

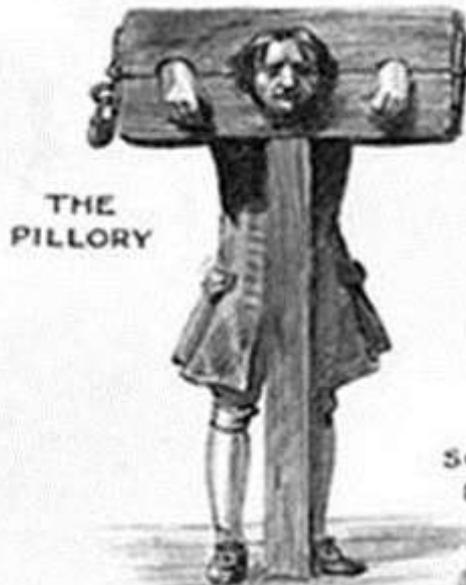
Moving Forward Toward a Safe World for Children

Joan E. Durrant, PhD
University of Manitoba
Canada

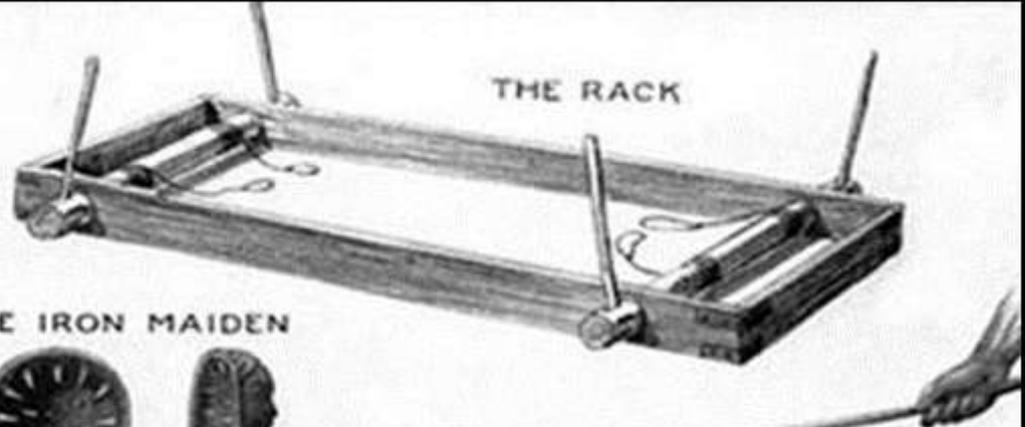




PUNISHMENT TOOLS

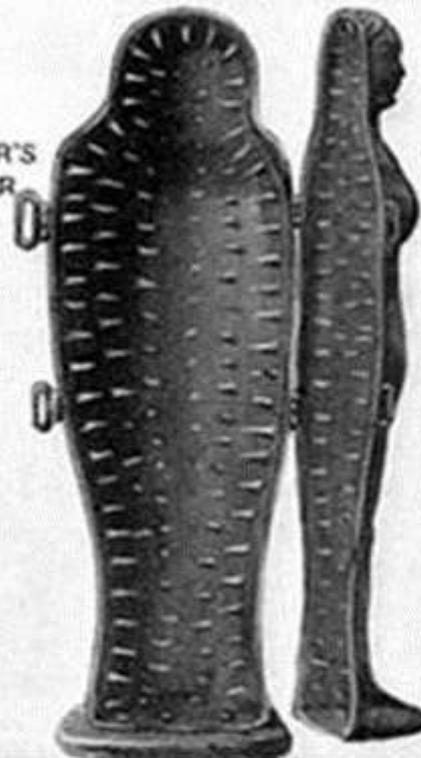


THE
PILLORY

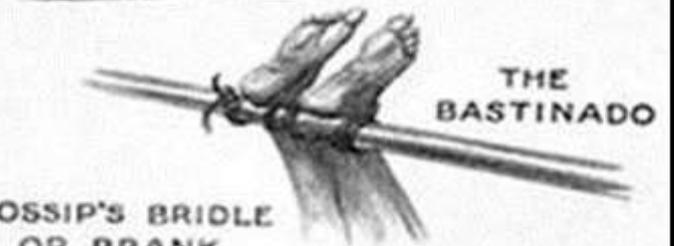


THE RACK

THE
SCAVENGER'S
DAUGHTER



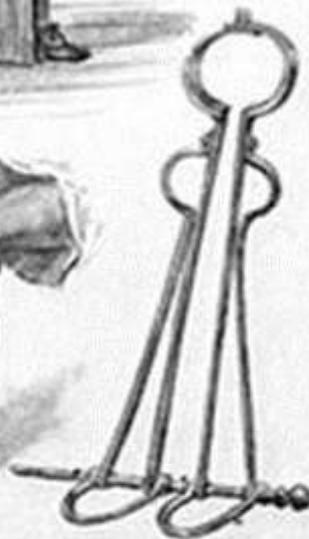
THE IRON MAIDEN



THE
BASTINADO



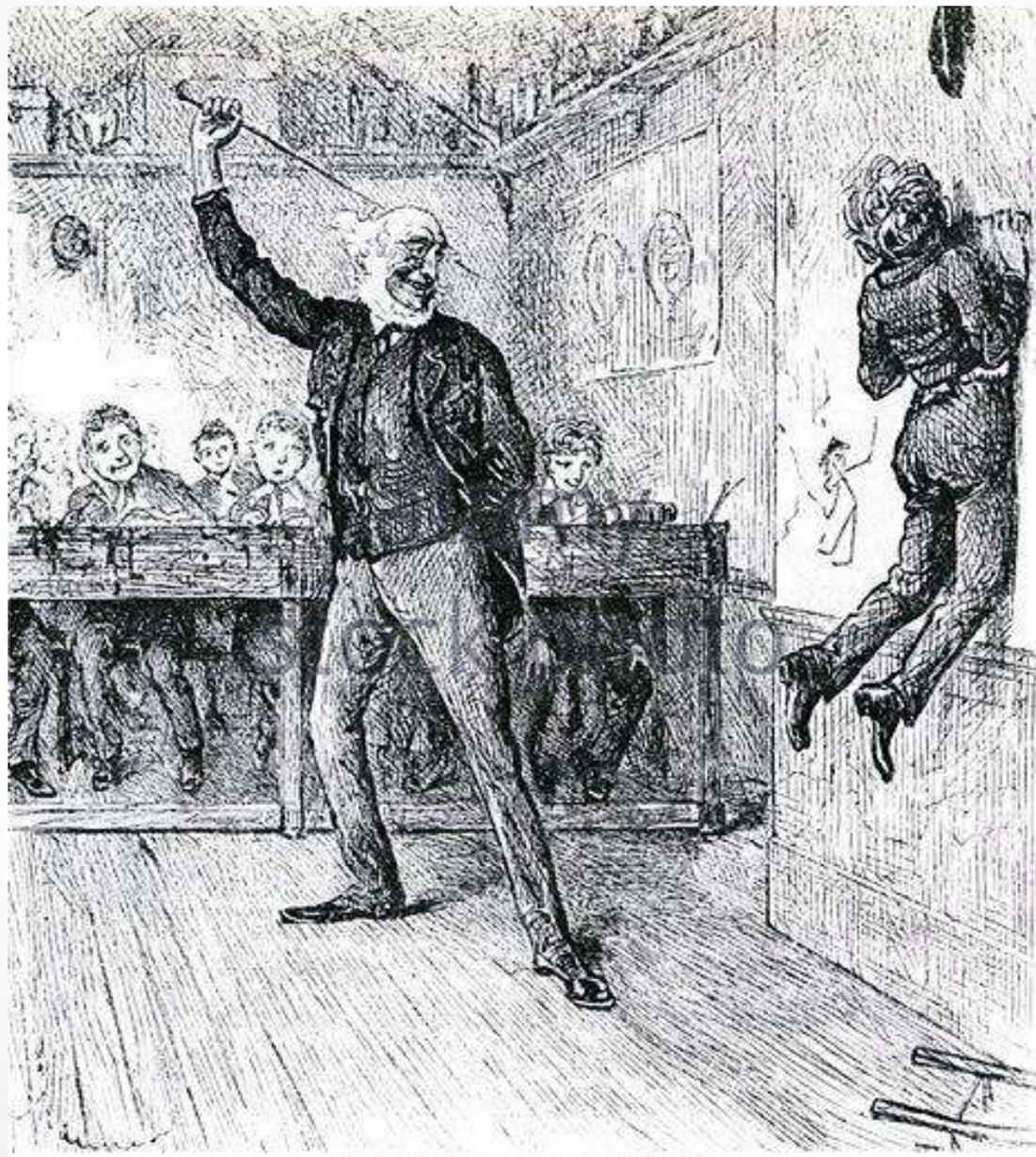
THE
IRON
BOOT

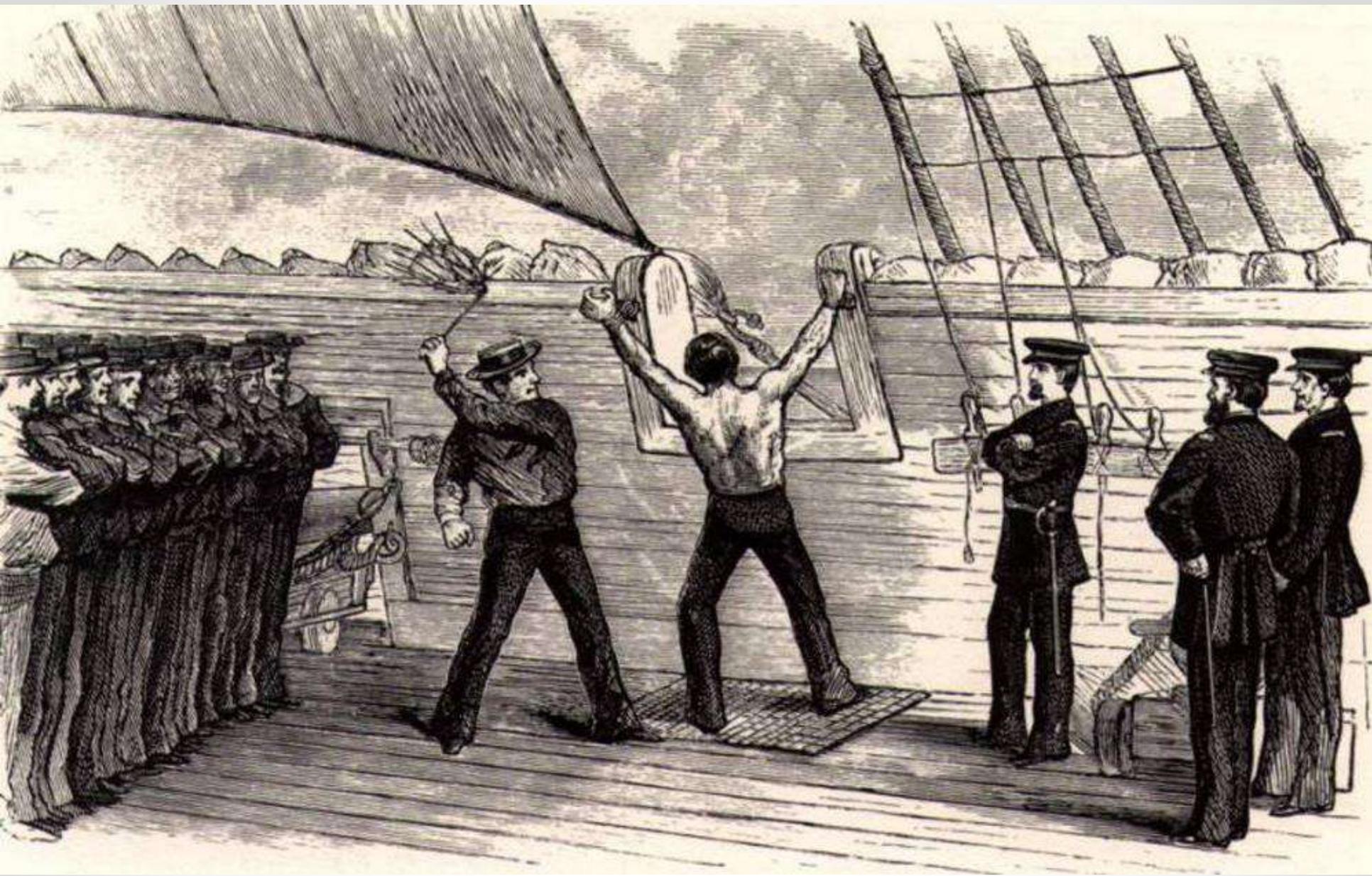


GOSSIP'S BRIDLE
OR BRANK

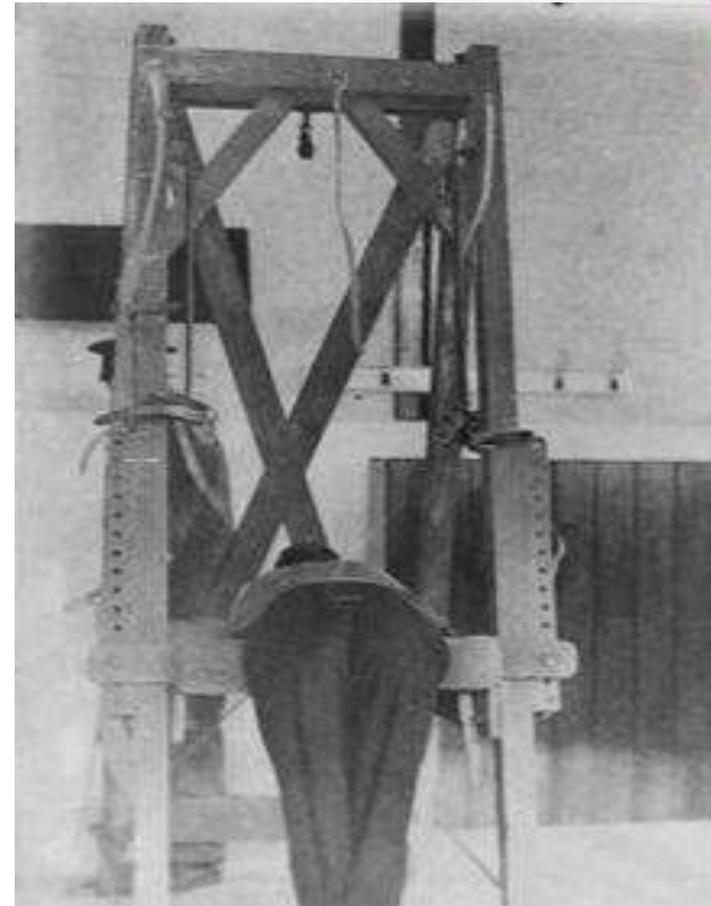


THE
JOUGS











