

Evaluating the Subtle Impact of a Ban on Corporal Punishment of Children in Germany

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In 2000, the German Government passed a law prohibiting physical punishment in the family. A pre–post research design allows for an examination of its effects. The results of nationwide representative surveys on the experiences, perceptions, legal knowledge and attitudes of adolescents and parents are discussed. The recent surveys reveal a significant decrease in the prevalence of corporal punishments and a high acceptance of the legal prohibition. In particular, awareness of the legal limits of parental physical sanctions has increased significantly. For these reasons, the prohibition of corporal punishment can be said to have had an impact on the reduction of family violence against children in Germany. Copyright © 2004 John Wiley & Sons, Ltd.

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In modern societies, we can increasingly identify an anti-violence discourse. Nowadays, the disapproval of violence has probably gained a higher level of consensus than ever before. However, it is still unquestionable that, in most countries worldwide, children and young people are excluded from socially accepted sanctions against violence, which hold that one is not allowed to strike anybody apart from one's own child. Moreover, in some countries, this parental privilege is even extended to teachers. Although Germany prohibited corporal punishment in schools in the seventies, it took more

'Significant decrease in the prevalence of corporal punishments and a high acceptance of the legal prohibition'

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than 25 years to introduce a comparable legal ban for parents. Following the legal change in Sweden in 1979 and the subsequent impressive reduction of family violence against children, the German Government introduced into the civil code an explicit strict ban on any physical punishment by parents in November 2000:

‘Children have a right to a non-violent upbringing. Corporal punishment, psychological injuries and other degrading measures are impermissible’ (§1631 II BGB (Civil Law, 2000))

One important argument for the German reform was that the experience of physical punishment in the family holds many risks for children’s development—a consistent finding of international research for more than two decades (Spatz Widom, 1989; Smith and Thornberry, 1995; Straus *et al.*, 1997; Pfeiffer *et al.*, 1998; Wetzels, 1997). One of these risks is the higher probability of those who experience physical punishment being responsible for injuries to others, which means corporal punishment is strongly associated with youth violence. Our study also confirmed this strong correlation; the probability of young people committing violent offences was about three times higher and the offences more serious if children or adolescents had been physically punished or even maltreated by their parents.

Therefore, the cycle of violence is not restricted to the child’s own experience, as these experiences also affect the child’s own violent behaviour. Moreover, the German Government was convinced that physically punishing children could tip over into physical abuse, and therefore the legal solution had to be an absolute prohibition of any corporal punishment. In the face of these empirical results, effective crime prevention could no longer stop at the front doors of families. Violence against children should be taken as seriously as, or in some respects more seriously than, violence against adults. For these reasons, the German Government, in introducing a comprehensive ban, also wanted to give parents a clear legal directive which provided a right to a non-violent upbringing for all children.

The idea behind the new legal concept was that children should not be seen simply as objects of law but also as subjects, individuals who have explicit rights. However, this legal reform does not mean that children can sue for a non-violent upbringing in the courts. In this respect, the new law has primarily a symbolic meaning, although it does have a number of subtle legal consequences. Until this legal reform was introduced, the civil code provided justification for a wide range of corporal punishments, even severe ones at times, but the new ban rules

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out any legal justification of violence in the upbringing of a child. Under German law, this means that physically punishing one's own child is now a criminal offence (physical injury, see §223 StGB (penal code)) which could be pursued by the public prosecutor.

However, the civil law consequences should be more meaningful in judicial practice. According to legal opinion, this ban has explicitly introduced into civil law the idea of a non-violent upbringing as an absolute value which gives judges in family courts stricter criteria for decisions about a child's care and custody (e.g. in matters of divorce). Though its postulated impact on legal practice in family courts has until now not been evaluated, some reports on such judicial cases are confirming this effect.

Ultimately, though, an increase in prosecutions and legal actions is not the main rationale for the legislative changes. They are intended primarily to give parents new guidelines on how to behave towards their children and are not meant to invade the privacy of the 'child's bedroom' by sending in the prosecutor. For this reason, the study concentrates on these anticipated effects. In addition, the new legal situation allows an examination of the classic sociolegal question of the impact of law; in this context, has this recent German prohibition of corporal punishment had any significant impact on the behaviour, attitudes or communication of parents and children?

Methodology

On behalf of the Federal Ministry of Justice and the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, representative nationwide surveys were conducted in 2001 and 2002, which were compared with studies undertaken in the nineties. The studies used identically structured questions covering the same topics to ensure the comparability of the results. However, the interviewed parents and adolescents were not related, nor did they live in the same households, because each study contains a random sampling of either parents or adolescents. With the exception of the expert study, which was conducted through a randomized postal survey, face-to-face interviews were undertaken.

The datasets are as follows:

- Interviews with parents (with children under 18 years) were conducted in 1994 ($N = 1800$), 1996 ($N = 2000$) and October 2001 ($N = 3000$). The data reported here are from the 1996 and 2001 studies

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'Representative nationwide surveys were conducted in 2001 and 2002'

'The continuing existence of a relatively high degree of various forms of discipline'

- Interviews with adolescents aged 12–18 were conducted in 1992 ($N = 2400$) and 10 years later in March–April 2002 ($N = 2000$)
- A postal survey of professionals working in private and public child protection organizations was completed in November–December 2001 ($N = 1000$)

Changes in Sanctioning Style

The self-reports of the parents as well as those of the adolescents show the continuing existence of a relatively high degree of various forms of discipline and other sanctions. Radical change in the cycle of violence was not an anticipated effect of the legislation.

We can group the parents together on the basis of the differences in their use of violence in childrearing: 54% of the parents can be described as displaying a 'conventional childrearing' approach which entails frequent use of some minor corporal punishment in addition to non-violent sanctions. However, they hardly ever resort to serious corporal punishment (such as beatings or spankings). About 17% of the parents belong to a 'violence-prone' group. These parents frequently resort to sanctions, psychological forms of punishment and, in particular, serious corporal punishment (such as beatings or spankings). The third group of parents, who very rarely resort to disciplinary sanctions and as far as possible never resort to corporal punishment, accounts for roughly 28% of all parents.

