

Corporal Punishment in Bangladesh School System: An Analytical Appraisal of Elimination Strategy Directions

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Abstract

Corporal punishment in Bangladesh schools—especially in the primary and secondary levels—presents a demonstration of power and authority on the part of the perpetrators. It is still widely prevalent due to absence of strategic directions, and lax legal sanction and weaker ‘media representation’. Despite the fact that the corporal punishment is often perceived as a long unchallenged culturally approved disciplining measure in educational institutions; contemporary Bangladesh society deserves a reversal of the practice. There is an emerging consciousness among the parents, guardians and social change agents against corporal punishment in school systems. Such consciousness is still latent, disjointed, minimalist and non-functional due to lack of platforms for airing ‘collective voices’. As Newspapers have been remaining silent, inactive and least critical of cultural approval of abuse in school systems—‘collective consciousness’ remains absent in public spheres. This state consequently poses a barrier to formation of a credible momentum against corporal punishment. It is an assertion that elimination of corporal punishment nowadays is dependent on large-scale media representation alongside imposition of legal prohibitions. The strategic directions, therefore, need to be subjective and advocacy-driven per excellence.

Introduction

Corporal punishment is, as commonly defined, a form of physical punishment or force intended to cause some degree of pain or discomfort for discipline, correction, control, and changing behavior or in the belief of educating or bringing up the child (Save the Children Alliance 2003:1). Statistical and anecdotal evidences show that corporal punishment is prevalent in almost every society and across the world. Millions of children are reported as being physically and emotionally punished. Sometime their care-takers themselves resort to abusing children under care. It is inflicted on children at home, in schools, in medical and care institutions, in detention, in their workplaces and the streets (Save the Children 2003). The Committee on the Rights of the Child (CRC) expresses profound concern at the prevalence of corporal punishment in schools, because it is still not declared crime (Save the Children UK 2007:3)—a reason why corporate punishment is still a widely prevalent phenomenon in educational institutions. Moreover, corporal punishment yet remained an understudied content in applied sociology research and knowledge-

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building in Bangladesh. There are scanty dependable data on prevalence of corporal punishment of school children. This is because persistent cultural approval normative prompt parents and teachers to undervalue and under-report abuse incidences. Child victims of perpetration, with their limited ability to provide in-depth information, can hardly constitute credible informants. Based on this proposition, this study intends to establish qualitative baseline indicators of school-based corporal punishment in Bangladesh. This study appraises, in a bid to outline corporal punishment eradication strategies, the extent of persistent institutionalization of cultural approval therein.

Objective and Rationale

The primary objective of the study is to establish a qualitative baseline on the prevalence of corporal punishment in Bangladesh. This baseline is deemed essential for furthering advanced in-depth study sequels leading to efficient and effective strategic directions to eradicate corporal punishment from Bangladesh schools. The secondary objective is to outline befitting strategic directions through appraising the state of cultural approval, and legal provisions and media representation. In final words, the end objective of the study is to suggest beneath surface generality the to-be-adapted strategic directions for elimination of corporal punishment from Bangladesh schools.

The rationale and justification of the study lie in persistent reality of information-shortage and academic inattention on this very topic. The study puts in perspective the need of child-centered development vision that gained considerable currency and momentum in contemporary development practice. It is envisaged that corporal punishment and psychological oppression are two intertwined phenomena. Psychological violence including humiliating or degrading treatment and threats are harmful for children. It can cause children's low self-esteem, sadness, shame, depression and sense of vengeance in extreme. Numerous research findings point to the correlation between corporal punishment and depression, low esteem, psychological trauma and poor relationships with parents and those in authority (Straus 1994 cited in Save the Children Alliance Position on Corporal Punishment 2003:1). These propositions suggest the necessity of a national preventive strategy against school-based corporal punishment practices.

Research Method and Techniques

Content analysis is the core technique of information collection for the study. The prevalence information is extracted from ten Bengali and English newspapers¹ and a large set of national-international reports and archival documents published during 2002-2012. This timeline suggests the significance of representation of corporal punishment discourse in the new millennium as well as trends and tendencies over a decade. The study made an attempt to oversee 'increase-decrease' and 'up-down' trends year by year and effectiveness of existing legal provisions. State of legal shielding and newspaper voicing are considered two essential indicators for determination of strategic direction. Thus information collection focus was laid also on quality and presentational importance of newspaper reports and existing legal provisions on corporal punishment.

Investigative attention was paid to contexts of all public and private secondary schools and madrassahsⁱⁱ.

