's behaviour can impact on their parents' disciplinary practices, leads into the following section which examines how children's behaviour and temperament can be risk factors for experiencing physical punishment.

3. Child behaviour

(a) Type of behaviour/misdeed

Several studies have found that behaviours which break a moral rule (e.g. aggression, stealing) and/or which are seen as a direct challenge to parental authority or control (being non-compliant, defiant, disobedient or disrespectful) are more likely than other misbehaviours to be dealt with (or viewed as appropriate to be dealt with) by physical punishment (Andero & Stewart, 2002; Flynn, 1998; Graziano, Hamblen & Plante, 1996; Holden et al., 1995; Peterson, Ewigman & Vandiver, 1994; Ruane, 1993, as cited in Flynn, 1998; Socolar, Winsor, Hunter, Catellier & Kotch, 1999; Youseff et al., 1998). For instance, Holden et al. (1995) reported that an aggressive act was three times more likely to be punished by a

spanking than was a conventional transgression, such as those in relation to tidiness, manners, house rules etc. They found that the likelihood of a child being spanked for a conventional misdeed was significantly less than that for a destructive deed, which in turn was significantly less than that for an aggressive act, or one which centred around a violation of another's rights. This finding is in line with a vignette study by Catron & Masters (1993) where mothers judged physical punishment to be more deserved in response to prudential (safety issues) and moral transgressions than to social convention transgressions. They also rated social convention transgressions as deserving of less severe physical punishment than the other types of child misdeeds. Ruane (1993, as cited in Flynn, 1998) found that the college students she surveyed were less tolerant of slapping a child for exhibiting non-co-operative or age-related misbehaviour than they were for disrespectful or violent behaviour. This group of studies implies that the more serious the transgression in terms of its impact on harm to themselves or others (either destruction of property, pain, aggression or injury) the more likely the response is to be physical punishment. Durrant, Ensom et al. (2003) note that: "It is ironic that caregivers are most likely to strike children when they are trying to either prevent injury to the child or teach her that hitting is wrong" (p.5).

Some differences have been found in relation to the type of transgression and the age of the child. Younger children (under three) have been found to be most often smacked for 'being naughty' or continuing with a behaviour despite requests to stop, whereas older children were smacked for being cheeky or answering back (Anderson et al., 2002).

Another theme that appears in the literature is one of parents punishing their children for age-appropriate behaviour. A study which specifically examined 26 mothers' (of toddlers) reasons for using physical punishment, found that for most everyday situations describing normal behaviours of young children (such as not eating at mealtimes, not concentrating, saying "no"), the majority of mothers indicated they would use physical punishment in response (Culp, Culp, Dengler & Maisano, 1999). Fifty to 95% of the mothers said they would *always* use physical punishment to deal with these situations. When mothers gave their own reasons for the most recent time they had used physical punishment in the last week they gave responses such as colic, night crying, poor appetite, playing with something dangerous, and separation anxiety. These responses were classified into five categories: normal exploratory behaviour, normal negativism, behaviour problems, normal negative reaction, and the child playing with something they were not allowed to – all of which can be considered age-appropriate behaviours for toddlers. Culp et al. (1999) advocate prevention and early intervention to educate new parents about

age-appropriate behaviours, and to model effective alternatives to physical punishment. However, this study used first-time young mothers living in a rural community and the findings may not be able to be generalised. Even so, as discussed above, preschoolers are disciplined physically more than any other age group and this may be because of their age-appropriate behaviour, which can be difficult for parents to deal with.

Other studies have reported another commonly cited reason for physical punishment is to prevent a child doing something dangerous (Anderson et al., 2002; Bower-Russa, Knutson & Winebarger, 2001; Culp et al., 1999; Ghate et al., n.d.; Hazel, Ghate, Creighton, Field & Finch, 2003; Socolar & Stein, 1995). However, Flynn (1998) found the reverse, with the scenario of a child running out into the street without looking, being viewed by his participants as the least appropriate reason for spanking. Anderson et al. (2002) suggest that parents may see smacking to signal danger as a way of conveying the seriousness of the behaviour to the child and submit that “there is also an intuitive appeal in smacking the hand that is reaching for danger” (p.33).

It is not just the child misdeed that appears to be important but also the dynamic of the disciplinary encounter. Holden et al. (1995) discovered that a child's response to parental requests prior to being spanked were also an important issue. In 34% of the incidents when mothers spanked their child it occurred only after the child had ignored their mother's request or instructions to stop the behaviour, indicating non-compliance was a factor in mothers' use of physical punishment. Likewise, Socolar et al. (1999) found that spanking was more likely to be a secondary response to misbehaviour when the initial disciplinary attempt failed. Similarly, Anderson et al. (2002) reported that the parents in their study often construed smacking as an ‘last resort’, frequently making reference to smacking in response to persistence (rather than the seriousness) of undesirable child behaviour and/or the failure of other strategies to stop it. For parents of three to 10-year-olds the most common reason given for why they were smacked was that they did not stop doing something they had been told not to do. Fifty-eight percent of the parents who endorsed the use of physical punishment in Hazel et al. (2003) agreed that physical punishment was necessary as a last resort. It would appear then, that physical punishment is often used by parents as a last resort rather than as their initial and only disciplinary response.

It is also situations where parents and children are in conflict that increase the risk of physical punishment (Graziano et al., 1996; Youseff et al., 1998). Youseff et al. (1998) found that children who had a greater tendency to initiate arguments with their parents were more likely to experience physical punishment. Day

et al. (1998) also reported that more frequent arguing between a parent and child was a strong predictor of more frequent spanking. As will be discussed later parental anger is also a factor in physical punishment use (see pp.33-37). Therefore, a pattern emerges where a child misbehaves, then ignores a request to stop or other disciplinary methods fail, resulting in parental anger and parent-child conflict, which leads to the use of physical punishment.

(b) Parental attributions/perceptions about child misbehaviour

Although discussing parental factors, the following section deals with how parental expectations or attributions about children's misbehaviour can impact on their disciplinary responses. Attributions of competence, responsibility, and culpability have all been investigated in terms of disciplinary responses.

In a New Zealand study, Rodriguez & Sutherland (1999) examined parents' ratings of the severity and typicalness of 12 scenarios depicting the physical punishment of a young child. In half of the scenarios the child was depicted as blameless, while in the other half the child was portrayed as misbehaving. Parents were also asked to rate how frequently they punished their own child in that manner. It was found that perceived child culpability significantly influenced parental ratings: when the child was portrayed as misbehaving the parents rated the physical punishment to be less severe and more typical, and reported that they disciplined their own children in a similar manner more often.

Dix, Ruble & Zambarano (1989) examined mothers' implicit theories of discipline and how their attributions about their child's competence and responsibility for misbehaviour impacted on their decisions about appropriate discipline. Mothers rated power-assertive discipline more favourably, and induction less favourably, the more they attributed children with an understanding that they had misbehaved, the capability to act appropriately, and the responsibility for their misdeed. Mothers who attributed high competence and responsibility to their children said they would respond with greater sternness and disapproval, thought the period the child should sit in time-out should be longer, and were more favourable towards all disciplinary responses that involved punishment (as opposed to induction). Age of the child was also a significant factor: as the child's age increased mothers expected more of their children and attributed them with greater knowledge, capacity and responsibility for their misbehaviour, and consequently the mothers became more upset by negative behaviour – a case of ‘they should know better’. This is an interesting finding in light of the finding that older children are physically punished less often than younger children. If younger children are not perceived by parents to have the competence or understanding that they are

behaving negatively, it is interesting that they are nonetheless hit by their parents more.

Pinderhughes, Dodge, Bates, Pettit & Zelli (2000) investigated how a parent's perception of their child and their cognitive-emotional processes mediated the effect of stress on their disciplinary choices. They reported that when rating child misbehaviour vignettes parents who attributed hostile intent to the child (as opposed to attributing the blame elsewhere) were more likely to choose physical punishment as a disciplinary strategy, and if so, endorse more severe punishment. Similarly, Nix et al. (1999) also found that a mother's hostile attribution tendency (measured by whether she gave a benign or hostile explanations for a child's ambiguous behaviour problems portrayed in a vignette) was related to her use of harsh discipline with her own child.

Child provocation has also been found to be a factor, which influences attitudes towards physical punishment. Kelder, McNamara, Carlson & Lynn (1991) found that when judging vignettes, college students' ratings of the appropriateness of physical punishment increased as the degree of provocation the child displayed in relation to their misbehaviour increased.

In summary, if children are perceived as being to blame or responsible for their actions and the misdeed is perceived as deliberate, physical punishment is regarded as more appropriate, as is more severe punishment. Such behaviour provokes more parental anger and negative effect that, as will be discussed later (see pp.35-37), has an influence on the risk of a parent using physical punishment.

(c) Behavioural problems

'Difficult' children or those who exhibit externalising behaviour have been found to have an increased risk of experiencing harsh or physical punishment and to elicit more severe or frequent disciplinary responses (Eisenberg & Fabes, 1994, as cited in Holden et al., 1995; Ghate et al., n.d.; Graziano et al., 1996). Young people in a cohort from a New Zealand longitudinal study who reported receiving high levels of physical punishment during their childhood were more likely to have high rates of both conduct and attentional disorders. Having conduct problems between ages six and 13 was particularly predictive of physical punishment. Additionally, rates of physical punishment were found to increase as intellectual ability decreased (Woodward & Fergusson, 2002).

Children with problems such as aggression or delinquency have been found to be more at risk for being punished physically (Tajima, 2000; Koenig, Ialongo, Wagner, Poduska & Kellam, 2002). For instance, parents who reported smacking their child in the previous week were more likely to describe their children as overactive, difficult to control and having

difficult relationships with their siblings (Thompson & Pearce, 2001). Stolley & Szinovacz (1997) also report that parental perceptions of children as anxious or having behavioural problems were significantly related to the frequency of parents smacking their child.

Children's temperament is another factor that has been examined. While Holden et al. (1995) found no significant relationship between a child's temperament and spanking rates, several other studies have found that children's temperaments can impact on their risk of experiencing physical punishment. Day et al. (1998) found that parental attributions about children had an impact on their use of physical punishment, with some parents who perceived their child to have more desirable qualities, such as being more competent/capable and having an easy temperament, generally spanking their child less. However, this finding varied depending on the ethnicity and marital status of the mothers surveyed. Smith & Brooks-Gunn (1997) found that for girls, having a fussy or difficult to soothe temperament, at one year of age, predicted an increased risk of being hit or scolded by their mother.

In the wider context of general parenting styles, children's temperaments may also have an influence. In a study of Chinese mothers' parenting styles Chen & Luster (2002) found that mothers who perceived their child to be more sociable were more likely to have an authoritative parenting style, while mothers who perceived their child to be emotional used more authoritarian parenting practices. Chen & Luster (2002) assert that children who are excessively impulsive or emotional may have problems with self-control, whereas highly sociable children will be more responsive to authoritative parenting. They contend that:

. . . highly sociable children may generally elicit more warmth from parents and highly emotional children (*i.e.*, expressing negative emotions such as anger) may evoke behaviors aimed at controlling or curbing these behaviours. (Chen & Luster, 2002, p.415)

However, it has been noted by Eamon & Zuehl (2001) that a causal link between child behaviour/temperament and physical punishment has not been found. They found that a host of other factors came in to play in relation to predicting the use of physical punishment. In their study, and one by Eamon (2001), maternal depression and physical punishment both influenced children's socioemotional problems (both externalising and internalising behaviour). So, their study indicates that children who are punished physically have more socioemotional problems and difficult behaviour. Whether this means physical punishment leads to behaviour problems or that parents spank their child more often because they are difficult or have behavioural problems is

unclear. Clearly, the relationship between children's behaviours and parental physical punishment may be bi-directional.

It may also be the *perception* of problem behaviour which is a relevant issue, with some research finding an increased use of physical punishment as mothers' perceptions of the frequency of their child's behaviour problems increases (Fox, Platz & Bentley, 1995; Stolley & Szinovacz, 1997). Therefore, it is unclear whether it is the child's actual behaviour which is problematic or the parent's view of the child as 'difficult' which is the determining factor.

Despite these ambiguities:

It is argued that children who pose additional challenges for their parents because of antisocial, overactive, and other behaviours tend to be less rewarding and are likely to make greater demands on parental time, skill, and patience than children without these problems. In turn, these stresses serve to provide greater opportunities for coercive parent-child exchanges and the development of dysfunctional parenting practices. (Woodward & Fergusson, 2002, p.215)

4. Summary of child characteristics

Reviewing the literature on the role of the characteristics of the child in the parental use of physical punishment reveals that, in general, boys are at greater risk of physical punishment and of it being administered more severely. The use of physical punishment peaks at about ages three to five, both in terms of prevalence and chronicity. Behaviours which are most often dealt with by way of physical punishment are those which break a moral code, directly challenge parental authority and control, or present a danger to the child or others. Children who show difficult or challenging behaviours or who have less easy temperaments are more likely to be physically punished. Parental perceptions and expectations of children's behaviour can also impact on the use of physical punishment, with children who are viewed as culpable and responsible for their actions being judged as being more deserving of physical punishment.

Parental characteristics

The following section now turns to an examination of the role of parental characteristics in parental disciplinary practices. Aspects such as the age, psychological make-up, education level, and childhood history of the parent will be discussed, as well as factors relating to parental mental health (alcohol and other drug use and depression). Finally, the issue of parental motivation and disciplinary repertoire will be addressed. This focuses on whether parental use of physical punishment is a reasoned decision or

an emotional reaction, and also reports on research about parents who have chosen not to use physical punishment.

1. Parental age

One common finding is that older parents (usually those over 30) use or approve of physical punishment less than younger parents (i.e. the prevalence rate is lower for older parents) (Dietz, 2000; Durrant et al., 1999; Giles-Sims et al., 1995; Kelley, Sanchez-Hucles & Walker, 1993; Straus & Mathur, 1996; Straus & Moynihan, 1994; Stolley & Szinovacz, 1997; Thompson & Pearce, 2001; Walsh, 2002; Woodward & Fergusson, 2002; Xu et al., 2000). This finding occurs even when the age of the child is controlled for (Straus & Moynihan, 1994). Other research has found that parents/caregivers under the age of 36 to 37 have higher rates of physical punishment use (Ghate et al., n.d.; Wolfner & Gelles, 1993). Being a teenage mother and/or having a younger maternal age at childbirth has also been found to be predictive of the use of severe/harsh discipline and more regular physical punishment (Pinkerton & Scarr, 1995, as cited in Culp et al., 1999; Smith & Brooks-Gunn, 1997; Woodward & Fergusson, 2002). Younger parents/caregivers have also been found to use more negative disciplinary strategies, such as yelling, swearing, threatening (Koenig et al., 2002), scolding, criticism and non-reasoning, punitive disciplinary strategies (Chen & Luster, 2002) in addition to physical punishment.

Giles-Sims et al. (1995) found that even with a limited age range of mothers in their study (25 to 34 years), mothers aged 30 to 34 were less likely to spank their children than the mothers younger than 30. However, although statistically significant the differences were slight (67% compared with 61%). No differences were found for chronicity rates, indicating that while more younger mothers may have spanked their children, they did not necessarily spank their children any more frequently. However, in contrast, research reporting on the *National Longitudinal Survey of Youth* by Eamon (2001) and Eamon & Zuehl (2001) found that older mothers used physical punishment more frequently, although the mothers in the sample were relatively young (17 to 34 years).

In direct contrast to much of the other research the Gallup Organisation survey analysed by Straus & Stewart (1999) found that prevalence rates for the use of physical punishment did not differ between younger and older mothers but chronicity rates did, with younger parents using physical punishment 38% more often than older parents.

Eamon & Zuehl (2001) review research which has found an inverse relationship between maternal age, educational level and depression and concluded that:

Younger mothers may be more likely than older ones to struggle with their own developmental

issues and experience the daily strains of caring for young children. . . . Older, more educated mothers may be more emotionally mature and knowledgeable about positive parenting practices, and thus use physical punishment less frequently than younger, less educated mothers. (Eamon & Zuehl, 2001, p.219)

More general studies of parenting practices have found that younger mothers are more likely to use parent-orientated control practices (Kelley et al., 1992) and authoritarian parenting (Chen & Luster, 2002). Kelley et al. (1992) point to findings that younger mothers experience higher levels of maternal stress, which results in more power assertive parenting techniques. Kelley et al. (1993) argue that older mothers may also have greater exposure to a range of disciplinary practices, maturity, experience and be less isolated than younger mothers.

Another reason why younger mothers may use physical punishment more may be gleaned from a study by Fox et al. (1995). They investigated determinants of parenting practices, and found that younger mothers had significantly lower developmental expectations of their child, higher discipline scores, lower nurturing scores, reported more child behavioural problems, and were more likely to use physical punishment than did older mothers. A significant interaction was also found between maternal age and the number of children. Essentially, having more than one child affected the discipline use of the younger mothers more than the older mothers. Younger mothers with more than one child were even more likely to perceive the target child having more behavioural problems. As maternal perceptions about their child's behaviour problems increased, so too did their use of physical punishment, which could account in part for the finding that younger mothers used physical punishment more. This fits in well with the findings discussed earlier that 'difficult' children are punished physically more than less challenging children (see pp.22-23). What is inconsistent in the findings is that having higher developmental expectations for one's child was found to be associated with greater physical punishment use, however, younger mothers tended to have lower expectations. Clearly as Fox et al. (1995) comment: "multiple determinants of parenting practices, rather than a single global determinant, may be operating. Perhaps the impact of these determinants also changes over time" (p.439). Therefore, the relative influence of different determinants of physical punishment may change as mothers age.

Day et al. (1998) contend that older parents may use physical punishment less because as they age and gain more parenting experience they will learn other strategies thereby reducing the use of physical punishment. Alternatively, they suggest that rates of other types of aggressive behaviour (e.g. marital

violence and antisocial behaviour) tend to decline as parents age.

2. Gender of the parent

Much of the research investigates maternal factors that may predict the use of physical punishment, but a small body of research has examined whether mothers and fathers (or male and female caregivers) differ in their use of physical punishment or other disciplinary strategies. Findings appear to be inconclusive with some research finding no gender differences (Hemenway, Solnick & Carter, 1994; Murphy-Cowan & Stringer, 1999; Nobes et al., 1999; Wauchope & Straus, 1992). However, while Nobes et al. (1999) found no differences in the rates of physical punishment between mothers and fathers they did find the *type* of physical punishment used differed, with fathers using physical restraint (pushing or forceful holding) more often than mothers, particularly for 12 month-olds. They suggest this is because of the greater physical strength of fathers making restraint easier and smacking more likely to injure particularly younger children and therefore avoided.

While evidence appears to be somewhat contradictory (see Durrant, Ensom et al., 2003) a common finding reported in the literature is that of mothers being more likely to use physical punishment than fathers (Anderson et al., 2002; Day et al., 1998; Jackson et al., 1999; Maxwell, 1995; Stattin et al., 1995; Straus & Moynihan, 1994; Wolfner & Gelles, 1993). However, the differences have been slight (Dietz, 2000; Nobes & Smith, 1997; Straus & Moynihan, 1994). Xu et al. (2000) reported that while mothers were more likely to use physical punishment with younger children, fathers were more likely to smack their children when they were older.

While Straus & Stewart (1999) reported a difference in the percentage of mothers and fathers who used physical punishment (65% and 58% respectively), the difference was small, and there was no evidence that mothers had higher chronicity rates. This indicates that although more mothers than fathers used physical punishment, these mothers did not use it any more frequently than the fathers.

Coontz & Martin (1988) interviewed parents about an incident of physical abuse for which they had been investigated. They found that fathers were significantly more likely to use nonviolent disciplinary techniques: 77% of the fathers compared with 48% of the mothers they surveyed related how they had attempted to use non-violent alternatives before resorting to abusing the child physically. However, ultimately both parents had used severe physical punishment.

It has been argued that mothers tend to have a greater caretaking role and therefore, compared to fathers, they spend much more time with their

children, which accounts for any findings of greater use of physical punishment by mothers (Anderson et al., 2002; Day et al., 1998; Dietz, 2000; Nobes et al., 1999; Socolar et al., 1999; Xu et al., 2000). Xu et al. (2000) found that parental gender and child age interacted – mothers were more likely to spank younger children while fathers were more likely to spank older children. This was accounted for by the greater time mothers tend to spend with younger children, with fathers taking more responsibility for parenting/discipline as children grew older.

Nobes & Smith (2000) reviewed the literature in relation to parental gender differences in rates of physical punishment use and physical abuse. One of the reasons for inconsistency in research findings may be due to different methodologies between studies, with information being obtained via self-reports, retrospective accounts of childhood abuse/punishment, and reports of one's partner's behaviour. Nobes & Smith (2000) reviewed 10 studies which reported on the first two approaches and found that in all but one study, little or no gender differences were found, and that in four of the six studies looking at chronicity mothers were found to smack more frequently than fathers. For studies using a methodology whereby mothers reported on their own and their partners' use of physical punishment, mothers reported smacking more than the fathers. Nobes & Smith (2000) conclude that:

In summary, both according to the parents who administer physical punishment and those to whom it is administered, similar proportions of mothers and fathers have smacked or used physical punishments in the past year or ever . . . There is less agreement on the frequency of punishment but, with one exception, studies indicate that mothers punish at least as often as do fathers . . . In contrast, the message from studies in which mothers reported both their own and their partners' punitive actions is that mothers punish several times more frequently than fathers. (pp.50, 53)

However, the latter finding can be attributed to the tendency for mothers to underestimate fathers' use of physical punishment (Nobes & Smith, 1997).

Even if mothers and fathers do not differ significantly in their use of physical punishment as appears to be the case, there is the argument that if the relative amount of time mothers and fathers spend with their child is taken into account, fathers are actually more physically punitive per child contact time (Nobes & Smith, 2000; Ritchie, 2002; Straus & Moynihan, 1994) and that therefore mothers have a lower propensity to use physical punishment than fathers (Straus & Stewart, 1999).

Nobes et al. (1999) investigated this by examining families where mothers and fathers shared the care of their children equally. They found no differences

between the mothers and fathers in relation to their use of physical punishment, in terms of both frequency and severity. Fathers' frequency of smacking was not associated with either the amount of time they spent alone with their child, nor with their contribution to childcare. Nobes et al. (1999) suggest that families where the parents share the responsibility for their children's care are exceptional, and that as they have similar parental roles, so too will they have similar disciplinary approaches. They conclude that rather than being a mother/father distinction, use of physical punishment is related more to parental roles:

The large majority of fathers, though, have a more traditional father's role that involves less caretaking and more physical punishment relative to the amount of time they spend with their children. . . . the difference lies, not between male and female parents per se but, rather, between the mother and father roles. When these roles are equal (in families in which parents have similar caretaking responsibilities), parents administer physical punishment to equal extents. In most families, however, these roles are different and fathers are secondary caretakers who tend to be more physically punitive while with their children. (p.900)

Another line of research, which supports the view that fathers are more physically punitive, has investigated parental attitudes towards physical punishment and this has found some gender differences. A general finding is that males are more likely than females to hold favourable attitudes towards physical punishment (Buntain-Ricklefs, Kemper, Bell & Babonis, 1994; Flynn, 1998; Kelder et al., 1991; Ritchie, 2002; Straus & Mathur, 1996) & to be more approving of severe physical punishment (Maxwell, 1995). A study by Herzberger & Tennen (1985a) found gender differences in ratings of vignettes about disciplinary situations. Females rated the depicted discipline as more severe, more abusive, less appropriate and more likely to cause emotional harm than did the male participants. Ritchie (2002) notes that in NZ during the nineties, more fathers (32%) than mothers (20%) thought they were doing the right thing by smacking, and less felt guilty about smacking (28% compared to 50% of the mothers). Flynn (1998) notes that that is perhaps not surprising given the finding that boys are punished physically more than girls, and as will be discussed later, experiencing physical punishment as a child is a strong predictor of adult later use/support (see pp.28-33).

One important final point to make is in relation to the degree of similarity between mothers' and fathers' use of physical punishment. As Nobes & Smith (1997) point out asking how much mothers and fathers use physical punishment is parent-centred, whereas a child-centred approach asks the question: How much is

the child punished? Children may experience physical punishment from *both* their parents. Nobes & Smith (1997) interviewed both parents in intact families about their disciplinary practices and found that if one parent physically punishes frequently or severely or uses an implement, the other parent is significantly more likely to do the same (a finding similar to that reported by Stattin et al. (1995) who also found a high correlation between mothers' and fathers' use of physical punishment). This concordance tended to increase as the child grew older. Clearly, relying on one parent's account of the physical punishment they administer is not a good indication of the amount of physical punishment a child could be experiencing and may well result in an underestimation. Reasons for parents having similar disciplinary strategies may be because of some joint mediator (such as poverty, marital conflict) (Nobes & Smith, 1997) or due to one parent modelling parenting practices and parents influencing each other (Capaldi, Pears, Patterson & Owen, 2003; Nobes & Smith, 1997).

3. Parental education level

Parental (in particular maternal) education levels have been shown repeatedly to have a relationship with either support for or use of physical punishment. However, a small handful of studies have found no effect of parental educational level on the use of physical punishment (Durrant et al., 1999; Eamon & Zuehl, 2001; Giles-Sims et al., 1995; Maxwell, 1995; Woodward & Fergusson, 2002) or approval of physical or emotional punishments (Buntain-Ricklefs et al., 1994). In fact, one study found the opposite effect, with Wolfner & Gelles (1993) finding that the least educated caregivers in their sample reported the lowest rates of physical punishment.

Generally though, lower levels of education have been found to be associated with greater use of physical punishment or more severe discipline (both verbal and physical) (e.g. Dietz, 2000; Eamon, 2001; Hunter, Jain, Sadowski & Sanhueza, 2000; Jackson et al., 1999; Smith & Brooks-Gunn, 1997; Socolar et al., 1999; Stolley & Szinovacz, 1997; Wissow, 2001, 2002; Xu et al., 2000; Youseff et al., 1998) and support for physical punishment (Flynn, 1994; Qasem, Mutafta, Kazem & Shah, 1998; Straus & Mathur, 1996). This finding has been reported in the US, Egypt, Kuwait, and India.

Mothers with higher levels of education have been found to be less likely to use harsh discipline on their daughters – but not their sons (Smith & Brooks-Gunn, 1997), while Simons et al. (1991) found the opposite, with both mothers' and fathers' education levels being negatively correlated with harsh parenting of their sons, but not their daughters. Mothers with more education have been found to be more likely to

use teaching/verbal assertion and less likely to use moderate or severe physical punishment (Socolar et al., 1999). Dietz (2000) reported that parents with less than a high school diploma were 1.5 times more likely to use severe physical punishment than those with more education, but found no significant association between education levels and 'ordinary' physical punishment. A comparison of college/post-college educated parents and those who had only a high school or lower education revealed that more educated parents showed a lesser propensity to spank, with this finding being more pronounced for parents of younger children (Xu et al., 2000).

Lower levels of maternal education have been found to be associated with higher discipline scores (which are associated with more frequent use of physical punishment), lower nurturing scores, and a greater perception of child behavioural problems (Fox et al., 1995; Hill & Bush, 2001) which are, as discussed earlier, associated with greater use of physical punishment. Fox et al. also found that maternal education moderated the negative influence of low income on the use of physical punishment (as will be discussed later, see p.45) – mothers with a low income but more education used less (physical) discipline than low income mothers with less education. Eamon (2001) also reported that fathers' education had a direct influence on mothers' use of physical punishment – more educated fathers had less conflict with their partners, which in turn led to the mothers spanking less frequently.

Education levels appear to not only affect the use of physical punishment, but also other disciplinary strategies. Less educated mothers have been found to be more likely to use non-reasoning/punitive strategies (Chen & Luster, 2002) and to report not intervening in their child's misbehaviour by 'letting it go' (Bluestone & Tamis-LeMonda, 1999). The most educated mothers in a NZ study by Maxwell (1995) were found to be more likely to use techniques such as explaining or discussing matters, and were less likely to tell their child off, yell or smack.

Other research has examined the relationship between education levels and parenting styles. Maternal education has been found to be positively associated with being warm and involved with one's child (Chen & Luster, 2002), having child-centred disciplinary styles (Bluestone & Tamis-LeMonda, 1999) and restrictive disciplinary practices (Kelley et al., 1993) and negatively correlated with parent-orientated attitudes towards parenting (Kelley et al., 1992), and physical punishment use (Kelley et al., 1993). In a study of parenting in Mexico maternal (but not paternal) education had a negative effect on authoritarian parenting styles, which showed a direct effect on harsh child punishment (less educated mothers tended to use a more authoritarian parenting

style which led directly to harsh punishment) (Frías-Armenta & McCloskey, 1998).

Most research that has found an association between the use of physical punishment or particular parenting styles and education levels has also found a similar relationship with parental age. This is perhaps not surprising as the younger the parent the less education or opportunity for education they would have had. Indeed parental age and education are often discussed jointly. For example, Kelley et al. (1993) suggest that “lower levels of maternal education and younger maternal age may result in a greater emphasis on obedience in childrearing, because the occupational opportunities available to such mothers (i.e. semi-skilled labor) place an emphasis on obedience as well” (p.253). An alternative explanation is that:

. . . younger and less educated parents may experience the parenting experience as more stressful and be less able to manage difficult parenting situations or may be less aware of negative consequences associated with corporal punishment or of alternatives to corporal punishment. (Dietz, 2000, p.1539)

Education may be a resource to help mothers deal with stress (Eamon & Zuehl, 2001), expose parents to a wider range of disciplinary and parenting strategies, and also educate them about realistic developmental outcomes and age-appropriate behaviour for children. Simons, Beaman, Conger & Chao (1993a) also contend that education is likely to impact on parenting through its association with income (low education often leads to unskilled, low paying jobs) and social support. Simons et al. (1993a) cite findings (however, all from the 1980s) that those with more education tend to have more social skills and can establish more social contacts, thereby increasing their opportunities for social support. They also suggest that parents with higher education levels are more likely to have been exposed to information about parenting and child development and that educated, verbal parents are more likely to use inductive reasoning as a disciplinary strategy rather than physical punishment.

4. Parental psychological characteristics

The psychological ‘make-up’ of parents has been shown by a number of studies to impact on parenting behaviour and disciplinary choices. For example, having an antisocial personality has been found to be linked to high levels of negative discipline – both verbal and physical (Fisher & Fagot, 1993). Antisocial individuals have been described as likely to lack the motivation or skill necessary to be competent parents, and a relationship between mothers’ antisocial traits and the quality of their monitoring and discipline has been reported (Capaldi & Patterson, 1991; Patterson & Capaldi, 1991, both as cited in Simons et al., 1993a).

A predisposition to hostility is the main parental characteristic that has been studied. Hostility in this section refers to a generalised personality trait. Other research examines hostility in the specific context of the parent-child relationship (characterised as warm or hostile) and will be discussed later (see pp.43-44). Kanoy et al. (2003) describe those parents with low hostility as ‘even tempered’ and ‘slow to take offence’ with hostile parents being ‘hot-tempered’ and ‘easily frustrated’ – other hostility scales measure such factors as aggression, impatience, paranoia and cynicism (see Murphy-Cowan & Stringer, 1999).

Parental hostility has been shown to be linked with higher levels of verbal and physical aggression towards children (Morris et al., 2001, as cited in Kanoy et al., 2003). A mother’s hostility has also been found to be a predictor of her punitiveness towards her children (Miller, Smyth & Mudar, 1999). High levels of prenatal hostility have also been found to be associated with more frequent and severe physical punishment postnatally (Kanoy et al., 2003), indicating it is not necessarily hostility specifically directed at the child, but rather a more generalised personality trait that appears to be the important factor. Murphy-Cowan & Stringer (1999) similarly found that hostility was positively correlated with both actual physical punishment use and commitment to its use.

There is some evidence that the effect of a childhood history of harsh or physical discipline on disciplinary choices as an adult can be mediated via a hostile personality. Mother’s retrospective accounts of being smacked have been found to correlate with their current levels of hostility (Murphy-Cowan & Stringer, 1999). In a study about the intergenerational transmission of harsh parenting, Simons et al. (1991) reported a small, but significant, relationship between experiencing harsh punishment as a child and the development of a hostile personality, which in turn was linked to harsh parenting as an adult, a finding that was particularly strong for mothers.

5. Alcohol and other drug problems

A history of maternal alcohol or other drug problems has been linked to the administration of harsher and more severe punishment (Woodward & Fergusson, 2002). Wolfner & Gelles (1993) found that drug users reported administering 20% and 46% more minor and severe violence respectively towards children in their care compared with non-drug users. However, no increased risk for physical punishment or severe violence was found in relation to alcohol use. In an Egyptian study, Youseff et al. (1998) reported that parents who smoked and used alcohol or psychoactive drugs were more likely to use physical punishment to discipline their children.

Miller et al. (1999) examined the relationship between mothers’ alcohol and other drug problems and

their punitiveness towards their children. Punitiveness was measured by scores for verbal aggression, moderate physical violence, severe physical violence and child abuse potential. Mothers who had current or past alcohol and other drug problems were found to be more punitive than mothers without such problems. There was also evidence that on most measures mothers with current problems and mothers with past problems did not differ in their punitiveness, indicating that recovering from drug and alcohol problems does not necessarily lead to a reduction in parental punitiveness. However, only current alcohol and drug problems predicted moderate physical violence. A regression analysis to control for demographic and other contributing factors found that a history of alcohol/drug problems was related to mothers' verbal aggression towards their children, and current problems predicted a mother using moderate physical violence towards their child. Mothers' hostility was also found to be a predictor of punitiveness and acted as a moderator for the association between alcohol and drug problems and punitiveness.

While alcohol and drug problems do present another risk for the use harsh or severe punishment, given the other co-morbid factors which exist with alcohol and drug problems, a causal relationship between alcohol and drug problems and punitiveness cannot be established. For example, Miller et al. (1999) found that 66% of the mothers with current drug and alcohol problems reported severe spousal violence and, as will be discussed later, spousal abuse is another predictor of physical punishment use (see pp.42). Further evidence that drug and alcohol problems are not causative factors in high or severe use of physical punishment come from research by Frías-Armenta & McCloskey (1998), who found that both mothers' and fathers' substance abuse and marital violence were indicative of family dysfunction, which had an indirect effect on the use of harsh punishments mediated through an authoritarian parenting style. Therefore, substance abuse may be a symptom of family dysfunction, which is the actual variable accounting for the increased use of physical punishment.

6. Parental depression

Bluestone & Tamis-LeMonda (1999) cite a variety of research which shows how maternal depression can impact on mothers' parenting by rendering them less responsive and communicative to their children, less consistent and able to provide discipline and structure, and more prone to yelling at or hitting their children. Bluestone & Tamis-LeMonda (1999) reported that depression appeared to impact on a mother's ability to parent in a child-centred manner and to use reasoning, but also reported that it did not lead to negative parenting practices (such as the use of scolding and punishment). In a study of Taiwanese

parenting Chen & Luster (2002) found that mothers with depressive symptoms were more likely to practice authoritarian parenting and be less likely to have an authoritative parenting style. Depressed mothers were also less likely to use reasoning or induction as disciplinary practices and were less warm, involved, and easy going with their children. However, in line with Bluestone & Tamis-LeMonda (1999), maternal depression was not found to increase the use of physical punishment.

However, there is substantial evidence that parental (usually maternal) depression or depressive symptoms can predict the use of physical punishment (Eamon, 2001; Hunter et al., 2000; Smith & Brooks-Gunn, 1997; Wissow, 2001, 2002; Woodward & Fergusson, 2002) and scolding (Smith & Brooks-Gunn, 1997). This is not perhaps surprising given findings by Barnett, Joffe, Duggan, Wilson & Repke (1996, as cited in Wissow, 2001) that young, single mothers of young children can have high rates of depression, and being young, single and having young children are also risk factors for physical punishment use. Depression has been found to have both a direct (Eamon & Zuehl, 2001) and an indirect (by increasing marital conflict) effect on physical punishment use (Eamon, 2001).

Bluestone & Tamis-LeMonda (1999) note that the effect of depression on mothers' parenting styles may differ depending on other risk factors present. In mothers who are regarded as 'low risk' (such as their sample) they suggest depression may only impact on positive parenting, but depression coupled with other risk factors may lead to harsher, more negative parenting.

Eamon (2001) accounts for the link between depression and greater physical punishment use by two routes: by increasing marital conflict, which is also a risk factor for physical punishment use (see pp.42), because mothers may divert anger and conflict from the spousal relationship to the mother-child relationship; and irritability and hostility often accompany depressive symptoms. In addition, Eamon & Zuehl (2001) also cite the finding that depressed mothers are more likely to have negative perceptions of their children's behaviour and unrealistic expectations of their child, factors which, as discussed earlier, are also related to physical punishment use (see pp.21-23). McLoyd (1990) further contends that depression "diverts the parent's attention from the child and fosters a tendency to attend disproportionately to child behaviours seen as negative by the parent" (pp.330-331).

7. Parental childhood history

It is widely assumed that children who have been victimised by physical punishment (or by abuse) will consciously avoid repeating that pattern with

their own children because they “know what it is like”. But although many try, only some succeed. The strength of the ties that bind children to parents – even abusive ones – should not be underestimated. (Leach, 1999, p.41)

There is considerable evidence that parents tend to use (Ghate et al., n.d.), intend to use (Gaffney, Barndt-Maglio, Myers & Kollar, 2002) or approve of (Buntain-Ricklefs et al., 1994; Bower-Russa et al., 2001) the same types of disciplinary strategies that they themselves experienced as children. For instance, parents who were frequently yelled at as children are more likely to yell frequently at their own children (Hemenway et al., 1994).

One of the strongest predictors of parental use of physical punishment is whether they experienced it themselves as children. A common finding is that experiencing physical punishment as a child increases the likelihood of using it on one's own children as an adult (Anderson et al., 2002; Bower-Russa et al., 2001; Ferrari, 2002; Graziano et al., 1996; Hemenway et al., 1994; Hops, Davis, Leve & Sheeber, 2003; Miller et al., 1999; Muller, 1996; Rodriguez & Sutherland, 1999; Socolar & Stein, 1995; Straus & Moynihan, 1994; Tajima, 2000). Children as young as five have been found to adopt their parents' attitudes towards spanking, a form of 'parentisation' where children are taught what is acceptable parenting behaviour (Holden & Zambarano, 1992).

Attitudinal studies have reported that people with a history of childhood physical punishment are more approving of it (Qasem et al., 1998; Ringwalt, Browne, Rosenbloom, Evans & Kotch, 1989), are more accepting of its use, more likely to intend to use it as parents (Graziano & Nameste, 1990), and view it as more appropriate (Kelder et al., 1991). One study has even reported that having experienced physical or emotional punishments as a child was a stronger predictor of approval of physical punishment than other risk factors, such as ethnicity, income, gender or education (Buntain-Ricklefs et al., 1994).

One interesting finding reported in two studies is that while mothers' histories of childhood abuse/punishment may be predictive of their use of physical punishment, fathers' childhood histories are not (Ferrari, 2002; Stattin et al., 1995). Stattin et al. (1995) additionally found that a father's use of physical punishment was not predicted by their own childhood histories, but instead correlated with their partners' childhood history. Stattin et al. suggest that this was evidence of fathers assuming a supportive role to the mother, who was the primary disciplinarian in the family (This finding is similar to that reported by Simons et al. (1993b) who found that a father's parenting was influenced by his wife's beliefs and satisfaction with her child, whereas mothers were not similarly influenced by their husbands).

Research which shows a link between parents' childhood experience of discipline and their use or approval of similar discipline lends support to the hypothesis of the transgenerational transmission of child maltreatment and abuse/violence or the 'cycle of violence' – essentially the view that “present-day parents tend to use similar parenting strategies or practices that they themselves received in their childhood” (Chen & Kaplan, 2001, p.17). This hypothesis has been widely discussed and consequently applied to physical punishment. While the notion of transgenerational transmission has proven to be popular and entrenched, several authors comment that much of the research methodology examining it is flawed and the mechanisms by which transgenerational transmission of punitive behaviour occurs are unclear (Buntain-Ricklefs et al., 1994; Hops et al., 2003; Murphy-Cowan & Stringer, 1999; Ringwalt et al., 1989; Rodriguez & Sutherland, 1999). For example, much of the research asks single informants about their own current disciplinary behaviour and for retrospective accounts of their parents' disciplinary practices, which lead to bias and inaccuracies in recall (Hops et al., 2003). Research is also flawed by the lack of control groups (Murphy-Cowan & Stringer, 1999). There is also a lack of research about the actual mechanisms through which the continuation of violence/physical punishment occurs between generations (Hops et al., 2003). For instance, it would appear that it is not a simple repetition of violence from one generation to another, as illustrated by the finding by Ringwalt et al. (1989) that it was not the violence from family members a parent was subjected to as a child, but rather the degree to which they were punished which was associated with approval of corporal punishment as an adult.

A major criticism in the literature is that not all parents who use physically punitive disciplinary practices experienced similar physical punishment as children, and not all children who are punished physically go on to use similar strategies when they themselves are parents. For example, although Hemenway et al. (1994) found that being hit frequently as a child was predictive of hitting as a parent, only one third of the parents who were hit weekly as children spanked that often as adults, and conversely nearly 50% of the parents who spanked their children weekly were actually spanked less often when they were children. This shows that the cycle of violence and physical punishment is not necessarily a given and that parents can consciously decide to parent differently from the child rearing they experienced.

A childhood history of physical punishment is therefore not sufficient on its own to preordain a parent to use physical punishment, and a revised view of intergenerational transmission sees it as just another risk factor. What needs to be investigated are

factors that either support or discourage persistence or continuity of punitive parenting practices (Bower-Russa et al., 2001; Burgess & Youngblade, 1988).

Some of the research in this field has examined factors that mediate the intergenerational transmission of disciplinary practices. For instance, there is evidence that the severity of punishment experienced as a child may be an important variable in whether disciplinary practices are transmitted transgenerationally. Both Straus (1991) and Murphy-Cowan & Stringer (1999) found that parents' use of physical punishment matched that of what they received as children up until a certain level and then the trend was reversed, when parents used less physical punishment than that which they experienced. Murphy-Cowan & Stringer (1999) found that for middle-class parents, parental and grandmother's use of physical punishment showed similar patterns at low and medium levels, but when parents experienced high levels of physical punishment as children, they had lower rates of physical punishment use with their own children. Ateah & Parkin (2002) also reported that the participants in their study who reported experiencing milder forms of physical punishment (such as spanking) as children were more likely to have positive attitudes towards it than those who had experienced harsher punishment as children.

Similarly, Kelder et al. (1991) found that when college students rated vignettes of disciplinary scenarios, generally those who reported experiencing more severe physical punishment during childhood rated the physical punishment in the vignettes as more appropriate than those who were less severely disciplined. However, those students who reported experiencing abusive or extremely severe punishment rated punishment as less appropriate than those who had not experienced such maltreatment. Therefore, it appears that it is the severity of the punishment that is important with parents making a conscious decision not to repeat such negative experiences with their own children (Ghate et al., n.d.).

Another important finding is that the effects of a childhood history of punitive discipline on later disciplinary practices appears to be mediated by the perception of abuse or the self-labelling of childhood discipline as abusive or non-abusive. Bower & Knutson (1996) found that participants in their study who had been severely physically punished as children, but did not label themselves as abused, were less likely to rate disciplinary scenarios as abusive than similarly disciplined participants who considered themselves to be abused. Similarly, Bower-Russa et al. (2001) found that individuals who had a history of severe physical punishment, but who did not regard themselves as abused, were more accepting of the use of physical punishment, more likely to pick physical punishment as a response to deal with child misbehaviour, and

were more likely to escalate into more extreme discipline when faced with extended child non-compliance on an analogue task, than were those who did label themselves as abused. Likewise, Kelder et al. (1991) found that as college students perceived their own severe and/or abusive childhood disciplinary experiences as more deserved, they rated physical punishment as more appropriate. A related finding was reported by Coontz & Martin (1988) who reported a link between an acceptance of ones' childhood experience of severe discipline/abuse as non-abusive and physically abusing one's own children. They reported that two-thirds of parents investigated for an incident of physical abuse reported experiencing severe discipline/abuse as a child and believed such punishment was justified and warranted.

Another interesting and related finding is for parents who reported experiencing physical abuse/victimisation as children being *less* likely to use physical punishment as parents (e.g. Dietz, 2000; Hemenway et al., 1994; Socolar et al., 1999; Gallup Organisation, as cited in Wissow, 2002). Hemenway et al. (1994) reported that it was the parents' perception of childhood abuse that was an important factor. Those parents who believed they were abused as children tended to be less likely to use severe or frequent physical punishment on their own children.

What seems to be important is a sense of fairness or deservedness with parents who believed they were harshly/unfairly disciplined as children or label such discipline as abusive being less likely to approve of physical punishment or to punish their own children in a similar way. However, if the punishment was seen as just and fair, then no such reduction occurs. In contrast, Ringwalt et al. (1989) did not find that perceptions of the fairness of parental punishment experienced as a child impacted on mothers' approval of corporal punishment.

Thus, one possible pathway that intergenerational transmission occurs is in relation to the development of disciplinary attitudes and beliefs that physical punishment is acceptable (Bower & Knutson, 1996; Kelder et al., 1991). Some research has shown that if parents experienced a particular disciplinary practice as a child, when they practiced on their own children they rated it as less severe and more typical (Rodriguez & Sutherland, 1999), and rated it as more appropriate and less abusive (Bower & Knutson, 1996; Bower-Russa et al., 2001). For instance, Herzberger & Tennen (1985b) found that participants rated disciplinary strategies as less severe, more appropriate, less likely to emotionally harm the child, and more likely to prevent future misbehaviour if they had experienced such methods as children. They were also less likely to perceive such discipline as abusive and more likely to attribute responsibility to the child. In addition, as discussed above, when such childhood discipline

is regarded as normal or deserved it is perceived as more appropriate (Kelder et al., 1991). It would appear then that childhood exposure to physical punishment may lead to the development of norms, attitudes and beliefs about physical punishment which increase the risk of intergenerational persistence (Bower-Russa et al., 2001), but physical punishment which is extremely severe or perceived as abusive will not.

It has been suggested that family of origin violence may legitimise violence later in life by normalising it within the family context (Bower & Knutson, 1996). Kelder et al. (1991) assert that: "By employing harsh disciplinary practices, parents may convey the message to their children that this type of treatment is appropriate, thereby legitimizing for their children the use of severe discipline as a viable parenting stratagem" (p.441).

In addition, it appears that one facet of normalising such punitive behaviour is not viewing it as abusive and believing it to be fair/deserved. Those who normalise severe childhood physical punishment (i.e. do not view themselves as abused) differ from those who believe their childhood experiences were abusive and from those who did not suffer such treatment (Bower-Russa et al., 2001). It may be this group in particular who replicate their own childhood discipline. Graziano et al. (1996) suggest that exposure to physical punishment as a child may not be the important factor. Rather is it the "degree to which the child is co-opted by the experience, develops tolerance and support that eventually may coalesce into the adult's cognitive-emotional set of commitment to its use" (p.4).

Further research has attempted to provide process models for how transgenerational transmission of punitive behaviour might occur. Several models have been proposed as outlined below:

(a) **Interpersonal competence:** Burgess and Youngblade (1998) discuss the importance of addressing the question of what actually is being transmitted from parent to child and give three possible processes. Firstly, they give examples of correlates and risk factors for physical punishment/abuse being passed from one generation to the next, such as low socio-economic status or single parenthood. Such variables can be social indicators of ecological instability or social insularity and can impact on the family ecosystem. Intergenerational transmission of these variables is therefore one way of explaining the 'cycle of violence'. Secondly, what may be transmitted is a pattern of family interaction styles characterised by high levels of coercion and hostility. Thirdly, Burgess & Youngblade (1988) suggest that what is being transmitted is social incompetence. A coercive pattern of interaction is symptomatic of social incompetence, and parents who lack social competence allow their children

fewer opportunities to imitate and learn socially competent behaviour. This final proposed process incorporates the first two, with coercive interaction styles being indicative of social incompetence which leads to ecological instability. They also suggest that children's peers and relationships with significant others can act as socialising agents, thereby interrupting or strengthening the intergenerational transmission of negative parenting.

(b) **Social learning theory:** This is by far the most common explanation given for the intergenerational transmission of disciplinary practices, violence and aggression. Essentially it hypothesises that: "children learn specific parenting behaviors within the social context of the family of origin, via modeling and reinforcement, and display these behaviors when the opportunity arises later in life" (Hops et al., 2003, p.162). Aggressive or violent behaviour is modelled and so normalised for the child (Rodriguez & Sutherland, 1999). (see also pp.4-5)

(c) **Mediating effects of child temperament behaviour:** Several researchers investigating models of transmission by longitudinal research have found that aspects of the child's personality, temperament or behaviour can mediate the relationship between how an individual was parented and how they themselves parent as adults. Such research has reported such factors to be adolescent externalising behaviour/behavioural adjustment/psychosocial functioning (Hops et al., 2003) and antisocial behaviour (Capaldi et al., 2003). While both studies found evidence for a direct effect of transgenerational transmission of parenting, they also found a mediated effect whereby poor parenting by generation one can lead to antisocial/externalising behaviour leading to poor parenting in generation two. Capaldi et al. (2003) suggest that the cycle of violence could be broken in some cases by interventions that address children's antisocial behaviour. They also note that without intervention the cycle may still be broken if the 'child' learns new parenting strategies from other sources, such as his/her partner.

Muller, Hunter & Stollak (1995) compared the temperament and social learning models. The essential difference between the two theories is that in social learning theory childhood aggression is regarded as the result of observational learning, whereas in the temperament model it is regarded as an inherent characteristic of one's temperament. Physical punishment may therefore be the response to aggressive behaviour that a child is predisposed to. Muller et al. (1995) found more evidence that was consistent with the social learning model, while

not totally disproving the temperament model. They suggest that perhaps both models could be operating as child maltreatment is a dynamic process influenced by many factors, genetic and social/environmental.

- (d) **Reciprocal effects model:** Muller (1996) found that parental experience of physical punishment *and* both the child's and the parent's aggressive behaviour (temperament) were predictive of use of physical punishment. This model suggests that physical punishment may be the function of an aggressive microsystem where both children and parents have an active role. Such a view sees children not as passive objects imprinted upon by their parents' aggressive behaviours, but rather as active participants in a family system. This model does fit in well with research discussed earlier that shows that a child's behaviour and temperament can be predictive factors in physical punishment use (see pp.20-23).
- (e) **Maladaptive social information processing style:** Ghate (2000) cites research that has found that harsh punishment can lead to children misinterpreting others' behaviour as hostile, and are therefore more likely to respond violently to provocation and stress.
- (f) **Attribution theory:** As discussed earlier, attributions of abuse or undeservedness in relation to one's experience of physical punishment mediate whether intergenerational transmission of physical punishment will occur (Ghate, 2000).

While such models are useful it appears unlikely that any one particular model or mechanism is at work in the intergenerational transmission of parenting and disciplinary practices. This is illustrated by Simons et al. (1991) who developed another model that identified four processes by which intergenerational transmission of harsh parenting occurred:

1. Individuals who experience harsh or violent discipline develop a strict child-rearing philosophy, which favours physical punishment; promoting parenting beliefs in relation to physical punishment.
2. Experiencing harsh punishment may lead to the development of a hostile personality and consequently aggressive behaviour and an aggressive interpersonal style;
3. Harsh parenting may teach children violent/aggressive disciplinary practices which are used in a reflexive rather than reasoned way due to a belief in their appropriateness;
4. The social class of the parent is transmitted to the child, which impacts on their later parenting practices.

Simons et al. (1991) found evidence that harsh discipline was transmitted directly through parents

modelling physical punishment to their children, and limited evidence that it was transmitted indirectly via its influence on personality, parenting beliefs and social class. Another later study by Simons, Beaman, Conger & Chao (1993b) found evidence that child rearing history had both direct (via modelling) and indirect (through emotional well-being and parenting beliefs) effects on current parenting practice.

While much research has focused on what is transmitted, how it is transmitted and under which circumstances it is transmitted, there is a paucity of research which examines the conditions under which intergenerational transmission does *not* occur – those parents who actively refute their parents' parenting styles and adopt their own. In a rare qualitative study by Garvey (1999) parents related their childhood experiences and reflected on how these influenced their own parenting. What Garvey found was that it was the affect associated with disciplinary techniques from their childhood which influenced their adoption or rejection of similar practices as adults. Participants chose not to repeat disciplinary practices that they remembered as being associated with a strong negative affect. Likewise, Holden & Zambarano (1992) suggest that if discipline is experienced as embarrassing or humiliating it is unlikely to be repeated as an adult.

A New Zealand masters thesis by Russell (1996) reported on another qualitative study with parents who did not smack. Two quotes from 'Michael' sum up this section well, by highlighting the strength of one's childhood history being repeated as well as the ability of parents to 'break the cycle':

Corporal punishment was basically a normal part of our lives, quite extreme corporal punishment but just normal . . . not just in our family either. If I'd had a gun when I was a child, I would have shot my family probably. (p.68)

Then later . . .

I know what it's like to be a child. I remember being thrown across the kitchen by my brother. Then my father threw me across the room; I was being a pest. Kevin [son] was being a pest once and I threw him into his bed. It was just such a physically violent act that when I walked away I just couldn't believe it. I was losing control. It made me remember how I felt as a child back then. Those are the reasons why I don't hit the kids anymore. (p.77)

In summary then, with very little evidence to the contrary (e.g. Durrant et al., 1999), an individual's history of being parented and disciplined can have a major impact on how they parent and discipline their children, by way of intergenerational transmission of parenting/disciplinary practices. However, the process is not yet clear and nor is the link necessarily direct or predetermined. As noted by Fry (1993, p.176):

“Intergenerational transfer of violence, however, is best characterised as a tendency, not a certainty, indicating that various intervening influences can also come into play”. Intergenerational transmission can be mediated by many different factors such as the severity of the discipline, perception of the fairness and abusiveness of childhood discipline, and the development of antisocial/aggressive behaviour.

It must also be remembered that it is not only negative parenting that can be passed down through generations. Constructive parenting (Chen & Kaplan, 2001), supportive parenting (Simons et al., 1993b), and non-violent conflict resolution styles (Fry, 1993) have also been shown to be transmitted intergenerationally.

The implication of such research is that interventions and parenting programmes should be targeted at groups who have experienced severe physical punishment and fail to see this behaviour as abusive or inappropriate (Bower & Knutson, 1996; Buntain-Ricklefs et al., 1994). Bower-Russa et al. (2001) assert that since the majority of young adults in their study who were severely physically punished as children did not regard it as abusive, education programmes/public service announcements that are non-specific in terms of what is abusive parenting, are unlikely to be effective.

Finally, in addition to experiencing physical punishment as a child some research has examined other features of childhood history and how this can impact on later parenting as an adult. For instance, Woodward & Fergusson (2002) found that adolescents who reported high levels of physical punishment were more likely to have mothers who had had a difficult relationship with their own mothers during adolescence and to have experienced a strict upbringing. Retrospective perceptions of low levels of maternal nurturance as a child have been shown to be associated with greater approval of physical punishment as an adult (Ringwalt et al., 1989). Similarly, Crockenberg (1987) found that adolescent mothers with little support from their partners who experienced parental rejection as a child were more likely to show angry and punitive parenting of their two-year-olds. Bluestone & Tamis-LeMonda (1999) report that a negative child rearing history (e.g. experiencing parental rejection, neglect, indifference, hostility and lack of warmth) was inversely related to child-centred parenting styles. However, this link may be mediated by maternal depression, so that a negative childhood history could lead to later mental health problems, which may impact on parenting. A history of abuse as a child has also been found to be related to family and marital dysfunction as an adult, which can lead to an authoritative parenting style and the use harsh punishment (Frías-Armenta & McCloskey, 1998). A childhood history of sexual abuse has been found by several researchers to be inversely related

to using or approving of physically punitive discipline (Miller et al., 1999; Wissow, 2002) (although Gallup Organisation, as cited in Wissow, 2002 reported the opposite). Miller et al. (1999) suggest that the reason for their finding might lie with the link between childhood sexual abuse and post-traumatic stress disorder, as women suffering from the latter have been found to be less violent with their children. While these studies point to a negative childhood history having an indirect effect on later parenting (mediated by depression, mental health problems or family dysfunction) direct effects have also been found.

8. Parental motivation for and commitment to using physical punishment

Much of the research investigating parental discipline (particularly physical punishment) examines either people's attitudes towards it or their actual use of it. There have been criticisms of those studies that obtain parents' and others' attitudes about physical punishment, in that an individual's attitudes or beliefs do not necessarily translate into their practice. However, there are a number of studies that have reported on both parents' attitudes and behaviours. Such research is important because it can help to shed light on the issue of whether physical punishment is a reasoned and deliberate response to child misbehaviour based on a belief in its efficacy or an unplanned, emotional reaction caused by anger with the child: what Holden et al. (1995) describe as either a 'cognitive-instrumental' or an 'affective-reactive' basis for physical punishment. Holden et al. state that holding positive attitudes towards physical punishment which correlate with physically punitive disciplinary practices provides evidence for a cognitive-instrumental explanation, whereas parental reports of negative emotions/mood prior to using physical punishment would lend support to the affective-reactive model.

The evidence for either determinant of physical punishment is contradictory. There is some research which finds no relationship between attitudes/beliefs and behaviour (Murphy-Cowan & Stringer, 1999) but there is considerably more that shows a positive relationship (Chen & Luster, 2002; Corral-Verdugo, Frías-Armenta, Romero & Muñoz, 1995; Durrant et al., 1999; Durrant, Rose-Krasnor & Broberg, 2003; Frías-Armenta & McCloskey, 1998; Garvey, 1999; Gbate et al., n.d.; Graziano et al., 1996; Holden et al., 1995, 1997; Holden, Miller & Harris, 1999; Holden & Zambarano, 1992; Jackson et al., 1999; Peterson et al., 1994; Russell & Wood, 2001; Simons et al., 1991, 1993b; Socolar & Stein, 1995; Straus, 1991; Walsh, 2002; Gallup Organisation, and the National Family Violence Survey, as cited in Wissow, 2002). Durrant, Ensom et al. (2003) cite the finding of one study (Ateah & Durrant, under review) that found that

approval of physical punishment use was the strongest of eight possible predictors of physical punishment use.

For example, Holden & Zambarano (1992) reported that both mothers' and fathers' self-reported use of spanking correlated with their attitudes and their behavioural intentions, which they asserted provided evidence that spanking was a reasoned disciplinary practice. A parent's stated commitment to physical punishment use has been found to be a significant predictor of its use (Graziano et al., 1996). Likewise, Ghate et al. (n.d.) found that parents who found physical punishment acceptable were five times more likely than those that did not, to have used it in the past year. Mothers who frequently spanked their children were found by Holden et al. (1999) to believe that spanking results in more positive and less negative effects and more immediate compliance and appropriate long-term socialisation than did mothers who spanked occasionally or never. They also believed that it would teach their children to respect parental authority. Another interesting finding was that frequent spankers held different views about the effectiveness of non-violent disciplinary techniques than did the occasional or non-spankers – mothers who frequently spanked their children rated reasoning as less effective in the long-term, and viewed spanking as more appropriate to use than reasoning or time-out. Clearly, the mothers who spanked frequently believed in the efficacy of this approach to discipline. Similarly, Durrant, Rose-Krasnor et al. (2003) stated that Canadian mothers reported using physical punishment more frequently than Swedish mothers, and were more likely to think it was necessary, the best child-management strategy and less likely to believe that spanking could be harmful. Interestingly, Canadian mothers were more likely to believe that using spanking in a calm, planned technique was acceptable, which the Swedish mothers were strongly opposed to. Both nationalities did not find spanking children in anger acceptable. Although moderate, a positive correlation was found for both Swedish and Canadian mothers between holding positive attitudes towards physical punishment and the frequency of its use.

It would appear then that, on balance, a positive attitude/belief towards physical punishment is associated with its use. However, it is perhaps incorrect to assume that attitudes and beliefs are completely concordant. Holding positive attitudes about the appropriateness of using physical punishment does not necessarily mean a parent believes in its efficacy. A parent may think it is acceptable and right for a parent to smack a child, but may not actually believe it is a particularly effective practice, or vice versa – they may believe it is effective but still not support its use. For example, Graziano & Namaste (1990) found that although 69% of their sample agreed that spanking

was an effective disciplinary technique, only 45% believed that children needed to be spanked to teach discipline.

Indeed, parents do appear to show some ambivalence and inconsistency about the issue of physical punishment (e.g. Durrant, Rose-Krasnor et al., 2003; Holden et al., 1999; Straus & Moynihan, 1994). For instance, Straus & Moynihan (1994) found that approval of physical punishment predicted its use for parents of teenagers but not for toddlers: "Almost everyone hits toddlers, whether they believed in it or not, so attitudes make little difference" (p.51). Hazel et al. (2003) reported that amongst parents who endorsed the use of physical punishment 41% believed it was harmful to children and 33% thought it could potentially damage the parent-child relationship. A study by Anderson et al. (2002) revealed that while the majority of Scottish parents believed that smacking was effective in the short-term it was often an 'emotionally charged' incident leaving parents feeling guilty. Anderson et al. noted that among the group of parents who were in favour of smacking most did so "in a slightly apologetic way" (p.31). A British study by Thompson & Pearce (2001) found that while only 39% of the parents surveyed believed it to be acceptable to smack a one to three-year-old in an unsafe situation (the most approved of reason for smacking), 63% of the sample had actually smacked their child in the previous week. While finding that attitudes were major determinants of use of physical punishment Ghate et al. (n.d.) also found that one in seven parents in their sample who disapproved of physical punishment had actually used it in the past year. It would appear that parents seldom have a black and white view about physical punishment, either supporting or opposing it. Flynn (1998) discussed how the parents in his sample who were opposed to spanking in general, still thought that it was appropriate to spank a child in certain situations: 69% thought it was acceptable to spank a three to four-year-old in at least one of the given scenarios (however, this did compare with 99% for those who endorsed spanking). Graziano et al. (1996) illustrate parental ambivalence by their finding that while parents accepted physical punishment they did not believe in its long-term effectiveness, agreed it caused pain and distress for children, and stated that if they had effective 'alternatives' they would use them. However, as Graziano et al. state: "They seem ambivalent – but not enough to stop!" (p.847). Durrant, Rose-Krasnor et al. (2003) similarly report that while overall the Canadian mothers surveyed held negative attitudes towards physical punishment, two-thirds had used it to discipline their children. They suggest that: "the use of physical punishment may be related more strongly to macro-level factors, such as embedded notions of hierarchy and solidarity, than to individual beliefs or transitory emotions" (p.602).