Good Pain



Bad Pain



Good Pain

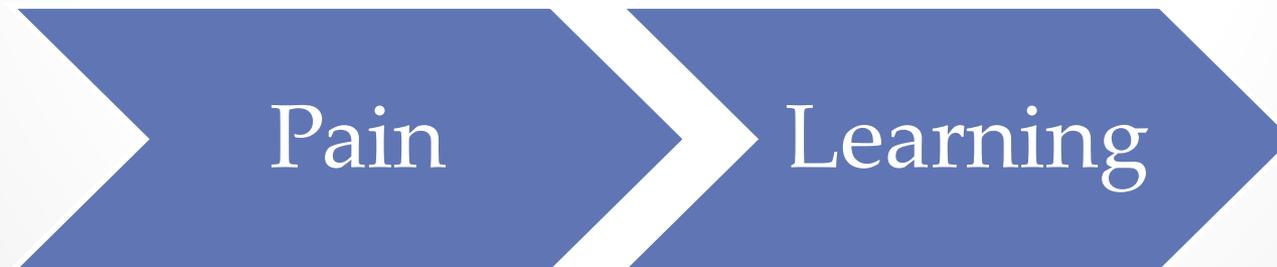


Bad Pain



- Scotland: “justifiable assault”

Canada: “force by way of correction is justifiable”



British Common Law

For, as he is to answer for her misbehaviour,
the law thought it reasonable
to entrust him with this power of restraining her
by domestic chastisement,
in the same moderation that a man is allowed to correct
his apprentices or children; for whom the master or parent
is also liable in some cases to answer.

But this power of correction was confined within reasonable bounds;
