24 Effects of Banning Corporal Punishment in Europe
A Five-Nation Comparison

Kai-D. Bussmann, Claudia Erthal, and Andreas Schroth

Article 19 of the United Nations Convention on the Rights of the Child (CRC) gives children throughout the world the right to be raised without violence. A rapidly growing number of European nations have codified this right in their laws. All of these nations based their legal regulations on the model of Sweden, the first nation in the world to prohibit all corporal punishment of children. The Swedish Parenthood and Guardianship Code stipulates: “children may not be subjected to physical punishment or any other injurious or humiliating treatment” (Chapter 6, § 3, Phrase 2, translated).

Several international studies have concluded that this law has helped to shift parental attitudes and to reduce violent childrearing in Sweden (Durrant, 1999, 2005; Edfeldt, 1996; Janson, 2005; Stattin, Janson, Klackenberg-Larsson, & Magnusson, 1998). Due to nationwide public awareness campaigns, more than 90% of the population was familiar with the law one year after its introduction (Newell, 1980; Ziegert, 1983). Since then, Sweden has not scaled down its campaigns to publicize the harmfulness of corporal punishment and the fact that it is against the law. Various non-governmental organizations (NGOs) such as Save the Children Sweden (2001) have continued their campaigns on several levels, directing them towards not only parents but also preschool- and school-aged children. Germany’s 2007 prohibition was publicized, but less intensively (Bussmann, 2000, 2004). There, the percentage of the population familiar with the law is far lower than in Sweden, indicating that prohibition needs to be accompanied by intensive information campaigns.

There are many indications that Sweden has a low incidence of childrearing violence. In 1994, only 50% of Swedish children reported experiencing corporal punishment compared with 76% in Germany as late as 2001. Only 3% of Swedish children received resounding slaps on the face and only 1% were beaten severely, whereas the proportions
in Germany in 2001 were 9% and 3% respectively. According to the latest studies, only 4% of Swedish 11- to 13-year-olds and 7% of young Swedish adults have ever experienced corporal punishment (Dur rant, 2000; Janson, 2003).

Interestingly, several studies document a decline in childrearing violence in other countries as well, even though they have not prohibited corporal punishment, leading to some debate about whether the reduction in violence in Sweden is due to prohibition alone or whether it is due to a general change in values and attitudes within society (Beckett, 2005; Larzelere & Johnson, 1999; Roberts, 2000). For example, Beckett (2005) has suggested that an international comparison of registered child homicides casts doubt on the positive effect of the Swedish prohibition (Beckett, 2005). However, Janson (2005) argues that any international comparison among child homicide statistics will be inaccurate due to differences in definitions and constraints on control of confounding variables. Therefore, a systematic comparative study is needed to evaluate the impact of corporal punishment in Sweden.

The impact of prohibiting corporal punishment has been studied in only a few individual nations, and no study has applied the same methodology across nations. To overcome this gap, the German Research Foundation funded the first European comparative study, which was conducted in five nations.

METHOD

Selection of Nations

Austria, France, Germany, Spain, and Sweden were selected to reflect the heterogeneity of legal contexts in Europe. Differentiation and selection criteria were: (1) the prohibition of corporal punishment; and (2) the implementation of an information and education campaign.

COrporal punishment was prohibited in Sweden, Austria, and Germany at the time of the survey. German law states: "Children have a right to be brought up without violence. Corporal punishment, mental cruelty, and other humiliating measures are inadmissible" (§ 1631, Phrase 2 BGB, translated). Austrian law states: "The use of violence and the infliction of physical and mental suffering are inadmissible" (§ 146 a ARGB, translated). Although Austria's prohibition has been in place since 1989, its introduction was not accompanied by a nationwide information campaign as in Germany (where the prohibition has been in force since 2000). Therefore, a comparison between these two nations allows an investigation of the impact of information campaigns beyond that of prohibition itself.