One of the problems with the research is that chronicity of physical punishment use as a measure is more likely to indicate a recurring pattern of discipline rather than an isolated incident (Straus & Stewart, 1999) as the result of an emotional outburst, yet studies are inconsistent about whether they are using prevalence or chronicity for their measure of physical punishment use.

It could be argued that from a cognitive-instrumental view if a parent believed in the efficacy of physical punishment and therefore thought they were doing the right thing in using it then they should experience little emotion or discomfort with its use. However, several studies show evidence that this is not the case, reporting parents feeling distressed, guilty or remorseful because of smacking their child (Durrant, 1996, as cited in Holden et al., 1999; Ghate et al., n.d.; Graziano et al., 1996; Ritchie, 2002).

Graziano et al. (1996) reported that while 93% of parents endorsed the use of physical punishment, 85% said they would prefer not to use it. In Ritchie & Ritchie's 1990 survey only 32% of the fathers and 20% of the mothers who smacked their children believed they were doing the right thing. About the same percentages reported feeling bothered or uneasy about smacking, and 28% of the fathers and half of the mothers felt guilty (Ritchie, 2002). In a study comparing feelings of guilt between those parents who spanked and those who didn't Holden et al. (1999) found that mothers who frequently spanked their children, believed in its short and long-term effectiveness, and experienced less guilt than mothers who spanked occasionally or not at all. However, even the regular spankers, despite their strong convictions, reported some guilt. This finding was replicated by Durrant, Rose-Krasnor et al. (2003) who reported that over 95% of the mothers they surveyed believed parental regret or guilt can happen as a result of spanking, and also by Anderson et al. (2002) who found 53% of the parents they surveyed reported feeling guilty or remorseful after smacking.

So the evidence for a cognitive-instrumental basis for the use of physical punishment is somewhat inconclusive. What does appear to be the case is that parental attitudes and beliefs do translate into parental behaviour, but even if parents oppose physical punishment this does not mean they will never use it. Also, while some parents believe in the efficacy or appropriateness of using physical punishment they don't necessarily always feel good about using it and can feel remorse, distress and guilt as a result.

What then is the evidence for an affective-reactive basis for a parent's use of physical punishment? As for the cognitive-instrumental model, there is evidence that shows that parents use physical punishment because they are feeling angry with their children (Durrant et al., 1999; Graziano et al., 1996). Cohen

(1996, p.835) sums up past research, drawing the following conclusion:

. . . parents are more likely to use aversive techniques of discipline when they are angry or irritable, depressed, fatigued; and stressed, suggesting that it is often not a function of what the child does as much as a function of the parent's state.

As was discussed earlier, children are often punished physically in situations of parent-child conflict (see p.21), which invariably leads to a parent feeling negative emotions, particularly anger. Interestingly, in comparing Canadian and Swedish mothers, Durrant et al. (1999) found that support for the use of physical punishment was positively related to maternal anger for the Canadians, but not the Swedes. However, they also found that in terms of predictive factors for physical punishment use, having positive attitudes to spanking was the strongest factor.

Jackson et al. (1999) found that parents who had 'problems with anger management' were more likely to use physical punishment, non-physical discipline and to verbally abuse their children, and this study has been cited as evidence that physical punishment is used most often when parents are angry (see Durrant, Ensom et al., 2003; Gershoff, 2002a). However, problems with anger management were measured by a variable labelled 'anger mismanagement' and comprised of ratings of how often parents had punished their child when it was undeserved. How this translates into 'anger mismanagement' is unclear, as there are presumably many other reasons for undeservedly punishing a child besides anger.

In a study examining college students' retrospective accounts of their childhood experiences, 91% reported that when they were spanked, their parents were angry and it did not appear to them to be done as a form of "'cold' or controlled discipline, but as somewhat uncontrolled actions arising at least in part from parental anger" (Graziano & Namaste, 1990, p.455). In research by Ghate et al. (n.d.) parents who smacked were more likely to be in a 'bad mood' prior to smacking and were more likely to describe their response as 'automatic' or 'on the spur of the moment'. Similarly, Anderson et al. (2002) found that smacking was "often immediate and emotionally charged – rather than a deliberate and distanced application of a sanction" (p.iv).

However, there is other evidence that does not lend support to the notion that physical punishment is an emotional response. Socolar & Stein (1995) found that while parental beliefs about physical punishment and their practice were highly correlated, maternal anger did not correlate with either beliefs about physical punishment or its use. Similarly, Holden et al. (1995) specifically tested the two models and found that while

maternal attitude predicted frequency of spanking, maternal mood did not. However, they did find partial support for an affective-reactive account for spanking. They asked mothers about the most serious disciplinary incident of the day, and their feelings throughout. The majority (65%) of the mothers related a happy or neutral frame of mind, with only 35% reporting a negative mood (either aggravated, annoyed, frustrated, grumpy, irritated). None actually reported anger. Mothers who were in a negative mood prior to their child's transgression were significantly more likely to spank. When asked what their mood was immediately after their child's misdeed 47% reported becoming angry or experiencing some other negative affect. Again, mothers who did then spank their child were more likely to be angry than the mothers who used another technique. Similarly, while finding evidence for instrumental approach to physical punishment Holden et al. (1999) still did not discount an emotional pathway.

Peterson et al. (1994) investigated how maternal anger varied as a function of the child's transgression. Although the effect was small, the behaviours that made the mothers most angry led to physical punishment more often than did other behaviours that did not elicit so much anger. However, although anger may have impacted on the extent or intensity of verbally or physically aggressive discipline, it did not relate to mothers opting to use physical punishment. What was also found was that anger was related to the mothers' perceptions of their child as having behavioural problems, which as discussed earlier (see pp.21-23) was predictive of physical punishment use. So, while anger may not exert a direct effect on parental use of physical punishment it may have an indirect effect via the perception of child behavioural problems, or may influence the intensity of physical punishment when it is used.

The evidence, would on balance, appear to be more in favour of viewing physical punishment as having a cognitive-instrumental basis. However, there is evidence for physical punishment being used as both a rational planned disciplinary technique as well as an emotional reaction when parents are angry with children. Perhaps some of the conflicting findings in relation to the emotional approach are the different emotions involved. As noted by Durrant et al. (1999) anger may not be the best emotion to be asking parents about: "perhaps concern, embarrassment, frustration, worry or fear is the emotion experienced in these situations" (p.36).

There are other studies that have examined maternal emotions other than anger and found evidence for an affective response. For instance, in a study by Anderson et al. (2002) Scottish parents were asked about the last occasion they used physical punishment and how they felt immediately prior to the incident.

Nearly half (48%) reported feeling angry or frustrated, a quarter felt stressed or hassled, and 16% said that they had been tired. The parents also rated situations in which they thought they might be more likely to smack. Situations which had nothing to do with the child's behaviour, but were reflective of parental mood were given, such as: "when you've had a long tiring day" (26%); "when you feel things are getting on top of you" (28%); "when you are busy and pushed for time" (21%); and "when you've been worried or scared about him/her" (31%). Several parents discussed feeling stressed and pressured and 'losing it' sometimes. This lack of parental control was also reported by Ritchie (2002), who found that 65% of the New Zealand mothers surveyed in the 1990s said they hit their children because they could not help themselves. The fathers reported being more likely to smack their children when they were 'tired or cross' (16% compared to 2% of the mothers).

Wissow (2001) found a strong relationship between parental frustration and spanking, with twice as many (68%) of the parents (of one to three-year-olds) who reported feeling frustrated or aggravated with their child (aged 12 to 36 months) at least twice a day reporting they had spanked their child, compared to parents who did not report feeling frustration or aggravation (34%). Parents experiencing more than one episode of frustration/aggravation daily were four times more likely to spank, while parents experiencing only one episode/day were twice as likely to spank their child (Wissow, 2002). In the same study, but reporting on data in relation to infants under 12 months of age, Wissow (2002) again found that feeling frustrated or aggravated with one's child was strongly associated with spanking: 18% of the parents who experienced this more than once/day spanked their child compared with 3% for those who did not report such frustration. Wissow (2002) further analysed this link with frustration and found that 42% and 26% of the parents reported feeling frustrated and aggravated at least once or at least twice a day respectively. Women, White and African-Americans (compared with Hispanics and Asians), parents of boys, parents of older children (but all children were under three), and parents with three or more depressive symptoms were more likely to report frustration. Frustration was not associated with income, marital status, education, employment or history of abuse.

Wissow's research suggests that physical punishment may be used to alleviate parental frustration which concurs with a finding by Gough & Reavey (1997), who in a linguistic analysis of the discourses around physical punishment, found that physical punishment was construed as a mechanism for relieving parental stress and frustration, rather than being about modifying children's behaviour. As one participant in this study said: "It's [physical punishment] mostly

got to do with how you feel” (p.424). While parents in Gough & Reavey’s study acknowledged that physical punishment often resulted because of parental frustration or stress, other studies have shown that parents reject the notion that it is acceptable to hit children in anger or as an act of catharsis (Durrant, Rose-Krasnor et al., 2003; Hazel et al., 2003). Only 1% of British parents in research by Hazel et al. believed that ‘to help a parent let off steam’ was an acceptable reason for the use of physical punishment. This demonstrates that what parents believe and what they actually do may not always correspond.

To sum up, there are those who may oppose smacking, but do it nonetheless, sometimes in anger or frustration, and feel guilty about it. There may be those who have firm beliefs in the efficacy of physical punishment, but don’t always use it, but may do, sometimes in anger or frustration, and may feel guilty about it. As Holden & Zambarano (1992) conclude: “Though at times the result of a fit of anger, the data indicate spanking is predominately a reasoned child rearing practice” (p.162). However, there is evidence that parents may also use physical punishment, not as a planned disciplinary strategy, but rather in times of heightened emotions, such as when they are feeling angry, frustrated, tired or stressed.

Several implications/recommendations for interventions to reduce the use of physical punishment have been suggested as a result of the above findings, as follows:

- teach anger management to parents and increase their awareness of conflict and how to deal with it (Ateah & Parkin, 2002; Graziano et al., 1996);
- parents with strong beliefs about the efficacy of physical punishment may be the ones who are most resistant to change their practice. Other parents who show more ambivalence would appear to welcome new strategies that do not cause them unease, distress and guilt. Research into how to cause a cognitive shift in parents’ commitment to the use of physical punishment (Graziano et al., 1996) and to discover why parents continue to use a disciplinary technique they see as ineffective and which cases them discomfort (Durrant, Rose-Krasnor et al., 2003) is warranted;
- parents need to be educated about child appropriate behaviour and developmental norms so parents do not view certain behaviours as disrespectful and a challenge to their control, thereby reducing anger and the need to punish the child (Ateah & Parkin, 2002; Durrant, Ensom et al., 2003; Graziano et al., 1996; Peterson et al., 1994);
- parent education programmes should contain information about the negative outcomes for children of physical punishment (Ateah & Parkin, 2002);

- because knowledge of non-violent disciplinary strategies does not seem to stop the use of physical punishment, interventions which merely promote positive parenting strategies may not be sufficient. Legal and cultural changes which make physical punishment socially unacceptable may be necessary (Thompson & Pearce, 2001).

9. Parental motivation for not using physical punishment

If, as the evidence suggests, a parent for the main part uses physical punishment as a reasoned parenting practice, then it is perhaps reasonable to assume that a parent *not* using it with their children is also the result of a considered decision. Compared to studies of why parents do use physical punishment, only a small number of studies actually investigate the views of parents who have decided not to discipline their children in this manner. The reasons why parents decide not to hit their children or change their previously held support for physical punishment may be important for intervention programmes and policies designed to modify public attitudes and practice in relation to physical punishment.

Davis (1999) conducted a qualitative study about parents who did use physical punishment but who then stopped. Twenty mothers were interviewed about their experiences and a general finding was that ceasing the use of physical punishment was not a matter of simply stopping, but rather was a complex process. Five contexts for efforts to stop spanking their children were raised by the mothers, whereby mothers reconceptualised spanking (p.498) as follows:

- Experiential – based on parental feelings as a result of spanking (e.g. guilt); their child’s reaction to spanking. Spanking is reclassified as a “disturbing or ineffective practice”;
- Ideological – modified ideas about parental force, children’s rights, and violence. Spanking is redefined as violence or abuse;
- Regulatory – a change as a result of official intervention or disapproval (e.g. from social services). Spanking is redefined as a punishable practice;
- Relational – change because of pressure from family or friends. Spanking then becomes a “troublesome issue”;
- Biographical – change based on perceptions and feelings about their own upbringing and experience of physical punishment. Spanking is reconceptualised as a “tradition to be broken”.

A study by Holden et al. (1997) acknowledges the impact of the parent-child dyad on maternal attitudes to physical punishment. They reported that 66% of the

mothers in their study indicated their attitudes towards physical punishment had changed since the birth of their child: 36% became less supportive of physical punishment and 30% became more in favour. The majority of both groups cited their child's behaviour as the source of this change in attitude, providing evidence of a bi-directional influence of both child and parent on parental attitudes towards physical punishment. Holden et al. suggest mothers moderate whether this bi-directional effect increases or decreases their support of physical punishment: It is not the child's reaction as such, but the mother's perceptions or interpretation which is the key factor. In addition, 34% of the mothers actually reversed their attitudes – half changing from supporting physical punishment to being against it, and half going from being against physical punishment to being in favour of it. Those mothers who became anti physical punishment did so because of: their child's negative reaction to physical punishment; their partners' or friends' attitudes; the media; experiences with children; and seeing other children punished physically. These reasons are very similar to the experiential and relational contexts described by Davis (1999).

Russell & Wood (2001) report on a New Zealand qualitative study that asked thirty parents to reflect on their decision not to smack their children. Two-thirds described the reason they did not hit as being influenced by their own or their partner's family of origin (because of the effects of physical punishment as children themselves) or because of how they were brought up (either they were raised without being smacked or they had experienced physical punishment themselves). Clearly, this study supports the research described earlier that shows the strong impact of childhood experiences in later parenting (see pp.28-33). Interestingly, only a minority (10%) were influenced by reading a book or article and none mentioned the media or publicity campaigns. When asked 'what was at the heart' of their decision not to smack, a belief in the negative consequences of smacking was the most common response (given by 63% of the parents). This has major implications for parenting interventions, as it suggests that educating parents about the negative outcomes of physical punishment would be relatively straightforward as it is more in the realm of providing information rather than attempting to change attitudes. Russell & Wood note that advocates against the use of physical punishment often use child/human rights argument, yet this was one issue the participants did not cite as a reason for their decision. While it is a valid argument, perhaps what is more salient for parents are issues which pertain directly to themselves and their family.

Over half of the parents in Russell & Wood's (2001) study made the decision before their first child was born, with another 30% making the decision during

their first child's first year. Similarly, Gaffney et al. (2002) found that mothers' (of eight-month-olds) intentions for discipline were predicted by their prenatal intentions. As Russell & Wood (2001) suggest, targeting education at expectant and new parents about physical punishment, may be particularly useful in changing parental practices. However, Holden et al. (1997) found that the correlation between antenatal and current attitudes was not great, with 66% of the mothers in their study indicating their attitudes had changed since the birth of their child.

These studies illustrate that just as there are many reasons why a parent might smack their child, so too are there many ways a parent can come to a decision not to use physical punishment or to stop using it. One implication of this is that global interventions or public education campaigns would need to address all of the above issues to impact on the wide range of parents and their reasons for using physical punishment. Interventions that encourage parents to reflect on their own motivations, beliefs and attitudes, and develop new meanings about physical punishment would seem to be important. Also, as suggested by Davis (1999) cultural inducements and social support may be just as important as teaching parents non-physical disciplinary practices. Finally, it should be stressed that parental attitudes to physical punishment do not occur in isolation and they involve other people, such as friends, family, partners, children, etc, and as such parenting should be regarded as: "a social behavior that is multiply determined and . . . dynamic and open to change" (Holden et al., 1997, p.489). So too, presumably, should be interventions/programmes to reduce the use of parental physical punishment (Ateah & Parkin, 2002).

10. Parental disciplinary repertoire

Wissow (2002) notes that it has been proposed that children from families which use physical punishment as the sole means of discipline may have quite different outcomes than children from families in which it is part of a wider range of disciplinary practices. However, there is very little evidence that parents do in fact rely on physical punishment as their only disciplinary technique. The overwhelming emphasis in the research literature on physical punishment presents a misleading picture of the disciplinary practices of parents, in that physical punishment is often discussed in isolation from other disciplinary practices. The label 'alternatives' is used implying parents use physical punishment *or* they use other strategies to discipline their children, which for the majority of parents is not the case. In fact, various studies have shown that parents use a range of different disciplinary practices rather than just relying on physical punishment (e.g. Holden et al., 1995; Hunter et al., 2000; Peterson et

al., 1994; Ritchie, 2002). Several researchers report physical punishment being used as adjuncts to, rather than alternatives to, non-physical strategies (Ghate et al., n.d.; Hemenway et al., 1994). For example, Jackson et al. (1999) found that parents who used physical punishment were more likely to also use non-physical discipline. Thompson & Pearce (2001) also reported that those parents in their sample who reported using more non-coercive disciplinary strategies in the previous week were actually more likely to have smacked their child during that time. This is at odds with several studies where parents report that they smack because they don't know any alternatives or any effective alternatives (e.g. Graziano et al., 1996; Leach, 1999; Ritchie, 2002; Russell & Wood, 2001). While finding that spanking was correlated with use of non-physical disciplinary practices (such as time-out, explaining, taking things away) Wissow (2001) also reports that those parents who had the highest rates of spanking reported a less than average use of other disciplinary strategies, indicating that some parents do, in fact, show an over-reliance on physical punishment as their predominant disciplinary strategy. Thompson & Pearce (2001) note that knowledge of 'alternative' strategies to physical punishment did not appear to stop its use, suggesting that interventions which merely promote positive parenting strategies may not be sufficient to stop parents using physical punishment. This would seem particularly pertinent to those parents who do have a wider repertoire of disciplinary responses. In addition, as discussed earlier, physical punishment may be used as a last resort when other strategies have failed (see p.21).

Socolar et al. (1999) investigated maternal disciplinary choices and gave evidence that parents responded to different child misbehaviours with different techniques. Teaching/verbal assertion was commonly used in response to lying, limit setting in response to disobedience, mild physical punishment for stealing, and moderate physical punishment for disrespect. They also found that limit setting was the most commonly used disciplinary practice. Mild physical punishment appeared to be used as a 'back up' to other strategies. Mild physical discipline was most often used as a secondary response to child misbehaviour if the initial one failed, whereas teaching and verbal assertion was less likely to be used as a secondary response. However, being Black, poor, a sole parent, receiving welfare, and having low levels of social support was associated with physical punishment being used as a primary response, whereas higher levels of education and religiousness were associated with non-physical disciplinary techniques (limit setting, verbal assertion and teaching) being used as a primary response, with physical punishment being a secondary response.

Another study which examined the use of physical punishment as a secondary response was conducted by Bower-Russa et al. (2001) who examined 'escalation reactions' in response to a child's non-compliance – a change from an initial non-physical response to a physical one. Escalation happened more in reaction to destructive, dangerous or misbehaviours or rule violations than to normative behaviours.

A handful of studies have investigated the relationship between different types of disciplinary practices, illustrating that they are complementary rather than parents using one preferred practice. The following findings have been reported:

- A positive relationship between hitting and yelling – parents who frequently yell at their children also tend to hit them frequently and vice versa; parents who seldom yell at their children seldom hit them (Hemenway et al., 1994);
- Spanking frequency is correlated positively with threatening and time-out. A trend for frequency of spanking to be correlated with restrictive attitudes and negotiation was found, while other forms of physical punishment and rates of yelling were not correlated (in contrast to Hemenway et al., 1994) (Holden et al., 1995);
- Smacking is negatively correlated with giving praise and monetary rewards, and positively correlated with scolding, verbal put-downs, grounding (Murphy-Cowan & Stringer, 1999);
- Spanking is positively correlated most strongly with yelling and hitting, but also with time-out, removing things from the child and explaining: i.e. parents who use physical punishment also use more of other types of discipline (Wissow, 2001);
- Parents who less use non-physical discipline are more likely to support the use of physical punishment (Jackson et al., 1999);
- Parents who endorse smacking are more likely to endorse the use of other harsh disciplinary practices (Thompson & Pearce, 2001).

Physical punishment then does not appear to be correlated with any one particular disciplinary approach. Findings from the *Commonwealth Fund Survey of Parents with Young Children* showed evidence that parents who spanked their children tended to use more of all types of discipline (Wissow, 2002). Furthermore, Holden et al. (1995) suggest that their findings show that spanking is a stand-alone disciplinary technique rather than being "representative of a larger constellation of disciplinary practices" (p.447). However, as summed up by Cohen (1996, p.835): "parents who spank are more likely also to use other forms of corporal punishment and more likely to use a greater variety of verbal and other punitive methods".

11. Summary of parental characteristics

A wide range of parental factors have been examined as possible contributors to a parent's use or approval of physical punishment. Generally, it is younger, less educated parents who use physical punishment more. While findings are inconsistent, mothers tend to use physical punishment more than fathers, but show less approval of it. Given mothers' greater caretaking roles it is suggested that fathers are actually more physically punitive relative to the time they spend with their children. Parents who are depressed, have drug/alcohol problems or antisocial/hostile personality characteristics are also more likely to use physical punishment. Parental motivation for disciplinary practices is addressed by an examination into whether the use of physical punishment is a reasoned instrumental disciplinary strategy or the result of an angry outburst. Strong correlations have been found between parental attitudes and behaviour providing support for the former, but there is also evidence that parents use physical punishment when they are feeling angry, stressed and frustrated. Even parents who have made the decision not to use physical punishment will occasionally smack their children in anger or frustration. Similarly, parents do report feeling ambivalent about the use of physical punishment, and while some parents believe in the efficacy or appropriateness of using physical punishment they don't necessarily always feel good about using it and can feel remorse, distress and guilt as a result. It does not appear to be the case that parents use physical punishment because they do not have other strategies to use. Parents seldom rely on physical punishment as their sole disciplinary practice, and generally parents who use physical punishment tend to use more discipline of other types, both non-physical and physical. They also tend to use more other punitive techniques, such as yelling, threatening and time-out. While the intergenerational transmission of physical punishment use is not preordained, experiencing physical punishment as a child has a powerful impact on one's use of it as an adult. However, parents can and do 'break the cycle'.

Contextual factors

While characteristics of the child and of the parent are important factors which can influence parental discipline and physical punishment use, an ecological model considers the wider picture of the environment, the family and society/culture. The microsystem of the family and the relationships between family members will be discussed in terms of the impact of family size, marital status, marital violence, parent-child relationship, socioeconomic status, and parental stress, all of which have been found to be influential factors. An examination of environmental factors will

be briefly discussed, and finally the macrosystem of societal/cultural norms will be considered.

1. Family size

A small number of studies have examined the role family size has in relation to parental use of physical punishment. With the exception of two studies that found no relationship between the number of children and any particular disciplinary practice (Socolar et al., 1999) or past or present violent punitive behaviour (Hemenway et al., 1994), the research indicates that larger families may increase the risk of a parent using physical punishment (e.g. Asdigian & Straus, 1997; Xu et al., 2000; Youseff et al., 1998).

Parents responsible for more children have been found to use physical punishment more frequently (Eamon & Zuehl, 2001), be more likely to be physically punitive (Xu et al., 2000) and to have more favourable attitudes towards physical punishment (Flynn, 1994). The number of children under the age of five has been found to be particularly related to the likelihood of spanking (Stolley & Szinovacz, 1997). Wolfner & Gelles (1993) reported a curvilinear relationship between the number of children in the home and rates of minor and severe violence towards children, peaking at four and five respectively.

Fox et al. (1995) found that mothers with more than one child at home had higher (physical) discipline scores and lower nurturing scores. This effect was more prominent for younger mothers, who were particularly likely to use frequent discipline (such as yelling and physical punishment) if they had more than one child at home. This interaction with age and number of children also influenced mothers' perceptions of behaviour problems in the target child. Younger mothers tended to perceive more behavioural problems in their child if they had more than one child living at home, whereas older mothers perceived less behaviour problems when there was more than one child living at home. As discussed earlier a perception of greater behaviour problems increases the risk of physical punishment use (see pp.22-23).

In a study specifically investigating the effects of family size, Asdigian & Straus (1997) found that as the number of children increased, the prevalence and chronicity rates for physical punishment use also increased. This controlled for the fact that children in larger families are often older and have older parents (which are associated with less use of physical punishment). Asdigian & Straus (1997) note that such a finding has implications for parent support which is often focused on first time parents, whereas the findings of such research indicates that having subsequent children and large families may increase the likelihood of a parent using physical punishment.

A larger family size can create challenges for parents because:

Mothers' preoccupations with meeting the family's basic needs or coping with frequent crises might result in their using disciplinary techniques that are administered immediately. Crowded home conditions also might preclude the use of alternative disciplinary practices, such as "time-out" procedures. . . . Mothers might feel overwhelmed with the responsibilities of additional children and resort to spanking, a relatively less time-consuming disciplinary practice than alternatives such as time-out procedures, loss of privileges, or reasoning. (Eamon & Zuehl, 2001, pp.223, 224)

In addition to not having the space to use time-out having a large family may also mean that parents do not have the time or energy to use more verbal, reasoning type disciplinary practices, and large families may lead to more economic, emotional and marital stress, and less social support which could all lead to a higher use of physical punishment (Asdigian & Straus, 1997).

2. Marital status

Parenting alone has been identified as another risk factor for physical punishment use, with some studies finding higher use of physical punishment in sole parent families. For instance, Smith & Brooks-Gunn (1997) found that single mothers were twice as likely to hit their children as partnered mothers. Similarly, Giles-Sims et al. (1995) reported significantly higher prevalence and chronicity rates for unmarried mothers compared to married mothers. These differences were, however, not great. After socioeconomic status was controlled, married and unmarried mothers showed no differences in the prevalence rates, but unmarried mothers who spanked were found to do so much more frequently than married mothers. What is unclear is whether the unmarried mothers were also still single and were not living in de facto relationships. Fox et al. (1995) reported that married mothers in their study had lower discipline scores (indicating less yelling and physical punishment usage), higher nurturing scores, and reported fewer child behaviour problems than single mothers, all of which are associated with greater use of physical punishment.

The absence of a father has been found to be positively correlated with parent-orientated child rearing attitudes, but to have no impact on reported child rearing techniques (Kelley et al., 1992). Father absence was coded if the mother was unmarried, but again de facto relationships were not accounted for, and it is possible mothers were living with their child's father. In another study by Kelley and her colleagues (Kelley et al., 1993) father absence was

positively related to mothers' use of 'material/social consequences' as a disciplinary strategy (which includes techniques such as material punishment, removal of privileges, sending a child to his/her room or 'grounding'). Socolar et al. (1999) found that having a father present was related to a mother's use of teaching/verbal assertion strategies as the primary disciplinary response, and only using physical punishment as a secondary strategy. Kelley et al. (1993, p.261) conclude that:

It is likely that a mother raising a child alone may experience at times additional stress as a result of task overload, financial concerns, and have less time and energy to employ strategies that involve child-orientated practices such as reasoning, persuasion, and modelling. Under these circumstances, it may be adaptive for the mother to employ control practices that quickly and decisively reinforce obedience to established rules.

However, the relationship between marital status and physical punishment use is inconsistent with several studies finding no differences in prevalence and/or chronicity rates between mothers living with a partner and parenting alone (Dietz, 2000; Durrant et al., 1999; Nobes & Smith, 2002; Straus & Stewart, 1999, Wissow, 2001; Woodward & Fergusson, 2002). A comprehensive British study by Nobes & Smith (2002) compared lone mothers' use of physical punishment with partnered mothers' and also with the combination of mothers' and fathers' in two-parent homes. They found no differences in either the frequency or severity of physical punishment use between lone and partnered mothers. The only difference found was that lone mothers used punishment by example, ingestion and physical restraints more frequently than partnered mothers. However, no differences were found for frequency of hitting/smacking. When fathers' use of physical punishment was taken into account the children of partnered mothers were found to be punished more severely and more frequently than children from sole parent homes (because they were receiving punishment from both of their parents).

What was interesting was that across all measures (e.g. income, education, mental health, age) the lone mothers were found to be more disadvantaged, yet they were not more punitive towards their children, which would be expected. Nobes & Smith (2002) suggest that when mothers are disadvantaged, having a partner can actually exacerbate their problems by becoming an additional stressor (as they are likely to be disadvantaged also). Marital conflict/violence (another risk factor for physical punishment discussed in the following section, see pp.42) is also likely to be another stressor particular to partnered mothers. They conclude that: "it seems that mothers' problems increase the tendency to administer frequent and severe punishment towards children only when the

father is present . . . lone parenthood could be seen as a protective factor against the risks of severe punishment or abuse that are associated with disadvantage” (p.371). Such an idea is supported by the finding of Ghate et al. (n.d.) that having an unsupportive partner was a greater risk factor for physical punishment use than being a sole parent, and also by Crockenberg’s (1987) finding that the negative impact of childhood rejection of adolescent mothers’ angry and punitive parenting could be ameliorated by having good partner support.

The reason for a father’s absence may be an important factor with Youseff et al. (1998) reporting that children from one-parent families were more likely to experience physical punishment than children from intact families, but only for families with family disruption arising from parental death or divorce. Children whose father worked abroad were less likely to be punished physically. Youseff et al. explains this in terms of the resulting stress from losing one’s spouse due to divorce or death.

In a study investigating the determinants of parenting in single mothers, Simons et al. (1993a) found that low income and the resulting hardships increased the risk of mothers experiencing negative life events while limiting their access to social support. This resulted in ineffective disciplinary practices (which included measures of harsh discipline, monitoring and consistency, and setting standards).

3. Marital conflict/violence

The marital relationship has been another factor which has been identified as impacting on the parent-child relationship, which in turn influences a parent’s use of physical punishment. In a meta-analytic review of 39 studies Krishnakumar & Buehler (2000) assert that marital discord can impact on parenting behaviours, including disciplinary practices. They concluded that: “the findings show that the strongest effects exist for the associations between marital hostility and higher levels of parental harsh discipline and lower levels of parental acceptance” (p.30).

Non-violent marital discord has been found to increase the risk of physical punishment by 86% (Tajima, 2000) and severe physical punishment (Nobes & Smith, 2002). Eamon (2001) found that marital conflict had a direct effect on a mother’s use of physical punishment, and that a father’s education level impacted on marital conflict (higher levels of education led to lower levels of conflict), thereby having an indirect effect on physical punishment use. In contrast, Fisher & Fagot (1993) reported marital conflict as having a mediating effect on other predictors of negative discipline rather than a direct effect.

Kanoy et al. (2003) found that higher levels of marital conflict predicted higher levels of physical punishment, both in terms of frequency and severity, at two and five years after a child’s birth. Several authors have concluded that marital conflict may lead to anger and aggression being transferred to the parent-child interaction in the form of physical punishment – a ‘spillover’ of conflict from the marital relationship into the parenting relationship (Eamon, 2001; Kanoy et al., 2003; Krishnakumar & Buehler, 2000; Miller et al., 1999).

A more extreme form of marital conflict is inter-parental violence, cited by Woodward & Fergusson (2002, p.216) as “one of the strongest predictors of child directed aggression”. They found that young people who experienced physically punitive and/or abusive maternal behaviour were more likely to come from families where there were high levels of marital conflict and/or interparental violence (both father and mother initiated). They cite the finding that amongst the young people who had experienced severe or harsh maternal physical punishment 60% had witnessed their father hit their mother, and almost 70% reported seeing their mother hit their father.

Wife/partner abuse has been found to be a significant risk factor for all forms of violence against children, including physical punishment. Spousal abuse has been found to increase the risk of physical punishment by about 2.5 times (Tajima, 2000) and the risk of severe verbal or physical punishment by approximately two times (Hunter et al., 2000). While much of the literature focuses on physical abuse, there is some research that investigates physical punishment. Holden & Ritchie (1991) found that more battered mothers (50%) reported that their husbands spanked their children at least once a week than non-battered mothers (24%). Straus & Moynihan (1994) reported similar findings in relation to mothers’ use of physical punishment, with mothers who were beaten by their partners having a 71% chance of hitting their teenager, compared to a 48% chance by mothers not experiencing such violence from their partners. Straus & Moynihan (1994) further found that “physical violence between parents increases the probability of a child being hit more than any other variables . . . analyzed” (p.60). Similarly, Xu et al. (2000) found that parents who are abusive towards each other are significantly more likely to be physically punitive with their children.

Woodward & Fergusson (2002) assert that familial violence is a symptom of family dysfunction, and family dysfunction in turn can lead to harsh punishment (through its impact on use of an authoritarian parenting style, Frías-Armenta & McCloskey, 1998). Another explanation is given by Miller et al. (1999) who suggest that: “Homes where violence or the threat of violence is prevalent may

create a different family normative structure. Hitting or beating may not seem aberrant for these families” (p.639).

4. The parent-child relationship

As parenting occurs in the context of interactions between a parent and their child, the issue of discipline cannot be discussed without examining the quality and nature of the parent-child relationship. As was discussed earlier, parent-child conflict and arguments increase the risk of physical punishment (Day et al., 1998; Graziano et al., 1996; Youseff et al., 1998). Youseff et al. (1998) reported that Egyptian children who experienced physical punishment were more likely to initiate arguments with their parents, and to be objectionable and disrespectful to their parents. These children were also more likely to report that they felt they were unable to communicate with their parents.

In addition to conflictual relationships another way the parent-child relationship has been examined is in terms of parental warmth and involvement with one's child. In a British study, Nobes & Smith (2000) found that fathers who were highly involved with their children were less punitive with them. They advocate policies that foster the development of positive father-child relationships as one measure to reduce physical punishment use. In another British study, Ghate et al. (n.d.) found that those parents who had more critical and hostile, and less warm and involved relationships with their children were more likely to endorse all forms of punishment, and were more likely to use physical/harsh punishment. Wade & Kendler (2001) also reported that lower levels of parental warmth was the strongest predictor of greater frequency of physical punishment use out of a range of parent, child and social context factors investigated.

Not surprisingly, there have been some studies that have found relationships between other predictors of physical punishment and characteristics of the parent-child relationship. For instance, Raikkonen & Keltikangas-Jarvinen (1992, as cited in Murphy-Cowan & Stringer, 1999) report that low socioeconomic status mothers are more hostile towards their children (as will be discussed later – see pp.44-47 – low socioeconomic status is associated with greater use of physical punishment). Similarly, in a study of Chinese mothers by Chen & Luster (2002) mothers with a higher family income, higher education levels and those with younger children were all found to be more likely to be warm and involved with their children, while relatively depressed mothers and those with more children were less likely to be warm and involved.

The extent of engaging in activities with one's child has been found to be positively correlated with the frequency of hitting/smacking (Nobes & Smith, 2002;

Nobes et al., 1999). However, Nobes & Smith (2002) reported this relationship only in relation to activities in the home, finding that engaging in activities with one's child outside of the home showed a negative relationship with physical punishment. Perhaps parents are not so confident about smacking in public. These findings are perhaps unexpected, as involvement with one's child's activities could appear to be an indication of a warm relationship characterised by less use of physical punishment. However, perhaps greater involvement with one's child's activities equates with greater time in general spent with them, greater contact time and therefore a greater chance of physical punishment occurring. In contrast, Murphy-Cowan & Stringer (1999) reported on retrospective accounts from parents about their own upbringing and found that Irish fathers' smacking behaviour was negatively correlated with showing an interest in one's child's activities and time spent with them.

Given the conflicting findings in relation to engaging with one's child in activities other measures of the quality of the parent-child relationship may be more informative. Simons et al. (1993b) investigated parents' satisfaction with and enjoyment of their relationship with their child and how this predicted their use of harsh or supportive parenting. The latter was categorised as parents who show “concern about their child's feelings, take an interest in his or her daily activities, manifest love and acceptance, encourage appropriate behaviour, help with problems, and reinforce accomplishments” (p.97). Simons et al. (1993b) found that parental satisfaction with one's child had a direct positive effect on supportive parenting and a negative relationship with parental use of harsh discipline. The effect of depression on supportive parenting was mediated through satisfaction with the parent-child relationship. A similar finding was reported by Xu et al. (2000), who found that parents who held favourable and positive attitudes towards parenting were less likely to use physical punishment. It would appear then that having a rewarding and satisfying role as a parent is associated with lower rates of physical punishment use.

Parental nurturing has also been investigated by the *Commonwealth Fund Survey of Parents with Young Children* which asked parents how often they engaged in the following nurturing behaviour with their child: reading a book, listening to music, playing or hugging/cuddling (Wissow, 2001, 2002). A cluster analysis found four groups of parents, two of which are more concerned with nurturing behaviours. The first group Wissow (2001) characterised as ‘low interacters’: they did play with their children and showed them affection, but did not engage much otherwise, in either nurturing or disciplinary contexts. This group showed the smallest proportion who had ever spanked or yelled at their child. The other group

labelled the 'high interacters' were mainly mothers, who engaged in a high degree of both nurturing and disciplinary behaviours, and reported yelling at or spanking their child much more often than the first cluster, but less than the remaining two clusters. Wissow (2001) concluded that: "'average' spankers do so in the context of relatively higher use of a range of nurturing interactions" (p.126) while above average spankers report less nurturing behaviours. While nurturing behaviours and use of physical punishment were found overall to be negatively correlated (Wissow, 2001, 2002), "the absence of physical punishment does not necessarily indicate an optimal parent-child interaction. Some parents' non-use of physical punishment may be more a function of lack of involvement with their children than of mastery of less aversive disciplinary strategies" (Wissow, 2001, p.128).

Brenner & Fox (1999) similarly conducted a cluster analysis, which also included the variables of verbal and physical punishment and nurturing behaviour. Like Wissow (2001, 2002) they found that the clusters varied in terms of punishment and nurturing. Low nurturing was only associated with the cluster of mothers who used punishment frequently. High nurturing behaviour was common to both mothers who used low-moderate punishment and low punishment. Mothers who used moderate amounts of punishment, also showed average amounts of nurturing.

Parental attitudes towards children have been investigated by Jackson et al. (1999) and Thompson et al. (1999) who examined data from a 1995 Gallup Organisation telephone survey. Jackson et al. (1999) found that parents who held attitudes that devalued children were more likely to use and approve of physical punishment. Such parents tended to be less educated, use less non-physical discipline, have not experienced sexual abuse as children, and those for whom religion was important. Thompson et al. (1999) completed a cluster analysis using the same data and found that the cluster of parents who were considered to be at high risk for harsh or abusive parenting were more likely to use techniques such as swearing at and demeaning their children, held attitudes which devalued children and were the parents who reported the greatest use of physical punishment.

In summary, the quality of the parent-child relationship can impact on parental use of physical punishment. Conflictual relationships, and those characterised by a lack of parental respect, warmth, involvement and nurturing, appear to be the contexts in which physical punishment is most likely to occur.

5. Socioeconomic status

Socioeconomic status (SES) is one factor that has been examined as a determinant of physical punishment

use or approval in many studies. SES has been found to relate to disciplinary practices other than physical punishment. For example, Wissow (2001) reports that mothers on a lower income were less positive about time-out than were mothers on higher incomes, while Bluestone & Tamis-LeMonda (1999) found that mothers with a low SES were more likely to 'let a situation go' as a disciplinary response. However, the majority of the research relates to physical punishment use.

Research findings are contradictory and one of the difficulties lies with the definition of socio-economic status, which has been operationalised as income, education, and/or job status (Gershoff, 2002a). Some studies use one or a combination of these variables to gain a 'measure' of socio-economic status, so in effect some studies are, for example, examining education levels while others are investigating income. What is also problematic is the use of the measures interchangeably in some of the literature, i.e. discussing low income families when what has actually been measured for SES were education levels and current occupation (e.g. Pinderhughes et al., 2000). Another difficulty in relation to having different measures of SES is that 'conflicting' results are reported within studies. For example, Giles-Sims et al. (1995) found that income was associated with physical punishment use, but education was not. Likewise, in New Zealand, Woodward & Fergusson (2002) found no evidence that SES (based on parental occupation) and young people's reports of physical punishment were related, but did find that having a low family income was associated with higher levels of physical punishment use. This contradicts Flynn's (1996a) assertion that multivariate analyses provide evidence that it is the education component of SES that is related to attitudes toward physical punishment rather than income or occupation. This is refuted by Eamon (2001) who contends that such multivariate analyses that place variables related to SES into models simultaneously may hide the impact of income. Clearly, measures of SES that combine income, educational attainment and occupational class may prove to be misleading.

In spite of these methodological problems a common finding that is cited is that there is a negative relationship between SES and parental use of physical punishment: as SES increases rates of physical punishment decline (e.g. Gershoff, 2002a; Smith & Brooks-Gun, 1997; Socolar et al., 1999; Wauchope & Straus, 1992). However, it is acknowledged that findings are contradictory (Straus & Moynihan, 1994; Walsh, 2002). Studies that report SES in combined measures have generally found such a relationship. For instance, Giles-Sims et al. (1995) measured SES by a combination of occupational status, family income, and education level, and reported that as SES increased the prevalence and chronicity rates

for spanking decreased. Straus & Stewart (1999) used a combination of education and income and found that physical punishment was more prevalent among parents of lower socioeconomic status, but only for older (30+) parents. Walsh (2002) reported that in her sample of spankers and non-spankers every increase in SES (measured by parental education and income) decreased the likelihood of spanking by 12%. However, Straus & Moynihan (1994) criticise much of the research for its crude measures of SES. They used a more comprehensive measure and found that once parental age, ethnicity and marital violence were taken into account there was no relationship between SES and the use of physical punishment.

Complex interactions also exist between socioeconomic status and other factors which further complicates the issue. For example, Pinderhughes et al. (2000) found evidence for SES (measured by education and current occupation) having both a direct and indirect effect on parental disciplinary responses. Lower SES had a direct effect on harsh punishment, but also had a mediated effect through the effects of stress, parenting beliefs, perception of the child, and cognitive-emotional processes.

Since the impact of parental education has already been discussed (see pp.26-27), studies that measure SES by educational attainment alone will not be discussed again in detail in this section. There are, however, several studies that use income as the only measure of SES or report it as a separate measure and generally they have reported a negative association with physical punishment use, so that lower income is associated with a higher use of physical punishment (Bardi & Borgognini-Tarli, 2001; Giles-Sims et al., 1995; Holden et al., 1999; Simons et al., 1991; Smith & Brooks-Gunn, 1997; Stolley & Szinovacz, 1997; Woodward & Fergusson, 2002; Youssef et al., 1998), more favourable attitudes toward physical punishment (Flynn, 1994) and negative caregiver disciplinary strategies, such as yelling, swearing, hitting, threatening, pushing, and slapping (Koenig et al., 2002).

Wissow (2001) reported a curvilinear relationship between income levels and use of spanking, peaking at greater use with 66% of families whose annual income was between \$20,000 and \$30,000, and lower rates for higher and lower income families. However, Wissow (2001) did not find evidence that parental income was a significant predictor of parental use of spanking.

Several studies investigating income/economic situation have found it had little or no impact on physical punishment use (Day et al., 1998; Hemenway et al., 1994; Tajima, 2000; Wade & Kendler, 2001; Wolfner & Gelles, 1993) or approval (Ateah & Parkin, 2002; Buntain-Ricklefs et al., 1994; Straus & Mathur, 1996). Dietz (2000) sums up some of the literature

by asserting that while social class might be a factor in physical punishment use, income does not appear to be related to the frequency of physical punishment use. However, while Wolfner & Gelles (1993) reported no significant relationship between family income and parental use of physical punishment, they did find that poor parents were 1.5 times more likely to be physically abusive.

The issue is complicated by various interactions and moderating factors as illustrated by Simons et al. (1991) who found that for mothers of sons, family income had a small, indirect effect on their harsh parenting through its effects on parenting beliefs and hostile personality. For mothers of daughters, and fathers, income had no effect, either directly or indirectly, on their use of harsh discipline. Simons et al. (1993a) describe a mediational rather than direct effect of income on parenting, whereby low income results in economic pressure which impacts on parental well-being and functioning, which in turn effects parenting.

One explanation for the mixed findings in relation to income is that it may be poverty/financial hardship more than income levels that is the influential factor. For instance, Smith & Brooks-Gunn (1997) reported that on all outcomes being poor was significantly associated with the use of harsh discipline. Boys living in poverty were four times more likely to be hit by their parent(s) than boys who weren't poor, and living in a family whose income was categorised as 'near poor' were six times more likely to be hit. Youssef et al. (1998) found that a family income which was not enough to cover basic needs increased the risk of physical punishment by 2.59 times, whereas Dietz (2000) reported that the risk of severe physical punishment was 1.5 times greater when parents, in terms of income, were on the poverty line. Dietz (2000) reported that it was only severe poverty that was associated with the use of physical punishment indicating that it was more the stress of poverty rather than simple differences in income which was important. In the New Zealand context, Woodward & Fergusson (2002) also found that mothers living in situations of poverty with impoverished living conditions used higher levels of physical punishment.

Research by Eamon (2001) and Eamon & Zuehl (2001) also found the effect of poverty on mothers' frequent use of physical punishment was indirect, mediated by its association with maternal depression, which in turn, was directly, and indirectly via its effect on marital conflict (Eamon, 2001), associated with frequent use of physical punishment. Poverty related positively to maternal depression, that lead to an increased risk of frequent physical punishment use and marital conflict. However, the effect of poverty was small relative to the effects of maternal depression, education and age.

Poverty was found to relate positively to maternal depression. The chronic strains or discrete life stressors that are commonly experienced by mothers living in economically deprived conditions can precipitate depression, which, in turn, is associated with more frequent use of physical punishment. (Eamon & Zuehl, 2001, p.223)

McLoyd (1990) reviewed the available literature on the effect of economic hardship on parenting and concludes that: "parents respond to economic loss with increased irritability, hostility, and depression and, in turn, with punitive and erratic behaviour toward the children. . . . poverty and economic loss generally result in more punitive and less nurturant, supportive behaviour by parents" (p.327).

Employment is another issue that has been investigated in the context of socioeconomic status, again with conflicting findings. Xu et al. (2000) reported that employed parents of younger children were more likely to use physical punishment than unemployed parents. They suggest that this may be due to the stress of competing demands of work and parenting. Conversely, being employed less frequently has been reported to be associated with higher prevalence and/or chronicity rates for physical punishment. Unemployment, however, had no significant effects on spanking rates (Giles-Sims et al., 1995). Similarly, Bardi & Borgognini-Tarli (2001) found that employment was not a factor in predicting physical punishment use, but it was related to severe violence among Italian parents. They also reported that in families with a combination of unemployment and low income the level of stress may lead to more severe violence towards children.

Employment has been found to be a protective factor reducing the risk of maternal physical punishment (Giles-Sims et al., 1995; Youseff et al., 1998) and abusive/severe violence (Wolfner & Gelles, 1993). However, fathers who were employed part-time reported the highest rates of physical punishment compared with being unemployed or fully employed (Wolfner & Gelles, 1993). Being employed was related to having less favourable attitudes towards physical punishment in Kuwait (Qasem et al., 1998). In a study of single African American mothers, McLoyd, Jayaratne, Ceballo & Borgquez (1994) found that current unemployment had a direct effect on mothers' depressive symptomatology, which further predicted more frequent punishment of their teenaged children. Unemployment and underemployment appear to be risk factors for physical punishment, presumably in part because of the loss of or lack of income and associated stressors.

Other studies have operationalised socio-economic status by classification of parental occupation, and all

but a few (for example, Lau et al., 1999; Woodward & Fergusson, 2002) have found some relationship between 'occupational class' and physical punishment use. Wauchope & Straus (1992) compared 'blue collar workers' and 'white collar workers', and while not finding any significant differences in terms of prevalence rates for physical punishment, did report that physical abuse rates among blue collar parents were almost twice those of white collar parents. Some significant interactions were found between occupational class, parent gender and child gender. Sons of blue collar fathers experienced the most frequent physical punishment, while daughters of blue collar mothers had the lowest chronicity rates. Daughters of white collar parents were punished physically more chronically than daughters of blue collar parents, while the opposite held true for sons. Similarly, Wolfner & Gelles (1993) reported rates of physical punishment and severe violence were higher for blue collar parents compared to white collar parents. In addition to the use of physical punishment Najman, Shaw, Bor, O'Callaghan, Williams & Anderson (1994, as cited in Dietz, 2000) reported a tendency for working-class parents to use physical punishment while middle-class parents favoured reasoning as disciplinary strategies. A study of Scottish parents reported that parents with manual occupations or who were unemployed were more likely to have used physical punishment than parents with professional, managerial or clerical occupations (Anderson et al., 2002).

Fox et al. (1995) reported that higher SES (measured by occupation) mothers had lower discipline scores⁸, had lower developmental expectations for their child, higher nurturing scores, and reported fewer child behaviour problems than lower SES mothers. This finding was replicated in part by Brenner & Fox (1999) who performed a cluster analysis of parenting practices and four clusters were identified: those mothers with high discipline and low nurturing scores and moderate to high developmental expectations of their children were younger, had the lowest educational level, the lowest SES (based on occupation), were less likely to be married and reported the most behaviour problems with their child. Fox et al. (1995) also found that the effect of socioeconomic status on discipline was moderated by educational attainment: as maternal SES increased the mothers' use of physical punishment decreased with higher education levels, but increased with lower educational attainment.

Rather than finding direct effects a study of Mexican families by Frías-Armenta & McCloskey (1998) reported that the impact of SES (via paternal occupation and maternal education) on harsh parenting was mediated by parenting style. Paternal occupation also impacted on family dysfunction, which mediated

8 High scores are associated with more frequent use of physical punishment and yelling.

the use of an authoritative parenting style, leading to the use of harsh punishment.

An examination of physical punishment use in Egypt by Youseff et al. (1998) revealed that parents who were skilled/semi-skilled or unskilled workers, labourers or traders were more likely to use physical punishment compared to professionals or semi-professionals. In addition, the risk increased if the fathers were unemployed.

In summary, while results are contradictory, in general, low socioeconomic status (in terms of poverty, education level or occupation) is associated with an increased use of physical punishment. Dietz (2000) describes a social situational model that proposes that violence is related to differences in cultural norms/socialisation and reactions to structural stress. The model suggests that particular groups are exposed to more frustration and stress (such as those with a lower SES), and that violence is a response to such stress because of a cultural norm, which socialises children into also responding to stress and frustration with violence and force. Gershoff (2002a) outlines a similar explanation for why SES may have an influence on parental use of physical punishment by way of a socialisation hypothesis and a stress hypothesis.

(a) Socialisation hypothesis

Gershoff (2002a) explains how the socialisation hypothesis argues that the relationship between low SES and the use of physical punishment is the result of parents valuing conformity and obedience to authority. Physical punishment is favoured by parents who value immediate compliance because it prepares their child for being obedient in low status jobs or because the environment in which they live can be dangerous and therefore the consequences of non-compliance and disobedience can be potentially more serious. A more parent-orientated approach to discipline, including the use of physical punishment, may therefore be considered adaptive in low income families to control children's behaviour in unsafe environments and neighbourhoods (Eamon & Zuehl, 2001; Kelley et al., 1992).

Straus (1994b) hypothesis has been applied to low income parents of ethnic minority groups and states that theorists argue that:

. . . because society, and especially the lives of low income minorities, has become increasingly unstable, there is a need for families to provide more structure and stability in the lives of their children, including a high level of engagement and firm discipline. (p.5)

Evidence for SES being central to parenting values, beliefs and socialisation goals comes from findings such as that reported by Luster et al. (1989, as cited in Pinderhughes et al., 2000) that SES is negatively associated with values which endorse conformity

and positively related to values which support self-direction. Similarly, Pinderhughes et al. (2000) reported that low income (low SES) parents were more likely to hold beliefs and values that support the use of physical power to resolve conflict. Kelley et al. (1992) also found that younger, less educated mothers emphasised obedience and used more parent-centred discipline, compared to older, more educated mothers who valued autonomy and used a more child-centred discipline. Mothers who value immediate compliance have been found to frequently spank their children (Holden et al., 1999).

(b) Stress hypothesis

Another explanation for why socioeconomic status might have an impact on a parent's use of physical punishment is parental stress. Bluestone & Tamis-LeMonda (1999) assert that SES is a stressor, affecting mothers' psychological well-being which impacts on harsh parenting. Low SES may operate via specific stressors which are predictive of negative and punitive discipline, such as sole parenting, living in an unsafe environment, and having an unplanned pregnancy (Pinderhughes et al., 2000).

Pinderhughes et al. (2000) found evidence for both hypotheses for the link between SES and physical punishment. They found that low-income parents used harsher discipline partly because they believed in the value of physical punishment and also because they experienced more stress. What was unclear was whether the two paths were mutually exclusive or whether both processes could operate simultaneously. This question could be answered in part by research by Crouch & Behl (2001) who examined stress in the context of physical child abuse potential. They found that parents reporting higher stress levels had greater child abuse potential scores. What was interesting was that this relationship was moderated by parental beliefs about physical punishment. If parents did not believe in the value of physical punishment as a disciplinary tool, stress was not a factor in their child abuse potential. This provides evidence for physical punishment being an instrumental rather than emotional reaction, as emotion/stress does not provoke a violent response unless a parent has a strong belief in physical punishment. It also, lends support to the notion that the two paths by which SES may impact on physical punishment use (parental beliefs and stress) are mutually exclusive.

Stress is one model that has been widely used to account for the use of physical punishment and has been linked to many of the contributing factors that have so far been discussed. While having a low-income and financial hardship is often cited as the factor that contributes to stress, the issue is wider than income or SES and so a broader discussion of the issue follows in the next section.

6. Stress

In a discussion of Belsky's Process Model of Parenting, Woodward & Fergusson (2002, p.214) assert that:

The basic premise of the model is that parenting ability is multiply determined, with the quality of parental care being determined by the balance of stresses and supports that exist both within and outside the family, with these stresses reflecting a range of factors, including the parent's psychological well-being and personal resources, child characteristics, and the nature of the social and family milieu in which the parent and child are embedded.

One such stressor as noted above is socioeconomic status or income, with the general finding that living in poverty with the circumstances which often co-exist with it (e.g. sole parenting, young age, being unemployed or underemployed) can contribute to the use of physical punishment (Smith & Brooks-Gunn, 1997). Being young, uneducated, single and unemployed may all contribute to a lower income and as such all bring added stress to the parenting role, in part because of limited economic opportunity (Giles-Sims et al., 1995). Eamon (2001) and Eamon & Zuehl (2001) contend that economic hardship can lead to mothers experiencing stress by both discrete life events (such as crime victimisation, ill health, job loss) and more chronic strains (such as financial worries). Such strains and life events can precipitate depression, which mediates the effect of poverty on mothers' physical punishment use. Gershoff (2002a) contends that the stress of having a low SES can compound the stress of parenting, based on research by Dumas & Wekerle (1995, as cited in Gershoff, 2002a) that the relationship between parenting stress and negative parenting was stronger in economically disadvantaged families. In her review, McLoyd (1990) contends that: "psychological strain encourages the parent to adopt disciplinary strategies that require less effort (e.g. physical punishment, commanding without explanation, reliance on authority) rather than more (e.g. reasoning, explaining, negotiating)" (p.330).

In addition to economic, other stressors that have been reported to be associated with an increased risk of physical punishment use include:

- having a large family (Asdigian & Straus, 1997; Youseff et al., 1998). Large families can result in more emotional and financial stress and tend to have a lower SES (Asdigian & Straus, 1997). Mothers caring for more children can experience more depressive symptoms (Pearlin & Johnson, 1977, as cited in Eamon & Zuehl, 2001), which can increase the risk of physical punishment use;
- poor parental health (Bardi & Borgognini-Tarli, 2001);
- having a child with poor health or a disability (Bardi & Borgognini-Tarli, 2001; Stolley & Szinovacz, 1997; Youseff et al., 1998);
- having a child who is perceived to be 'difficult' or anxious (Stolley & Szinovacz, 1997; Youseff et al., 1998);
- household crowding in Egypt (Youseff et al., 1998) and India (Hunter et al., 2000). As noted by Eamon & Zuehl (2001) crowded home conditions may also constrain the use of 'alternative' disciplinary strategies such as time-out;
- instability of residence/moving house (Bardi & Borgognini-Tarli, 2001; Wolfner & Gelles, 1993);
- care for adults outside of the home is related to an increased prevalence, but not frequency, of spanking. Care for adults within the home is not associated with increased rates of spanking (Stolley & Szinovacz, 1997);
- being a single parent. Sole parents are more likely to experience financial hardship and stressful life events, while being less likely to have networks of social support (Simons et al., 1993a).

Although not mentioned specifically in the context of stress in the literature, other factors such as substance abuse, marital conflict, and marital violence are presumably also stressors and, as discussed earlier, all impact on a parent's use of physical punishment.

Generic stress or more generalised parenting stress has also been examined as a variable which impacts upon parental use of physical punishment. Russell & Wood (2001) reported that the most common reason given by their sample of New Zealand parents for why it was difficult not to smack their children was 'the general stress of parenting', a response given by nearly 40% of the parents surveyed. Similarly, Scottish parents in research by Anderson et al. (2002) believed that parents today faced much more pressure than previous generations, and gave reasons such as finding a balance between work and living, the loss of family routine, pressure from their own and their children's material expectations, and anxieties about their parenting abilities and accountability as being stressful. Thirty-one percent of the parents reported feeling 'stressed', 'hassled' or 'worried about something' prior to their last incident of administering physical punishment. More affluent parents believed time and work pressures impacted on their parenting, while less affluent participants saw the pressure of money and lack of support as having an effect on their child rearing.

A few studies have used measures of stress as an independent variable and have reported a link between parenting and stress. In Italy, Bardi & Borgognini-Tarli (2001) found that parents with stress conditions were more prone to using minor and severe physical

punishment. Chen & Luster (2002) asked Chinese mothers in Taiwan about their 'daily parenting hassles'. Depressed mothers were more likely to perceive their child as emotional, and reported higher daily hassles. Young, depressed mothers who reported more parenting hassles were more likely to use authoritarian parenting styles and less likely to use an authoritative style.

Stress can also have indirect effects on parenting. For instance, Pinderhughes et al. (2000) found that greater stress levels led to less positive perceptions about one's child and more intense cognitive-emotional processes, which in turn led to the use of harsher discipline. This links with findings by Day et al. (1998) which suggest that parents who have less favourable perceptions of their children tend to smack them more.

The impact of stress can best be summed up by Woodward & Fergusson (2002, p.216) who write:

. . . high and chronic levels of contextual stress arising because of poverty, unemployment, parental immaturity, inter-personal conflict and violence place strains on a parent's care-giving abilities, which in turn, increases their susceptibility to problematic parenting practices such as the use of physical punishment methods.

As stated earlier, it is theorised that parenting quality is determined by the balance of supports and stresses. Following on from this is a cumulative stress model, whereby each stressor on its own may not result in an increased use of physical punishment, but it is the combination with other factors which increases the likelihood. Essentially, the more problems or risk factors that are present, the greater the likelihood of physical punishment use (Bardi & Borgognini-Tarli, 2001; Culp et al., 1999; Woodward & Fergusson, 2002).

Social support can also have a protective or moderating role on parental stress. It is interesting that while so much of the literature focuses on risk factors, very little addresses such protective factors. However, a few studies have provided some evidence of buffers or moderators to the effect of stress on physical punishment use. In her review, McLoyd (1990) concludes that: "parents' social networks provide emotional, informational, and parenting support, and the evidence is compelling that such support lessens erratic and harsh treatment of children" (p.336).

In a study by McLoyd et al. (1994) single mothers who perceived themselves as having greater instrumental support showed fewer depressive symptoms and punished (scolded, yelled, hit, threatened to hit or to send the child away) their teenaged child less. The finding by Ghate et al. (n.d.) that having an unsupportive partner was a greater

risk factor for physical punishment use than being a sole parent also highlights the importance of having supportive relationships. In a similar vein Youseff et al. (1998) found that children whose parents had regular contact with family and friends were less likely to experience physical punishment. In addition, while sharing an apartment with strangers was a risk factor for physical punishment use, living with other relatives decreased the risk. It could be assumed that the presence of family who can provide assistance is supportive, whereas the presence of strangers is not, and can actually increase stress for parents. Alternatively, findings by Stolley & Szinovacz (1997) that working as a caregiver (of an adult) outside the home increased the risk of physical punishment, whereas caregiving in the home was not, suggest that the presence of another adult may act as a form of social control, preventing physical punishment. High levels of support from neighbours has been found to increase the risk of moderate verbal aggressive discipline in an Indian sample (Hunter et al., 2000). Whereas in the US, lower levels of neighbourhood support were found to be related to the increased use of physical punishment as the primary disciplinary strategy (Socolar et al., 1999).