and the husband was prohibited to use any violence to his wife
other than lawfully and reasonably pertains to the husband
for the rule and correction of his wife.

The civil law gave the husband the same, or a larger,
authority over his wife;
allowing him, for some misdemeanors,
to beat his wife severely with whips and sticks,
for others, only with moderate punishment.

(Blackstone, 1765)

Today in Iraq

“There is no crime if the act is committed while exercising a legal right [which includes] the punishment of a wife by her husband and the disciplining by parents and teachers of children under their authority within certain limits prescribed by law or by custom.”

In Delaware

Parental corporal punishment is justified if it is

“intended to benefit the child”

and does not consist of:

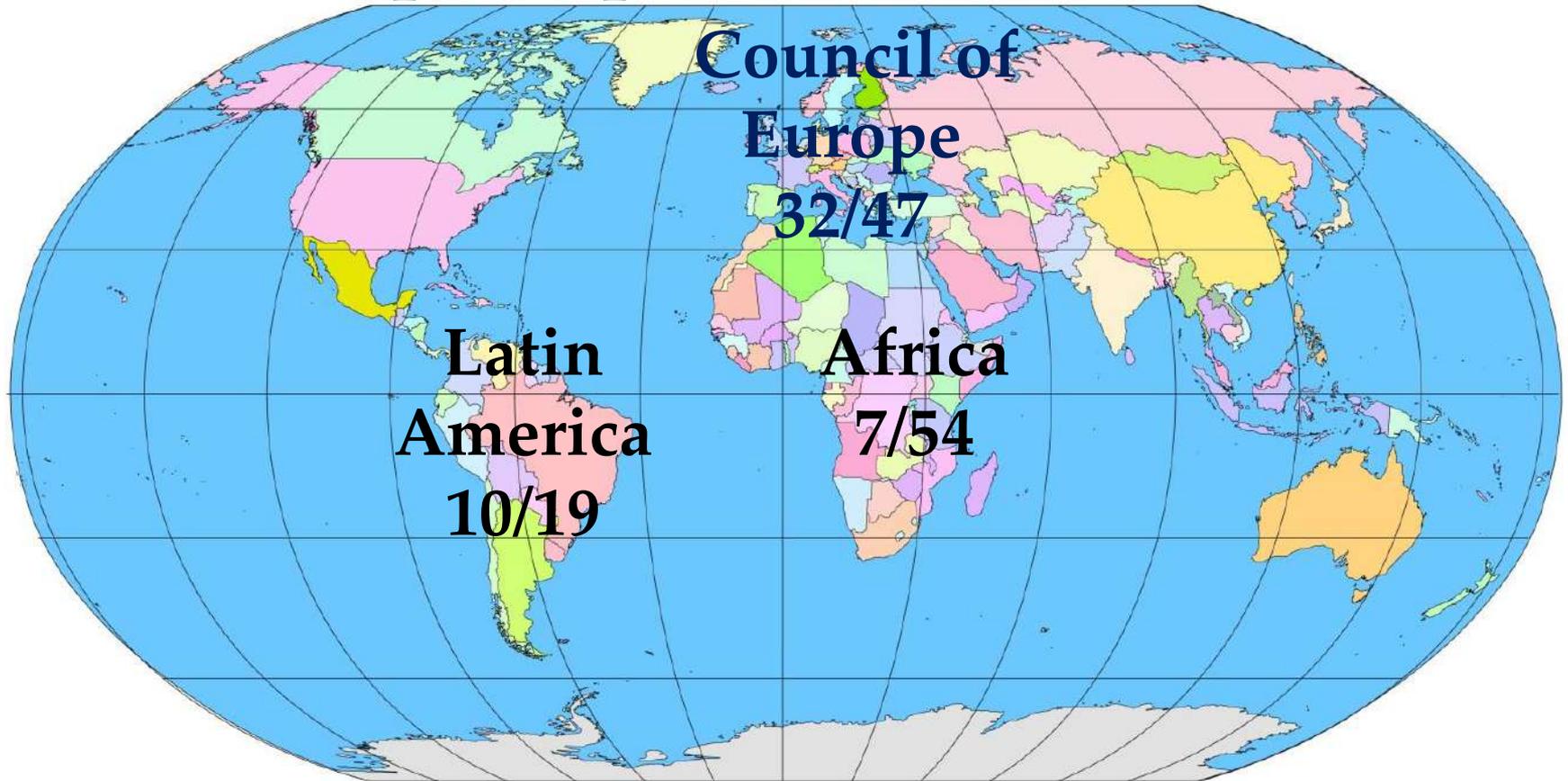
“throwing the child, kicking, burning, cutting, striking with a closed fist, interfering with breathing, use of or threatened use of deadly weapon, prolonged deprivation of sustenance or medication, or doing any other act that is likely to cause or does cause physical injury, disfigurement, mental distress, unnecessary degradation or substantial risk of serious physical injury or death.”