Neither Spain nor France had a corporal punishment prohibition at the time of the survey, but they differ in terms of information campaigns on the harmfulness of corporal punishment, permitting a comparison of the impact of legal prohibition relative to the impact of information campaigns alone. At the time of the present study, Spain's law stated: "Minors are subject to parental authority. The exercise of this authority must always be oriented toward the well-being of the children in line with their individual personalities... They [the parents] may subject their children to reasonable punishment exercised with restraint" (Código Civil, Book VII, Article 154, translated). However, nationwide campaigns have been publicizing the risks of violent childrearing since 1998, accompanied by appeals from Spanish pediatricians and psychologists. The aim was to raise awareness and shift attitudes (Arruabarrena Madariaga & De Paúl Velasco, 1999; Cerezo & Pons-Salvador, 2002). In France, corporal punishment is not prohibited nor have there been nationwide information campaigns on its risks or on the benefits of nonviolent childrearing. The French Civil Code grants parents broad discretionary powers: "Fathers and mothers have the parental authority to protect their child's safety, health, and morals. In this sense, they have the right and the duty to take care of, supervise, and rear their child" (Code Civil, Book 1, Section IX, Articles 371-372). Outside the boundaries of "child abuse", which is just as punishable in France as in the other nations, no constraints are imposed on parents' actions. We hypothesized that if prohibition has an independent effect, Spain and France should be characterized by higher approval, frequency and severity of corporal punishment than Sweden, Austria, or Germany. It was expected that these outcomes would be at similar levels to those seen in Germany in the 1990s, before corporal punishment was prohibited (Bussmann, 2000, 2004).

Of the five countries, we predicted that the lowest approval, frequency, and severity of corporal punishment would be found in Sweden, followed by Austria and Germany. Although corporal punishment has been prohibited longer in Austria, its information campaign has been weaker. Therefore, we predicted that Austria and Germany would not differ in approval, frequency, or severity of corporal punishment. We expected France to have the highest approval, frequency, and severity of corporal punishment. It represents those western industrial nations that have experienced a general change in values but have not undertaken any systematic efforts to reduce corporal punishment. Therefore, if prohibition and information campaigns together optimize impact, France should provide the starkerst contrast with Sweden on all corporal punishment measures.

Sample

Face-to-face interviews were conducted with 5,000 parents—a random sample of 1,000 parents in each nation—between October and
December 2007 (except in Austria where interviews continued until March 2008). All parents were older than 25, and lived in private homes with at least one child under the age of 18. To reduce bias, only parents with the nationality of the target country were included. Slight distribution inequalities in the sample were corrected by weighting data on gender and age composition according to their distribution in the nation concerned.

Measures

A standardized questionnaire was used across nations. The variables were measured with 5-, 6- or 7-point Likert scales. On the 5-point attitude scale, we collapsed responses into a dichotomous variable (1, 2 = disagree; 4, 5 = agree). The frequency of corporal punishment, childhood experience of corporal punishment, and violence in the parental relationship were measured as frequency ratings (e.g., 1 = never; 2 = one or two times; 3 = seldom; 4 = sometimes; 5 = often; 6 = very often). The score analyzed from each of these scales was the sum of the frequency ratings.

FINDINGS

Incidence of Corporal Punishment

As Figure 24.1 shows, our hypothesis that Sweden would have the lowest level of corporal punishment was supported. In the case of mild corporal punishment, there were marked differences between Sweden and the nations with and without prohibitions. Whereas 14.1% of Swedish parents reported giving a “mild slap on the face,” 49.9% of Austrian parents, 42.6% of German parents, 54.6% of Spanish parents and 71.5% of French parents reported doing so.

Differences between the nations with and without prohibitions emerged for “spanking the child’s bottom with the hand.” Whereas 4.1% of respondents in Sweden, 16.0% in Austria, and 16.8% in Germany reported administering this punishment, approximately half of parents in Spain and France reported doing so. Therefore, Swedish parents seem to have rejected corporal punishment to a greater extent than parents in Austria or Germany, which have prohibitions but weaker information campaigns—and to a dramatically greater extent than parents in Spain or France, which had not prohibited corporal punishment at the time of the survey.