Wolfner & Gelles (1993) contend that their research provides evidence for a "structural social stress model of family violence, where social and economic stressors are positively correlated with abusive violence. The youngest, poorest, most socially isolated, and economically frustrated caretakers are the most likely to act violently towards their children" (p.210). Given the importance of social support in ameliorating the effects of stress, further research into protective factors would appear to be an important step in reducing violence towards children. Giles-Sims et al. (1995) also note that efforts to reduce the use of physical punishment "require changes in the basic socio-economic conditions to society" (p.176).

7. Context of the disciplinary incident

While child, parent and family characteristics are widely cited as the predominant factors that may contribute to the use of physical punishment, a small number of studies report on more practical issues. Ghate et al. (n.d) explored disciplinary incidents examining factors that can lead to parent-child conflict. As with Holden et al. (1995) they reported the most conflictual situations occurred on a weekday (62%), at home (87%) and the most common time was after school or in the early evening. These were common findings for those parents who smacked and those who didn't.

Holden et al. (1995) also investigated when and where spankings occurred. Fifty percent of all the spankings that were described by parents occurred

between 5pm and bedtime (of the total, 23% were in the morning and 27% in the afternoon). Smacking appears to be most commonly confined to the home (Anderson et al., 2002; Ghate, n.d.; Holden et al., 1995).

While these may seem trivial findings, they do highlight factors such as fatigue and hunger as potential contributors to disciplinary incidents. Furthermore, if in some cases physical punishment is more frequent at particular times of the day, especially those when both parents and children are likely to be hungry and tired, then this lends further support to viewing physical punishment as an emotional rather than an instrumental reaction. Also, if parents are aware of 'triggers' then advice on structuring situations to avoid conflict, and therefore smacking, may prove useful.

8. Cultural/societal norms

So far the discussion of possible factors which contribute to the use of physical punishment has focused on individual (child and parent) and family/environmental factors. However, a wider view of social phenomena also examines the macro level and looks at the impact of societal/cultural norms. While ethnicity will be examined in chapter 4, the following section relates to wider societal norms that support physical punishment. Such cultural norms reflect legal and religious traditions (Flynn, 1996a; Straus, 1991), and can also be an antecedent for parental use physical punishment (Flynn, 1996a) because "cultural norms and actual behaviour tend toward consistency" (Straus & Mathur, 1996, p.91).

Straus (1991, 1996) has proposed a "cultural spillover" model which states that socially condoned forms of violence (such as physical punishment) can lead to violence in other areas of society, especially illegitimate/criminal violence. Straus uses findings that violent behaviours in one area of society (e.g. child rearing) correlate with other forms of violence (e.g. homicide, rape) to support this hypothesis. While stating that causality cannot be determined Straus (1996) nonetheless does link childhood physical punishment with later violence as an adult. However, Bauman (1996) responds by giving an alternative explanation for the link between physical punishment and societal violence. Namely that:

... aversive and violent behaviours in society are all rooted in larger cultural values and norms that govern the acceptability, appropriateness, and use of violence to coerce behaviour change. (Bauman, 1996, p.843)

Evidence which supports Bauman's (1996) position comes from a variety of comparative studies which examine rates of physical punishment use or approval across different societies. A common comparison has been between Sweden (which has banned the

use of physical punishment) and other countries that have not. One of the purposes of the legal ban on the use of physical punishment was to establish a cultural norm against the use of physical punishment (Deley, 1988; Flynn, 1996a). Findings of research that compares Swedes with Americans (Deley, 1988) and Swedes with Canadians (Durrant, 1993-94; Durrant et al., 1999; Durrant, Rose-Krasnor et al., 2003) have reported that Swedes demonstrate less use of and support for physical punishment. In fact Durrant et al. (1999) and Durrant, Rose-Krasnor et al. (2003) reported that maternal attitude, which in other countries can be reliably used as a predictor for physical punishment, no longer has any predictive power for Swedish samples. Similar findings have been reported in comparisons between the US and Finland, which banned physical punishment in 1984 (Curran, 2002).

Sweden has shown a dramatic reduction in the support for or use of physical punishment since the legal reforms banning its use (Durrant, 1999a; Durrant, 2003a) (see also chapter 7, pp.102-104). A recent comparative study between America and Sweden, reported on fathers' self-reported use of parental discipline (Jutengren & Palmérus, 2002). Compared with US fathers, Swedish fathers displayed a range of discipline strategies from punitive reprimands (i.e. behaviour modification and physical punishment) to restrictive control approaches (i.e. verbal control and physical restraint) when in conflict with their 38 to 66-month-old children. This research "clearly indicates that there is a cultural difference between Swedish and US fathers in terms of their preferences for various disciplinary strategies" (p.256). American fathers tend to rely more on punishments, while Swedish fathers are more likely to utilise restrictions. Jutengren and Palmérus attribute this difference to the enactment of the Swedish 1979 law.

However, there is some argument that other countries that have not abolished physical punishment are also showing a decline in approval or use (see Roberts, 2000). Roberts (2000) asserts that the Swedish ban on physical punishment did not change public attitudes, and uses data from other countries (e.g. Germany) to illustrate a lack of relationship between legal change and public opinion. Straus & Mathur (1996) also provide evidence that in the US approval of physical punishment has shown a steady decline from 1968-1994: a shift from 94% to 68% approval, without any legislative changes. However, Durrant (2003a) counter argues that while a single event such as a law change cannot be the sole reason for an attitude shift in Sweden, the magnitude of the shift is much greater than can be accounted for by a general societal decline in approval rates for physical punishment. She states:

Attitudes are shaped by factors ranging from individual experience to legal and political environments. They evolve within social environments that evolve in turn, with respect to knowledge about child development, recognition of children's rights, and beliefs about parent-child relationships. (Durrant, 2003a, p.169)

The importance of cross-cultural differences is also noted by Wissow (2001) who cites research that American and British mothers differ in the messages they give their children about their behaviour, with US mothers emphasising individual rights, while mothers from the UK focus on potential harm to others (Dunn & Brown, 1991, as cited in Wissow, 2001).

Clearly, societal norms have a range of determinants and there is evidence that even within a country community norms can impact on physical punishment use. An obvious example of this is ethnicity, which will be addressed in the following chapter, but other groups or communities within the same society also hold different norms in relation to approval and use of physical punishment. For example, Fry (1993) conducted an ethnographic study of two neighbouring communities in Mexico. One community held norms and values that emphasised non-violence and respect for others, the other demonstrated much more aggression. Use of physical punishment as a disciplinary technique varied accordingly, with the former community favouring the use of physical punishment much less frequently, preferring more positive non-physical disciplinary strategies. Similarly, Flynn (1994, 1996b) reports finding regional differences in attitudes towards physical punishment in the US, with those living in the Northeast holding less favourable attitudes towards corporal punishment.

Straus & Mathur (1996) merged the results of seven major surveys that examined public attitudes towards physical punishment over the period 1968-1994 and reported that the rates of approval of physical punishment have declined steadily in the US over this timeframe. However, this decline has occurred at different rates for different segments of the population, producing "a widening gulf" in attitudes toward physical punishment. For instance, the rate of decline has been slower for those living in the South, African-Americans, men, those with less education and those of an older age. Straus & Mathur (1996, p.102) conclude that: "These differences in the rate of change have resulted in a greater differentiation in norms between different sectors of American society".

The issue of societal norms has major implications for attempts to reduce physical punishment within countries. Several studies have investigated various nationalities' 'receptivity' to legislative changes, in the US (Deley, 1988), Canada (Durrant, 1993-94) and Scotland (Anderson et al., 2002). Several

recommendations for policy have emerged from this research as discussed below.

Anderson et al. (2002) reported that parents were more concerned about legislative changes reducing their parental rights, and less concerned about children's rights issues, a finding similar to that reported by Russell & Wood (2001) in New Zealand. Therefore, if legislative change is to be used as a 'catalyst for cultural change' Anderson et al. see it as important to understand and address the attitudes and beliefs which are at the root of parental opposition. They state that one of the key messages coming from their research is:

. . . that any legislation needs to be explained and presented in a way which acknowledges the difficulties and pressures faced by contemporary parents and which situates issues of discipline in the broader context of support for families and questions of work-life balance. (Anderson et al., 2002, p.59)

As the result of his research in the US, Deley (1988) concluded that changing American child rearing practices away from corporal punishment would be more likely to occur if information was disseminated about the link between physical punishment and its tendency to escalate into physical abuse, and assurances given that non-use did not necessarily imply permissiveness in parenting style.

Straus & Mathur (1996) caution against creating conflict by intervention which is perceived as controlling the lives of particular groups of parents and see it as vital that: "educational programs to reduce corporal punishment among disadvantaged groups be designed and implemented by members of these groups" (p.103).

Finally, Durrant (1993-94) advocates an approach that consists of: firstly, legislative change as a symbolic declaration that society does not support the use of physical punishment; secondly, public education about the risks of physical punishment and alternatives to its use; and thirdly, policies and practices which aim to ameliorate the conditions that contribute to child maltreatment and family stress.

This final point is particularly important given this chapter's discussion of the predictors of physical punishment and one which is echoed by Eamon & Zuehl (2001) who cite research that education and training programmes will be insufficient on their own to reduce the use of physical punishment. They recommend programmes which increase the financial resources of those families living in economically deprived circumstances.

This chapter has discussed predictors of physical punishment use which provide a picture of some parents living in disadvantaged situations, experiencing poverty, stress, depression, marital conflict/abuse etc,

and using physical punishment as a consequence. Clearly, changing public attitude is not the sole route to reducing or preventing physical punishment, and for families such as these improving their situations may be more effective than a blanket education programme which attempts to change their attitudes, but does little to support them in their parenting role.

9. Summary of contextual factors

Setting the disciplinary encounter within the context of the family and the wider society, acknowledges that parental discipline is not solely determined by individual factors. As has been shown factors such as family structure (sole parenting and having a large family) and lower socioeconomic status have been identified as risk factors for physical punishment use, as have poor relationships within the family (in terms of violence between parents and conflictual or distant child-parent relationships). A picture emerges of parents in stressful situations, facing money/employment worries, family violence or coping with large numbers of children, or parenting alone. The stress model of physical punishment therefore fits well within the reviewed research. The wider context of society and its sanctioning of physical punishment also contributes to its use.

Conclusion

From a consideration of child, parent and contextual factors it is clear that the aetiology of physical punishment is indeed multiply determined. While the relationships between any of the identified factors and the use of physical punishment is not clear cut, what is evident is that many of the factors are inter-related and impact on each other. There also appears to be a complex interaction between parental, child

and contextual factors, which is consistent with viewing parental discipline as a 'dynamic construct' (Crouch & Behl, 2001). No one factor stands out as a major contributor or cause of the nature of parental discipline. Rather than being regarded as determinants, such factors they should perhaps be regarded as risk factors or predictors, with physical punishment being determined by a combination of such factors (Fisher & Fagot, 1993). Also, as noted by Bower-Russa et al. (2001): "Each individual factor may make only a modest contribution, but when interacting together they become a potent combination" (p.235). In addition to a particular combination of risk factors, the accumulation of these factors would appear to be important, with physical punishment being more likely when the greatest number of risk factors are present.

Finally, while each determinant is portrayed in the literature as a risk factor these can equally be viewed as protective factors. For example, having a higher education, a higher socioeconomic status, a supportive partner, and a good marital relationship can all be considered to be protective. As discussed, it is the balance of stressors and supports or protective factors which appear to be the important factor in determining the impact on parenting, and can account for some of the inconsistencies in research findings, as each individual parent will have their own 'profile' of stressors and supports.

To sum up, no one heterogeneous group of parents who use physical punishment emerges. As noted by Socolar et al. (1999, p.932):

Increasingly we see that it does not make sense to ask simply, "What kind of discipline does a parent use?" But rather, "What kind of discipline does a given parent use for a given child, in a specific family for a particular misbehavior?"

4. Cultural Issues

KATE MARSHALL

Studies investigating cultural/ethnic differences in disciplinary practices are largely American based, and focused on identifying differences between European American and other cultural groups in the United States, such as African American, Hispanic American and Asian American. There are also a number of cross-national studies investigating differences between cultural/ethnic groups living in the United States, Taiwan, Japan, Asia, India, Mexico and the West Indies. There is a predominance of studies focused on attitudes towards and the use of physical discipline. However, more studies are including an examination of wider aspects of the parenting and disciplinary environment. Most of the research has focused on identifying similarities or differences of ethnic groups, although there are an increasing number of studies that have attempted to understand child rearing and disciplinary practices in their wider cultural context (Bluestone & Tamis-LeMonda, 1999; Kelley et al., 1992).

Ethnic differences in discipline and the use of physical punishment

Evidence on ethnic differences in the use of physical punishment is inconclusive and largely contradictory. For example, a number of studies have found that African American and/or Hispanic American parents were more likely to use physical punishment than European American parents (Day et al., 1998; Deater-Deckard, Dodge, Bates & Pettit, 1996; Flynn, 1994; Giles-Sims et al., 1995; McLoyd & Smith, 2002; Pinderhughes et al., 2000; Straus and Stewart, 1999; Wolfner & Gelles, 1993). In contrast, Straus (1994a) found no significant differences between European American and African American parents in prevalence rates of physical discipline. Hashima & Amato (1994, as cited in Gershoff, 2002a) found that Hispanic⁹ children were less likely to have been smacked than European American children, whereas Straus & Camacho (1993, as cited in Giles-Sims et al., 1995) found that African American, Hispanic, and European Americans report very similar rates of being physically punished. Straus (1994b) reports more similarity than difference in the use of physical punishment amongst African American, European American and Hispanic Americans. Similarly, Nweke, Rossi & Saulawa (1994) found more similarity than difference in recall of parental use of physical discipline amongst African American and European American students.

Ellison, Bartkowski & Segal (1996a) report no significant differences between African Americans and European Americans in the use of physical punishment with either pre-schoolers or pre-adolescent children, or between Hispanic and European American parents with school age children. Hispanic parents reported smacking their pre-schoolers less frequently than European American parents. Wissow (2001) reports that in a study of parents with children under three years, African American parents used physical punishment the most (63%), whereas Asian American parents used physical discipline the least (41%). Chang & Katsurada (1997) report a higher incidence of physical punishment amongst US students than students living in Japan. In contrast, it has been reported that Asian American parents were more likely than European American, African American or Hispanic parents to use physical punishment (Julian, McKenry & McKelrey, 1994, as cited in Xu et al., 2000).

Cultural/ethnic differences have been discussed by researchers in relation to parenting styles and wider disciplinary practices. The literature makes a distinction between authoritarian parenting styles (which are more likely characterised by parent-centred approaches to discipline) and the use of stricter and more controlling disciplinary practices, including physical punishment and more authoritative parenting styles. Authoritative parenting styles have been characterised as more likely to take a child-centred approach to discipline and to use strategies such as reasoning rather than physical punishment (Papps, Walker, Trimboli & Trimboli, 1995). Authoritarian parenting styles have been linked to cultures that value interdependence, respect for authority figures and conformity to family/group norms and goals, while authoritative styles of parenting are linked to cultures which value independence, self-reliance and personal choice (Chang & Katsurada, 1997; Papps et al., 1995). Ellis & Petersen (1992) suggest that cultures that value self-reliance over conformity tended to avoid coercive or severe discipline, while cultures that value conformity over self-reliance relied on both coercive techniques (such as physical control and lecturing) and non-coercive techniques (such as discussing and reasoning) within their disciplinary practices.

It has been suggested that African American, West Indian, Asian and Pacific cultures are more authoritarian in their parenting style and hence more likely to use stricter and controlling disciplinary

9 Unless otherwise stated, in this chapter 'Hispanic' refers to Hispanic American.

strategies (Collier, McClure, Collier, Otto & Polloi, 1999; Jambunathan, Burts & Pierce, 2000; Kelley et al., 1993). There have been conflicting reports about Hispanic populations (including Mexicans, Cubans and Puerto Ricans). For example, some suggest that Hispanic cultures are more permissive in their parenting/disciplinary styles and are typically warm, nurturing, family orientated and egalitarian, while others report a more punitive and authoritarian parenting style (Cardona, Nicholson & Fox, 2000; Frías-Armenta & McCloskey, 1998; Fry, 1993). Asian populations (including Taiwanese, Vietnamese, Chinese, and Japanese) have been reported to be either authoritarian, authoritative or permissive in their parenting/disciplinary practices. Asian parents have been reported to be more restrictive, controlling or authoritarian than Western parents, placing more emphasis on training and achievement (Chen & Luster, 2002; Lin & Fu, 1990, as cited in Jambunathan et al., 2000; Jambunathan & Counselman, 2002; Simons, Wu, Lin, Gordon & Conger, 2000) or more permissive in their parenting styles, particularly with younger children. They have also been reported to be both kind-hearted and strict, which is more reflective of an authoritative parenting style (Chen, Dong & Zhou, 1997; Papps et al., 1995).

1. Methodological issues

The research on cultural/ethnic differences is beset by the same methodological problems discussed in chapter 2 (see pp.7-8). For example, studies that report ethnic differences in prevalence rates of physical punishment do not necessarily account for similarities or differences in the frequency or severity of the punishments being used (Simons et al., 2000). Frequency rates are also confounded with factors other than ethnicity, such as the context of the misbehaviour and parent or child characteristics. Furthermore, frequency rates alone do not necessarily distinguish how physical discipline is used in relation to other forms of child disciplinary techniques. The inconsistencies in the research findings are also due to wide variation in the research methodologies used, which adds to the difficulties of interpreting the evidence or finding any consensus on cultural/ethnic similarities or differences in disciplinary styles or practices.

Several authors also cite a number of problems, specifically in relation to the nature of cross-cultural research. Some contend that research with ethnic minorities has often confounded physical discipline with child abuse or has tended to measure the disciplinary practices of ethnic minority groups against the parenting/disciplinary norms of European American or Western theories/ideologies around parenting and child rearing practices (Agathonos-Georgopoulou, 1992; Bradley, 1998a; Jambunathan

et al., 2000). Simons et al. (2000) contend that much of the cross-cultural research is based on an Anglo American view of parenting/childrearing, which asserts that healthy child development occurs in an environment that encourages individuality and freedom, is nurturing but not too controlling, while other cultural traditions/contexts may provide a different perspective. Research has also tended to confound ethnicity with factors such as socioeconomic status (SES). For example, research on ethnic minorities in the US has often compared low income African American or Hispanic groups with middle class European American families and generalised those findings to all African Americans (Bradley, 1998b; Cardona et al., 2000; Whaley, 2000). Fontes (2002) also refers to 'ethnic lumping' to describe the tendency of research to investigate together a wide range of distinct cultural groups as if they were a monolithic group. For example, Hispanic populations include Mexicans, Cubans and Puerto Ricans, and it is likely there is considerable variation in the beliefs and practices represented within those different cultural groups.

2. Confounding factors

There are a wide range of factors that have been found to influence the parenting and disciplinary environment, and therefore parental use of physical punishment, making it difficult to isolate the effects of ethnicity. Several studies report that African American parents and the more lowly educated of all ethnic groups are more likely to approve of and use physical punishment (Deater-Deckard & Dodge, 1997; Giles-Sims et al., 1995; Straus & Stewart, 1999). Pinderhughes et al. (2000) report that African Americans from low income groups are more likely to use harsher physical punishment and use it more frequently. Smith & Brooks-Gunn (1997) report that being poor, having a lower education level, being Black, and being single all contributed to the more frequent and harsher use of physical punishment. Day et al. (1998) report higher prevalence and frequency rates for physical punishment amongst African American mothers and for younger and unmarried mothers, however the differences were more significant in relation to African American mothers with older children.

Giles-Sims et al. (1995) report that being single, being poor, living in an urban community, living in the South and being African American were more positively associated with the increased use of physical punishment. Dietz (2000) reports that parents with fewer resources (lowest income and lower educational attainment), parents with younger children, parents living in the southern states, African American parents, and those living in neighborhoods considered dangerous, were more likely to use physical

punishment. African Americans were more than 1.5 times as likely as European Americans to report both 'ordinary' and severe forms of physical punishment. However, the use of physical punishment was common across all ethnic groups (African American, European American and Hispanic) particularly with younger children. Parents with a child aged six years of age or less were four times more likely to report smacking.

Several researchers have noted the double impact of stressors associated with low socioeconomic status and minority group status (Bluestone & Tamis-LeMonda, 1999; Elder, Eccles, Ardelt & Lord, 1995, as cited in Bluestone & Tamis-LeMonda, 1999; McLoyd & Smith, 2002; Pinderhughes et al., 2000). Bluestone & Tamis-LeMonda (1999) suggest that failure to control for socioeconomic variables has often confounded ethnicity and the disciplinary practices of African Americans with the risks already associated with low socio-demographics. Elder et al. (1995, as cited in Bluestone & Tamis-LeMonda, 1999) investigated the effects of economic hardship on maternal distress and parenting behaviours of a group of African American and European American mothers and found that the association between emotional distress and negative parenting strategies was increased for the African American mothers as they had fewer economic resources to begin with.

Pinderhughes et al. (2000) report that low income and increased stress were associated with more frequent use of physical punishment in African American families, but this relationship was mediated largely through emotional processes such as greater concerns and fears for their children's safety and future success. Wissow (2001) investigated the relationship between ethnicity, income and physical discipline across African American, Hispanic, European American and Asian American groups and reported that while low income African American and Hispanic parents had marginally higher prevalence rates of smacking, maternal depression was a more significant factor in the use of physical discipline than either ethnicity, income or education levels.

Day et al. (1998) examined the determinants of physical punishment and reported differences in the relationship between socioeconomic status and use of physical discipline for both African American and European American mothers. They found that the mother's economic situation impacted on different sub-groups of populations in different ways. For example, economic situation/family poverty was a significant predictor for the frequency of physical punishment amongst unmarried European American mothers with younger children and for married African American mothers with older children. For married African American mothers with younger children, child attributes and the parent-child context were more significant predictors, whereas religious ideology and

the parent-child context were more significant factors in relation to unmarried African American mothers. However, Day et al. also report that child attributes and the quality of the parent-child relationship (for example, the frequency of arguing between the parent and child) were the most consistent and significant predictors of the frequency of smacking across all groups.

Straus & Stewart (1999) found statistically significant differences in the use of physical punishment between ethnic groups even after controlling for variables such as socioeconomic status, age and gender of the child, family structure/marital status, and geographic region. According to this study, 70% of African American parents reported using physical punishment in the previous year compared to 62% of other minority parents, and 60% of European American parents. The authors report that before controlling for SES the differences were larger. However, although Straus and Stewart found differences in the use of physical punishment, they found no significant differences between those ethnic groups in the chronicity or severity with which physical punishment was used. Straus reports that despite the evidence that African Americans are more likely to use physical punishment, those who did, did not do so more often or more severely than the European Americans who reported its use. The same holds for research around SES and regional differences. While more low SES and southern parents used physical punishment, they did not use it more often or with more severity than either the high SES or northern parents who reported its use.

3. Differences relating to the context and type of misbehaviour

Several authors suggest there are ethnic differences in the use of disciplinary practices according to the context/situation and type of child misbehaviour. They link these differences to cultural/ethnic differences in beliefs/values, child socialisation goals or environmental factors. For example, cultures that place a high value on obedience, respect for authority and conformity to family/group goals may use stricter/more controlling strategies for behaviours which directly challenge those values. Bradley (1998a, 1998b) found that African American parents in her study were more likely to use physical punishment if the situation involved a child who directly challenged parental authority. Gopaul-McNicol (1999) found that disrespect for elders or deliberate defiance of rules at home or in the community were the behaviours most likely to be physically punished by parents from Caribbean cultures. Power, Kobayashi-Winata & Kelley (1992) reported that Japanese mothers were more likely to reserve stricter disciplinary strategies such as physical punishment for situations that involved

direct confrontation toward maternal authority. Chang & Katsurada (1997) compared attitudes towards physical punishment amongst students living in Japan and the United States and reported that the Japanese students considered talking back or showing disrespect to a parent as more deserving of physical punishment, whereas there was no relationship between the type of misbehavior and attitudes towards physical punishment amongst the European American students.

In contrast, Nweke et al. (1994) report no significant differences between African American and European American students in terms of their beliefs about the types of behaviours that should be punished, but noted some differences around where/when the punishment should take place. African American parents were more likely to punish on the spot if the misdemeanor occurred in a public setting, whereas European American parents were more likely to postpone punishment until later/at home. Fontes (2002) also reports that Latino parents are more likely to respond immediately with harsh discipline in response to child disobedience in public settings, but suggests this is indicative of the high value placed on conformity, obedience and respect in Latino cultures where it is considered important that children are well-behaved and represent the family well in public. Fontes also suggests that European American parents are more likely to prefer to keep a conflict-free public image.

Several authors suggest that any evidence of more authoritarian parenting styles or harsher disciplinary practices within some ethnic groups can be associated with social and environmental factors rather than any direct link to cultural/ethnic beliefs per se. Kapavalu (1993) and Schoeffel et al. (1996) cite the influence of colonisation, Christianity, westernisation and urbanisation on the disciplinary practices within Pacific cultures, while several authors cite the influence of slavery on the use of harsh disciplinary practices in African American families (Bradley, 1998b; Koenig et al., 2002; Mosby, Rawls, Meehan, Mays & Pettinari, 1999). Koenig et al. (2002) suggest that physical discipline may be used by inner city African American parents to promote self-reliance, a mistrust of authority figures and an ability to defend oneself from attacks. Bradley (1998b) suggests that African American parents are concerned with socialising their children to deal with an environment that can be hostile and racist towards them and which has a much lower level of tolerance towards their misbehaviour than for European American children. In this context teaching children to be obedient to authority figures is an important socialisation goal. Bradley (1998b) and Kelley et al. (1992) suggest it is important for African American parents that children are raised to know what is right and wrong and are taught, in particular, not to act up in public. In other words, African American parents provide strict discipline

and are concerned with teaching their children to obey authority as a way of protecting their children from a society that has a very narrow margin of error for African American youth.

Research with African American families supports the idea that parents have concerns for their children's safety. However, the evidence suggests that those concerns contribute to the use of restrictive disciplinary strategies and high levels of parental monitoring, but not necessarily the more frequent use of physical discipline. Kelley et al. (1993) report that parental fears for child safety were present in both working and middle income African American families. The mothers in their study who reported higher levels of fear around child victimisation and child involvement in antisocial behaviour reported much higher use of 'material and social consequences' (e.g. sending children to their room) as a means of protecting or insulating their children from environmental dangers. Arnold (1995, as cited in Bradley, 1998b) reported that African American families expected and trusted other family members and members of the community to be involved in monitoring their children's behaviour and if necessary disciplining them. They reasoned that the need to constantly monitor children's behaviour was driven by a need to know who or what their children were being exposed to.

4. Differences in relation to the age of the child

The research does report some evidence of ethnic differences in relation to use of physical punishment concerning the age of the child. Xu et al. (2000) found African American mothers were more likely to use physical punishment with older children than their European American or Hispanic counterparts. Similarly Day et al. (1998) reported that while European American, African American and Hispanic groups all showed a decrease in the use of physical discipline as their children got older, African American mothers were more likely to continue using physical punishment with older children (five to 11-year-olds). However, Straus & Camacho (1993, as cited in Giles-Sims et al., 1995) found that African American, Hispanic, and European Americans report very similar rates of being physically punished as teens. Similarly, in a mixed sample of low and middle income parents, Bradley (1998a) reported that African American parents are more likely to use non-physical forms of discipline such as withdrawal of privileges than to use physical punishment with adolescents than with younger children.

Day et al. (1998) report that Cuban and Puerto Rican parents had the lowest frequency of physical punishment with younger children compared to African American, European American or Asian

American groups. Ellison et al. (1996a) also report that Hispanic parents smack their preschool children the least, compared to African American and European American samples. Researchers also report a more permissive and lenient parenting/disciplinary style amongst Chinese parents with younger children in contrast to the stricter and more controlling disciplinary styles evidenced with older children (Chen & Luster, 2002). Kelley & Tseng (1992) contend that this difference is based on cultural beliefs around when children reach an 'age of understanding' (at around six years). Up until that point they are regarded as incapable of understanding and therefore wrong-doing should be tolerated.

Power et al. (1992) report evidence of differences between European American and Japanese mothers in relation to their disciplinary practices with children aged three to six years. The Japanese mothers had a more lenient and permissive approach to child rearing, with less rule setting, less use of material and social consequences and less responsiveness to child input than the American mothers. These differences held after controlling for maternal education, family size, maternal employment and marital status. The authors suggest that the tendency of the Japanese mothers to make lower demands of their young children's behaviour was evidence that young children are viewed as not mature enough to independently follow rules and was also consistent with fostering the culturally preferred interdependent relationship. The authors also note that disciplinary practices changed at around six years of age to a less lenient and stricter style when children were expected to begin to live up to family standards. Power et al. (1992) also contend that the European American mothers' higher expectations of their child's behaviour and tendency to foster more child input within a disciplinary situation is consistent with the emphasis on early autonomy within European American culture.

5. Comparative studies – immigrant populations

Several studies have attempted to isolate the effects of culture/ethnicity by comparing the disciplinary practices of first generation immigrant populations with those of the dominant culture or with those of their counterparts in countries of origin. Jambunathan & Counselman (2002) suggest these studies provide an opportunity for identifying practices that may be unique to specific ethnic/cultural groups, and may reveal practices that are associated with traditional cultural beliefs and values as those families are less likely to be affected by the processes of acculturation

or assimilation than either second or third generation immigrant families.

Papps et al. (1995) investigated disciplinary practices in Anglo-Australian, and first generation immigrant Greek, Lebanese and Vietnamese communities and found more similarities than differences across all groups. The groups sampled were all of similar socioeconomic status and residing in a similar geographic area which may have contributed to the similarities between the groups. It is not clear the length of time the immigrant mothers had resided in Australia. Mothers across all four groups were more likely to use power assertive techniques, including physical punishment, verbal threats and deprivation of privileges, although the Anglo-Australian mothers reported using social and physical isolation techniques twice as often as any of the immigrant mothers. The Vietnamese mothers reported using inductive and verbal assertion/control techniques more often than the mothers from the other three cultural groups and reported using the least physical punishment. Papps et al. suggest this finding contradicts reports that Asian parents are typically more permissive in their parenting style with younger children, and those studies may be confusing permissiveness with induction.

Deyoung & Zigler (1994) found that first generation Guyanese parents in the United States were more controlling and punitive in their disciplinary practices than the European American sample. Guyanese parents were also significantly more likely to report the harsh punishment of girls. The authors suggest this finding relates to cultural beliefs that emphasise the importance of virtuous female behaviour in maintaining family honour. However, in a study by Wilson, Wilson & Fox (2002) Guyanese parents in the Caribbean region reported more punitive disciplinary strategies with boys rather than girls. This difference may indicate that maintaining cultural/family values for those immigrant families may impact differently on girls in the new cultural setting.

Cardona et al. (2000) report that immigrant Hispanic mothers¹⁰ from both low and high socioeconomic backgrounds reported more frequent use of punishments including yelling and physical discipline and lower nurturing behaviours than the European American mothers. The higher socio-economic status immigrant Hispanic mothers reported the most frequent use of physical discipline overall. However, Cardona et al. suggest some caution in interpreting these findings because while these Hispanic mothers had higher physical punishment and lower nurturing scores, the scores for both measures fell within the same median/normative range as the European American mothers.

10 The Hispanic mothers were selected according to the degree to which they were considered to be predominantly Hispanic rather than having assimilated into the dominant culture. Identification with Hispanic culture was assessed on the basis of language use, ethnic loyalty and media preferences rather than number of years they had lived in the US.

Cardona et al. suggest there is no evidence indicating a culturally preferred authoritarian parenting style amongst Hispanic parents. The disciplinary scores of these high SES immigrant Hispanic mothers could equally be interpreted as a response to the pressures of adjusting to a new cultural milieu and the strong desire for their children to succeed in a dominant culture rather than being indicative of a culturally preferred authoritarian parenting style.

Jambunathan et al. (2000) also report that recent immigrant groups in the US, including Asian, Indian and Hispanic groups scored much lower on their 'appropriate expectations' of children and reported greater use of physical punishment than either their European American or African American counterparts. However, they also concur with Cardona et al. (2000) in suggesting that evidence of a more authoritarian parenting style amongst immigrant families may reflect an adaptive strategy on the part of immigrant families, rather than providing evidence of cultural differences. In other words, those families may have higher expectations of their children's behaviour in order to see them succeed in the dominant culture.

Jambunathan & Counselman (2002) report that Asian Indian mothers who had been living in the US between four and five years exhibited a more authoritative parenting style, had developmental expectations more closely aligned with European American mothers, and also used less physical punishment than their counterparts living in India¹¹, suggesting the influence of the dominant culture on the practices of immigrant populations.

However, Jambunathan & Counselman (2002) also note that the findings around differences in developmental expectations are unsurprising considering the instruments used to measure those constructs were based on research and theory from Anglo/Western culture. It is possible that developmental expectations for children of different ages do vary from one culture or setting to another, and what is viewed as an appropriate expectation in one culture may be viewed as accelerated or delayed development in another. Secondly, differences in the nurturance scores may reflect the inadequacy of the instruments used to accurately measure the manner in which parents from different cultural groups nurture their children. For example, Cardona et al. (2000) suggest that the types of nurturing behaviours that immigrant Hispanic parents engage in, such as physical affection and rough and tumble play, would not be adequately measured by the Parent Behavior Checklist scale commonly used which measures

nurturance with items such as the frequency that parents read to their children.

Jambunathan et al. (2000) also report lower scores on nurturance, empathic awareness of children's needs, responsiveness and role reversal scores for Asian American, African American and Asian Indian compared to European American mothers. However, the authors suggest these differences may simply reflect different living arrangements and intergenerational patterns in those families. Asian American, African American and Asian Indian mothers are more likely to live in multi-generational families in one household and therefore are more likely to experience role reversal in their daily lives (caring for older generations) and have the expectation that their children will do the same. It is also likely that mothers in this context are not the only ones responsible for nurturing and responding to their children's needs. Rather, these tasks are shared amongst other members of the household.

In contrast to some of the studies cited above, while Cardona et al. (2000) found some differences in disciplinary practices between immigrant Hispanic and European Americans, they found no significant differences in their developmental expectations of children aged between three and five years. Solis-Camara & Fox (1995, 1997, as cited in Cardona et al., 2000) also found no significant differences between Mexican parents living in Mexico and European American mothers with regards to their expectations of children's behaviour. Similarly, Kelley & Tseung (1992) found that immigrant Chinese mothers and European American mothers of children aged three to eight years held very similar child rearing goals and placed similar emphasis on child obedience. Child age was a significant predictor of differences in parental expectations of children's behaviour, but these patterns were constant across both groups. They do however report some differences between European American and Chinese mothers in the disciplinary methods used to support parenting goals, and these differences were not affected by the number of years the Chinese mothers had lived in the United States. The Chinese mothers used more yelling and physical punishment and placed less reliance on rule setting than the European American mothers, although both groups of mothers used considerable amounts of reasoning in response to disciplinary situations. The authors suggest the authoritarian and permissive parenting style amongst the Chinese mothers reflects traditional Chinese parenting practices while the

11 The authors of this study contend that while reasoning is referred to in traditional Chinese parenting literature, it is not a common disciplinary practice, particularly with children in this age group.

12 In contrast, Graziano, Lindquist, Kunce & Munjal (1992) conducted a cross-cultural comparison of students in India and the US and reported no significant differences between the two groups in relation to their recall of physical punishment (India, 91% for males & 86% for females; US, 93% for males & 92% for females). Graziano et al. also report that students in the US reported more frequent and harsher use of physical punishment and greater use of objects such as belts than did the Indian students.

frequency of reasoning may reflect the influence of Anglo-American parenting practices¹².

Shor (2000) carried out a study to investigate the disciplinary practices of Jewish immigrant parents from the Soviet Union and found higher levels of reasoning/talking, setting limits/restrictions, and social/physical isolation than either physical punishment or verbal threats. However, Shor (2000) notes the limitations of research that relies on self-reports and responses to vignettes, particularly in relation to research with immigrant groups as they may be more concerned with presenting socially desirable responses or have a tendency not to talk about private or difficult family matters to outsiders. Infrequent measures of physical discipline could be an indication that they are less common but could also be an indication that they are less acceptable to talk about. Results from a previous study of Jewish immigrant parents (Shor, 1999) showed low levels of willingness to request help from either informal or professional networks in cases of inappropriate or overly-harsh parenting practices.

6. Within-group ethnic variations

Gershoff (2002a) states that the comparative nature of much of the research has focused mainly on isolating differences between ethnic groups, and ignored the significant variation in disciplinary practices that likely exist within ethnic groups. Wissow (2001) suggests it is likely that parents within any ethnic group use a range of parenting and disciplinary strategies, including both coercive and non-coercive techniques, and those strategies differ according to the type of child misbehaviour and a range of other factors. Papps et al. (1995) assert that there is likely a wide range of variables that influence the parenting environment and that range of variables impacts in different ways on different groups and sub-groups of the populations investigated.

Several studies have documented considerable variation in disciplinary practices through out Mexico (Frías-Armenta & McCloskey, 1998; Fry, 1993). Fry (1993) reported that Mayo and Zapotecan Indians very rarely use physical punishment with their children, while Frías-Armenta et al. (1998) cite evidence of Mexican communities where the use of harsh discipline, including the frequent use of physical punishment is common. Fry (1993) reports evidence of two distinct communities in Mexico who shared similar socioeconomic circumstances but held markedly different opinions about the nature of children, and differed significantly in their beliefs and practices around child discipline. Frías-Armenta & McCloskey (1998) also conclude that while evidence of harsh and punitive discipline strategies have been found in some Mexican Hispanic population groups, those same groups will also exhibit positive pro-social

values, strong family loyalty and solidarity in their family relationships.

Bluestone & Tamis-LeMonda (1999) found more frequent use of child-orientated techniques, such as reasoning, than use of physical punishment amongst sample groups of both low-income and middle-income African American mothers. Bradley (1998a) reports that amongst a sample of low and middle income African American parents, most preferred to use non-physical forms of discipline such as 'discussing the matter', withdrawal of privileges and 'ordering not to'. Bradley asserts this is indicative of both authoritarian and authoritative disciplinary styles within African American families but was not indicative of more frequent or harsher use of physical punishment. Bradley (1998a) also reports that 'ordering not to' was more likely used as a secondary strategy if 'discussing the matter' did not work in the first instance. Bradley (1996, as cited in Bradley, 1998b) found that the nature of the transgressions and age of the child were more important factors in the use of physical punishment than either socioeconomic status or education level. This study also concluded that physical punishment was more likely reserved for serious or continued infractions. Bradley (1998b) also cites research carried out in 1976 with African American working-class families that reports that younger children were more likely to be disciplined with physical punishment than older children and that overall, physical discipline was most likely used as a last resort.

Studies investigating the disciplinary practices within Caribbean cultures found the use of both punitive and non-punitive strategies. Gopaul-McNicol (1999) reported on the prevalence of harsh physical discipline in some Caribbean populations. However, according to one study carried out by Wilson et al. (2002), reasoning was a frequently used disciplinary technique, rather than physical punishment, amongst their sample of urban Guyanese parents. Wilson et al. (2002) also report that parent and child characteristics such as age and gender of the parent, and child and parental stress, had a more positive effect on the use of disciplinary strategies than either ethnicity/cultural factors, education level or SES. Both mothers and fathers were more likely to use verbal threats and physical punishment with boys and parental stress was the most significant predictor of the use of verbal threats and physical punishment.

Chen et al. (1997) and Chen & Luster (2002) report evidence of both authoritarian and authoritative parenting styles amongst Chinese families. In a group of Chinese mothers of pre-school children parents with higher educational and occupational levels were less likely to use power assertive or punitive strategies and more likely to use inductive reasoning (Chen et al., 1997). Chen & Luster (2002) found that mothers who were younger, with more depressive symptoms, who

held traditional Chinese parenting beliefs, perceived their children as emotional, and experienced higher levels of 'daily parenting hassles', were more likely to practice authoritarian strategies. Younger mothers and mothers with lower levels of education were more likely to use non-reasoning and more punitive strategies, such as physical punishment. Mothers with more children and depressed mothers were less likely to be warm and involved with their children, use reasoning and have easy interactions with their children, whereas mothers with higher levels of education and younger children were more likely to be warm and involved. Overall, the degree to which mothers found their children's behaviour challenging was the most significant contributor to the use of authoritarian parenting strategies over authoritative.

Chen & Luster (2002) also report that Chinese mothers who held strong traditional Chinese parenting beliefs used both authoritative (inductive) and authoritarian (power assertive) strategies to achieve their culturally preferred goals. Both democratic participation strategies and the use of physical punishment were significantly associated with traditional Chinese parenting beliefs. Chen and Luster suggest that Chinese mothers set clear rules and restrict behaviour but also use reasoning instead of just demanding compliance. Harsh verbal or physical punishment may only be used when children continue to disobey parental authority. Contextual factors also influenced the use of practices that supported either individualistic or collectivist value systems. While Chinese parents may value interdependence within the family, children may be encouraged to be independent outside the family, to reach personal goals, and to fit in with societal demands, while democratic decision-making may be used within families to encourage independent thinking. However, when children's behaviour challenges parental authority, more authoritarian strategies might be used to protect family interdependence.

Koenig et al. (2002) suggest that studies within ethnic group differences allow for the possibility of identifying risk factors associated with the use of harsh or negative disciplinary strategies in different subgroups of ethnic populations. Koenig et al. (2002) investigated the use of negative disciplinary strategies in a sample of predominantly low-income/low education inner city African American youth and found that lower family income and younger maternal age were significant determinants of the more frequent use of negative discipline strategies, whereas there was no association between employment, marital status or level of education. Koenig et al. also point that the whole sample was low in SES (71.5% were below the poverty line), however 46% did not use any form of physical discipline. Amongst those that did (54%) most did not use physical discipline at the harsher or extreme end of the scale.

Kelley et al. (1993) cite evidence of considerable diversity in disciplinary practices in a sample of both working and middle-income African American mothers according to family composition, maternal characteristics and environmental concerns. Higher levels of maternal education were associated with more responsive and interactive disciplinary styles, younger mothers reported more use of physical punishment, as did single mothers, compared to married mothers. Fears for child safety contributed to higher use of 'material and social consequences' as a discipline strategy regardless of education, income or father presence. In a study of low income African American mothers Kelley et al. (1992), report being younger, having less education, being single and not being involved in an organised religion as determinants of parental use of physical discipline. The finding by Kelley et al. (1992) with respect to the positive influence of religious involvement contrasts with studies that have found religious beliefs/ideology to be positively associated with the use of physical discipline for some African American mothers (Day et al., 1998)

Fontes (2002) links familial and neighbourhood poverty amongst immigrant Latino populations with greater reliance on authoritarian parenting styles, including higher prevalence rates of physical punishment. Zayas & Solari (1994, as cited in Fontes, 2002) report some within group differences amongst immigrant Latino groups, with more educated mothers using more reasoning in conjunction with physical punishment. Fontes (2002) also notes that educated mothers were more likely to use physical punishment and reasoning. Fontes also asserts that while family stress, such as overcrowding, has been shown to influence the use of harsh discipline/physical punishment, cultural and familial factors may mitigate the impact of those stressors within Latino families. For example, in Latino families where the cohabitants in a house are extended family this may in fact contribute to more positive parenting practices. Ferrari (2002) cites evidence that the presence of extended family in both African American and American Hispanic homes is associated with more responsive and less punitive disciplinary practices.

McLoyd et al. (1994) investigated the impact of unemployment on parenting practices in a group of single African American mothers with adolescent children, and found that the combination of unemployment and maternal strain contributed to higher levels of maternal depression which in turn contributed to greater punitiveness towards children. In contrast, Bluestone & Tamis-LeMonda (1999) report that maternal education, socioeconomic status, child rearing history and maternal depression all had a differentiating effect on parental use of child-centred approaches to discipline, such as reasoning,

in both low and middle income African American populations. According to Bluestone & Tamis-LeMonda (1999) maternal depression was associated with difficulties in engaging in more child centred practices, such as reasoning, but did not contribute to the use of harsher or more punitive disciplinary strategies, as other studies have found.

Ethnic differences in attitudes towards physical punishment

There is some evidence reported in the literature of cultural/ethnic differences in attitudes towards discipline and physical punishment in particular. From a nationally representative sample, Flynn (1994) reports that African Americans were three times more likely to favour the use of physical punishment, in all regions except the South, where no significant differences emerged (perhaps due to the relative influence of religious conservatism in that region). Buntain-Ricklefs et al. (1994) report that being African American was a significant factor in the approval of uncommon and emotional types of punishment. Jambunathan et al. (2000) report that Asian American and African American mothers favoured the use of physical punishment more than their European American or Hispanic counterparts (e.g. more likely to agree that 'parents have a responsibility to spank their children when they misbehave').

Flynn (1994) reports that European American families were more likely to use physical discipline as a last resort or lashing out in anger, whereas African American parents more often report using it in order to teach obedience and right from wrong. Deater-Deckard, Dodge, Bates & Pettit (1995, as cited in Deater-Deckard & Dodge, 1997) report that African American mothers viewed both physical discipline and reasoning as equally appropriate and positive non-abusive disciplinary strategies, whereas European American mothers were more inclined to view physical discipline as a less positive strategy. Flynn (1994, 1996a) contends that while the use of physical discipline is, in general, normalised across most of American society, the difference is that European American families are more ambivalent about smacking and its use, whereas African American parents view it as an effective teaching method and disciplinary tool. However, Cazenave & Straus (1990) (as cited in Flynn, 1996a) found no significant differences between European American and African American parents in their approval of smacking a 12-year-old child. Flynn (1996a) suggests that attitudes towards the use of physical punishment may also be dependent on the age of the child.

Gopaul-McNicol (1999) found that parents in the Caribbean saw physical punishment as a means of training and teaching children right from wrong, and

an indication that parents are caring enough to take the time to train their children. Frías-Armenta & McCloskey (1998) report that Mexican parents viewed physical punishment as a necessary and effective disciplinary method, and important in order to produce good citizens. They also report in their study of Mexican parents that a belief in the effectiveness of physical discipline was the most significant factor in explaining the use of physical punishment and harsh parenting. However, Kelley et al. (1992) report that there are not necessarily direct links between parenting beliefs and disciplinary practices. For example, the African American mothers in their study who were assessed as taking a child-centred approach to physical discipline were as likely to use parent-centred, 'power assertive' or authoritarian disciplinary techniques, as those who did not.

Mosby et al. (1999) assert that it is often assumed that the parenting practices of ethnic minority groups reflect an ignorance of 'proper' parenting or child rearing strategies, and furthermore, positive attitudes towards physical punishment are misinterpreted as negligence, wilful abuse or a lack of care for their children. While attitudes towards physical punishment may reflect a learned pattern of behaviour (mirroring wider societal norms around the use of physical discipline) the use of more authoritarian practices may have different meanings for parents in some cultural groups. Firmer and more authoritarian parenting/discipline may be an indication of parental love, care and concern within some cultural groups. Schoeffel et al. (1996) comment that Pacific parents in their study expressed confidence in, and a preference for, firmer and more authoritarian parenting/disciplinary styles, and expressed a dislike for the emphasis on individuality and freedom in Western theories of child rearing. Mosby et al. (1999) suggest that for some cultures the Western emphasis on individuality and self-reliance could be interpreted as a more 'hands off' style of parenting, and viewed as neglectful of parental duty to care for and protect their children.

Research on differences in attitudes needs to be approached with some caution. The study by Deater-Deckard et al. (1995, as cited in Deater-Deckard & Dodge, 1997) involved a small sample size and was a predominantly middle class group of parents. Furthermore, some of the reports of ethnic differences in parental attitudes are based on data gathered in the 1980s and, as Bradley (1998b) points out, there may well have been some shifts in attitudes since that time. The evidence of wide variations in disciplinary practices across and within ethnic groups (cited previously in this report) indicates there is also likely to be a range of attitudes about the use of physical discipline. As the research also shows, attitudes towards physical punishment or harsh disciplinary practices are mediated by a range of

other variables such as the age of the child, the type of misbehaviour, the context of disciplinary situation, and socio-economic and environmental factors. Collier et al. (1999) and Schoeffel et al. (1996) also note differences within ethnic groups around attitudes towards physical discipline in relation to parental age. In their studies of Pacific cultures, while both older and younger generations used physical discipline, younger generations were more negative about its use.

Socolar & Stein (1996) found maternal beliefs about discipline were similarly influenced by the age of the child and context/type of child misbehaviour across European American, African American and Hispanic mothers from a range of socioeconomic groups. Weller, Romney & Orr (1987) reported no significant differences between European American and American Hispanic adolescents in their attitudes towards physical punishment, most of the respondents considered non-physical punishment to be the most appropriate response for misbehaviour. However, the authors did note that the young people who had been physically punished themselves were more likely to perceive physical punishment as appropriate. Similarly, Graziano et al. (1992) found that the experience of physical punishment in childhood was associated with more positive attitudes towards its use across both samples of immigrant Indian and American students.

Bradley (1998b) states that while there is some evidence to suggest that African American families take a firm and more authoritarian approach to discipline there is no substantial evidence that they are more likely to favour the use of physical punishment. Similarly, Pinderhughes et al. (2000) did not find a significant relationship between ethnicity, physical punishment and parental beliefs/attitudes across African American, European American and Hispanic groups. Ferrari (2002) reports no significant differences between African American or European American parents in terms of their seriousness ratings for disciplinary practices that might be considered abusive or neglectful. Similarly, Fontes (2002) reports no significant differences between Hispanic, African American and European American parents in relation to their ratings of vignettes designed to ascertain attitudes towards the seriousness of child maltreatment or abuse.

Agathonos-Georgopoulou (1992) suggests there may be differences between ethnic groups in conceptions of what constitutes harsh parenting or abuse and there may be cultural/ethnic group differences in what is considered effective or appropriate forms of discipline, including physical punishment. However, Gopaul-McNicol (1999) argues that when discerning the difference between physical punishment and abuse it is important to understand a culture's own

conception of the differences. Although there may be high levels of endorsement for the use of physical punishment within different populations there is also widespread recognition of the difference between what constitutes discipline and what constitutes maltreatment. Bauman & Friedman (1998) suggest that although there is widespread endorsement for the use of physical punishment and evidence of variations according to ethnic status, physical punishment is not the preferred option for any ethnic/racial group. Furthermore, Bauman and Friedman also contend that while some groups show a stronger endorsement for the use of physical punishment there is also a lack of tolerance for harsh or injurious levels of physical punishment across all ethnic groups.

Weller et al. (1987) also state that while all cultures have concepts of acceptable and inappropriate behaviour and there may be differing concepts of acceptable and appropriate disciplinary practices, there is a general lack of acceptance of abusive or violent forms of discipline across all cultural groups. Referring to their comparative study of European American and American Hispanic adolescents, Weller et al. (1987) report that students who indicated an acceptance of (and the experience of) physical discipline – including being punched, kicked or hit with an instrument – were outside the norm across both ethnic groups.

Ethnic differences in the effects of physical punishment

Several researchers have investigated the relationship between ethnicity and aspects of the parenting and disciplinary environment and outcomes for children. The research around disciplinary practices and outcomes has focused largely on the effects of physical punishment. However, an increasing number of studies have investigated the relationship between ethnicity and outcomes for children in light of a broader range of disciplinary practices, processes and contexts.

Several authors suggest that the effects of harsh disciplinary strategies, in particular physical punishment, may vary across different social and cultural contexts (Deater-Deckard et al., 1996; Deater-Deckard & Dodge, 1997; Kelley et al., 1992; Simons et al., 2000). Deater-Deckard & Dodge (1997) contend that the effects of physical discipline depend on the severity of the discipline, the cultural group in which the discipline occurs, the meaning it conveys, and the context of the parent-child relationship. Distinguishing the relationship between ethnicity and outcomes for children within that range of mediating variables is difficult. The problem is also complicated by the association between ethnicity or minority group status with a range of other risk factors associated with poor outcomes for children. These include poverty, low

social status, and the risks associated with living in disadvantaged neighbourhoods.

The research so far is inconclusive. Some studies have found ethnic differences in the association between physical punishment and poor outcomes for children (Deater-Deckard et al., 1996), whereas others have found more similarities than differences across a number of ethnic groups, reporting that harsher disciplinary practices can be associated with poor outcomes for children regardless of ethnic group status (Koenig et al., 2002; Rohner et al., 1991). Other studies have found that any differences in the effects of harsh or coercive disciplinary practices are moderated by other factors and interacting variables beside ethnicity (Wissow, 2002). Several studies show that the relationship between ethnicity and outcomes for children is confounded with socioeconomic status, family structure, neighbourhood and community factors, parent and child characteristics and various dimensions of parenting practices/processes.

The ill effects of using physical punishment on European children have in some studies not been replicated in studies of minority cultures. Deater-Deckard et al. (1996) report ethnic differences in the association between physical discipline, child aggression and conduct problems that cannot be accounted for by differences in socioeconomic status. A positive correlation between physical discipline and child aggression was found for European American children, but not for African American children where the correlation was either non-significant or reversed. Deater-Deckard & Dodge (1997) also report that harsh and/or inconsistent discipline is more highly correlated with the development of conduct problems in European American children, than African American children. Similarly, Gunnoe & Mariner (1997) report that physical punishment was positively associated with increased aggression in European American boys (aged four to 11) but not for African American girls (aged four to 11) and suggest that the use of physical discipline may deter aggression and anti-social behaviour among those children. McLeod, Kruttschnitt & Dornfeld (1994, as cited in Gershoff, 2002a) also report that mothers' use of physical discipline was a risk factor for the development of behaviour problems in European American children but not for African American children.

Several studies have found more similarities than differences across ethnic groups, indicating that physical punishment has poor outcomes regardless of ethnicity. Kilgore, Snyder & Lentz (2000) studied four-year-old children in groups of low SES African American families and showed that harsh and inconsistent discipline, coupled with a lack of parental monitoring, was highly predictive of conduct problems for those children two years later. Straus (1994b) found that physical punishment predicted increases

in children's antisocial behaviour, lower academic achievement and aggression amongst both European American, African American and other minority group children living in the United States. Straus (1994b) also found a positive relationship between the use of physical punishment and higher risks of involvement in criminal behaviour, across several ethnic groups. This finding held after controlling for a wide range of variables including, socio-economic status, gender of the parent, gender of the child, age at which physical punishment was used, number of children in the household, amount of reasoning used by the parent and the presence/or absence of parental conflict.

While Straus (1994b) reports more similarities than differences, the findings do show a less consistent link between physical punishment and criminal activity in the African American sample and also a slightly higher probability of involvement in criminal behaviour amongst both Hispanic and African American youth. Straus (1994b) suggests this difference in the findings may indicate the relative influence of living in a high risk neighbourhoods, which may in turn reduce the overall significance of whether parents use physical punishment or not. Whaley (2000) suggests that poor outcomes for minority children living in dangerous neighbourhoods can easily be confounded with the disciplinary practices of their parents/ethnic group status. Both child outcomes and more strict/controlling parental disciplinary styles could be a response to those environmental factors rather than linked to ethnicity *per se*.

McLeod et al. (1994, as cited in Gershoff, 2002a) report an ethnic difference in relation to the causal direction of the relationship between child conduct problems and the use of physical discipline. Research has not always been able to ascertain the causal direction of the relationship between child conduct problems and the use of physical discipline. However, McLeod et al. found that the relationship between physical discipline and antisocial behaviour in children was reciprocal or bi-directional in relation to European American families, whereas for African American families the use of physical discipline was the result, rather than the cause, of their children's anti-social behaviour.

Some research has shown cultural/ethnic differences in outcomes for children in relation to wider parenting/disciplinary styles, for example, authoritarian disciplinary styles have been found to contribute to positive social adjustment and academic achievement for Chinese children whereas those same practices contributed to poor social adjustment and academic achievement for European American children (Chen & Luster, 2002). Similarly, Jambunathan & Counselman (2002) suggest that while authoritative parenting

styles contribute to positive outcomes for European American children there is research evidence that authoritative parenting styles have mixed effects on Asian children. However, other research suggests these findings may be misleading as they fail to take account of variation in the parenting/disciplinary practices of Chinese parents. Chen et al. (1997) examined the relationship between parenting styles, social adjustment and academic achievement in a sample of eight-year-old children and their parents from China, and found evidence of both authoritarian and authoritative parenting styles within their mixed socioeconomic sample. Furthermore, authoritarian parenting was positively associated with child aggression and negatively with social competence and school achievement, whereas authoritative parenting was positively associated with social adjustment, peer acceptance and school achievement and negatively associated with behaviour problems. Chen et al. (1997) did find some evidence of differences related to socioeconomic status. Parents with higher education and higher occupational status were more likely to use authoritative than authoritarian parenting practices. However, the relationship between authoritative and authoritarian practices, social functioning, conduct and school achievement were consistent across children from both socioeconomic groups.

Several authors suggest that any reported ethnic group differences can be partially explained by differences in the degree to which the use of physical discipline is viewed as normative and therefore influences children's perceptions of their parents' behaviour. Gunnoe & Mariner (1997) assert that if physical discipline is viewed as a normative and effective method of discipline then children will perceive it as a legitimate expression of parental authority. Hill & Bush (2001) also suggest that in families where the use of physical discipline is normative those practices will not be considered harsh by either parents or their children. The meanings attached to parenting practices may also differ across cultural/ethnic groups. For example, the use of authoritarian disciplinary strategies and higher parental control may be an indication of parental efficacy, warmth, concern and involvement for Chinese children, whereas for children from Western cultures it may be perceived as parental hostility and rejection (Chen & Luster, 2002; Simons et al., 2000). Chen & Luster (2002) also suggest that while parents may employ similar parenting behaviours, for example '*being demanding*', they may differ in their motivation (for example, parental distress or parental concern), resulting in different child perceptions. Simons et al. (2002) also contend that while authoritarian discipline may be viewed by some groups as parental rejection, for others it may indicate parental involvement and concern.

Rohner et al. (1991) investigated disciplinary practices and outcomes for children in the West Indies and provide evidence that despite strong normative support for the use and effectiveness of physical punishment, children's beliefs/acceptance of physical punishment did not moderate its detrimental effects. The pathway between physical punishment and psychological maladjustment, including feelings of parental rejection, was significant. The psychological adjustment of children who shared the belief that it was alright for parents to punish their children was influenced to the same degree as those who did not share that belief. Rohner et al. also cite evidence that parental rejection is strongly associated with negative child outcomes in a number of large cross-cultural studies (Rohner, Bourque & Elordi, 1996; Rohner & Chaki-Sicar 1988, as cited in Rohner et al., 1991).

In addition to children's interpretations of their parents' behaviour there is some evidence that there are cultural/ethnic differences in attitudes towards physical discipline which may have a mitigating effect on the effects of physical discipline. While there is research reporting no significant ethnic differences in attitudes towards physical punishment, there is some evidence to suggest some cultural/ethnic groups are more likely to view physical discipline as an effective teaching tool and disciplinary strategy. Deater-Deckard & Dodge (1997) and Gershoff, Miller & Holden (1999) suggest that if parents view physical discipline as an effective disciplinary strategy they may use it in a more controlled fashion and in the context of a nurturing relationship, whereas more ambivalence towards physical punishment may contribute to more out-of-control and erratic use and lead to greater detrimental effects on children.

Deater-Deckard & Dodge (1997) suggest that authoritarian and 'no nonsense' parenting amongst African American parents may be associated with positive outcomes for their children, as those parenting strategies may be considered necessary in order to protect children from a range of negative influences associated with living in disadvantaged neighbourhoods and prevent economic and social failure due to oppression. Kelley et al. (1992) report that concerns for child safety are predictive of more restrictive disciplinary practices in both low-income and middle-income African American mothers, but contend there is little evidence to suggest that the disciplinary styles within African American families mitigate against oppression or the risks of poor outcomes associated with living in disadvantaged environments. However, Ferrari (2002) cited research that found the combination of strict discipline, high parental engagement in academic achievement, and nurturance, counteracted the negative influences that African American boys encountered in school, with peers and in society, and contributed to good outcomes.

McCabe, Clark & Barnett (1999) investigated the various combinations of risk and protective factors relating to African American youths' psychosocial adjustment and report that a demanding parenting/disciplinary style (i.e. increased levels of supervision and limit setting), parental warmth and kinship social support were significant moderating factors for children exposed to high levels of environmental risks/stressors. However, they also report that differing combinations of those factors contributed to different aspects of children's adjustment. Demands by parents and father involvement contributed to a decrease in behaviour problems, whereas parental warmth and kinship social support contributed to positive emotional adjustments. McCabe et al. note that the positive effects of a demanding disciplinary style did not include the use of physical punishment, which was related to poorer adjustment for both high and low risk children.

Wissow (2001) suggests that physical punishment could well be associated with different outcomes in families where it is used as a primary strategy, compared with families where it is more likely used as a secondary strategy or co-occurs within a range of other positive disciplinary strategies and parenting behaviours. Some studies have shown that where physical punishment is used, it is most likely used in conjunction with a range of other positive parenting practices within African American families, and more likely used after a range of other strategies have been tried (Bradley, 1998a, 1998b). However, Socolar et al. (1999) report that African American families are more likely to use physical discipline as a primary, rather than a secondary strategy.

There is some evidence that harsher disciplinary practices in African American families are accompanied by high levels of parental warmth and involvement, and these factors have a moderating effect on outcomes for African American children (Deater-Deckard & Dodge, 1997; Gunnoe & Mariner 1997). Ferrari (2002) investigated parenting behaviours and attitudes of African American, Hispanic, and European Americans and provides evidence that although the African American families were high in harsh disciplinary techniques, they were also very high in levels of warmth and nurturance. Although there was no evidence of significant differences in the frequency of nurturing behaviours between the African American and European American samples. Ferrari concludes that it is the pairing of nurturance and physical punishment that moderates the detrimental effects of physical punishment, rather than ethnicity. Deater-Deckard & Dodge (1997) report that the correlations between cold parent-child relations, child conduct problems and harsh disciplinary practices within African American families were similar to

those within European American families. They also suggest this finding indicates it would be the absence of warmth/nurturance that would account for any correlation between harsh discipline and child aggression in African American families.

