



# The Left Atrium

## Spare the child

**Something to cry about: an argument against corporal punishment of children in Canada**

Susan M. Turner

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Section 43 of the Canadian Criminal Code states:

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.

The issue of the corporal punishment of children has been hotly debated in recent years. Our individual views on the subject are undoubtedly shaped to some degree by personal experience, which can also make for significant intergenerational differences in perspective. I was educated at a private school in Montreal where discipline was at times Dickensian. Even minor infractions of the prevailing code of conduct often resulted in a visit to the headmaster's office, where the miscreant "assumed the angle" over the arm of a large leather chair and received "six of the best," i.e., six hard strokes of a bamboo cane across the buttocks. The contemporary public-school equivalent was the leather strap administered to the palm of the hand. At the time, few people contested these ostensible methods of instruction, and many believed that they were a valuable means of maintaining peace and good order among the young, and even of building character. But standards of acceptable behaviour and morality often don't travel well across generations. It is less

clear to us today whether the corporal punishment of children is ever permissible or defensible.

The most recent and possibly the most comprehensive contribution to the debate is Susan Turner's *Something to Cry About*. Turner sets the stage by defining the terms of the debate as perceived by philosophers, sociologists, psychologists and lawmakers. She then recapitulates the historical evolution of relevant moral perspectives and applies utilitarian moral theory (promoting the greatest happiness for the greatest number) to the spanking issue. She concludes that all corporal punishment is immoral, and that there is "no intelligible defense of lawful corrective assault." She also states her conviction that "poverty, unemployment, isolation, [and] lack of education must no longer be used as excuses, or worse, as justifications for harming the young."

Thus she places the burden of proof on those who defend the use of spanking. And she concludes that if parents are worried about social or legal sanctions against them if Section 43 were repealed,

they *should* be worried. Without defending Section 43 specifically, or condoning spanking, this reader admits to some anxiety about the difficulty of enshrining the concepts of "always" or "never" in legal statutes, given the risk of lumping together the criminal, the immoral and the relatively inconsequential under the same rubric. There are also issues of context. The rare smack on the backside that occurs in a

parenting context that is otherwise overwhelmingly loving, encouraging and supportive should not be assigned to the same legal category as child abuse. Indeed, at the very end of the book, the author confesses to having hit her own children when they were youngsters "in anger and frustration" and to having felt badly after doing so. Many readers will share her experience, her feelings of guilt and regret, and her recognition of human frailty.

Everyone interested in the spanking debate and in the issue of the possible repeal of Section 43 should read this book. It is a thorough and scholarly examination of an issue that should concern everyone who cares for children, and everyone who care about them.

### Richard B. Goldbloom

Professor of Pediatrics  
Dalhousie University  
Halifax, NS



## Old doctor from China

She holds her hands to her face, as grey as her thin hair, and moans to herself.

She shivers in the room warmed by sun; her clothes slide off like a man's.

She is watched by her daughter as I probe skin stretched taut, her liver hard.

She looks in my eyes, then beyond me to babies dressed as dinosaurs.

She — the old doctor — knows, as her daughter and I know, what is not voiced.

### Ruth Elwood Martin

Family physician  
Vancouver, BC