Nevertheless, a remarkable change within the time period of 5 years (parents) or 10 years (adolescents) can be discerned. According to the statements of parents and young people, a slap across the face has lost its dominant position among the various forms of familial sanctions. We find among parents a significant decrease of more than 10% in slapping their children between 1996 and 2001: 59% of parents interviewed in 2001 in comparison to 72% in 1996 reported (ever) giving their children slight slaps. In 2001, 26% of parents reported having spanked their children (1996: 33%). The answers of the adolescents interviewed in 2002 confirm this picture even more impressively; see Figure 1.

Moreover, the decreasing use of violent forms of punishment has not been compensated by a significant increase in other sanctions (psychological forms of punishment or prohibitions). A slight increase in other sanctions can be identified from Figure 1. This may be the result of an increased sensitivity of children and young people to all forms of punishment,

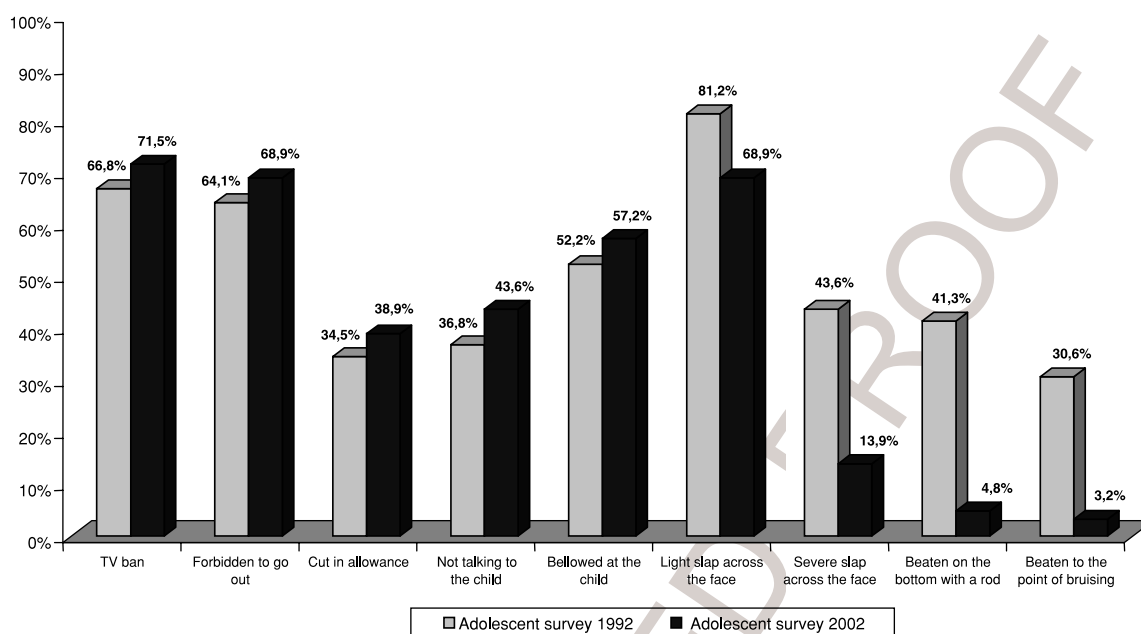


Figure 1. Changes in childrearing: adolescents 1992 and 2002

because, in contrast, the parent survey in 2001 showed a slight decrease of non-violent sanctions.

Even more impressive is the reduction in the use of more serious violent sanctions, evident in the reports of the young people. For instance, only 14% of children reported having (ever) been slapped hard across the face in 2002, whereas in 1992, almost 44% reported this form of sanction—which indicates a reduction of 30%. Only 4% of the young people surveyed in 2002 had experienced very serious physical punishments, such as being beaten on the bottom with a stick or beaten to the point of bruising; in 1992, the rates for both forms of punishment were almost 8–10 times higher.

Significant shifts in childrearing practice in German families can be clearly seen in the extremely positive changes within the group of families still resorting to corporal punishment in their childrearing. While this ‘violence-prone’ group of families is not substantially smaller than in the previous studies (16.3% in 2002 as compared to 18.1% in 1992), even in these families the more serious forms of corporal punishment are used less frequently; see Figure 2.

Nowadays, only a minority of children have ever experienced severe violence in the family. Consequently, one could say that parenting is as non-violent as at any time in our history. However, comparing the findings to the Swedish situation shows some differences. In 1994, only 50% of Swedish children reported experiences of violence (Germany 2002:

‘Extremely positive changes within the group of families still resorting to corporal punishment’

