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Caning in Singaporean society Judicial and school dimensions of corporal punishment

Abstract: The purpose of this article is to discuss caning as applied in Singapore from the perspective of an “outsider”. Attention was given to understanding the phenomenon, including the colonial past, but also the values ingrained in the culture with the future needs of the country in mind. In the assumed approach, tensions emerge that are overcome by a strong orientation toward compliance with legal norms. The judicial and school dimensions of caning as a basic punishment were analyzed to recognize the social meaning and magnitude of corporal punishment on their examples. This includes acceptance of corporal punishment as part of discipline and educational interactions within the family. The arguments and evidence presented in the paper are mainly based on a review of the literature on the subject, the results of research conducted in this area, analysis of source documents and newspaper articles and statements on social networks publicized in the media.

Key words: corporal punishment, judicial caning, school caning, schools, discipline, Singapore.

Introduction

The purpose of this article is to discuss caning as applied in Singapore from the perspective of an “outsider”. Thus, it is important to understand the phenomenon – taking into account both the country’s colonial past, cherished values firmly rooted in its culture, and setting the applied solutions against its future needs. This approach provides an opportunity to focus on the manner in which context and culture influence the formulation and implementation of policies in which adherence to legal norms is of fundamental importance. The essence of caning as not only one of the forms of judicial punishment, but also an accepted, formal element of school discipline and parental educational interventions, is discussed in

the article. The arguments and evidence presented in the paper are mainly based on a review of the literature on the subject, the results of research conducted in this area, analysis of source documents and newspaper articles and statements on social networks publicized in the media.

It is worth bearing in mind that through the prism of the social resonance of this unique corporal punishment, a deeper aspect of the processes and phenomena adopted by Singapore on the “path towards progress” can also be demonstrated, for it shows how difficult policy choices the government has to make when negotiating between rival philosophies, making significant compromises or dealing with new challenges that were previously non-existent. It also presents the choices between domestic politics and international pressure, between deeply-rooted values wedded with the colonialistic legacy and new “western” values reinforced by globalization.

Singapore: the state of wealth and investment in human capital

Singapore, as one of the Four Asian Tigers, attracts international attention mainly because of its remarkable economic growth rate. The country, upon gaining independence in 1965, made the transition from a third-world country to a leader in the developed world by achieving one of the world’s highest economic growth rates with regards to GDP per capita. The results of the economic policy adopted exceeded the wildest expectations, the transformation from a developing country to a modern industrial economy occurred within the lifetime of a single generation. Singapore is the fourth most industrialized country in the world. It takes the top positions in the most important world economic rankings (Karwasinski 2015).

Singapore is undoubtedly a state of wealth. The country currently has a GDP per capita of over USD 50 thousand¹, and more than 15.5% of families have more than USD 1 million in assets, making it the highest-ranking country in the world in this regard². Singapore is also recognized as a kind of “model state” (Kwiatkowski, Nowosad, 2018) with regards to innovation and is hailed as the

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¹ The population has grown from less than 2 million in 1965 to more than 5.6 million today. Singapore is a very ethnically diverse country. The largest ethnic groups living in Singapore are of Chinese origin – 74%, Malay – 13.4%, Indian – 9.2%, other – 3.2%, as cited in: <http://www.singstat.gov.sg/> (accessed on: September 10, 2020).

² Switzerland ranks as second with 10 percent. Of course, the highest number of millionaires, at 5.2 million, resides in the United States, followed by Japan, China, the United Kingdom and Germany. In this case, the point here is not the total number of millionaires but the percentage of millionaires in the country’s overall population. Cf. The Boston Consulting Group, as cited in: <https://www.bankier.pl/wiadomosc/Milionera-najlatwiej-spotkac-w-Singapurze-2350419.html> (accessed on: September 20, 2020).

“leader of transformation”, as the country responds extremely effectively to the ever-increasing competitiveness in the sphere of the global knowledge economy (World Economic Forum 2014, p. 2). Investment in human capital is an immanent feature of government policy³. Society was and is the only resource in this country that the government invests in, which pays off in improved quality of life for its citizens. Unemployment is virtually non-existent, as is crime. The country has a reputation for being one of the safest places in the world.

