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MEDIA AND PROFESSIONAL DISCOURSES ON CHILD
MALTREATMENT: IMPLICATIONS FOR CHILD PROTECTION IN
MAINLAND CHINA

LI JUN

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The Hong Kong Polytechnic University
Department of Applied Social Sciences

Media and Professional Discourses on Child Maltreatment:
Implications for Child Protection in Mainland China

LI Jun

A thesis submitted in partial fulfilment of the requirements for
the degree of Doctor of Philosophy

September 2020

In memory of Professor David Fu-Keung Ip, my dearest mentor, who dedicated his
entire life to education.

CERTIFICATE OF ORIGINALITY

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_____ (Signed)

_____ LI Jun _____ (Name of student)

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I hope that this study makes a valuable contribution to our understanding of the problem of child abuse.

ABSTRACT

The main research question asked in this study was: how is the problem of child maltreatment understood and constructed by stakeholders at the local level in China?

The data collection was divided into two phases. In the first phase, the dominant and competing discourses on the problem of child maltreatment in the media were explored in mainland China. The objectives in the first phase were: (1) Explore trends in discussion of child maltreatment in the media; (2) Identify dominant and competing discourses and explore how the problem of child maltreatment is framed in mainstream newspapers. (3) Identify the dominant discourses of professionals in the media.

In the second phase, the perceptions of professionals of media discourses, the concept of childhood, and the problem of child maltreatment were examined. The objectives in the second phase were: (1) Explore the perceptions of professionals of childhood and the problem of child maltreatment; (2) Examine the views of professionals on dominant and competing discourses and salient cases in the media.

This study used theoretical sampling and snowball sampling to recruit participants, including 6 social workers, 5 doctors, 3 judges, 2 police officers, and 2 lawyers. This study used discourse analysis as a data analysis method.

The various findings of this study are the following: (1) There are individualisation, medicalisation, and legalisation of child abuse in mainland China; (2) There are interaction and conflict between traditional Chinese culture and foreign experience in the discourses of childhood and child maltreatment; and (3) The children's voices are absent in media and professional discourses. The first two findings reflect the influence of Western culture and thought on the problem of child maltreatment in mainland China.

Regarding the individualisation and medicalisation of child abuse, child abuse was originally defined as the battered child syndrome, a medical problem.

The medicalisation of child abuse was illustrated by media analysis and the perceptions of child abuse.

Regarding the legalization of child abuse, the results reflect that solving the problem of child abuse using the law has become a dominant discourse of child abuse, with a significant influence on the media and the perceptions of professionals. Thirdly, although traditional Chinese culture is a dominant discourse, foreign experience affects traditional Chinese culture.

The last important finding is the absence of children's voices in the news reports and the interviews. In the news reports, the stakeholders interviewed by the journalists were professionals, who did not mention children's voices. Similarly, the interviewees rarely mentioned children's thoughts and needs.

Based on these findings, this study discussed: (1) How individualism and familism influenced the perceptions of child abuse in China; (2) How globalization and modernisation influenced the perceptions of child abuse in China; (3) The importance of regarding children as agents; (4) The importance of protecting children's rights.

Based on the findings and discussion, this study proposed the following recommendations. First, promoting child protection legislation. Second, prohibiting physical abuse. Third, adopting systematic solutions to the problem of child abuse. Forth, protecting children's rights.

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Chapter 1: Introduction

1.1. Research Question

China has a tradition of respecting the elderly and caring for the young (*zun lao ai you*). However, the increasing number of cases of child abuse reported by the media is damaging Chinese traditional culture and drawing public attention to child maltreatment and the importance of child protection. Public awareness of child protection may also have increased because parents are paying more attention to their children. In the 1980s, China implemented its family planning policy,¹ stipulating that each couple should not have more than one child. In 2015, to cope with the problem of an ageing population, China implemented the universal two-child policy, allowing couples to have two children. According to the *Report on Major Results of the Third Wave Survey on the Social Status of Women in China*,² 71.1% of women aged 18 to 64 were employed, indicating that the traditional practice of women taking care of children is impossible in modern China. However, China has not yet developed a childcare system, especially for those under the age of three. Furthermore, China has insufficient childcare centres and kindergartens, putting children at high risk of abuse and neglect.

The development of the Internet has helped to increase awareness of anti-child abuse campaigns. People in China can access information about the Western experience of child protection online. Western values such as child-centredness and a focus on the best interests of children have affected traditional Chinese culture, such as patriarchy and filial piety, thus influencing the public's understanding of the concepts of children, childhood, and child maltreatment. During this process, the media have played an important role in introducing the Western concept of child abuse to China,

¹ The family planning policy is a basic state policy in China, namely a birth planning programme. "Later marriage, later childbirth, fewer and better birth" are advocated to control population growth in a planned way. Specifically, the one-child policy was mainly implemented in urban areas. Rural parents could have a second child if the first child was a girl, but only one child if the first child was a boy. However, as China is a multi-ethnic country, the policy was implemented differently in different regions.

² Available at http://www.china.com.cn/zhibo/zhuanti/ch-xinwen/2011-10/21/content_23687810.htm; accessed 4 March 2020.

influencing the understanding of children and child maltreatment among the public and professionals. Therefore, it is crucial to explore how the media construct the problem of child maltreatment in China. The importance of media analysis is discussed in the next section of this chapter.

