
... You are a marvel. You are unique...You may become a Shakespeare, a Michaelangelo, a Beethoven. You have the capacity for anything...And when you grow up, can you harm another who is, like you, a marvel? ...we must all work to make the world worthy of its children. (Pablo Casais)

Bitensky’s unrelenting opposition to corporal punishment of children to any degree is suggested by her book’s title, made clear at the outset, and comprehensively argued throughout six detailed chapters. The above Pablo Casais’ quote, presented at the beginning of her manuscript, draws the reader’s attention to both the young child’s potential and his or her innate innocence or ‘sweetness’. Bitensky contrasts this ‘seemingly angelic humanity’ apparent in the faces of little children with the ‘anger, malice … cunning, weariness and resignation’ that too often, she suggests, characterizes adults’ dispositions (p.xiii). She then explores the process by which this transformation occurs, suggesting that it likely begins with the child’s first experiences of reasonable corporal punishment in the name of discipline. Indeed, she contends that adults have failed to acknowledge that corporal punishment is inexcusable cruelty to children, given alternative, non-violent means of discipline. Physically punishing small children, she argues, is not a ‘perfectly benign and beneficial practice’ (p.xvi). Rather it is a response to children which has continued as an entrenched cultural norm. To challenge the practice is too confronting both for the parents who resort to it and the adults who, as children, experienced it at the hands of the parents they loved.

In the introduction to her book, Bitensky associates corporal punishment with the dampening of the child’s spirit and potential. Moreover, she boldly suggests that it may even ‘form the seedbed’ for ongoing and heightened cruelty in the form of ‘violent crime, terrorism, and egregious human rights violations’ (p.xvii). She concludes the introduction with clear statements that reinforce her stance on this confronting issue, but also clarify the limits of her arguments. She points out that her manuscript focuses only on corporal punishment, as distinct from alternative non-physical but emotionally violent responses to children. However, her broad definition of corporal punishment encompasses euphemistically described ‘garden-variety reasonable spankings’ through to more severe assaults ‘constituting classic child abuse’ (p.xix). Her introduction ends on a positive note, highlighting indicators of movement toward a less violent society. Relatively recent human rights laws, Bitensky observes, are the outcome of progressive human deliberation. She thus optimistically perceives these laws as a positive stepping stone toward eradicating the human propensity to act violently, particularly towards children.
Chapter one draws extensively on social science evidence that supports the grim picture, presented in the introduction, of the harm that may emanate from corporal punishment both in homes and in schools around the world. Despite the alarming ramifications of corporal punishment that Bitensky identifies, she takes particular care in this chapter not to suggest a causal link but rather a possible, or perhaps likely, association between corporal punishment and detrimental effects. These undesirable outcomes include aggressiveness in childhood, decreased child mental health, increased risk of physical abuse in childhood, increased adult criminal and anti-social behaviour, and enhanced risk of violence and aggression toward one’s own children and adult partner. Bitensky then methodically presents sound reasons why corporal punishment is a morally unacceptable and inherently unjustifiable response to children.

In chapter two, Bitensky overviews various human rights treaties that potentially afford children protection from all forms of inhumane and degrading treatment, including corporal punishment. She draws attention to ‘omnibus terms’ (p48) within treaties that she contends must be interpreted broadly to ensure children’s rights. Bitensky forewarns readers that this chapter is unavoidably ‘dry’, particularly for ‘lay readers’ (p50). However, she accurately asserts that the reader will benefit from persevering through her painstaking analysis. Her excellent commentary provides valuable insight into the power of human rights law to condemn corporal punishment of children. Bitensky’s discussion of language, including the use of words such as ‘violence’ and ‘dignity’, and the links between physical punishment and torture are particularly poignant, as are her astute observations related to the child’s right to privacy; social and economic protection; and physical and mental health. Bitensky draws extensively on Elizabeth Gershoff’s (2002) research to support her contentions.

At the time of writing this review¹, 26 countries have banned all physical punishment of children, including the first English-speaking country New Zealand in 2007. In chapter three, Bitensky acknowledges the growing number of countries progressing toward a total ban, and she specifically comments on the domestic laws of 11 countries that had introduced prohibitive legislation before mid-2005 - Sweden, Finland, Norway, Austria, Cyprus, Denmark, Croatia, Latvia, Germany, Bulgaria, and Iceland. The impact of legislative prohibition is then considered in terms of potential criminal and civil sanctions. Bitensky discusses the outcomes and implications of cases in these countries where parents have been prosecuted in criminal courts. She also notes civil court processes through which children may sue their parents, and parents may be denied custody of their children, if corporal punishment has been used.

¹) Editor’s note: Poland and Liechtenstein have also now banned the corporal punishment of children.