The achieved success was built on the foundations of a powerful state, which in the adopted policy of economic freedom aimed at long-term objectives has caused the need to solve a multitude of dilemmas. Today, Singapore still faces difficult problems and imperfections, even as it appears to have developed a successful system. Understanding the “path of success” is difficult for an outsider and it often even seems unacceptable for number of reasons. For it is a success that had no right of ever occurring, as the country has no natural resources (not even fresh water resources) and at the dawn of becoming independent its only resource was 2.5 million people living in poverty. It shows the path that Singapore has taken for half a century, going against the odds, and is set to continue to do so for centuries to come. *Majulah Singapura!, Majulah Singapura! (Onward, Singapore! Onward, Singapore!)* – lyrics of the national anthem written by Zubir Said in 1958 best convey the determination, not only adopted by the government, but by all citizens to stay on the path of success and prosperity.

Caning: a different side of Singapore

Singapore impresses visitors with its splendor, modernity, well-maintained greenery (the city of gardens), order as well as the kindness of its citizens. Such an initial impression can be experienced by anyone visting Singapore, even if only for a short stopover on the platform of the Changi Airport. However, a serious criticism of life in this country appears in the world media when a western citizen is about to be sentenced to a caning. Then the media (usually from the country of origin of the convicted) publicize information about the inhumane punishments and pressure for legislative changes to Singapore’s criminal law. Unfortunately, for years without success. The irony is that Singapore’s practice of caning is criticized by “westerners”, i.e., those who introduced this form of punishment

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³ In 1959, when Singapore gained its independence, the majority of its 2 million citizens were illiterate and/or lacked any formal qualifications, as a result of the colonial-era education system (before Singapore became an independent country, it was a part of the British Empire), which was primarily aimed at the wealthier minority of the population, as cited in: OECD, *Lessons from PISA for the United States, Strong Performers and Successful Reformers in Education*, OECD Publishing 2011, p. 161.

in this country⁴. Singapore is known for its strict regulations and severity of enforcement. Punishments, even for minor offenses, are severe in the city-state. For westerners, a number of acts considered harmless or insignificant are labeled harmful and are punishable.

Caning is one of the punishments included in the catalog of criminal acts in Singapore. There are also several legally regulated forms of caning, such as judicial caning, prison caning, reformatory caning, military caning, school caning, and parental caning. The practice of caning in this case is a relic of the British colonial rule and has similar applications in other former British colonies, such as Singapore’s neighbor countries: Malaysia and Brunei. In Singapore, for example, the number of caning sentences in 1993 was 3244. By 2007, that number had doubled to 6404. Since 2007 a decline in the number of canings has been noted, with 2318 canings in 2011 and 1257 in 2016. It is worth noting that the recommendations made by the UN Human Rights Council on the basis of reports produced, are invariably rejected by Singapore and do not lead to the abandonment of caning (Human Rights Watch 2011; 2017).

Caning, as a sentence imposed by a court of law (judicial canning), applies to more than 30 crimes, but is mandatory in case of more than a dozen, such as sexual offenses, rioting, possession of weapons, violence of any kind, robbery, illegal drug use and vandalism of public property⁵. It is also applied to foreigners who overstay their visas for more than 90 days⁶. In this case, it is a measure to deter illegal immigrants. Only men under the age of 50 may be sentenced to caning. Women and all criminals sentenced to death are exempt from caning. Instead of caning, the women face a prison sentence of up to 12 months⁷. Where

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⁴ As a Commonwealth country, Singapore is a remnant of British colonial history. During colonial rule in the 19th century, caning or whipping was practiced by the British as a form of corporal punishment. Most English criminal law was implemented in the British colonies. However, while Britain formally abolished caning in 1948, Singapore extended judicial caning to 35 different crimes in 1967. It is worth noting that caning under British rule was reserved only for crimes involving bodily injury, such as murder or rape. In Singapore, on the other hand, judicial caning is also used today in cases such as drug trafficking, illegal money lending and overstaying a visa for more than 90 days. More on this topic: Wu 2019, p. 85 et seq.

⁵ Offenses punishable by caning in Singapore. Cf. Singapore: Judicial and prison caning. Table of offenses for which caning is available, in: https://www.corpun.com/sgjur2.htm?fbclid=IwAR2G829Twg7wHHXF_A_M33IMgJyaE12TRRB2nFPnKtM5QIIrsoIqlvzLxXD4 (accessed on: November 20, 2020).

⁶ The Singapore government felt that imprisonment alone, as applied before 1989, was not a sufficient deterrent. It was accepted that long-term overstayers who were unable to work in accordance with the law created social problems and could lead to crime. To counter this an additional mandatory caning of at least three strokes was introduced (introduced in 1989). Written Answer to Parliament Question on Mandatory Caning of Foreign Workers Who Overstay, 26 May 2008, in: http://www.mha.gov.sg/news_details.aspx?nid=MTIzMQ%3D%3D-yqlR8v6x2x4%3D (accessed: November 15, 2020)

⁷ This also applies if the prisoner is found to be medically unfit.

a person sentenced to caning has also received a term of imprisonment, the caning may not be carried out until after the expiration of the period during which they have the right to appeal against the sentence. If an appeal has been lodged, caning cannot be enforced until after the appeal proceedings have been concluded (Caning in Singapore... 2019).