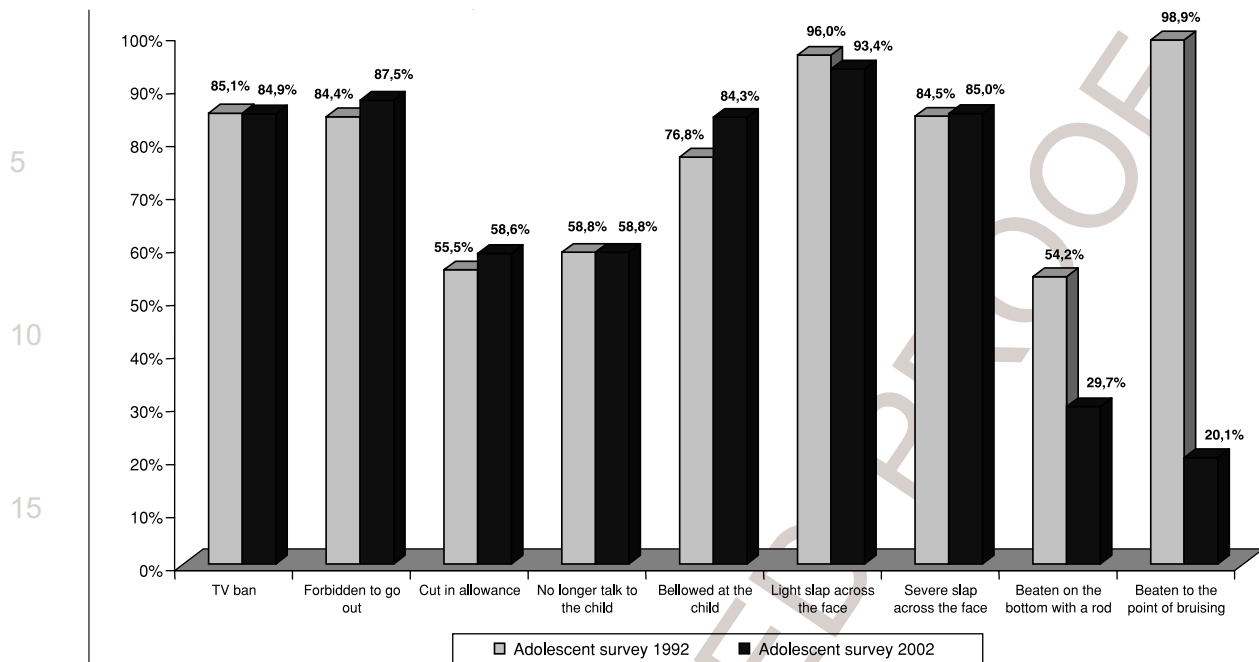


Figure 2. Changes in childrearing between 1992 and 2002 in families which resort to violence: adolescent surveys

69%), only 3% reported hard smacks and 1% beating with an object (Germany 2002: 14% or 5%). According to new Canadian studies, 70% of parents beat their children (Durrant, 2000). Nevertheless, in comparison to this we are clearly below the normal level of violence within English families, where a sixth of children have received severe physical punishments from their parents as compared with 3–5% in Germany (Lansdown, 2000; p. 418).

Regardless of all methodological difficulties of international and cross-cultural examinations (Forrester and Harwin, 2000), these comparisons allow us to conclude that the Swedish prohibition has contributed to a more violence-free family life (Durrant, 1999, 2000; Edfeldt, 1996; Palmérus, 1999; Stattin *et al.*, 2000; critical: Roberts, 2000; Larzelere and Johnson, 1999). Germany probably is located at the midpoint of a development which can be supported substantially by the establishment of a right to a non-violent upbringing.

'The Swedish prohibition has contributed to a more violence-free family life'

Perceptions of Legal Reform

The ban on corporal punishment in Germany was intended to introduce new attitudes to childrearing. However, even a symbolic law reform requires a widespread public awareness. In particular, three conditions must be fulfilled:

- The prohibition must be explicit and easily understandable so that the possibilities for different interpretations will be minimized
- The new norm must be reflected in all the usual channels of communication throughout society and it must also be 'quoted' there
- A new ban on physical punishment must not meet with high levels of public disapproval

The first condition is certainly simple to fulfil, although the legal formulations adopted in some nations are still too vague. For example, in Austria, just 'violence' is prohibited, without defining the subject precisely to ensure that it covers any form of corporal punishment (see the following analyses of the different concepts of 'violence' in various situations). As was the case in Sweden, the German legislation strove for clear legal limitations. The given right to a non-violent upbringing formulates a clear value and gives everybody a clear standard, while at the same time the second sentence of the same paragraph defines the term 'violence' exactly. It declares any 'physical punishment' as clearly illegal and thus avoids any interpretation ('... Corporal punishment, psychological injuries and other degrading measures are impermissible', see §1631 II S. 2 BGB (Civil Law)).

In contrast, the second prerequisite is only partly fulfilled. Although the German Government had conducted a nationwide publicity campaign in the press and on television—which has cost about 2.5 million euros—only about 25–30% of the target group (parents and young people) have noticed this radical legal turn. Further multiple analyses show that the relatively low perception rate was not caused by a lack of sensibility or interest among the intended audience. The main reason was that the law reform was not reported sufficiently in the media. This constitutes a key reason why the German prohibition has not achieved the success of the Swedish campaign. After 1 year, 99% of Swedish people were familiar with their new ban on corporal punishment (Ziegert, 1983, p. 922; Newell, 1989, p. 69; details in: Durrant, 1996; Edfeldt, 1996).

Nevertheless, a knowledge rate of almost 30% among both the parents and adolescents is an acceptable and important first step, especially if we also take into account the results of our survey of professionals who are working in private and public child protection institutions (e.g. youth welfare departments, 'Kinderschutzbund'). More than 90% of these professionals were well informed about the legal reform and they will act as 'broadcasters' in their professional roles.

Moreover, the campaign impacted on almost every group to a similar extent, although it had better results among the

'The law reform was not reported sufficiently in the media'

‘Only about 26% of the parents with a ‘violence-prone’ style of parenting knew about this reform’

parents with fewer problems in this respect. Only about 26% of the parents with a ‘violence-prone’ style of parenting knew about this reform in comparison to 32% of the group with a ‘conventional’ style of parenting. In this respect, the adolescent survey produced better results. Young people from those families with more frequent and more severe use of corporal punishment were better informed, since 31% of this group were aware of the law reform.

Parents’ Attitudes

Significant behavioural changes could not really be expected only 1 year after the introduction of the ban on physical punishment, and a relatively low level of publicity was unlikely to trigger any substantial attitudinal shift. For this reason, the reported significant decrease of family violence has to be explained. According to our results and the international trend, one should expect a corresponding change in the attitudes of parents as such a change could be responsible for an established trend towards steadily decreasing frequency and distribution of physical punishment in childrearing.