Several other studies have found evidence that the effects of physical punishment are moderated by the affective qualities of the parent and child relationships, such as parental warmth and involvement, and the use of other strategies such as monitoring and inductive reasoning and that these effects are held constant across a range of ethnic groups. There is very little evidence of ethnic differences in these studies. Simons et al. (2000) found some differences between Taiwanese and European American parents in their disciplinary practices, but overall the consequences of the parenting practices were the same across both ethnic groups. A lack of parental warmth, involvement, monitoring and inductive reasoning were much better indicators of anti-social behaviour in children than the use of physical punishment for both groups. McLoyd & Smith (2002) investigated the moderating relationship between maternal emotional support, physical punishment and behaviour problems in African American, European American, and Hispanic children and found the use of physical punishment was associated with an increase in problem behaviour over time in the context of low levels of emotional support but not in the context of high levels of emotional support across all three groups.

Hill, Bush & Roosa (2003) compared a sample of European American and Mexican American families with similar socioeconomic demographics residing in the same neighbourhood. They report that both European American and Mexican American parents who exhibited high levels of warmth and acceptance, consistency in the use of discipline and enforcing rules and lower levels of hostile control had children with fewer conduct problems and less depressive symptoms. This finding held constant after controlling for additional differences in family income and marital status. Hill et al. (2003) do report some differences based on the acculturation status¹³ of the Mexican American families. Maternal acceptance/warmth and hostile control strategies were more positively correlated for the Spanish-speaking Mexican American families, but were unrelated for English-speaking Mexican Americans and negatively related for European Americans. The authors suggest that the combination of strict control and warmth may moderate the detrimental effects of hostile control strategies and may also be adaptive for families faced with the stresses of adjustment to a new and unfamiliar environment.

Hill & Bush (2001) investigated the relationship between aspects of the parenting environment and

13 Acculturation status was determined by language preference, i.e. either Spanish or English.

children's conduct problems and anxious symptoms across socioeconomically comparable groups of African American and European American mothers pre-school children. Overall, Hill and Bush reported no significant differences. Mother reports of hostile control strategies were more positively associated with conduct problems for European American children than for African American children, but overall the children with parents who felt unsure of their parenting and used love conditionally, reported more conduct problems and anxious symptoms across both ethnic groups. The relationship between parental efficacy and child anxiety was slightly stronger for European American children. Hill and Bush suggest that the relationship between parental efficacy and child anxiety may be moderated in some African American families by the ameliorating affects of multigenerational households and extended family support for young mothers.

Hill & Bush (2001) suggest that, overall, the similarities (rather than differences) between the ethnic groups in these studies highlight how socioeconomic, neighbourhood and community factors confound ethnicity in relation to parenting/disciplinary practices and outcomes for children. They also suggest that evidence of any differences highlight the importance of investigating variations across and within ethnic groups, and considering a wide range of variables that influence parenting practices and outcomes in addition to ethnicity.

As several studies previously cited have found, there are negative outcomes associated with the use of physical punishment regardless of ethnic group belonging. However, a number of studies suggest that differences in the chronicity or severity of the physical punishment may have a moderating effect. In their study of predominantly low-income/low-education African American youth, Koenig et al. (2002) also found that negative discipline strategies were associated with multiple negative outcomes regardless of ethnic or socioeconomic status. However, the group who experienced the highest levels and frequency of negative strategies such as physical punishment, threats and verbal abuse were at considerably higher risk of poor outcomes than the moderate or low exposure group. This study linked the high/frequent use of negative strategies with significantly increased risks for psychopathology, suicide ideation and suicide attempt. Overall, 63% of the group who experienced harsher and more frequent punitive discipline strategies had a lifetime diagnosis of at least one mental illness. These findings still held after controlling for a number of other potentially moderating variables such as history of sexual assault, family socioeconomic status, positive life events, and positive adult relationships during childhood.

Straus & Stewart (1999) also report that regardless of ethnicity, age of the child, or socio-economic variables, the more often parents use physical punishment and the greater the severity, the greater the likelihood of poor outcomes for children, including aggression, anti-social behaviour, lower academic achievement and depression. McLoyd & Smith (2002) report more frequent use of physical punishment (higher levels of smacking on a weekly basis) led to a corresponding increase in problem behaviours over time for African American, European American, and Hispanic children. Simons et al. (2000) also found that the moderating effects of parental warmth and involvement were only in relation to moderate levels of physical punishment; the more severe levels of physical punishment were positively associated with an increased risk of adolescent anti-social behaviours across both the Taiwanese and European American samples. Rohner et al. (1991) found that the frequency and severity of physical punishment was directly related to the parental rejection children experienced, which in turn lead to increased psychological maladjustment.

There are two points on which most of the research studies cited so far concur. Firstly, differences in outcomes for children based on ethnic group affiliation hold true only for moderate levels of physical discipline. Secondly, the moderating affects of any of the parenting variables investigated, such as parental warmth and use of reasoning, only hold true for moderate levels of physical discipline (Deater-Deckard et al., 1996; Straus & Stewart, 1999). However, there are also studies that have found both short-term and long-term negative consequences from *ordinary* or moderate physical discipline (Koenig et al., 2002; Rohner et al., 1991; Straus, 1991). Straus (1991) contends that even when used in the context of loving and supportive relationships, physical punishment is associated with greater risks of poor outcomes regardless of ethnicity.

The children in the study by Rohner et al. (1991) reported being physically punished moderately often and moderately severely, however, there were still significant and negative contributions to their psychological adjustment. Seitz (2002) asserts that the evidence from research by Koenig et al. (2002) suggests that even moderate levels of physical punishment negatively impact on mental health outcomes. Amongst the high exposure group in the study by Koenig et al. (2002), most had not been exposed to negative/punitive strategies that would necessarily be considered to be at the severe end of the scale. Fewer than 8% reported they were ever hit hard enough to cause bruising or bleeding; 56% reported being insulted or yelled at; 35% reported being threatened with being hit; while 22% reported being pushed, shoved or slapped; and yet 63% had

experienced considerable negative effects to their mental health.

Summary of ethnic differences in the use of, attitudes to, and effects of physical punishment

Research on cultural/ethnic differences in attitudes towards or use of physical punishment is inconclusive and largely contradictory. Overall, there is not a great deal of evidence to suggest significant differences in prevalence, chronicity or severity rates for the use of physical punishment across different ethnic groups. Where differences are reported the percentage of difference is often quite small. Ethnicity is confounded with a range of other factors and variables that make it difficult to establish the effect or relative influence of culture or ethnic group status. There are a range of parenting styles and disciplinary strategies used across and within ethnic groups, and these are influenced by a range of inter-related factors, including parent, child and family characteristics, and social, environmental and cultural contexts. There is some evidence in the literature of cultural differences in the meanings ascribed to parenting and disciplinary practices. Physical discipline, however, is not the preferred disciplinary strategy of any one cultural/ethnic group and research suggests that parents within ethnic groups adopt a range of parenting styles and disciplinary practices, in order to meet their culturally preferred goals.

There are a range of factors that contribute to parental use of physical discipline, and some of these factors may be universal, such as level of education, youth, poverty, family stress, and maternal depression. However, it is also clear that these factors or combinations of factors impact on different groups and sub-groups of populations in different ways. Additional social, economic and environmental factors may influence the parenting/disciplinary practices in immigrant or ethnic minority groups. Furthermore, cultural/ethnic differences in beliefs, values or goals may also have an influence on parenting and disciplinary attitudes and practices according to factors such as age or gender of the child and the type and context of the misbehaviour.

Ethnicity may have a mediating effect on the relationship between the use of physical punishment and outcomes for children. However, overall, the evidence suggests that the use of physical punishment is associated with the risk of negative long-term outcomes for children regardless of ethnic group status. There is also a linear relationship between the frequency and severity of the physical punishments used and the risk of poor outcomes. The quality of parent-child relationships, such as the presence or absence of qualities such as parental warmth

and involvement, has been found to have a similar influence on developmental outcomes for children across all ethnic groups.

New Zealand research on the impact of ethnicity on attitudes to, and the use of, physical punishment

There is a dearth of empirical work carried out in New Zealand that specifically examines the attitudes or practices of different cultural groups towards the guidance and discipline of children. Much of what is known about any differences or variance in attitudes is based on the results of a small number of public surveys that have included some analysis of responses according to ethnicity. The primary focus of these surveys has also been specifically on attitudes towards physical punishment rather than any wider investigation of a range of disciplinary approaches or contexts.

Carswell (2001) carried out a nationwide telephone survey on public attitudes towards the severity of physical discipline. Of the 1000 people surveyed, 100 were Māori and 100 were Pacific peoples. There were higher levels of acceptance for the continued legal sanctioning of the physical discipline of children among NZ European/Other (82%) people than either the Māori (73%) or Pacific people (69%) surveyed. Similarly, a CYF evaluation of the *Alternatives to Smacking Campaign* (2000, as cited in Carswell, 2001) found that NZ Europeans were more likely than either Māori or Pacific peoples to agree that there were circumstances where it was alright for a parent to smack a child. It was noted that this was a downward trend in agreement for both Māori and Pacific peoples compared to their previous studies. Maxwell (1993) reported that Māori and Pacific families did show a tendency to be more supportive of the use of physical punishment but this difference was not significant. Overall, Maxwell found no evidence to support the idea of any major differences between Pākehā/NZ European, Māori or Pacific peoples in attitudes towards, or the use of, physical punishment. She does acknowledge, however, that both Māori and Pacific peoples are under-represented in her sample.

The overall results of these studies tend to highlight the similarities in attitudes between the main ethnic groups in New Zealand rather than support any idea of major cultural differences. Overall, these studies reveal a high level of agreement, across all the ethnic groups identified, that parents should be allowed (by law) to physically punish a child. There also seems to be a high level of agreement across those ethnic groups that not all forms of physical punishment are acceptable. According to Carswell (2001) there was also almost unanimous agreement across all of the ethnic groups identified that it was unacceptable

to use any form of physical punishment that leaves bruising, marks or inflicts injuries that require medical attention. However, she did report that Pacific peoples were more likely to find the use of a wooden spoon acceptable and Māori the least likely (Pacific people, 27%; Pākehā/European, 15%; and Māori, 10%). Analysis of responses across all of the respondents found almost unanimous agreement that the use of a piece of wood or electric cord was inappropriate, and almost all agreed that it was unacceptable to smack a child on the head.

Similarly, Reti (2003) conducted a survey in the Whangarei area concentrating on locations deemed high priority/high risk by various authorities or agencies. The study population included 46% Māori and 50% European. The remaining participants (4%) were listed as 'other', and Pacific peoples are not specifically identified in the analysis. The results of this study concurred with research cited above, that the majority of people sanction some forms of physical punishment, but are opposed to others, such as hitting children about the head or with heavy objects. No specific analysis was carried out in relation to ethnicity in this sample.

The research does, however, draw attention to some differences in attitudes depending on the age range of the children that may have some cultural significance. For example, Carswell (2001) reports that most people found it unacceptable to physically punish children in either the youngest (<2 years) or older age groups (15 to 17 years). Pacific peoples and Māori were more likely to find it acceptable to physically discipline children in the older age group (15 to 17 years) and were conversely less likely than Pākehā/European to agree that it was acceptable to physically punish children in the younger age groups (two to five years). The Pākehā/European group was more than twice as likely to agree that it was acceptable to punish children aged two to five years than Pacific peoples. However, Maxwell (1993) found no significant cultural differences in attitudes towards the physical punishment of children according to age, reporting simply that the majority of Pākehā/NZ European, Māori and Pacific peoples did not endorse the physical punishment of teenagers.

While these studies investigating attitudes towards physical discipline suggest overall a high level of agreement in attitudes across the ethnic groups, they say very little about similarities or differences in the wider practices or processes around discipline that may occur within families. They also say very little about the wide range of variables or contextual factors that may influence attitudes and practices. There are no large scale or nationally representative studies investigating the current use or prevalence rates of physical discipline amongst the main cultural/ethnic

groups represented in New Zealand that would allow for any comparative analysis

While the timeframe of their research is generally outside the scope of this review, there is a substantial body of work carried out by Jane and James Ritchie that warrants some inclusion here (Ritchie, 2002; Ritchie & Ritchie, 1970, 1978, 1981, 1993, 1997). Their research suggests that while there have been modest fluctuations over time, there continues to be widespread support and use of physical punishment as a disciplinary strategy across all sectors of New Zealand society (Ritchie, 2002; Ritchie & Ritchie, 1993). However, data collected in the mid 1960s does provide some historical comparative data between Māori and Pākehā groups and also provides some insight into changing patterns of child rearing amongst Māori families. The Ritchies collected data regarding the parenting and disciplinary practices of 151 Pākehā and Māori mothers of four-year-old children living in both urban and rural/small town communities, and also Māori families living in traditional pa situations. The results of this research suggest a range of parenting/disciplinary strategies were used across all groups, and also indicate there were a range of factors that influenced disciplinary practices, including cultural, familial, social and geographical/situational factors. However, the Ritchies also state that while some of the child rearing and disciplinary patterns they observed could be interpreted as being distinctly Māori or Pākehā, it is important to ascertain (with Māori populations) which practices are based in culture and those which are the result of migration, urbanisation and changing social and economic conditions (Ritchie & Ritchie, 1978). The Ritchies also suggest that while Western ideologies and practices around child rearing clearly had an influence on the parenting practices across all the Māori families in their sample groups, distinguishing between those attitudes and practices that were informed by Western ideologies and those which were based in cultural belief systems specific to Māori was not always possible.

Ritchie & Ritchie (1970) report that while overall Māori mothers punished physically and verbally (shouting, threats) more frequently and used less reasoning and praise than their Pākehā/European counterparts, the low income Māori mothers and those living in small towns praised less, used less reasoning and punished more swiftly, inconsistently and harshly than either low income Pākehā mothers or higher income Pākehā or Māori mothers (Ritchie & Ritchie, 1970, 1978). The Ritchies suggest these results indicate that the combined stresses of migration, urbanisation, economic and social disadvantage and the loss of the more collectivist social structure impacted more negatively on parenting practices in low income Māori families. They also suggest evidence of more rigid control strategies indicate, in part, the dependence

of the family's social status on the behaviour of their children, particularly in rural/small towns where the family was open to closer Pākehā scrutiny than within either the traditional pa situations or the larger cities (Ritchie & Ritchie, 1978).

It is also important to note here that while a range of disciplinary strategies were used across all groups, negative disciplinary strategies and the use of physical punishment were common disciplinary practices used across all the groups represented, and within the Māori samples there were families who used physical punishment rarely (about once a year) and within the Pākehā samples, families who used it frequently (daily or more) (Ritchie & Ritchie, 1970). There were no significant differences reported between the groups regarding the severity of the physical punishments used. Over the entire sample group there were two cases of severe and regular beatings and only two cases where physical punishment was absent entirely from the range of disciplinary strategies used.

Several authors have noted the impact of colonisation on the parenting and disciplinary practices amongst both Māori and Pacific families (Fairbairn-Dunlop, 2001; Kavapalu, 1993; Le Tagaloa, 2000; Pereira, 2004; Rickard, 1998; Ritchie, 1997; Schoeffel et al., 1996; Tuhiwai Smith, 1995). Fairbairn-Dunlop (2001) suggests that the arrival of Christian missionaries in the Pacific bought harsh interpretations of biblical doctrine around child rearing and also the colonialist view that indigenous people needed rigorous and proper 'training' to become more civilised. Those same authors also cite the influences and processes around urbanisation, such as different living arrangements/housing structures than was common in either traditional Pacific or Māori societies, erosion of extended families/support systems, racism, increased financial pressures and poverty, as contributing to the use of harsh disciplinary practices within Māori and Pacific families (Fairbairn-Dunlop, 2001; Rickard, 1998).

Linda Tuhiwai Smith (1995) and Rickard (1998) comment that much of what is written regarding traditional Māori parenting practices has been written from the perspective of early European missionaries and anthropologists who recorded early child rearing practices amongst Māori as being permissive, indulgent, affectionate and carefree. Tuhiwai Smith (1995) and Rickard (1998) also cite evidence that the practice of hitting or beating children was almost non-existent and likely to incur severe sanctions if it ever occurred (Makareti Papakura, 1938, as cited in Tuhiwai Smith, 1995; Mead, 1996 and Salmond, 1991, as cited in Rickard, 1998). Similarly, Ritchie & Ritchie (1979) report that harsh disciplinary practices, including the use of physical punishment, were not a part of traditional Samoan culture prior to European contact. Kavapalu (1993) states that early accounts

of parenting practices within Tongan society are too scant to comment on the use of physical punishment prior to European contact, but there is no evidence to suggest it was a common feature of child socialisation practices. Tuhiwai Smith notes that the use of physical punishment was largely introduced by the missionaries, and endemic as a disciplinary practice in the schooling systems introduced in both New Zealand and the Pacific as a means of educating and assimilating Māori and Pacific children into European society. Tuhiwai Smith (1995) recounts evidence of the wrath of Māori parents at the use of harsher forms of discipline and many children were withdrawn or ran away from school. A 1962 report from the Native School Inspector (as cited in Tuhiwai Smith, 1995) notes that the use of corporal punishment and over-rigid discipline was at odds with the Māori view of the way children should be treated, and did much to drive children away from the schools.

However, Tuhiwai Smith (1995) also cites evidence from anthropological data that suggests a major shift in the way Māori parents had come to view and treat their children between the 1820s and 1940s. A study carried out by the Beagleholes in 1946 (as cited in Tuhiwai Smith, 1995) reports evidence that the use of harsher disciplinary strategies, including physical punishment, had become inculcated into Māori parenting practices. Similar research in Pacific contexts suggests that the use of harsher disciplinary practices, including the frequent use of physical punishment, had similarly been adopted within Pacific cultures by the 1940s (Kapavalu, 1993). Collier et al. (1999), Fairbairn-Dunlop (2001) and Kapavalu (1993) contend that the physical punishment of children had become the norm in the Pacific Islands, and parents commonly claim the right to physically punish their children on cultural and religious grounds. Kapavalu (1993) states that regardless of the origins or influences around the use of physical punishment as a disciplinary strategy, it has become incorporated within the category of 'tradition' within Pacific cultures.

There is a perception that Māori and Pacific parents are more likely to use harsh discipline, including the excessive use of physical punishment that would be characterised as abusive (Fairbairn-Dunlop, 2001; Kapavalu, 1993; Rickard, 1998; Ritchie, 1997; Schoeffel et al., 1996; Tuhiwai Smith, 1995). The higher number of reported incidents of child abuse and neglect within Māori populations have been referred to as an indication that there is some basis to this perception (Rickard, 1998; Tuhiwai Smith, 1995). However, it is important here that abuse is not confused with discipline. While child advocates have argued that there are links between levels of child abuse in society and the sanctioning of physical punishment in families (Rickard, 1998; Straus, 1996) there is no empirical evidence that those abuse

statistics reflect the disciplinary practices in most Māori or Pacific families.

Dr Pita Taouma (as cited in Schoeffel et al., 1996) states that disciplinary attitudes and practices within Pacific cultures have the same roots as those of Pākehā/European New Zealanders and reflect the Victorian religious teachings brought to the Pacific with the missionaries over 160 years ago. Ritchie & Ritchie (1993) note that there have been some shifts in public attitudes and values towards the socialisation and discipline of children since the 1960s when the physical punishment of children was largely viewed as a moral obligation of parenting. However, Taouma (as cited in Schoeffel et al., 1996) and Schoeffel et al. (1996) suggest that while the attitudes towards child rearing/discipline of older generation Pacific parents do not differ significantly from the older social values of New Zealanders, they have been slower to change than their Pākehā counterparts. Straus & Mathur (1996) refer to this as a 'cultural lag', reporting that while rates of approval of physical punishment have declined steadily in the US over time, there are different rates for different segments of the population. For example, the rate of decline has been slower for those living in the South, African-Americans, men, those with less education, and those of an older age. They suggest that these differences in the rate of change have resulted in a greater differentiation in norms between different sectors of the population. However, the results of Carswell's (2001) and Maxwell's (1993) surveys of public attitudes do not indicate that Pacific populations in New Zealand are behind other groups in their attitudes towards the use of physical punishment. According to Ritchie & Ritchie (1997), while some shifts in attitudes have occurred, they have been slow to change across all of New Zealand society.

There are a small number of more recent qualitative studies which have investigated attitudes and practices amongst Pacific and Māori groups. Four studies are cited here. Rickard (1998) interviewed a small number (six) of Māori participants, aged between 21 and 67 years, including both men and women, about their childhood experiences and current attitudes towards and use of discipline strategies. Schoeffel et al. (1996) investigated attitudes towards the socialisation and discipline of children with 25 Pacific families¹⁴ in the South Auckland suburb of Otara in 1994. The participants covered two or three generations in each family, including first generation immigrants (born in a Pacific Island country, now residing in Auckland) and their New Zealand born children ranging from 12 to 29 years of age, some of whom were parents themselves. Two other studies were carried out in the Pacific region. Fairbairn-Dunlop (2001) presents data from an action research and training programme

carried out in 1998 across a range communities in Samoa. The data contains self-reports from 16 Samoan parents and grandparents aged from 18 to 77 years on the prevalence, duration and reasons for using physical discipline over a seven-day period, and also data from 21 parents aged between 26 and 70 who participated in a community training group programme. Kapavalu (1993) carried out ethnographic fieldwork in Tonga between 1988 and 1989 which includes data about the parenting and disciplinary practices within that Tongan community.

Generalising these studies is hampered by differences in the methodologies and the populations included for investigation, the small number of participants in each study and their concentration in specific locations. However, they do provide some further insight into the use of disciplinary practices within those ethnic groups and the wide range of factors that influence both attitudes and practices. The age range of the participants within these studies also allows for the possibility of some comparison across generations.

Overall, each of these studies indicate widespread acceptance of the use of physical punishment as an effective disciplinary strategy. Participants across both the Māori and Pacific sample groups viewed the use of physical punishment as a parental duty and an effective means of teaching desired standards of behaviour (Fairbairn-Dunlop, 2001; Schoeffel et al., 1996; Rickard, 1998). Amongst the Pacific groups in particular, reference was made to support of physical punishment as a parental duty, borne out of love and a sense of moral obligation towards their children (Fairbairn-Dunlop, 2001; Schoeffel et al., 1996). Fairbairn-Dunlop (2001) suggests the influence of religious interpretations such as 'spare the rod and spoil the child' were particularly evident within her Pacific sample.

However, the research cited here also reports some variation and differences in attitudes across different sectors of the populations included. According to Schoeffel et al. (1996), there was considerable agreement around what constituted good and proper behaviour in children across both the Pacific and New Zealand born generations in their study. However, there were different points of view regarding the effectiveness or otherwise of the use of physical discipline, even amongst children from the same family. A small number of participants in the studies by Fairbairn-Dunlop (2001) and Schoeffel et al. (1996) disagreed with the use of physical punishment altogether.

Kapavalu (1993) also suggests that attitudes towards physical punishment within Tongan society have been changing over some time. Parents asked about their

14 Pacific cultures represented included Samoan, Tongan, Niuean, Cook Island, Tokelauan & Fijian.

attitudes towards physical punishment in 1979 (Finau, 1979, as cited in Kapavalu, 1993) all referred to the use of 'beatings' as a weakness within the range of child discipline strategies used. Kapavalu also comments that some school principals in Tonga have worked towards removing the use of corporal punishment in schools and the issue of physical punishment has been actively discouraged through some church groups. Collier et al. (1999) also suggest that while both younger and older generations within Pacific cultures use physical punishment, younger parents are reported to be more lenient, permissive and tolerant than older generations and there may be some distinctions between what constitutes reasonable and unreasonable physical punishment across generations. According to Schoeffel et al. (1996), positive attitudes towards the physical punishment of children were tempered by a lack of tolerance for harsher forms of physical punishment. While there was support for the use of physical punishment within their sample, all of the parents interviewed disapproved of severe beatings or punishments that caused injury and saw those kinds of punishments as an abuse of parental powers.

Both Schoeffel et al. (1996) and Kapavalu (1993) cite evidence that indicates some cultural differences in values around child rearing and attitudes towards discipline. For example, parents in both the Samoan and Tongan sample groups expressed their disapproval at what they perceived to be the lack of discipline and relative freedom given to Pākehā/European children, and would not necessarily embrace some of the more recent theories of child development that have influenced views of child rearing over the last 30 years. In this context, messages regarding changes in disciplinary styles and strategies that are framed within (and mediated through) a largely Western world view may have less influence within Pacific families, rather than indicate a 'slowness to change'.

Apart from Fairbairn-Dunlop's (2001) study, these studies do not provide any reliable data regards the prevalence, frequency or severity of the physical punishments used, and differences in the nature of these studies do not allow for any comparison across the groups. However, the results of these studies do indicate considerable variation in the actual use of physical punishment. All but one of the Pacific born participants in the study by Schoeffel et al. (1996) recalled strict discipline, and sometimes severe levels of physical punishment, not only from parents but also from teachers at school. Amongst the children, or second generation, all of the participants recalled being either occasionally or frequently slapped, hit or 'given a hiding'. One participant referred to levels of physical discipline that would be considered extreme/abusive. Fairbairn-Dunlop (2001) reports that nine out of 16 parents in her study had hit their children that week (ranging between 0 and seven times daily). It

is not possible to ascertain from this study whether the other seven parents used physical punishment less frequently over a longer period of time, or if they never used it at all. Kapavalu (1993) reports that physical punishment was the most often used form of discipline in the Tongan sample, but noted considerable variation in the frequency and severity of the physical punishments used, from single slaps to more severe forms of physical punishment. Rickard (1998) reports that although some of the participants in the Māori group had not been the recipients of physical discipline themselves, some had incorporated it into their own disciplinary practices as parents. Participants in this study also recalled an absence of physical discipline within their parents' generation.

Some variations in the use of physical punishment are also noted regarding parent and child characteristics such as gender and age. For example, Kapavalu (1993) reports that smacking children in their first year was rare, but generally increased steadily until around four years of age, by which time children may have been physically punished many times a day, the severity varying from single slaps to harsher beatings. Both Kapavalu (1993) and Schoeffel et al. (1996) report a decline in the frequency of physical punishments as children get older but an increase in the severity. Kapavalu (1993) reports that girls were more likely to be punished than boys when they are younger as better behaviour was expected of them, while adolescent boys were punished more often and more severely. However, Kapavalu (1993) also notes that these gender differences were small and variable between families. Schoeffel et al. (1996) report that girls were more likely to receive stricter discipline than boys, but not necessarily more physical discipline. The physical punishment of children was also carried out by siblings, other relatives, adults and school teachers (Kapavalu, 1993; Schoeffel et al., 1996).

There was some consistency reported across the Pacific groups in the reasons given for the use of physical punishment. The importance of children's obedience and demonstrating respect for parents and elders were significant motivators for the use of physical punishment across all of the Pacific groups included in these studies. Disobedience or defiance of authority figures was commonly referred to as the major reason for punishment of any kind (Fairbairn-Dunlop, 2001; Kapavalu, 1993; Schoeffel et al., 1996). Participants in Rickard's (1998) study initially stated that they used physical punishment as a means of teaching right from wrong, but on further discussion most relayed reasons of parental stress, frustration and anger. According to Rickard, the reasons for using physical punishment amongst her sample group were related to the day-to-day struggles and frustrations of parenting. Fairbairn-Dunlop (2001) also notes that while physical discipline was more common than not,

there were a number of social and economic pressures present within this group. One third were younger mothers, there were large numbers of children per household, grandmothers were raising grandchildren, and there were limited financial resources. Those who used physical discipline were mostly the younger mothers and mothers with the most children.

Participants in these studies cited the influence of colonisation, urbanisation, low socioeconomic status, alienation, isolation and racism (Rickard, 1998), the influence of Christianity, an increase in negative influences such as drugs and alcohol, poverty and pressures to provide more and more material commodities for their children, the erosion of extended families and systems of support, changing housing structures and increased family isolation (Fairbairn-Dunlop, 2001; Schoeffel et al., 1996) as contributing to the use of harsher disciplinary practices within both Māori and Pacific families. Revisiting their earlier research in the 1990s, Ritchie & Ritchie (1997) comment that they underestimated the relationship between parental stress and the effects of poverty evident in their earlier samples. They contend that there is a relationship between the harshness with which children are treated and family deprivation and any cultural support for the use of physical punishment in Māori, Pacific and Pākehā populations are exacerbated by stress and poverty.

Schoeffel et al. (1996) also highlight the influence of immigration for Pacific families in New Zealand. The author reports that a central concern of the parenting goals and practices for the Pacific-born parents in their study were around maintaining and translating the central values of their culture into the new setting, while also coping with the multiple and sometimes negative influences/stresses of New Zealand society. The authors suggest that an emphasis on hierarchical relationships, respect for authority, obedience and conformity to group goals evident within traditional Pacific cultures combined with the influences of immigration and the struggle to maintain cultural values in a society that emphasises libertarian values around freedom and choice have contributed to stricter disciplinary strategies, including physical punishment, within Pacific families as a means of maintaining some control over the well-being of their children.

Rickard (1998) reports that the pressure to fit in to Pākehā/European society and a desire to guarantee their children a better quality of life were significant influences on the use of strict or harsher disciplinary practices, including physical punishment within her Māori sample. Participants cited the pressures of keeping their children clean and well-behaved, so that they would be well thought of and wouldn't be looked down upon by Pākehā, while one mother commented that she was hard on her daughter to

make her do the right thing in Pākehā society and to increase her capacity to cope with any barriers she faced. Rickard comments that while it has been reported that harsh discipline was used as a means to instil respect for authority in Māori society, participants in this study noted that respect for elders or whānau was not typically instilled through the use of physical discipline, but was more likely reserved for showing disrespect outside of the family system to an authority figure, such as a school teacher. In this context, Rickard suggests the use of physical discipline was used more as means of protection, to deter misbehaviour outside the home that might incur harsher penalties and criticism. Rickard also cites evidence of the influence of discourses that characterise Māori as being more violent, authoritarian or harsh in their own use of physical discipline. Participants in this study commonly referred to the perception that Māori were more likely to use harsh discipline and the notion of a 'cycle of abuse' to explain their own use of physical punishment, even when it became apparent that this did not reflect their own experience.

None of these studies provide any information on the use of physical punishment in relation to other forms of discipline. It is not clear if physical discipline is used in the first instance or after a range of other strategies have been employed. Fairbairn-Dunlop (2001) reports alternative disciplinary strategies, such as talking or 'letting it go'. Giving advice, either directly through talking/instruction or indirectly through rebukes for undesired behaviours, were the main alternative disciplinary/guidance practices mentioned by Schoeffel et al. (1996). According to Schoeffel et al. shaming was a more common disciplinary technique in traditional Polynesian parenting practices, defined as gentle mockery or teasing, and was intended to teach children to be modest and self-effacing. Child misbehaviour was more likely dealt with by gentle teasing in the first instance, followed up with verbal persuasion and the use of threats and finally the use of physical punishment if those first two strategies failed to induce compliance. Kapavalu (1993) also cites the use of teasing as a disciplinary strategy, from 'playful teasing' to more serious warnings. Restricting play, making the child work, or withholding food were the least common forms of punishment used. Kapavalu also notes that an emphasis on the use of physical discipline within research can obscure wider aspects of parent-child relations. She observed high levels of love, warmth and affection within the Tongan sample. Similarly, Ritchie & Ritchie (1970) observed that relationships between parents and children were commonly characterised by love, warmth and affection.

Overall, there is no research that would allow for any systematic comparison of attitudes towards or the

use of physical discipline between Pacific, Māori or Pākehā/European populations. There is no empirical evidence to suggest the prevalence, frequency or severity rates of physical discipline for Pacific or Māori groups are significantly different to other sectors of the population. In more general terms, these studies indicate that the attitudes and practices of Māori parents or Pacific peoples in New Zealand may not vary widely from those reported for the wider population, in so far as they tend to sanction a range of disciplinary techniques, including the use of physical punishment.

What is clear from the New Zealand research so far is that a range of factors other than ethnicity influence parenting and disciplinary practices. It is clear from the research that the parenting and disciplinary practices within Pacific and Māori groups have been influenced by processes concerning colonisation, immigration and Western ideologies of child rearing, but these influences have impacted over time on different sectors of the population in different ways. Ritchie & Ritchie (1997) and Schoeffel et al. (1996) also contend that the parenting and disciplinary practices within Māori and Pacific groups represent an amalgamation of traditional practices and 160 years of colonisation, and have continued to be influenced, along with Pākehā/European families, by changing economic, political and social contexts. However, as Schoeffel et al. (1996) have previously noted, maintaining their cultural identity was a primary child socialisation goal for those Pacific parents, and Ritchie & Ritchie (1978, 1997) contend that Māori have been particularly resilient at maintaining their own cultural identity and have undoubtedly retained values and beliefs that would influence child socialisation and child rearing practices.

The research does suggest there are some ethnic groups differences in parenting and disciplinary practices and these differences may be culture specific. However, identifying aspects of disciplinary practices that can be linked to cultural values or belief systems is particularly problematic, and a focus on the use of physical punishment alone is unlikely to shed any further light on similarities or differences across ethnic groups. An examination of aspects of the parenting/disciplinary environment beyond the use of physical punishment may be more likely to reveal practices that could be linked to cultural values and beliefs. For example, in her Tongan sample, Kapavalu (1993) notes that behaviours that were acceptable or largely ignored inside of the home would be subjected to punishment if those same behaviours occurred while visitors were present, if they occurred outside of the home, or on a Sunday. As both Fairbairn-Dunlop (2001) and Kapavalu (1993) suggest, an emphasis on hierarchical relationships, respect for authority, obedience and conformity to group goals evident

within Pacific cultures means that children's behaviour reflects on family status in the wider community.

Ritchie & Ritchie (1970) reported that the Māori mothers in their earlier samples were more likely to use physical affection than verbal praise to show approval for behaviour, and were less likely to use social isolation as disciplinary technique. The Ritchies noted that caution about the use of praise was a feature of traditional Māori world views, while Kapavalu (1993) notes that the use of gentle teasing or shaming as disciplinary techniques were intended to teach children to be modest and self-effacing. Kapavalu also noted that less emphasis was placed on the use of verbal explanation or reasoning at the time of wrong doing or as part of the immediate disciplinary situation and a greater emphasis placed on the advice and moral instruction that children receive in both formal and informal group contexts such as family meetings, social gatherings, at church, in schools, at funerals and other events. Some practices that can be linked to culture may also dependent on situational or contextual factors. For example, the Māori mothers in Ritchie & Ritchie's (1970) earlier sample did not consider reasoning a useful strategy with young children, but the lower levels of verbalisation and use of reasoning amongst the Māori mothers could also have been due to less direct individual parent-to-child contact more typical within extended family/collectivist child rearing structures. However, Ritchie & Ritchie (1978) also note that the loss of the collectivist child rearing structure for Māori families and increased stress also contributed to lower levels of praise and reasoning in families living in urban situations.

There is a need for current research that would allow for an examination of the range of disciplinary strategies and practices across the various ethnic groups in New Zealand to further our understanding of the possible similarities and differences that may be culturally based.

Summary of New Zealand research

There is a general lack of research on the use of or attitudes towards discipline in New Zealand. So far the research investigating ethnic/cultural differences in the use of physical punishment or wider disciplinary practices does not reveal any significant differences between ethnic groups. However, the lack of research also fails to illuminate the possible existence of cultural differences in values, beliefs or goals of parenting and child rearing, and the influence these may have on disciplinary practices. There is no empirical evidence that physical discipline, in particular, forms a significant part of the traditional/cultural practices of either Māori or Pacific groups. What the research so far does suggest is that any evidence of normative support for the use of physical discipline as a disciplinary

strategy amongst these ethnic groups likely mirrors the attitudes evident within Pākehā/European groups and is likely influenced by the same historical and social processes, although in different ways.

There is some evidence that the processes of colonisation, immigration, urbanisation and racism have influenced the use of physical discipline in Māori and Pacific cultural groups, rather than cultural beliefs/practices per se. However, those same processes have contributed to an interaction between the traditional cultural practices of minority groups in New Zealand and those of Pākehā/European culture. It is likely that the disciplinary practices within cultural/ethnic groups in New Zealand are influenced by a range of other factors such as parent, child and family characteristics, socioeconomic and contextual factors, and that there are variations between and within cultural/ethnic groups. Further research is needed in order to further understand the influence of those variables in relation to different ethnic groups or sub groups of ethnic populations in New Zealand. Similarities or differences between cultural/ethnic groups and the parenting/disciplinary processes that occur in families also need to be investigated.

Influence of religion on disciplinary attitudes and practices

The association between religion and practices, and child guidance and discipline, has only received specific attention in the research literature over the last 10 to 12 years. While research in this area is still scant, there is some evidence that religious beliefs and/or religious affiliation are factors significantly associated with attitudes and practices to child discipline. The research to date is largely American-based, and focused on the use of physical punishment. The research is also largely comparative and focused on small sectors of religious population, namely Fundamentalist or Conservative Protestant groups¹⁵. This group has come to the attention of researchers as they have been identified in the literature as having strong religious views around the guidance and discipline of children, and also as being more likely to endorse the use of physical punishment, than other sectors of religious or non-religious populations. There is very little information on other mainstream or more liberal religious denominations or the influence of religious ideology on the parenting and disciplinary practices of sectors of the population that have no specific religious affiliation. There is no research

examining the influence of spiritual ideology within non-Western cultures or non-Christian religions.

Danso, Hunsberger & Pratt (1997) propose that religious beliefs will have a significant influence on parents' child rearing practices, because those beliefs are likely to influence their views of children, their role as parents and the parent-child relationship and aspirations for their children. Religious beliefs are expected to have an influence on parents' socialisation goals, and these are significant determinants of parenting behaviours.

1. Use of disciplinary strategies

Several studies have found religious differences in prevalence rates for the use of physical punishment. Conservative Protestant affiliation and conservative religious beliefs have been associated with a more authoritarian parenting/disciplinary style and the more frequent use of physical punishment (Day et al., 1998; Ellison et al., 1996a; Gershoff et al., 1999; Giles-Sims et al., 1995; Stolley & Szinovacz, 1997; Xu et al., 2000). Ellison et al. (1996a) examined data from the National Survey of Families and Households (NSFH) and report that after controlling for a number of socio-demographic variables such as age, income, family structure, education and household income, Conservative Protestant parents used physical discipline more frequently than other parents.

Gershoff et al. (1999) examined the frequency of use of physical punishment between Conservative Protestant, mainline Protestant, and Roman Catholic parents, and parents with no religious affiliation, and report that while the last three groups smacked on average once a week the Conservative Protestant parents reported doing so once or twice a week. Furthermore, 29% of the Conservative Protestant group reported using physical discipline more than three times a week, compared to 5% of the mainline Protestant parents, 3% of the Roman Catholic parents and 0% of the parents with no religious affiliation. Kelley et al. (1992) report that the African American mothers in their study who were not involved in an organised religion were more likely to use physical discipline, suggesting that the supportive environment of a religious community mitigated against the use of negative discipline strategies.

Giles-Sims et al. (1995) found the greatest use of physical discipline amongst Protestant religious groups and the lowest use amongst Catholics. However Giles-Sims report no significant differences in the average number of times children were smacked over a week

15 The specific religious denominations defined in the American literature as *Fundamentalist* or *Conservative Protestant* include Adventist, Baptist and Pentecostal groups. Several authors suggest that those religions are characterised by traditional and conservative ideologies about the family, children, child and parental roles and child rearing and also adhere to very literal interpretation of the bible. The American literature also distinguishes *Mainline* or *Liberal Protestant* groups as those who are generally more liberal. These include Episcopal, Lutheran, Methodist, Presbyterian, and Unitarian denominations. Other groups commonly distinguished from *Fundamentalist* or *Conservative Protestants*, include Catholic, Roman Catholic and also those with no specific religious affiliation.

amongst those who did use physical discipline, across all religious groups. Ellison et al. (1996a) do note that while Conservative Protestant parents are more likely to use physical punishment with younger children, this difference is significantly reduced in children aged five to 11 years, suggesting a decrease in the use of physical punishment as children age across all groups. The research has predominantly focused on children aged 0 to four years and five to 11 years. There is a corresponding lack of evidence of religious differences in the use of physical punishment with adolescents. Ellison (1996) cites evidence of conservative Christian parenting manuals that specifically discourage Christian parents from physically punishing older children, stating that it would be counterproductive to their developmental states.

Day et al. (1998) report that parents' religious conservatism was a positive predictor of physical punishment, however the relationship between religious conservatism was inconsistent and varied across different sub groups of the population. Religious conservatism was positively related to the more frequent use of physical punishment in married European American mothers and unmarried African American mothers with younger children, and in both unmarried European American and African American mothers with older children. Day et al. assert that the continued use of physical punishment with older children, when it occurs, may be an indication that for those parents it is an ideological issue.

Ellison et al. (1996a) also report some differences within conservative religious households suggesting a range of influences other than religious belief or affiliation. For example, younger parents, mothers with very young and middle school age children, and mothers with multiple toddlers and preschool children use physical discipline more frequently, suggesting that parental stress and inexperience are also significant determinants of parenting behaviours in conservative religious households. Boys of all ages were also more likely to be physically punished than girls, whereas children whose behaviour/temperaments were assessed as 'easy' and older children were physically punished less frequently. There are also a number of studies that report wider variation in parenting/disciplinary practices in families with conservative religious views.

Gershoff et al. (1999) report that while Conservative Protestant groups differed in the frequency with which they used physical punishment, there were no significant differences in how much they used other disciplinary strategies, such as reasoning, diversion, negotiation, threats, yelling, ignoring, withdrawal of privileges and time-out. Also, parents across all religious and non-religious groups were more likely to use physical punishment for child behaviours considered dangerous or life threatening, and for

moral transgressions such as hitting a friend or lying, rather than social transgressions such as interrupting an adult in conversation. However, Conservative Protestant parents were less likely to use reasoning and more likely to use physical punishment regardless of the type of transgression, if a child continued to be openly defiant. Gershoff et al. (1999) suggest these findings may indicate Conservative Protestant parents are more likely to use a range of positive strategies such as reasoning, diversion and negotiation, and only use physical punishment when those other disciplinary techniques fail.

None of these studies provide any information on the types or severity of the physical punishments being used. Surveys have tended to ask predominantly about the use of smacking or slapping and while there would likely be some variation in the severity of those forms of physical punishment, no additional information has been sought on the use of more severe physical punishments. Capps (1992, as cited in Ellison et al., 1996a) suggests that the more frequent use of physical punishment in Conservative Protestant families is invariably associated with more severe and abusive forms of physical punishment. Ellison (1996) however, contends that there is little evidence so far to support this claim.

2. Attitudes towards physical punishment

Several studies have examined the influence of religious beliefs and attitudes towards the use of physical punishment. Ellison & Sherkat (1993) found that Conservative Protestants were more likely to 'strongly agree' that it is sometimes necessary to physically punish a child. This difference held after controlling for a number of socioeconomic variables including gender, age, education, income, and number of children. Flynn (1994) and Wiehe (1990) found that Conservative Protestant groups were significantly more likely to favour the use of physical punishment, after controlling for both gender and education. Flynn (1994) also reports more favourable attitudes towards physical punishment amongst Conservative Protestant groups. Both Flynn and Wiehe carried out their research in the Southern States of America, an area commonly referred to as the 'Bible belt', which contributed to less differences between the religious and non-religious populations studied. Flynn reports slightly stronger support for the use of physical discipline amongst Conservative Protestant groups (89%) than other religious or non-religious groups (76.8%), suggesting there is clearly strong normative support for the use of physical punishment regardless of religious affiliation in the Southern States.

A public consultation carried out in Britain on the physical punishment of children, *Protecting Children, Supporting Parents* (Department of Health (UK) (2000), found that nearly all of the individuals

who responded, and who highlighted the importance of their religious beliefs, considered the physical punishment of children an effective and necessary part of child discipline. Those respondents stressed the rights of parents to physically discipline their children and felt that physical discipline was an essential component in maintaining discipline in the family, setting boundaries for children and encouraging responsible behaviour. It is not clear from the report which religious denomination the individuals belonged to. The views expressed, however, are unlikely to be representative, as it is highly possible that only individuals with strong views about parental rights in relation to physical discipline were motivated to respond. There were also a number of responses from religious organisations opposing a ban on physical punishment¹⁶ or the use of physical punishment¹⁷. The results of this consultation indicate that while religious beliefs are associated with strong views about the use of physical discipline there are varying and opposing views within and across religious groups.

Several studies have found that the relationship between conservative/fundamentalist religious beliefs and disciplinary practices are determined by ideological/theological beliefs and parents' child rearing goals, rather than religious affiliation or church attendance per se. Several studies demonstrate a significant link between theological conservatism and greater endorsement for the use of physical punishment (Ellison et al., 1996a; Ellison & Sherkat, 1993; Grasmick, Bursik & Kimpel, 1991; Wiehe 1990). Wilcox (1998) suggests that Conservative Protestantism has emerged as a distinctive subculture, and the disciplinary attitudes and practices associated with this group are influenced by a propensity towards greater theological and cultural conservatism. Theological conservatism is largely defined in the literature as a cluster of beliefs that includes more emphasis on authority, obedience and punishment, the belief that human nature is basically sinful and the belief that the bible is the literal word of God and is not open to interpretation.

Danso et al. (1997) report that endorsement of the use of physical punishment as a child rearing strategy was positively associated with a greater emphasis on child obedience as a parenting goal, lesser valuation of child autonomy and the desire to socialise children into a religious faith. Ellison & Sherkat (1993) contend that many conservative Christians believe that those who violate God's rules should be punished and are more likely to value child obedience and endorse strict authoritarian disciplinary and child rearing practices. Ellison, Bartkowski & Segal (1996b) suggest that members of Conservative Protestant denominations

are disproportionately more likely to hold conservative Christian views, while those views are present to a much lesser extent in other religious and non-religious communities. Bartkowski & Ellison (1995) concur that concerns for authority and obedience permeate facets of Conservative Protestant ideology and family life, to a greater extent than other religious or non-religious populations.

Jackson et al. (1999) found that conservative ideologies and religion were predictive of positive attitudes towards negative discipline strategies, but in complex ways. For example, parents with positive attitudes towards physical punishment were more likely to hold conservative views, but were less likely to state that religion was important to them. Parents with attitudes that devalued children and those who used verbal abuse were more likely to state that religion was important to them. However, it is not clear from this study which particular religious ideologies or affiliations those parents subscribed to.

Ellison & Sherkat (1993) report that the association between religious affiliation and endorsement of physical punishment is mediated by religious ideology, including: the belief that the Bible is the word of God; that humans are by nature sinful; and that sin must be punished. Ellison et al. (1996b) report a significant association between biblical literalism, the belief that human nature is basically sinful, and positive attitudes towards physical punishment. Grasmick et al. (1991) found a significant link between endorsement of physical punishment and biblical literalism, but not with holding a punitive image of God. Wiehe (1990) also found a significant association between biblical literalism and positive attitudes towards physical punishment. Parents with a literal belief in the Bible also demonstrated less appropriate developmental expectations, were more parent centred, and less empathic towards their children's needs (Wiehe, 1990).

Danso et al. (1997) found a significant relationship between fundamentalist religious beliefs and right-wing authoritarianism, defined as cognitive rigidity and an intolerance of opposition. They suggest that this authority-minded worldview contributes to a preoccupation with teaching children to obey authority, and which is the significant predictor of parents' child rearing attitudes. However, Ellison et al. (1996a, 1996b) report that authority-minded parental values and a preoccupation with child obedience had virtually no effect on the relationship between attitudes and the use of physical punishment in Conservative Protestant families. They suggest it is more likely a belief in original sin and the desire to socialise their children

16 Religious groups opposed to banning physical punishment included Baptist and New Life/Pentecostal Churches.

17 Religious groups who opposed the use of physical punishment included the Methodist Church, The Church of England and the United Reformed Church.

towards desirable behaviours in order to avoid harmful worldly and spiritual consequences that influences the forceful correction of children's behaviour through physical punishment.

Ellison (1996) suggests that a belief in original sin and concerns with child behaviour may mean that child disobedience is more likely to arouse parental anger and contribute to more frequent use of physical punishment. However, Ellison et al. (1996a) found evidence that more frequent use of physical punishment was not attributable to more negative global assessments of children's behaviour or reports of difficult child temperaments. Also, as previously stated, theologically Conservative Protestant parents were no more likely to value child obedience than their less conservative counterparts. Conservative Protestant parents may be more likely to interpret a wider range of behaviours as willful disobedience' which may contribute to the more frequent use of physical discipline (Ellison et al., 1996a). Gershoff et al. (1999) also contend that it is Conservative Protestants parents' belief in instrumental effectiveness of physical discipline that is linked to the frequency of its use. According to Gershoff et al. (1999) Conservative Protestant parents were more likely to agree that physical punishment was necessary and effective in securing child obedience, immediately, and in the future, and was more likely to promote cooperation and respect for parental authority.

Studies have associated religious beliefs with a more child-orientated style of discipline and with more warm and positive parent child-relationships. Kelley et al. (1992) report that mothers with more fundamentalist religious beliefs were generally more child-centred in their disciplinary attitudes and tended to focus more on their child's inner feelings, thoughts and wishes, than expecting unquestioning obedience to maternal authority. Kelley et al. contend that the mothers in their study had moved beyond literal interpretations of scripture such as, 'spare the rod and spoil the child', and adhered to the more humanistic principles found in religious doctrine.

Wilcox (1998) suggests that the evidence indicating Conservative Protestants are more likely to endorse a stricter or harsher style of discipline has been overstated, and it is more likely that the disciplinary practices within those families falls somewhere between authoritarian and authoritative styles of parenting. Wilcox found that while Conservative Protestant parents were more likely to use physical punishment they were also more likely to practice a warm, expressive and highly interactive style of parenting. Wilcox also reported that this positive relationship was not an effect of low maternal labour market participation or a function of church membership or attendance, but was mediated by a

strong identification with conservative theological ideology.

Bartkowski & Ellison (1995) suggest some caution in interpreting some of the research literature around the disciplinary attitudes and practices associated with Conservative/Fundamentalist Protestant parents. They argue that the tendency of researchers to focus on the negative or unhealthy aspects ignores evidence to the contrary. Bartkowski & Ellison (1995) examined a plethora of parenting advice manuals by both Conservative Protestant and mainstream family and child rearing experts and found significant differences in relation to parenting goals, parental roles, the structure of parent-child relations and the promotion of disciplinary strategies. These differences did suggest a greater emphasis on hierarchical relationships, authority, child obedience and support for the use of physical punishment within Conservative Protestant ideology, but these emphases may have been overstated. Popular parenting manuals emphasised a wide range of positive parenting and disciplinary strategies, considered the use of physical punishment as a last resort, and cautioned against excessive use or force. However, there was no evidence to ascertain the influence of those views within conservative religious families or how parents may incorporate, or not, these views into their disciplinary practices, and decision making processes.

Wilcox (1998) agrees that the negative aspects of Conservative Protestant ideology has been overstated, suggesting Conservative Protestant ideology holds many positive child rearing beliefs including: the belief that children are created in the image of God; that the psychological well-being of children depends on positive child-parent interactions; and that children must be treated with love and dignity. There is also some discussion within religious communities over the way some biblical texts have been interpreted, and used to justify parental rights and the use of physical punishment. Literal interpretations of biblical scripture, such as 'spare the rod and spoil the child', have been challenged from within conservative and more liberal religious communities suggesting there are alternative points of view that influence child rearing practices within those communities (Oosterhuis, 1993; Strang, 2003).

3. Effects of physical punishment

There is very little research investigating the relationship between religion, disciplinary strategies and outcomes for children. In light of the evidence that stricter/harsher disciplinary styles potentially lead to more detrimental outcomes for children it could be expected that children raised in those religious environments were at greater risk of poor outcomes. Gershoff et al. (1999) found that

parents of all religious denominations agreed that physical punishment had positive effects, including immediate compliance, respect for parental authority, and effective socialisation. However, Conservative Protestant parents were less likely than parents from other religious denominations to think that physical punishment contributed to negative child outcomes, such as anger, aggression or resentment, and none believed that physical punishment made their children rebellious or more afraid of authority.

Wilcox (1998) suggests that the warm and expressive parenting style found within Conservative Protestant parent-child relations could be associated with healthy development and positive outcomes for children. However, the positive effects of a warm and expressive parenting style may also be undermined by the emphasis on child obedience and physical punishment (Straus et al., 1997). Wilcox (1998) suggests that high levels of institutional support for parents in their child rearing activities and practices, contributes to normative support for the range of disciplinary practices used, including physical punishment, may in turn contribute to high levels of parental efficacy and positive child perceptions of their parents behaviour. Ellison (1996) also suggest high levels of parental involvement, monitoring, and consistency in discipline may contribute to positive outcomes for children.

Ellison et al. (1996a) and Gershoff et al. (1999) suggest that children's acceptance of physical punishment as deserved and fair is more likely to occur when parental use of physical punishment is supported by the family's culture or religion, and consistency in the use of physical discipline is more likely to be the case if parents believe in its instrumental effectiveness. Conservative Protestant parents' belief in the instrumental usefulness of physical discipline, and an overall parenting style in which physical punishment occurs within the context of parental warmth and involvement, may also contribute to more positive and fewer negative consequences.

Ellison (1996) cites research that suggests youth from conservative religious backgrounds are less likely to experience academic failure, teen pregnancy, delinquent behaviour or substance abuse. Wilcox (1998) comments that the Conservative Protestant parenting/disciplinary style could contribute to both positive outcomes, such as greater social responsibility, but also negative outcomes, such as lack of independence. However, the overall lack of research investigating either the use of disciplinary practices within conservative or other religious families or the

effects on children raised in those contexts makes any conclusions largely speculative.

4. Summary of the influence of religion on disciplinary attitudes and practices

Religious affiliation and beliefs have been shown to have an influence on parental attitudes towards and use of discipline strategies. Religious affiliation is linked to stricter and more controlling disciplinary strategies, including more positive attitudes towards physical punishment. However, this finding largely pertains to specific religious populations (Conservative or Fundamentalist Protestants) and cannot be generalised to other religious denominations or beliefs. The numbers of Conservative Protestants in the United States are reported to be between 25 and 28% of the general population, which would represent a small percentage of the total number of religious affiliations and belief systems that could possibly be represented. The relationship between religion and discipline appears to be mediated by ideology and theological beliefs rather than religious affiliation per se. Differences in ideology/theology across different religious groups would likely contribute to considerable variation in the ways those beliefs influence disciplinary practices. However, there is a general lack of research investigating those relationships or differences across a broader range of religious groups.

There is no substantial evidence to link positive attitudes or higher prevalence rates of physical punishment in Conservative Protestant groups with harsher or more severe forms of physical punishment. These groups also support a range of disciplinary practices other than physical punishment. Religion/religious beliefs are associated with a range of other parenting practices, including high levels of parental warmth, involvement and engagement. Some religious groups are less likely to endorse the use of physical punishment, and are more likely to support positive parenting/disciplinary practices. However, the research focus on physical punishment has so far obscured any understanding of the wider range of disciplinary strategies that those parents employ. The focus of much of the research has been on attitudes or ideologies around the use of discipline rather than the disciplinary practices that actually occur in those families. There is a general lack of research investigating the relationship between religious affiliation, beliefs and the wider contextual factors or range of variables other than religion that might influence disciplinary processes.

5. Children and Young People's Perspectives

NICOLA TAYLOR

Children's perspectives on disciplinary issues have been ascertained in a number of studies. Most research focuses on children's evaluations of various discipline methods, usually via their ratings of vignettes depicting different types of transgressions (moral, social and prudential). A wide range of ages of children and young people have been included in these studies, including preschoolers, school children, and adolescents. At times perceptions of parental disciplinary practices are also explored using transgression vignettes. While most of the literature focuses on the use of physical discipline within the home, some studies explore children's perspectives on other forms of discipline (e.g. time-out) within early childhood centres or corporal punishment within schools. A more recent line of research, primarily from the UK and New Zealand, reports directly on children's perceptions of their own experiences of child rearing and their views on smacking. While these findings are consistent with the more established literature regarding children's perspectives on discipline issues, they do challenge commonly held adult beliefs about the impact and effectiveness of physical discipline on children. The research on children's perspectives is likely to have a significant impact on attitudes towards discipline of children and law reform.

Evaluating different types of transgressions

The most prolific line of research concerning children's perspectives involves the use of vignettes describing different types of transgressions which children and young people (preschoolers, school children, and adolescents) are asked to rate along a number of different domains. Usually three types of transgressions are utilised – moral transgressions (e.g. hitting a friend, stealing money); social conventional transgressions (e.g. eating lunch with one's fingers, staying up past bedtime, not washing face/hands nor cleaning teeth); and safety-related or prudential transgressions (e.g. lighting matches, opening a bottle of poison, riding without a bicycle helmet, standing on a jungle gym). The children (and sometimes their parents) are asked to distinguish between these transgressions, with variables including age, gender, family type, marital discord, perception of danger, intensity of punishment, violation of a social rule or moral precept, and type of discipline agent (e.g. parent, babysitter, teacher) being taken into account in different studies.

Previous research by Nucci (1981), Smetana (1981) and Smetana & Braeges (1990) showed that

children can draw conceptual distinctions between classes of transgressions, and that young children rate moral transgressions as being more severe and wrong than social-conventional transgressions. Catron & Masters' (1993) study supported this finding. They were concerned with investigating the factors affecting mothers' and children's judgements of the acceptability and severity of corporal punishment (spanking), particularly the type of transgression and the adult agent administering punishment. Twenty-three preschool children aged four to five years, 23 school children aged 11 to 12 years, and the mothers of both sets of children, participated in the research in an American school district which allowed corporal punishment. The children (and mothers) were equally capable of distinguishing between types of transgressions, but the younger children had a much broader level of acceptance of punishment than the others. The preschoolers viewed spankings by all agents for all behaviours as more acceptable than did their mothers, the older children and the mothers of the older children. They thought the spankings should be severe for any of the transgressions and by any of the discipline agents. The older children regarded spankings as acceptable and appropriately severe only for prudential and moral transgressions, and as more acceptable when administered by a teacher rather than a babysitter or even their own mother. The mothers tended to focus on dangerous and moral violations as punishable by spanking.

Stern & Peterson (1999) attempted to overcome a deficiency in previous research methodologies by providing the 60 children in their study with an open-ended framework within which they could offer their own rationales or justifications for their punishment decisions. These authors were critical of the fact that children in earlier studies were provided with pre-determined rating scales and no examination was made of their understanding of the links between punishment and transgression types. "The child's punishment orientation was assessed by asking him or her to rate how severe the punishment should be (Smetana, 1981), assign a certain degree of a given type of punishment (Catron & Masters, 1993), or rate the appropriateness of the assigned punishment (Chilamkurti & Milner, 1993)" (Stern & Peterson, 1999, p.206). Stern & Peterson (1999) interviewed 20 children in each of three age groups (four to five year-olds, seven to eight year-olds, and 10 to 11 year-olds) and asked them to rate six transgression vignettes. Intensity ratings of the children's punishment decisions suggested that they found moral transgressions to be

those least acceptable to violate, followed by safety related, and finally social conventional transgressions. However, children's open-ended punishment choices revealed that, regardless of age, the children thought moral transgressions should be punished more than the other two types of transgressions. This absence of an age effect for punishment intensity conflicted with Catron & Masters' (1993) findings and Piaget's earlier research. Stern and Peterson thought the inconsistency between the findings could be explained by the more open-ended nature of their research where the children were asked to generate their own punishment responses. In contrast, Catron and Masters had asked their children 'if a child was to be spanked for this behaviour, how hard should they be spanked?' Framing the question in the context of corporal punishment at the outset may therefore have primed the younger children to give a more extreme response than they may otherwise have given. Stern and Peterson's analysis of the justifications/rationales children provided for their punishment choices revealed that with increasing age children were more likely to recognise the preventive function of punishment and the negative consequences associated with all types of transgressions.

Slight variations on the transgression vignettes model have also been used to examine parental discipline methods (Barnett, Quackenbush & Sinisi, 1996; Horton, Ray & Cohen, 2001; Konstantareas & Desbois, 2001; Sorbring, Rödhölm-Funnemark & Palmérus, 2003). These studies specifically focus on children's perceptions of parental discipline responses, whereas Catron & Masters (1993) and Stern & Peterson (1999) were less concerned with children's views of parents as discipline agents and more interested in the children's relative weighting of different transgression types.

Barnett et al. (1996) used a transgression scenario depicting a parent watching out of a window as their child knocks another child's art project out of their hands and into a mud puddle. Different parents/child dyads are used – father/son, father/daughter, mother/son and mother/daughter. After laughing and teasing the victim the child runs home and is told by their parent that they saw what happened and want to talk to them about it. The participants in the study are then shown three videotapes depicting the parent's reaction, designed to reflect the discipline techniques of power assertion, love-withdrawal and induction. The participants then completed a questionnaire assessing the parent's approach, the immediate impact on the transgressor and the effectiveness of the parent's discipline style. The 663 participants in the study ranged in age from second graders (97) to sixth graders (127) to high school students (158) to college undergraduates (281). Participants rated the parent who used an inductive approach to discipline as more emotionally sensitive and fair than the

parent who used power assertion or love-withdrawal strategies. However, their perceptions were influenced by the gender of both the child-transgressor and the parent-disciplinarian. Induction was thought to be more effective in suppressing a daughter's than a son's misbehaviour in the future in the parent's absence. Conversely, a son was expected to be more responsive to parental use of power assertion than a daughter was. Similarly, a father's inductive discipline was rated more favourably when used with a daughter, and his power assertion more favourably when used with a son. Assessing the age variable the study found that the youngest participants did not discriminate as much as the older ones in their evaluation of various parental discipline techniques, and they rated inductive parents as less sensitive and fair than the older participants. In addition to the influences of gender and age, participants' personal experiences of parental discipline were salient. In general the more the students reported their own parents as having used a particular technique, the more sensitive and fair they rated the videotaped parent who used that technique.