Caning is carried out in a closed part of the prison (it is not a public execution) using a rattan stick with a diameter of 1.27 cm (0.5 in), approximately 1.2 m long (in the case of minors – children under 16 years of age – light rattan is used) and is inflicted to the offender’s buttocks (other parts of the body are protected). Before sentencing, the rattan stick is soaked in water overnight to make it flexible, prevent it from cracking, and prevent splinters from entering the wounds. The execution of the sentence is carried out by an officer specially trained for this purpose, who is required to use maximum strength with each strike⁸. Singapore has procedures for enforcing sentences that include stroke limits of 24 for adults and 10 for juveniles. When an offender is convicted of more than one offense resulting in more than 24 strikes, the sentence is “converted” to up to 12 months of incarceration. This situation does not apply if the offender is later convicted of a crime for which they are also caned. In this exceptional situation, the punishment of caning may be imposed again.

Caning requires the presence of a physician, who is not only responsible for confirming the prisoner’s fitness to carry out the sentence, but also makes such an assessment mid-execution. The punishment may be terminated at the request of the physician. Then, due to the fact that it is not possible to carry out the punishment of caning “in installments”, the offender faces up to 12 months imprisonment as an adequacy of unfinished strokes. Prisoners are also not informed of the time and place of caning. This is for the court to decide. In this case, the wait is an additional psychological punishment in itself.

The use of caning sentences and the severity of enforcement evokes a particularly strong resonance in the western media, especially when the punishment concerns the citizens of the given media outlet’s country, minors in particular. The most appeals involving state governments were triggered by sentences of prison isolation and caning for the act of vandalism. This crime currently carries a mandatory punishment of caning from three to eight strokes⁹.

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⁸ If the sentence is for more than one stroke, it may be carried out by two or more officers alternating every six strokes. This is to ensure uniform strength of all the strokes when carrying out caning.

⁹ In Singapore, the punishment of caning for vandalism was introduced in 1966. Since then, the most talked-about cases internationally have been those of citizens: Michael Fay, an American teenager convicted of vandalism in March 1994; Oliver Fricker, a Swiss national convicted on June 25, 2010. (vandalizing an MRT train by spray-painting graffiti on it; two Germans: Andreas Von Knorre and Elton Hinz, sentenced in 2015 to nine months’ imprisonment and three strokes for breaking into a train depot and vandalizing a train carriage by spray-painting graffiti on it. The last of the cases

When introducing caning for vandalism, Singapore's first Prime Minister Lee Kuan Yew (called the father of Singapore) explained: if (the offender) knows they will get three strokes, I think they will lose a lot of enthusiasm to carry out the offense because there is little glory associated with the humiliating experience of being caned (Lee 2011). Losing face is a public humiliation that exerts a stigma on the psyche of the convicted. This is due to a very different hierarchy of values for Southeast Asia (Konopczynski 2006), where honor is valued higher than honesty (save face – uphold honor) (Zielinski 2015). Caning, exposing an embarrassing body part, and especially making the convicted person cry, is an experience of humiliation that remains in the individual's mind long after the sentence has been carried out.

School caning

Singapore is one of 69 countries in the world where school caning is legal (Gershoff 2017, pp. 224–239). The acceptance of this exceptional, punishment striking human dignity (Łopatka 2000) stands in contrast to this country's media-publicized, even exemplary investments in human capital: education and individual well-being (Schleicher 2019, p. 33). The high achievements of Singaporean students have attracted well-deserved admiration and great interest internationally. The success of the schools is confirmed by various international surveys such as TIMSS, PIRLS and PISA, in which the country is the undisputed leader, with a constant upward trend.