‘Use of violence in rearing children is gradually declining’

Although we conducted a longitudinal design—a classic pre–post design—a reduction of sanctions could be caused by several factors. In particular, analyses of social change in civilization theory (see Elias, 1988) predict a steady reduction of violence in society, which is well confirmed by empirical and historical research (see Hagan, 1994, 20f.; Neidhardt, 1986; Levi and Maguire, 2002, 809f.). Furthermore, theories and research on changing social values in modern society also indicate that the use of violence in rearing children is gradually declining. Many international surveys are reporting a remarkable decrease of violence and increasing non-violent attitudes without the introduction of any ban on corporal punishment in those countries (e.g. Bussmann, 1996; Straus and Donnelly, 1993; Straus and Gelles, 1986; Straus and Mathur, 1996; Wetzels, 1997). For these reasons, several criticisms were raised concerning the anticipated impact of the Swedish prohibition (Roberts, 2000; Larzelere and Johnson, 1999). On the other hand, many authors still argue that the Swedish ban on corporal punishment made a strong impact on the attitudes as well as on the behaviour of parents (e.g. Durrant, 1999, 2000; Edfeldt, 1996; Palmérus, 1999; Stattin *et al.*, 2000).

Despite the changes in behaviour noted above, we could not find any outstanding change in parents’ attitudes in our survey. A box on the ear or a smack, which in previous centuries served to remind wives and other ‘menials’ of their

subservient position, has been considered increasingly out of place for some time. In our longitudinal comparison—which covered a period of up to 10 years—we did not find any remarkable change. For example, 82% still agreed with the statement that ‘Parents should talk with their children more instead of hitting them’. Only a slight—although consistent—increase in disapproval is observable if we consider the group of statements which justify a smack to teach the child a lesson or for situational reasons. However, for the past 10 years or more it has been the case that only a minority of parents still believe in the advantages of corporal punishment in raising a child. In general, the changes in parents’ attitudes appear to be minimal. (See Figure 3.)

From the perspective of the majority of parents, a beating is considered less as an effective form of discipline and more

‘In general, the changes in parents’ attitudes appear to be minimal’

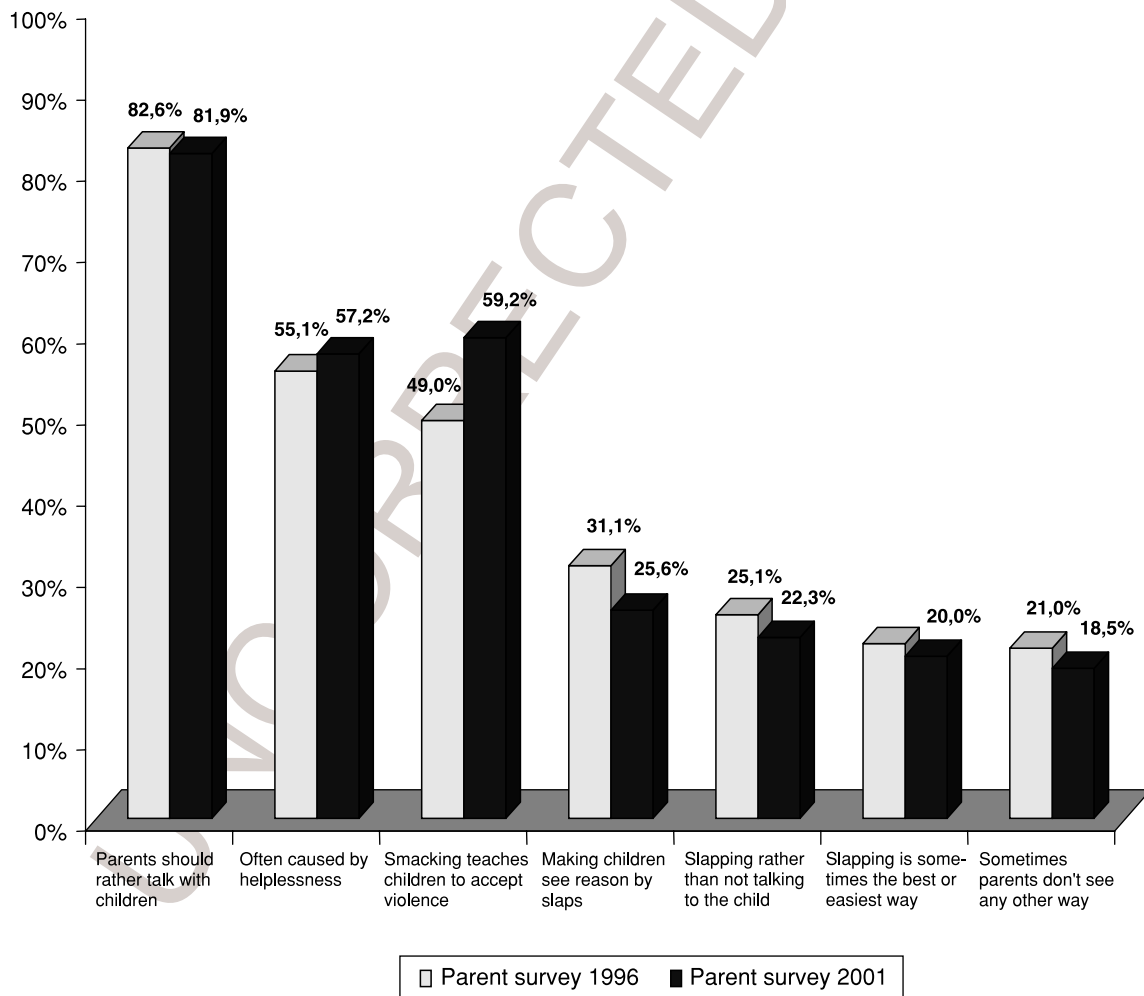


Figure 3. Justifications for corporal punishment, parents 1996 and 2001

as a loss of control or an over-reaction in a given situation. Verbal forms of reaction clearly take increasing priority. In further questions, an overwhelming majority supported the concept of non-violent parenting: 87% of the parents regarded it as their ideal, and even 74% of those parents who tended towards a violent parenting style (about 17% of the total) also described themselves as striving to achieve the goal of non-violent upbringing. Physical discipline as an effective method of childrearing has become less acceptable; the ideal for raising children in our society as well as in the family has quite clearly become one of non-violence.