Horton et al. (2001) evaluated parent-child inductive discipline situations by presenting children with two hypothetical peers involved in four different discipline scenarios which varied by the type of transgression committed (physical – pushing a peer into a mud puddle; psychological – making fun of a peer's clothing/calling him/her 'a clown') and the type of induction delivered (parent-oriented – discipline that focuses the transgressor's attention on how the negative behaviour affects the parent; victim oriented – which focuses the transgressor's attention on how the negative behaviour affects the other peer involved). Induction was described as "a rational form of discipline where parents provide children with principles to follow and use reasoning and explanations to point out the effects of the child's behaviour on others" (p.72). This form of discipline was regarded by the authors as the most effective in terms of future compliance and internal controls. Eighty girls and 79 boys formed two age groups – a younger group with a mean age of 8.4 years, and an older group with a mean age of 11.4 years. The results showed that the children evaluated the various types of induction differently and did not perceive them to be equally appropriate. Children's perceptions of induction were influenced by the social situation in which the transgression occurred. The younger children thought that parent-oriented discipline was more appropriate than did the older children. In contrast, the older children found that discipline which focused the child's attention on the plight of the other peer (victim) to be more acceptable than discipline which focused the child's attention on the parent's feelings. Girls were also more likely than boys to evaluate parent-oriented induction as being fair, while boys evaluated victim-oriented discipline

as being more fair. For transgressions involving physical, as opposed to psychological outcomes, discipline which focused the transgressor's attention on the victim's affect was evaluated more positively than discipline focusing the wrongdoer's attention on the parent's affect.

In another study evaluating forms of discipline thought to constitute psychological maltreatment, 57 Canadian preschoolers (27 boys, 30 girls) were presented with five vignettes depicting excessive withdrawal of privileges, withdrawal of entertainment, differential treatment of siblings, threatening power assertion (threatening spanking), and public humiliation (Konstantareas & Desbois, 2001). The children were told with each vignette that the hypothetical child had been naughty for not listening to his or her mother. The four-year-olds judged differential treatment of siblings as more unfair than either power assertion or public humiliation. Gender played a role in judging mothers' disciplinary practices, with girls being more likely than boys to ascribe unfairness to the vignette depicting differential treatment of siblings. Children with fewer siblings also perceived threatening to spank as a significantly more unfair type of discipline than those from larger families. However, age, socioeconomic status and family intactness had no effect on the children's discipline judgements. Even though other studies have found preschoolers to be less discriminating in their evaluations of parent/adult disciplinary techniques this study found that these children "could make fairly reliable and apparently reasoned judgments of parental disciplinary practices" (p.483). As many as 72% of the children could offer a plausible explanation for at least some of their choices. The authors suggest that parents should be aware that even very young children can judge their behaviours and have specific reactions to them. The preschoolers could offer views on the fairness and unfairness of parental disciplinary practices, and could differentiate among them.

A recent Swedish study of 170 eight-year-old children (78 boys, 92 girls) in two-parent families examined children's perceptions of parental discipline methods and child gender differences in parents' choices of discipline methods (Sorbring et al., 2003). The children were presented with five different transgression vignettes and asked what their mother and father would do in each situation, and what they thought each parent would do if the child was of the other sex. Both boys and girls perceived that boys encountered stricter discipline methods in their upbringing than girls. Children who had a sibling of the other sex did not believe to the same extent that their parents' choice of discipline method varied according to the sex of the child. Children perceived fathers as using more severe discipline methods and mothers as using milder methods. Since physical punishment is comparatively seldom used in Sweden, in comparison

with other Western countries, it is interesting to note that the children's most frequently reported choice of parental discipline methods was coercive verbal control/firm command. Gender differences emerged in the findings with boys believing they would receive more physical punishment, milder requests and less induction than girls. The children also indicated that their parents would choose a different response if they themselves were of the other sex. However, the responses of those children with a sibling of the other sex did not reveal any gender-differentiated experience of their parents' discipline techniques.

Dadds, Sheffield & Holbeck (1990) explored children's perceptions of marital discord and their evaluations of parental discipline techniques. The 91 children from Brisbane, aged eight to 13 years, were split into high, moderate and low perceived marital discord groups. They rated how coercive they believed mothers and fathers to be in three discipline situations. "Children with high marital discord indicated that both mothers and fathers would and should use more coercive behaviour than did children with low marital discord. The effects of marital discord were stronger for boys than for girls. All children also believed that fathers would and should be more coercive than mothers" (p.121). The study thus confirmed evidence of sex differences in children's acceptance of coercive behaviour.

Family type (intact families versus step-families) provided yet another variable in a study concerning adolescents' perceptions of parental discipline (Morin, Milito & Costlow, 2001). The 45 young people, aged 15 to 19 years (15 males, 30 females), provided their own discipline experiences as well as their views on how they would discipline an adolescent. There were as several commonalities regarding their experiences with discipline, regardless of family type. Loss of privileges and grounding were the primary discipline methods used by their families, and house rules and peer relations were the most common discipline issues. Around half the participants thought that excessive physical punishment was the worst way to discipline an adolescent, with loss of privileges and grounding being the most favoured strategies – the same techniques their parents had mostly used with them! Family type did, however, influence who the adolescents regarded as their primary disciplinarian. Those from intact families most often identified their father as the primary disciplinarian, whereas the adolescents from step-families attributed this role to their mothers. The latter group also reported receiving more physical punishment than did adolescents from intact families.

Finally, Amato (1990) randomly selected Australian primary school children (45 boys, 54 girls) and adolescents (46 boys, 56 girls) and found that "children's perceptions of family life are organised

around two fundamental dimensions, one dealing with support and the other dealing with control” (p.618). Primary school children weighted the support dimension more highly than the control dimension, whereas these findings were reversed for the adolescents.

Time-out

As a discipline technique ‘time-out’ involves socially isolating a child for a brief period and temporarily suspending their normal activities (see also chapter 8, p.136). A study exploring preschoolers’ perceptions about the use of time-out was conducted in eleven early childhood centres in a North Florida community (Readdick & Chapman, 2000). Forty-two children (23 boys, 19 girls) aged two, three, and four years were observed and then interviewed subsequent to a time-out experience. More children than not reported:

- disliking being in time-out;
- feeling all alone, yet safe; disliked by their teacher; and ignored by their peers while in time-out;
- a precipitating event which led to their period in time-out (e.g. ‘I wasn’t playing the right way’);
- deserving to be in time-out and being unlikely to repeat the offending behaviour;
- spending ‘a little’ rather than ‘a lot’ of time in time-out;
- knowing what they needed to do to be released from time-out.

While nearly two-thirds of the children said that an adult had told them why they were in time-out, just over half of those children gave responses which corresponded with the observation records compiled by the researchers. Those children unable to recall what they had done, or unable to remember being told by an adult why they were in time-out, were unlikely to be mulling over their misbehaviour or considering alternative strategies in other similar circumstances. Children who perceived themselves as experiencing time-out frequently differed from their peers who believed they were only put in time-out infrequently. The higher users liked being in time-out less, and felt more alone, scared, sad and disliked by other children while in time-out.

Despite the recommendation that early childhood centres reserve time-out for those occasions when a child is wildly out of control or an imminent threat to others, the study found that this disciplinary strategy was being used primarily for nonaggressive, noncompliant behaviour that caused staff immediate irritation (n=27). Sixteen children were placed in time-out for physical aggression, and three for verbal aggressions towards others. The authors concluded that the children’s expressions of largely negative feelings about time-out, and about themselves in

time-out, meant they perceived it as punitive rather than instructional.

Physical punishment and children’s psychological adjustment

A study undertaken in a poor, biracial county of southeastern Georgia found that physical punishment is associated with children’s psychological maladjustment only if punishment is regarded by youths as a form of caretaker rejection (Rohner, Bourque & Elordi, 1996). A proportional, stratified, random sample of 281 Black (54%) and White (46%) school children ranging in age from eight to 18 years (54% female, 46% male) completed four standardised self-report questionnaires during school hours. Forty-six percent of the children lived at or below the poverty level, in a county where corporal punishment was widely accepted. Most of the children felt loved and accepted by their major caretakers, but 6% experienced significantly more rejection than acceptance. Children from higher social classes perceived more caretaker acceptance than children from lower classes. The older the children were the less harshly they tended to be punished. The children reported being physically punished an average of less than once a week, with the punishment being ‘not very hard’. However, 1% of the children said they experienced physical punishment more than seven times a week. The study identified the existence of a threshold effect whereby physical punishment “appears to have no measurable negative influence on children’s psychological adjustment until it reaches a specific magnitude of perceived harshness or perceived unjustness” (p.851). Thus children who reported being punished less than once a week, and who found this punishment to not be very hard, also reported significantly less psychological maladjustment than children who said they were punished three or more times each week and found this punishment to be ‘a little hard’ or ‘very hard’. “Children who exceeded this latter threshold had an average psychological adjustment score that indicated the presence of significant psychological maladjustment” (p.851). While noting the need for further research on the concept of a threshold effect and perceived caretaker acceptance-rejection, the authors conclude that very high levels of perceived harshness of physical punishment may be directly related to negative psychological adjustment. Children’s age, gender, race or social class does not account for the relationships between perceived harsh/unjust punishment, perceived caretaker acceptance-rejection, and children’s psychological adjustment.

Use of corporal punishment in schools

In 1989/1990 Anderson & Payne (1994) administered a short questionnaire to 290 10 to 11-year-old children

(125 boys, 165 girls) attending the top academic streams of elementary schools in the Caribbean island of Barbados. Before gaining full independence in 1966, Barbados had been colonised exclusively by the British and their educational system reflected this heritage. Head teachers (or their authorised deputies) were still permitted by law to use corporal punishment within schools with a wooden rod or cane, or the flat palm of the hand. This was commonly called 'flogging' or 'lashing'. Corporal punishment was also a strong feature of Caribbean child rearing. Anderson and Payne's findings closely mirrored those of previous pupil surveys and revealed "a fairly high level of approval of corporal punishment, especially for children of their own age, and a common inability to envisage maintenance of discipline without it" (p.383). Approximately 75% of pupils approved of the use of corporal punishment at their own level (juniors), 50% for secondary schools, and just under one-third considered it appropriate with infants. About half the children thought the current use of corporal punishment was 'about right', but just over one-third (more boys than girls) felt it was used too much. There was a widely held belief that flogging/caning was appropriate for both sexes when they were rude, bad mannered, fought or stole. However, it was considered unfair to use it indiscriminately for all offences, or when groups/classes were penalised because a teacher chose not to identify the real culprits, or for unsatisfactory performance in class or late arrival at school. The pupils mostly felt that corporal punishment had a deterrent effect for generally well-behaved students, but was unlikely to reform those who misbehaved. Alternative discipline techniques suggested by the children included detentions, writing lines, standing (e.g. with arms folded, eyes closed), or informing parents. Only 19 children (6.6%) said they had never been flogged or caned at school, with a slightly higher number (46 children, 15.9%) saying the same about home. Boys were more likely to report being flogged at school and at home. Those pupils who said they were flogged 'very' or 'quite' often at school were significantly more likely to regard flogging as being used too frequently in their schools. Thus the children least likely to experience flogging themselves were the most likely to think that this form of punishment was not overused. Analysis of the free-text comments offered by the children indicated that many wished to see a considerable amount of the routine (and illegal) flogging stopped – "the use of corporal punishment in these schools is quite widely perceived as excessive, even by these children's apparently fairly tolerant standards" (p.384). Anderson and Payne noted that there was a growing potential for clashes occurring between home and school over disciplinary practices. Barbadian children were more likely to be receive corporal punishment at school than at home, and some pupils who reported not being

hit at home at all were being flogged at school. This inconsistency was considered likely to help fuel debate within Barbadian society about the role of corporal punishment and alternative disciplinary techniques within the context of their law.

Smacking

A new and promising line of research concerns the ascertaining of children's own perspectives on child rearing and disciplinary practices. Not many studies have simply asked children for their views, but those that have clearly show that "children do not like corporal punishment and the pain and anger surrounding it, but they accept it as a parental right" (Graziano et al., 1996, p.848). This American study also found that while the children and their parents agreed on the type, frequency and severity of corporal punishment administered, the children judged both the pain and the emotion involved to be greater than that judged by the parents. Most of the children in this middle-class sample were hit infrequently and at low levels of intensity, but they did not like it, felt hurt, upset and angry about it, yet considered it to be a fact of life.

In England the National Children's Bureau and Save the Children initiated research to obtain children's views via the use of a storybook character called 'Splodge' who was introduced to the children as coming from another planet and not knowing much about our world (Willow & Hyder, 1998). Sixteen small discussion groups were carried out with 76 children aged five to seven years in six schools and two summer play schemes during 1998. Studies utilising the 'Splodge' methodology have subsequently been undertaken in Northern Ireland (Horgan, 2002) and in New Zealand (Dobbs, 2002). Horgan (2002) asked 121 children aged four to 11 years in afterschool clubs to answer four questions via a postal survey and she then interviewed 68 other children face to face in their afterschool club. Dobbs (2002) adapted the Splodge storybook for use with ten children aged five to seven years in two focus group discussions in Northland. Two studies using focus groups have also been undertaken with children in Scotland (Children in Scotland, 2000; Cutting, 2001). Cutting's study involved over 1300 children and young people aged between six and 18 years who were consulted between March and November 2000 about the use of physical punishment by parents and carers. This study was undertaken across Scotland for Save the Children. The Children in Scotland (2000) study involved five focus groups held during May and June 2000 in response to the Scottish Executive's consultation paper on Physical Punishment of Children in Scotland (2000). Forty children and young people aged between eight and 16 participated in these focus groups.

The findings from these studies in England, Northern Ireland, Scotland and New Zealand are remarkably similar and are summarised below:

What is a smack?

The message from the children in England, Scotland, Northern Ireland and New Zealand is that a smack is 'a hit', a 'hard hit' or a 'very hard hit'. Horgan (2002) aptly titled her research report as "It's a hit, not a smack" to take on board the children's perspective in this respect.

What does it feel like to be smacked?

The children in all four countries described the impact of being hit and said that it hurts and it's sore. It might also make you cry and you can feel scared, sad, unhappy, unloved, heartbroken or awful. As well as the physical pain the children also felt 'hurt inside' – "they feel that nobody loves them" (Horgan, 2002, p.8).

Where are children smacked?

Children said they are mostly smacked indoors, however, some smacking occurs out on the street and in places like playgrounds. The parts of the body where children are most likely to be hit are on the bottom, arm or head. Some children reported being smacked on their legs, hands and back. Many (especially the Scottish children) were concerned at the potential harm (e.g. brain damage, death) which could result from adults hitting children.

Why are children smacked?

The main reasons children reported being smacked are because they have been violent, naughty or mischievous, have broken or spoiled things, or disobeyed or failed to listen to their parents (Willow & Hyder, 1998). Most of the New Zealand children said they were smacked because had been naughty, with a minority attributing it to their disobedience (Dobbs, 2002). Two-thirds of the Northern Ireland children said adults hit children because the child is "bad, bold, cheeky, doing things wrong, or doing wrong things" (Horgan, 2002, p.2). One quarter of all the Irish children, but more than half of the older ones (aged nine to 11 years) thought that children are hit because of how the adult is feeling, not because of what the child does. Some children recognised that both adults and children play a part – the children are doing something they should not do, but also the adults lose their temper. Willow & Hyder (1998) noted that the primary reason children think they get smacked is because they have hurt others "This is a powerful message – that it is not OK for them to hurt others but it is OK for a larger person to hurt them. It is interesting to consider the impact of this contradictory message on children: a child is told that it is wrong to hurt someone and then is hurt in response" (p.32). The Scottish children noted the confusion they feel about being smacked when parents

and other adults are generally telling them that hitting is wrong (Cutting, 2001). They felt it sets a very bad example to young children by teaching them that the use of violence is an acceptable way to respond. A slight majority (23 of the 40 children) in the Children in Scotland (2000) study thought that parents should not be allowed to hit their children. Most, however, felt that in some circumstances smacking was acceptable as a last resort, provided this was a "wee smack" that resulted in no physical harm (p.1). The children and young people did not think smacking was an effective form of discipline, and that children should only be physically punished if they did something "really bad" or repeatedly did something wrong.

Who hits children?

Parents were the people said to mostly hit children. An extensive list of other grown-ups who children thought had a right to smack them included grandparents, aunts, uncles, cousins, siblings, teenagers, nannies (carers), babysitters, and for some, any adult. Some children said that teachers still hit them.

How do children act after being smacked?

The dominant feeling described by the New Zealand children was one of sadness, although some felt scared and were fearful of being hit again (Dobbs, 2002). The three most frequent responses from the English children were: children cry and become upset; children go or are sent to their bedroom or spend time alone; and children act naughty or cheeky (Willow & Hyder, 1998). In the Scottish study the children used 40 different adjectives to describe how distressed they felt after they were smacked (Cutting, 2001). These ranged from 'lonely' to 'unloved' to 'wanting revenge'. From children's perspectives, smacking hurts their feelings, has a negative effect on their behaviour and harms their relationships with those who smack them. Generally, children respond negatively to being smacked, although some try to make amends or learn from their mistake.

How do adults act after giving a child a smack?

The Irish children said that adults were either cross/angry after giving a smack or they felt sad, sorry or guilty (Horgan, 2002). The younger children were more likely to report the former, and the older ones the latter. Most of the eight to 10-year-old children could see that their parents did not really like hitting them. The English children also associated smacking with angry parents, and many said they thought parents regretted hitting afterwards (Willow & Hyder, 1998).

Why don't children smack adults?

In the English study the participants said that children do not smack adults for two main reasons – they don't want to be smacked back, and they don't want to be punished in a non-physical way (Willow & Hyder,

1998). The children indicated they were well aware of the differences in size and physical strength between adults and children. They also stated that smacking adults was 'bad manners' or 'out of order'. Half of the New Zealand children described the fear of additional smacking by adults as the main reason children did not smack adults (Dobbs, 2002).

Why don't adults smack each other?

The English children thought that adults do not smack each other because they know better, are too big to smack, and have special relationships (they love and care about each other) which would be negatively affected by smacking (Willow & Hyder, 1998). In the New Zealand study the children said adults can control themselves and know how to act when other people are around, use yelling as an alternative to smacking, or would get into trouble if they smacked another adult (Dobbs, 2002).

What is the alternative smacking?

A quarter of the Irish children (especially nine to 11-year-old girls) thought that 'talking it through' was the best way to help a child understand what they did wrong. Other alternatives to hitting a child which were raised by the children in the UK countries included grounding, sending to bed or to their room, withdrawal of treats (television, playstation, sweets, etc), saying sorry, or doing jobs for a parent (e.g. the dishes). Ninety-four percent of the Scottish children (Cutting, 2001) said there are many ways, other than physical punishment, in which parents can discipline children, and they would prefer these alternatives to be used instead of hitting.

Will they smack their own children in the future?

Most of the Irish and New Zealand children and half of the English children said they would not smack their children when they are mums and dads themselves. The vast majority of the children thought that smacking was wrong. For the Irish children this was due to two main reasons – it sets a bad example, and it's sore and hurts children's feelings. The English five and six-year-olds were the group most likely to say they would avoid smacking their own children.

How can children stop being smacked?

In Willow & Hyder's study it was the children themselves who seemed to accept major responsibility for ending smacking. They thought that if they stopped being naughty then adults would stop smacking them. The next most frequent suggestions involved parents doing other things, and changing the law or telling adults to stop smacking.

Conclusion

Children of all ages, from preschoolers to adolescents, are able to discriminate between different forms

of transgressions (moral, social, prudential) and to evaluate which ones they consider to be more severe than others. Generally, moral transgressions are regarded as the most serious, especially among young children (Catron & Masters, 1993; Stern & Peterson, 1999). Young children are also the group most likely to have a broad acceptance of punishment, although studies asking children for their views on smacking show that children of all ages think smacking hurts and is wrong. The children in these studies ranged in age from four to 18 years (Cutting, 2001; Dobbs, 2002; Horgan, 2002; Willow & Hyder, 1998). The use of transgression vignettes to evaluate children's perspectives on parental discipline techniques reveal gender differences in both children's expectations and experiences of different forms of discipline. Induction is thought to be more effective in suppressing a daughter's, rather than a son's, misbehaviour, while parental power assertion was thought to be more effective with boys (Barnett et al., 1996). However the type of induction delivered also had an age effect in another study (Horton et al., 2001), with younger children believing parent-oriented discipline to be most effective and older children finding peer/victim-oriented methods more acceptable. Boys and girls are more likely to perceive that boys will encounter stricter discipline methods in their upbringing, and that fathers are more likely to use more severe discipline methods than mothers (Dadds et al., 1990; Sorbring et al., 2003).

Other studies have explored the effect of family type (Morin et al., 2001) and marital discord (Dadds et al., 1990) on children's perceptions of parental discipline. Children's reports of punishment frequency and intensity have also been examined, as has the impact of discipline on children's psychological adjustment (Rohner et al., 1996). Only one study assessed children's views of alternatives to physical discipline, with the preschool children expressing largely negative views about the use of time-out in eleven American early childhood centres (Readdick & Chapman, 2000). A study exploring children's views on the use of corporal punishment in schools was conducted in Barbados (Anderson & Payne, 1994) where this form of punishment was still authorised in their education system. There was high approval amongst the children for the use of corporal punishment in Barbados, although some concern was expressed about its overuse or indiscriminate use for certain types of offences (e.g. arriving late at school, unsatisfactory performance in class).

Against this backdrop of quantitative research exploring children's views of different types of transgressions and parental/school discipline strategies, it is refreshing to read the findings of those more recent qualitative studies using focus groups and interviews to talk directly with children about their

perspectives on discipline. Willow & Hyder (1998) believe that children's views on smacking challenge a number of commonly held adult attitudes and views about physical discipline (p.89):

- smacking is not the same as hitting;
- smacking does not hurt;
- adults know how to smack safely;
- children need to be smacked to avoid hurting themselves;
- adults smack children when they are under pressure in public spaces;
- smacking is a good way of disciplining children.

The English findings, coupled with those from children in Scotland (Children in Scotland, 2000; Cutting, 2001), Northern Ireland (Horgan, 2002) and New Zealand (Dobbs, 2002), clearly show that children say:

- smacking is hitting;
- children feel hurt when they are smacked, both physically and mentally;
- some children are hit on their heads;
- only a minority are smacked when they are facing immediate or potential danger;
- most smacking takes place indoors at home or in other relatives' houses;

- smacking interrupts a child's behaviour, but has many other negative associated effects – children say they did not like their parents any more, they felt angry, upset, grumpy, unloved and sad after being smacked, and for many smacking made them be more naughty.

Hearing children's perspectives directly is a relatively new direction in research on this topic. It complements the previous research because it too shows just how well children of all ages can express sound views on their experience of parents', adults' or teachers' discipline techniques. As well, it seems clear across the studies that children dislike being smacked, yet many accept it as a parental right or fact of life. Children can, however, offer various alternatives to smacking (particularly preferring induction methods) and most say they do not plan to use physical discipline with their own children when they become parents in the future. Children are also well aware of the conflict caused by the double message being promoted when adults tell children that hitting is bad, yet frequently use smacking to discipline them.

This research brings children's own views on parental/adult discipline strategies to the forefront, and provides a useful contribution from the 'consumers' perspective to the debate about the disciplining of children.

6. International Law

NICOLA TAYLOR

In previous centuries, special defences existed in legislation in many countries to justify reasonable chastisement or lawful correction of wives, children, servants, slaves and apprentices. These defences have been eliminated in respect of adults, with the infliction of reasonable force now only being able to be raised as a defence in respect of an assault on a child.

This chapter discusses the ethical and moral justifications raised by the proponents of, and the opponents to, the physical punishment of children. The human rights context is also outlined, including the UN Convention on the Rights of the Child 1989 and the pronouncements of the UN Committee on the Rights of the Child pertaining to physical discipline. Although the Convention does not explicitly mention corporal punishment or physical discipline, several articles, most notably Article 19, are regarded by many commentators as pertinent to the issue. The United Nations Committee on the Rights of the Child, charged with responsibility for monitoring compliance with the Convention, has taken every opportunity in its examination of States Parties reports, and in its issuing of general comments, to advocate for the prohibition of corporal punishment and the implementation of education programmes promoting non-violent discipline methods.

Other pertinent international treaty documents are also reviewed, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The international human rights committees monitoring each of these conventions (the Human Rights Committee, the Committee on Economic, Social and Cultural Rights and the Committee Against Torture) have, in their comments and recommendations, all condemned corporal punishment of children in penal systems and schools. The European Committee of Social Rights has adopted a similar approach, although it condemns the use of physical punishment in homes, as well as in schools and penal institutions.

Landmark judgements from the European Court of Human Rights and from constitutional and supreme courts (in India, Israel, Italy, Namibia, South Africa and Zimbabwe) have upheld human rights principles and challenged the legality of corporal punishment of children in the penal system or schools, and more recently, the home. On some occasions the judgement has acted as a catalyst for law reform within a country, with Israel being the most notable example of this approach. The most recent supreme

court decision was delivered in Canada on 30 January 2004 when six justices (with three dissenting) upheld the constitutionality of s.43 of the Canadian Criminal Code but substantially limited its scope. They held the defence allowing parents and teachers to use reasonable force for correcting children does not allow teachers to use corporal punishment, or parents to hit a child with objects, or on the head, or to strike a child under two years or over twelve years, and to use only 'minor, transitory or trifling' force to correct children between the ages of two and twelve (see chapter 7, pp.116-117, for a more detailed discussion).

The chapter concludes with a review of the key global and national organisations concerned with ending physical punishment of children.

Arguments for or against the physical punishment of children

A range of ethical and moral arguments abound in the literature, and within the community, concerning the rights or wrongs of using physical punishment to discipline children. Commentators' expressed views generally depend on whether or not they support the use of physical punishment. While research findings may, at times, be invoked by either group to justify their opinion, these ethical and moral arguments primarily exist within a more anecdotal or philosophical context (Turner, 2003).

Arguments for and against corporal punishment are commonly cited as if they were based on scientific evidence, but in reality they are derived from cultural religious, and personal values . . . Data about corporal punishment are marshalled by two opposing armies of professionals and researchers to defend the positions they hold for value and moral reasons rather than on empirical grounds. Each can find articles and studies to cite in service of their arguments. (Bauman & Friedman, 1998, pp.404, 411)

"The practice of hitting children as part of discipline is deeply embedded in religious beliefs, cultural views, government, law, and social policy" (Benjet & Kazdin, 2003, p.198). Proponents of physical punishment primarily base their support for this disciplinary practice on their interpretation of biblical statements and other religious teachings, or their firm conviction that physical punishment is a parental obligation or duty (Bauman & Friedman, 1998). Many also recount their personal experience of physical discipline within their childhood home or school and note that as 'it

never did me any harm' it is likely to work with the next generation as effectively. Advocates of physical punishment therefore support existing legal provisions which avail them of a defence to a charge of assault provided the force they used was reasonable (Ahdar & Allan, 2001). Most see no need for law reform, although some want to clarify the limits of the defence by stipulating guidelines about the use of physical punishment with children (e.g. the age(s) and bodily locations at which children cannot be hit). Such an approach has recently been enacted in New South Wales and Scotland, and adopted in the majority decision of the Supreme Court of Canada during a constitutional challenge to s.43 of their Criminal Code (see chapter 7, p.116-117, for more detail).

Opponents of physical punishment argue from a human rights perspective encompassing respect for human dignity and rights to physical integrity and to equality of protection under the law (Freeman, 1999; Lansdown, 2000; Ludbrook & Wood, 1999; Newell, 1999; Phillips & Alderson, 2003). They regard physical punishment as a breach of fundamental human rights principles which is inhuman and degrading. "It violates the child's physical integrity, demonstrates disrespect for human dignity and undermines self-esteem" (Newell, 1999, p.2). Opponents of physical punishment also focus on this form of discipline as a form of violence (Bauman & Friedman, 1998) and argue that children have the right to be protected from it. Physical punishment is regarded as a detrimental model for conflict resolution which contributes to later violent and criminal behaviour in adulthood, as well as to a general community tolerance for violence towards children. In this respect, the concern that physical punishment can escalate into child abuse is a particular worry. Most opponents of corporal punishment believe that its abolition requires a combination of legal reform and public education. The two must go hand-in-hand for changing the law will only be effective if the change is widely disseminated to children, parents and the public and backed up by the promotion of positive, non-violent discipline methods to parents and other carers. On the other hand, attempts to change attitudes and encourage positive disciplinary practices will be ineffective as long as the law retains a defence for parents (and teachers in some countries) who use reasonable force to discipline a child (Global Initiative to End All Corporal Punishment of Children [Gobal Initiative], 2002). Phillips & Alderson (2003) argue that while support for smacking as effective and as a parental duty may be the most obvious obstacle to children's protection from parental violence, the most difficult factors undermining this goal "are a cultural system that constructs children as human becomings rather than human beings, and a power system that upholds 'parents rights' over children's human rights" (p.175). They conclude that:

Family life is full of complicated paradoxes – power and intimacy, love and violence, public and private concerns. There are, inevitably, both harms and benefits in families trying either to remain static or to change. The effective protection of children, however, like that of women, requires not only legal prohibition of violence against them, but a challenging of prejudice about them and a strengthening of their power position. Adult power and convenience need to be disentangled from assumptions about children's best interests. Adult might is neither right nor a 'right'. The protection of children involves challenging the coercive power of parents and recognising the moral and practical value of children's own reasoned resistance to parental violence and coercion. (Phillips & Alderson, 2003, pp.193-194)

The arguments commonly raised by each group are traversed in various consultation documents in Tasmania (Gawlik et al., 2002), England and Wales (Department of Health (UK), 2000) and Northern Ireland (Office of Law Reform, 2001a, 2001b), as well as in several articles, the most comprehensive being those by Bauman & Friedman (1998), Leach (1999), Ahdar & Allan (2001), Global Initiative (2002), Benjet & Kazdin (2003), and Phillips & Alderson (2003).

The arguments of those in favour of, or opposed to, the physical punishment of children can be summarised as follows:

1. Arguments in favour of the use of physical punishment

- There is wide public support for, and high parental use of, physical punishment of children. This indicates it is morally acceptable to the majority of adult citizens in a country. It is something they have grown up with and are used to.
- Some cultural and religious beliefs endorse the moral duty of a parent to use corporal punishment (when necessary) in order to properly raise children. Such punishment is to be used as a last resort and in a controlled and loving manner.
- From biblical times it has been accepted that parents have the right to physically chastise their children. "He that spareth the rod hateth his son: but he that loveth him chasteth him betimes" (Proverbs 13, v 24) has transcended the centuries to become the dictum "spare the rod and spoil the child".
- Physical punishment is not only beneficial, but to refrain from it is detrimental. It teaches respect for authority, whereas its non-use leads to uncontrolled, disrespectful, acting out behaviour. Children today are more wilful and less disciplined than they ever were. It is lack of physical discipline which has

increased the level of societal discord, youth crime and violence in recent times. Firmer discipline, such as physical punishment, might help to address these problems.

- Many people regard physical punishment as effective and, in some situations, invaluable. It is regarded as necessary when other discipline methods are less or not effective or are too difficult to apply, e.g. when the child is in immediate danger, situations where lengthy discussions and negotiations are impossible, or when dealing with children who are very difficult, malicious or hysterical.
- It did me no harm! Many parents currently administering physical punishment to their children were themselves physically punished as children by their own parents and/or corporally punished at school. They feel their own experience has not done them any harm, but rather taught them valuable lessons and respect for their parents and teachers.
- Parents have the right to raise their children in the manner that they think is best (within the limits of the law). Banning physical punishment would prevent parents from managing their own affairs and be an unwarranted interference by the state in family life. It also has the potential to interfere in the private relationship between parents and their children.
- Some parents do not have the self-awareness, skill, understanding, control and patience to administer alternative discipline strategies. If physical punishment were not available to these parents their children may not receive sufficient discipline within defined boundaries.
- While children are people, they are not adults and therefore cannot be treated like adults. They lack adult experience, understanding and powers of reasoning. Parents need to be able to physically punish their children because they are responsible for them and have a legal and moral duty to guide them to adulthood. They do not need to physically punish other adults because they are not responsible for them and have no duty to teach them how to behave.
- The physical punishment of children is already regulated in that the force used must be 'reasonable'.
- The UN Convention on the Rights of the Child is anti-family, and along with other international conventions, has little relevance to daily life. An international committee which meets in Geneva does not really know what is happening in New Zealand, and has no right to pronounce on issues pertaining to parenting here.
- Banning physical punishment would be ineffective because of the lack of public support and difficulty in enforcing the law.
- Most people know the difference between a mild rebuke and an assault or a trivial smack and a beating. Many adults/parents already condemn as unreasonable any smack which leaves lasting bruises or marks. They know that children should not be hit in anger.
- Abolishing all forms of physical punishment would criminalise parents by making it possible for them to be prosecuted for any trivial smack they administered to a child.
- No significant connection exists between physical punishment and physical abuse. While most children are physically punished, most are not physically abused.
- Physical punishment, when used on a mild, infrequent basis and by a loving parent, does not have negative effects within the community or society.
- The effectiveness of Sweden's ban in changing public opinion on corporal punishment and in reducing the physical abuse of Swedish children is highly questionable.

2. Arguments against the use of physical punishment

- Physical punishment violates anti-discrimination laws. It is a fundamental principle of human rights, upheld in article 7 of the Universal Declaration of Human Rights, in article 26 of the International Covenant on Civil and Political Rights, and in UNCROC, that all (including children) are entitled to equal protection of the law without discrimination.
- Physical punishment denies children the same right to physical integrity that adults enjoy.
- It is an ineffective discipline technique because it achieves only short-term compliance (sometimes) and does not help internalise moral values.
- Physical punishment has harmful consequences for short-term and long-term child development. It models violence, teaches the morality of hitting and promotes the message that those who love you are those who hit you. Punishment that is painful teaches children that it is alright to inflict pain on others.
- Discipline can be firm and effective without the use of physical punishment. Teachers, foster parents, child-carers and many parents achieve this on a daily basis.
- The use of physical punishment makes a wide range of negative effects more likely for both individuals and societies e.g. physical injuries and abuse, anti-social behaviour, aggressive behaviour, criminal offending.

- Parents do not have an unbridled legal right to raise their children as they think fit. State intervention in the family is justified in order to fulfil the state's obligation of protecting children from harm, including harm caused by the misuse of parental powers and failure to exercise parental duties properly. Parents must raise their children according to the minimum standards which Parliament sets. It is Parliament's duty to review these standards to ensure they are operating effectively, complying with international and social norms, reflecting relevant research findings, and acting in the best interests of children.
- Removal of the defence of reasonable punishment would not have the effect of turning into criminals the large numbers of parents who occasionally resort to physical punishment because the criminal law contains sufficient defences and filters to prevent this. The Police already have a discretion not to prosecute trivial cases where there is no public interest in doing so.
- Physical punishment is not necessarily the preferred method of discipline in a family and is often used as a last resort or when parents lose control. This increases the risk of injury to the child and frequently leaves the parent feeling remorseful and guilty.
- There can be a fine line between physical punishment and child abuse. Several fatal beatings of children were initiated by the desire to merely discipline the child. Physical punishment increases the risk of physical abuse occurring. Physical punishment can get out of control, and when combined with inadequate parenting skills, can be a recipe for disaster.
- Ending corporal punishment is an essential strategy for reducing all forms of violence, in childhood and later life.
- Governments must lead, not follow, public opinion. All of the countries to have banned physical discipline (except Finland) did not have the prior support of opinion polls. Public attitudes have changed on such issues as gender equality, racism, homosexuality, capital punishment, smoking, use of safety belts and drink driving, so why not on the physical punishment of children?
- If legal reform on physical punishment is accompanied by a public education campaign then experience in other countries (most notably Sweden) shows that public opinion changes rapidly toward support for positive disciplinary practices.
- Most surveys on physical punishment have sought the views of adults/parents only, and this is what has been taken as the evidence for public support for the use of such discipline with children. Children's views have been invisible in the debate. Just as it would be unacceptable for surveys on domestic violence against women or marital rape to only canvass men's views, then it is time that children and young people's perspectives were incorporated into public debate on the discipline issue. Research ascertaining children's views on family discipline, and smacking in particular, have recently started to be undertaken and they show that children regard a smack as a hit and they do not like the practice.
- There is no consensus or commonly identifiable understanding of what is reasonable force. The word 'reasonable' is vague and indeterminate and may mean different things to different people in different circumstances. The case law reveals this with judges and juries adopting differing thresholds in the cases which come before the courts. An unclear law is unfair and unacceptable. Parents do not know how the law affects them or when they may be in breach of it.
- While it is important to respect religious and cultural beliefs, the overriding principle must be the best interests of the child.
- The purpose of a law banning physical punishment or repealing the availability of the defence to an assault charge would be educative. The difficulty in enforcement is therefore not crucial.
- If the overriding purpose is educative, parents would not be discouraged from seeking help for fear they will be labelled as criminals for giving their children a light smack. Trivial assaults between adults are not currently prosecuted by the Police.
- Countries which have abolished physical punishment have not experienced more prosecutions of parents or more care proceedings.
- Legislation is needed to change attitudes and you do not achieve this by half-measures. Racial discrimination is unlawful – there is no distinction between that which is serious and the more trivial varieties.
- Children should not have to patiently wait for public opinion to change against physical punishment before children's human rights are properly respected. Human rights are universal.
- Educational programmes are insufficient on their own to change parenting practices and public attitudes towards discipline. Law reform must accompany this.
- Legal defences of reasonable chastisement, lawful correction and reasonable force arise from the perception that children are the property of their parents. Traditional attitudes towards slaves, servants and women were reflected in the right of masters and husbands to beat them. The defences protecting these beatings have long been removed from the law, and it is time the same was done in respect of children.

- It is extraordinary that children, whose developmental state and small size is acknowledged as making them particularly vulnerable to physical and psychological injury, should be the one group of citizens singled out for less protection from assaults.
- Inventing a vocabulary of words and phrases (for example, smacking, spanking, tapping, hiding, paddling, six of the best, a gentle smack, a loving tap) should not imply something potentially beneficial and constructive or soften what is an assault on a child.
- Those countries retaining a reasonable force/chastisement defence in their criminal law violate UNCROC and are being increasingly urged by the UN Committee on the Rights of the Child to repeal these provisions.
- The biblical rationale for physical discipline of children is based on a misunderstanding of the phrase 'spare the rod and spoil the child'.
- Over six million children in Europe now grow up in countries where physical discipline is prohibited, so smacking is not essential for effective child rearing.
- Smacking has nothing to do with child safety – if children are putting their fingers into electrical sockets or running onto roads then precious seconds are wasted hitting them, and hurting the child only confuses the message of danger.
- Public surveys or opinion polls on physical punishment are frequently difficult to interpret because of respondents' confusion about the terms used or the questions asked. Being asked for your views on smacking does not distinguish between a single mild smack or a beating with a slipper, wooden spoon, cane or belt.
- The fact a person was themselves physically disciplined as a child and it didn't do them any harm has not thereby established they are living proof that smacking is harmless. No single variable, such as physical punishment, can be expected to account for all the variance in child rearing outcomes. The relevant concept is risk.

Consider the injustice of hitting children. We hit in order to inflict pain. The law does not permit us to inflict pain on anyone other than our children. Floggings of prisoners and in the armed services, the beating of wives and servants are part of an unwanted brutal past. Our laws prohibit us from inflicting pain on animals. Why our children?

Ian Hassall

NZ Commissioner for Children, 1993
cited on the Global Initiative website in 2004

3. The 'conditional corporal punishment' position

Benjet & Kazdin (2003) note that besides these pro-corporal and anti-corporal punishment groups, there is a third group which they term 'the conditional corporal punishment position'. Advocates of this position believe that:

... the effects of spanking are not necessarily positive or negative, but may be either or both depending on many other conditions. This position is best represented by a frequently cited comment, 'A blanket injunction against disciplinary spanking by parents is not scientifically supportable'. (p.201)

Researchers, such as Larzelere (1994), argue that mild or occasional smacking can be beneficial for children under certain conditions, and that the effectiveness of alternative disciplinary practices (such as explanations or time-out) can be enhanced by a mild spanking. The meaning the child attributes to the spanking can also moderate its effect on them, and this, in turn, can be influenced by the parenting context, age, sex, race and family structure. Providing parents with guidelines about the use of physical punishment (e.g. use with over-two year-olds and pre-adolescents; open hand to the buttocks; leaving no mark; as a back-up rather than primary disciplinary method; within a loving family environment; and in conjunction with reasoning) will be of more value than simply prohibiting its use. Scotland, New South Wales and Canada have all recently adopted this type of approach and defined where on the body, how and at what age a child can be physically disciplined. Generally, the use of implements to hit children, shaking and blows to the head are banned.

Wood (1998), however, argues that such a gradualist approach "is in fact essentially morally wrong" (p.55). While it may provide a less confusing message to parents and some protection for children, it "does nothing to change attitudes about using physical force with children" (p.55).

United Nations Convention on the Rights of the Child

The General Assembly of the United Nations adopted the United Nations Convention on the Rights of the Child (UNCROC) on 20 November 1989. It has now been ratified by every state, except the US and Somalia. The Convention is the first international human rights instrument to address the protection of children from violence expressly (Newell, 1999, p.2). It does not provide enforceable rights directly to individual children, but rather imposes obligations on ratifying states to bring those rights into national law.

A number of articles in the Convention have relevance to the issue of the physical discipline of children (Hodgkin, 1997; Karp, 1999; Newell, 1999; Rose-Krasnor et al., 2001). Freeman (1999) believes that Article 19 “offers the clearest indictment of corporal punishment” (p.135) and this is supported by others including the Tasmania Law Reform Institute (Gawlik et al., 2002).

Article 19(1): States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

Even though Article 19 does not explicitly refer to physical discipline or corporal punishment, the UN Committee on the Rights of the Child, and most legal and children’s rights commentators, consider it to be included:

It must be clear that this article proscribes corporal punishment, though it does not refer to it as such. If the article targets only beating, as some would claim, then why does it refer separately to ‘all forms of physical . . . violence’ as well as to ‘injury or abuse’? (Freeman, 1999, p.135)

Ahdar & Allan (2001), however, hold a contrary view:

. . . on a plain and natural reading of art 19 the Committee’s view seems suspect. Corporal punishment is not mentioned. To say smacking is a species of ‘physical violence, injury, or abuse’ is to conflate two distinct phenomena. (p.13)

Advocates for the applicability of Article 19 to corporal punishment also argue that the holistic nature of the Convention means that various other articles reinforce the child’s right to physical integrity and protection from physical punishment. Thus, support for the view that corporal punishment infringes the human rights of children can be found in other articles of the Convention as well (Freeman, 1999; Rose-Krasnor et al., 2001). These other articles include:

Article 3(1): In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

Article 6(2): States Parties shall ensure to the maximum extent possible the survival and development of the child.

Article 24(3): States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.

Freeman (1999) notes that this article targets female genital mutilation, “but the language used . . . can be interpreted more broadly” (p.136).

Article 28(2): States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child’s human dignity and in conformity with the present Convention.

Article 37(a): States Parties shall ensure that no child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment.

Article 39: States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

Article 40: States Parties recognise the right of every child alleged as, accused of, or recognised as having infringed the penal law to be treated in a manner consistent with the promotion of the child’s sense of dignity and worth . . .

A child’s right to a life free of corporal punishment “can also be read from other principles within the Convention (Freeman, 1999, p.136). The **Preamble** recognises the “inherent dignity and . . . equal and inalienable rights of all members of the human family”. As well, it affirms that precisely because of their “physical and mental immaturity” children need “special safeguards and care, including appropriate legal protection”.

Article 2, the non-discrimination principle, does not just exclude discrimination between children (on the grounds of gender or race etc), but also against children.

Article 12 gives children who are capable of forming their own views “the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child”. Coupled with **Article 13**, the right to freedom of expression, these two articles promote children’s right to voice their own views on the adult disciplinary measures to which they may be subjected. This has helped to spark a line of research seeking children and young people’s perspectives on physical and other forms of discipline.

Article 5 of the Convention is sometimes invoked as a justification for the physical discipline of children:

States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community

as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognised in the present Convention.

Freeman (1999) notes that the UK Government, in a periodic report to the UN Committee, argued that Article 5 provided a justification for reasonable corporal punishment within the Convention. However, the Committee's response was very clear:

It must be borne in mind that Article 19 of the Convention required all appropriate measures, including legislative measures, to be taken to protect the child against, *inter alia*, physical violence. A way should thus be found of striking the balance between the responsibilities of the parents and the rights and evolving capacities of the child that was implied in Article 5 of the Convention. There was no place for corporal punishment within the margin of discretion accorded in Article 5 to parents in the exercise of their responsibilities. (Concluding Observations of the UN Committee on the Rights of the Child to the UK, 1995, as cited by Freeman, 1999, p.136)

Phillips and Alderson (2003) also note that UNCROC "supports the new understanding of children" (p.179) as active, developing human beings with evolving capacities who are entitled to respect for their human dignity as autonomous people.

United Nations Committee on the Rights of the Child

Any lingering uncertainty about the applicability of the Convention to the issue of corporal punishment can be swept away by the pronouncements and recommendations of the United Nations Committee on the Rights of the Child itself. This Committee was established under Article 43 of UNCROC to monitor compliance with the Convention. It is the highest international authority for interpretation of the Convention and its 18 members are elected by States Parties to the Convention. The Committee meets three times a year in Geneva and is unequivocal on corporal punishment violating the human dignity and physical integrity of children (Freeman, 1999; Karp, 1999). It has consistently stated that legal and social acceptance of physical punishment of children, in the home, in schools and other institutions, is incompatible with the Convention. The Committee has interpreted UNCROC as requiring States to protect children from all corporal punishment and has recommended that prohibition should be accompanied by public education campaigns to promote positive non-violent child rearing and education.

States Parties' Reports: Countries must submit an initial report to the UN Committee on the Rights of the Child on progress towards implementation of the Convention within two years of ratification; followed by periodic reports which are submitted every five years. The Committee's *Guidelines for Periodic Reports*, adopted in October 1996, ask countries to record in their report:

... whether legislation (criminal and/or family law) includes a prohibition of all forms of physical and mental violence, including corporal punishment, deliberate humiliation, injury, abuse, neglect or exploitation, *inter alia* within the family, in foster and other forms of care, and in public or private institutions, such as penal institutions and schools. (UN Committee on the Rights of the Child, 1996, paragraph 88)

Since 1993, in examining States Parties' reports, the Committee has singled out for particular criticism any legislative provision that allows some level of physical punishment towards children in the home, at school or in other institutions (for example, 'reasonable chastisement', 'moderate correction', 'reasonable force'). The Committee's recommendations to such countries, including New Zealand in 1997 and 2003, strongly urges them to amend their legislation to prohibit corporal punishment and to strengthen public education campaigns and activities aimed at promoting positive, non-violent forms of discipline.

General Comments: The Committee publishes various comments pertaining to corporal punishment in general reports. In the report of its fourth session in 1993 the Committee recognised the importance of the question of corporal punishment in improving the system of promotion and protection of the rights of the child and decided to continue to devote attention to it in the process of examining States parties reports (UN Committee on the Rights of the Child, 1993, paragraph 176).

In the report of its seventh session in November 1994, the Committee stated:

In the framework of its mandate, the Committee has paid particular attention to the child's right to physical integrity. In the same spirit, it has stressed that corporal punishment of children is incompatible with the Convention and has often proposed the revision of existing legislation, as well as the development of awareness and educational campaigns, to prevent child abuse and the physical punishment of children. (UN Committee on the Rights of the Child, 1994a)

This report further notes that the Committee's concerns have been shared by various other UN entities. The Commission on Crime Prevention and Criminal Justice adopted a resolution in April 1994 specifically stressing the importance of Article 19

of the Convention, and calling on states to take all possible steps to eliminate violence against children in accordance with the Convention (UN Committee on the Rights of the Child, 1994a).

In a concluding statement to the General Discussion on Children's Rights in the Family, organised as the Committee's contribution to the International Year of the Family in October 1994, the Vice-Chair stated:

As for corporal punishment, few countries have clear laws on this question. Certain States have tried to distinguish between the correction of children and excessive violence. In reality the dividing line between the two is artificial. It is very easy to pass from one stage to the other. It is also a question of principle. If it is not permissible to beat an adult, why should it be permissible to do so to a child? One of the contributions of the Convention is to call attention to the contradictions in our attitudes and cultures. (UN Committee on the Rights of the Child, 1994b, paragraph 46)

In its first General Comment on Article 29(1), adopted in February 2001, the Committee emphasised that school corporal punishment is incompatible with the Convention:

Children do not lose their human rights by virtue of passing through the school gates. Thus, for example, education must be provided in a way that respects the inherent dignity of the child, enables the child to express his or her views freely in accordance with article 12(1) and to participate in school life. Education must also be provided in a way that respects the strict limits on discipline reflected in article 28(2) and promotes non-violence in school. The Committee has repeatedly made clear in its concluding observations that the use of corporal punishment does not respect the inherent dignity of the child nor the strict limits on school discipline. Compliance with the values recognised in article 29(1) clearly requires that schools be child-friendly in the fullest sense of that term and that they be consistent in all respects with the dignity of the child. Participation of children in school life, the creation of school communities and student councils, peer education and peer counselling, and the involvement of children in school disciplinary proceedings should be promoted as part of the process of learning and experiencing the realisation of rights. (UN Committee on the Rights of the Child, 2001a)

General Discussion Days on Violence against Children: In September 2000 the Committee held the first of two General Discussion days on violence against children. It focused on State Violence to Children and led to the Committee adopting detailed recommendations, including the prohibition of all corporal punishment:

The Committee recommends that States parties review all relevant legislation to ensure that all forms of violence against children, however light, are prohibited, including the use of torture, or cruel, inhuman or degrading treatment (such as flogging, corporal punishment or other violent measures) for punishment or disciplining within the child justice system, or in any other context. The Committee recommends that such legislation incorporate appropriate sanctions for violations and the provision of rehabilitation for victims. The Committee urges the launching of public information campaigns to raise awareness and sensitise the public about the severity of human rights violations in this domain and their harmful impact on children, and to address cultural acceptance of violence against children promoting instead 'zero-tolerance' of violence. (UN Committee on the Rights of the Child, 2000, paragraph 8)

Recommendations adopted following the Committee's second General Discussion day on Violence against Children, Within the Family and in Schools, held on 28 September 2001, proposed that States should "enact or repeal, as a matter of urgency, their legislation in order to prohibit all forms of violence, however slight, within the family and in schools, including as a form of discipline, as required by the provisions of the Convention" (UN Committee on the Rights of the Child, 2001b, paragraph 715). The Committee also proposed that the UN Secretary General should be requested, through the General Assembly, to conduct an in-depth international study on violence against children. This would include all forms of violence, including corporal punishment, and in all settings including the family.

Broader international human rights context

The Human Rights Committee, the Committee on Economic, Social and Cultural Rights and the Committee Against Torture have, in their comments and recommendations, all condemned corporal punishment of children in penal systems and schools. The Conventions for which they are responsible all precede UNCROC, but they also undoubtedly protect the human rights of children, not just adults. As well, other international instruments, for example, the United Nations Rules and Guidelines on Juvenile Justice, support the prohibition of corporal punishment. Within Europe, the European Committee of Social Rights has adopted a similar stance.

1. Human Rights Committee

The Human Rights Committee monitors implementation of the International Covenant on Civil and Political

Rights (ICCPR). Its Preamble states that “recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world”. Articles in the ICCPR relevant to the issue of physical punishment include:

Article 7: No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 10: All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.

Article 24(1): Every child shall have, without any discrimination as to race, colour, sex, language, religion, national or social origin, property or birth, the right to such measures of protection as are required by his status as a minor, on the part of his family, society and the State.

Article 26: All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

In its 1992 General Comment on Article 7 the Committee stated:

The prohibition in article 7 relates not only to acts that cause physical pain, but also to acts that cause mental suffering to the victim. In the Committee’s view, moreover, the prohibition must extend to corporal punishment, including excessive chastisement ordered as a punishment for a crime or as an educative or disciplinary measure. It is appropriate to emphasise in this regard that article 7 protects, in particular, children, pupils and patients in teaching and medical institutions. (UN Human Rights Committee, 1992, p.108)

Freeman (1999) is critical of the fact the Human Rights Committee stops short of condemning all corporal punishment. It limits its condemnation to excessive punishment and emphasises the protection of children in educational or penal institutions.

2. Committee on Economic, Social and Cultural Rights

The Committee on Economic, Social and Cultural Rights (ICESCR) oversees implementation of the International Covenant on Economic, Social and Cultural Rights. Its Preamble reiterates the one to the ICCPR. Articles in the ICESCR relevant to the issue of corporal punishment include:

Article 10(3): Special measures of protection and assistance should be taken on behalf of all children and young persons without any discrimination for reasons of parentage or other conditions.

Article 13(1): The States Parties to the present Covenant recognise the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms.

In 1999 the Committee adopted a General Comment on the Right to Education:

In the Committee’s view, corporal punishment is inconsistent with the fundamental guiding principle of international human rights law enshrined in the Preambles to the Universal Declaration of Human Rights and both Covenants: the dignity of the individual. Other aspects of school discipline may also be inconsistent with human dignity, such as public humiliation. Nor should any form of discipline breach other rights under the Covenant, such as the right to food. A State Party is required to take measures to ensure that discipline which is inconsistent with the Covenant does not occur in any public or private educational institution within its jurisdiction. The Committee welcomes initiatives taken by some State Parties which actively encourage schools to introduce ‘positive’, non-violent approaches to school discipline . . . In formulating this paragraph, the Committee has taken note of the practice evolving elsewhere in the international human rights system, such as the interpretation given by the Committee on the Rights of the Child to article 28(2) of the Convention on the Rights of the Child, as well as the Human Rights Committee’s interpretation of article 7 of the International Covenant on Civil and Political Rights. (UN Committee on Economic, Cultural and Social Rights, 1999, p.73)

In examining States Parties’ reports, the Committee has expressed concern at the continuing legality of corporal punishment in schools and recommended prohibition.

3. Committee against Torture

This Committee, which is responsible for monitoring implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, has also condemned corporal punishment. In 1997 it stated that corporal punishment is incompatible with the Convention, and that it need not be excessive to come within the prohibition. The Convention prohibits torture (defined as “any act by which severe pain or suffering, whether physical or

mental” is caused to the victim. It also prohibits cruel, inhuman or degrading treatment or punishment.

There is, however, some doubt about the applicability of this Convention to the physical punishment of children:

Orthodox interpretation would limit this to state actors and exclude private perpetrators. Thus interpreted, it would apply to schools, but not to parents. But it has been suggested, for example, that it applies to domestic violence against women. Why, it may be argued, should it not apply to states which fail to take steps to avert private violence, whether this be domestic violence, the sexual abuse of children or corporal punishment? (Freeman, 1999, p.137)

The Committee has actually taken a recent opportunity to recommend for the first time to a State Party that the use of physical punishment in the home be prohibited. In response to New Zealand’s third periodic report, the UN Committee against Torture (2004, paragraph 7e) recommended implementation of the recommendations previously made to the New Zealand Government by the UN Committee on the Rights of the Child (2003) with respect to corporal punishment.

4. European Committee of Social Rights

The European Committee of Social Rights (ECSR), which supervises conformity of the law and practice of member states of the Council of Europe with the European Social Charter, made a ‘general observation’ regarding Article 17 of the Charter and corporal punishment in 2000 (it was published in 2001). Since then, in examining member-states reports under Article 17 the Committee has asked many for details of the legality of corporal punishment, in the home, schools and other institutions and day-care. In some cases it has deferred reaching a conclusion on compliance until it receives more information. Some countries have been found to have violated Article 17 on the grounds that “corporal punishment of children in the home is not prohibited” (e.g. Poland in 2003).

In its General Observation on corporal punishment, the Committee has stated:

The Committee attaches great importance to the protection of children against any form of violence, ill-treatment or abuse, whether physical or mental. Like the European Court of Human Rights it emphasises the fact that children are particularly vulnerable and considers that one of the main objectives of Article 17 is to provide adequate protection for children in this respect. . . . The Committee does not find it acceptable that a society which prohibits any form of physical violence between adults would accept that adults subject

children to physical violence. The Committee does not consider that there can be any educational value in corporal punishment of children that cannot be otherwise achieved. . . . The Committee considers that Article 17 requires a prohibition in legislation against any form of violence against children, whether at school, in other institutions, in their home or elsewhere. It furthermore considers that any other form of degrading punishment or treatment of children must be prohibited in legislation and combined with adequate sanctions in penal or civil law. (European Committee of Social Rights, 2001, Conclusions, pp.xv-2, as cited in Global Initiative, n.d.a)

The European Convention on Human Rights states, in Article 3, that: “No-one shall be subjected to torture or to inhuman or degrading treatment or punishment”. The European Court of Human Rights unanimously held there was a breach of this article by the UK law allowing parents to inflict reasonable physical chastisement on their child (*A v United Kingdom* [1998] 2 FLR 959, see next page and p.112).

Key high-level court judgements condemning corporal punishment

Over the last 25 years there has been a series of high-level judgements from the European Court of Human Rights and from Constitutional and Supreme Courts (for example, in India, Israel, Italy, Namibia, South Africa and Zimbabwe) quoting human rights principles and challenging the legality of corporal punishment of children. Some decisions relate only to corporal punishment in the penal system or in schools, while others condemn corporal punishment by parents.

1. European Court of Human Rights

The European Commission and Court of Human Rights in Strasbourg have considered a series of applications alleging that corporal punishment of children breaches the European Convention on Human Rights, dating back to 1978. The European Court of Human Rights was set up in Strasbourg, France in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights. On 1 November 1998 a full-time Court was established, replacing the original two-tier system of a part-time Commission and Court. Several key decisions on judicial birching, school and parental corporal punishment have all emerged from the European Court of Human Rights:

Tyrer v UK – In 1978 the European Court ruled that judicial birching of a juvenile (in the Isle of Man – a UK Dependent Territory) breached Article 3 of the European Convention.

Seven Individuals v Sweden, European Commission of Human Rights, Admissibility Decision – In 1982, the European Human Rights Commission rejected an application by Swedish parents who alleged that the 1979 ban on parental physical punishment breached their right to respect for family life. The Commission concluded: “The actual effects of the law are to encourage a positive review of the punishment of children by their parents, to discourage abuse and to prevent excesses which could properly be described as violence against children”.

Campbell and Cosans v UK – In February 1982 the European Court found that the UK was in breach of the European Convention by not respecting parents’ objections to school corporal punishment. Two Scottish mothers, Mrs Grace Campbell and Mrs Jane Cosans alleged that corporal punishment used in their sons’ schools was contrary to Article 3. As neither boy had in fact received corporal punishment, this allegation was rejected by the Court. But it found that the UK had failed to respect the parents’ philosophical convictions. Article 2 of Protocol 1 to the Convention states: “No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the rights of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions”. Jeffrey Cosans, aged 15, was suspended from his school when he refused to accept corporal punishment. The Court found that he had been denied his right to education. This judgement and other European Commission on Human Rights decisions on applications made by UK schoolchildren and their parents effectively led to abolition of corporal punishment in all state-supported education in the UK in 1987. But it remained legal for pupils in private schools not receiving state support until September 1999.

Costello-Roberts v UK – In 1993 the European Court found that punishment of a boy in a UK private school, who had been whacked three times with a soft-soled shoe on his clothed buttocks, did not reach the level of severity to breach Article 3 of the Convention. However, this judgement was by five votes to four, and the Court emphasised that it did not wish to be taken as approving in any way of school corporal punishment, and that the treatment of the boy was at or near the borderline.

A v UK – In September 1998, the European Court ordered the United Kingdom government to pay £10,000 compensation to a boy who was repeatedly caned by his stepfather. This was the first case concerning parental corporal punishment to be considered by the Court. Prosecution of the stepfather in a UK court had failed on the grounds that the punishment was ‘reasonable chastisement’. The European Court unanimously found the punishment

violated Article 3 of the European Convention which states that “No one shall be subjected to torture or to inhuman or degrading treatment or punishment”. It cited the UN Convention, stating that there must be “effective deterrence” to protect children and other vulnerable individuals. (see also pp.112-113)

Decision on admissibility of Application no. 55211/00 by Philip Williamson and Others against the UK

– In September 2000, the European Court rejected unanimously and without a hearing an application by individuals associated with a group of Christian private schools in the UK, alleging that the implementation of a ban on corporal punishment in private schools breached parents’ rights to freedom of religion and family life.