In the presentation of high student achievement and the analysis of highly effective school reforms (Nowosad 2018), which clearly change the everyday life of school and the work of teachers from the process of teaching students to learning, it is difficult to understand the acceptance of school caning and practice thereof. Especially since the Singaporean Ministry of Education does not hide the existing scientific evidence of the negative effects of practicing corporal punishment, but also points out the conditions for its effectiveness (MOE 2019). Telling in this case is the government's position indicating that the use of caning is not an impediment to Singapore's educational excellence. The words of Singapore's first Prime Minister, to whom the country owes its ascent to success and prosperity, are characteristic. Lee Kuan Yew was convinced of the effectiveness of corporal punishment in the form of caning. In his autobiography *The Singapore Story*, Lee described his time at Raffles Institution, mentioning that he was caned there by the then director for being constantly late: I leaned over the chair in my pants and got three strokes. I don't think they were any weaker. I have never understood why western educators are so opposed to corporal punishment. They

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even gained publicity in Polish online media, as cited in: <https://www.dw.com/pl/na-czym-polega-karach%C5%82osty/a-18300291> (accessed: November 10, 2020)

did me no harm in any way (Lee 1998). On the formal side, the acceptance of corporal punishment in schools and more broadly in the current legal system is based on past solutions applicable in the UK and is undoubtedly a strong British contribution to the education system (Golus 2019).

2018 data published by Colin Farrell indicate that about 13% of elementary school and about 53% of secondary schools (not counting girls-only schools) include caning as a disciplinary measure in their rules and provide this information on their websites (this punishment is only applied to male students) (MOE 2019). The accepted practice stems from a Ministry of Education regulation (MOE 1957) that grants schools full authority to exercise responsibility for maintaining discipline and authorizes corporal punishment. The punishment of caning is always described with detailed guidelines that can be practiced in all schools (Discipline in... 1995). In general, the MOE identifies a list of minor and major offenses and provides guidance on methods of handling, including in situations of repeated offenses. Ministry regulations also permit hand caning, but in practice it is rare, at least in secondary schools, which can be linked to a student's need to take a high-stakes exam that determines their future.

Opponents of corporal punishment raise the argument of the obligations imposed on Singapore by signing and ratifying the Convention on the Rights of the Child (Konopczynski 2018, pp. 33–59), which should be tantamount to taking all legislative, administrative, social and educational measures oriented towards protecting the child from all forms of physical or psychological violence¹⁰. However, in explaining its formal acquiescence to the practice of corporal punishment, the Singapore government takes the position that it accepts “the reasonable use of corporal punishment in the best interests of children”. As confirmation of this position, they point to the MOE guidelines, where special emphasis is placed, on firmness and integrity of school staff and the need to adopt the most beneficial approach in maintaining the well-being and providing the best learning environment for students¹¹. In implementing such guidelines, schools are required to stick to the procedures. In this extremely hard-to-accept “protection”, for example, no tool other than a standard rattan cane is allowed, and classroom teachers are not allowed to use any corporal punishment: even spanking with an open hand is forbidden. Adherence to such procedures in the MOE's view is to ensure that caning is not administered in anger or when driven by emotions and does not turn into a random punishment for a student's misbehavior in

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¹⁰ It is worth bearing in mind that Singapore has signed and ratified only three of the nine core documents: (1) Convention on the Rights of the Child, CRC; (2) Convention on the Elimination of All Forms of Discrimination against Women, CEDAW; (3) Convention on the Rights of Persons with Disabilities (CRPD). Most of the conventions that make up the UN's international human rights protection system have unfortunately not been signed.

¹¹ These guidelines can be found in the handbook for school principals produced by the Singapore Ministry of Education and provided to all principals.

class, instead it is considered by the school principals in each case, based on the mentioned “best interests of children”.

The goal is to show the boy that bad deeds have unpleasant consequences and that he must take responsibility for his actions, while the teacher must inflict the pain, the student needs to alter his attitude or behavior (Farrell 2019). It is worth noting that this position is accepted by the majority of the population. Even at this preliminary level of analysis of the guidelines themselves, a clear contradiction is apparent in the priority of ensuring well-being and how to build accountability, on the one hand, and the condoning of corporal punishment as a means of discipline, on the other. Here, however, a different perspective emerges – a cultural one, tied in addition to the need to understand Singapore’s history, which is unlike any other. This is an aspect that certainly needs to be more thoroughly recognized.

The formal course of school caning and judicial caning as a punitive measure are very different, although in both cases it affects male persons (girls are suspended from school for similar offenses). School caning can be inflicted on boys between the ages of 6 and 19, although the majority are secondary school students between the ages of 14 and 16. Strikes can be directed at the hand or buttocks (clothed only) and with a lighter stick, but almost the same length (about 1 meter). School caning can be public.