A series of cases of child abuse has attracted the attention of the media and the public, but also that of the state and the government. For example, the Bijie child neglect case in 2015 caught the attention of the Chinese Prime Minister Li Keqiang, who then promoted the publication of Child Protection for Left-Behind Children.³ In March 2016, China implemented the Anti-Domestic Violence Law.⁴ In October 2019, the Standing Committee of the National People's Congress deliberated on the revision of the Minors Protection Law.⁵ These measures show that the state and the government attach great importance to child protection.

Similar to media analysis, it is important to explore how the problem of child maltreatment is understood by professionals. Despite the policies and laws enacted by the state and the government, there is a lack of child protection social services and professionals specialising in child protection. Child abuse is a multicausal problem and creating a law is not enough to solve it. Enforcing such a law requires cooperation between professionals, including social workers who provide social services, police officers who enforce the law, and doctors who identify and assess child abuse behaviours. Therefore, how professionals perceive child abuse will affect the enactment and enforcement of child protection laws, the provision of social services, the enactment of the *Procedural Guide for Handling Child Abuse Cases*, and professional training, among others. The importance of the perceptions of

³ The Chinese name for Child Protection for Left-Behind Children is 關於加強農村留守兒童關愛保護工作的意見. Available at http://www.gov.cn/zhengce/content/2016-02/14/content_5041066.htm; accessed 26 February 2020.

⁴ The Chinese name for the Anti-Domestic Violence Law is 中華人民共和國反家庭暴力法. Available at <http://search.chinalaw.gov.cn/law/searchTitleDetail?LawID=333293&Query=%E5%8F%8D%E5%AE%B6%E5%BA%AD%E6%9A%B4%E5%8A%9B%E6%B3%95&IsExact=>; accessed 26 February 2020.

⁵ The Chinese name for the Minors Protection Law is 中華人民共和國未成年人保護法. Available at <http://search.chinalaw.gov.cn/law/searchTitleDetail?LawID=333121&Query=%E6%9C%AA%E6%88%90%E5%B9%B4%E4%BA%BA%E4%BF%9D%E6%8A%A4%E6%B3%95&IsExact=>; accessed 26 February 2020.

professionals is discussed in Section 1.3.

Furthermore, according to the *National Economy and Social Development Statistical Bulletin*,⁶ there were 249.77 million children aged 0 to 16 in China in 2019. However, China is a nation with sub-replacement fertility. According to the *National Economy and Social Development Statistical Bulletin* for 2016 to 2019, the number of births decreased from 17.86 million in 2016 to 17.23 million in 2017, 15.23 million in 2018, and 14.65 million in 2019. China's large number of children and sub-replacement fertility make child protection and increasing the well-being of children particularly important.

The main research question asked in this study was the following: how is the problem of child maltreatment understood and constructed by stakeholders at the local level?

To answer this question, five independent but related research objectives were addressed.

Phase 1

- Explore trends in discussion of child maltreatment in the media (e.g. types, sources).
- Identify dominant and competing discourses and explore how the problem of child maltreatment is framed in mainstream newspapers.
- Identify the dominant discourses of professionals in the media.

Phase 2

- Explore the perceptions of professionals (e.g. social workers, legal professionals, and medical professionals) of childhood and the problem of child maltreatment;
- Examine the views of professionals on dominant and competing discourses and salient cases in the media.

To explore the question of the discursive construction of child maltreatment in mainland China, it was necessary to explore (a) media discourses and (b) the discourses and perceptions of professionals. The findings of Phase 1 (media discourses) provided

⁶ Available at http://www.stats.gov.cn/tjsj/zxfb/202002/t20200228_1728913.html; accessed 4 March 2020.

details of the context, themes, salient cases of child maltreatment, and dominant and competing discourses, thereby guiding the interviews conducted in Phase 2 (professionals' discourses).

These objectives were addressed using qualitative content analysis and critical discourse analysis (CDA) of Guangzhou's mainstream print newspapers, and semi-structured interviews with professionals, including social workers, lawyers, judges, police officers, and doctors.

In the past, child abuse and neglect are not viewed as social problem. For instance, "in the seventeenth century, severe punishments were considered essential to the 'sacred' trust of child-rearing" (Earle, 1926, cited in Pfohl, 1977, p.311). However, nowadays, the western society regard child maltreatment as social problem. Therefore, what are Chinese society's opinions about child abuse and neglect is quite important. Through the media coverage contents analysis, and interviewing with the professionals about what are their opinions about the coverage, this study can grasp the social perceptions of child abuse and neglect.

1.2. Importance of Media Analysis

The media are described as the fourth power, after the legislative, executive, and judicial powers. The media not only construct the problem of child maltreatment in mainland China, but also reflect the views on child maltreatment held by various stakeholders, including child protection professionals, through quotations in press articles. In addition, the media influence public opinion on the problems of child abuse and neglect, including parents, children, and professionals such as social workers, medical professionals, paramedical professionals, education professionals, and legal professionals.