2. Other courts

Key judgements have also been issued from a number of other State courts:

Namibia – In 1991 the Supreme Court declared corporal punishment in schools and the penal system to be unconstitutional and unlawful (*Ex parte Attorney General, Namibia: in Re Corporal Punishment by Organs of State, 1991(3)SA 76*). The Court declared that corporal punishment breached article 8(2)(b) of the Constitution: “No persons shall be subject to torture or to cruel, inhuman or degrading treatment or punishment”. The leading judge noted that it would not be appropriate “to allow corporal punishment which is unconstitutional to continue to be inflicted until Parliament makes the necessary amendments”. The Court made two orders:

1. It is declared that the imposition of any sentence by any judicial or quasi-judicial authority, authorising or directing any corporal punishment upon any person is unlawful and in conflict with article 8 of the Namibian Constitution.
2. It is further declared that the infliction of corporal punishment in Government schools pursuant to the existing Code formulated by the Ministry of Education, Culture and Sport or any other direction by the said Ministry or any other organ of the Government, is unconstitutional and unlawful and in conflict with article 8 of the Namibian Constitution.

Zimbabwe – The Supreme Court has delivered several judgements condemning judicial corporal punishment.

Italy – On May 16 1996 Italy’s highest Court, the Supreme Court of Cassation in Rome, issued a decision in the *Cambria* case prohibiting all parental use of corporal punishment. The judgement cited the UN Convention on the Rights of the Child and concluded that the use of violence for educational purposes can no longer be considered lawful.

There are two reasons for this: the first is the overriding importance that the legal system attributes to protecting the dignity of the individual. This includes minors, who now hold rights and are no longer simply objects to be protected by their parents, or, worse still, objects at the disposal of their parents. The second reason is that, as an educational aim, the harmonious development of a child's personality, which ensures that he/she embraces the values of peace, tolerance and co-existence, cannot be achieved by using violent means which contradict these goals.

(see also chapter 7, p.110)

Israel – The Supreme Court declared all corporal punishment unlawful in January 2000 in the *State of Israel v Plonit* (Cr. App. 4596/98 44 P.D. 145). (see also chapter 7, pp.107-108)

South Africa – The Constitutional Court of the new South Africa declared judicial whipping of juvenile offenders to be cruel, inhuman and degrading and in breach of the Constitution in 1995; In August 2000 the Constitutional Court rejected a challenge by Christian schools to a corporal punishment ban (*Christian Education South Africa v Minister of Education*, CCT4/00, 2000 (4) SA 757 (CC); 2000 (10) BCLR 1051 (CC)).

India – In 2000 the High Court of Delhi declared school corporal punishment illegal. A petition had been brought by the Parents' Forum for Meaningful Education and its President, Kusum Jain, which challenged the legality of corporal punishment in schools. The Petition succeeded and the Court, in a judgement delivered on 1 December 2000, directed the State to ensure "that children are not subjected to corporal punishment in schools and they receive education in an environment of freedom and dignity, free from fear". The Government, defending the use of corporal punishment, quoted English common law and the leading case of *R v Hopley* (1860) which held that a parent or school teacher had a right to use "reasonable and moderate" corporal punishment. The judges stated:

It may be noted that this decision was rendered about one and a half centuries back. Since then thinking has undergone a sea change. The United Nations Convention, to which India is a signatory, is a testimony of that change and the importance which is being attached to the child. Law cannot be static. It must move with the time. The rights of the child cannot be ignored. . . . Before parting with the case we would like to observe that fundamental rights of the child will have no meaning if they are not protected by the state . . . The State must ensure that corporal punishment to students is excluded from schools. The State and the schools are bound to recognise the right of the children not to be exposed to violence of any kind connected with education.

Canada – The Ontario Superior Court, Ontario Court of Appeal and Canada's Supreme Court have all been involved in a constitutional challenge to s.43 of the Criminal Code which allows parents, teachers and others to use 'reasonable force' in disciplining children. The Supreme Court delivered its judgement on 30 January 2004. Six justices (with three dissenting) upheld the constitutionality of s.43 but substantially limited its scope. They held the defence does not allow teachers to use corporal punishment, or parents to hit a child with objects, or on the head, or to strike a child under two years or over twelve years, and to use only 'minor, transitory or trifling' force to correct children between the ages of two and twelve. (see also chapter 7, pp.116-117)

International organisations campaigning against corporal punishment

A number of organisations have formed with the specific goal of eliminating the corporal punishment of children. The Global Initiative to End all Physical Punishment of Children, UNICEF and Save the Children operate internationally, although most have branches in various countries. Other organisations work on a national basis, including the Children are Unbeatable! Alliance (UK), Project NoSpank (USA), the Repeal 43 Committee and the Coalition on Physical Punishment of Children and Youth (Canada).

1. Global Initiative to End All Corporal Punishment of Children

The Global Initiative to End all Corporal Punishment of Children was launched during the meeting of the Commission of Human Rights in Geneva in April 2001. It has the support of UNICEF, UNESCO, the UN High Commissioner of Human Rights, members of the Committee on the Rights of the Child, and many organisations and individuals prominent in the promotion of human rights internationally. The Global Initiative aims to:

- form a strong alliance of human rights agencies, key individuals and non-governmental organisations against corporal punishment;
- make corporal punishment of children visible by building a global map of its prevalence and legality, ensuring that children's views are heard and charting progress towards ending it;
- lobby state governments systematically to ban all forms of corporal punishment and to develop public education programmes;
- provide detailed technical assistance to support states with these reforms.

The Global Initiative wants to ensure that the recommendations of the Committee on the Rights of

the Child and other human rights bodies are accepted and that governments move speedily to implement legal reform and public education programmes.

(website: <http://www.endcorporalpunishment.org>)

2. UNICEF

UNICEF has endorsed the strong position taken by the Committee on the Rights of the Child and helps facilitate partnerships among governments, non-governmental organisations (NGOs), professional associations and the UN to promote positive, non-violent discipline.

We believe the issue of corporal punishment is significant not simply as a protection issue, but also as an issue that goes to the very heart of our attitudes toward children. If we are to respect the status of children as independent human beings with rights, dignity and views of their own, we cannot pretend that it is acceptable to hit them. (Miller, 1999, pp.76-77)

3. Children are Unbeatable! Alliance

Children are Unbeatable! is an Alliance of more than 350 UK-based organisations and projects, including professional and religious bodies, child welfare and child protection groups, as well as many prominent individuals. It was formed in March 1998 following the convening of a meeting of organisations working with and for children to discuss the UK Government's response to the report of the European Commission of Human Rights in the case of *A v UK*. The Alliance campaigns to achieve two aims:

1. Legal reform in the UK to give children the same protection as adults under the law on assault. The Alliance would like to see smacking banned and the defence reasonable chastisement repealed.

2. Promotion of positive, non-violent forms of discipline.

(website: <http://www.childrenareunbeatable.org.uk>)

4. Project NoSpank, USA

Project NoSpank actively campaigns for reform of the law within America Run by an organisation entitled Parents and Teachers Against Violence in Education, its members take the position that children should no longer be excluded from the legal protections against assault and battery that apply to adults. In fact, they believe the protection of children should be more vigorous because of factors like children's greater vulnerability.

(website: <http://www.nospank.net/toc.htm>)

5. Repeal 43 Committee, Canada

The Repeal 43 Committee is a national, voluntary committee of lawyers, educators, paediatricians and social workers which formed in 1994 to advocate repeal of s.43 of the Canadian Criminal Code.

(website: <http://www.repeal43.org>)

6. The Coalition on Physical Punishment of Children and Youth, Canada

The Coalition on Physical Punishment of Children and Youth is a coalition of national organisations brought together by the Children's Hospital of Eastern Ontario. It aims to raise awareness about ending physical punishment of children. In April 2003 the Coalition published a *Joint Statement on Physical Punishment of Children and Youth* (Durrant, Ensom et al., 2003) which was endorsed by various Canadian organisations.

7. International Developments

NICOLA TAYLOR

Thirteen countries have, to date, fully abolished corporal punishment. This chapter reviews the legal and social reforms in the those countries.

Sweden's reforms in 1928 (banning corporal punishment in schools), in 1957 (repealing the legal defence of reasonable correction from their penal code) and in 1979 (prohibiting all corporal punishment of children via a new provision in their Parenthood and Guardianship Code) reflect the most extensive research of citizens' current attitudes toward, and use of, physical and other means of parental discipline. Other countries have given consideration to the physical punishment of children including Italy, Belgium, Great Britain, Canada and Australia (New South Wales and Tasmania). An update is also provided of recent, or current, initiatives in these states. The chapter concludes with an analysis of the situation in New Zealand, including s.59 of the Crimes Act 1961, a review of relevant case law, and the social and political context governing the physical discipline of children.

Corporal punishment has been more willingly prohibited in schools and penal institutions, than in homes, throughout the world. Worldwide, corporal punishment has been abolished in schools in more than 90 countries (Durrant, 2003a). It has also been banned in the penal systems of over half the world's nations (Global Initiative, 2002).

However, at least 65 states still allow corporal punishment in their penal system for young offenders. The Global Initiative to End All Corporal Punishment of Children, launched in April 2001, has a useful status report on its website¹⁸ depicting the extent of the prohibition of corporal punishment in three contexts – home, school, and penal system – in each country. This provides a global map of its prevalence and legality, and any proposed initiatives to limit or ban its use.

States with full abolition of physical punishment

Thirteen countries have abolished all corporal punishment of children – Sweden (1979), Finland (1983), Denmark (1986, and more explicitly in 1997), Norway (1987), Austria (1989), Cyprus (1994), Latvia (1998), Croatia (1999), Israel (2000), Germany (2000), Iceland (2003), and, most recently, Ukraine (2004) and Romania (2004). Several of these countries initially

prohibited the use of corporal punishment within schools, followed by the later removal of their defence to parental assaults from their criminal law. Countries which removed this defence include Sweden, Finland, Norway, Austria, Denmark, Israel (following an Israeli Supreme Court decision in January 2000) and Iceland. After 1980, these countries also amended their civil child protection legislation so that no child should be subjected to corporal punishment for correction. Cyprus, Latvia, Croatia, Israel, Germany and Iceland all undertook their reforms by amending their civil child welfare legislation to prohibit corporal punishment by parents.

1. Sweden (1979)

Legislative reform began in Sweden in 1928 when the Education Act was amended to prohibit corporal punishment in gymnasiums (secondary schools). The legal defence of reasonable correction was then repealed from Sweden's penal code in 1957. Sweden became the first country in the world to prohibit all corporal punishment of children in 1979 when a provision was added to the Parenthood and Guardianship Code:

The parent or guardian shall exercise necessary supervision in accordance with the child's age and other circumstances. The child may not be subjected to physical punishment or other injurious or humiliating treatment.

Durrant (1996) notes that this law "was the logical conclusion of an evolutionary process that unfolded over a period of decades" (p.19). She comprehensively traces the history of the Swedish reforms within "the increasingly collective and egalitarian context in which such legal changes have taken place" (1996, p.19; see also Durrant, 1999a, 1999b, 2000a, 2003a). Various measures undertaken by the Swedes included:

- replacement of the word 'punish' with 'reprimand' in the Parenthood and Guardianship Code in 1949;
- a 1959 'experiment' in welfare schools where teachers were asked to refrain from using corporal punishment;
- national surveys throughout the 1960s and 1970s asking whether corporal punishment was sometimes necessary;
- public education campaigns;

¹⁸ <http://www.endcorporalpunishment.org>

- the acquittal of a father who fatally beat his three-year-old daughter in 1975 and claimed he had not exceeded his right to chastise her; and
- a large exhibition on child abuse in Stockholm in 1977 which led to many of the 60,000 people attending signing a petition calling for more stringent laws on the use of physical force against children.

In 1977 the Swedish Minister of Justice appointed a multidisciplinary Commission on Children's Rights, chaired by an eminent judge, to review and modify the Parents' Code (Durrant, 2003a). The Commission concluded that the Code was unclear and that there was a misconception that corporal punishment remained legal. The Commission therefore unanimously proposed to add a paragraph to the Parents' Code to explicitly state that corporal punishment was prohibited. In 1978 this proposal was submitted to thirty authorities for review, 28 of whom supported the proposed ban (Durrant, 1996). In 1979 the Commission's proposal was passed by Parliament by 259 votes to six (Freeman, 1999), having been supported by all parties. It was implemented on 1 July 1979.

The primary purpose of the ban was to alter public attitudes and acknowledge children as autonomous individuals (Durrant, 1996; Freeman, 1999). Other goals included increasing early identification of children at risk for abuse and promoting earlier and more supportive intervention for families (Durrant, 1999a). The Parents' Code (which is part of Swedish civil law) made no provision for legal sanctions in case of violation of the physical punishment prohibition, and hence did not aim to criminalise parental conduct. Prosecution of assaults on children (as on adults) remain within the Penal Code and occur only in those rare cases that meet the criteria of 'assault'. Trivial offences have remained unpunished, just as trivial assaults between adults are not prosecuted.

The emphasis in Sweden was firmly on the education of parents about the importance of good child rearing and, to this end, a major public education campaign accompanied the reform process. This had been recommended by the Commission and was funded by the Ministry of Justice. As well as media publicity, a 16-page colour pamphlet, explaining the reason for the law and providing alternatives to corporal punishment, was distributed to every home with a young child. This was translated into multiple languages and was also available through doctors' surgeries and child care centres. For a two month period information about the law was also printed on milk cartons to enable family members to discuss the issue together during meal times (Durrant, 1996).

In 1983 the Parents' Code was amended to affirm children's rights, and the relevant paragraph now reads:

Children are entitled to care, security and a good upbringing. Children are to be treated with respect for their person and individuality and may not be subjected to physical punishment or other injurious or humiliating treatment. (Parents' Code)

There is strong support for the view that the Swedish approach combining law reform with public education has worked (Durrant, 1996, 1999a, 1999b, 2000a, 2000b; Freeman, 1999). Joan Durrant's 2000 review of the effects of Sweden's ban, *A Generation Without Smacking* (Durrant, 2000a), found that since the 1979 introduction of the ban on corporal punishment:

- Public support for corporal punishment has declined markedly in Sweden over the past 30 years. In 1965, 53% of Swedes supported corporal punishment, while only 11% do now. The decline has been the most dramatic among the younger generation of Swedish parents (who benefited themselves from being reared without physical punishment) – only 6% of Swedes under the age of 35 currently support the use of physical punishment;
- Parental practice, as well as attitude, has changed. A 1994 survey of middle-school students (aged 13 to 15 years) revealed that only 3% reported harsh slaps from their parents, and only 1% said they had been hit with an implement;
- No Swedish child died during the 1980s as a result of physical abuse. Four subsequently died between 1990 and 1996, but only one at the hands of a parent;
- Reports of assaults against children have increased in Sweden since 1981, as they have internationally with the discovery of child abuse. However, the proportion of suspects prosecuted who are in their twenties (and therefore raised in a no-smacking culture) has decreased since 1984. The vast majority of reported assaults are for petty offences, implying that most children are identified before serious injury occurs;
- There has been no increase in parents being drawn into the criminal justice system for minor assaults;
- The number of children coming into care has decreased by 26% since 1982. An increasing proportion of those children in care have short-term placements;
- Overall rates of youth crime have remained steady since 1983;
- Young people's alcohol and drug use, rape and suicide rates have all decreased.

Durrant (2000a) concludes that:

While drawing a direct causal link between the corporal punishment ban and any of these social trends would be too simplistic, the evidence . . . indicates that the ban has not had negative

effects. In terms of its original goals of modifying public attitudes toward corporal punishment and facilitating early intervention and supportive intervention, it has certainly been successful. (p.6)

In another article reviewing trends in youth crime and well-being, Durrant (2000b) also records that:

Swedish youth have not become more unruly, undersocialised, or self-destructive following the passage of the 1979 corporal punishment ban. In fact, most measures demonstrated a substantial improvement in youth well-being. (p.451)

Three researchers do, however, question the effectiveness of Sweden's ban in changing public opinion on corporal punishment (Roberts, 2000) and in reducing the physical abuse of Swedish children (Larzalere & Johnson, 1999). The latter authors reviewed the seven relevant published papers and one unpublished article they could identify from a review of social science literature published between 1974 to 1998. They were surprised to locate so few articles given the prominence accorded to Sweden's ban in reducing physical child abuse rates. "Four of the eight relevant sources had minimal empirical data" (p.387) so Larzalere and Johnson felt their conclusions had to be "tentative" (p.387). They said that "evidence from two studies suggests that the decline in use of physical punishment in Sweden preceded the law" (p.387), and that "the evidence of such little change in the prevalence of physical punishment renders questions about its effect on reducing physical child abuse somewhat moot" (p.388).

Larzalere & Johnson (1999) concluded that:

The available evidence does not indicate that the ban has reduced Sweden's rate of child abuse, although their rate of child-abuse fatalities has remained low. The role of parental disciplinary responses in preventing aggression in parents is surprisingly complex. . . . No studies have demonstrated that the spanking ban has succeeded in reducing Swedish rates of child abuse. Hopefully, better evaluations will be implemented for any future spanking bans so that we will have better information about the effects of such laws a decade or two after they are enacted. (p.390)

Roberts (2000) analysed all published surveys from Sweden on the issue of corporal punishment. He concluded that his analysis refuted the claim that the 1979 ban changed public attitudes:

(a) support for corporal punishment was declining steadily for years before the law changed; (b) 2 years after the legal change, public support remained stable; . . . (c) the latest poll conducted in Sweden shows that if anything, public support for corporal punishment has increased somewhat since

1981; (d) a survey of mothers shows that just over half report using physical punishment; (e) support for corporal punishment has been declining around the world, even in countries that have not banned the practice; (f) children who grew up after the ban are no more likely to reject corporal punishment than their parents who grew up in the pre-reform era; and (g) data from other jurisdictions shows that a decline in support for corporal punishment is not necessarily accompanied by a decline in use of physical punishment. . . . What interpretation should be placed upon the Swedish legislative experience with respect to corporal punishment? Most Swedish parents do now appear to be opposed to the use of corporal punishment, and use other disciplinary techniques to raise their children. As well, it is apparent that support for corporal punishment as measured in the most recent poll (1995) was substantially lower than when measured by the first such survey, published 30 years earlier. What is unclear is the cause of this decline in support for physical punishment. . . . From the perspective of legal reformers, the conclusion is disappointing but inescapable: Whatever the justifications for banning the use of corporal punishment, achieving a change in public attitudes cannot be one of them. Instead, the efforts of corporal punishment opponents should be concentrated on changing public attitudes directly, for legal reforms would appear to play no role in achieving the goal of a society which has abandoned the physical punishment of children. (p.1034)

Durrant (2003a, 2003b) has responded to these criticisms about the effectiveness of Sweden's ban on public attitudes and on child abuse rates. In her critiques she says it is vital to understand the history of Sweden's ban and the social context in which it emerged. The 1979 reform arose from a process which had its beginnings in the prohibition of corporal punishment in 1928. Durrant (2003a) challenges Roberts' (2000) views as follows:

It can be concluded that the use of physical punishment is much less common in Sweden than it is in North America and that, within Sweden, it is much less common and less harsh than it was in the 1950s (p.161) . . . Of course, it would be supremely reductionist to attribute any cultural shift to a single historical event. Attitudes are shaped by factors ranging from individual experience to legal and political environments. They evolve within social environments that evolve in turn, with respect to knowledge of child development, recognition of children's rights, and beliefs about parent-child relationships. Throughout the past century, the declining acceptance of violence in all contexts, together with increasing emphasis on

human rights, has eroded the legitimacy of physical punishment in many nations. But the extent of the transformation that has taken place in Sweden with regard to attitudes toward corporal punishment is too dramatic to be attributable solely to forces that somehow alter cultural norms regardless of legal structures. . . . When Sweden's corporal punishment defence was removed from the Penal Code [in 1957], at least half of the population believed that physical punishment was necessary in childrearing. It was *after* the law was changed that these attitudes shifted rapidly. (p.169)

With respect to Larzalere & Johnson's (1999) criticisms, Durrant (2003b) states that these are:

. . . primarily based on misinterpretation of assault report statistics. It is the case that reporting of child physical assault has increased in Sweden since the 1970s – as it has in every nation that has raised awareness of the issue of child abuse. Reporting rates are by no means equivalent to rates of actual abuse (p.1). . . . There is no evidence to support the claim that child abuse has increased in Sweden since corporal punishment was banned there in 1979. In fact, Sweden has maintained a very low rate of child abuse internationally for more than 25 years. (p.3)

Durrant (2003a) also notes the significance of the Swedish reforms beyond the mere transformation of individual attitudes and behaviour within Sweden. The Swedish experience has provided a model which 10 other nations have now emulated, and which many other countries are exploring.

2. Finland (1983)

Finland followed Sweden's lead four years later and comprehensively reformed its children's law which included a ban on physical punishment. The Child Custody and Right of Access Act 1983 begins with a statement of positive principles of care for children, and continues:

A child shall be brought up in the spirit of understanding, security and love. He shall not be subdued, corporally punished or otherwise humiliated. His growth towards independence, responsibility and adulthood shall be encouraged, supported and assisted.

This reform in family law puts beyond doubt that the criminal law applies equally to assaults committed against children by parents and other carers. Durrant (2003a) notes that of all the countries to ban corporal punishment, it is only Finland where a majority of the population was in favour of abolition before the law was changed.

Matti Savolainen, of the Ministry of Justice in Helsinki, who was responsible for drafting the 1983 Act, describes s.1 as incorporating three strategies:

Firstly, the Act attempts to establish certain 'positive' guidelines for the upbringing of the child. Secondly, the Act makes it absolutely clear that all violations against the child's integrity (whether 'physical' or 'spiritual') which would constitute a criminal offence if committed by a third person (e.g. assault, unlawful imprisonment, libel, slander, etc.) are equally punishable even when committed by a parent with the intent to discipline the child. And under the Criminal Code even a petty assault committed against a child under 15 is subject to public prosecution when committed by a parent at home. Thirdly, the Act explicitly forbids any degrading treatment ('the child shall not be humiliated') even where such an act would not constitute a criminal offence and even if there are no other direct legal remedies available. (Savolainen, as cited in Global Initiative, n.d.b)

A public information campaign was launched by the Ministry of Justice and National Board of Social Affairs, including a leaflet entitled 'What is a good upbringing?' made available through health clinics, social welfare offices and the like. A large-scale campaign was also launched by the Central Union for Child Welfare, an NGO, together with the National Boards of Health and Social Affairs, including a leaflet 'When you can't cope, find help: don't hit the child'. As well, there were brief spots on national television at peak viewing time before the main evening news programme as the law came into effect.

Corporal punishment is also a breach of Finland's penal code (ch. 21(5)). In 1993 Finland's Supreme Court found a guardian guilty of petty assault because he pulled his child's hair and slapped his fingers (1993: 151, Helsinki 1994, 685). The Court held that the penal code was to be applied 'when parents or guardians employ physical violence on their child, even if they consider it a means of upbringing'. As in Sweden, children may seek damages and, as in Sweden, courts may be influenced by parents' use of physical discipline in deciding on custody cases. (Freeman, 1999, p.133)

3. Denmark (1986, 1997)

It is commonly thought that Denmark banned corporal punishment in a private Bill passed by the Folketinget, the Danish Parliament, on 30 May 1985. This Minors' Act 1985, which came into force on 1 January 1986, stated that:

Parental custody implies the obligation to protect the child against physical and psychological violence and against other harmful treatment.

It was regarded as an indication to parents that violence should never be used in child rearing, but its

legal effects were uncertain. Some legal commentators suggested that parents' traditional 'right to punish' still existed, and an explanatory memorandum accompanying the 1985 reform indicated that at least minor forms of physical punishment remained permissible (Freeman, 1999). While teachers' right to use corporal punishment in schools had been banned in 1967, a 1984 opinion poll had found only 25% in favour of formal abolition of parents' right to hit children, and 68% against abolition.

To remove uncertainty about the status of the 1985 law, the Folketinget passed an amendment to the Parental Custody and Care Act in June 1997 which made it absolutely clear that all corporal punishment of children is not permitted (Ingvarsen, 1999). The amendment states that:

A child has the right to care and security. He or she shall be treated with respect as an individual and may not be subjected to corporal punishment or any other degrading treatment.

Prosecutions can occur under the Danish Criminal Code for assault, battery and other related crimes, but the goal of the law is to educate rather than subject parents to penal sanctions (Freeman, 1999). The proposer of the 1997 Bill told Parliament:

Danes are increasingly turning away from corporal punishment. . . . A fresh opinion poll in January 1997 showed a clear majority – 57 per cent of the population – were against physical punishment. This shows an unmistakable shift against such punishment. . . . In the opinion of the advocates of the change in the law, it is important for those groups who work with families to have firm, clear and unequivocal legal grounds for being able to say that under no circumstances may one use violence in the upbringing of a child. . . . Doctors, the police and social workers come into contact with families where children are regularly beaten. These groups will – if the law is changed – be able to point out that it is wrong to hit a child and instead give advice on other ways to resolve conflicts. The purpose of the change was not to penalise more parents – on the contrary. Clear legislation and a plainly worded explanation of the reasons for it are vital if we are to change public opinion on the issue of the corporal punishment of children. (as cited in Global Initiative, n.d.b)

The 1997 reform followed a series of hearings and consultations, together with a campaign led by the National Council for Children (Borneradet) and Danish Save the Children.

The National Council for Children played an active role in campaigning for the new law, so we decided to be active as well in an information campaign about it. During the autumn of 1998 the National Council has invested resources in reaching every

family with minor children in Denmark. The materials include folders, leaflets, pamphlets, films and videos. And so far we feel we have succeeded: many schools and children's institutions ask for more materials. There has also been discussion in newspapers and on national TV channels . . . It is too early to measure any kind of outcome from the legal reform and the information campaign. But nobody doubts that the reform is influencing attitudes towards a more open, accepting and humane practice in the upbringing of children. (Professor Per Schultz Jorgensen, Chair of the Danish National Council for Children 1997-2000, as cited in Global Initiative, n.d.b)

The National Council for Children was initially set up in 1994 for a three-year trial period to fulfil the function of Children's Ombudsman in Denmark. In 1997 it became a permanent, inter-disciplinary and independent body to ensure children's rights and to highlight and provide information on the conditions of children's lives.

4. Norway (1987)

In January 1987 Norway adopted the Swedish model and outlawed the corporal punishment of children via an amendment to their Parent and Child Act (Art. 30). It states: "The child shall not be exposed to physical violence or to treatment which can threaten his physical or mental health". No sanctions are attached to the law and its principal aim is to effect social change. Prosecutions can take place under the Criminal Act (Art. 228), provided there is bodily injury.

There is also a statutory prohibition against neglect or maltreatment of children. A tort action can be brought (Tort Act 1969, nr.26, Arts 3-5), and a parent's use of corporal punishment may affect the outcome of a custody dispute. (Freeman, 1999, p.133)

Until 1972 the Norwegian Criminal Code on assault, dating from 1891, stated that parents and others in loco parentis had the right to use moderate corporal punishment as part of the upbringing of children. In 1972 that provision was removed, amid a lot of controversy. This caused more rather than less confusion about parents' rights to punish. The 1987 law reform followed a recommendation from an official committee looking at child abuse and neglect, which was taken up by the Ministry of Justice. As was the case prior to reform in Denmark, a 1983 opinion poll in Norway found that 68% were still against prohibiting all physical punishment.

When the 1987 amendment was being debated in the Norwegian Parliament, the Minister of Justice suggested that even though parental physical violence was already prohibited in the Criminal Code, the

new reform was not superfluous. Many people did not understand or know about the law, and making corporal punishment clearly illegal in the Parent and Child Act would inform the general public. Confusion existed about parents' rights that the 1972 legal change had not resolved. The 1987 amendment therefore clearly stated that corporal punishment as a way of bringing up children was no longer acceptable. In applying the criminal law, children would now have the same protection as everyone else from the use of violence.

5. Austria (1989)

Austria was the first non-Nordic country to prohibit the corporal punishment of children. On 15 March 1989 the Austrian Parliament voted to amend its family law and the Youth Welfare Act to explicitly state that in bringing up children "the use of force and infliction of physical or psychological suffering are not permitted" (section 146a, General Civil Code, 1989). The new law was passed unanimously and without controversy.

The law provides that the child must obey the instructions of his parents. However, in their orders parents must consider the age, development and personality of the child; the use of force and the infliction of physical and psychological harm are not permitted (ABGB, s.146(a)). The Act provides no legal remedies for the corporally punished child, but parents may be prosecuted under provisions of the penal code. Again, the legislation is targeted at education of parents rather than the use of criminal penalties. There is no evidence of any increase in prosecutions but there is clear evidence that community sentiment has shifted in line with the legislation. A study commissioned by the Ministry of the Environment, Youth and the Family found (in the early 1990s) that 67.5% of mothers and 68.8% of fathers categorically rejected serious corporal punishment as a means of education. (Freeman, 1999, p.133)

Each of the nine 'lander' (regions) of Austria has an Ombudsperson for Children and Youth. Collectively they form the Conference of Ombudspersons for Children and Youth, in order to comment on federal matters:

The Austrian Ombudspersons for Children and Youth take it for granted that the national legislation concerning physical punishment in the family, in schools and generally is a very important tool to secure the healthy and respectful upbringing of all children in our country. We feel that – although there are still cases of physical punishment – the legal structure is a very important measure in awareness raising and has influenced the public debate on physical punishment and the 'culture

of education' to a very high degree . . . According to the Convention on the Rights of the Child it is important that all States Parties take their responsibility to change or adopt their national laws with the aim of making physical punishment illegal. Additionally all relevant measures outside the legal framework (e.g. counselling services, media campaigns, etc) to promote the issue of non-violent education should be supported to the highest possible extent. The aim of the law is to change attitudes and reduce physical punishment and it certainly has not resulted in any increase in prosecution of parents for hitting their children, or increase in children being taken into state care. (Statement from Paul Arzt, Children's Ombudsperson for Salzburg and a spokesperson for the Austrian Conference of Ombudspersons for Children and Youth, as cited in Global Initiative, n.d.b)

The Austrian Supreme Court (OGH) was confronted with the principle of non-violent child raising in a court ruling on 24 June 1992 (Bernat, 1993-94). Following a divorce a father had been given complete parental control (with his wife's agreement) of his two sons whom he raised:

. . . with rigor, demanding respect and unquestioned obedience. He expected them not to cry and to endure pain in a manly fashion. Whenever the children did something wrong he would beat them. . . . No bodily injury had occurred in this case. The mother requested that the court give her parental control because she considered that childraising in the manner described was not in the best interests of her children. (Bernat, 1993-94, p.253)

The OGH sets high standards for the transfer of parental control, but was persuaded to do so in this case because the children's best interests were threatened. Thus, the mother's application for the transfer of custody of her sons was granted.

Most interestingly, the argument was raised [in this case] that the boys themselves were not offended by their father's method of raising them. Nevertheless, the Court took the view that the 1989 law not only proscribes bodily injury and physical torture but any other form of ill-treatment which fails to respect human dignity, even though the child affected does not consider it to be 'harm'. (Freeman, 1999, p.134)

6. Cyprus (1994)

On 17 June 1994, the Cyprus House of Representatives unanimously adopted a new law on the prevention of family violence and protection of victims which criminalises "the exercise of violence on behalf of any member of the family against another member of

the family” (Violence in the Family (Prevention and Protecting Victims) Law, 1994). It states that, for the purposes of this law, violence means “any unlawful act or controlling behaviour which results in direct actual physical, sexual or psychological injury to any member of the family”. If any act takes place in the presence of children the act shall be considered as violence exercised against the children likely to cause them psychological injury and such acts or behaviour constitute a punishable offence. Freeman (1999) notes that the Cypriot law is interesting for two reasons:

First, penal sanctions attach, indeed are increased because the violence is used against a member of the family (S.4(1)); and, secondly, because not only is force against children prohibited, but so is violence in the presence of children. (S.3(3)) (p.134)

7. Latvia (1998)

The Latvian Parliament adopted a new law on protecting children’s rights on 19 June 1998. This prohibits cruel treatment, torture and corporal punishment of children, including within the family.

A child shall not be treated cruelly, tortured or physically punished, and his or her dignity or honour shall not be violated. (Law on Protection of the Rights of the Child, 1998)

Proposals to amend the criminal code to make it explicit that laws on assault cover corporal punishment are under discussion.

8. Croatia (1999)

The UN Committee on the Rights of the Child examined Croatia’s Initial Report under the UN Convention on the Rights of the Child in 1996. Croatian Government representatives assured the Committee that they intended to explicitly ban corporal punishment. A new family law received its third reading in the Croatian Parliament in June 1998. It includes a provision prohibiting “corporal punishment and humiliation” (like the Swedish law) which took effect from 1 January 1999.

Parents and other family members must not subject the child to degrading treatment, mental or physical punishment and abuse. (Family Act, 1998)

9. Israel (2000)

In January 2000 the majority in the Israeli Supreme Court effectively banned all parental corporal punishment, however light, in their decision in *State of Israel v Plonit* (Cr. App. 4596/98 44 P.D. 145). The Court held that:

- reasonable parental punishment is no longer a defence to criminal assault; and

- regular use of hitting as a method of discipline comes within the crime of child abuse (under 368C of the Penal Law enacted by the Penal Law (Amendment No. 26) 1989) even if no serious injury is caused. (Schuz, 2003)

The appellant in the *Plonit* case was a single mother of two children aged five and seven years. She was a strict disciplinarian who used smacking as her main disciplinary method. The children were hit on different parts of their bodies on an almost daily basis (sometimes with slippers and occasionally with a household object), although no serious injury was caused. However, kindergarten teachers did give evidence that they had seen marks on the children’s bodies and one said the children recoiled in apparent fear from any attempt at physical contact with her. The mother was convicted of both assault and child abuse in the District Court, and sentenced to twelve months imprisonment suspended and 18 months probation. Her appeal to the Supreme Court against her conviction was dismissed, with Justice Beinisch and President of the Court Barak taking the opportunity to declare that the defence of reasonable physical punishment is no longer recognised at all:

In the judicial, social and educational circumstances in which we live, we must not make compromises that can endanger the welfare and physical well-being of minors. . . . If we allow ‘light’ violence, it might deteriorate into very serious violence. We must not endanger the physical and mental well-being of a minor with any type of corporal punishment. A truth which is worthy must be clear and unequivocal and the message is that corporal punishment is not allowed. (as cited in Global Initiative, n.d.b) . . . Accordingly, we decide that corporal punishment of children, or humiliation and derogation from their dignity as a method of education by their parents, is entirely impermissible, and is a remnant of a societal-educational outlook that has lost its validity. The child is not the parents’ property and cannot be used as a punching bag the parents can beat at their leisure, even when the parents honestly believe that they are fulfilling their duty and right to educate their child. The child depends upon the parents, is entitled to parental love, protection and the parents’ gentle touch. The use of punishment which causes hurt and humiliation does not contribute to the child’s personality or education, but instead damages his or her human rights. Such punishment injures his or her body, feelings, dignity and proper development. Such punishment distances us from our goal of a society free of violence. Accordingly, let it be known that in our society, parents are now forbidden to make use of corporal punishments or methods that demean and humiliate the child as an educational system. (Israel Supreme Court,

Criminal Appeal 4596/98 *Plonit v A.G.* 54(1)P.D., p.145, as cited in Global Initiative, n.d.c)

The Supreme Court found there were two primary grounds for removing the defence:

1. Medical, education and psychology professionals consider physical punishment an ineffective method of behaviour modification which can only cause harm. It is a vestige of the outdated view that children are their parents' property; and
2. The child's right to respect, bodily and mental integrity and freedom from violence is enshrined in Israel's Human Dignity and Freedom Law 1992 and UNCROC (which Israel ratified in 1991).

Opponents to the *Plonit* decision tabled two draft laws to reverse its effects, but these did not even pass their first reading. Instead, the Tort Ordinance (Amendment No. 9) Law 2000 was passed by Israel's Knesset in June 2000 to repeal the statutory reasonable chastisement defence in s.24(7) of the Torts Ordinance. This provision had provided a defence to the tort of assault for parents, guardians and teachers who cause harm to a child, provided that the force used was reasonable and was no more than was necessary for disciplining the child. Section 10 of the Pupils' Rights Law 2000 was also enacted to forbid the use of physical discipline in schools. This expressly provides that it is the right of pupils that disciplinary methods used in schools should respect their human dignity.

Israel's National Council for the Welfare of the Child, which had long urged the abolition of corporal punishment, welcomed the amendments and published a booklet for the general public explaining the *Plonit* ruling and its implications. Two small surveys, conducted by a newspaper in January 2000 and a university student in 2002, found that whilst *Plonit*:

... may have had some limited effect on social attitudes, still only around half the population believe that physical punishment is a negative phenomenon. The reason for this seems to be that many laymen still believe that physical punishment is the most effective method of disciplining children and are not aware that physical punishment is potentially harmful to children. Thus, the only way to effect any dramatic change is by educating the public. (Schuz, 2003. p.249)

10. Germany (2000)

On 6 July 2000 the Bundestag (the National Parliament) added a new provision to the Bürgerliches Gesetzbuch, the German Civil Code, which states:

"Children have a right to be brought up without the use of force. Physical punishment, the causing of psychological harm and other degrading measures are forbidden". This was ratified by the Federal Assembly on 29 September and came into force on 2 November 2000.¹⁹

The wording of the law is constructed primarily as a positive declaration affirming children's rights, with the prohibition of smacking following as a natural consequence of the opening statement. The word 'Gewalt', translated above as 'force', covers more than the act of hitting. It also takes in, for example, a heavy push, a hard pull, twisting an ear, pulling hair and tying a child up. The law does not just provide for a ban on physical punishment, but also makes the causing of psychological or emotional harm and other degrading measures illegal.

At the same time the Sozialgesetzbuch, the German childcare law, was amended to impose an active duty on local authorities to "promote ways in which families can resolve conflict without resort to force".

How the law was introduced

Childcare professionals, children's rights workers and others had been campaigning for some time for a ban on smacking. In 1997 German law was amended to prohibit "degrading methods of discipline including physical and psychological abuse", but this did not explicitly ban all physical punishment. The breakthrough came shortly after the general election of 1998 when the coalition of the Social Democratic Party and the Greens that formed the new Government included a commitment to ban corporal punishment in their coalition agreement. There was little opposition in either half of the German Parliament or in public, despite the fact that public opinion polls at the time were showing a majority of people opposed to a ban. The only concern expressed was the worry that parents would be criminalised, but this was overcome by writing the ban into the Civil Law in 2000.

The Government's aims

These closely matched those of the Swedish Government more than twenty years earlier. By banning all forms of corporal punishment they hoped to:

- give children the same legal protection from being hit as adults.
- change public attitudes to make all forms of violence against children unacceptable in the population as a whole, leading eventually to a break in the 'cycle of violence'.

¹⁹ The information on Germany is based upon a report prepared by Phil Taverner, NSPCC Area Children's Services Manager (UK), who visited Germany to investigate its law reform measures. The report can be found on the website: <http://www.endcorporalpunishment.org> (see Global Initiative, n.d.b).

- reduce child abuse by allowing professionals to identify with more confidence families whose children may be at risk and to provide help before more serious abuse takes place.

Research in Germany had established a clear link between childhood experiences of physical punishment and the likelihood that those young people would turn to violence and other forms of anti-social behaviour in their turn. Concern about growing youth crime was high in Germany, and a ban on smacking was clearly seen as an important element of the attempt to 'turn the tide' in the long-term.

Many other countries had already banned smacking, indicating a growing consensus among European countries that use of any force against children is unacceptable. Germany was keen to learn from these others' experiences and Sweden, Norway, Denmark and Austria were picked out in particular as examples of good practice. The Parliament noted that only a small minority of European countries still held onto the defence of "reasonable chastisement".

The German constitution applies equally to children and adults. Different articles of this Constitution provide for the protection of each person's value as a human being and for the right to be free from all physical harm from others. To allow a situation to continue in which children can be subjected to physical punishments while adults are legally protected was untenable. The German government also took their ratification of the UN Convention on the Rights of the Child, and Article 19 in particular, into account.

How the law change was communicated to the public

The Federal Government and NGOs collaborated to launch a public campaign to accompany the law reform and encourage parents to raise their children by non-violent means. The objective of the campaign was not to pillory parents – rather to sensitise them in measured ways as to how they could raise their children with due respect and care. The campaign was two-tiered. One part utilised posters, advertisements and television spots. The other consisted of individual projects and community initiatives all around Germany, geared towards supporting parents in the raising of their children. To raise the public profile of the campaign, prominent personalities, including the Federal Minister for Family, Senior Citizens, Women and Youth were appointed as ambassadors to promote child rearing by non-violent means.

One of the slogans that accompanied the legal change from the beginning was "Help instead of punishment", stressing the fact that the intention was to change public opinion and provide families with the means to move away from reliance on use of force as a way of resolving conflict. To this end

the introduction of the law was accompanied by a public education campaign entitled "More Respect for Children". This was funded by Central Government but implemented by a combination of federal and local authorities and non-governmental organisations. The precise nature of the campaign varied from place to place due to Germany's federal structure, but employed a wide range of methods to get the message across. These included such things as slots on national TV, the production of leaflets and educational materials for parents, public events and workshops, the introduction of structured courses as part of adult education programmes and more. The main criticism from childcare professionals and rights campaigners was that this campaign was not extensive enough. Preliminary results from its evaluation did show a shift in public opinion already, but the actual results of the evaluation are still awaited.

The continuing responsibility for the long-term implementation of the law has been passed to the federal and local authorities by the amendment to the childcare legislation mentioned above. To date there has not been a single prosecution of parents that refers to this new law so far, indicating that the "help instead of punishment" perspective is working.

Children's participation

In Germany professionals draw a very firm connection between the extent to which children are able to participate in matters of interest to them and their physical safety. This is partly why the campaign referred to more respect for children: If you respect someone enough to give them a say, it becomes much more difficult to justify hitting them in situations of conflict. As long ago as 1980 the Civil Law was amended to give parents a duty to "discuss with the child questions relating to their care and upbringing and strive for a consensus". That this is completely unenforceable is not the point, since it creates an expectation that children have a legal right to be heard. It is possible that the attitudes brought about by the existence of this right for more than 20 years helped pave the way for the eventual ban on smacking.

An exercise was held in 2000, culminating in a two day summit meeting involving children elected from all parts of the country and Chancellor Schroeder. The workshop drew up a charter of children's rights and responsibilities. Three of the children's seven demands were for action to protect children from all forms of physical harm or punishment. Freedom from being hit was clearly a priority for children, and the government took this seriously.

11. Iceland (2003)

The Icelandic government passed a new Children's Act in March 2003 which completed the process of total abolition of corporal punishment of children by

making it unlawful in the home. Article 28 of the new Act states: “It is the parents’ obligation to protect their child against any physical or mental violence and other degrading or humiliating behaviour”. This is interpreted by the government and by the Ombudsman for Children as explicitly prohibiting corporal punishment by parents. It is supported by provisions in the Child Protection Act 2002 which had already placed an obligation on parents “to treat their children with care and consideration”, and “to safeguard their welfare at all times”. The new law took effect on 1 November 2003.

There is no legal defence available to parents who use corporal punishment, although there is a right to use physical restraint as an emergency measure when an individual is in danger of injuring himself or others. Cases of corporal punishment may come within the scope of the Child Protection Act (2002), which orders imprisonment “if those who have a child in their care mistreat the child mentally or physically, abuse him/her sexually or otherwise, or neglect the child mentally or physically, so that the child’s life or health is at risk” (Article 98) and for “any person who inflicts punishments, threats or menaces upon a child, that may be expected to harm the child physically or mentally” (Article 99). Imprisonment or fines can also be imposed on “any person who subjects a child to aggressive, abusive or indecent behaviour or hurts or insults him/her” (Article 99) (Global Initiative, n.d.b).

12. Ukraine (2004)

A new Family Code came into force in Ukraine in January 2004 which bans all corporal punishment.

13. Romania (2004)

A new law on Protection and Promotion of the Rights of the Child passed both Chambers of the Romanian Parliament on 15 June 2004. It prohibits all corporal punishment and will come into force on 1 January 2005.

Recent or current international developments

A number of other countries have recently, or are currently, giving consideration to the physical punishment of children and whether or not reform of their law is desirable. Italy may well follow the Israeli example given the 1996 ruling of their highest Court, the Supreme Court of Cassation in Rome, prohibiting all parental use of corporal punishment. Israel subsequently enacted legislation confirming the ban, although this is still awaited in Italy. An explicit ban on all physical discipline is currently

under consideration in Belgium following amendments to their Constitution and criminal law. In the wake of the European Court of Human Rights decision in *A v UK*, public consultation exercises, incorporating law reform options, have been undertaken in Scotland, Northern Ireland, England and Wales. The Criminal Justice (Scotland) Act 2003 abandoned a proposed prohibition on the use of physical punishment with children under the age of three, and instead introduced the concept of ‘justifiable assault’ of children. The use of implements to hit children, shaking and blows to the head have been banned.

The Supreme Court of Canada has recently upheld the constitutionality of s.43 of the Canadian Criminal Code, but significantly limited this defence. All US states, except Minnesota, regard physical punishment as a defence to a charge of assault. The law varies from state to state, with many outlining factors in statute or case law to assist courts in determining whether parental conduct is deemed to be reasonable or unreasonable discipline. These factors include the child’s age, personality and level of understanding, the necessity of the force, the amount of force used and the circumstances surrounding this, the risk of injury to the child, and the parent’s intention.

In 2002 the South African Law Commission recommended the removal of the defence of reasonable chastisement from their law. The Crimes Amendment (Child Protection Physical Mistreatment) Act was introduced in New South Wales in 2001. Prior to this the common law defence of reasonable chastisement applied. The new legislation attempts to specify to which parts of a child’s body force can be applied, provided it does not harm the child more than briefly. In Tasmania, Patmalar Ambikapathy, Commissioner for Children, proposed the physical punishment of children as a topic for a law reform project by the Tasmania Law Reform Institute in 2001. Section 50 of the Tasmanian Criminal Code provides a defence to the use of reasonable force by a parent seeking to correct a child. The Law Reform Institute initially published an Issues Paper as part of a public consultation process, followed by a Final Report in 2003 (Tasmania Law Reform Institute, 2003) which concluded that the current law relating to the physical punishment of children was unclear. Various options for reform have now been proposed ranging from clarification of the law to abolishing s.50.

1. Italy

On 16 May 1996, Italy’s highest Court, the Supreme Court of Cassation in Rome, issued a decision prohibiting all parental use of corporal punishment (unlike Israel, this is not yet confirmed in legislation, although legal reform is underway). The Supreme Court upheld the conviction of Natalino Cambria

for maltreating his ten year-old daughter whom he had subjected to beatings to correct her behaviour. Rather than limit itself to the facts of the case (as the European Court did in *A v UK*) the Supreme Court “attempted to establish the legal principle that the use of violence against children even for educational purposes is never permissible” (Freeman, 1999, p.134). Judge Francesco Ippolito, who wrote the judgement, was influenced by the Italian Constitution of 1948 and laws built upon this, as well as by international law (particularly Articles 2, 3, 18 and 19 of UNCROC). He said:

The very expression ‘correction of children’, which expresses a view of child rearing that is both culturally anachronistic and historically outdated, should in fact be re-defined, abolishing any connotation of hierarchy or authoritarianism and introducing the ideas of social and responsible commitment which should characterise the position of the educator vis a vis the learner. The term ‘correction’ should be understood as a synonym for education and refer to the conformative spirit which should be a part of any educational process. . . . In any case, whichever meaning is to be reassigned to this term in family and pedagogic relationships, the use of violence for educational purposes can no longer be considered lawful. There are two reasons for this: the first is the overriding importance which the [Italian] legal system attributes to protecting the dignity of the individual. This includes ‘minors’ who now hold rights and are no longer simply objects to be protected by their parents or, worse still, objects at the disposal of their parents. The second reason is that, as an educational aim, the harmonious development of a child’s personality, which ensures that he/she embraces the values of peace, tolerance and co-existence, cannot be achieved by using violent means which contradict these goals. (*Cambria*, Cass, sez. VI, 18 Marzo 1996 [Supreme Court of Cassation, 6th Penal Section, March 18 1996], *Foro It II* 1996, 407)

The judges in *Cambria* “considered the case as an opportunity to establish the legal principle that parents in Italy are absolutely forbidden from using any violence or corporal punishment to correct their children’s conduct”. They predicted that the new juridical principle would filter into society as a new norm and create an atmosphere in which physical chastisement of children is not socially acceptable.

2. Belgium

Early in 2000 a new clause was added to the Belgian Constitution to confirm that children have an absolute right to moral, physical, psychological and sexual integrity. The change occurred as a result of a recommendation from the Belgian National

Commission against Sexual Exploitation of Children, which also proposed ways of supporting adults in using non-violent child rearing. The Commission concluded:

The absence of violence in relations with children cannot be limited to a self-imposed obligation nor to a personal style of child-rearing practised by certain people. The absence of violence should be a norm respected by the whole of society, not only because even today too many children are the victims of acts of violence, but because children and their integrity as persons should be always and everywhere respected . . . Respect for children and violence against them can never go together. If one of the characteristics of a society which thinks of itself as civilised is the absence of violence, there can be no justification for violence against children. (Belgian National Commission against Sexual Exploitation of Children, as cited in Global Initiative, n.d.b)

“In November 2000, the Belgium Parliament passed a new, detailed criminal law on child protection which increased penalties for assault and injury to children when caused by parents and others in authority over children. It is not clear, as yet, whether this law together with the constitutional changes effectively prohibits all corporal punishment.” (Global Initiative, n.d.b). An explicit ban on all corporal punishment is under consideration.

3. England and Wales

An adult who is deemed to have assaulted a child can be prosecuted by the police under a number of different provisions of the law in England and Wales, including the Offences Against the Person Act 1861 and the Criminal Justice Act 1988. Section 1 of the Children and Young Persons Act 1933 also makes it a criminal offence to wilfully assault a child, but liability is limited by sub-section 7 which ensures that the right of any parent, teacher or other person having lawful charge of a child to administer punishment is not affected (Freeman, 1999). If a parent, or somebody acting in a parental role, physically disciplines a child and is charged with assault then they can invoke the defence of reasonable chastisement. This defence dates back to an 1860 case, *R v Hopley*, in which Lord Chief Justice Cockburn said that:

. . . by the law a parent . . . 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. (*R v Hopley* (1860) 2 F and F, 202)

Freeman (1999) notes that in modern times the epithet ‘moderate’ seems to have been dropped, and

the emphasis is now on the word 'reasonable'. What constitutes reasonable chastisement was not defined in the law and the success of the defence in an assault prosecution depended upon the facts of that case.

The need for change in the law was prompted by the decision of the European Court of Human Rights (Strasbourg) in the case of *A v United Kingdom* [1998] 2 FLR 959.

A nine year-old English boy, known as 'A' to protect his anonymity, made an application to the European Court of Human Rights that the United Kingdom had violated his rights under the European Convention by not adequately protecting him from being subjected to his stepfather's treatment or punishment contrary to Article 3. The boy and his brother had been on the child protection register between May 1990 and November 1991 due to known physical abuse by their mother's de facto partner (subsequently their stepfather). The Police had issued him a caution after he admitted hitting A with a cane. In February 1993 the head teacher at A's school reported to the Social Services Department that A was again being hit with a stick by his stepfather. The medical examination revealed several fresh and older bruises consistent with blows from a garden cane which had been applied with considerable force (Smith, 1999). The stepfather was subsequently charged with assault occasioning actual bodily harm contrary to s.47 of the Offences Against the Person Act 1861. His prosecution occurred in an English court in February 1994, where he used the common law defence of 'reasonable chastisement' and was found not guilty by the jury.

A then applied to the European Commission on Human Rights which, in 1997, found unanimously (and the UK government accepted) that there had been a violation of A's rights under Article 3 of the European Human Rights Convention:

No one shall be subjected to torture or to inhuman or degrading treatment.

The Commission then referred the case to the European Court of Human Rights. After a hearing in September 1998 the Court released its judgement on 23 September 1998. The Court unanimously held that the beating of the boy by his stepfather constituted 'inhuman or degrading' punishment in breach of Article 3 of the European Human Rights Convention, and that current UK domestic law failed to provide adequate protection:

Children and other vulnerable individuals, in particular, are entitled to State protection, in the form of effective deterrence, against such serious breaches of personal integrity.

The Court referred to Articles 19 and 37 of the United Nations Convention on the Rights of the Child. It ordered the UK Government to pay the boy £10,000 damages and his legal costs. The judgement

was binding on the 40-plus European states which have ratified the Convention. Smith (1999) notes that although *A v UK* represented an advancement in the application of the European Convention, the decision was in conformity with the spirit of existing European and international laws. It fell short of indicating that a prohibition on all forms of physical chastisement of children is necessary. It is the lack of precision on the definition and application of the defence of reasonable chastisement which most concerned both the European Court and the UN Committee on the Rights of the Child (Smith, 1999).

Having found a breach of Article 3, the European Court did not go on to consider A's claim that the beating had also breached his right to physical integrity (Article 8) and to protection without discrimination (Article 14).

As a party to the European Convention on Human Rights the UK Government accepted the finding of the European Court of Human Rights and undertook to change the law to ensure that children are protected from inhuman and degrading treatment. The Government made a public commitment to consult on the best way forward. On 18 January, 2000 a consultation document on the physical punishment of children, *Protecting Children, Supporting Parents*, was issued by the Department of Health for England (Department of Health (UK), 2000). The Secretary of State for Wales, with the assistance of the Welsh Assembly, carried out its own consultation exercise. Similar consultations occurred in Northern Ireland and Scotland. The Department of Health paper accepted the need for change, but did not consider it necessary to make all physical discipline unlawful. Rather, the intention was to clarify the law to distinguish "between the sort of mild physical rebuke which occurs in families and which most loving parents consider acceptable, and the beating of children" (Department of Health (UK), 2000, p.2). The paper proposed explicitly setting out in law "that in considering whether or not the physical punishment of a child constitutes 'reasonable chastisement', a Court should always have regard to [relevant] factors" (p.13). These factors were those set out by the European Court of Human Rights and included the nature and context of the treatment, its duration, its physical and mental effects, and in some instances, the age, sex and state of health of the victim. Beyond this 'minimal compliance' recommendation, the Department of Health also outlined three other options for ways in which the defence of reasonable chastisement could be further limited – expand upon the list of factors to be taken into account; retain the defence for lesser assault charges only; or clarify (and possibly restrict) who may claim the defence. The consultation document also incorporated the results of a 1998 survey on people's views on the physical punishment of children.

This showed strong support for the right of parents to use physical discipline – 88% of the 2000 adult respondents “agreed that it is sometimes necessary to smack a naughty child, while 8% disagreed” (Department of Health (UK), 2000, p.20).

The Welsh consultation resulted in 90 responses. Over 830 responses were received to the English consultation exercise by the closing date of 21 April 2000. Five hundred of these were from individuals, of which one third explicitly said their religious convictions had influenced their views.

The consultation document evoked strong reactions and, whilst some welcomed the decision not to ban physical punishment of children, there was little support, overall, for the alternative proposals made. For some these went too far, for others they fell well short of what is needed to protect children. Opinions generally were polarised between those who supported physical punishment of children and those who wanted it banned completely. (Department of Health (UK), 2001, p.4)

While there was a wide divergence of views expressed in the consultation exercise a broad consensus of opinion did emerge on the need for the law to be as simple as possible, and on the unacceptable nature of some forms of discipline. The UK Human Rights Act also came into force in October 2001. This requires a Court to read the law together with Article 3 in any case involving the defence of reasonable chastisement or s.1 of the Children and Young Persons Act 1933. The factors outlined by the European Court of Human Rights (the nature, duration, effect of the punishment and the sex, age and health of the child), which were replicated in the Department of Health’s (2000) proposed recommendation for reform of the law, would now have to be taken into account when determining whether or not the physical punishment of a child constituted reasonable chastisement. The Court of Criminal Appeal had also adopted these factors into the common law for England and Wales in an April 2001 judgement, *R v H (Reasonable Chastisement)*. They expressly stated they had adopted this option because of its recommendation in the Department of Health (2000) consultation document. The Government therefore concluded the consultation exercise by stating:

These recent developments in the law have answered some of the key concerns that led to the consultation exercise in the first place. We do not believe that any further change to the law at this time would command widespread public support or that it would be capable of consistent enforcement. However, we will keep the reasonable chastisement defence under review in the future. (Department of Health (UK), 2001, p.20)

This decision was strongly criticised by the Children are Unbeatable! Alliance (Peacey, 2002). The Alliance

had formed in response to the consultation exercise and had made a detailed response to the consultation, *Moving On From Smacking* (Children are Unbeatable! Alliance, 2000), which was later published on its behalf by the National Society for the Prevention of Cruelty to Children (NSPCC). They wanted the law changed to remove the defence of reasonable chastisement, but said this would not mean that parents would be prosecuted for trivial smacks, any more than trivial assaults on adults are prosecuted. The point of law reform, for them, was educative – to change attitudes (see also, Hodgkin, 1997). In a debate on 24 January 2002 the National Assembly for Wales expressed support for a total ban on physical punishment.

In October 2002 the UN Committee on the Rights of the Child was critical of the UK Government’s lack of steps, aside from enacting the Human Rights Act, to eliminate or amend its reasonable chastisement defence to parental assaults on children.

In May 2003, the British government reversed its decision of 2001 and announced that registered childminders (similar to licensed day-care providers) will be banned from smacking children in their care, even if they have permission to do so from the child’s parents. Some commentators have predicted that this ban will move the prohibition on smacking by parents a step closer.

In June 2003 the British Joint Parliamentary Committee on Human Rights recommended repeal of the reasonable chastisement defence for parents who physically punish their children. The Committee said the defence does not recognise the right of children to be free from physical assault and is incompatible with the government’s obligations under the U.N. Convention on the Rights of the Child:

We conclude that the time has come for the Government to act upon the recommendations of the UN Committee on the Rights of the Child concerning the corporal punishment of children and the incompatibility of the defence of reasonable chastisement with its obligations under the Convention. We do not accept that the decision of the Government not to repeal or replace the defence of reasonable chastisement is compatible with its obligations under the Convention on the Rights of the Child. (Joint Parliamentary Committee on Human Rights, 2003, section 7.94, paragraph 111)

The Committee is made up of lawmakers in both the House of Lords and House of Commons. The House of Commons Health Committee was charged with examining the factors that led to the death in 2000 of Victoria Climbié. This eight-year-old child died of hypothermia and malnourishment after suffering 128 separate injuries inflicted over a period of several months at the hands of her guardians. The committee

found that punishment of the child started with “little smacks” that escalated into abuse and eventually ended in her death. The Health Committee urged the British government to use the green paper it prepared on children at risk as an opportunity to recommend removal of the reasonable chastisement defence.

The Children Bill was subsequently published by the Government to institute the legislation recommended by the inquiry into Victoria Climbié's death. This Bill did not contain any proposal relating to the reasonable chastisement defence. However, on 18 May 2004 four Peers tabled an amendment to the Bill inserting a New Clause to give children equal protection under the law on battery and assault without interfering with parents' rights to use reasonable force to protect and restrain their children. This was debated by the House of Lords on 20 May 2004. The Children are Unbeatable! Alliance, supported by over 180 MPs and Peers, pressed for a ‘free vote’ on the New Clause so that Peers could subsequently vote according to their conscience rather than their party line. The Government considered the clause would be unenforceable and resisted a free vote because of their view that a full ban would represent an unacceptable intrusion into family life and inevitably lead to parents being prosecuted for minor slaps. On 5 July 2004, after a three hour debate over rival amendments, the House of Lords rejected an outright ban on physical punishment and voted 226 to 91 to pass a compromise amendment to the Children Bill. This amendment was drafted by Lord Lester of Herne Hill and supported by the Government. It will allow parents to use ‘mild’ smacking, but ban smacking which causes bruises, scratches, reddening of the skin or mental harm. The use of implements to strike children will also be prohibited.

After the Third Reading in the House of Lords, the Children Bill will move to the House of Commons where it has to be debated by MPs and approved by the House of Commons before becoming law in England and Wales. The Children are Unbeatable! Alliance, which vigorously opposes the compromise amendment, is continuing to press for an equal protection clause and a free conscience vote for all MPs. David Hinchliffe MP, an Alliance supporter and Chair of the Health Select Committee which first called for the ban on smacking, is leading a concerted campaign to reject the amendment and replace it with a New Clause guaranteeing children equal protection.

The results of a recent MORI polling company survey, commissioned by the Children are Unbeatable! Alliance (2004), found that a majority (71%) of the 2,004 adults surveyed between 26 February and 2 March 2004 would support a change in the law to give children the same protection from being hit in the family home as that currently enjoyed by adults.

Only 10% would oppose such a move. Parents (74%), young adults under 24 years of age (76%) and women (73%) were most likely to support law reform of this kind.

4. Northern Ireland

Similar to the law in England and Wales, reasonable chastisement by parents (or those in charge of a child) is a defence to a charge of assault (and other more serious charges like child cruelty) in Northern Ireland's criminal law. The assault must have taken place in the course of lawful correction of the child by his or her parent, or someone standing in the place of the parent (e.g. a babysitter or relative), and the punishment had to have been reasonable and moderate. The standard of reasonableness is not defined, and this uncertainty was criticised by the European Court of Human Rights in *A v UK*. The criteria used for determining reasonableness adopted by the English Court of Criminal Appeal in *R v H* are of persuasive authority in Northern Ireland.

Teachers and people working in residential care homes and the juvenile justice system are not allowed to use physical punishment on the children and young people in their care. Teachers in private schools may still use reasonable and moderate physical punishment on privately funded pupils, but the Department of Education intends to change this.

The impetus for public discussion about the appropriateness of the law on the physical punishment of children arose from two sources. The main prompt was the decision of the European Court of Human Rights in *A v UK*, but the passage of the European Convention on Human Rights into Northern Ireland law in October 2000 was also influential. Northern Ireland was in the position of having to reassess its human rights and equality obligations. Judges now had to take account of Convention cases when deciding cases in Northern Ireland's courts, and develop the common law and interpret statutes in line with Convention rights. As a result, the Office of Law Reform launched a wide-ranging consultation exercise on physical punishment in September 2001 with a consultation paper for Northern Ireland and a shorter Summary Version (see Office of Law Reform, 2001a, 2001b). The Office of Law Reform sought feedback on the effectiveness and acceptability of physical punishment, as well as various reform options which spanned leaving the matter to the courts, limiting or removing the defence of reasonable chastisement, and/or introducing a statement of parental rights and responsibilities.