Most commonly caning takes place in the principal’s office (private canning) or vice-principal’s office in the presence of a witnesses – a representative of the teaching staff. However, public caning is also permitted, either in front of a student’s class (class caning) or in front of an assembly of the entire school community (public caning), both girls and boys, in which case it is done in a ceremony that can be attended by up to 1,500 students. There is also an intermediate form between “class caning” and “public caning”, such as in front of all classes of the same year as the student. Although such events are called “public caning”, they are not open to the general public, but only to students and teachers, according to the school’s internal rules and regulations. During a single ceremony, punishment may be administered to as many as a dozen boys. In some cases, a person sentenced to caning must read a pre-agreed “public apology” to the gathered public before accepting the punishment. Also, once the punishment is completed, the offender may be required to remain until the end of the ceremony.

The public form of school caning is considered a more severe form of this punishment and is used for repeated offenses or those considered serious such as smoking, alcohol, drugs (possession, sale, solicitation), fighting, bullying, truancy and defiance, but also vandalism, cheating, gambling, stealing. Among these, smoking is probably the most common offense¹². The only viable alternative

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¹² Smoking under the age of 18 is an offense, therefore whenever the police catch a student, they inform the school immediately. Pupils in such cases are also reported for a compulsory quitting

punishment for such serious offenses is student suspension. However, for students preparing for key, so-called “high-stakes” exams, suspension can mean losing the chance to get into their dream school (Cf. Gromkowska-Melosik 2015, pp. 260–272; 2017, pp. 140–142). It is also unlikely that a boy who has not previously been subjected to caning in the principal’s office or classroom will receive a public caning. The strict adherence to the procedure is meant, according to the MOE statement, to be fair and serve as a deterrent to other students by indicating that clear boundaries exist as to what behavior is acceptable and what is not. What is important is not so much the experience of pain, but of shame.

Many schools also use a point system for student merit and misconduct (minor offenses are documented). Exceeding the specified point limit for misconduct automatically results in the student being summoned to the principal’s office for caning. These policies are most often described in detail by the school in an elaborate document called School Handbooks, which contain basic information about the school, general regulations, including rules and regulations regarding expected student behavior and expected penalties for infractions¹³.

The caning is inflicted to the student’s clothed buttocks, using a so-called “light rattan” cane. The student is bent over a desk or chair; other sensitive body parts are protected. Punishment is inflicted by a “Discipline Master” – a person specifically assigned and trained for this purpose. According to the MOE regulations, the punishment can only be inflicted by the principal or any staff member with the express authority of the principal, in some schools it may be a collective decision of the school disciplinary committee. Nowadays, teachers cannot decide on their own to cane a child and the government effectively enforces this rule. Violation of procedures is the only basis for legal action against a teacher or school principals¹⁴. Although such situations are rare, they are always cited in the press as an example of the effectiveness of Singapore’s laws that apply to everyone.

In accordance with established procedure, the student’s parents or guardians should be informed immediately of their child’s offense and punishment. Schools

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smoking course or pay a large fine, and directed to be caned at school if they were wearing a school uniform at that time.

¹³ Schools can also develop information handbooks aimed at specific groups, e.g., students and parents, such as: Student Handbook, Parent Handbook, or combined: Parent Student Handbook. In addition to the rules, they include information about the history of the school. Example document of one of the schools [https://zhenghuapri.moe.edu.sg/qq/slot/u516/Stakeholders/Information for Parents/ParentHandbook.pdf](https://zhenghuapri.moe.edu.sg/qq/slot/u516/Stakeholders/Information%20for%20Parents/ParentHandbook.pdf) <https://www.cis.edu.sg/parent-student-handbook> (accessed on: November 15, 2020).

¹⁴ It is possible to handle criminal and civil cases simultaneously. In civil cases, for example, parents may seek damages. Cf. F. Mokhtar, *Explainer: Can students be caned in schools and can parents take action against educators?* (accessed on: September 6, 2019), in: <https://www.todayonline.com/singapore/explainer-can-students-be-caned-schools-and-can-parents-take-action-against-educators?fbclid=IwAR0PfG4ci1bd12ebRlNcJI2haZH5efVj8CCtctRTjXDTZbcAtkDx3QfzH4w> (accessed on: November 10, 2020).

may internally adopt a procedure for asking the student's parents or legal guardians for permission to inflict punishment, or they may conduct consultations to discuss their son's offense and how to respond to it. The positions on this issue are extremely varied. Some see it as right, others – quite the opposite, as they put it: misbehaving boys will be beaten “with or without parental consent”. Then, the only legal requirement is to inform parents afterwards. Parents are not asked to participate in the actual infliction of punishment.

The students' accounts documented by the researchers indicate that they experienced moderate to severe pain for several minutes during the caning, depending mainly on the number of strokes received. This initial sensation is followed by less intense stinging and itching around the impacted areas, which usually lasts for several hours. During this time, discomfort may be felt while sitting. The boys' buttocks will develop even horizontal blisters or red linear marks, one for each stroke, remaining on the body for several days. There may also be bruising. Compared to judicial caning, which causes bloody wounds – here the injuries can be considered “superficial”.