The media can help solve the problem of child maltreatment, but they can also make it worse. The media can educate the public to prevent, respond to, and solve the problems of child abuse and neglect and identify their risks and protective factors. However, the media may also distort the reality of the problem of child maltreatment in media coverage, impeding efforts to solve this problem. For example, the media

often report fatal cases because these cases are newsworthy. In addition, the media tend to report more cases of extra-familial child maltreatment or “stranger danger” than cases of intra-familial maltreatment, which is contrary to reality. Although there are no official data on the prevalence of child abuse in mainland China, experience in other countries has shown that most incidents of child maltreatment occur in the family (Miller-Perrin & Perrin, 2013). Finally, the media rarely report cases of child maltreatment with details of the specific proportions of different forms (e.g. child physical abuse, sexual abuse, psychological abuse, and neglect). In summary, it is essential to accurately report incidents of child abuse and neglect to allow the public and professionals to fully and accurately understand this problem.

In this study, media discourse analysis and content analysis helped to shed light not only on how the media and journalists construct and understand the problem of child maltreatment, but also on they construct professional discourses on this problem. The results were used as a background for interviews with professionals in the field of child protection. In addition, by analysing quotations from stakeholders in the media, I was able to determine how different stakeholders perceive the problem of child maltreatment. Finally, comparing the discourses of social workers, legal workers, and doctors helped me explore the areas of consensus and divergence between these groups. For instance, social workers may perceive the problem of child maltreatment from a social welfare perspective, whilst lawyers may perceive it from a legal perspective and doctors from a medical or public health perspective. “The medical perspective focused on behaviour motivated by factors internal to the individual but beyond his or her control, comparable to explanations for other forms of disease” (e.g. Carter, 1974; Parton, 1985, pp. 131–151, as cited in Knudsen, 1992, p. 18). “Unlike the medical perspective, the legal approach depended on a view of abusive behaviour as a crime—deliberate, conscious, and intentional” (Carter, 1974, as cited in Knudsen, 1992, p. 19). “The perspective of social service professionals differs from both legal and medical views by emphasizing the social and environmental causes of child maltreatment” (Knudsen, 1992, p. 21). In doing so, I was able to determine whether intertextuality

and interdiscursivity existed between these three groups and the media.

1.3. Importance of the Perceptions of Professionals

Recently, the number of cases of child abuse and neglect reported in the media has increased in mainland China. In addition, the central government has enacted a series of laws and regulations to prevent and solve the problem of child maltreatment.

Remarkably, in addition to the Minors Protection Law, the Criminal Law of the People's Republic of China,⁷ the Constitution,⁸ and the Teacher's Law⁹ (Article 9), an additional law and two regulations were published in 2016: the Anti-Domestic Violence Law, Child Protection for Left-Behind Children, and Child Protection for Children in Difficulty.¹⁰

The regulation named Child Protection for Children in Difficulty stipulates that to establish a social security system for children in difficulty, the Ministry of Civil Affairs and the Working Committee on Children and Women (WCCW) should coordinate, guide, and supervise the work, establish professional social work and social service agencies, and assist social workers, legal workers, and other professionals in providing social services, including psychological counselling, mental health counselling, family education counselling, and the maintenance of rights and interests. These government documents show the important roles played by the Ministry of Civil Affairs, the WCCW, social service agencies, social workers, legal professionals, and medical professionals in child protection.

However, despite the promising message of these documents, the current situation in China is that child protection services provided by professional social

⁷ The Chinese title of the *Criminal Law of the People's Republic of China* is 中華人民共和國刑法. Available at <http://search.chinalaw.gov.cn/law/searchTitleDetail?LawID=396109&Query=%E5%88%91%E6%B3%95&IsExact=>; accessed 26 February 2020.

⁸ The Chinese title of the *Constitution* is 中華人民共和國憲法. Available at <http://search.chinalaw.gov.cn/law/searchTitleDetail?LawID=398154&Query=%E5%AE%AA%E6%B3%95&IsExact=>; accessed 26 February 2020.

⁹ The Chinese title of the *Teacher's Law* is 中華人民共和國教師法. Available at <http://search.chinalaw.gov.cn/law/searchTitleDetail?LawID=332937&Query=%E6%95%99%E5%B8%88%E6%B3%95&IsExact=>; accessed 26 February 2020.

¹⁰ The Chinese title of *Child Protection for Children in Difficulty* is 關於加強困境兒童保障工作的意見. Available at http://news.xinhuanet.com/politics/2016-06/16/c_129068518.htm; accessed 26 February 2020.

workers and social service agencies are scarce, even in Guangdong, where social work is better developed than in other areas of mainland China. This contradicts the blueprint for government regulations. It seems that social workers and other professionals have limited awareness of anti-child maltreatment campaigns. Therefore, it is important to know how social workers, legal workers, and medical workers perceive the problem of child maltreatment to help enforce laws and regulations and establish a child protection system, including the provision of child protection social services, in mainland China. In addition, as child maltreatment is a multicausal problem and requires collaboration between social workers, legal workers, and medical professionals, studying the awareness/consciousness of professionals in the areas of social work, the medical system, and the legal system can help identify the nature of the problems of child abuse and neglect. This can help the government to enact and enforce applicable laws and regulations, and for social workers and social work agencies to provide effective child protection social services. More specifically, different professionals or disciplines may have different views on the problems of child abuse and neglect. Therefore, the perceptions of professionals from different fields can help paint a holistic picture of the problem of child maltreatment. Moreover, the different discourses of professionals from different fields can help the government enact applicable laws to coordinate these professionals to work together to address the problems of child abuse and neglect.