To sum up, this slight change of attitudes towards raising children cannot explain the substantial changes on the behavioural level. Probably, different factors have influenced this shift in disciplining children and young people in the home. In further analyses, we came to the conclusion that one important factor was the increasing levels of education, especially for women. Educational levels correlate with sanctioning styles, so that, generally speaking, a better educated society more often rejects violent forms of conflict resolution and, in this case, use of physical punishment in a child's upbringing.

The Impact of the New Ban on Perceptions of What is Legal

Nevertheless, searching for additional reasons, we have to take into account that a society can endeavour to intervene in this process of change by stabilizing and supporting it both in the form of public discourse and by legal restrictions. As, in many other countries, the German prohibition was accompanied by a long period of public debate on law reform. The ban that was eventually implemented was the second law reform within 3 years. In 1998, the previous government had implemented a prohibition on child maltreatment which explicitly banned serious, violent sanctions (for details see Frehsee, 1996). Moreover, in the previous decades, further legal reforms had been attempted, but were not approved by parliament. Therefore, we should consider a wider focus which takes in the public discourse surrounding the prohibition of corporal punishment.

The public debate on the prohibition of physical punishment in the family could have some effect on behaviour, but would presumably have a stronger impact on legal awareness and sensibility. We asked the interviewees about the extent to which they approved of different forms of corporal punishment and about their assessment of the legal limits of the law

'The German prohibition was accompanied by a long period of public debate'

in force. In the following analyses, we take the assessment of what is legal in different forms of physical sanctions and the normative approval of such punishment as a valid indicator for the level of legal consciousness.

The comparison of both variables confirms our hypothesis. These results indicate a remarkable change in legal consciousness or (one could say) 'legal sensibility' since the previous survey. Every familial sanction has become subject to an essentially stricter legal assessment within the last few years. The differences range between approximately 20 and 30%. Even in cases of serious corporal sanctions, we observe a higher legal sensibility, as shown in Figure 4.

The high levels of disapproval displayed towards violence in parenting as well as the parallel public discourse on a prohibition of corporal punishment may be relevant here. Both phenomena overlap for a lengthy period and influence each other; this may explain the identified change in legal consciousness, and ultimately in a corresponding decrease in family violence.

Nevertheless, we have to consider that this shift in legal consciousness could also be attributed to the same change in social values which has influenced attitudes towards parenting and behaviour as well. It is open to question whether any legal reform could ever affect the attitudes of those interviewed. In order to examine these possible objections, we formed two

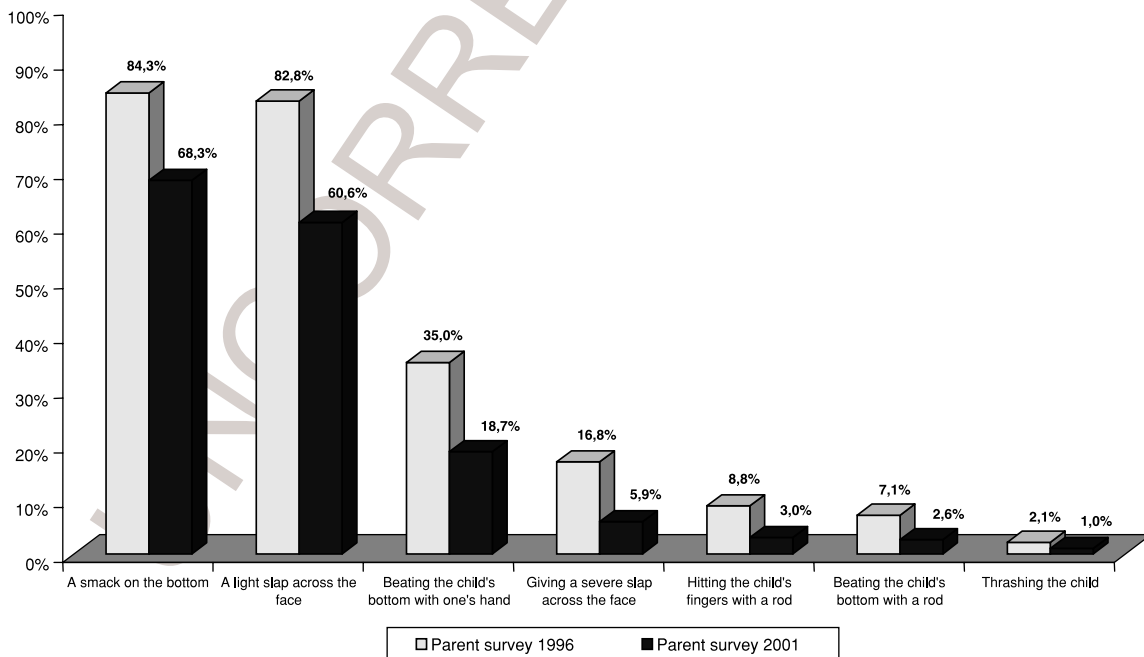


Figure 4. Changes in parents' assessments of what is legal, 1996 and 2001

‘Parents who knew about the new prohibition showed a higher legal awareness regarding corporal punishment’

groups consisting of people who either knew or didn't know about the new ban. If the legal discourse has an impact on legal sensibility, we have to expect a significant difference between those persons who reported being informed about the legal reform and those who were uninformed.

The first result is—unsurprisingly—that we did not find any significant change in behaviour within the group who knew of the law reform. A 1-year period after the reform is too short a time to produce any significant change. Moreover, knowing about the prohibition does not mean that people will adhere to the new law, so a cessation of corporal punishment in the short term is not to be expected.

However, we can expect a change in attitudes; we can discern these in our findings concerning variations in the ‘legal assessment’ of the limits of different corporal sanctions. Comparing these two groups, we find—except in the case of slaps—a significant and consistently stricter legal assessment of all forms of corporal punishment in the group who were aware of the law reform. Parents who knew about the new prohibition showed a higher legal awareness regarding corporal punishment and were more likely to regard violence in a child's upbringing as illegal. (See Figure 5.)