In Singapore's culture, due to it being deeply rooted in Chinese culture, preserving face is imperative for students. This is why most boys try not to show any reaction to pain, trying not to scream or cry. It is difficult. However, participant accounts suggest that actual crying is quite rare, and Singapore is very much a “big boys don't cry” society. Adopting a mask of “courage” is imperative especially during a public caning (Farrell 2019).

Carrying out a caning in a school imposes on the principal the obligation to compile a report and enter it into the Ministry's computer database. Based on this, the MOE can review both the extent of student misconduct on school grounds and the forms of discipline adopted by schools on an ongoing basis. In 2017, the MOE reduced the maximum number of cane strokes from six to three. This regulation did not have much impact in practice, as canings with more than three strokes were rare in the past decade. This may indicate some downward trend in the severity of caning and a change in attitude rooted in society. Farrell points out that although official statistics are not available to the public, reports of caning appear in newspaper articles, websites and discussion forums. They are also a topic of conversation between teachers and students. These situations, as he points out, occur frequently enough to confirm that they continue to be practiced in a number of schools, but obviously not all. MOE's (2019) explanation of continuing the application of caning also points to the rising opposition of an ever-growing part of society to the practice of this form of punishment. More often, however, this occurs on social media as private opinions of parents (teachers, as school employees, cannot criticize school activities). Hence, particular cases, such as procedural lapses, are publicized in the official daily press, while the punishment as such is not.

Caning in the public eye – discussion and conclusions

In Singapore, rate of “street” crime is low, with the predominant forms being only incidences of petty theft and even these occur in very few neighborhoods. Acts of violent crime on the scale of such a large metropolitan area are virtually negligible. Also, criminal activity with the use of firearms is a rare occurrence. There is also a noticeable lack of drug-related crime. Burglary and other property crimes are also becoming less common: Singapore experienced a 20.3% decline in these forms of crime between 2014 and 2015, however, cybercrime increased by 4% over the same period¹⁵. Success in eliminating crime is used by the Singapore government as a basis for justifying the effectiveness of severe punishment for offenses. The government’s recognition of this relationship rejects Human Rights Council recommendations requesting, i.a., abandonment of the practice of corporal punishment (Human Rights Watch 2011; 2017). Nor does pressure from other countries, even powers like the United States, change the adherence to established rules. In 1994, the use of caning against a U.S. citizen strained mutual relations¹⁶. The then US President Bill Clinton issued a “strong protest” to the Singapore government, saying, “This punishment is extreme, and we hope very much that somehow it will be reconsidered.”(Hays 2008). In response, the Singapore government released the following statement: “Unlike some societies which tolerate acts of vandalism, Singapore has its own standard of social order as reflected in our laws. We are able to keep Singapore orderly and relatively crime-free. We do not have a situation in which acts of vandalism are commonplace, as in cities like New York, where even police cars are not spared the acts of vandals.” (Hays 2008). Singapore Prime Minister Lee Kuan Yew said: “If you think it’s barbaric then please don’t bring your 17- and 18-year-old son with you to Singapore, and if you do, please warn him of the consequences.” (Hays 2008). To this day, the Singaporean government has remained steadfast and defends caning as a traditional part of the country’s legal system, despite the fact that recent research does not support the link between increasing the severity of laws and a decrease in the number of

¹⁵ Although the rates of all other types of crime have dropped significantly, cybercrime is the most common form of crime in Singapore and its rate is constantly growing. As cited in: Safety, Law, and Crime in Singapore, in: Living in Singapore: <https://www.internations.org/go/moving-to-singapore/living/safety-law-and-crime-in-singapore> (accessed on: November 10, 2020).

¹⁶ In 1994, an 18-year-old American named Michael Fay a student at Singapore-American School, after pleading guilty to two counts of vandalism for spray-painting 18 cars, throwing eggs at other cars and changing license plates was sentenced to six lashes with a rattan stick, four months of prison and fined USD 2,230. As cited in: P. Shenon, Singapore Carries Out the Caning of a U.S. Teen-Ager, as cited in: <https://www.nytimes.com/1994/05/06/world/singapore-carries-out-the-caning-of-a-us-teen-ager.html?fbclid=IwAR30CqY04Uo15ksF6xgJ9HLERSTmalSnb4zDSZzUNc5jBbzIFF4A1pxszUo> (accessed on: October 20, 2020).