Although China was a signatory to the United Nations Convention on the Rights of the Child in 1992 and subsequently enacted a series of laws and regulations on child protection, there is no specific and independent law on how to combat child abuse and neglect. In addition, there are no official or legal definitions of child abuse and neglect. Finally, there are no official data on child abuse and neglect in mainland China. Unlike Chapter 213 of the Protection of Children and Juveniles Ordinance¹¹ in Hong Kong, which provides detailed procedures for handling child abuse and neglect incidents, the

¹¹ The Chinese titles of the *Protection of Children and Juveniles Ordinance* is 保護兒童及少年條例; available at <https://www.elegislation.gov.hk/hk/cap213>; accessed 26 February 2020.

current Minors Protection Law in mainland China is impractical due to its lack of detailed procedures. Moreover, child protection system and child protection services are undeveloped in mainland China. This illustrates the absence of views on this problem and suggests that the government and society pay little attention to it. Therefore, it is important to understand how stakeholders, including the media and child protection professionals, perceive the problems of child abuse and neglect.

1.4. Constructing the Problem of Child Maltreatment

The Chinese media play an important role in constructing the problems of child abuse and neglect. As previously mentioned, the media not only report cases of child maltreatment, but also reflect and construct this problem based on the views of different stakeholders. Therefore, by conducting content analysis and discourse analysis, I was able to explore (a) how the problem of child maltreatment is constructed; (b) how discourses on child maltreatment are produced and disseminated; and (c) dominant and competing discourses. The dominant and competing discourses identified in the media provided the context, themes, and cases for subsequent interviews with professionals.

As social workers, legal workers, and doctors are interest groups and claim makers and play an important role in child protection, their discourses can help define the problem of child maltreatment in mainland China. “According to many sociologists, social conditions become social problems through a process of social constructionism” (Spector & Kitsuse, 1977, as cited in Miller-Perrin & Perrin, 2013, p. 11; Loseke, 2003; Perrin & Miller-Perrin, 2011). “A social condition becomes a social problem when various interest groups actively engage in the process of raising awareness about that condition” (Miller-Perrin & Perrin, 2013, p. 11). Therefore, it is important to explore the discourses of professionals on the problems of child abuse and neglect.

Analysing (a) how the problems of child abuse and neglect are understood and constructed in the media, and (b) how the problem of child maltreatment is understood and constructed by professionals helped me better understand how this problem is constructed in society. In addition, it helped me understand the

awareness/consciousness and discourses of professionals, yielding findings that will aid in the enforcement of child protection policies and the provision of child protection services.

1.5. Organisation of the Thesis

This thesis is divided into nine chapters. Following the introduction in Chapter 1, Chapter 2 presents the historicity of Chinese children who are deeply affected by their parents, Chinese politics, and Confucian culture. The purpose of this discussion on Chinese children is to (a) facilitate comparison of the sociology of childhood in the West (Chapter 3) with views on children in traditional Chinese culture; and (b) help better understand the interaction and conflict between traditional Chinese culture and Western culture in media discourses (Chapter 5), discourses on children and childhood (Chapter 6), and discourses on child maltreatment (Chapter 7). The interaction and conflict between traditional Chinese culture and Western culture in these discourses are a focus of this study.

The literature review in Chapter 3 shows how the concepts of children, childhood, and child abuse were discovered and constructed in the United States and the United Kingdom. The new sociology of childhood abandons the traditional view of children as “incomplete individuals” and advocates that children are “human beings” with agency instead of “human becoming.” This new perspective on children provided the theoretical lens for this study. Chapter 4 presents the research methodology and data collection, including media analysis in Phase 1 and semi-structured interviews with informants in Phase 2. The research question and research objectives are presented at the beginning of this chapter.

Chapter 5 focuses on different media discourses, showing how journalists and stakeholders attribute child maltreatment to individual, family, government, social, cultural, or other factors. In addition, this chapter explores the dominant and competing discourses in mainstream newspapers. The salient cases covered by the media were chosen for qualitative content analysis. These cases served as the background and material for the interviews conducted with professionals. Media

analysis revealed the medicalisation and legalisation of the problem of child abuse. Moreover, it showed that children's voices are missing from media coverage in China. Similar findings are reported in the following chapters.

The following chapters (Chapters 6, 7, and 8) present the discourses of professionals based on semi-structured interviews. Specifically, Chapter 6 presents the discourses of professionals on children and childhood. Similar to the historicity of Chinese children in Chapter 2, the professionals interviewed perceived children as passive individuals without agency. As in Chapter 5, these discourses revealed the interaction and conflict between traditional Chinese culture and Western culture. Professionals' perceptions of children and childhood affected their perceptions of child maltreatment. Therefore, it is vital to explore the discourses of professionals on children and childhood.

Child abuse and its definition, nature, and causes, as explored in Chapter 7, are at the heart of this thesis, directly answering the research question. The analysis performed for this chapter revealed the medicalisation and legalisation of the problem of child abuse. The definitions and descriptions of child abuse given by the professionals interviewed were shaped by both traditional Chinese culture and Western experience. As in Chapters 5 and 6, children's voices were missing from the professionals' discourses.

Focusing on responses to child abuse, Chapter 8 presents the views of the interviewees on how to solve the problem of child abuse. It also discusses the legislation related to this problem. Furthermore, it shows that the solutions provided by the professionals were affected by the discourse on foreign experience.