In Texas

A parent

“is justified in using non-deadly force against a child when and to the degree the actor reasonably believes necessary to discipline, or safeguard or promote the child's welfare.”

Today, 53 countries have prohibited all corporal punishment of children.



And 54 countries are committed to prohibition.

Prohibition

Children
are humans
with rights

Corporal
punishment
has solely
negative
outcomes

Austria, 1989

“The use of force and infliction of physical or psychological suffering are not permitted.”

(Section 146a, General Civil Code)

Latvia, 1998

“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)

Croatia, 1999

“Parents and other family members must not subject the child to degrading treatment, mental or physical punishment and abuse.”

(Family Act)

Ukraine, 2004

“All intentional physical and psychological violence against any family member is unlawful.”
(Prevention of Domestic Violence Act)

If corporal punishment
is a necessary educational tool,
children in these countries
should be less well-socialized
than children in Canada or Switzerland.

- Heuser (1988): Qualitative observational study

"Parents are quite universally abiding by norms and imposing rules and limits on their children's behaviour."

"Permissive parenting appears to be dead."

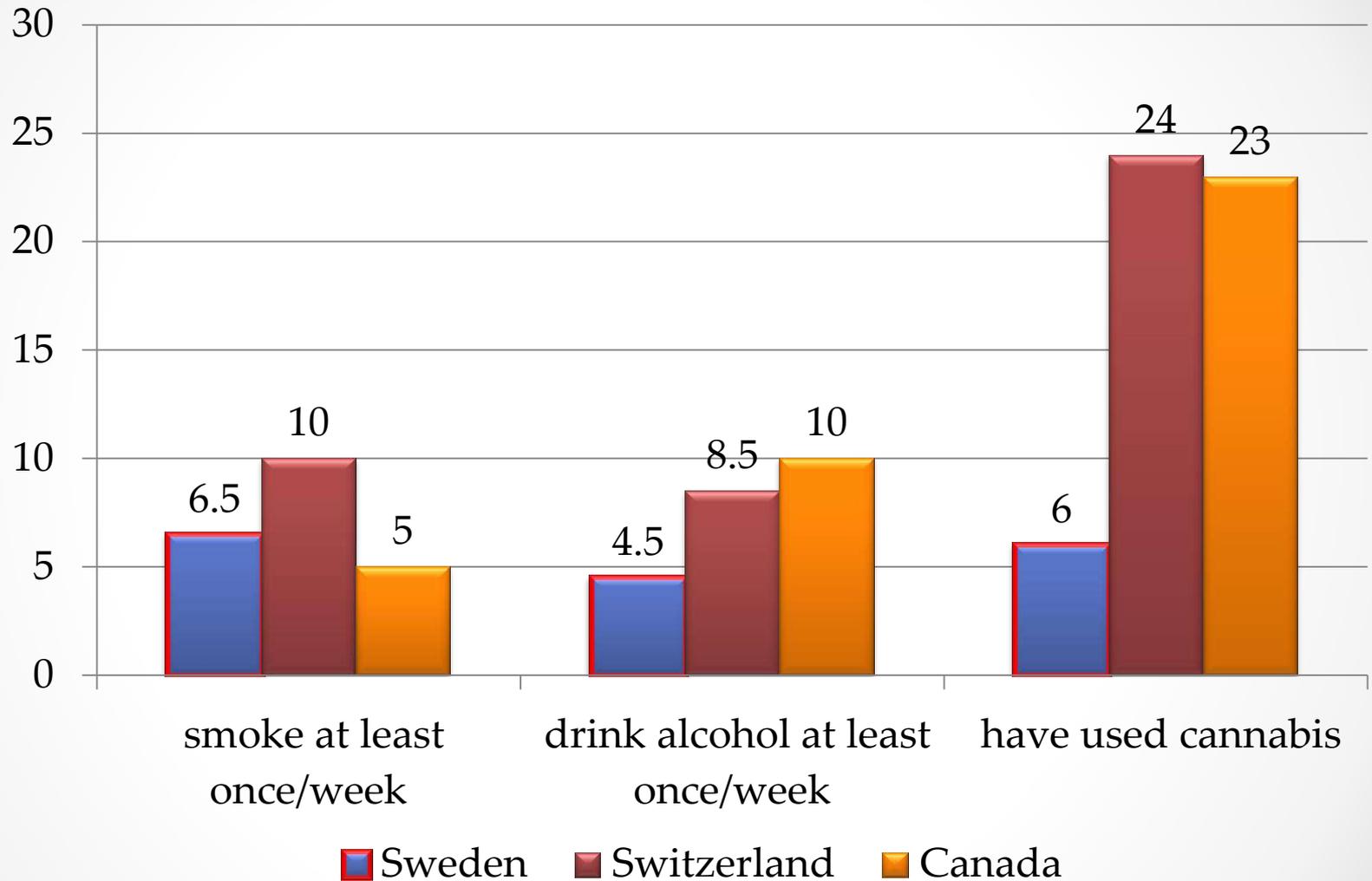
Palmerus & Juntengren (2003): Study of Swedish parents of preschoolers