Figure 24.1 Percentages of parents who had used different forms of corporal punishment.
Parenting Subgroups

To distinguish between different parenting subgroups, we subjected all forms of punishment—corporal punishment, not allowing the child to watch television, grounding the child, reducing the child's allowance, shouting at the child, and ignoring and not talking to the child—to a factor analysis (varimax rotation, principal-components, and principal-axis analysis). Each punishment loaded on one of four factors: Prohibitions, Psychological Punishment, Mild Corporal Punishment, and Severe Corporal Punishment (resounding slap on the face, beating with an object, severe beating; see Bussmann, 2000, 2002, 2004, 2005). Then, three parenting subgroups were formed by counting response behaviors rather than being generated on the basis of summative indices: (1) Nonviolent parents, who desist from corporal punishment but apply prohibitions and psychological sanctions; (2) Conventional parents, who apply all forms of punishment other than severe corporal punishment; and (3) Violent parents, who had used severe corporal punishment more than once.

The pattern indicated by the item frequencies (Figure 24.1) was confirmed in these parenting subgroups (Figure 24.2). Three-quarters of Swedish parents reared their children nonviolently; one fifth “conventionally”; and only 3.4% with violence. In contrast, the majority of Austrian (55.8%) and German parents (57.9%) raised their children “conventionally.” Although more than one-quarter of the parents in both these nations did not use corporal punishment, approximately 14% of them belonged to the group of violent parents. In contrast, almost one-half of Spanish (47.7%) and French parents (46.7%) were in the “violent” group.

Childhood Experience of Corporal Punishment

Parents were asked about how they had been punished as children. Their reports indicated that they had experienced markedly more violence than they were inflicting on their children—but there were notable between-country differences. More of the current generations of children in Austria and Germany have been slapped on the face than was the case in the previous generation of children in Sweden. At 39.4%, the proportion of Swedish parents who had been raised without violence exceeds the proportion of Austrian or German parents who are raising their children without violence today—and is twice that found in Spain and almost five times that found in France today.

Table 24.1 presents the proportions of respondents who were raised with and without violence in each country, as well as the proportions that had and had not inflicted violence on their own children, by age cohort. In Sweden, there was an increase in nonviolence and a decrease in violence in the lives of children with each successive cohort. The shifts seen between 1962 and 1973 could be due to the earlier public discussion on the 1957
Table 24.1 Percentages Reporting Violent and Nonviolent Parenting as Children and as Parents by Age Cohort

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repeal of the criminal defense and the 1966 repeal of the Civil Code paragraph permitting mild corporal punishment. The shifts seen after 1973 are likely due to the 1979 prohibition and its accompanying nationwide information campaign.

It must be pointed out, however, that these are not time-series data. A time series was only simulated by asking the generations in this cross-sectional study to report their experiences retrospectively. Because the passage of time tends to blur memory, even greater differences might have been found using time-series survey data from the time periods in question. Clearly, Sweden has established a decades-long tradition of nonviolent childrearing.

**Violence in the Parental Relationship**

Empirical studies have shown that a violent parental relationship increases the risk of childrearing violence (Lamnek, Lüdeke, & Ottermann, 2006; McGuigan & Pratt, 2001). Therefore, parents in the present study were asked whether they were victims or perpetrators of violence in their relationships. In Sweden, conflicts were far more frequently verbal, and acts of severe violence were markedly less frequent, than in the other countries (Figure 24.3). Acts at the lower threshold of violence (grabbing hard and pushing) were as frequent in Sweden as in Germany and Austria.

**Knowledge of Corporal Punishment’s Legal Status**

Almost 90% of the Swedish respondents knew that corporal punishment had been prohibited in 1979. A large majority interpreted the legal limits accurately, even with regard to mild corporal punishment, which had been socially acceptable until the 1980s (Janson, 2005; Stat tin et al., 1998; Straus, 1980). Even a slap on the bottom was known to be prohibited by 94% of Swedish parents. Figure 24.4 presents the proportions of each country sample who believed various acts to be legally permissible.