offenders or the effectiveness in rehabilitating them (Konopczynski 2013; 2014, p. 14). There are only, as Marek Konopczynski (2014, p. 15) points out, “statistically significant relationships between the number of crimes and the effectiveness of their detection”, and this condition is met at a high level in Singapore. Despite the existing evidence, “policymakers and administrators overseeing the reality of rehabilitation, often in situations of increased social pathological phenomena, attempt to draw up stringent legislative solutions, believing that in this way the intended effects of raising the level of effectiveness of punishment will be achieved” (Hays 2008). Such a phenomenon certainly occurs in Singapore showing how firmly this view – a myth of sorts – is ingrained in the broader social consciousness and contributes to the severity of punishment execution.

The level of acceptance of corporal punishment (including caning) is high in the Singaporean society, although there is a noticeable division into two camps: supporters and opponents. Of course, the advocacy group is in majority. The minority that is increasingly making its presence known refers to contemporary research showing caning as a brutal, archaic form of punishment that undermines human dignity – leading to increased aggression, negative antisocial behavior, physical injury and mental health problems for children. In this group, some advocate a move away from caning and corporal punishment on the grounds that they do not eliminate bad behavior, so their use adds nothing, they simply “do not work”¹⁷. However, in a poll conducted by The Sunday Times in January 2009, 57% of parents surveyed said that caning was an acceptable form of punishment and they used it on their children (The Straits Times 2009). They cited stubbornness, disobedience, and dangerous or harmful behavior as reasons for employing this form of punishment. A more recent survey conducted by YouGov in 2019 found that nearly 80% of parents in Singapore have used or use corporal punishment at home, and these figures seem more probable (Ho 2019).

As a space of social life, the school externalizes public opinions. It is also a place where students learn the rules of coexistence that apply universally. Hence, school experiences may reinforce or oppose the views held in the family home. In internal rules and regulations applicable at schools, the focus is on the value of community and the subordination of individual behavior to it. One of such rules and regulations reads: “We are a Learning Community; We are a Team” (Student Handbook 2016). This orientation also directs the approach to the policies adopted

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¹⁷ Cf. On the one hand, the results of research by Alan Kazdin, professor of psychology and director of the Yale Parenting Center and Child Conduct Clinic, and on the other hand, by Elizabeth Thompson Gershof, who discovered a strong relationship between corporal punishment and immediate increased compliance in terms of child’s desired behavior, as cited in: Ch. Tseng, Commentary: Physical punishment and why few parents openly admit they cane, smack or spank, as cited in: https://www.channelnewsasia.com/news/commentary/caning-corporal-physical-punishment-when-not-okay-law-rules-13081578?fbclid=IwAR0Z29SzXWLx4f3DKQYyLbDNjfQwX3mv0SPmpR_LHPjrlsIaPhcekdmctq4 (accessed: November 10, 2020).

to ensure a safe learning environment in the school. It is indicated that the established policy applies to all students, both when at school and when wearing school uniform outside of school. School rules also apply when students represent the school in competitions and during official ceremonies. It is the responsibility of students to read and abide by the rules and regulations of the school. These views, emblematic of Confucian society, convey the imperative of the individual's subordination to society. Thus, disciplinary actions taken against students who violate the rules of a particular school are perceived as obvious and reflect the "nature" of recognized social rules¹⁸. In this case, an individual's conscientiousness in fulfilling their duties and tasks contributes to the good educational experiences of the others and is interpreted as caring for the common good.

On its websites, the Ministry of Education explicitly indicates its position regarding the acknowledgment of the effectiveness of corporal punishment in schools. The closing argument is improved school discipline and a reduction in serious school crime over the past 15 years. The Minister of Education, even pointed out that the level discipline is much higher in Singapore than in most other countries, not only western but even Asian countries, such as: Japan and Hong Kong (countries where school caning is forbidden) where, he stressed, students' brutal behavior is a permanent feature of school life. The intended message here is that countries which abolished corporal punishment have significantly worse school discipline. The government remains committed to maintaining high standards of discipline in line with previously adopted regulations and has no plans to change the laws that allow school principals the discretion to apply caning. This position reflects the views of the first prime minister and founder of modern Singapore, Lee Kwan Yew (1998; 2000) who expressed his approval of corporal punishment – particularly English-style caning – as the best way to discipline errant students.