"It is not valid to label the Swedish parent as permissive."

Juntengren & Palmerus (2007): Study of Swedish youth

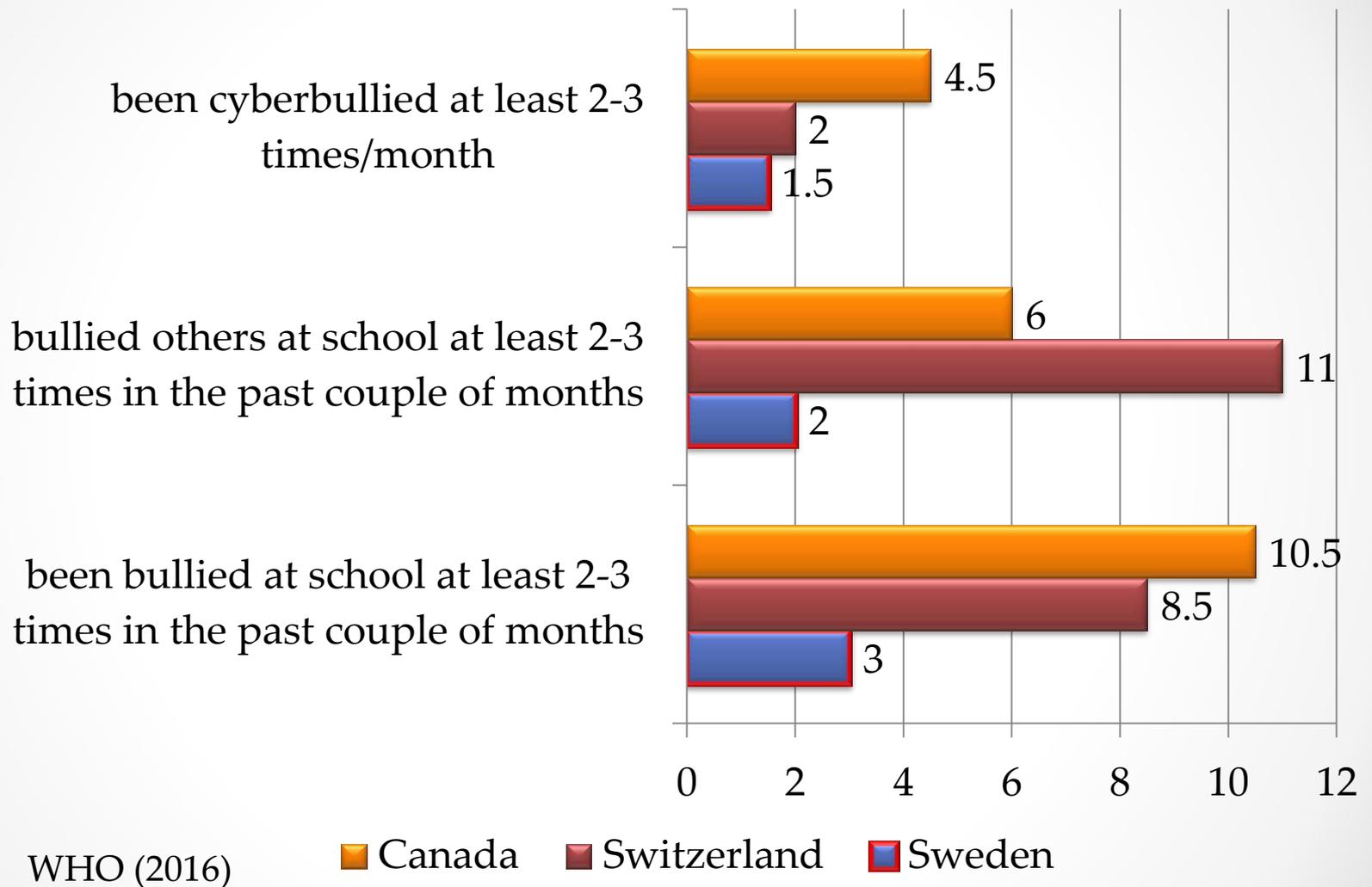
Swedish youth
who viewed their parents
as power assertive
were more likely
to have adjustment problems
than those who viewed their parents
as warm and respectful.