In Austria and Germany 32% and 31% of respondents, respectively, were aware of the current legal situation. This contrast with Sweden provides evidence of the impact of information campaigns. Other studies have confirmed that only one year after its introduction, the Swedish prohibition was well-known due to the nationwide information campaign that accompanied it (Newell, 1980; Ziegert, 1983). Over the years, Sweden has continued its efforts to make people aware of the harmfulness of corporal punishment and the fact that it is prohibited. Various NGOs have campaigned continuously for many years and on several levels, focusing not only on parents but also on preschool- and school-aged children (Janson, 2005; Save the Children Sweden, 2001).
In Austria, there was no nationwide information campaign. In Germany, the government launched a nationwide multimedia strategy to advertise the change in the law under the motto More Respect for Children. However, this campaign was limited to the years 2000 and 2002. As a result, there has been no noticeable change in the knowledge about the legal reform since 2001, when approximately 30% of German parents, and almost the same proportion of children and adolescents, knew about the prohibition (Bussmann, 2004). The difference in knowledge between Swedish respondents on the one hand, and Austrian and German parents on the other, demonstrates the necessity of accompanying prohibition with intensive information campaigns—and to maintain them over the long term. Continuous campaigns are needed to anchor the right to nonviolent childrearing and the harmfulness of its alternative in the minds of the population. Also, the Austrian (1989) and German (2007) reforms are more recent than Sweden’s, so there has been less time for the norm to shift in those countries. Considering that Sweden repealed its criminal defense in 1937 (Austria in 1977), it has much longer cultural traditions of nonviolent childrearing.

A longitudinal study was carried out in Germany from 1996 to 2007, spanning the period when the 2000 prohibition and its precursor—the Prohibition of Maltreatment Act of 1998—were passed. The findings demonstrate how much time is needed to change traditional beliefs about what is right and wrong (Bussmann, 2003, 2005; see Figure 24.5), and how public discussion, legal reform, and value shifts are inextricably intertwined. Beliefs about the legal status of less severe corporal punishment (e.g., mild slap on the face, slap on the bottom) have shifted continuously: The belief that a mild slap on the face is permissible has dropped by more than two-thirds since 2003 and a slap on the bottom by more than one-half. These findings indicate that legal prohibition combined with continuous public discussion can influence beliefs over time, as Swedish findings also indicate (see Janson, 2005).

Although at the time of the survey, Spain had not prohibited corporal punishment, far fewer Spanish than French parents considered it to be legally permissible. This may reflect the public discussions and information campaigns preceding the Spanish legal reform of December 2007 (after the data had been gathered for this study). Severe corporal punishment was believed to be legally permissible by 9% of French parents, compared with between 2% and 3% of parents in the other four countries.

Approximately 38% of Spanish parents and 32% of French parents were aware of awareness-raising campaigns on corporal punishment. This small difference is surprising, considering that Save the Children has been carrying out nationwide information campaigns in Spain since 1998 (Save the Children Spain, 2001), whereas there have not been any such campaigns carried out in France.
Attitudes towards Nonviolent Childrearing

A large majority of parents in all five nations supported the ideal of rearing children without violence—93% in Sweden (Figure 24.6). However, across countries, substantial minorities of respondents believed that they would be unable to rear their children in daily life without some form of mild corporal punishment. This proportion ranged from 15% to 20% in Sweden, Austria, Germany, and Spain, but was markedly higher in France, at 43%. Therefore, it is not surprising that 53% of French parents are opposed to prohibition (Union des Familles en Europe, 2007).

Attitudes towards Other Disciplinary Responses

Regardless of whether corporal punishment was prohibited in a country, most parents thought it was better to talk with their children than to hit them, which reflects their support for a nonviolent ideal (Figure 24.7). More than two-thirds of the parents were aware that corporal punishment could contribute to a cycle of violence.

A large minority of respondents believed that corporal punishment often happens because of occasional parental helplessness or a lack of alternatives. However, Swedish parents were less likely than parents in other countries to justify its use: Only 4% thought it was an acceptable way of shortening the conflict, and only 6% thought it was an acceptable alternative to not talking to the child. In Austria and Germany, acceptance of these justifications ranged between 13% and 15%. Acceptance of justifications was even higher in Spain and France. For example, 31% of Spanish parents thought corporal punishment was better than not talking to the child, and 27% of French parents thought that “a slap is sometimes the best/quickest way”. Therefore, although parents in all nations strove to raise their children without violence, they differed in the ways they justified their violence in their minds.