The Office of Law Reform also commissioned the Northern Ireland Statistics and Research Agency to ask some questions on physical punishment in an Omnibus Survey conducted in March 2001. This found

that 45% of parents said they had physically punished their children, and 36% of parents found physical punishment an acceptable form of discipline (Office of Law Reform, 2001a).

The consultation period ended on 31 January 2002 and reform proposals are still currently awaited.

5. Republic of Ireland

In 1994 the Law Reform Commission examined the common law immunity allowing parents (and people standing in the place of parents) to use reasonable and moderate chastisement in the correction of their children. The Commission considered it premature to abolish the immunity immediately, and recommended that education of parents and the public about the discipline of children could facilitate law reform in due course. The Irish government has informed the UN Committee on the Rights of the Child of its intention of ending parental physical punishment using education means. This commitment was restated in their *National Children's Strategy* report (Department of Health and Children, 2000):

Quality parenting programmes are to be made available to all parents. . . . As part of a policy of ending physical punishment, parenting courses will focus on alternative approaches to managing difficult behaviour in children. (p.74)

6. Scotland

In Scotland (and Northern Ireland) the issue has been considered as a devolved matter. Following the case of *A v UK*, and publication of England's consultation document, the Scottish government issued a consultation paper on the physical punishment of children in Scotland (Scottish Executive, 2000). Of the 220 responses received, 34% were in favour of a total ban on physical punishment, 43% were prepared to consider some clarification of the law, and 17% thought there should be no change (Scottish Executive, 2001, p.42).

In 2001 the Scottish Executive announced its intention to provide more clarity for adults and greater protection for children by outlining the factors to guide courts when determining the reasonableness of punishment and by prohibiting blows to the head, shaking and the use of implements. The Executive also suggested prohibiting the physical punishment of children up to and including the age of two:

A child cannot learn from punishment unless it understands the relationship between the bad behaviour and the punishment. Before the language skills have properly developed, many children will not be able to understand why they are being punished. There may be room for debate about the exact age which should be prescribed, but it

is clear from our consultation responses that many people would regard punishment to be wrong or ineffective for children below a certain age. (Scottish Executive, 2001, p.43)

These proposals were introduced into the Scottish Parliament in March 2002 via the Criminal Justice (Scotland) Bill. The 'Justice 2' committee supported the banning of blows to the head, shaking and use of implements, but did not support the age prohibition. The Criminal Justice (Scotland) Act, which was quietly brought into force on 27 October 2003, therefore abandoned the proposed age prohibition and instead introduced the concept of 'justifiable assault' of children. Section 51 of the Criminal Justice (Scotland) Act 2003 bans the use of implements to hit children, shaking and blows to the head.

For details see <http://www.scotland.gov.uk>

The Deputy Secretary General of the Council of Europe, Maud de Boer-Buquicchio, whilst giving the Kilbrandon Lecture in Glasgow in December 2003, criticised the Scottish concept of justifiable assault of children as it:

. . . would appear to conflict with international and European human rights standards. Prohibiting only some forms of physical violence, such as blows round the head, the use of implements and shaking as unjustifiable is an implicit acceptance of parents' rights to assault and hurt children in other ways. I believe this is wrong and should be changed. (de Boer-Buquicchio, 2003)

She also called for a Europe-wide ban on all corporal punishment of children:

There is no more symbolic demonstration of the low status of children in many European States than the persisting legality and prevalence of corporal punishment. . . . Banning all corporal punishment, which violates international law as set by the Council of Europe and the United Nations alike, is undeniably still a controversial issue. . . . But where the human rights obligations of the State are clear cut, as in this case, it must be the task of governments to shape, not follow public opinion. We must move quickly to create a Europe-wide ban on all corporal punishment of children. Just as the Council of Europe has effectively eliminated the use of the death penalty across the 45 Member States, now we must move quickly to eliminate this unjust and dangerous practice of corporal punishment of children. I challenge the UK and others across Europe to stop defending – or disguising as discipline – deliberate violence against children and to accept that children, like adults, have the fundamental human right not to be assaulted. (de Boer-Buquicchio, 2003)

7. Canada

The legal status of physical punishment in the fields of child welfare, child care and education varies by jurisdiction and statute across Canada. However, Federal legislation is applicable for all provinces and territories. In this respect, s.43 of the Criminal Code provides a defence to assault that justifies the use of reasonable force for the correction of children by teachers, parents or persons standing in the place of parents:

Every schoolteacher, parent or person standing in the place of a parent is justified in using force by way of correction toward a pupil or child, as the case may be, who is under his care, if the force does not exceed what is reasonable under the circumstances.

In November 1998 the Canadian Foundation for Children, Youth and the Law (CFCYL), a Toronto-based organisation established to uphold the rights of children, started an action in the Ontario Superior Court of Justice to challenge the constitutionality of s.43 of the Criminal Code. They argued that s.43 violated the Canadian Charter of Rights and Freedoms and the United Nations Convention on the Rights of the Child. A number of organisations with an interest in the outcome of the challenge and a different perspective on the issues applied to the court for intervenor status to participate in the hearing. The challenge was dismissed by the Ontario Superior Court and by the Ontario Court of Appeal, which upheld the constitutionality of s.43 and found that even if s.43 infringed children's equality rights under the Canadian Charter of Rights and Freedoms, it was a justifiable limit on those rights. The Superior Court judgement did not, nevertheless, wholeheartedly endorse s.43:

The evidence shows that public attitudes toward corporal punishment of children are changing. There is a growing body of evidence that even mild forms of corporal punishment do no good and may cause harm. There has been disparity in the judicial application of s.43 of the Criminal Code. It may well be that the time has come for Parliament to give careful consideration to amending s.43 to provide specific criteria to guide parents, teachers, and law enforcement officials. Specific criteria would assist trial judges, who are vested with the difficult task of deciding sensitive, emotionally-charged allegations of criminality against parents and teachers, and would also help achieve the desirable objective of ensuring greater uniformity in judicial decisions involving allegations of assault on children. Judges, however, are not legislators, nor should they be. (Justice David McCombs, Ontario Superior Court, *Canadian Foundation v Attorney General in Right of Canada*, July 2000)

In its judgement on 15 January 2002, the Ontario Court of Appeal stated that the Canadian government 'has clearly and properly determined' that physical punishment of children is bad. But it, too, upheld the constitutionality of the law which justifies the use of reasonable force by parents, teachers and some others to discipline children. The Court found that even if current law infringed children's equality rights under the Canadian Charter of Rights and Freedoms, it was a justifiable limit on those rights.

The CFCYL then applied to the Supreme Court of Canada for leave to appeal and this was granted by the Court in October 2002. The final stage of the constitutional challenge was heard by the Supreme Court of Canada on 6 June 2003, and its decision recently announced on 30 January 2004. Six justices upheld the constitutionality of s.43 but substantially limited its scope; three dissented and held it violated the Charter, with one of the three holding the violation justified under s.1 of the Charter:

In a split 6 to 3 decision, the Supreme Court rewrote s.43, and then held it to be constitutional. The majority decided that this broad 1892 defence allowing parents and teachers to use reasonable force for correcting children doesn't allow teachers to use corporal punishment, or parents to hit a child with objects, or on the head, or strike a child under age 2 years or over age 12, and to use only 'minor, transitory or trifling' force to correct children between the ages of 2 and 12.

Dissenting Justice Louise Arbour held that constitutionality of s.43 must be determined on the section as it stands; not as rewritten. Nothing in the statute suggests that Parliament intended such conduct to be excluded from s.43. As it stands, she held it is too vague to give fair warning to the public as to what it means. It therefore violates s.7 of the Charter under which no one can be deprived of security of the person except in accordance with principles of fundamental justice. One of these principles is that a law must not be vague. Parliament, not the court, is the proper forum to deal with s.43. The section should be struck down.

Dissenting Justice Marie Deschambes agreed with Arbour J. but also held that s.43 violates s.15 of the Charter guaranteeing equal protection and benefit of the law without discrimination based, inter alia, on age. The court, she wrote, can't substitute its own views for those of Parliament. When interpreted according to the intention of Parliament, s.43 violates s.15 and can't be justified under s.1 of the Charter as a reasonable limit prescribed by law in a free and democratic society. Section 43 should be struck down.

Dissenting Justice Binnie also agreed that s.43 violates s.15 of the Charter. In even stronger

language, he stated that stripping children of protection from assault makes them second-class citizens. It is destructive of dignity from any perspective. Physical integrity, he wrote, is a fundamental value applicable to all. He held, however, that the 'salutary effects' of s.43 'exceed its potential deleterious effects' since, in his view, children are protected under child welfare legislation. But, he held, s.43 should be struck down for teachers, as their relationship with pupils is closer to master-apprentice abolished by Parliament in 1955. (Report of the Supreme Court decision, Repeal 43 Committee, n.d.)

Trocmé & Durrant (2003) note that those opposed to the repeal of s.43 tend to fall into two broad groups:

- (1) physical punishment advocates, such as certain religious and parents' rights groups, and
- (2) professionals and service providers who do not advocate the use of physical punishment but who fear that abolition of section 43 could jeopardize their work with children (e.g. the Canadian Teachers Federation). Members of the first group tend to focus the debate on the rights of parents versus the rights of children and the interpretation of scripture. Those in the second group are concerned that they could be charged or sued if they use any type of physical force to protect themselves or another child from a disruptive child. (p.41)

Some child welfare authorities are also concerned that the child protections systems may be flooded with referrals should s.43 ever be repealed. Despite this opposition, and the Supreme Court ruling, the Repeal 43 Committee nevertheless plans to continue its national campaign to convince politicians and the public that s.43 should be repealed. If repeal is unlikely, they will urge the government to initiate public consultations to evaluate and clarify the limitations imposed by the Supreme Court decision.

The Coalition on Physical Punishment of Children and Youth, a coalition of national organisations brought together by the Children's Hospital of Eastern Ontario, also aims to raise awareness about ending physical punishment. In April 2003 the Coalition published a *Joint Statement on Physical Punishment of Children and Youth* (Durrant, Ensom et al., 2003) which was distributed to a large number of organisations in Canada for endorsement. It recommends that three broad national initiatives be undertaken:

First, public awareness campaigns must deliver a clear message consistently and persistently that hurting children as punishment is unacceptable and places them at risk of physical and psychological harm. Second, public education strategies must be launched to increase Canadians' knowledge

of child development and effective parenting, and existing programs supported. Third, the Criminal Code of Canada must provide the same protection to children from physical assault as it gives to adults; and the Government of Canada must meet its obligations under the United Nations Convention on the Rights of the Child. (Durrant, Ensom et al., 2003, pp.16-17)

8. United States of America

The United States is one of two countries to have not ratified UNCROC. Its Supreme Court has recognised the parental right to reasonably discipline children by stating that "the statist notion that governmental power should supersede parental authority in all cases is repugnant to American tradition" (*Parham v J.R.*, (1979) 442 U.S. 584, 603).

Johnson (1998) notes that: "the parental right to use physical force to discipline and restrain children is a privilege firmly rooted in the American system of jurisprudence" (p.413). Almost all US states regard physical punishment as a defence to a charge of assault. The defence is often called 'reasonable force' or 'parental reasonable force'. The law varies from state to state – in some the concept of reasonable punishment is not defined, while in others flexible standards and guidelines are set out in statute or case law to distinguish between conduct which is deemed to be reasonable or unreasonable. These standards may require the court to consider factors such as the child's age, personality and level of understanding, the necessity of the force, the amount of force used and the circumstances surrounding this, the risk of injury to the child, and the parent's intention. Minnesota is alone in not permitting the defence of reasonable correction to be applied to a charge of assault. Four statutory provisions in Minnesota state law, when taken together, imply that parental corporal punishment could be prosecuted as assault (Bitensky, 1998).

Davidson (1996) and Johnson (1998) are both critical of the broad language purposely utilised by states in drafting their child abuse statutes which traverses "the often thin line between acceptable and unlawful punishment" (Johnson, 1998, p.416). While such provisions must necessarily cover a wide range of parental conduct, this "creates uncertainty in the whole child abuse prevention effort with respect to marginal cases" (Davidson, 1996, p.415). This then provides juries with:

. . . unstructured and unfettered discretion to distinguish between reasonable parental discipline and child abuse. Because this is often an equivocal judgement, some parents who do in fact abuse their children through corporal punishment escape the net in which legislation has attempted to catch them. In

this regard, the statutes are not serving the purpose of protecting the children in marginal cases. . . . Legislatures must rewrite laws that pinpoint the harm they are trying to prevent. (Davidson, 1996, pp.418-419)

Johnson (1998) proposes a justification statute that would place parental conduct that results in physical injury to a child outside of the parental defence umbrella. The goal of the statute would be “to preserve the parental privilege to use disciplinary force while simultaneously providing a clear statement that the physical integrity of children is sacrosanct” (Johnson, 1998, p.413).

Around half of the US states allow their elementary and secondary schools to use reasonable corporal punishment in the disciplining of students. Imbrogno (2000) reports that “schools in these states exercise this disciplinary right with some regularity” (p.125). A 1990 survey by the US Department of Education estimated there were over 600,000 instances of school-administered corporal punishment per year (Imbrogno, 2000). The Southern states have proportionately higher rates of such punishment than the states in the north. Imbrogno argues that ratification of UNCROC by the US government is unlikely given the current absence of popular consensus about corporal punishment:

Corporal punishment’s deep historical roots, its biblical underpinning, the ambiguous debate surrounding it, and the history of local control over the practice, make unqualified ratification of the Convention unlikely. . . . Proponents of the Convention hope that ratification will, at a minimum, lead to the emergence of a new norm disfavoring the practice of corporal punishment. What is more likely, however, is that this top-down policy-making will only harden opposing positions on this controversial issue. A new norm rejecting corporal punishment in America’s schools may yet emerge; but it will have to emerge by changing public attitudes, one local community at a time. (Imbrogno, 2000, p.147)

Imbrogno’s advocacy for a bottom-up or ‘grassroots’ approach was strongly criticised in a later edition of the *Journal of Law and Education*. Zirkel (2002) noted that Hyman, Stefkovich and Taich regarded Imbrogno’s position as “seriously flawed” and “based on outdated and incorrect information” (p.71). Zirkel concludes that the issue is not whether either a grassroots or a top-down approach is preferable, “but rather whether sparing the rod spoils the student or, instead, whether barring it foils the schools” (p.71).

9. South Africa

Children for Africa, the Second African Conference on Child Abuse and Neglect held in Cape Town in

September 1993, unanimously adopted a resolution to eliminate all physical punishment of children in schools, child care organisations and the home (Newell & Kibel, 1995).

More recently, the South African Law Reform Commission (2002) has recommended the removal of the defence of reasonable chastisement:

The Commission therefore proposes that upon any criminal charge of assault or related offences (such as assault with intent to do grievous bodily harm), it shall not be a defence that the accused was a parent, or person designated by a parent to guide the child’s behaviour, who was exercising a right to impose reasonable chastisement upon his or her child. (p.xxviii)

10. Australia

(a) New South Wales

The Crimes Amendment (Child Protection Physical Mistreatment) Act was introduced in New South Wales in 2001. Prior to this the common law defence of reasonable chastisement applied. This Act, via s.61AA (defence of lawful correction) amended the Crimes Act 1900 (NSW) by setting out what is unreasonable physical punishment:

- (1) In criminal proceedings brought against a person arising out of the application of physical force to a child, it is a defence that the force was applied for the purpose of the punishment of the child, but only if:
 - (a) the physical force was applied by the parent of the child or by a person acting for a parent of the child, and
 - (b) the application of that physical force was reasonable having regard to the age, health, maturity or other characteristics of the child, the nature of the alleged misbehaviour or other circumstances.
- (2) The application of physical force, unless that force could reasonably be considered trivial or negligible in all the circumstances, is not reasonable if the force is applied:
 - (a) to any part of the head or neck of the child, or
 - (b) to any other part of the body of the child in such a way as to be likely to cause harm to the child that lasts for more than a short period.

This legislation attempts to specify to which parts of a child’s body force can be applied, provided it does not harm the child more than briefly. It was passed with the support of the Government and the Opposition, medical, legal and child protection professionals, the NSW Commission for Children and Young People and the Community Services Commission (Gawlik et al.,

2002). The Commissioner for Children and Young People was given the responsibility for undertaking an accompanying education campaign.

Other child advocates have been less enthusiastic about the ambiguous nature of the NSW law reform and the fact it does not rule out the use of implements. The Tasmanian Commissioner for Children expressed her disappointment when the original proposal was “amended and diluted” by the NSW Parliament, which meant she “was no longer able to support it” (Ambikapathy, 2002, p.17). EPOCH New Zealand has also been critical, although they recently reported the successful prosecution under the new legislation of a man who had hit his child with a belt, leaving sustained bruising on the child’s thigh and buttocks (EPOCH New Zealand, 2003a). The man was sentenced to a 12-month good behaviour bond. EPOCH noted that while this case may serve as a warning to NSW parents, case law will have to accumulate before they know how much hitting will be regarded as too much under the Crimes Amendment (Child Protection Physical Mistreatment) Act.

(b) Tasmania

Section 50 of the Tasmanian Criminal Code provides that:

It is lawful for a parent, or person in the place of a parent to use, by way of correction, any force towards a child in his or her care that is reasonable in the circumstances.

This operates as a defence that can be raised in relation to any charge involving the application of force to a child by a parent or person in the place of a parent. Thus, parents can use physical punishment with the intention of disciplining their children without being guilty of an offence, as long as the force used is ‘reasonable in the circumstances’. The law does not stipulate what is and what is not reasonable, so this has to be determined on a case by case basis. A review of Australian case law commissioned by the Commonwealth Government (Cashmore & de Hass, 1995, as cited in Gawlik et al., 2002) found there were relatively few reported cases that have considered what is reasonable punishment:

This is because parents are rarely charged with assaulting their children and also because these cases are usually heard in the lower or Magistrate’s Courts where decisions are not reported. (Gawlik et al., 2002, p.10)

However, the case law which was reviewed revealed “significant inconsistencies . . . with the result that it provides minimal assistance in determining the legal limits of physical punishment” (Cashmore & de Hass, 1995, as cited in Gawlik et al., 2002, p.11).

A 1999 amendment to the Criminal Code (and the insertion of an offence provision in s.82A of the Education Act 1994) removed the defence for teachers.

Children can therefore no longer be physically disciplined in Tasmanian schools. The Criminal Code also prohibits the physical punishment of children in juvenile detention centres, and policy and licensing guidelines ban its use in foster care and childcare.

In September 2001 Patmalar Ambikapathy, Commissioner for Children, proposed the physical punishment of children as a topic for a law reform project by the Tasmania Law Reform Institute. The Commissioner’s policy (Ambikapathy, n.d.) did not support the subjection of children to physical punishment at home as a means of discipline, and her Office had been very active in advocating for reform of s.50 and the promotion of non-violent discipline methods.

The Tasmania Law Reform Institute responded by publishing an Issues Paper (Gawlik et al., 2002) to which 56 individuals, groups and couples responded to two proposed reform options – abolition of the defence of reasonable correction; or clarification of the law by setting out in legislation what is or is not reasonable punishment, and/or the factors which a court should take into account when deciding whether a particular child’s punishment was reasonable. The Commissioner for Children strongly urged the banning of physical punishment in Tasmania as she considered the current defence of domestic discipline to not be in the best interests of children (Ambikapathy, 2002, 2003). She also recommended that an educative component to promote positive parenting practices be implemented.

The Tasmania Law Reform Institute’s Final Report was released on 26 November 2003. The report (available at <http://www.law.utas.edu.au/reform>) concludes that the current law relating to the physical punishment of children (in particular s.50 of the Tasmania Criminal Code) is unclear. This lack of clarity means the law offers no clear guidance to parents on what level of physical punishment of their children is acceptable. It also means that any prosecutions are difficult, even in cases of apparently serious child abuse. Since some children may not be being as protected from excessive physical punishment as effectively as possible the Report recommends reform of the law.

Two options for reform are proposed. The first is to prohibit the use of physical punishment; and the second is to clarify the law by further defining what type and/or degree of punishment is reasonable or unreasonable. The majority of the Law Reform Institute Board is of the view that clarifying the law is not the preferred option because it does not adequately protect the human rights of children, is likely to be less effective, there is no community consensus on the types of levels of acceptable physical punishment, and public support for prohibition can be achieved through education and a time delay. It is thought that education

is less likely to be effective without prohibition also occurring.

The Institute therefore made three alternative recommendations as follows:

1. that the defence of reasonable correction be abolished;
2. if the Parliament does not implement the first recommendation, in the alternative, a staged approach is recommended. The first stage involving the clarification of s.50, the second stage, two years later, the abolition of the defence (repeal of s.50);
3. if the Parliament does not implement the first or second recommendations, it is recommended that s.50 be clarified, and that in two years the appropriateness of the availability of the defence be reviewed.

New Zealand

1. Historical background to s.59 of the Crimes Act 1961

Fathers possessed the literal power of life and death over their sons, together with the power of whipping and imprisoning, under classical Roman law (Caldwell, 1989). This broad power of *patria potestas* had reduced to a right of reasonable chastisement by the time of Justinian (560 AD), such that 'extremely severe castigation' no longer remained lawful. The English "common law never countenanced the extremity of the classical Roman law" (Caldwell, 1989, p.371) and was a lot more moderate. "Blackstone noted that a parent 'may lawfully correct the child, being under age, in a reasonable manner'" (Caldwell, 1989, p.371).

English common law allowed a husband to correct his wife by 'moderate' beating on the basis that he was responsible for her behaviour. It also allowed corporal punishment of domestic servants by their employers, and of apprentices by their masters. Such domestic chastisement was legal and commonplace until the nineteenth century.

By the eighteenth century, English common law had evolved to limit corporal punishment of children to what was considered reasonable. This standard was applied by judges in the rare cases where assault charges were laid against parents or teachers. Reasonable corporal punishment continued to be considered an essential part of learning, discipline and moral development and was common in all classes of society. By the nineteenth century, the common law power to administer reasonable corporal punishment for correction became part of English statute law as a specific defence to assault. This defence was simply incorporated as part of their first Criminal Code when England's criminal law was codified in 1892.

In New Zealand, the common law of parental chastisement was codified in s.68 of the Criminal

Code 1893 (Caldwell, 1989). This also codified the common law authorising the use of physical force by both school teachers and commanding naval officers. The same provision was repeated in s.85 of the Crimes Act 1905. When s.59 of the Crimes Act 1961 was enacted the statutory wording was slightly modified, and the authorisation for naval officers was placed in a different section.

During this period, s.59 of the Crimes Act 1961 stated:

- (1) Every parent, or person in the place of a parent, and every schoolmaster, is justified in using force by way of correction towards any child or pupil under his care, if the force used is reasonable in the circumstances.
- (2) The reasonableness of the force used is a question of fact.

The use of corporal punishment was subsequently abolished in New Zealand state and private schools and early childhood centres by s.139A of the Education Act 1989. This took effect from 23 July 1990. Various individuals such as Laurie O'Reilly, Professor James and Dr Jane Ritchie, the Human Rights Commission, the Ministerial Committee of Inquiry into Pornography 1989 and the O.E.C.D had all advocated its prohibition (Caldwell, 1989). An amendment to s.59 of the Crimes Act 1961 (via s.45 of the Crimes Bill 1989) excluded the statutory authorisation for teachers to use reasonable force against pupils in schools. Thus, s.59 of the Crimes Act 1961, entitled 'domestic discipline', now reads:

- (1) Every parent [of a child and, subject to subsection (3) of this section, every person in the place of the parent of a child is justified in using force by way of correction towards the child], if the force used is reasonable in the circumstances.
- (2) The reasonableness of the force used is a question of fact.
- (3) Nothing in subsection (1) of this section justifies the use of force towards a child in contravention of section 139A of the Education Act 1989.

The term 'justified' is further defined in s.2(1) of the Crimes Act as meaning in relation to any person that they are "not guilty of an offence and not liable to any civil proceeding". Thus s.59 provides what is known as a statutory defence (an excuse) in law. If an adult is prosecuted for assaulting a child then s.59 can be invoked in court to say that the assault was justified. This may lead to an acquittal if the judge or jury agrees. Parents/caregivers who come within s.59's ambit are also protected from civil liability arising from, for example, tortious actions for trespass to the person (Ahdar & Allan, 2001, p.2).

A parent (or any other relevant adult) has to satisfy the following tests before being sheltered by the protection offered by s.59:

International Developments

- Any force used must be by way of correction.
- The force used must be reasonable in the circumstances.

The Ministry of Youth Affairs (2000) notes that s.59 does not sanction child abuse, nor protect a parent from the consequences of using excessive force.

The Court considers a number of factors to decide if the degree of force used by a parent was reasonable, including: the age and maturity of the child, other characteristics of the child such as physique, sex and state of health, the type of offence, and the type and circumstances of punishment. (Ministry of Youth Affairs, 2000, p.87)

2. New Zealand case law

As part of its 2003 review of New Zealand's compliance with UNCROC, the UN Committee on the Rights of the Child asked Action for Children and Youth Aotearoa (ACYA) for a review of Family Court and criminal court cases involving use of s.59. This was prepared by John Hancock, a YouthLaw solicitor and ACYA Committee member, and incorporated the following cases:²⁰

(a) Points of law

Sharma v Police A 168/02, 7/02/03, HC, Fisher J: In this case, heard in the High Court on appeal, the Court reluctantly found that the Domestic Violence Act 1995 does not preclude the s.59 defence of reasonable justified force, even when there is a protection order in force protecting that young person from the parent disciplining the child. Fisher J noted that "I would have expected the Domestic Violence Act to expressly exclude a s.59 defence" but he found that "the statutory wording seems to require otherwise".

Ausage v Ausage [1998] NZFLR 72: The Family Court held, inter alia, that s.59 of the Crimes Act applied to civil proceedings by reason of s.2 of the Crimes Act. In its headnote the Court stated:

Having regard to the importance which society placed upon the upbringing of children it was clearly intended by Parliament that any parent able to claim the benefit of s.59 of the Crimes Act 1961 would be immune from suit, whether criminal or not.

In addition, the Court found that it must have regard to the characteristics of the child, such as physique, sex and state of health, when determining whether the force used was reasonable. The Court also found that matters of ethnic or cultural background or

religious belief do not apply to the determination of a s.59 defence, stating that there was to be "one universal standard" irrespective of individual family circumstances. On this issue, the Court differed from the obiter of Heron J in the High Court case of *Erick v Police*, which stated such matters were of relevance (see p.78 of the judgement).

The Family Court has subsequently held itself bound to recognise the right of parents to use reasonable force by way of correction in cases involving custody of children and protection orders.

(b) Criminal convictions

R v McFarlane CA 29/01, 17/5/01, CA, Blanchard, Doogue and Randerson JJ: The Court of Appeal considered an appeal to a conviction of cruelty to a child under s.195 of the Crimes Act 1961. The appellant had raised the s.59 defence in the District Court, but was nevertheless convicted by the jury. In dismissing the appeal, the Court found that the trial judge had correctly directed the jury as to the respective sections 59 and 195 of the Crimes Act (see paragraphs 9-18 of the judgement).

Hibbs v Police AP 205/95, 26/10/95, HC, Barker J: This case concerned a High Court appeal from conviction and sentence for assault against a child. The child in question had suffered serious injury (a fractured skull, injuries to the testicles) from the appellant's de facto partner, and had been beaten and verbally threatened and abused by the appellant himself. The District Court judge rejected the appellant's s.59 defence, finding that the force used was clearly not reasonable.

In the High Court, Barker J dismissed the appeal against conviction. However, the judge upheld the appellant's appeal against sentence reducing it from 14 months imprisonment to 6 months, suspended for two years (as was the case in the original verdict). In doing so, the judge found that the appellant's assault on the child was not as serious as his de facto partner (who was sentenced for 21 months imprisonment, suspended for two years) and reduced his sentence accordingly. However, it remained unclear as to the extent of the appellant's actions and, as a result of the suspended sentences, neither he nor his partner were imprisoned.

R v Johansen CA 220-95, 25/9/95 CA, Richardson, Thorp and Williamson JJ: This Court of Appeal case concerned an appeal from conviction subsequent to trial by jury. The appellant had been found guilty of caning two boys and was fined \$1,000 on each charge. The appellant appealed on the basis that he should

²⁰ The Children's Issues Centre gratefully acknowledges John Hancock's willingness to allow this case review to be included in this report. Please note that like the Cashmore & de Haas (1995, as cited in Gawlik et al., 2002) review of Australian case law, this review of NZ case law does not involve all relevant cases in the NZ courts. Many decisions (especially those in the District Court) concerning the s.59 defence are unreported. Hancock (2003) therefore had to utilise newspaper reports of some of these cases to supplement those reported and unreported judgements he obtained through legal indexes.

have been discharged without conviction under s.19 of the Criminal Justice Act 1985. It was argued that his conviction and sentence was out of proportion to the circumstances of the offence. However, the Court dismissed the appeal, as they were not persuaded that the trial judge erred in his discretion.

Sadie v Police AP 50/95, 26/10/95, HC, Williams J: A parent who rough-handled and smacked a toddler in public without causing marks was found guilty of assault on a child at trial. On appeal, the High Court rejected the appellant's s.59 parental discipline defence.

R v Accused [1994] DCR 883, Buckton J: In an application for severance and discharge heard in the District Court, the accused made children in his charge undress and put on tight shorts. He then handcuffed and caned them. The defendant was convicted of ill-treatment under s.195 of the Crimes Act. He sought discharge from the s.195 charge on the basis that one instance of assault does not constitute ill-treatment and, secondly, that s.59 provided a defence to force used in "correction". The Court rejected both these arguments, finding that the circumstances of the assault indicated that the jury may well find that the defendant had an additional motivation of self-gratification.

(c) Criminal acquittals

R v Hende [1996] 1 NZLR 153, 18/9/95, CA, Eichelbaum CJ, Hardie Boys and Henry JJ: The Court of Appeal heard this appeal from conviction and sentence. The appellant had been convicted of assault, stupefying and ill-treatment of children following trial by jury in the District Court. Turning to each conviction, the Court found:

- Ill-treatment of children charge: The Court held that the district court judge erred in describing the mens rea ingredient as comprising solely the deliberate exercise of an act of ill-treatment. What was required was "that the ill-treatment must have been inflicted deliberately with a conscious appreciation that it was likely to cause unnecessary suffering." The Court ordered a retrial in relation to this charge.
- Stupefying charge: The Court held that there was an absence of evidence of intent to stupefy the child in question. Eichelbaum CJ stated that it was a "reasonable possibility that the appellant had administered phenegran to calm the child rather than with the intent to stupefy him".
- Assault charge: The Court held "There was no justification for treating the incident as involving anything more than a pat on the bottom. Although technically an assault, it did not merit the stigma of a conviction and the fine imposed".

(d) Media reports of criminal acquittals

"Man who chained stepdaughter goes free" (NZ Herald 17/11/99): A jury in the High Court at Palmerston North acquitted a man accused of chaining his wayward 14-year-old stepdaughter to himself, from charges of kidnapping and cruelty to a child. The report stated that the defendant's counsel successfully utilised a defence of "tough love" without having to call evidence.

"Belting okay for wild boys says jury"; "Man acquitted of spanking" (NZ Herald 21/6/02): A jury in the North Shore District Court cleared an Auckland man of assault after he took a belt to his hyperactive stepchild as punishment for continually running on to the road in front of cars.

"Father acquitted in pipe beating"; "Jury acquits thrasher dad" (NZ Herald 3/11/01): A jury in the Hamilton District Court decided a father who struck his 12-year-old daughter with a hosepipe was within his rights to do so and acquitted him from assault charges.

"Smacking father discharged" (The Dominion 22/2/01): A jury in the Napier District Court acquitted a man who struck his son several times on the buttocks with a piece of wood. A pediatrician stated that the injuries the boy received must have been caused by "considerable force".

"Smacking laws stay unchanged for now" (The Dominion 21/12/01): This article refers to the above cases in Hamilton and Napier and also refers to a case heard in the Christchurch District Court, where Noble J acquitted a man for hitting his daughter with a doubled over belt, finding that the man had used reasonable force.

(e) Family Court cases

Re MM & PM FP 079-002-00, 8/3/02, Inglis J: This matter concerned a Family Court application to approve a revised care and protection plan, where the child concerned would remain in Child, Youth and Family Services (CYFS) care for another six months. Although the mother and stepfather applicants had been acquitted from a charge of assault in the District Court for caning the child with a bamboo stick, the Family Court judge held that continued CYFS care was justified, as the mother and stepfather seemed to be under the impression the acquittal vindicated their behaviour. The judge observed that it was necessary for the child to be protected from adult excesses.

Wilton v Hill FP 069/11/92, 26/7/01, Whitehead J: The Family Court had to consider whether it had jurisdiction to hear an application for discharge or suspension of access of a parent to a child, in circumstances where the alleged abuse that occurred may be defensible in criminal law under s.59. The judge found that the Family Court clearly did have

jurisdiction, referring to the Court's obligation under s.23 of the Guardianship Act 1968 to give paramount consideration to the best interests and welfare of the child in question.

M v M FP 083-240-00, 27/11/00, Walsh J: This Family Court case concerned an application for a final protection order by a 17-year-old girl against her father. The applicant had a temporary protection order granted after her father punched her in the face, head and arm causing injuries including a black eye. The issue before the Court was whether the force used by the father was reasonable in the circumstances. The judge held that a parent is entitled to use corporal punishment, but the force used must be reasonable and a parent cannot resort to assaulting a child under the guise of discipline. The judge considered that, on the evidence, the risk existed that the respondent would resort to hitting the applicant again if he felt justified, and accordingly granted the application.

T v T 9/7/90 Auckland Family Court FP 004/919/90: This case also concerned an application for a Protection Order. The respondent Father had hit his 12-year-old son with a gun belt and kicked him on the bottom, causing bruising. The respondent claimed it was reasonable chastisement. The Family Court accepted that s.59 permits a degree of violence, but found kicking a child and causing bruising was unacceptable.

S v B (1996) 15 FRNZ 286: In another application for a protection order, the respondent father had slapped the applicant, his 14-year-old daughter, with his open hand on the girl's legs and face during an access visit. Prior to this the respondent had pushed her across the room and forced her into a squatting position, as a reaction to what he considered to be defiant behaviour. The daughter was refused a protection order on the basis that, in the circumstances, this was reasonable force by way of correction under s.59. In justifying this finding, the Court found:

The criteria for making a protection order were not made out. In the circumstances B's actions, although inappropriate, could not be considered as "abuse" or "a pattern of behaviour" constituting domestic violence. R accepted that her own behaviour was unacceptable. She was acting irrationally and B's response was spontaneous. She did not require medical attention. (p.287)

F v T 27/03/02 Wanganui Family Court FP083/46/01: This case concerned an application for a custody order. The Court heard that the mother hit her children with a riding crop and wacky stick and slapped the older children, claiming it was reasonable discipline. The judge described the mother's parenting style as extreme and harsh and accordingly awarded custody to the father.

C v C 5/11/02 Porirua Family Court FP091/159/02: A mother smacked her seven-year-old child in the bath and slapped the child's face, claiming that she administered this in a calm controlled manner. The judge observed that this was unreasonable discipline.

T v T 19/11/01 Wanganui Family Court FP083/306/00: This case regarded an application for a custody order. The father made his two boys, aged four and 10, lie on their beds face down while he hit them on their buttocks or hands with a length of hose. In addition, it was heard that he boasted about giving his children a beating and slapped his baby daughter in front of a teacher. It was also heard that the mother had hit the children on their hands with a hairbrush. The Court awarded custody to the mother.

(f) Summary

The Court and media reports reveal that s.59 of the Crimes Act 1961 has been inconsistently applied in court cases relating to parental violence against children (Hancock, 2003). The s.59 defence has been successfully raised in cases where parents have been prosecuted for hitting their child with a bamboo stick, a belt, a hosepipe, a piece of wood and chaining their child in metal chains to prevent them leaving the house. These successful acquittals all occurred in jury trials, where the jury found that such actions were a reasonable, and therefore lawful, means of domestic discipline towards children.

In contrast, similar instances of corporal punishment have been found to be unreasonable by judges in the Court of Appeal, High Court and Family Court. Conversely, a smack on the bottom was not seen as sufficiently serious to warrant conviction in the Court of Appeal case of *R v Hende*. Similarly, different judges in the Family Court have ruled that a slap in the face and on the legs was reasonable discipline in one case (*S v B*), so as to defeat an application for a protection order, and unreasonable in another (*C v C*).

Hancock (2003) concluded that the differing interpretations of s.59 by judges and juries reveals that whilst the test of 'reasonable' force is supposedly an objective one, consideration of the defence is almost inexorably intertwined with the decision-maker's individual moral position on the issue of corporal punishment of children.

Inconsistencies are not just restricted to matters of interpretation, as the defence is at odds with the tenor of New Zealand's contemporary family law jurisdiction. The unreported High Court case (February 2003) of *Sharma v Police* also raised a glaring inconsistency between the provisions of the Domestic Violence Act 1995 and s.59. In this case the Court reluctantly found that the existence of a protection order protecting a child against an abusive

parent does not preclude that parent from raising a s.59 defence to assaulting his or her child. Wood (1998) has also expressed concern at the “intrinsic inconsistency between section 59 of the Crimes Act and the more recently enacted Domestic Violence Act” (p.54).

3. United Nations Convention on the Rights of the Child

New Zealand was an initial signatory to the United Nations Convention on the Rights of the Child in 1989 and took the formal step of ratification on 13 March 1993. This means that the NZ Government has undertaken to comply with the 54 Articles in the Convention concerning the civil, political, social, economic and cultural rights of children and young people up to the age of 18 years.

Initial Report

In the Government's Initial Report to the United Nations Committee on the Rights of the Child (Ministry of Youth Affairs, 1995) the legal situation in New Zealand with respect to the physical discipline of children was covered (see paragraphs 187 to 189). Action for Children Aotearoa (ACA), a non-governmental organisation (NGO), under the umbrella of Youth Law, prepared an alternative report for the UN Committee. On 16 October 1996 three members of ACA met with the UN Committee at a half-day meeting in Geneva. In November 1996 the UN Committee formulated 53 questions which it submitted to the NZ Government for a written response. Included in these questions was one enquiring whether the NZ Government had considered repealing s.59. At the Committee's meeting on 20-21 January 1997 with representatives of the NZ Government the Government's response was outlined:

The Government does not have any plans to repeal s.59 of the Crimes Act 1961. The use of unreasonable force against a child is a criminal offence and extensive measures are in place for the protection of children from abuse and maltreatment. The Children, Young Persons and Their Families Service has recently conducted a campaign aimed at 'Breaking the Cycle' of abuse. This campaign was designed to raise awareness of the effects of violence on children and highlighted physical and emotional abuse. As part of this campaign there was material provided free in booklet form to inform parents about alternatives to physical punishment. The work of the Commissioner for Children on this issue has also continued. The Office this year published a book by Beth Wood called "Hey! We don't hit anybody here", which models alternative dispute resolutions. Research suggests that public attitudes towards physical punishment of children are changing. In 1993 a survey of 1,000 New

Zealanders aged 15 years or over found 87% agreed that there are certain circumstances when it is acceptable for a parent to smack a child. A similar survey of 500 in June 1995 found 70% agreed and another survey in September 1995 of 594 found 68% agreed. (Summary of discussions with the Committee, Ministry of Foreign Affairs and Trade, 1997, p.22)

In their Concluding Observations to the NZ Government, issued on 24 January 1997, the UN Committee expressed:

. . . its concern at the authorisation provided by section 59 of the Crimes Act to use physical force against children as punishment within the family, provided that the force is reasonable in the circumstances (para 16). . . . The Committee recommends that the State party review legislation with regard to corporal punishment of children within the family in order to effectively ban all forms of physical or mental violence, injury or abuse. (UN Committee on the Rights of the Child, 1997, paragraph 29)

Second Periodic Report

The NZ Government's Second Periodic Report was submitted to the UN Committee in December 2000 and covered the period June 1995 to September 2000 (Ministry of Youth Affairs, 2000). Its overview of the consideration given by the NZ Government to the Committee's 1997 recommendations noted that:

Section 59 of the Crimes Act 1961 has not been reviewed during the reporting period and it continues to provide a defence for parents to use force that is reasonable in the circumstances to discipline their children. New Zealand believes it provides sufficient protection through: the fact that s.59 does not sanction any form of violence or abuse against children; and the provisions of the Children, Young Persons and Their Families Act 1989 [which] provides protection when abuse is substantiated (para 79). Submissions criticised Government for not reviewing s.59 of the Crimes Act. One argument was that physical abuse of children will remain unreported in the community because hitting is seen as 'standard parental discipline'. Others thought that removing it would lead to loss of parental control. The opponents of corporal punishment recognised parents do need to be 'effectively' educated and supported if the law is changed. Reference was made to educational material on alternatives to corporal punishment produced by non-government organisations, especially EPOCH and the Peace Foundation (para 80). In October 2000 the Government directed officials to report as soon as possible on how other comparable countries (particularly in the European Union) have addressed the issue of compliance

with UNCROC, including the education campaigns that preceded legislative change. (paragraph 81)

The Government Report (Ministry of Youth Affairs, 2000) also reported that while NZ's legislative framework for corporal punishment had not changed, education was being used as the primary means to encourage parents to find alternatives to corporal punishment of children" (paragraph 495). Child, Youth and Family had launched the *Breaking the Cycle* campaign in 1995, and its fourth stage on alternatives to smacking had commenced in September 1998. This aimed to raise awareness about alternative discipline methods and to encourage parents/caregivers to think about using them. Television was the primary medium for campaign delivery, with posters, an 0800 freephone helpline, and pamphlet distribution also occurring. The Ministry said "results show the campaign was successful in raising awareness of the alternatives to smacking. It also found a positive attitudinal shift and a significant behavioural shift from pre-contemplation to contemplation of the alternatives to smacking" (paragraph 496).

In February 2001 ACA evolved into Action for Children and Youth Aotearoa (ACYA), an Incorporated Society, which continues as a coalition of NGOs and individuals interested in children's rights in NZ and in the production of a report for the UN Committee's reporting cycle. Their second report was sent to Geneva in February 2003, and a delegation of ACYA members (including a youth representative) met with the UN Committee in June 2003. ACYA (2003) recommended that:

The Government immediately comply with the Convention by passing legislation to repeal of section 59 of the Crimes Act 1961 and to ban the use of all forms of physical punishment of children and other cruel and degrading forms of punishment. In conjunction with the ban on physical punishment, the Government must take measures to educate parents and the public about children and young people's right to bodily integrity and protection from all forms of violence and the need to embrace non-violent methods of parenting. (pp.218-219)

Following its meeting with the NZ Government delegation, the United Nations Committee on the Rights of the Child issued its Concluding Observations on New Zealand's Second Periodic Report on 3 October 2003. The Committee was particularly concerned at the lack of progress on some of its 1997 recommendations:

While acknowledging the attention that the State party has given to the implementation of the recommendations of the Committee's previous concluding observations, adopted following the consideration of the State party's initial

report, the Committee notes with concern that some recommendations have been insufficiently addressed. The Committee is particularly concerned about the recommendations related to the harmonisation of domestic legislation with the Convention including . . . the prohibition of corporal punishment (para 4). The Committee reiterates those concerns and urges the State party to make sustained efforts to address those recommendations contained in the concluding observations on the initial report that have not been implemented and to address the list of concerns contained in the present concluding observations on the second periodic report. (UN Committee on the Rights of the Child, 2003, paragraph 5)

The UN Committee then devoted two paragraphs to the issue of corporal punishment:

The Committee is deeply concerned that despite a review of legislation, the State party has still not amended section 59 of the Crimes Act 1961, which allows parents to use reasonable force to discipline their children. While welcoming the Government's public education strategy to promote positive, non-violent forms of discipline within the home, the Committee emphasises that the Convention requires the protection of children from all forms of violence, which includes corporal punishment in the family, and which should be accompanied by awareness-raising campaigns on the law and on children's right to protection. (UN Committee on the Rights of the Child, 2003, paragraph 29)

The Committee recommends that the State party:

- a) Amend legislation to prohibit corporal punishment in the home;
- b) Strengthen public education campaigns and activities aimed at promoting positive, non-violent forms of discipline and respect for children's right to human dignity and physical integrity, while raising awareness about the negative consequences of corporal punishment. (UN Committee on the Rights of the Child, 2003, para 30)

The UN Committee's recommendation to the New Zealand Government that s.59 be repealed as it is inconsistent with Article 19 of UNCROC is consistent with its recommendations to all other countries with a similar law.

4. Agenda for Children

Action Area 4 of the *Agenda for Children* (Ministry of Social Development, 2002) addresses violence in children's lives. While there is a particular focus on reducing bullying, the issue of physical punishment of children does arise. The Agenda notes that:

The United Nations Committee on the Rights of the Child has raised concerns about New Zealand's law relating to physical punishment and its compliance with UNCROC. The Government has looked at how other countries have addressed the issue of physical discipline of children, including education campaigns and changes to law. We have also considered the implications for New Zealand should Parliament decide to repeal or amend section 59 of the Crimes Act 1961. (Ministry of Social Development, 2002, p.25)

The Agenda suggests that a public education process should be developed "to let people know about alternatives to physically disciplining children and to lead changes in attitudes and behaviour" (Ministry of Social Development, 2002, p.26).

5. Government review and proposed public education campaign

Following their review on how other comparable countries had addressed the issue of compliance with UNCROC in relation to corporal punishment, New Zealand government officials were asked to report by 30 November 2001 on the likely implications of repealing or amending s.59 and on educational measures that could be undertaken if the law was changed. A Memorandum to the Cabinet Social Equity Committee noted that:

Most countries that have made legislative changes appear to have been influenced by an increasing emphasis on the rights of children as much as a direct response to UNCROC. However, Germany has made changes in direct response to UNCROC. Education campaigns, where run, have tended to be undertaken in conjunction with legislative reform (instead of preceding it or as an alternative to change). Education campaigns have been aimed at informing people about legislative change and encouraging changes to parenting practice.

In December 2002, advice was provided to Government on legislative issues relating to s.59, as well as on a public education process on alternatives to physical discipline of children (Ministries of Youth Affairs and Social Development, 2003). The Ministry of Social Development, the Ministry of Youth Affairs and the Department of Child, Youth and Family Services, in consultation with other agencies, were subsequently directed to report back to Government with a public education strategy on alternatives to physical discipline. Funding for the strategy was included in the 2003 Budget, with around \$10.8 million being spent over a two year period. This "significant investment in a public education strategy to shift attitudes and change behaviours on physical discipline of children" (Carter, 2003, p.3) was reported to the UN Committee on the Rights of the Child by

the NZ Government delegation during their meeting in Geneva on 18 September 2003. The Government planned to give further consideration to changes to the law on the physical punishment of children once evaluation of the public education strategy over 2004 and 2005 had occurred (Carter, 2003; Ministries of Youth Affairs and Social Development, 2003). Cabinet would then decide what to do in relation to s.59 of the Crimes Act.

Responsibility for the public education strategy passed from Child, Youth and Family to the Ministry of Social Development toward the end of 2003. The *SKIP: Strategies with Kids – Information for Parents* campaign was launched by the Minister for Social Development and Employment, Steve Maharey, on 6 May 2004. With a budget of \$10.8 million spread over three years the campaign will work with community groups to provide resources and training for parents and caregivers of children up to five years old. The campaign is "designed to provide parents with information about raising children to be happy, dependable adults" (Ministry of Social Development, 2004, p.2). It comprises:

- a \$3.7 million SKIP Local Initiatives Fund for community groups wanting funding for local positive parenting projects;
- \$4.4 million to strengthen and expand existing parenting programmes;
- \$1.8 million for the production of national resources to support the campaign; and
- \$900,000 for monitoring, research and evaluation.

6. New Zealand Parliamentarians' views

Parliamentarians' views on s.59 have varied across a broad spectrum:

- Some MPs express support for continuation of the current defence and the right of parents/caregivers to use reasonable force to discipline their children (e.g. Hon John Tamihere, Minister of Youth Affairs).
- Others want to see s.59 repealed as soon as possible (for example, Sue Bradford MP and the Green Party).
- Some politicians support review of the defence following evaluation of a public education strategy (e.g., Hon Phil Goff, Minister of Justice).
- Others regard a change in the law as inevitable. For example, Rt Hon Helen Clark, Prime Minister, who said on Television One's Breakfast programme on 7 October 2003:

It will be controversial, but in my view it's in the best interests of children that we make a change. . . . I don't think for one moment it would lead to Police running around looking to mount a prosecution against everyone who lightly smacked

a child, but it does take away the defence behind which abusers can currently attempt to hide.

In a press release later that same day (7/10/03) the Minister of Social Services, the Hon Steve Maharey, confirmed that no-one in the Government was advocating the banning of smacking. Rather the Government would “consider removing the legal defence of ‘reasonable force’ but that did not mean a parent could not smack a child about to put its finger in a power socket”.

The Prime Minister reiterated her support for repealing s.59 at the Labour Party’s 2003 annual conference:

I for one cannot accept that it is fair and reasonable for the law to allow a defence for those who assault children. That does not yet seem to be a widely accepted view in New Zealand. I do ask our fellow citizens to reflect on the extent to which that law is shielding and protecting those who are violent. In my view, entrenched attitudes on physical discipline may be standing in the way of offering our children better protection. Let me be clear: removing the defence of reasonable force does not mean banning smacking. There is no such defence available to a person charged with assault of an adult. That doesn’t mean the police lay charges every time one adult pushes another. So why the reasonable force defence with respect to children? Don’t our kids deserve better? (Clark, 2003, as cited in EPOCH New Zealand, 2003b)

More recently, Ms Clark repeated her support for repeal of s.59 at the *Children Call Symposium* organised by the Office of the Children’s Commissioner on 12 February 2004:

There is still quite a high level of tolerance of physical discipline against children, and I personally think that provides a backdrop against which assault of children, in the worst cases, occurs, and I don’t like it. We have some new initiatives coming on parenting in a way that doesn’t involve physical discipline, but I don’t pretend it is a quick fix. It is a long term attitudinal change we need about physical violence and assault against children. The law in New Zealand provides a defence against assault on a child on the basis of the force being reasonable. I can tell you there is no such defence in the law for assault against an adult and I think that is wrong and I think the law should be changed. I would like the support of young people to do it. (Clark, 2004 p.42)

Participants at the *Children Call Symposium* strongly recommended repeal of the law, and the Government has undertaken to review s.59 of the Crimes Act in 2005 (Kiro, 2004). Meanwhile, Private Member’s Bills

have been prepared by three Members of Parliament which could bring forward debate on this legislative issue if one is drawn from the ballot box:

1. The Crimes (Use of Force) Amendment Bill, sponsored by Barbara Stewart (NZ First), proposes to amend s.59 to exclude the use of force to any area of the child’s head or neck, and also ban the use of an implement or device to cause pain by way of discipline;
2. The Green Party’s policy of repeal of s.59 is embodied in MP Sue Bradford’s Private Member’s Bill²¹; and
3. The Parental Discipline Bill proposed by Murray Smith (United Future) aims to distinguish loving discipline from abuse, and specifies in detail the issues the court would need to consider in those cases where s.59 is used as a defence.

7. Other New Zealand individuals and organisations

A nation-wide telephone survey of 1000 adults (18 years and over) was undertaken in June 2001 by the Ministry of Justice (Carswell, 2001) to ascertain public attitudes towards the physical discipline of children. The survey questions were grouped into three different aspects of physical discipline – type of punishment; physical severity of punishment; and the acceptability of physical punishment of children of different age groups. These questions sought to establish whether the public viewed the physical discipline of children as acceptable at all and, if so, what they considered to be acceptable physical punishment for the purposes of correction:

The results showed that 80% of the public agreed that a person parenting a child should be allowed by law to smack the child with an open hand if they are naughty. The use of objects to smack a child and smacking them in the head and neck area drew an overwhelmingly negative response from the public, indicating that only using an open hand was acceptable to most people . . . The questions on severity of punishment ranged from a smack that left no mark through to physical punishment that required medical attention. The responses indicated that only a smack that left no mark was acceptable to the majority of people (75%). Physical force that left a red mark or bruising that lasts for a few days, marks and bruising that last for more than a few day, and injuries that require medical attention were found to be unacceptable by almost everyone . . . In regards to the questions on the age groups of children, the results indicate that most respondents view punishing very young and older children as unacceptable. (Carswell, 2001, p.xii-xiii)

21 In June 2005 this Bill was drawn by ballot for consideration by Parliament.

In an effort to clarify the law on physical discipline, Robert van Wichen (1999) wrote an article to help parents understand they do have the right to use physical punishment provided the tenets of s.59 are met. He was concerned that many parents were confused about whether or not it was legal to smack their child. van Wichen said that “the prevalence of physical discipline . . . is anecdotal evidence of its legitimacy” (p.1) and felt it was “important that the law on this issue is understood so that parents can discern truth from fiction, and fact from propaganda” (p.4).

Ahdar & Allan (2001) believe that the case advanced by those promoting the abolition of corporal punishment “is surprisingly weak” and they oppose the repeal of s.59:

We defend the status quo – parents ought to be legally permitted to administer moderate corporal punishment for the purpose of correction. The research literature does not contradict the age-old child-rearing intuition that smacking is beneficial. Used sparingly, as a back-up for other disciplinary measures, administered with due warnings and at an appropriate age, and when set within the context of loving parents, smacking is easily defensible. Section 59 should be retained, as is. (p.13)

Ahdar & Allan (2001) consider that none of the abolitionists’ grounds for reform stand up to critical scrutiny:

- where there’s a right, there’s a way;
- deliberate conflation of smacking with abuse and violence;
- slippery, slippery slopes – smacking leads inexorably to abuse;
- smacking is ineffective and harmful;
- smacking teaches children that violence can solve problems;
- children have as much right to physical integrity as adults;
- smacking is never necessary and there are better alternatives; and
- smacking is not permitted under UNCROC.

Ahdar & Allan (2001) are concerned that abolitionists’ proposals will criminalise the parental conduct of a majority of the population. They agree that not all corporal punishment is reasonable and they do not defend child abuse. However, they do defend smacking by loving parents “who seek to raise their children so that they will respect their fellow citizens and will give due weight to the claims of legitimate authority” (p.13).

Other New Zealanders have, however, expressed opposition to the use of physical punishment with children. Chief amongst these have been Jane and James Ritchie, who have been researching in this area since the 1970s (Ritchie, 2002; Ritchie & Ritchie,

1970, 1978, 1981, 1993, 1997). More recently support for repeal of s.59 has become topical. Treadwell (2003) criticises the fact NZ “stubbornly refuse[s] to get rid of an obsolete written law which permits and even seems to encourage (justify) the reasonable beating of defenceless children by their parents and others in the name of correction” (p.107). Treadwell believes it is “strange” that the Government can remove teachers from the class of privileged people who can lawfully hit children, but not anyone else. He considers public education programmes to be “dubious and pathetic” and proposes “with due caution” an alternative defence for any person (not just parents/ caregivers) who may need to use force on a child to prevent them “running in front of vehicles, rescue from attack by man or dog or drowning, restraint from self-harm or other behavioural crisis or emotional frenzy and anti-social conduct of all kinds” (p.108).

Ludbrook & Wood (1999) dislike the mixed messages that New Zealand law gives parents and argue that “the quickest and most effective way to convey the message that corporal punishment of children is no longer acceptable is to repeal s.59” (p.7).

Clark (2000) argues from a children’s rights perspective that while the use of reasonable force with children is currently a parent’s legal right, this does not make it a moral right. He states:

That it is morally wrong to physically punish a child whatever the circumstances and regardless of the consequences would be justified on the grounds that a child has the right to have their bodily integrity respected by others. (p.16)

The Governor-General, Dame Silvia Cartwright, expressed her concern about s.59’s imprecision in a speech she gave to the Save the Children AGM in Wellington on 16 June 2002:

There is a contradiction in the way we look at the assault of another person, and the way we look at the physical discipline of children. It is unlawful to slap another person’s face, but not unlawful to do the same to your child . . . We need candidly and honestly to search our souls about all acts of violence and the way we deal with each other . . . And we must examine our laws to see whether they are capable of delivering a society which is safe for all children. (Cartwright, 2002)

Two authors (Caldwell, 1989; Ulrich, 1994) prefer an incremental approach to law reform. Caldwell (1989), writing prior to the abolition of corporal punishment in New Zealand schools, thought:

. . . a very slow, incremental approach to the process of reform would be both necessary and desirable. Such a process could well commence with the specific prohibition of corporal punishment in schools, accompanied by the simple removal of

the statutory authorisation for parents. This should still retain, for parents, the common law defence but would remove any suggestion of a legislative imprimatur for the practice of physical punishment. Adopting then the method of the Scandinavian governments, a major educational campaign would thereafter need to be mounted in order to persuade parents of both the harms of force and the merits of alternative child-rearing techniques. If this campaign succeeded in changing parental opinion, consideration could then be given to the enactment of a provision which, by specifically removing the common law defence, would effectively prohibit the use of parental force against children. (pp.386-387)

While strongly arguing for retention of the status quo, Ahdar & Allan (2001) nevertheless do agree with Caldwell (1989) that abolition of physical punishment of children by parents/caregivers in New Zealand would require more than simply repealing s.59 of the Crimes Act 1961:

Parents could still, by virtue of section 20 of the same Act, claim immunity from suit under the common law defence. This suggests that a specific statutory prohibition upon parental physical punishment would be needed. One reform path would be for the statutory immunity in s.59 to be repealed. The common law defence would remain while – following the Scandinavian example – a major educational campaign would endeavour to change parental opinion . . . Finally, subject to the success of such a campaign, a specific enactment outlawing parental punishment would be passed. The scope for prosecutions of recalcitrant parents would exist but could be mitigated by (to take Caldwell's proposal) the consent of the Solicitor-General being a precondition to criminal proceedings. (Ahdar & Allan, 2001, p.4)

Ulrich (1994) examines four arguments against physical discipline (physical discipline is ineffective; the association of physical punishment with child abuse; the link between physical punishment and violence generally; and the new focus on children's rights) before concluding that a step-by-step approach is necessary in New Zealand (as it was in Sweden). Noting that corporal punishment is already banned in New Zealand schools, Ulrich argues that "the next step is to ban corporal punishment altogether" (p.859) and to simultaneously launch an education campaign to begin changing attitudes toward physical punishment. Removal of the statutory right sends a strong message to parents that physical punishment is no longer acceptable. However, until parents are educated about other more effective discipline strategies the common law right should remain so that parents are not left foundering or feeling like criminals. Then "following a change in parental opinion, it will be appropriate to

enact a provision specifically removing the common law defence to use force against children" (p.860).

Many child-related organisations are promoting repeal of s.59. Chief amongst these is EPOCH New Zealand Inc (website: <http://www.epochnz.org.nz>), which was established in Wellington in January 1997. This is a charitable trust with the following aims:

- to end physical punishment of children;
- to educate parents and others about the dangers and disadvantages of physical punishment of children;
- to promote alternative non-violent ways of helping children behave well;
- to promote law reform that supports these aims.

EPOCH New Zealand pursues its aims through educating parents and caregivers by offering information on alternative non-violent ways of helping children behave well and by lobbying for repeal of s.59. In conjunction with the Office of the Commissioner for Children, EPOCH has developed a booklet for parents and caregivers, a pamphlet for new parents and fridge magnets to act as reminders about non-violence. In September 2001 EPOCH prepared a detailed submission to the Ministers of Justice, Social Services and Youth Affairs urging their repeal of s.59 (and related common law provisions) and launch of a public education campaign (Wood, 2001). Various options were then under consideration by the Government and EPOCH believed that any option other than a full repeal would be inadequate.

In December 2002, six church leaders (Anglican, Catholic, Presbyterian, Methodist and Church of Christ) issued a media release calling on Government to repeal s.59. They said:

The expression 'spare the rod and spoil the child' is mistakenly used to endorse hitting children. Those words are not an accurate quotation of the biblical verse (Proverbs 13.24), which goes on to say "the one who loves a child is diligent in correction". Such correction does not need to be by way of physical hitting; non-physical alternatives are available. (as cited in EPOCH New Zealand, 2003c)

The Paediatric Society of NZ has also supported the repeal of s.59 (Baker, 2003). While recognising that this would not be the same as a complete ban on smacking it "would be a very worthwhile step for New Zealand to take towards recognising the rights of children" (p.1).

The Institute for Public Policy at AUT and UNICEF New Zealand (2004) have recently distributed a brochure designed to help the public understand the need for repeal of s.59 of the Crimes Act and to provide reassurance about common fears and misunderstanding. The Children's Commissioner (Kiro, 2004) has also urged reform of the law.

8. Summary

The range of views of New Zealand individuals and organisations mirror those found internationally. Some want immediate abolition of physical punishment in New Zealand homes, while others prefer an incremental approach. Proponents of mild corporal punishment administered by loving parents find the existing law satisfactory and argue for its ongoing retention. However, a review of case law pertaining to s.59 of the Crimes Act 1961 shows the defence has been inconsistently applied in court cases relating to parental violence against children.

The UN Committee on the Rights of the Child has criticised the New Zealand Government, in both

1997 and 2003, for its failure to repeal s.59. The Government has recently launched a nation-wide public education strategy (SKIP) to support positive parenting, at the conclusion of which a decision will be made about whether any law reform will occur. Meanwhile some politicians (including the Prime Minister and the Minister of Social Services) have publicly announced their preference for repeal of s.59. This is also advocated by many child-related organisations and advocates, although the most recent survey of public attitudes in 2001 revealed that 80% of respondents agreed that a person parenting a child should be allowed by law to smack the child with an open hand if they are naughty.