Percentage of 15-year-olds who ...

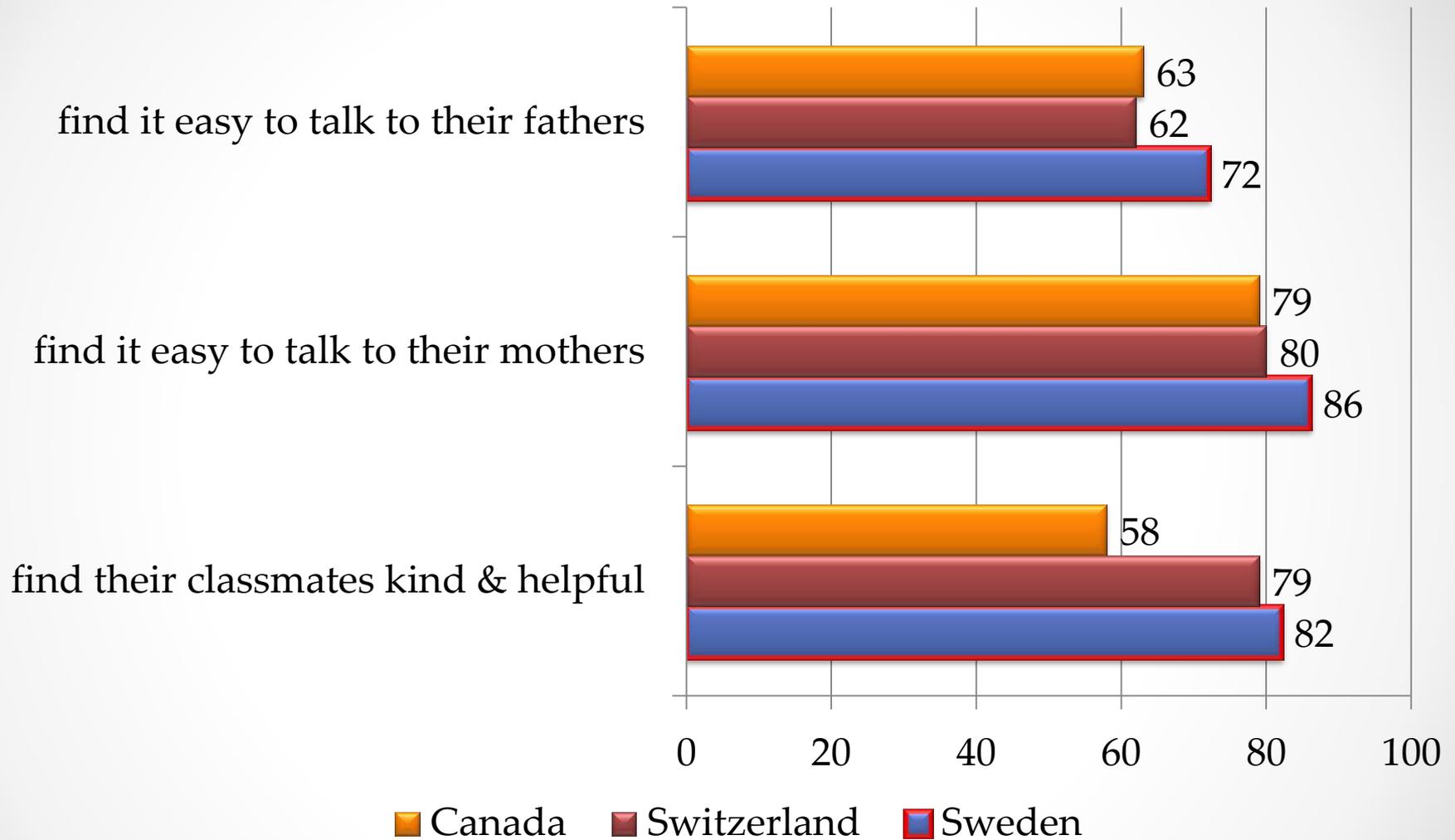


WHO (2016)