Definitions of Violence

Findings of previous studies (see Bussmann, 1996, 2004) indicate that parents are not aware of the contradiction between their attitudes towards nonviolent childrearing and their use of corporal punishment, simply because they do not define what they do as violence. It is known from criminological research that the concept of violence is not based on objective observation but on subjective attribution (Neidhardt, 1986). Swedish parents are consistent in their rejection of violence. They are more likely to define mild corporal punishments (e.g., mild slap on the face or bottom) as violence than the parents in other nations who, while rejecting violent childrearing in principle, are less likely to view the violence they do use as violence (Figure 24.8).
Figure 2.48: Percentages of parents who believe various acts constitute violence.

Figure 2.47: Percentages of parents holding various beliefs about corporal punishment.

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Definitions of violence did not differ substantially across Spain, Austria, and Germany. French parents, however, considered violence to comprise a much narrower range of acts. Only 56% of French parents defined a severe beating as violence, and only 59% defined a slap by a teacher (which is not forbidden under French law) as violence. The contrast between French and Spanish parents' definitions of violence may reflect the more intensive information campaigns that have been conducted in Spain.

Predictors of Corporal Punishment

For nations with prohibitions (Sweden, Austria, Germany), we performed regression analyses to identify the variables that predict the frequency with which parents administer mild and severe corporal punishment. We entered gender, age, and education into each equation, as well as approval of corporal punishment, knowledge of its legal status, definition of physical violence, childhood experience of mild corporal punishment, and frequency of violence in the parental relationship. Because the results from the three countries were almost identical, they were entered into the model together.

The predictors explained 47% of the variance in the frequency of mild corporal punishment (Table 24.2; note that only significant findings are presented). However, the sociodemographic variables made little or no contribution to explaining the frequency of mild corporal punishment. The strongest predictors were approval of corporal punishment, knowledge of its legal status, definition of physical violence, and childhood experience of mild corporal punishment. While stronger approval of corporal punishment and more frequent childhood experience of it predicted higher frequency of its use, knowledge that it is prohibited predicted lower frequency of its use. This finding suggests that prohibition has an impact on behavior, as earlier studies have already shown for Germany (Bussmann, 2000, 2004).

A similar pattern emerged from the results of the analysis predicting the frequency of severe corporal punishment. The strongest predictors were approval of corporal punishment, knowledge of the legal status of severe corporal punishment, and definition of physical violence. However, in this model, violence in the parental relationship was a stronger predictor than childhood experience of mild or severe corporal punishment.

We then performed path analyses to study the relationships among the predictors of corporal punishment (see, for more detail, Bussmann, 1996, 2004). To begin, we performed exploratory factor analyses applying principal axis factoring (PAF) on the metric scaled items followed by principal component analysis—both with varimax rotation. While some variables showed cross loading on several factors, the factor structure was clearly recognizable. Key variables were generated on the basis of the results of the PAF, theoretical considerations, and the results of earlier studies in Germany to permit longitudinal comparisons. We generated the variables for the path models (Figure 24.9) with summative indices.

The path analyses were conducted on both single nations and groups of nations, differentiating between mild and severe corporal punishment as target variables. Results were very similar across nations, except that knowledge of corporal punishment's legal status had a much stronger influence in nations with prohibitions. Here, we report only on the most comprehensive model, which is the one that included all nations and predicted severe corporal punishment. This model explained 34% of the variance in severe corporal punishment and is presented in Figure 24.9.

In line with our hypotheses, this path model indicated that parents' knowledge of corporal punishment's legal status had a direct influence on the frequency of severe corporal punishment. It also revealed indirect relations between parents' definitions of violence and their approval of corporal punishment. However, parents' definitions of violence also had a strong indirect effect on frequency of severe corporal punishment through
approval of corporal punishment. A lack of knowledge of severe corporal punishment's legal status weakened parents' perceptions of violence, while simultaneously strengthening their approval of its use.

Childhood experience of severe corporal punishment directly increased parents' use of it. Interestingly, childhood experience of mild corporal punishment led to a narrower definition of violence and strengthened approval of corporal punishment. Finally, violence in the parental relationship increased the frequency of severe corporal punishment and strengthened approval of it.