In addition, we conducted multiple regression analyses to control several variables which confirm the previous bivariate analysis. Although the assessment of legal limits of lenient

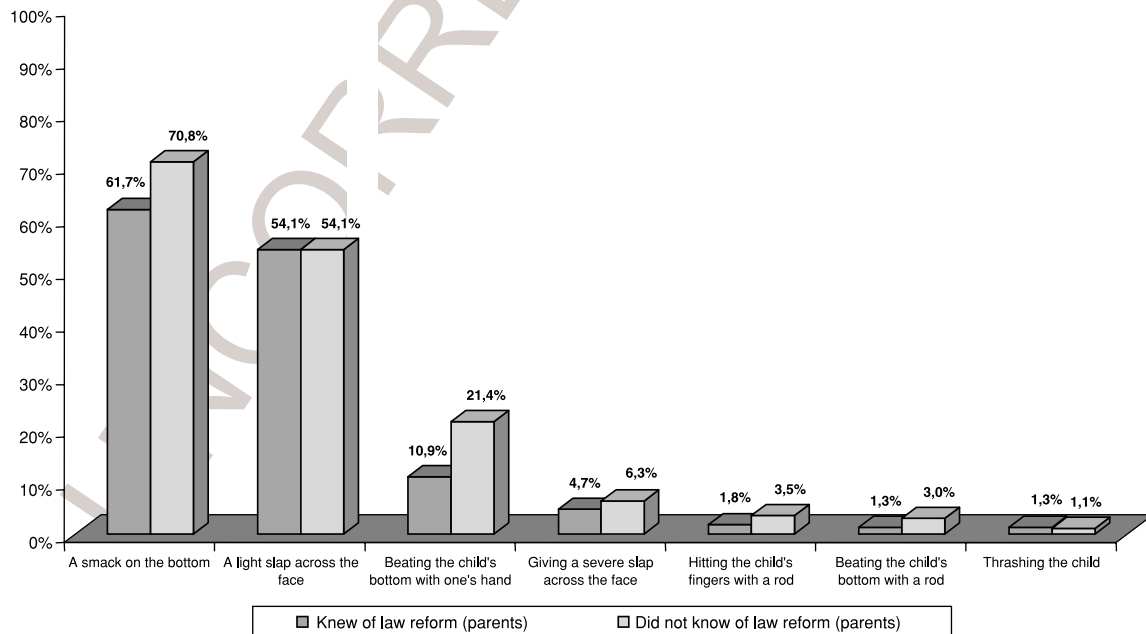


Figure 5. Legal assessment of forms of corporal punishment depending on whether or not parents knew of the new legislation

corporal punishments (like smacks) cannot be explained by awareness of new legislation, this postulated relationship was provable for severe forms. This means that the new law has already made a significant impact on legal awareness concerning at least harsher forms of corporal sanctioning.

To sum up, within the first year, the new legislation has already contributed to legal consciousness. This result can be taken as evidence for the fundamental meaning of law and also for the impact of the previous public debate. A ban on corporal punishment has an impact on legal consciousness, and presumably on parents' attitudes, and finally on the behaviour of parents. This long chain of relationships has already been shown in previous analyses (Bussmann, 1996).

Law as a Medium of Perception and Communication

If we develop a more differentiated understanding of the impact of law, we could see additionally more subtle effects and subject them to an empirical test. Understanding law as a normative structure within society requires us to differentiate between law as an institutional resource for regulating conflicts in the sense of legal mobilization on the one hand and law as a communicative resource with a highly symbolic meaning on the other. A relevant model here is the theory which explores symbolically generalized forms of communication (for details, see Bussmann, 1996). This approach views media as 'a special language', or an extra vehicle for language that enables a reduction in communication problems in societies. The media transmits highly compromised information which, due to its symbolic form, can be reused and can develop into long chains of communication within a society without any need to re-define changes in content. It is sufficient to communicate in cases of conflict by means of legal categories or in terms given by law, so that the legal recipient inevitably moves within the semantic and programmatic construction of legal concepts and is tied to the law by means of communication.

Therefore, the basic idea is that law does not 'guide' behaviour—all criminology research has shown the limits—but, as a medium of communication, it can influence it. From this theoretical perspective, the definitions of 'violence' play an important part. If we assume that the use of the term 'violence' contains a value judgement and cannot be considered as a simple objective perception, a change in the use of language will sensitize the perceptions of the actors and in the long run will influence their behaviour.

'A ban on corporal punishment has an impact on legal consciousness'

