

# WHY CORPORAL PUNISHMENT (CP) SHOULD NOT BE USED ON CHILDREN

- CHAPTER. REYKJAVÍK 27. FEB. 2017

INTRODUCTORY LECTURE BY  
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# I. Different opinions about childraising

- Opinions on how to raise children are very culture-specific and, understandably, vary a lot.

## II. In some countries CP is prohibited by law

- CP is considered a normal and necessary method of childraising in some places - in others it has been rejected and a growing number of countries are prohibiting it by law.

# III. CP is only one of possible punishments

- Here we are addressing CP in childraising - not punishment in general.
- There are other forms of punishments used by parents and educators and which most people consider useful, harmless and effective, for instance loss of benefits, reproof etc.

## IV. Violence vs. CP <sup>(1)</sup>

- Let us also differentiate between CP and violence against children.
- Certainly both have the same objective; to cause the child to feel pain.
  
- Violence against children is primarily an emotional outlet for the doers with the sole object of causing the child pain.
- This sort of violence is universally rejected and prohibited by law (almost) everywhere.

## IV. Violence vs CP <sup>(2)</sup>

- However, in some countries, CP is considered a valid method of childraising, based on the belief that ultimately CP is both necessary and beneficial for the child, - and will eventually make the child a better person.
- This positive attitude towards CP has clearly been demonstrated in the discussions about the implementation of Article 19 in the Convention on the Rights of the Child.

## V. No clear demarcation between CP and violence

- In fact those discussions show that the demarcation between CP and violence against children is far from clear and it's impossible to say where one ends and the other begins.
- The main reason is that it rests upon the doers themselves – their judgement, their self- control and their emotional state at the time in question – whether they're subjecting the child to violence or CP.
- So long as someone uses physical force against a child, the danger of going to far is at hand – to subject the child to violence even if that was never the intention.
- Let us also bear in mind that the doers behavior is not the only thing of importance. The child's perception and interpretation of it is no less valid. The doer may think the punishment is proportionate and appropriate, while the child finds the same punishment unfounded and unjust.

## VI. More about CP

- Children should not be subjected to CP – not ever. There are various reasons for this, but before I touch on them I have to clarify a few things:
- There's more than one kind of CP.
- Frequent and heavy CP is worse than lenient and rare CP.
- CP as the main method of childraising is worse than CP used with other, more positive methods.
- There are other punishments that can be even more damaging and cruel for the child than CP, for instance those that make a child feel constantly unwelcome, inferior to other children and in danger of losing it's parents affection.



## VII. CP violates human right (1)

CP undermines the principle of every individuals birthright of self respect and the respect of others.

- In modern society the ethical position towards the individuals is that they earn certain rights by being born; by coming into being. These are human rights.
- This is a recognized human consensus and is visible in the “social contract”, in the UN’s Declaration of Human Rights from 1948, and many other international conventions.
- This consensus has taken form over a long time: Roman Law, Hugo Grotius, John Locke, Jacques Rousseau, the French Revolution, the United States Declaration of Independence, UN Declaration of 1948. Of course it has been debated, over and over again, whether human rights are in reality our birthrights and whether they apply universally; also to women? to children? to the lower classes? to slaves?
- The modern man’s ethical position is that human rights are necessary for every one of us to be able to live as a responsible person, to nourish our talents and to seek happiness.

## VII. CP violates human right <sup>(2)</sup>

- Human rights apply to all people, they are universal and without exceptions. No one has the power to take away another person's human rights. It is the task of states and individuals to uphold human rights, and if they fail, we'll descend into barbarism and we certainly have examples of that in our times.
- The basic concept of human rights is respect: self respect and respect for others.
- You would not simply beat up an adult person in order to make him adopt your point of view. Doing so would be a violation of his human rights. Exactly the same applies to a child. Nothing permits you to deprive another persons of their human rights, and that is also true for a child.

## VIII. CP goes against the rule of law. (1)

- There are only two legal and accepted punishments in most states, including Iceland:
  - imprisonment – jail
  - financial penalties – fines
- These punishments are only applied subject to strict conditions:
  - the specified offences have been proved
  - the suspect is presumed innocent until proven otherwise
  - the law allows punishment
  - the investigator, the judge and the executor are not the same person.
- These conditions are seen as the pillars of the rule of law.

## VIII. CP goes against the rule of law (2)

- Laws and international convention do not authorise the use of CP. CP is considered outdated and those states that tolerate it, let alone apply it, are despised.
- Modern people consider those basic principles of the rule of law both self evident and normal. Why in the world would they then not apply to young, fragile and defenseless children?

# IX. CP as a method of childraising is useless

- Numerous studies show that CP is neither a useful nor an effective method of raising a child.
- Other methods are better and more effective. They might have to be learned, but they are known, available and easily learned.
- CP can unintentionally yield results that the parent or educator did not want.
- It is by no means certain that the child sees the same “justice” in CP as the parent or educator assumes.
- G. H. will address these arguments more fully in her lecture tomorrow.

## X. CP can cause damage. (1)

- Not only is CP a useless method in upbringing but it can harm the child, the doer and society.
- A child that is subjected to negative discipline, like CP, is likely to become insecure, have a negative self image and low self esteem. It has a reason for doubting it's parents/educators affection.
- In general, the emotional bond between a child and it's CP-using-parent or -educator is likely to be inferior, weak.
- Using CP can have a negative effect on the doers themselves. They can easily end up doing things they're unhappy with and which they can't take the responsibility for. Remember that there is no clear demarcation line between CP and violence.

## X. CP can cause damage. (2)

- Once the doers start using CP, it's easy for them to justify going further every time. If the first hit does not work, you need to hit harder, .. more often. What's true about violence is probably true for CP as well; the ones using it do it for their own gain: some "need" to hit – nobody "needs" to be hit.
- A child raised with CP is likely to come to the understanding that the use of physical superiority and force is a normal way to exert influence and get your will within the family – and within the society in general.

# XI. Conclusion

These are the main reasons against the use of CP

It is easier, safer and better not to:

for the child,

for the parents and educators

and for society in general.

THANK YOU



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