8. Effective Discipline and Supporting Change

ANNE B. SMITH

Social science literature cannot provide the complete answer to the question of what the “best” way to discipline children is. There is no universal recipe for effective parenting. Different methods will work better with different behaviours, different children, in different families, and in different cultural contexts. Another unrealistic expectation is that isolated disciplinary acts will have an effect immediately. Discipline is a process which takes time – there are no instant effects, especially with younger children (Honig & Wittmer, 1991). Discipline is part of the holistic learning context of children and is integrally related to the totality of relationships, interactions and experiences within the family, and to the wider ecological context of families.

This chapter expands on the messages coming from the general research literature about ‘effective discipline’, and broadens the scope of our review on family discipline.

Past discipline research has been limited by its framework of Western traditions of parenting within affluent societies. Even within those traditions it is impossible to be certain that one method is the right one. Clarke-Stewart (1991) argues that the real world is not as simple as it is portrayed in the research literature, and that there is no easy solution to understanding and ‘fixing’ parents’ interactions with their children. Making a judgement about the adequacy of parenting is a tricky task, which is readily influenced by our own particular experience of being parented and parenting.

Nevertheless there is useful information which can be found from parents’ and children’s experiences within their own cultural contexts and from the research literature on the processes and outcomes of discipline. Understanding parenting through theory and research is useful, and can help parents reflect on and change their own approaches. Generations of parents have utilised the most effective methods already, and the most observant ones have been able to work out by trial and error within their own families what ‘works’ best. Some parents have made a conscious effort to change their parenting approach or would like to do so (Davis, 1999; First & Way, 1995; Russell, 1996). The vast majority of parents do not want to expose their children to health risks, so if they receive clear messages arising from research, such as that if infants are put to sleep on their back they are less at risk for cot death, many will take notice. In New Zealand, there has been a pleasing flow-on drop in cot deaths probably as a result of parent education

and professional support (Galland, Taylor & Bolton, 1999). Yet we have been so far reluctant to disseminate messages about the effects of punishment on children. Straus (2000) has been very critical of professionals (such as pediatricians) who have not presented a clear message to parents about the inappropriateness of physical punishment.

In our view there is a responsibility for researchers to communicate with parents about the health risks associated with the use of physical punishment. But this needs to be done within the context of information about effective discipline, and not in the context of an expert discourse telling parents what they should be doing. Parents may continue to use risky methods unless they are given support to help them to change. Straus (1994a, 1999) has emphasised that there is no need to wait for parents to be trained in alternative disciplinary methods before moving away from physical punishment. Most parents already use a wide range of other disciplinary methods such as rewarding, reasoning, providing clear rules, and milder forms of non-physical punishment. New Zealand parents (Maxwell, 1995; Russell, 1996) are often unhappy with their use of physical punishment and most certainly reject severe punishment, so many will be receptive to ideas about change. There is no reason to believe that the majority of New Zealand parents are incapable of stopping the use of physical punishment.

Cultures are always in the process of change, and these changes are driven by contemporary attitudes, values, knowledge and conditions within societies. Research is part of the process of change, and it influences evolving parenting practices in any society. A larger part of what drives parenting, however, is our shared cultural goals. What sort of people do we want our children to become? Do we want them to be passive, compliant and obedient more than we want them to be autonomous, to take initiative and to be creative? We are moving into a new era in relation to our respect for children, and our acknowledgement of their competency and agency (Mayall, 2002; Ministry of Social Development, 2002; United Nations, 1989) which has already been reflected in the abolition of physical punishment in schools and in other policy changes which respect children’s rights. Yet the most powerful advocates for children and supporters of children’s rights are parents and whānau. They have immense power to affect children’s lives positively or negatively, so society (including researchers) has a responsibility to support them in doing so.

The disciplinary encounter is but one socialisation strategy, and the goals of socialisation are themselves limited and culturally determined. The short-range objective of the exercise of parental authority is to maintain order in the family, subordinated, however to parents' generic objective, which is to further children's development from a dependent infant into a self-determining, socially responsible young person. For parents who want their children to take initiative, negotiate differences, and oppose injustice, behavioural compliance is a necessary but by no means sufficient long-range childrearing objective. (Baumrind, 1996b, p.408)

Parenting styles

Research on parenting styles is a popular paradigm within the child development field which is relevant to family discipline. It should be cautioned, however, that parents do not use a single style in discipline, but rather vary their practices depending on the context – including the nature of the child's misdeeds (Grusec & Goodnow, 1994). The work of Diana Baumrind, largely within a North American context, has influenced professional views about the nature of effective discipline (Ballantine, 2001). Baumrind's research (1991) has focused on different parenting styles. Parenting is described within different configurations or constellations of parental practice. There are three main styles of parenting which have been identified within this paradigm – authoritarian, authoritative and permissive. Authoritarian parents use power-assertive, prohibitive, and punitive strategies (such as rejection and control) which emphasise absolute obedience. Excessive physical punishment tends to be part of the power assertive repertoire of authoritarian parents, although some authoritative parents occasionally use physical punishment (Baumrind et al., 2002). Authoritative parents, are described as warm and responsive, using supportive and inductive techniques (reasoning and guidance), and providing firm boundaries. They are sensitive to children and have reasonable expectations for their behaviour. The focus of authoritative parenting is less on strict adherence to rules, than on explaining the rules and helping children understand the reasons behind them. Permissive parents are responsive, warm and accepting and are non-demanding, but do not carefully monitor and control children's behaviour.

One clear finding from the research literature is that authoritative parenting is associated with more prosocial and adaptive children's behaviour than authoritarian parenting (Baumrind, 1996c; Chen et al., 1997; Kaufmann et al., 2000; Xu et al., 2000). These findings have been replicated across cultural groups (e.g. Chen et al., 1997; Radziszewska, Richardson, Dent & Flay, 1996). Authoritarian parenting is

associated with self-orientation, low self-esteem and negative attitudes. It can also result in aggression, low peer acceptance, low sociability-competence, and poorer academic achievement. Authoritative parenting, on the other hand, is associated positively with indices of school and social adjustment and negatively with adjustment problems (Chen et al., 1997; Kaufmann et al., 2000). The outcomes of permissive parenting are less negative than authoritarian parenting, but less positive than authoritative parenting. One of the features of permissive parenting which is associated with poorer outcomes is its lack of monitoring and control of children's behaviour (McCabe et al., 1999). A summary of a study comparing authoritative and authoritarian parenting suggests that:

The strong relationship between authoritative parenting and healthy adjustment as well as the benefits of an authoritative over an authoritarian parenting style are further demonstrated by the results of the extreme group comparisons between highly authoritative and highly authoritarian mothers. These findings indicate that the gains of parental authoritativeness, but also the harmful effects of authoritarian parenting, are magnified for children whose parents subscribe to either parenting style more exclusively or consistently. (Kaufmann et al., 2000, p.242)

Another type of parenting approach which has been described, from within a behavioural paradigm, has been entitled 'coercive' (Chamberlain & Patterson, 1995; Patterson, 1995; Stoolmiller, 2001). This pattern of parenting is clearly maladaptive and is linked to a variety of negative child outcomes, such as aggression, acting out (e.g. temper tantrums), failure at school, association with antisocial peers, and delinquency (Dishion, Patterson, Stoolmiller & Skinner, 1991). A history of parental failure in discipline of this variety can produce severe conduct problems by adolescence. A coercive pattern of parenting provides contingencies in the social environment which strengthen negative behaviours and fail to teach prosocial behaviours. Coercion involves presenting aversive events contingent of the behaviour of another person (Patterson, 1995). Parents of children with antisocial behaviour have in these studies been shown to respond aggressively to children's mild and severe problem behaviour although their behaviour then actually increases the probability of the problem behaviour continuing. They use erratic and inconsistent discipline shifting from lax to punitive control. They tend to make the problem behaviour worse when they try to discipline children (Chamberlain & Patterson, 1995).

The problem in these coercive family interactions is that parents are non-contingent in their response to child behaviour. In other words, their reactions are not clearly linked to what the child is doing. For example, if a child behaves appropriately, the mother

is no more likely to respond in a positive, interested and supportive fashion than if a child is behaving inappropriately. There is an escalation effect in coercive cycles. As the child's antisocial behaviour increases, it is responded to by more severe responses. A child's whining may escalate to hitting or a temper tantrum, or a parent's scolding may escalate to severe physical punishment and then to abuse. Parents may threaten, scold, or spank but they do not follow through consistently. The child's problem behaviour escalates, and the parents' behaviours become increasingly ineffective. This model emphasises not only the parents' influence on the child, but the child's influence on the parent:

In this bidirectional model, the child is not viewed as a passive recipient of contingencies supplied by the environment. Rather, the child is seen as an active participant in that he or she interacts with persons and among settings in such a way as to maximise the immediate payoffs. In the environments that produce problem children, the payoffs for coercive behavior as a means for handling instructions or unpleasant experiences are significantly better than the payoffs for prosocial solutions. (Chamberlain & Patterson, 1995, p.215)

An unfortunate side effect of a history of problematic disciplinary patterns is that the parent feels a sense of failure and defeat, anxiety about the next disciplinary confrontation, and avoidance of attempts to rectify the situation by imposing rules or making requests.

Child development – the principles of effective discipline

1. Parental warmth and involvement

There is one fairly well-established finding in the literature on child development, and that is the “universality of rejection as a negative psychological influence in the lives of children” (Garbarino, 2000, p.59). Garbarino cites Rohner's (1975) study of 118 cultures around the world, in each of which rejection was associated with negative outcomes. “Rejection is a universal pathogen . . . a universal toxin in human development” (Garbarino, 2000, p.59). A predominance of negative affect is likely to be associated with defiance and hostile aggression in children (Baumrind, 1996b).

Children's acceptance by their caregivers is essential, if they are to avoid the negative consequences of rejection. Warm, trusting, responsive and reciprocal relationships between children and their caregivers and involvement with caregivers, provides an environment where children flourish, and where they are likely to learn what their caregivers want to teach them (Bronfenbrenner, 1979; Honig & Wittmer, 1991;

Grusec & Goodnow, 1994; Kalb & Loeber, 2003; Laible & Thompson, 2000). Within the context of a warm relationship and shared feelings, children are much more likely to respond to the demands of their parents to behave in particular ways. “Cooperation and compliance begins in infancy. Compliance flourishes in a climate of attentive, caring and affectionate relationships” (Honig & Wittmer, 1991, p.66). All children are non-compliant at some stage especially during toddlerhood when their exploration of their environment is so intense. Persistent non-compliance is not likely to develop beyond the toddler years in the context of loving relationships, if other conditions (discussed below) are also present (Kalb & Loeber, 2003).

The process of forming secure attachments begins in infancy, so the foundation for effective discipline begins from the earliest moments of the child's life as his or her relationships with caregivers evolve.

A mutually responsive, harmonious parent-child relationship, characterised by high levels of shared positive affect contributes to a child's willingness to embrace parental messages and values. A history of sensitivity and responsiveness on behalf of the parent to a child's signals of distress, combined with a history of other shared positive experiences (e.g. reciprocity in mutual play), promotes a child's commitment to the relationship with the parent . . . The development of a cooperative orientation towards the parent contributes to a child's willingness to attend to and internalise the moral messages parents convey in their everyday discourse with children. (Laible & Thompson, 2000, p.1425)

There is evidence that warm positive affect between parent and child can be combined with mild punishment without ill effects (Baumrind et al., 2002; Larzelere, Schneider, Larson & Pike, 1996). Other authors (Gershoff, 2002a; Straus & Stewart, 1999), however, disagree with the view that low levels of *physical* punishment are fine as long as they occur within the context of a warm relationship. Straus argues that there is a linear relationship between physical punishment and negative outcomes, and that there are negative effects even from low levels. He says that the use of physical punishment “chips away at the bond between mother and child” and disagrees that it is not harmful within the context of a loving relationship (Straus, 1994c, pp.5-6).

A high ratio of positive to negative interactions between parents and children is a characteristic of effective parenting and teaching (Cavell, 2001). Effective discipline involves ratios of around six to eight positive comments to one negative comment.

Parents who drop below a certain ratio of positive-to-negative emotional exchanges could be

jeopardizing not only the quality of the parent-child relationship but their child's future socialisation . . . Therefore, an important task for practitioners is to help identify a level of discipline that will yield the proper ratio of positive-to-negative emotional exchanges given the parent, the child, and the context for child rearing. (Cavell, 2001, p.308)

2. Clear communication and expectations

Disciplinary encounters are a form of teaching. Therefore the nature of the communication processes which take place between parent(s) and children in disciplinary encounters is important. Sociocultural theory suggests that shared discourse and interactions with other people, form the basis of children's thinking (Tomasello, 1999; Vygotsky, 1978). The co-construction of meaning between children and their caregivers during disciplinary encounters, influences the understandings that children internalise about their parents' goals, wishes and intentions. Sociocultural theorists suggest that it is through normal discourse and dialogue when children engage with the perspectives of others (especially their caregivers), that their understanding grows in their zone of proximal development (at the edge of their competence). If the child does not understand the message from the caregiver, or if it is vague or confusing, then she is not likely to understand, retain or internalise the message about the rules of what is, and what is not, permissible. Prusank (1995) pointed out that it is incorrect to assume that discipline is the task of parents by virtue of their power relative to children. She believes that the contributions of children are just as important as those of parents, and that the interactive co-operation of children is essential, if discipline is to be effective. The content of the messages exchanged between parents and children influences how effective discipline will be. For example, if parents punish children without explaining clearly what they are being punished for, the child does not receive a clear message and it is unlikely that transgressions will be avoided in the future.

Conversations between parent and child about children's transgressions (either during or afterwards) can serve as "powerful contexts for the child's internalisation of behavioural standards, especially because in the discipline encounter the child's heightened negative emotions may interfere with his or her processing of the parent's message" (Laible & Thompson, 2000, p.1425). In the development of autobiographical memory, it has been found that children's narratives about the past have a powerful effect on what they retain, and provide a framework for future action and understanding (Fivush, 1993). Research has demonstrated that children whose mothers make frequent references to feelings and moral evaluatives in conversations with their children about

past behaviour show more moral internalisation of rules and are more likely to show feelings of guilt after wrong doing (Laible & Thompson, 2000). Committed compliance (in the absence of surveillance) is thought to be an early sign of the internalisation of rules and of the development of conscience (Kochanska et al., 2001).

Hence it is important that communications between parents and children are clear and age appropriate (Kalb & Loeber, 2003). Parents' expectations have to be sensible, and based on what is possible for the child given his or her current level of competence (Honig & Wittmer, 1991). For example, expecting a young child not to have toilet accidents or to eat without making a mess are unreasonable. Parents can scaffold and support children in understanding and implementing the messages they are conveying. For example, facial expressions (smiling, eye contact or even frowning), being in close proximity to the child, giving verbal or non-verbal encouragement or prompting, can assist children to respond appropriately to disciplinary encounters. It is unreasonable to expect compliance from one disciplinary encounter especially for toddlers (Kalb & Loeber, 2003). A sequence of statements which capture the child's attention, direct attention to the object or topic under question, and a specific explanation of what is expected and why, are important. Such disciplinary strategies are likely to promote internalisation and reduce the necessity for ongoing external control. Failure to internalise parental messages, according to Grusec & Goodnow (1994), can occur when the child inaccurately perceives the message or when the message is rejected.

When parents are closely involved with their children and sensitive to their capabilities and feelings, they are likely to make good judgements about how to communicate with them most effectively. A family climate in which children's perspectives are listened to, respected and considered and where children feel that they can state their own point of view without anxiety, is likely to be the most favourable for effective communication. This does not mean a permissive environment, because knowing the child's point of view does not mean that the parent has to comply with it. A climate of acceptance should, however, help both parents and children to understand the reasoning which is necessary to expect children's compliance with parental viewpoints.

3. Induction and explanation

There is a reasonably strong level of consensus in the literature that inductive methods of discipline which involve reasoning, explanation, setting up logical consequences and limit setting, are the most effective, and the most likely to lead to internalisation. In contrast, power assertive methods which emphasise obedience without giving explanations are generally

agreed to be less effective. Of particular importance is the use of an *other-oriented induction*, or reasoning which attempts to sensitise children to the negative effects of their behaviour on others (Grusec & Goodnow, 1994). Intense messages about not hurting, teasing, or ridiculing others which draw attention to how it feels to be on the receiving end of such behaviour, are important in the development of prosocial behaviour (Honig & Wittmer, 1991).

Such approaches help to develop children's ability to see the perspectives of others, and teach them to respond empathetically. The effectiveness of inductive techniques depends partly therefore on how appropriately information is presented to children in disciplinary encounters. It is clear, for example, that a command like "Stop that!" in response to a negative action towards a sibling is likely to be less effective long-term than reiteration of the rules about how siblings are expected to act towards each other and drawing attention to how the act made the other person feel. Clear, explicit and coherent explanations, which exclude redundant information, capture children's attention and make the rules clear, help the transfer of information from parent to child, and this is likely to increase the chances that children will accurately perceive and internalise the parent message (Grusec & Goodnow, 1994). Another factor which affects the internalisation of messages is whether children agree with and accept the parental message, which is a matter of the degree of overlap or fit between parental and child values. Whether or not children are willing to accept the message being conveyed by parents is influenced by parent-child relationships as well as other relationships in the child's life (with peers).

4. Rules, boundaries and demands

One important component of authoritative parenting is that it is based on clearly communicated and explained rules and limits. In order to internalise rules and limits, children need to know them and understand them, and it helps their acceptance if such rules are fair and positive. Children's sense of fairness and justice is enhanced by a well-structured, firm, and consistent set of rules of conduct.

The use of a reason in a disciplinary confrontation broadens the context in which compliance is expected by generalizing from a specific act to a rule governing a larger class behaviour. (Baumrind, 1996b, p.410)

The emphasis should be placed on what behaviour is acceptable rather than just what behaviour is unacceptable (Honig & Wittmer, 1991). The age appropriateness of rules and the feasibility of enforcing rules has to be taken into account. Sometimes parents have to be flexible and modify the rules if they do not appear to be working, or if they find that they are

expecting too much of children. The task of behaving appropriately is made more difficult for children if there are different rules, demands or boundaries in different parts of their lives, if, for example, their parents live apart. Children's lives can become fragmented and confused if they are expected to behave differently and allowed to do different things when they are with their mother than when they are with their father (Smith & Gollop, 2001).

Demandingness is a feature of authoritative parenting which has been emphasised by many authors (Baumrind, 1996a, 1996c; McCabe et al., 1999). Demandingness involves setting high standards for child performance, provision of clear and consistent limits and high levels of supervision and guidance. Demandingness can, however, be associated with coercion and punishment. Non-coercive demandingness, which is more effective:

... involves parents' communication of investment, confidence and information about appropriate behavioural regulation, all of which should promote child security and adjustment. (McCabe et al., 1999, p.139)

McCabe et al. (1999) found that high risk children whose parents had reported setting firm and consistent limits (without corporal punishment) had better adjusted children. They suggest that under conditions of high risk (poverty and family stressors) parental supervision, increased limit setting and predictable routines were particularly important to achieve positive outcomes for children. The importance of being both firm and positive has also been emphasised (Cavell, 2001).

Cavell (2001) cites research which shows that parental choice of goals for children's behaviour is important. Parent-centred goals tend to be used by parents who use power assertive disciplinary methods, while parents with child-centred goals used more reasoning, and parents who chose relationship-centred goals were warmer and more co-operative with their children. Cavell advocates careful consideration and limitations on parental choice of rules and goals, to help reduce the number of disciplinary conflicts, commands and negative feedback. They argue, for example, that it is more effective and achievable for parents to eliminate aggressive behaviour rather than expect to achieve 100% compliance with commands.

5. Consistency and consequences

Consistency is one important characteristic of effective discipline, which is an aspect of the antecedents of behaviour (contexts) which influences learning, along with consequences. Child conduct problems are related to inconsistent discipline (Chamberlain & Patterson, 1995; Feehan et al., 1991; Kalb & Loeber, 2003;

Stoolmiller et al., 1997). Stoolmiller et al. say that the contingencies of reinforcement are the most important aspect of discipline. The only way to successfully change undesirable antisocial behaviour, in their view, is to change the contingencies of reinforcement. Consistent positive consequences like praise, or extra treats should follow positive behaviour, and consistent mild punishments like time-out, or loss of privileges, for negative behaviour. Research has shown that “training parents to consistently reinforce child prosocial behaviour and to effectively punish child aggression leads to the reduction of child antisocial behaviour” (Stoolmiller et al., 1997, p.224). While much of the research has been related to children’s problem behaviour, the findings about the importance of consistency are still relevant to ordinary disciplinary encounters between children and parents.

A study by Acker & O’Leary (1996) compared three different groups of mothers’ responses to toddler misbehaviour. Mothers who were engaged in a telephone conversation responded to toddler demands either with consistent or inconsistent reprimands. The first group of mothers reprimanded children each time for demands, the second group reprimanded them half the time, and the third group reprimanded half of the demands and responded positively to the other half. The group of children who experienced both positive attention and reprimands developed the highest frequency of demanding behaviour which were more often accompanied by whining and fussing. The study demonstrated a causal link between inconsistency of response and inappropriate behaviour as well as negative affect.

Social learning theory suggests that when behaviour is followed by positive consequences (or the removal of negative consequences) it is strengthened or reinforced. The use of logical consequences like having children clean up their own messes, or natural consequences like children being late for school when they don’t get up in time, can help children to develop responsibility (Gross & Garvey, 1997). Behaviour is weakened by punishment (the presentation of an aversive consequence), or removal of a positive consequence. Continuous reinforcement occurs when every time an action occurs it is followed by a positive consequence, which is hard to achieve in most families. Intermittent reinforcement means that consequences follow only some of the responses, a more likely scenario in most families. If behaviour is inconsistently reinforced, it can be harder to eliminate. This can either be helpful or unhelpful, depending on whether you wish the behaviour to continue or stop. For example, praise for successfully accomplishing a household chore does not have to occur every time (at least once the action is well established) to maintain the good behaviour. However, parents often inadvertently reinforce an undesirable behaviour. For

example, if a parent sometimes responds to a child’s whining and sometimes does not, it becomes even harder to stop the whining.

A frequent form of punishment which may inadvertently encourage undesirable behaviour, is scolding, reprimanding or ‘nattering’ (Cavell, 2001; Patterson, Reid & Dishion, 1992). There is very little to be said in favour of scolding, despite it being such a frequently used method of punishment. Scolding might be transiently effective, but a high frequency of use reduces effectiveness (Ambati, Ambati & Rao, 1998). There is considerable evidence (Gross & Garvey, 1997) that scolding is ineffective in eliminating undesirable behaviour and may actually perpetuate a coercive cycle of negative behaviour. Patterson’s coercive theory (Omer, 2001; Patterson et al., 1992) suggests that reciprocal hostility both increases child demands and increases parental giving in. Scolding or reprimanding can be a form of positive reinforcement where the child gets attention for inappropriate behaviour. Engagement in frequent commands and criticism is predictive of deviant behaviour and an indicator of ineffective discipline (Cavell, 2001). Overly critical parenting also has a negative effect on the warmth of the parent-child relationship. A key goal for programmes to support parenting is to help parents to reduce the amount of power assertive commands and reprimands they direct at children, and increase positive feedback and inductive control. Limited verbal feedback to children about the unacceptability of their behaviour may be necessary and effective if not over-used, but it should be within a predominant context of positive warm nurturing interactions between parent and child.

Time-out is a useful and effective punishment procedure involving immediate brief isolation following an inappropriate behaviour, which is just as or more effective than physical punishment in encouraging compliance (Straus, 1999). In order for time-out to be effective, however, ‘time in’ has to be more interesting and attractive than the isolation area (Costenbader & Reading-Brown, 1995; Leung, Robson & Lim, 1992). Research suggests that the use of time-out is more supportive of ongoing positive relationships between parents and children than other forms of punishment like scolding or physical punishment (Cavell, 2001; Gross & Garvey, 1997). Like all punishment, it should be combined with procedures which provide positive consequence for appropriate behaviour or the absence of inappropriate behaviours (Johnson, 1999).

Time-out is an extreme form of ignoring, during which children are removed for a brief period from all sources of positive reinforcement, especially adult attention. (Gross & Garvey, 1997, p.211)

Time-out models a non-violent response to inappropriate behaviour, and shows that separation from ongoing

events is a better response to a conflict than violence, gives children a chance to calm down, and removes children from situations and people which might have triggered the behaviour. It is recommended that children be warned ahead of time which behaviour will result in time-out, that the parent keeps calm and neutral when applying time-out, that the parent refrains from lecturing, blaming or arguing before, during and after time-out, that the time-out be brief (three to five minutes), and that children must be quiet (if they are kicking or yelling for instance), for about 15 seconds before removal from time-out (Gross & Garvey, 1997; Johnson, 1999). Delaney (1999) cautions that when time-outs are escalated, used too frequently and for too lengthy periods, without focusing on teaching appropriate behaviour, they share the disadvantages of other kinds of punishment. These include briefly suppressing the behaviour and reappearance of the behaviour once the time-out is over. Children have to be actively taught what is expected of them as well as (or instead of) being punished for not meeting expectations. (see also p.82)

One alternative to time-out is over-correction. There are two types of over-correction – restitution and positive practice (Adams & Kelley, 1992). Restitution involves fixing the environmental disturbances caused by the behaviour and positive practice involves repetitive practice of behaviours which are incompatible with the misbehaviour. Research on over-correction of sibling behaviour (Adams & Kelley, 1992) involved restitution (brief apology) and positive practice contingent on aggression towards a sibling. The positive practice required such behaviours as offering a toy, touching the sibling nicely, or saying something positive to the sibling. Over-correction was compared with time-out and both procedures were shown to be equally effective in reducing the negative behaviour. Parents, however, preferred over-correction to time-out as a disciplinary procedure. They especially liked the way in which children learned new more positive behaviour as a result of over-correction.

6. Context – structuring the situation

Children's behaviour is influenced by the context or stimulus situation in which they are embedded. For example, taking children to the supermarket tends to be a stimulus situation which encourages "Can I have . . . ?" type requests from them. Having a lot of attractive objects on low shelves tends to encourage toddlers to explore them which can result in breakages. Children have to learn to discriminate between stimulus situations where it is appropriate to respond in particular ways, and others where it is not. The following example illustrates the process through which one child was learning to discriminate between appropriate throwing and inappropriate throwing.

Anne Smith's 16 month-old granddaughter enjoyed playing with her parents and grandparents by throwing pebbles into a lake during her summer holiday. She particularly enjoyed the sight and sound of the splashing when she threw the pebbles. Unfortunately she also liked throwing other small objects inside the house, which hurt people and damaged objects, and she enjoyed throwing sand from the sandpit. Through saying "no" and taking her out of the situation where she was throwing (e.g. the sandpit) the adults tried to control her behaviour in order to achieve stimulus control. When she threw inappropriately, her actions were followed by mild punishment and re-direction into another activity.

Modelling is a very salient aspect of the context for children, which may inadvertently result in inappropriate behaviour. Parents have to be aware that what they do, can have just as much influence on children's behaviour, as what they say. Seeing someone else smoking, for example, is a stimulus likely to encourage smoking in others. Parents may watch long hours of television, shout at each other, be physically violent – all of these behaviours can be acquired by children through observational learning even though parents do not wish their children to act in the same way. Models can also be highly effective means of teaching positive and prosocial behaviours. There is a great deal of evidence that even from infancy children learn by imitating their siblings (Barr & Hayne, 2003).

Some aspects of the context have been described concerning the need for clear rules, and making it clear to the child what is expected and why. Behavioural psychologists use the term 'stimulus discrimination' to talk about the manner in which particular antecedent stimuli come to be associated with particular behaviours, (as a result of selective reinforcement and/or punishment). Quite often there are naturally reinforcing consequences for responding to a particular stimulus in a particular way. For example, a toddler who pulls things off shelves can gain a lot of pleasure from the sounds, feeling, images, and new stimulation which results from this exploratory behaviour. Anne's granddaughter enjoyed throwing all small objects, but had to learn that throwing was not permissible in some situations.

Knowing how certain contexts are likely to elicit unacceptable child behaviour provides parents and caregivers with some useful ideas for avoiding triggering unacceptable behaviour. Honig & Wittmer (1991), for example, make suggestions for preventing inappropriate toddler behaviour in a childcare centre which are just as applicable at home, such as child proofing the play space and removing breakable materials; providing several of the same kinds of toys to avoid conflicts; varying the tempo and routines, and using calming rituals (like stories or songs); and

refocusing children into interesting, safe and acceptable activities (as opposed to unsafe or inappropriate ones). All of these examples involve structuring the stimulus situation to reduce the likelihood that inappropriate behaviour will occur, and minimising the need for negative disciplinary action.

Changing parental disciplinary practices

The previous section has set out what we know about effective discipline within the family. It is, however, another issue to consider changing parental practices, or even whether it is desirable to do so. As researchers and child advocates, we believe that it is important to encourage family change, when it can improve the lives of children and families. Yet, as parents and grandparents, we are sensitive to the complex and often difficult circumstances of the lives of families and the firmly held values and beliefs within them, which make the intrusion of well-meaning efforts to 'fix' families problematic. We are also aware of the limitations of research and knowledge about parenting (Clarke-Stewart, 1991; Gorman & Balter, 1997; McMillan, 1997; Powell, 1997).²²

There is resistance in Aotearoa/New Zealand to the importation of overseas parent education programmes developed in an entirely different cultural context (Pihama, 1996). Within Aotearoa/New Zealand we are justifiably suspicious of deficit models, and aware of the dangers of dominant Pākehā approaches silencing Māori perspectives on families/whānau practices (Bishop & Glynn, 1999; Rohx, 1997; Stephenson & Ranginui-Charlton, 1994). The assumption that professionals or other people in power can determine what parents need has also been seriously questioned (Powell, 1997).

The practical difficulties associated with changing family disciplinary practices have been encapsulated by Larsen (1999) in her qualitative evaluation of the efforts of the work of child health nurses with families in Western Australia.

(A)ccounts of 'real' life in families suggest that 'alternative' techniques with its language of intangible abstractions are unknowable and unworkable for parents for whom corporal punishment holds the key to successful discipline. . . . Complex issues involving cultural, social, religious and emotional factors constrain individuals' capacity to desire, seek, choose and apply alternative rules for relating. Some parents' sense of guilt and powerlessness is further reinforced when they cannot change, and. . . these feelings fuel potentially abusive situations. (Larsen, 1999, pp.294-295)

Larsen's view counters any expectation of a 'quick fix' solution. Most parents want to do what is best for

their children, and while it will not always be easy, it is possible to change the culture and attitudes inherent in our society's treatment of children, and to provide support for families who want to change.

The following are some of the methods which have been used to encourage change in parental disciplinary practices:

- changes to law and regulation (dealt with in chapter 7);
- public campaigns by government and non-government agencies;
- provision of one-to-one information and advice from professionals such as doctors, health nurses, early childhood teachers, midwives, social workers, and psychologists, in the process of their normal interactions with families (Dalli, 1997);
- dedicated parent education programmes and courses targeted at all families, or to families at risk such as Parents as First Teachers (Tarrant, 2002) or HIPPY (Max, 1995);
- broad community intervention to reduce risk factors for families (Chamberlin, 1996).

1. Parents who decide to stop smacking

A useful place to begin is to look at research that has investigated parents who have *chosen* to use non-physically punitive methods of family discipline (Davis, 1999; Russell, 1996). These studies are useful to policy makers and professionals, because they show what motivated parents to change.

Russell (1996) interviewed parents who had rejected smacking as a mode of discipline. The majority of the parents had themselves been smacked as children but for a variety of reasons had now rejected the use of smacking with their own children. Sometimes their own harsh treatment as children had influenced their own decision not to use physical punishment.

We were hit, quite regularly, it felt like. Mum used to really fly off the handle. We were slapped around the bum, slipped around the ears, or hit with the black belt, told to stay in our rooms – we were too scared to come out. I grew up with that and I felt it did me more harm than good. [Joanne] (Russell, 1996, p.68)

Parents' decisions not to use corporal punishment had been influenced by learning about alternative methods, professional training, books, and social support from others. Sometimes the decision to change was made quite suddenly as with this example of a mother who heard about a different way from a radio programme.

Up to then I just accepted the right way to bring up children was to smack them. Then, I was still in

²² It is beyond the scope of this report to carry out an extensive literature review on parent education.

college, I heard, I think it was a radio programme, someone talking, about how they didn't believe in smacking children, that was not a good way to discipline children, and it just struck me like a[n] . . . almost a religious experience; it just instantly made sense with me. I switched immediately to 'I would never do that to my children'. [Debbie] (Russell, 1996, p.70)

Another study of parents who had decided to stop spanking, highlights the importance of the meanings shaping parenting in everyday disciplinary encounters (Davis, 1999). The research identified five contexts which helped change parents' views. The first of the contexts was the experience of poignant or memorable moments. Parents suddenly became aware of how being hit was affecting their children, how their own emotional behaviour was out of control, and the futility and lack of effectiveness of what they were doing. The resulting feelings of empathy and guilt motivated their change. One example from a 28-year-old African-American mother of an eight-year-old illustrates this well:

One time when she was about 4 years old. I had spanked her maybe a week before, and she had done something that made me really angry and I wanted to spank her and she just like cowered away, and it made me feel like I was an abusive parent . . . (S)he was afraid of me at that point and that made me feel really terrible cause she was a little two-foot baby. (Davis, 1999, p.498)

A second context in which parents decided to change was more abstract. It involved coming across ideas in books, the media, parent education courses, or just talking to others. For example, one woman became a counsellor for abused women, and learned about the effectiveness of alternative methods. Another woman joined the Baha'i faith which advocated non-spanking. A third context when parents stopped spanking was when they faced disapproval or regulatory control through agencies like Child Protection services. Change could also arise out of the pressures and expectations of friends or relatives. For example, one woman's husband did not believe in spanking and she was convinced by him that it was unnecessary. The final context was biographical, with parents reflecting on their own memories and feelings about their childhood, and wanting to break away from their history. They had been hit hard and often by their parents and they had come to believe there was a better way. One mother described her husband's and her own childhood treatment:

There were times when she would fly off the handle and she beat him with a belt buckle – the old-fashioned beatings. And I got that on an almost day-to-day basis because of my mother was raising 7 children and my dad worked – and when he

came home, silence is golden, don't make a peep – you couldn't even laugh, my dad was real strict. (Davis, 1999, p.505)

Davis suggests that his study shows that rather than simply teaching parents alternative disciplinary techniques, it may be useful for classes and seminars to help parents to reflect and develop new meanings and understandings for hitting children based on their own contextualised experiences.

The meanings of corporal punishment and cessation vary for many parents, and some meanings may be more salient in particular situations than in others, depending on the context in which issues about spanking arise. The parents in this study are departing from the script of cultural approval, and their cessation is coupled with new meanings for the practice. (Davis, 1999, p.507)

2. Public campaigns

While there is little reason to hope that public campaigns can reach and influence all families, there is good reason to believe that public education can make a difference. Attitudes to domestic violence between partners, for example, seem to have been strongly influenced by the non-acceptance of this behaviour by those in authority, and the media has had a major effect on public opinion and policy. Beth Wood sees public awareness raising as an essential component of changing public attitudes about discipline.

To be effective social change needs support from influential people, opportunities or communication, action and a coherent ideology. (Wood, 2001. p.3)

Figures showing the falling rates of the use of punitive discipline in the United States have been used to infer that "public awareness campaigns were effective in convincing parents that physical punishment is harmful to children" and that a more positive climate for children have resulted (Daro & Gelles, 1992, p.526). But other authors are less positive. Straus (2000) is very critical of official and professional hesitation about clearly communicating to the public, research which shows the harmful effects of smacking and the necessity for stopping it. He describes his amazement at the lack of acceptance by researchers and professionals of the idea of public campaigns, including no-spanking messages on milk cartons, posters in doctors' offices, and warning notices on birth certificates. He argues that although it is appropriate to provide information about alternatives, it is essential to include the unambiguous message that it is unacceptable to smack children. In his view, it is not necessary to train every parent in how to stop spanking, but it is essential to tell them that spanking is psychologically harmful. He believes that most

parents already use other methods of discipline in addition to punishment.

In most countries who have introduced legislation which bans corporal punishment, the legislative change has been accompanied by information campaigns (Durrant, 1999a; Ingvarsen, 1999; Palmérus, 1999). In Denmark the government felt that changes to the law should be accompanied by public knowledge and information about good practices (Ingvarsen, 1999). The goals for their public relations campaign were to make the public aware of changes to the law, as well as to encourage "more open, accepting and human practice in the upbringing of children" (Ingvarsen, 1999, p.82). The Danish campaign included producing 800,000 copies of a pamphlet and distributing it through schools, health visitors and childcare centres. The pamphlet gave examples of how to discipline children without the use of corporal punishment, and information about where to go for help in changing ways of raising your children. Another four versions of the pamphlet in other languages, were especially designed for parents from other ethnic backgrounds and based on their cultural traditions.

The campaign also included a magazine which incorporated popular stories of parental success in changing in a real life context, information about research, children's opinions on the issue, and a health visitor's answers to common questions. A TV programme was made including an interview with an ordinary mother who realised she had a problem using corporal punishment and what she did about it, a well-known family therapist explaining the damage done by corporal punishment, and children giving their opinions. The programme was shown twice and watched by 400,000 people. It was also available as a video which could be bought. Posters and postcards were available free from cafes and posted in primary schools and childcare centres. A public debate in the media accompanied the release of the educational material.

Non government campaigns to help people understand the unacceptability of smacking and the necessity of changing the law have also been initiated in many countries (Action for Children and Youth Aotearoa, 2003; Durrant, Ensom et al., 2003; Gawlik et al., 2002; Gilligan, 1999; Wood, 2001). The European Commission funded EPOCH UK to carry out a year-long programme to promote a campaign to abolish violence towards children (Gilligan, 1999). It was intended to promote the message that physical punishment is damaging to children, to break the cycle of use of physical punishment, and to encourage and lobby for an international and national debate about physical punishment. The campaign included billboard advertising, dissemination of literature in schools and public areas, an extensive range of public talks, and lobbying politicians and public figures. Several major

conferences were held, research and information was compiled, and positive parenting handbooks, leaflets and information disseminated. Children participated in a major conference organised by the International Society for the Prevention of Cruelty to Children in Ireland, and 250 children from all over Ireland participated in a formal training course about understanding and promoting their rights.

3. Parent education/support programmes

Douglas Powell (1997) gives a perspective on parent/education support programmes which provides a useful introduction to this issue. He argues that:

Individuals should be responsible for generating responses to their own needs or situations . . . Three guidelines for family support practice are illustrative: 'staff and families work together in relationships based on equality and respect'; 'families are resources to their own members, to other families, to programmes, and to communities'; and 'programmes affirm and strengthen identities and enhance their ability to function in a multicultural society? (Powell, 1997, p.10)

There is little evidence to support the superiority of any one model of parenting programme for changing disciplinary practice (First & Way, 1995; Gorman & Balter, 1997; Howard, 1996; Whipple & Wilson, 1996). The previous section has outlined the kind of information which needs to be included in parent/education support programmes. This section addresses the question of the characteristics of parent education programmes which are most likely to work to achieve change.

Promoting changes towards more positive disciplinary practices can occur through regular contact between professionals from agencies or institutions. Several studies examine the barriers to success for professionals working with families, and suggest strategies which are likely to be effective. Pediatricians seem to play an important role in the United States in working with parents (American Academy of Pediatrics, 1998; Sege et al., 1997; Wissow, 1996; Wissow & Roter, 1994), while these roles are more likely to be fulfilled by Plunket nurses, midwives, family support workers or general practitioners in New Zealand.

Wissow & Roter (1994) investigated discussion of family discipline issues within the context of routine pediatric visits. Their research suggested that medical practitioners had difficulties in communication with families on sensitive issue like discipline. They found that physicians were relatively unaware of parental anxiety and concern about children's behaviour or worries about excessive use of spanking. Health care providers, in Wissow and Roter's view, need to be aware of their own feelings about corporal

punishment, and should avoid diluting messages about corporal punishment to parents. Parents, they argue, need to be convinced that alternatives are as effective as smacking, but health professionals should have an understanding of parents' perspectives when communicating with them. Their research showed that parents had doubts about health professionals' experience with parenting, and were often reluctant to discuss private family difficulties with them. Parents felt that professionals were often unprepared to answer common questions, and most had not provided posters or reading material in their offices, which might have helped to make it easier to discuss discipline issues.

Lopez Stewart et al. (2000) talked to parents and primary health care workers in Costa Rica and Chile about provision of and access to information on alternatives to physical punishment. The study showed that parents got most of their information from other family members rather than health care providers. Parents felt that many health care providers were too rushed and did not know enough to give good advice. The providers talked about barriers of time, space, resources and knowledge which prevented them addressing discipline issues with parents. Parents and providers said that they wanted primary-care based programmes on physical punishment to be provided and customised to meet local and cultural differences.

When families are from different cultural, religious and socioeconomic groups than professionals, problems arise because of the intrusion of so many 'reality' factors in parents' lives. There is also evidence that parent education programmes designed to be culturally sensitive are not particularly effective (Gorman & Balter, 1997). In Douglas Powell's view, a parent support programme is "not a sufficiently robust intervention for achieving meaningful change in high risk populations, particularly with parents with documented histories of child abuse and neglect" (Powell, 1997, p.10).

A Western Australian study (Larsen, 1999) found that child health nurses had major difficulties in their promotion of disciplinary procedures without corporal punishment, to lower socioeconomic status and religious fundamentalist parents. Nurses tended to work from a largely untheorised position, based on personal and professional experience. Both parents and nurses accepted mild corporal punishment, but rejected severe corporal punishment. Larsen says that most parents continued to rely on corporal punishment after the nurses' visits.

A New Zealand study used a contextualised and a family-strengths based approach which was sensitive to the family contexts in which parenting was taking place (Munford, Sanders, Tisdall, Henare & Spoonley, 1997). The home-based programme was delivered by Barnardos staff and focused on building parental

confidence and harnessing parent energy to produce change. In contrast to the Australian study, the authors claimed that the programme had considerable success in reducing parental levels of physical and other harsh punishment with children. Many of the parents had previously been through other parent education programmes unsuccessfully, but the approach in this individualised situationally-based programme was effective in empowering parents.

How parent education was experienced by parents, was explored by First & Way (1995). Their parent education programme was offered through a group-based community education programme in an urban early childhood centre. Most of the mothers came from poor family backgrounds, were members of minority ethnic groups, and had stressful living situations. The programme helped the women to think critically about their situation and attempt new ways of interacting with their children. They moved from being depressed and angry to becoming more empathetic towards their children, and solving family problems in more proactive ways. Two mothers talked about their change in thinking and behaviour to a more positive approach to discipline.

They gave me information, especially on the spanking issue because you know, first I didn't think there was a problem with it and then I knew I had to quit spanking. It just wasn't working. [Julie]

I guess the most important thing I got was dealing with and handling my anger, both on my part and on the kids' part. Helping them channel their anger why they got angry into positive ways. [Sonia] (First & Way, 1995, p.106)

The authors recommended a transformative learning parent education approach to enhance parents' capacity for critical thinking. They believe that women in high risk situations have the capacity for critical reflection and the potential to change, and that they can achieve a heightened feeling of purpose and control in their lives. This study links well to Davis's (1999) and Russell's (1996) studies of parents who decided to change their disciplinary practice having come to view their behaviour differently, and suggests that a group situation can provide a useful trigger to stimulate such a change in thinking.

Stephenson & Ranginui-Charlton (1994) reported that Māori families do not always experience mainstream health services as supportive, which has led to the development of more culturally appropriate Māori provided programmes on maraes and through local iwi-based services. In order to provide culturally appropriate professional advice, it is important that health services are based within local communities and delivered by staff with an understanding, knowledge and experience of the culture. Rohx (1997)

describes the range of parent support programmes which have developed by Māori for Māori and which are based on Māori values, aspirations and control. These include such programmes as E Tipu e Rea, the Māori Women's Welfare programme (offered on urban marae and in community centres), the widely based Kohanga Reo movement, and programmes offered by the Early Childhood Development Unit, such as Awhina Matua and Atawhaingia Te Pa Harakeke. She argues that parent support programmes for Māori must be founded of the real needs of Māori parents within their whānau and communities, must be cognisant of the relationships between Māori parents, their children, whānau and whakapapa; and be delivered by Māori using Māori styles of delivery.

Halpern (1993) argues that parent education programmes for families in poverty can be used as a substitute for providing adequate income and economic opportunity, and by an ambivalent attitude to poor people. He believes that parent education programmes often ask for more from families than they can reasonably deliver, given the circumstances of their lives.

We turn the imperative for addressing poverty, which is found in basic, shared ideals and myths back on the poor themselves, arguing for example that if the poor want access to the American ideals of equal opportunity and social mobility, they must try harder, must behave in ways prescribed by those who are not poor, and must in effect give something back to society. (Halpern, 1993, p.160)

This attitude about fixing the parenting of families in poverty is also prevalent in New Zealand. Programmes of economic reform (Atwool, 1999) have radically worsened the situation for children and families in poverty, and at the same time done little to provide the support which might prevent the problems. Atwool argues that adequate provision of resources through preventive and early intervention will reduce the need for remedial action against child abuse. Chamberlin (1996) has also argued that the piling up of risk factors in society leads to family problems.

An alternative approach is to ensure that basic preventive services such as health care, early childhood education and parent support programs are available to all families and children in a given community. . . . Primary prevention works by preventing low- and medium-risk families from becoming high risk. (Chamberlin, 1996, p.804)

Research implies the need for those working with families to have basic education, ongoing professional development, empathy with parents, detailed experiential knowledge, and sympathy and understanding for local communities, to help support parents change disciplinary practice. Affirming

parents' expertise and experience, and being sensitive to the complexity and stress of the context of families' lives, is important. If discussion about discipline takes place within the context of normal routines and conversations, and simple alternatives which work in real life contexts are offered, professional contact is likely to be more effective. It is unlikely that change will be achieved if professionals are unconvinced of the harmfulness of physical punishment, or they are unable to connect with parents within their everyday life contexts. It is also unlikely that change will be successfully achieved with a top-down expert to parent approach. A partnership approach is much more likely to be effective. Working with high risk families in the view of a number of researchers, requires more intensive and broad community-based interventions which do not focus only on parenting but address wider issues like lack of income, unemployment, housing, and lack of access to early childhood education and good health care (Atwool, 1999; Chamberlin, 1996; Halpern, 1993; Powell, 1997).

Summary and conclusions on effective discipline and supporting change

There is no universal recipe for effective discipline, and that while research findings may seem clear, their application to real life is a different matter. Nevertheless many parents want to avoid the health risks inherent in punitive approaches towards their children, and feel increasingly uncomfortable with the use of physical punishment. Parents can and do change their ideas about discipline, with or without external support. The principles of children's learning and development have been examined to come up with suggestions of ideas for effective discipline. Some of the following approaches to discipline have been found to work:

- building a warm and positive relationship and communicating clearly with children to explain why some behaviours are unacceptable, talking about feelings, giving children responsibility and involving them (where sensible) in decision-making;
- drawing attention to the negative effect of children's inappropriate actions on others to build empathy and moral internalisation;
- demanding and expecting high but achievable standards of behaviour from children and explaining why;
- praising or providing other positive consequences for appropriate behaviour and removing positive consequences or mildly punishing inappropriate behaviour.
- having clear ground rules which are consistently enforced;

Effective Discipline and Supporting Change

- distracting children (especially younger ones) from undesirable behaviour;
- modelling and prompting appropriate behaviour and drawing attention to other good models of behaviour;
- ignoring mildly unacceptable behaviour (to avoid children seeking attention by misbehaving and moving into an aggressive spiral);
- restructuring the environment to remove situations which encourage inappropriate behaviour (e.g. boredom can lead to inappropriate behaviour, but engagement in interesting activities and joint play with adults tends to lead to appropriate behaviour);
- respecting children's independence and listening to the child's perspective;
- teaching children ideas about fairness and justice;
- time-out – putting the child in a boring but safe place briefly until they have calmed down following a transgression;
- grounding or temporarily withdrawing treats or things which children enjoy (e.g. television) and

making it clear that this is the consequence of unacceptable behaviour. (Durrant, Ensom et al., 2003; Office of Law Reform, 2001a)

We have suggested that it is possible, though not easy, to change parental disciplinary practices, and that there are no quick fix solutions. Studies of parents who deliberately stopped smacking their children, suggest that parents can develop new meanings and understandings based on their life experiences and their reflections on it. Effective public campaigns can make a contribution to changing public opinion on the effectiveness and acceptability of smacking. Parent/education support programmes can be another method of triggering a change in view about family discipline. They are more likely to do so effectively when delivered by well-trained communicators who understand and respect family strengths, have a commitment to effective non-violent discipline methods, and who work on the basis of partnership with parents. There is no role for parent education programmes based on deficit models of parenting. Māori have demonstrated that they can provide effective programmes for their own communities and whānau.

9. Conclusions

ANNE B. SMITH

To assist with understanding the findings of this literature review we think it is helpful to set them within an ecological model of the family, which emerges from ecological theory (Bronfenbrenner, 1979). Our model (see Figure 1, p.148) represents the intersecting systems we have discussed in this review of the research. At the centre of the ecological model is the family/whānau microsystem, which nurtures the developing child and influences his/her development through interactions, relationships, joint activities, varied roles, and shared meanings between family members. Family microsystems vary along a continuum. At one end of the continuum children develop in understanding, competence, identity, and conscience within a climate of affection, guidance, monitoring and support. At the other end of the continuum children are subjected to harsh, inconsistent, coercive or neglectful treatment by caregivers who do not show affection or support and who have unrealistic expectations of what children can do and learn. The nature of the relationship between parents is an important feature of the family microsystem. If there is violence between partners this is likely to be reflected in how adults treat children, and it is also what children are likely to adopt as a norm for their own behaviour. Children are not, however, a mere reflection of their socialisation. There are individual differences between children according to gender, age, temperament, or behaviour which have an effect on how parents treat them and what they expect of them. The structure of the family, such as the number of caregivers and the number of children, also influences interactions within the family microsystem.

It is through sharing ordinary everyday activities together, and learning to behave as their families and wider culture expects them to, within the framework of their social interactions, that children's personhood evolves. Personhood involves having social relationships with others, being able to explore and think for yourself, and developing an identity or feeling of self (John, 2003). Each child has a unique perspective on his or her experiences within the family and wider world. Children gain the opportunity to develop as citizens and express their personhood, if the adult world is willing to listen, to respect their voices, and guide them in participating in society. While research on children's understanding of families is at an early stage, research on children's perspectives more generally, reveals how critical it is for children to feel accepted and loved by caregivers rather than sad, rejected, afraid or angry as a result of harsh treatment.

The family microsystem is linked to other microsystems through mesosystem linkages. Mesosystems can support or undermine the family microsystem, and influence how well primary caregivers can nurture children. Bronfenbrenner (1979) suggested that the most effective mesosystem linkages are characterised by reciprocity, balance of power, and warmth. On the right hand side of the ecological diagram, the microsystems of wider kinship and friendship networks are important potentially supportive or negative influences on family microsystems. The ability of friends and wider family to interact directly with the children (for example, by sharing care), and to support parents/whānau in positive child rearing are a critical factor promoting a favourable family microsystem. Providing caregivers with other perspectives and models of child rearing, suggesting effective ways to solve discipline problems, and relieving parents from the constant pressure of caring for children, can encourage positive family climates and support parents' confidence. But, on the other hand, family practices which are coercive and power assertive, can also be strengthened by family values and practices which choose to control children's behaviour primarily through negative methods. Negative models of discipline can be self-perpetuating through generations when wider family networks discourage support for children's growing agency, and when there are no other external linkages or interventions into the family microsystem, to suggest alternative approaches.

Another set of mesosystem links which place stress on or are supportive to the family microsystem, are the services provided by communities, institutions and agencies. They can have a direct or an indirect effect on the well-being of the child. Early childhood centres, for example, can provide high quality early education and care for the child, and give the child the opportunity to develop strong relationships with adults and peers outside the family. At the same time they can have an indirect effect on children's well-being, by making parents feel more confident and secure in their parenting, and by sharing ideas and information about parenting. Early childhood centres which are critical of parents, or insensitive to the cultural values of parents, can have an undermining effect on the family microsystem. If early childhood centres are of low quality, they can also contribute to negative outcomes for children. Child health services can have a similar impact in supporting parents to adopt positive discipline as part of their health promotion activities. Professionals who work with children and parents

need skills in developing relationships and supporting family strengths rather than playing an expert-knows-best role. This is true also of parent education/support schemes. Key ingredients in successful intervention from such parent education programmes are a feeling of trust and a positive relationship between the parent educators and the parents. Professionals should be knowledgeable about up-to-date research findings on family discipline. Many professionals still promote negative discipline methods because they believe in them, or think they won't do any harm. This literature review should provide a sound basis for updating the knowledge of professionals on discipline issues. But it is also essential that parents themselves are willing to reflect on, and if necessary change, their approach to family discipline.

Systems where the child never directly participates, but which affect parents' ability to parent effectively, are called exosystems. These are represented in the oval in the lower centre of the diagram. One of the overwhelming findings of the research is that poverty and unemployment are associated with strain on the family microsystem and an increased likelihood of punitive discipline. Hence income support systems such as Work and Income New Zealand and programmes to support education and employment opportunities for caregivers, are likely to strengthen the ability of family microsystems to function well. Responsive care and protection systems, such as the Department of Child, Youth and Family, are essential to ensure that children are not subject to inhumane or abusive treatment within their families. The education system is another important exosystem, since the amount and type of education that parents receive influences how they parent. The mass media can also influence parents in the attitudes and practices towards children portrayed, and in the models they provide of child rearing.

All of these microsystems, mesosystems and exosystems are nested within the wider macrosystem of society. The family is located within a context of law, social policy, community and cultural values and practices. As well as looking at law, social policy, and culture in relation to family discipline, we have reviewed a broader international picture in those countries which have developed new laws and policies, in response to increasing concern about the negative effects of punitive discipline on children, and to respecting children's rights. The policy framework within New Zealand is changing, in part because of the international context, to providing more respect and acceptance of the rights of children to humane and loving treatment within the family and more recognition of the dangers of abusive and neglectful family environments. How decision-making processes and legal systems will change, and resources become available, to be more supportive of children's well-being, however, remains to be seen. One of the

central issues which has been addressed in this report has been how family discipline is reflected in outcomes for children. In the ecological diagram we have shown outcomes, not only for children, but for families, social cohesion and economic productivity. The research has shown clearly that the higher the levels of physical punishment in families, the more likely it is that there will be adverse outcomes for children. The adverse outcomes include antisocial behaviour, poorer adjustment to school, poorer intellectual development, mental health problems, and lower quality family relationships. Clearly such negative effects on children are likely to be reflected in the families of the future, when these children in turn become parents. When people who have been negatively affected by harsh discipline, are less able to relate harmoniously to others, to be depressed, or to hold down a good job, for instance, their chances of being effective parents themselves will be reduced. This in turn will effect social cohesion in society as a whole, and the economic productivity of the future working population. Expensive remedial programmes are likely to be necessary to ensure that families function more effectively. In our view it is a better investment for New Zealand to provide preventative family support systems which help families without stigmatising them.

We have concluded from reviewing the research literature that physical punishment should be avoided as a tool in the family discipline kit, because of the risk associated with its use. While the negative effects are definitely most pronounced when the physical punishment is severe and when it is frequent, there is absolutely no agreement on where to draw the dividing line between moderate and severe physical punishment. In our view, therefore, it is much safer to use other methods of discipline. Physical punishment is a health risk for children, but the good news is that there are more positive methods of control, already practiced by most parents, which work and do not have harmful long-term effects.

If we want children to become responsible and effective members of society, then disciplinary methods which encourage them to be sensitive to others and to want to please their parents (and other adults), are most likely to be effective. Providing a loving and safe family environment, giving children clear messages about what is expected of them, and providing consistent rewards for good behaviour and mild punishment for bad behaviour, are the obvious way to go. While punishment (but hopefully not physical punishment) will continue to have a place within families, it is preferable that children experience mostly positive interactions, which should greatly outnumber negative interactions. This does not mean permissiveness because clear boundaries should be in place to help children to guide their behaviours.

Conclusions

Another factor which influences our perspective on appropriate discipline is how society constructs children and childhood. There has been a move away from regarding children as their parents' possession to do what they like with. But there is still a tendency to think that parents' rights are more important than children's rights, that children lack the ability to participate as partners in family endeavours, and that children are in the process of becoming human beings, rather than human beings now. We still have a long way to go before accepting and respecting children as persons in the present. Ben Phillips and Priscilla Alderson have argued that while public support for smacking and views of it as effective and as a parental duty may be the most obvious obstacle to children's protection from parental violence, the most difficult factors undermining this goal are how parents and cultures think about children. They argue that:

Smacking and coercion bypass reasoning as if children cannot or will not be reasonable. Yet

children as young as 3 have been shown to have an understanding of the notion of multiple perspectives that had not previously thought to 'emerge' until aged 7 years or more. . . . Children are shown to have sophisticated understandings and immensely sensitive responses to complex human relationships. Parents can avoid coercion when they engage in such mutually respectful understanding with their babies from birth. (Phillips & Alderson, 2003, p.179)

We hope that new perspectives recognising children's personhood, and understanding the importance of seeing issues from children's points of view, are beginning to emerge. In order to implement change it will be necessary for these perspectives to reach parents, professionals who work with parents and children, parent education programmes, and the media, laws and policies relating to children, in Aotearoa/New Zealand.

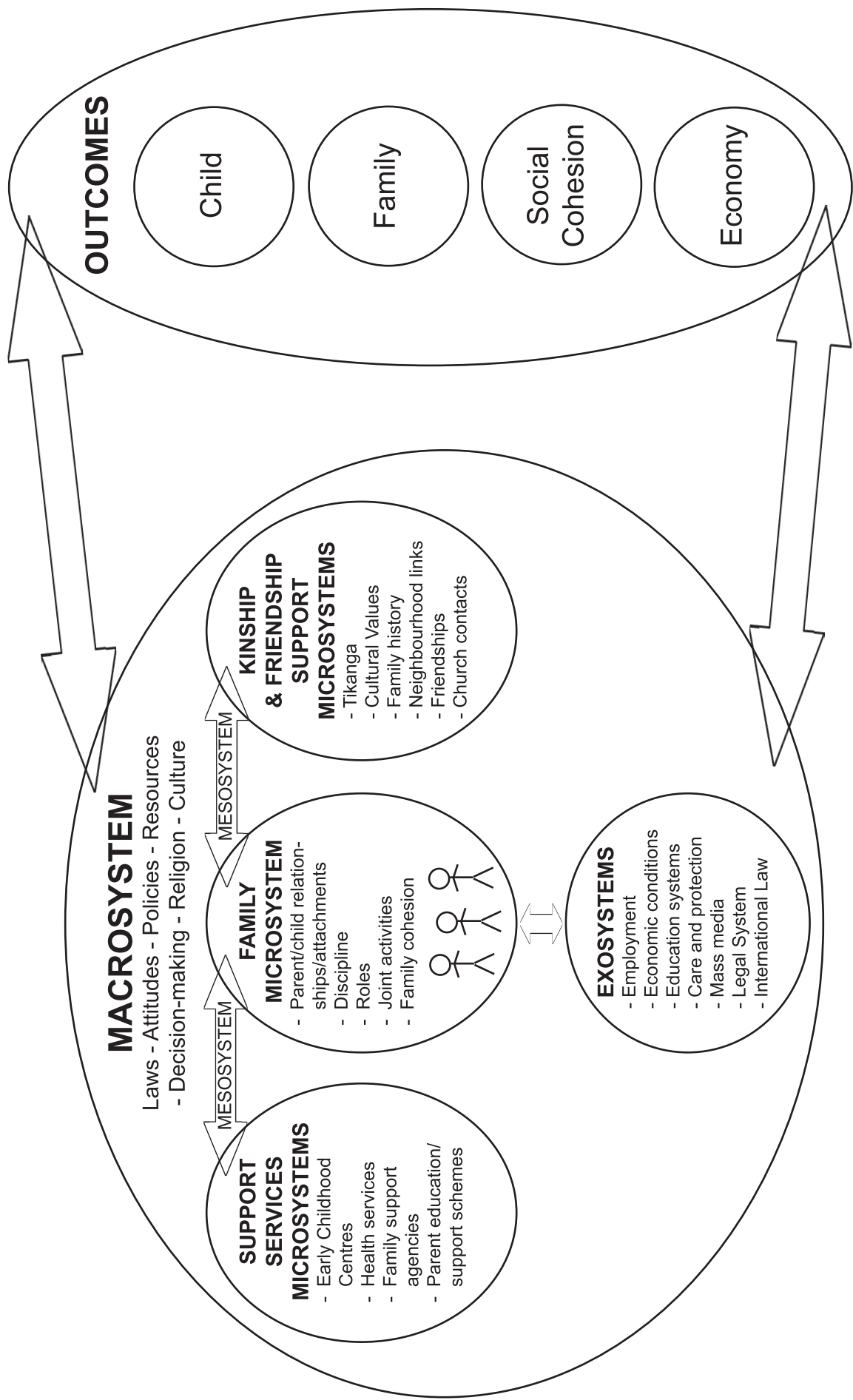


Figure 1
An Ecological Model of the Family

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PO Box 5610, 12th floor, 86-90 Lambton Quay
Wellington, New Zealand. Freephone 0800 224-453

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