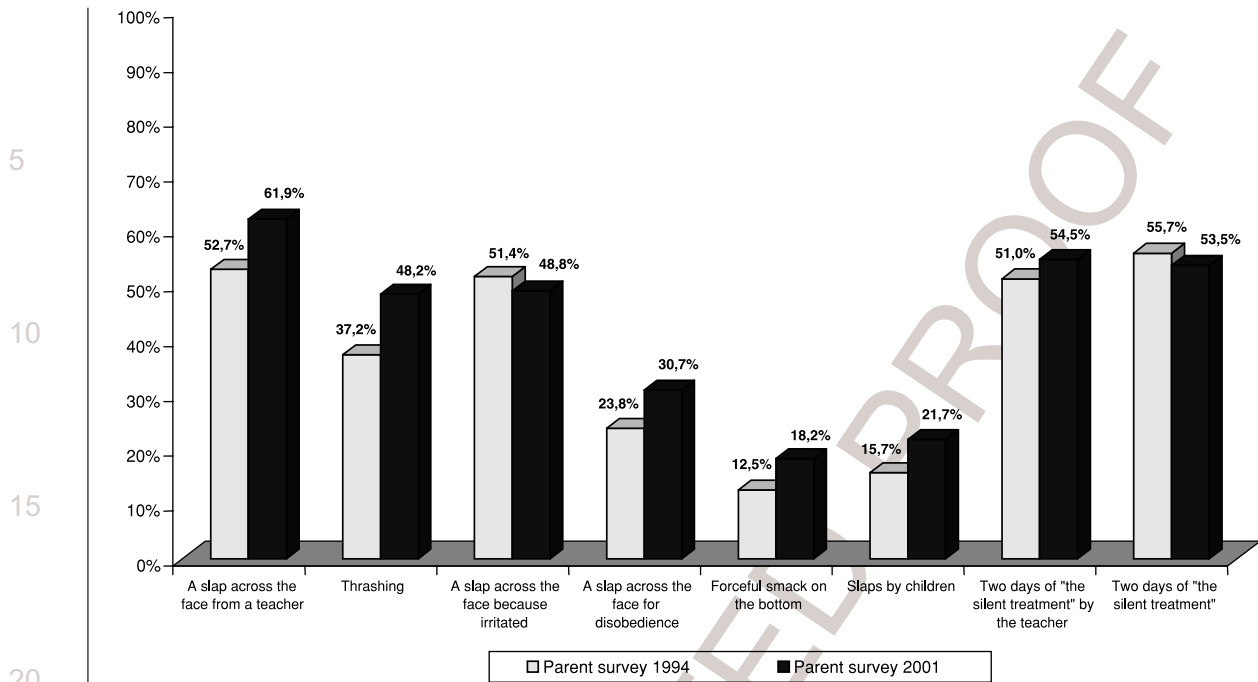


Figure 6. Changes in definitions of violence: parents 1994 and 2001

'All those actions that are legally prohibited can best be defined as violence'

For this reason, we have surveyed the differing terms for violence in different social situations. Figure 6 indicates that all those actions that are legally prohibited can best be defined as violence. As a smack from parents was justified by law until very recently, this activity is still regarded by most parents as not very violent. In contrast, the teacher's slap in the face is considered as violence by the majority because this sanction has been prohibited in Germany since the seventies. The law obviously supplies one important justification. In addition, we can observe a spillover effect caused by the general change of social attitudes and legal consciousness which occurred in the meantime, as described above. The teacher's smack is regarded increasingly as violence (from 53% to 62%).

However, in the longitudinal comparison, a remarkable change is discernible. The results of the most recent survey show that most concepts of violence are stricter, especially regarding more serious forms of physical punishment (for example, perceptions of thrashing as violent from 37% to 48%). Parents have become more sensitive towards sanctioning styles and have shifted their behaviour, which provides a plausible explanation for the decrease of family violence.

Moreover, if we compare the definitions of violence of the two groups identified above—those who either knew or didn't

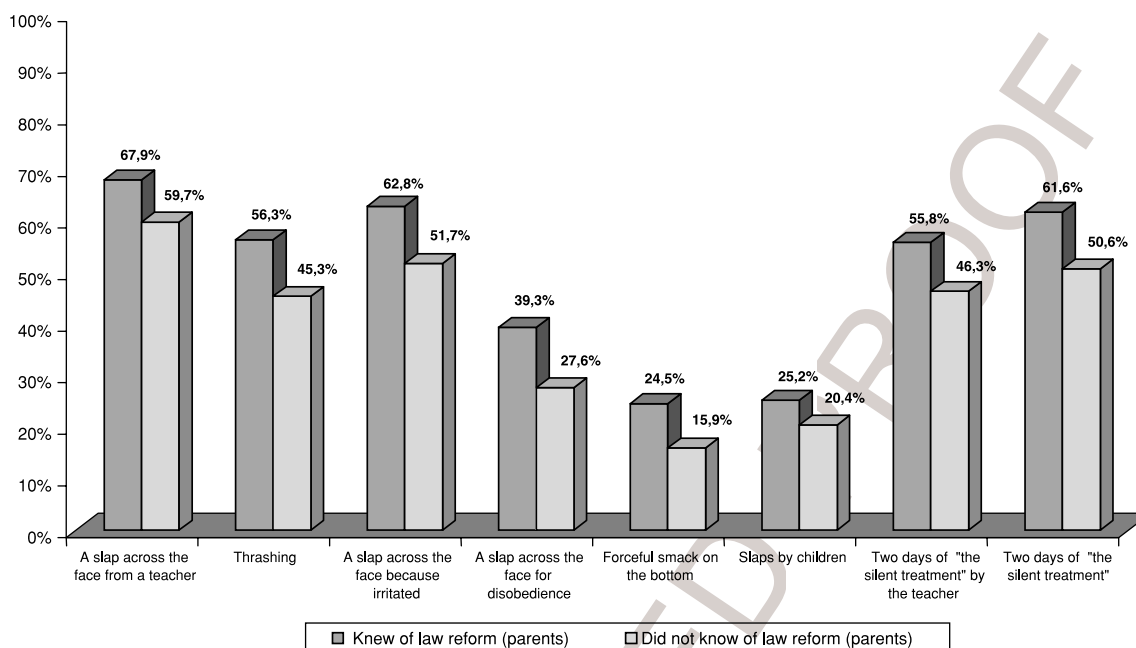


Figure 7. Definitions of violence depending on parents' knowledge of the legislative reform

know about the legislative change—the differences turn out as expected. A comparison between the two groups demonstrates a consistent and clear effect on the semantics used. As Figure 7 shows, those who knew of the legislative reform have a higher sensibility towards violence.

For the reasons already mentioned, we conducted an additional multiple regression analysis to assess the effect of knowledge of the new law. The analysis confirms the impact of the legal reform, although the relationship is fairly weak and has to compete with stronger variables. The reasons for this are probably connected with the relatively short period of time since the legal reform was introduced. Nevertheless, perceptions of the legislative change have already had an ascertainable if slight effect on definitions of family violence.

In our view, the prohibition of corporal punishment works primarily by making a linguistic space available through its code, that is, it acts as a semantic instrument that defines the interpretations and reality constructs of the legal recipients. A legal ban on violence in childrearing contributes to legal consciousness, and furthermore it can shift the semantic horizon of parents, which—in our case—leads to a stricter, more sensitive definition of violence. These are the elements of the assumed symbolic meaning of a prohibition of corporal punishment.