Conceptual Standpoints

Why is corporal punishment prevalent in schools? What are the consequences thereof? A range of interrelated social, cultural and educational factors contribute to persistence, and intensity and rigorousness of punishment over cultures and boundaries (UNICEF 2001:3). Justifications for corporal punishment, though loosely, are found across cultures and contexts. The common argument in favor of corporal punishment is that children need to be disciplined to learn differentiating right from wrong and becoming hard working and obedient (Save the Children Alliance 2003:1). However, proponents of psychological justice often discuss the counterproductive consequence of corporal punishment i.e., psychological and physical injuries leading to hindrances in children's proper education process (Save the Children UK 2001:9-12). For example, a report on school attendance in Nepal records 14 % of children dropping out of school in fear of the teachers (Save the Children Alliance 2003:2).

UNICEF's study titled "Corporal Punishment: Informal Interviews with Children about Corporal Punishment at School and Home" (UNICEF1999:1) documents that teachers hit students with cane, sometimes pull their ears, or hair, or make them put their hand under the table, and some teachers put a pen between student's fingers and squeeze their hands, sometimes they are made to stand on the bench and hold their ears. Although these punishments are harmful for the students—both physically and mentally—they still have high prevalence in Bangladesh society. A study by UNICEF and Phulki—a national NGO—reveal that physical and psychological punishment is widely practiced in public schools (UNICEF 1999:2). This state calls for a necessity of appraisal of effectiveness and efficiency of existing legal provisions.

Existing legal provisions: effectiveness and efficiency appraisal

Relevant international and national laws are worth analyzing at this juncture. Legally speaking, physical and humiliating punishments constitute violence against children. Bangladesh endorsed the UN Charter on Children's Rights, and formally brought the Charter into practice from September 2, 1991. It is stated in Section 37 of the Charter that no children will be subjected to torture, punishment and any cruel or inhuman or humiliating behavior. Yet, children's rights are often violated in Bangladesh (Save the Children UK 2007:1). The UN Convention on the Rights of the Children (UNCRC) demands that children be respected as human beings with the right to dignity and physical integrity.

The UNCRC suggests protection of children from all forms of physical violence (Article 19). Article 37 prohibits inhuman treatment and degrading punishment. The clauses suggest that school discipline system requires being "consistent with the child's human dignity and in conformity with the present convention" (Article 28.2). In view of the damage that corporal punishment can do to children's attendance and learning experience, corporal punishment represents a breach of Article 28, which stipulates children's right to receive primary education

(Article 28.1.a) and requires nation-states to take measures to encourage regular attendance at school and reduce drop-out rates (Article 28.1.e). The general principles of the UNCRC, which also inform this position, provide that in all actions concerning children the best interests of the child should be the primary consideration (Article 3). The Article 6 stipulates inherent right of every child to life and to survival and development. Article 2 safeguards the right to oppose non-discriminatory treatment. Article 12 allows children with the right to freely express their views on matters affecting their rights. Article 12 asserts that children's views be given due weight (Save the Children Alliance 2000:2)

According to the Article 5 of the Universal Declaration of Human Rights—"No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." Therefore, corporal punishment represents gross violation of human rights too. Hammarb and Newell (cited in UNICEF 2001:4) term it as a proven violation of children's fundamental human rights.

In Bangladesh, there remains no precise prohibition of corporal punishment in schools. Periodic Ministerial directives for stopping physical and mental punishment are often sent to schools. However, it continues in practice in the formal education system and in Madrassahsⁱⁱⁱ. In reality, children have limited protection from violence under the Children Act (1974) and Children Rules (1976), and the Act to Prevent Violence against Women and Children (2000, amended in 2003).

Bangladesh lacks legislative provisions towards government's role against corporal punishment. The Suppression or Violence against Women and Children Act (2000) does not specifically mention corporal punishment but it ensures harsher penalties for a variety of crimes against women and children. In principle, if an abuse allegation is proved authentic, the provision of the Women and Children Repression Act (1995) can be used to prosecute the perpetrator of the abuse (UNICEF 2001). Therefore, it can be said that some positive development, indeed, are taking place in Bangladesh, and that there is a scope to utilize these acts in preventing school-based corporal punishments. However, social mobilization—rather than punitive measures—appear to be a greater timely need in Bangladesh. This is because legal provisions yet lack clarity about how they would be applied against century-old customary practice of corporal punishment in schools. The following selective instances are worth documenting as intersection of legal-cultural barriers to strategy formulation against school-based corporal punishment.