Based on the findings of Chapters 5, 6, 7, and 8, Chapter 9 provides a discussion, recommendations, and concludes the study, summarising the findings. It points out that child abuse is a systematic problem and recommends systematic solutions requiring cooperation between different professionals. In addition, the chapter shows that it is essential to emphasise the importance of children's agency and to protect children's rights.

Chapter 2: The Historicity of Chinese Children

2.1. Introduction

The purpose of this chapter is to present the historical and cultural context of this study. From ancient times to the present day, the concept of children in China has been deeply influenced by Confucian culture. However, in 1915, the New Culture Movement led by Lu Xun, Hu Shi, Chen Duxiu, and Cai Yuanpei challenged Confucian culture. Lu Xun, in particular, began to reflect on the negative influence of Confucianism on children and advocated a new understanding of children. After the creation of the People's Republic of China (PRC), the Marxist Chinese Communist Party (CCP) endeavoured to eliminate various forms of private ownership. The family certainly could not survive, as it was considered to be part of the private sphere. From the creation of the PRC to before the reform and opening up policy (*gai ge kai fang*),¹² especially during the period of the Great Leap Forward (*da yue jin*) and the Cultural Revolution (*wen hua da ge ming*), Confucian culture came under attack and the status of the family started to decline. Against a backdrop of political turmoil and the economic downturn, the status of children in China underwent enormous changes.

Since the reform and opening up, China's political and economic situation has gradually stabilised and various sectors of society have started to thrive. In addition to the basic state policy of opening up to the outside world (*dui wai kai fang*),¹³ another policy deeply affecting China and Chinese people was the family planning policy implemented in 1979. The economic prosperity due to the reform and opening up policy and the restructuring of families induced by the family planning policy have played a profound role in improving the status of children and developing and changing

¹² The reform and opening up policy promulgated during the 3rd Plenary Session of the 11th Central Committee of the CCP in 1978 was designed to conduct economic reforms and open China to the outside world. China's economic reforms started first in rural areas. In November 1978, the household contract responsibility system was implemented in Xiaogang Village, Fengyang County, Anhui Province (distributing agricultural land to households, farmers being responsible for their own profits and losses), which marked the beginning of China's economic reforms. In urban areas, the management autonomy of state-owned enterprises was considerably improved.

¹³ On the one hand, the state has actively expanded China's foreign economic exchange. On the other hand, policies have been relaxed and limits removed. The secluded domestic market and the protection of domestic investments have been abolished to stimulate the open economy. This policy is a basic state policy in China.

the contemporary notion of children.

This chapter discusses the changing status of children in China and the transformation of how Chinese society perceives children. Three key historical moments in this transformation can be identified. The first was the New Culture Movement¹⁴ from 1915 to 1923; the second was the period from the creation of the PRC in 1949 to the end of the Cultural Revolution in 1976;¹⁵ and the third comprised the promulgation of the reform and opening up policy in 1978 and the launch of the family planning policy in 1979. These moments also correspond to junctures in the transformation of the Chinese social system. Before the start of the New Culture Movement in 1915, the Xinhai Revolution broke out in 1911. It overthrew the feudal monarchy of the Qing Dynasty and imperialism, which had lasted for more than 2,000 years. China's feudal social system became a capital-based system. After the creation of the PRC in 1949 and China's socialist transformation,¹⁶ the socialist system was formally built in 1956. China introduced its reform and opening up policy after the 3rd Plenary Session of the 11th Central Committee of the CCP, adopted a socialist market economy,¹⁷ and put in place a socialist system with Chinese characteristics.

During the first period delineated above, covering more than 2,000 years of feudalism from the Qin state in 221 BC to the collapse of the Qing Dynasty in 1911 and before the New Culture Movement, children were defined as “Confucian children.” The idea of Confucian children was based on the proposal of Dong Zhongshu in 134 BC to “proscribe other schools of thought and espouse Confucianism only” (*ba chu bai jia, du zun ru shu*), enabling Confucianism to become the dominant ideology of feudal

¹⁴ The New Culture Movement was led by intellectuals who had received Western education (or new style education at the time), such as Hu Shi, Chen Duxiu, Lu Xun, Qian Xuantong, and Li Dazhao. It was an ideological and cultural reform and a literary revolution with the motto “Anti-tradition, Anti-Confucianism, and Anti-classical Chinese.”

¹⁵ The Cultural Revolution, known as “The Great Proletarian Cultural Revolution,” was a movement initiated by Mao Zedong but taken advantage of by conspirators, an upheaval that caused disaster for the Party, the state, and the people.

¹⁶ The socialist transformation of China was carried out in the agriculture and handicraft industries and in the capitalist world of commerce.

¹⁷ The socialist market economy, namely a market economy combined with the basic social system of socialism, represents the fundamental nature of socialism. It is an economic system in which the market plays the decisive role of resource allocation under the macro-control of the socialist state.