‘Those who knew of the legislative reform have a higher sensibility towards violence’

‘A stricter, more sensitive definition of violence’

Law as a Stimulus for Familial Talks

The achievements of the law not only concern the psychology of perception, but its potential also lies in the development of conflicts. The ban on corporal punishment has a symbolic impact as we demonstrated in our previous analysis, but it has a very concrete instrumental function as well. A sociolegal approach would emphasize the meaning of legal norms for stimulating communication because they convey criteria for reflecting on a latent conflict, in this context one involving physical punishment. The actors can link the conflict to different forms of discourse, in our context to a discussion on parenting styles or even to a legal discourse if a legal prohibition of physical punishment does exist.

The communication of legal rights can provide strict criteria for a non-violent upbringing which parents in particular, as participants of our 'legal world', can hardly ignore completely. Even the possibility of being in the wrong can endanger the normative consensus within families. Establishing the legal limits or the prohibition of corporal punishment within a parent-child relationship encourages at least a discussion on this topic. A refusal to speak about such legal limits demands from the family member concerned a justification which would provoke a discussion in many cases. The communication of legal judgements in family talks cannot, in the end, prevent violence in childrearing absolutely, but these legal assessments make its justification more difficult.

From this theoretical perspective, the parents and young people were asked how often they talked about corporal punishment, and which arguments they used. In the following discussion, we confine the account to the results of the survey of young people because they are in this respect the decisive group, and furthermore the effects were similar in both studies (parents and adolescents survey).

Firstly, the survey reveals that violence in childrearing is discussed from many perspectives. Legal aspects are not just one of them; they play a very considerable role. Many of the young people reported having referred to legal issues in family talks on this subject, although most of them more generally draw attention to existing legal limits (41%). Furthermore, corresponding to our hypothesis, the percentage of those discussing this issue increases significantly when young people (and parents as well) are informed about the new ban. In the analysis, we distinguish again between our two groups of interviewees: those who were aware of the legal reform and those who were not. The comparison of the groups as shown in Figure 8 clearly shows an increase in communication about

'Communication of legal rights can provide strict criteria for a non-violent upbringing'

'An increase in communication about this subject in general when young people have been informed about the legal change'

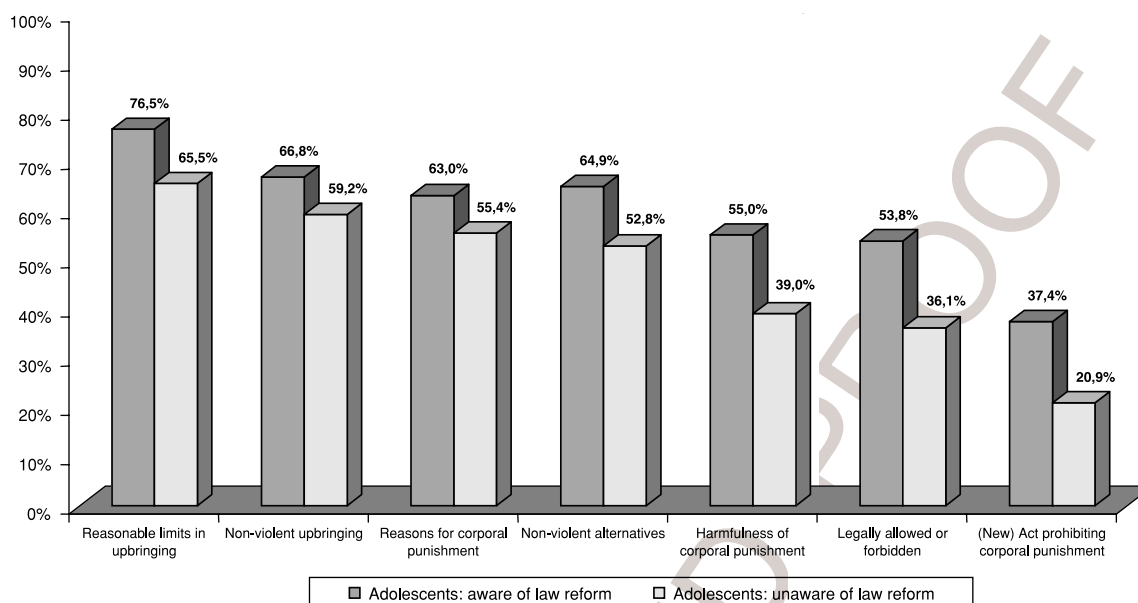


Figure 8. Communication on corporal punishment in families according to knowledge of legislative reform

this subject in general when young people have been informed about the legal change.

In particular, aspects of non-violent alternatives (65%) or the harmfulness of corporal punishment (55%) were often covered in family talks. Therefore the legal reform spills over into corresponding aspects of sanctioning in the family. Similarly, the young people who were informed about the new legislation also referred more to legal aspects of family violence, which confirms our hypothesis. About 54% of those who knew about the legal reform reported having made the connection between legal issues and their family relationships, and the legal prohibition was mentioned by about 37% of this group. This represents an increase of more than 15%. In addition, comparing these rates with the frequencies of other aspects and arguments in this context, we observe that the legal aspects of the discussion are equally as important as others. Besides the already documented effects, a ban on corporal punishment also influences familial communication significantly. Further multiple regression analysis confirmed this result.

Conclusion

A year after passing the legal reform, a significant reduction in violence was not observable, but this was not to be expected anyway. Nevertheless, the prohibition of physical punishment

‘A ban on corporal punishment also influences familial communication significantly’

'German parents and young people more often associate legal limits with their experiences of childrearing'

has had a proven impact on three dimensions which demonstrate its symbolic meaning:

- Increase of legal sensibility and consciousness
- Sensitized perception and definition of physical punishment as violence
- Stimulation of family discussions on sanctioning styles and on the legal limits of physical punishment

The symbolic impact of law is often underestimated because its function as a medium of communication is overlooked. While a legal ban defines the interpretations and reality constructions of the targeted legal recipients, it is also responsible for many changes in parenting and legal attitudes, framings and definitions of violence, and additionally in family communication. As a first outcome, German parents and young people more often associate legal limits with their experiences of childrearing and they develop an increasing legal awareness. Finally, as the Swedish example has shown, in just over a year, this ban may well contribute to a reduction in the rates of violence in childrearing.

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