Intersection of Legal-cultural Barriers to strategy formulation

The following selected news features portray various dimensions of cultural realities of school-based corporal punishment in Bangladesh. The events imply persistence of a mutually inclusive legal laxness bundled in a 'cultural resilience' (Fleming and Ledogar 2008:4-8; Healy 2006) trait or pattern. Such cultural resilience has not developed a process, as asserted by Rutter (1979, 1990, 1999, 2000, 2005), or strength as often used in the contexts of aboriginal Indians, to be appropriated for remedial or therapeutic necessity. It rather portrays a grim role of, as Zucker (1991) coined, institutionalization in cultural persistence, or perpetuated arbitrary traditions (Weick & Gilfillan 1971).

Shimul, a ten year old boy, was a student of Bethgram Madrassah in Khulna. His teacher brutally punished him for visiting an aunt's house without teacher's permission. He was caned 150 counts and chained against a pillar of the madrassah building (The Daily Prothom Alo 8 July 2006). In Pabna, a teacher named Abdul Halim beat a female class four student with shoes for not wearing Burkha [veil] (The Daily Janakantha, 8 July 2005). In 25 May 2005, Assistant Head Master named Abul Kashem of Matijhil Model High School and College mercilessly beat a student (The Daily Janakantha, 8 July 2005). On May 25 of 2005, two teachers of Jhenidah's Shikarpur High School cruelly beat majority students of a class for virtually no reason. Students informed that such maltreatment had been a regular practice in that school, and that student fear often leads to high abstention and drop-out in that school. (The Daily Janakantha. 8 July 2005).

Russell, a nine-year-old class four student of a remote village in Comilla used to remain absent from school. Being weak and incompetent in mathematics; he grew his disliking and disinterest for mathematics. The mathematics teacher was a habitual abuser with a cruel intention to discipline students through physical torture for errs or mistakes in classroom tasks or home tasks. Kawsar, his fourteen-year old brother, also became fearful of punishments and eventually unwilling to attend school. Students reported that most of them preferred school-abstention and dropout to punishment. Interviewing a number of child psychologists and educationists, the Financial Express reporter identified corporal punishment as one of the main reasons behind children's school dropout. Azizur Rahman—the Project Director of the Protection Unit of UNICEF says—"many of the dropout children do not come to school due to the corporal punishment" (The Financial Express, 15 March 2008).

There are many prison-like madrassahs (school system with Islamic religious curricula) in Bangladesh. Children in a number of madrassah are often chained—even for slightest offences. The Daily Janakantha of 15 March 2005 published a news reporting a 13-year old boy's escape from madrassah with feet chained, and hands tied up with a piece of wood. In 25 April 2005; UNICEF, Save the Children and the Bangladesh Government jointly published a survey result. The survey shows that children suffer from more cruel punishments in schools and madrassah than at home (The Daily Janakantha. 08 July 2005). The following case studies reflect further cultural scenario of corporal punishment in Bangladesh.

Case study 1: Mahfuzur Rahman Limon, an eight-year old Grade Two student of Dhanmondi Boys High School was mercilessly beaten up and lashed by his teacher for playing with a tennis ball in the school corridor instead of being in class. His father brought him to the National Press Club a day after the incident. He arranged the Press Conference in protest against the teacher and demanded justice. He also filed a case against the abuser with Muhammadpur Police Station. However, the case was withdrawn after a day. The only reason was mutual consent between the teacher and the victim's grandfather.

Case Study 2: Bithi Rani, a six-year old girl of Class One was caned by the head teacher for eating in class and dropping egg shells on the classroom floor. As a consequence of being hit, she fell unconscious to the floor and was admitted to the Mirzagonj Thana Health Complex in a

precarious condition. The girl's father filed a case with Mirzapur Thana (UNICEF: Prothom Alo, 6 July 1999). Her father opined that he would not have reacted so vehemently unless the offence that serious!

Case Study 3: Dipu Islam was a twelve year old Class Four student of Nayatola Government Primary School. Four teachers beat him cruelly. Dipu was caned, slapped, and paddled by the teachers, and became severely wounded. His guardians admitted him to a local hospital, and after nine hours he died. The victim's mother filed a case but the charge was withdrawn upon mutual understanding of the plaintiff and the defendants (The Daily Bhorer Kagoj, 6 July 1999. p.8).

Although the first part of the case study of Limon represents a positive effort, the next part represents a barrier to implementation of law. Most parents still overlook such incidents treating them as a common customary practice (UNICEF 1999, The Sangbad & The Independent: 4 July 1999). Victim's grandfather treated it as a non-offence, and traditional social values of respecting parents and teachers barred the victim's parents to press the protest further. The other two cases also depict cultural approval of persistent normative behind corporal punishment. The cases are indicative instances suggesting a need of social mobilization—especially to overcome the limitations of traditional family values—the accumulation of which as collective values ultimately leads to institutionalization of cultural persistence (Zucker 1991) of child abuse.