China for two millennia. Therefore, Chinese children were greatly influenced by Confucianism. The New Culture Movement that took place between 1915 and 1923 challenged Confucianism. Due to the historical context, children under the Kuo Min Tang (KMT) party-state system and those under the liberated purview of the CCP were tools in the bipartisan political struggle. Children passed on information and became the successors of both parties. After the creation of the PRC in 1949, children still fulfilled political tasks, especially during the Cultural Revolution. Therefore, during the Republic of China (ROC) period and from 1949 to 1979, children were defined as “political children.” Since the reform and opening up, material conditions in China have greatly improved. The concept of competition in the market economy has also been extended to the field of education. To enable children to improve their academic performance amidst fierce competition, parents and teachers design rigorous and demanding schoolwork. Their goal is for children to beat their peers in the Junior Middle School Entrance Examination, the Senior High School Entrance Examination (*zhong kao*),¹⁸ and the National College Entrance Examination (NCEE) (*gao kao*),¹⁹ and to obtain a high-quality university degree. As the requirements of examinations shape education, children are victims of exam-oriented teaching. Children’s heavy schoolwork and extensive extracurricular activities deprive them of time for leisure and entertainment. They must use every moment to prepare for their exams. This situation differs considerably from their parents’ childhood. Therefore, children in this period are defined as “scheduled children.”

However, the categories of Confucian children, political children, and scheduled children do not strictly conform to the specific periods above, but overlap. There are Confucian children among political and scheduled children, and political children among scheduled children. For instance, although children today are influenced by

¹⁸ The Senior High School Entrance Examination (*zhong kao*) tests the academic achievement of junior middle school graduates with respect to junior middle school education, a selection for entrance into senior high schools based on nine years of compulsory education. It is a prerequisite for graduation from junior middle school. The examination subjects include all disciplines stipulated in the National Curriculum Programme.

¹⁹ The NCEE (*gao kao*) is a competitive examination taken by qualified senior high school graduates and other candidates with the same education level in the PRC (excluding Hong Kong, Macau, and Taiwan).

Confucian culture, their most prominent characteristic since the reform and opening up has been their packed schedules. Therefore, I categorise them as scheduled children.

Another problem worth mentioning is that dividing children into the three categories discussed above may oversimplify the characteristics of Chinese children. Indeed, China has a long history spanning several thousand years and a complex economic, social, and cultural context. For example, Confucianism evolved continuously from the Spring and Autumn and Warring States periods to the Western Han Dynasty and to the Qing Dynasty, with different schools. In addition, the large economic and social gap between urban and rural areas leads to huge differences in the living conditions and lifestyles of children in cities and villages. Furthermore, children from rural areas can be divided into left-behind children and migrant children, both experiencing different living environments and cognitive structures. Even within cities, children of different classes and family backgrounds also live differently. Under the influence of traditional Chinese culture, boys and girls are not treated in the same way. Moreover, China is a multi-ethnic country, and each ethnic group has its own unique culture and life habits. Therefore, children of different ethnic origins should be analysed separately. Consequently, it is necessary to clarify that this chapter focuses on the characteristics of most children and the dominant notion of children.

The first contribution of this chapter is to generate a discussion of child empowerment in all social spheres of life. Do children have the right to choose their life and behaviour? Second, the chapter sheds light on parenting education. Should parents respect their children's rights as independent individuals? Third, it emphasises the importance of societal respect for children, including equality of personality between children and adults. Fourth, it reflects on China's legal system. If we consider children to be independent individuals, we must protect their rights, such as their right to be protected from physical harm, which would require the practical implementation and improvement of the Minors Protection Law. Finally, it reflects on Chinese education, including education at school and at home. We must ask ourselves two questions. What is the nature of children? How should they live their childhood?

Historical literature and real-life observations have shown that China has never focused on children. Lu Xun stated in “How We Should Be Fathers” in November 1911 that all facilities should be centred on children. Therefore, this raises another question worth pondering: if not children, what does China focus on?

After analysing the three notions of Confucian, political, and scheduled children, this chapter summarises the common characteristics of these notions and discusses the influence of individualism, familism, and collectivism on the Chinese understanding of children.

2.2. Confucian Children

Analysing some classic works of Confucianism, including *The Analects of Confucius (lun yu)*, *The Three Character Classic (san zi jing)*, *The Standards for Being A Good Child and Student (di zi gui)*, and *The Book of Filial Piety (xiao jing)*, this section summarises the typical notion of Confucian children. The influence of Confucian culture on children is also explained through Lu Xun’s reflection on the New Culture Movement. It has been shown that the notion of Confucian children may influence those of political children and scheduled children. In addition, the notion of Confucian children may be the underlying reason for child abuse in China. Confucian children have a distinctive characteristic: filial piety.

Filial piety was emphasised in many classic Confucian works. Children are expected to show filial obedience to their parents, uncles, older siblings, and cousins. *The Three Character Classic* stated that “*Filial piety* towards parents, is that to which we should hold fast. To behave as a younger brother towards elders, is one of the first things to know” (*xiao yu qin, suo dang zhi; di yu zhang, yi xian zhi*). Confucianism also emphasises that children must respect their elders. For instance, *The Three Character Classic* advocated “Affection between father and child, harmony between husband and wife, friendliness on the part of elder brothers, respectfulness on the part of younger brothers, precedence between elders and youngers, as between friend and friend” (*fu zi en, fu fu cong, xiong ze you, di ze gong, zhang you xu, you yu peng*). Similarly, *The Standards for Being A Good Child and Student* stated as follows: “When

the older children are friendly and the younger children and respectful then brothers and sisters won't fight, and it's clear they know how to be filial" (*xiong dao you, di dao gong, xiong di mu, xiao zai Zhong*). It also suggested that "you should treat everyone's father just the same as you treat your own, treat all brothers and sisters just like your family at home" (*shi zhu fu, ru shi fu; shi zhu xiong, ru shi xiong*).