SUMMARY AND CONCLUSION

The results of this first European comparative study indicate that prohibiting corporal punishment is associated with a decline in childrearing violence. Parents in nations with prohibitions use corporal punishment less frequently. The impact of prohibition is not only direct but also indirect, through its influence on broadening definitions of violence and decreasing approval of corporal punishment. Moreover, while childhood experience of corporal punishment and violence in the parental relationship increase the frequency with which parents use corporal punishment, their effect sizes can be markedly weaker than those of the direct and indirect influences of prohibition. Therefore, the significance of prohibition should not be underestimated. The law is a communication medium that can have subtle but lasting and transformable effects (Bussmann, 1996, 2004).

Our findings also demonstrate that information campaigns alone are less effective than prohibition alone. In Spain, which did not have a prohibition at the time of the survey but had an information campaign, almost half of parents were raising their children with violence. In comparison, 14% of parents in Austria (which had a ban but no campaign) and Germany (which had a ban and a short-lived campaign) were doing so.

At the same time, the findings from Germany and Austria reveal that prohibition alone is insufficient to fully achieve its potential effects. While 14% of parents there were raising their children with violence, only 3% of Swedish parents were doing so. Clearly, Sweden, which has both prohibited corporal punishment and provided ongoing education about the law and parenting, has had the greatest success in changing attitudes and behavior. The effectiveness of Sweden's approach is seen across generations. At 39%, the proportion of Swedish parents who were raised without violence exceeds the proportion of Austrian or German parents who are raising their children without violence today—and is twice what found in Spain and almost five times what found in France today.

These differences indicate that the changes seen in Sweden go beyond a general change in values. They point to the success of Sweden's very early ban and the prior public discourse on nonviolent childrearing and the harmfulness
of corporal punishment. Even the current generation of Swedish parents experienced far less childrearing violence in the 1970s and 1980s than children in other countries are experiencing in this decade. This early decline in corporal punishment must reflect Sweden's early legal reforms and public discussions. The Penal Code defense for caretakers was repealed in 1957 [Durrant, 1996], the paragraph in civil law permitting mild corporal punishment was repealed in 1966—and acceptance of violent childrearing declined between 1965 and 1971 (Durrant, 1996; Edelköt, 1996). Legally, corporal punishment was considered assault at this point in time. The 1979 ban only clarified a legal situation that had been in place for many years. Therefore, the current generation of Swedish parents grew up during a period when the unacceptability of violent childrearing became increasingly explicit and ongoing information campaigns have maintained public awareness of the law.

In Germany and Austria, where prohibition came later and information campaigns have been less intensive, the trends are similar, but weaker than in Sweden. With regard to Germany, where corporal punishment is prohibited and a short-term information campaign was carried out, the present findings can be compared with those of earlier studies to reveal a continuous decline in the approval of childrearing violence. Continuous campaigns and information measures to promote nonviolent childrearing could strengthen this trend.

France (which has neither prohibited corporal punishment nor conducted information campaigns) provides the starrkest contrast to Sweden. In France, where corporal punishment has not been prohibited nor have information campaigns been carried out, parents are three times more likely than parents in the other countries to believe that severe corporal punishment is allowed, and almost half do not define severe beating as violence. One-half of French parents believed that it was impossible to raise a child without at least mild corporal punishment, compared to 15% to 20% of parents in the other countries; 70% of French parents have slapped a child's face and only 8% are raising their children without any form of violence.

An important finding of the present study is that more than 80% of parents in each nation supported the goal of raising their children without violence, suggesting that they would welcome support and information that would help them achieve this goal. The present findings confirm those of previous studies demonstrating that the most effective way of doing this is to implement a clear prohibition accompanied by intensive public education about the law and about positive discipline.

NOTES

1. This line of research was initiated by Detlev Frehsee († 2001) who, together with the current project manager, had carried out parent and youth studies on domestic violence in Germany within a legal context in 1992, 1994, and 1996 (Frehsee, 1992, 1993; Frehsee & Bussmann, 1996; Frehsee, Horn, & Bussmann, 1996).

REFERENCES