Strategic Direction

A strategic direction requires taking into account social change dynamics of cultural approval. In Bangladesh there are no time-series data on social change pattern of cultural approval of corporal punishment normative. Referentially, an insight can be drawn from a landmark study of Starus and Mathur's (1996) parental corporal punishment study. Based on data from national surveys conducted in 1968, 1986, 1988, 1989, 1990, 1991, and 1994 they showed that corporal punishment dropped from 94% in 1968 to 68% in 1994. They summarized the study asserting—

“Consequently the decrease is more likely to reflect a change in cultural norms than changes in demographic composition. The appropriateness of corporal punishment was so deeply imbedded in 1968 that there was little difference among races, regions, genders, and educational or income groups at that time. This makes the decrease from 94% approval to 68% approval even more noteworthy. Moreover, the downward trend was found within all socio-demographic groups. However, there was less decrease within some sectors of American society, such as the South, those with low education, and African-Americans. As a result, there is less normative consensus in 1994. Both the overall decrease and the decline in normative consensus represent major changes in cultural norms concerning child rearing.” (Straus & Mathur 1996:91).

This study reveals that national survey practices in Bangladesh has never incorporated any qualitative research agenda for studying changing demographics and socio-cultural patterns of corporal punishment normative. Neither has the country sanctioned strict legal sanctions to treat the practice a punishable crime. Eleven countries thus far have banned all forms of corporal punishment of children (UNICEF 2003:1). Thus they may lend Bangladesh an opportunity to learn lessons from their success stories. In August 2010, under the order of the High Court, Bangladesh officially banned all forms of corporal punishment in schools. The ministerial guideline came into effect from April 2011. Yet ten Bangladesh newspapers reported 63 incidences of corporal punishment at time of the observance of one year of Bangladesh's banning of corporal punishment in August 2011. The prohibition is enacted in legislation from March 2012. Yet on 21 June 2012, the Principal of Kushtia Police Lines School and College ruthlessly caned 14 students only because they had refused to attend school-run coaching classes.

As part of the presentation of the strategic direction, it is worth mentioning that an earlier banning project on a single school reaped positive results in Bangladesh. The Save the Children Australia took an initiative to ban corporal punishment in Hamidia Ideal Primary School with the help of the Vice Chairman of the school Management Committee. The one-year ban on corporal punishment reaped at least three objectively verifiable outcomes: 1) school registration has increased and attendance has improved, 2) children's academic performance improved significantly, and 3) teachers have learned alternative methods of classroom management (UNICEF 2007:1).

Review of global instances suggest that corporal punishment elimination strategies need to be guided by the principles of 1) adapting positive parenting and childcare science in school curricula; 2) periodic transformation of teaching methods, and 3) ensuring effective legislative protection, and increased campaign in NGO advocacy profile; 4) nationwide campaign to familiarize corporal punishment to mass people as a violation of child rights; 5) national-level conscientization advocacy for eliminating social approval or endorsement of corporal punishment as an educational means. Rather, mass campaign is needed to sensitize mass people to appreciate the fact that that corporal punishment is a worse form of violence against children (Save the Children Alliance 2003:4). The Financial Express (15 March, 2008) report compiles policy suggestions from various study reports, which are: 1) enjoyable learning atmosphere for students, 2) friendliness of teachers with students, 3) recruitment of adequate number of teachers to ease their large-classroom pressure, and 4) nationwide advocacy and awareness building against harmful consequences of corporal punishment.

UNICEF (2001:25-26) study highlights on priority needs of 1) increased corporal punishment research, 2) concrete national policy statements and legal reforms, 3) teachers' accountability and ethics guideline formulation, 4) advocacy for increased awareness of children about their rights, and 5) community-based networking and alliance building against corporal punishment.

Save the Children UK (2001:32-33) advocates recurring needs to 1) research the existence and extent of corporal punishment in schools; 2) identify the underlying causes behind use of corporal

punishment; 3) review existing legislation to ensure effective prohibition of corporal punishment, and other inhuman and degrading treatments in schools; and 4) review complaints procedures and remedies for children who suffer violent treatment or punishment in schools; 5) investigate complaints and exercise disciplinary procedures, dismissal or prosecution of teachers who inflict corporal punishment; 6) ensure that legal reforms are implemented throughout the education system, with the help of clear policies prohibiting corporal punishment and clear guidance on handling classroom situations; 7) ensure teachers and school leaders receive in-service training on children's rights, specifically right to physical integrity and human dignity, and on alternative methods to corporal punishment; 8) include children's rights within the school curriculum, in particular the right to physical integrity and protection from all forms of violence; 9) identify key stakeholders within the community and stimulate the collaboration of children, parents, the media, teachers and community and religious leaders in generating wider awareness-raising debates; and 10) ensure the development of parenting education courses bundled with information and materials on child-rearing practices leading to positive and non-violent forms of discipline.