Whilst *The Three Character Classic* talked about principles, *The Standards for Being a Good Child and Student* explained how children should show filial piety to their parents. For example, "When your parents are calling, don't be slow to respond. When your parents instruct you, you should listen with patient respect. If your parents scold you, accept it with faithful compliance" (*fu mu hu, ying wu huan, fu mu ming, xing wu lan; fu mu jiao, xu jing ting, fu mu ze, xu shun cheng*); "Keep regular hours in your life and job; don't switch from one job to another" (*ju you chang, ye wu bian*); and "No matter how small the affair, don't act just as you please" (*shi sui xiao, wu shan wei*). These examples show that Confucian children have no autonomy during their childhood and that they must obey their parents.

Confucianism also requires children to work hard in their studies. *The Three Character Classic* said: "One tied his head to the beam above him; another pricked his thigh with an awl. They were not taught, but toiled hard of their own accord" (*tou xuan liang, zhui ci gu; bi bu jiao, zi qin ku*). This shows the underlying influence of the notion of Confucian children on the demanding schoolwork of today's children, namely scheduled children. Studying is not only beneficial for students, but also for their families, their ancestors, the state, and society. *The Three Character Classic* also stated: "Learn while young, and when grown up apply what you have learnt, influencing the sovereign above; benefiting the people below. Make a name for yourselves, and glorify your father and mother, shed luster on your ancestors, enrich your posterity" (*you er xue, zhuang er xing. shang zhi jun, xia ze min. yang ming sheng, xian fu mu. guang yu qian, yu yu hou*). The fact that children and young people had to read and serve their monarch also had an effect on children under the political influence of the ROC and the PRC periods; that is, political children.

Play is not encouraged in Confucian culture. Instead, children should act like adults. Seeming experienced and mature during childhood is desirable. A French educator proposed that Chinese people consider children as adults and adults as children (L. Sun, 2015). Becoming experienced or acting like an adult indicates “stillness” (*jing*), whilst acting like a child indicates “motion” (*dong*). *Shang Shu* stated that “People lost in play will lose their aims” (*wan wu sang zhi*). Confucianism has a negative attitude towards children’s play. The quote “Nature settled, feelings mild; Heart aroused, the spirit tired” (*xing jing qing yi, xin dong shen pi*) in *The Thousand Character Writing* (*qian zi wen*) showed that “stillness” is not only about the physical aspect, but also in the mind. Analysing children’s books, Bai (2005) concluded that children are not encouraged to play in Confucian culture, influencing the Chinese notion of children today and the educational values of schools, parents, and teachers. Further analysis is carried out in the section on scheduled children.

Although Confucianism places limitations on children, children voluntarily take responsibility for caring for their parents. Children focus on their studies and work hard to contribute to the prosperity of the country and the well-being of its people, reflecting their social responsibility.

2.3. Political Children

Analysing the literature on children, especially during the period of the Cultural Revolution, this section discusses the concept of political children. This concept appeared as early as 1925, although it was more widespread during the Cultural Revolution. Its influence has spread to various aspects of children’s lives today. This section also discusses the influence of this concept on children then and now. Compared with Confucian children and scheduled children, political children have a most distinctive characteristic: blindness.

During the New Culture Movement from 1915 to 1923, advanced educators came up with the slogans “save children” and “respect children”; the feudal notion of children was subjected to unprecedented criticism. At that time, the American educator Dewey came to China to advocate paidocentrism. He emphasised that

education should be centred on children, not textbooks or teachers. However, after the May Thirtieth Massacre²⁰ in 1925, China started to learn from militaristic Japan. The slogan “centred on children” was gradually replaced by political education and military training (Naftali, 2006), forming the concept of political children that lasted for almost a century. This concept required children and young people to contribute to the country, which is closely related to the historical context of China, subject to long-term imperialist invasion and oppression.

The Cultural Revolution from 1967 to 1977 had many negative effects on children’s lives. First, it prevented parents from taking proper care of their children. Frequent political movements demanded too much of their energy. Second, the basic needs of children could not be met. Third, children’s normal lives and studies was interrupted. During the Cultural Revolution, society was in chaos, with agriculture, industrial production, and transportation suspended and disorder in government bodies, schools, factories, and rural areas. Due to the prevalence of the “study is useless” theory (*du shu wu yong lun*) and the claim that “the more one reads, the more rebellious one will be” (*zhi shi yue duo yue fan dong*), many children could not attend school and abandoned their studies. Some children (little Red Guards) followed older children (Red Guards) to participate in the Great Networking (*da chuan lian*)²¹ and revolt, with an extremely bad influence. Fourth, some children became criminals. According to surveys in Beijing, Shanghai, and Wuhan, about 20% of China’s children during the Cultural Revolution participated in public vandalism under the influence of anarchism. Some were brought to justice by public security departments (Sun, 2000, p. 34). From

²⁰ The May Thirtieth Massacre took place on 30 May 1925. It triggered the May Thirtieth Movement, an anti-imperialist patriotic movement. On that day, more than 2,000 students in Shanghai distributed pamphlets and organised street lectures in the Shanghai International Settlement to protest the killing of worker Gu Zhenghong in a Japanese-owned factory during an earlier repression of a workers’ strike. Students publicly expressed their support for workers and called for the recovery of the Settlement. More than 100 students were arrested by British constables. Later that afternoon, thousands of people gathered in front of the British Shanghai Municipal Police at Nanjing Road, demanding the release of the students arrested and shouting “Down with imperialism.” British constables opened fire, killing 13 people and wounding more than 50, and arrested more than 150 people, which shocked the entire country and the world.