Sometimes there are suggestions in the public press to extend the punishment of caning to schoolgirls who are seen as "out of control" in certain circles. In the past, this idea has been highly supported by teachers. However, this is another issue on which the government has an unchanged position and strongly opposes it, pointing out that serious crimes committed by girls represent a small fraction of the total. In any case, the idea did not catch on because corporal punishment, especially caning inflicted on the buttocks, was always seen throughout the British world as mostly a "man's thing" and considered inappropriate to female physiology. This is also how they have become established in the Singaporean culture. Hence, in the perception of student circles, it seems fair to boys that they are the ones who can be caned, while girls never will be. This is linked to the fact that in Singapore, all men have the obligation to serve in the military, whereas women don not.

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¹⁸ Students are also encouraged to inform the school authorities if they notice that rules are not being followed and this is not interpreted as snitching, but integrity and responsibility.

At school, formally, parents do not have the opportunity to challenge the validity of the punishment inflicted on their child if the applicable rules have not been broken. Therefore, in public settings, unlike with private tutors, parents cannot question teachers' methods because they are not their direct employers. They are also not employees of the school, therefore they can participate in the process of setting rules based on which the school operates. Consequently, it is unlikely that parents will be able to lodge a complaint or take action against the school for caning their child unless it was not carried out in accordance with MOE guidelines, e.g., if there was no approval from the principal or the student was caned too harshly. Unfortunately, in the second case, the boundaries are very difficult to set. Where parents consider the punishment to be unjustified or excessive, they may communicate their remarks to the school principal as well as to teachers (e.g., by sending a letter or at parent-teacher conference) (Singapore Legal... 2019).

Official criticism of school caning occurs infrequently and is sometimes associated only with the public "caning ceremony" as more controversial than corporal punishment per se. This is justified by the fear that witnessing this may be associated with trauma especially in younger girls. Few schools allow female students to make the decision to leave the room before caning begins. In the public perception, however, it is difficult to find arguments significant enough to pressure for the complete abolition of caning. Even the political parties forming the opposition are in favor of preserving caning. It fits well with the highly "masculine" vision of Singapore as a brave, tough, resilient, militarized society, the kind that Britain used to be, but is no longer. It seems that the widespread acceptance of caning in Singapore is due to the recognition that it is both fair and effective, especially against "wayward" secondary school students. The public perception is that this helps maintain a high level of school discipline that is the envy of all visitors to schools, which is, after all, what Singapore is proud of.

Singapore has approached the dangerous line between permitting corporal punishment and condoning its abuse by taking a case-by-case approach in determining acceptable punishment. In acceding to the Convention on the Rights of the Child (1989), the country set out its interpretation of concern for the welfare of the child and explicitly declared that the child's rights under Art. 19 are exercised with respect for the authority of parents, schools and others entrusted with the care of the child and that Art. 19 does not prohibit the reasonable use of corporal punishment in the best interests of the child. The Ministry of Education has given schools strict guidelines on how and when to inflict corporal punishment, including caning¹⁹.

Despite the highly critical stance of the United Nations for maintaining Singapore's approval of corporal punishment in schools, but also in social

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¹⁹ These guidelines include: only principals may administer corporal punishment; girls may not be subjected to it under any circumstances; and this form of punishment may be used only as a last resort.

rehabilitation facilities, or within the family, a significant change in approach in the Ministry of Education's policies and guidelines is evident. It reflects a departure from the past where teachers did not have to show any restraint in administering corporal punishment. In a culture where children are expected to respect authority and corporal punishment is seen as an acceptable form of disciplining, three main groups of factors influence the shift in attitude that is taking place (Tehl 2012, pp. 77–78):

1. Fear of litigation. As Singapore evolves, it is apparent that schools are increasingly refraining from using corporal punishment due to fear of a strong parental reaction and the existing fear of litigation. Parents are becoming more and more demanding in law enforcement. Social media also plays an important role in reducing the use of corporal punishment in schools. Schools in Singapore are increasingly facing complaints about inappropriate discipline imposed on children. It is arguable that it will be a matter of time before these complaints become the subject of litigation.
2. The rising importance of childhood and value of the child within the family. This phenomenon is reinforced by the declining birth rate and changing family structure, as a result, children are becoming more valuable to Singaporean parents. Parents pay more attention to them and as a result, care a lot more about their children, while there is a high level of pampering at home. In fact, many children have nannies who treat them like “royalty”.
3. Increasing parent education level and parenting awareness. Not so long ago, the high prestige and respect towards the teaching profession was enough for parents not to interfere in teaching and raising their children. Now that parents are more educated and their knowledge of law is high, the old ways of instilling discipline are increasingly seen by them as anachronistic (More S'poreans... 2019). It can be assumed that the existence of MOE regulations preventing parents from taking legal action against a school because they are not the direct employers of the school is just a matter of time.

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