The above strategic directions, as evaluated in this study, lack a focus on the role of media representation. Newspapers, often known as the “fourth state”, seem to publish corporal punishment news and features with least importance. All of the 10 newspapers published only 23 serious incidents in common. Newspapers published only 98 corporal punishment incidents, 9 editorials, 12 sub-editorials, and 29 readers' letters, and 5 government statements and directives over the ten year period. There are no advertisements, media campaign of the government or NGOs, special feature bulletin, or roundtable features on corporal punishment in schools. Of the rest 75 incidents not published on all newspapers, 12 incidents were published commonly in maximum 6 newspapers. Two editorials, three sub-editorials and eight readers' letters expressed a notion that corporal punishment may constitute a demonstration of power and authority on the part of the perpetrators.

All editorial write-ups and public commentaries depicted the practice as a long unchallenged culturally approved disciplining measure in educational institutions. Authors, referring to their personal experiential accounts, opined that the long-sustained practice of cultural approval deserves a reversal, and that there is an emerging consciousness among the parents, guardians and social change agents and opinion leaders against corporal punishment in school systems. Authors, however, also pointed that such consciousness are still latent, disjointed, minimalist and inactive due to lack of platforms for airing ‘collective voices’. Eight readers in their opinions blamed newspapers for remaining blindfolded, silent, inactive and least sensitive to cultural approval of abuse in schools. All published commentaries blamed absence of collective consciousness as the barrier to formation of a credible momentum against exploitative and abusive disciplining measures. This study reveals reader opinions that ‘cultural approval’ and ‘lack of mass media representation of corporal punishment as a crime’ are responsible for public inertia and government inaction. These opinion leaders termed newspapers as ‘culture-mirror’ and ‘the most effective means of representation’ and reminded that there are adequate legal protection provisions which are scantily practiced due to slumbering newspapers in Bangladesh.

Conclusion

This study reveals that the corporal punishment is still widely prevalent due to absence of strategic directions, and lax legal sanction and weaker ‘media representation’ (Chandler 2002). ‘Cultural approval’ (Pagelow 1984) does not constitute the lone barrier to strategy formulation toward eradication of corporal punishment. Sociologically speaking, media representation refers to construction of mass people’s imagery of an idea or thoughts through mediums, especially mass media. There is a constant interplay of processes and products, senders-receivers, producers-consumers, and writers-readers and speakers-listeners. Of many means, newspapers can construct ‘negotiated reading’—an audiences’ ‘reception’ (Hall 1997) conformity with the senders. Media representation seldom goes unnoticed as it constructs ‘public sphere’ (Habermas 1991)—thereby ‘public opinion’ (Katz 1998)—reduction of diverse groups of opinions into a single conversation entity. For Habermas, “today newspapers and periodicals, radio and television are the media of the public sphere” (Habermas 1991: 391). There is little difference between public opinion construction for social and political causes. Role of newspapers in public opinion construction conforms to Gabriel Tarde’s notion of ‘political function of conversation’. Public opinion promotion is indeed a political conversation on the part of the newspapers, which ‘percolates opinion’—“that is, to refine individual opinion so that it becomes more ‘considered’ and, in ways unspecified, to generate one or two national opinions on a particular subject” (Katz 1998: 89).

Persistence of corporal punishment as a cultural practice over decades refers that media had considerable negligence or unwillingness to portray the problem as a crime. In a similar fashion, legal institutions tended to take the ‘cultural approval’ myth for granted over decades as a reality. Now that the mass media, especially newspapers, seem to gradually appreciate corporal punishment as a crime; representation of the crime-imagery of corporal punishment just began. Although a seemingly half-hearted media representation process began—it is stimulating consciousness among the parents, guardians and social change agents against corporal punishment in school systems. Elimination of corporal punishment nowadays is dependent on large-scale media representation alongside imposition of legal prohibitions. The strategic directions, therefore, need to be subjective and advocacy-driven per excellence.

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End Note

ⁱ Ten daily newspapers reviewed are *The Protom-Alo*, *The Ittefaq*, *The Janakantha*, *The Ajker Kagoj*, *The Bhorer Kagoj*, *The Inqilab*, *The Financial Express*, *The Daily Star*, *The New Nation*, and *The Independent*.

ⁱⁱ Islamic religious schools administering Islamic education curriculum alongside partial adaptation of national curriculum.