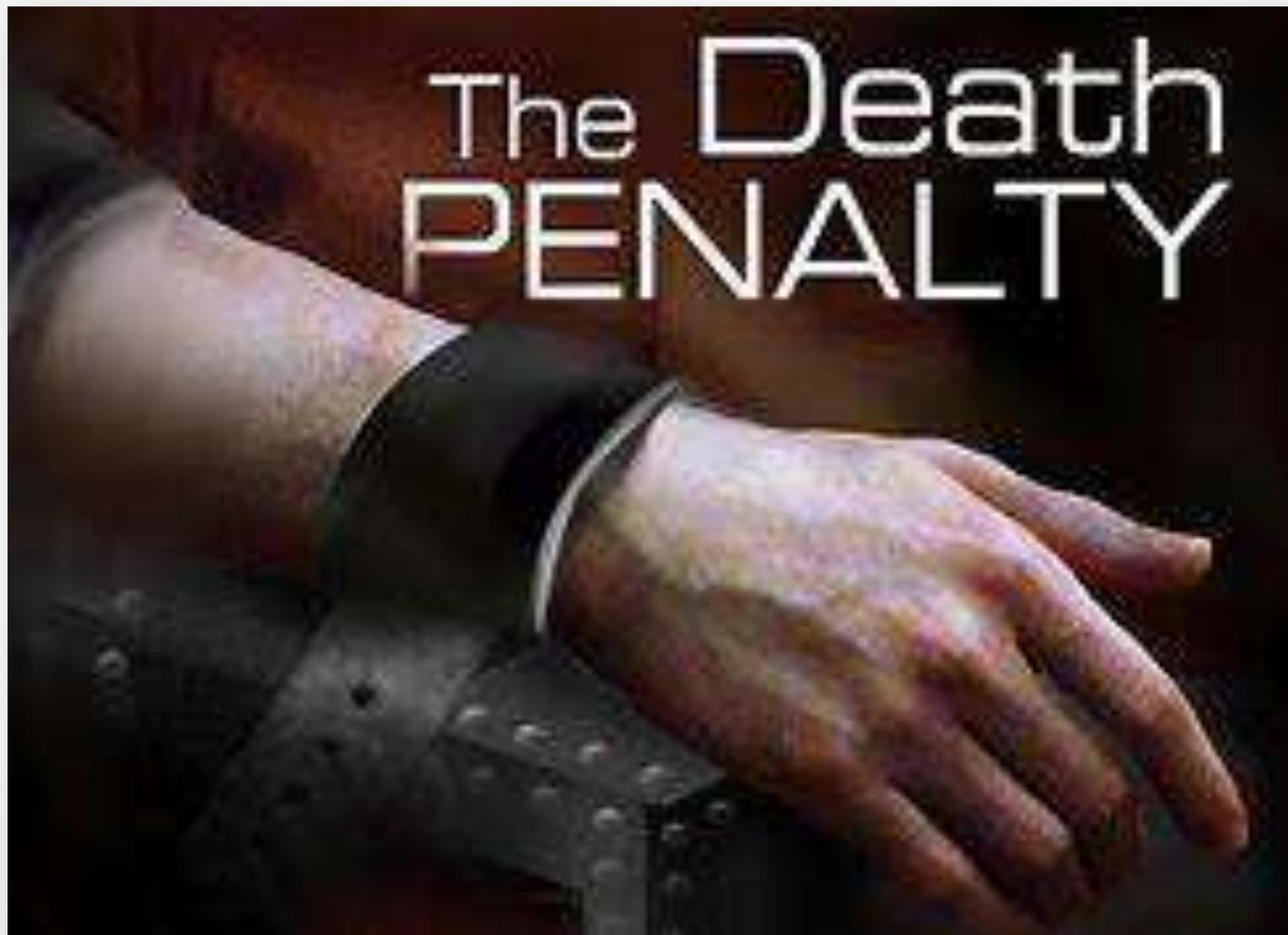
Percentage of 15-year-olds who have ...



Percentage of children aged 11, 13 & 15 who ...



The Death PENALTY



All grandeur, all power, and all subordination
to authority rests on the executioner:
he is the horror and the bond of human association.

Remove this incomprehensible agent from the world
and at that very moment order gives way to chaos,
thrones topple and society disappears.

-Joseph-Marie, comte de Maistre, 1753-1821

The Swiss Guillotine



15th - 18th
centuries

1,445
people
condemned
to death

915
beheaded

1938

54% of Swiss voters support abolishing the death penalty.

1940

Last person beheaded.

1942

Death penalty abolished.

1985 & 2015

Attempts to have it reinstated.
Neither gathered enough signatures.



2013

Switzerland adopts a strategy
on the universal abolition of the death penalty
by 2025.



2014

Mr. Didier Burkhalter,
President of the Swiss Confederation

Statement to 25th Session
of United Nations Human Rights Council

*In abolition processes, whether short, or lengthy,
it is the pressure exerted by sections of civil society,
but mainly also the political courage
of political leaders that have enabled progress.*

*This courage often has to be demonstrated
in the face of a divided public opinion,
at times even a straightforward
unfavourable opinion . . .*

*I therefore mainly call on the courage of politicians
when I invite them to join the numerous countries
that have done away
with this outdated form of punishment.*

Sweden
Finland
Norway
Austria
Cyprus
Denmark
Latvia
Croatia
Bulgaria
Israel
Germany
Iceland
Ukraine
Romania
Hungary
Greece
Netherlands
New Zealand

Portugal
Uruguay
Venezuela
Spain
Costa Rica
Moldova
Luxembourg
Liechtenstein
Poland
Albania
Tunisia
Kenya
Togo
Congo
South Sudan
Turkmenistan
Macedonia
Honduras

Malta
Brazil
Bolivia
Cabo Verde
Argentina
San Marino
Nicaragua
Estonia
Benin
Ireland
Peru
Andorra
Mongolia
Paraguay
Slovenia
Lithuania
Montenegro
Switzerland?? •