²¹ In 1966, the Cultural Revolution Central Committee expressed its support for students from various regions to come to Beijing and vice versa to engage in networking and gain experience during the Revolution. After the publication of the *Notice* on 5 September 1966, nationwide networking activities took place quickly.

a contemporary perspective, these actions can be defined as child abuse, including educational, emotional, and physical neglect.

In *Beijing Children: Collective Autobiography of the 1960s and 1970s*, Liu (2009) discussed the life status of children in Beijing in the context of the Cultural Revolution. Li Qiao wrote in the preface that many children in Beijing went through a phase of “becoming hooligans”. For instance, many children humiliated their headmasters “in the name of the Revolution.” Liu mentioned that one of his friends was a member of the class of ’69 at Yuying Middle School and saw their headmaster being beaten and her skull fractured before she collapsed on the ground (p. 28). He also recalled his middle school days as follows:

Fighting with knives is considered as hooliganism today, yet in my school days it was normal behavior, hardly any misdeed, for many students in a society filled with such atmosphere. Students, like Ma Xiaojun, might not be hooligans. It was truly tragic and horrible. In that frenzy of that age, every crazy behavior became normal. (p. 254)

Fighting spread from the early stages of the Revolution, featuring class suspension; was common in the late 1960s and early 1970s, when parents went to cadre schools; and lasted until the end of the Cultural Revolution. In addition to fighting, children took part in robberies and gang rapes and adopted bad habits, such as smoking and drinking. Attending cadre schools was mandated in Chairman Mao’s May Seventh Instruction.²² The Cultural Revolution had a direct effect on parents and children. As parents attended these cadre schools, children were neglected. Without school and family education and living in a social environment that confused right and wrong, children no longer followed the principles of respecting others and treasuring life, and fell into a collective unconsciousness. No one realised that their behaviour

²² The letter Mao Zedong wrote to Lin Biao on 7 May 1966 was seen as May Seventh Instruction. Mao suggested that various sectors across the country should become a giant school, in which people could study political, military, and cultural knowledge, engage in agriculture and secondary production, and run small and medium-sized factories to create products for their own needs and exchange with the state at equal value and to criticise the bourgeoisie. These instructions later became the principle of education during the Revolution and led to chaos in the education system and order.

was despicable, reflecting the blindness of political children.

Furthermore, Liu (2009) pointed out that some students during this period barely read books outside Mao's writings and focused on reciting Mao's books. At this time, all classrooms looked the same. Quotations from Vice Chairman Lin hung on the wall: "Sailing the seas depends on the helmsman, just as conducting revolution depends on Mao Zedong Thought," "Study Chairman Mao's writings, follow his teachings, act according to his instructions, and be his good soldiers," among others. Elementary school students took the initiative in reading *Quotes from Chairman Mao* on the bus as an extracurricular activity, which they called "propaganda about Mao Zedong Thought". Chan (1985) argued that schools wanted to cultivate "new socialists" with two conflicting characteristics. On the one hand, they had to be selfless and obey the collective. On the other hand, they had to be active, decisive, and innovative. In other words, the Cultural Revolution created a generation of children who obeyed the collective mindlessly, without engaging in independent thinking or innovation.

After the reform and opening up, in 1980, the Central Committee of the CCP required all Party members and League members to abide by the rule of one child for each couple issued by the State Council. This marked the beginning of the one-child policy (Sun, 2000). Since the creation of the PRC, not only has children's growth been affected by the state, but the question of whether a child can come into this world has been closely linked with national development and the will of the leaders. The one-child policy is a good example.

It is worth noting that despite a political environment unfavourable to studies, some children continued to read every day. They picked up books while resting from work on farms and in factories. These children enrolled in universities after the resumption of the college entrance exam in 1977 and became the pillars of the nation in various industries.

2.4. Scheduled Children

The term "scheduled children" refers to children in China whose time is fully

planned, including school classes, extracurricular enhancement classes, “interest” classes, and studying abroad. Compared with Confucian children and political children, the distinctive characteristic of scheduled children is being busy. Unlike the previous two types of children, scheduled children are products of today. Therefore, we can analyse their main features not only by referring to the literature but also by observing their lives. There are subjective and objective reasons for the emergence of scheduled children. Wealthy families and the one-child policy are objective factors that do not necessarily lead to scheduled children. Indeed, the belief of parents and teachers that children do not need play time or entertainment is the main reason here. Scheduled children are under the constraints of traditional Chinese culture, parents (family), and society.

First, children are under the constraints of traditional Chinese culture. For instance, the slogans “to receive an education is to be at the top of society” (*wan ban jie xia pin, wei you du shu gao*) and “minds-on rather than hands-on” are emphasised and play is not encouraged, whilst diligence is. The reason for the enormous pressure placed on scheduled children to improve their academic performance lies in the constraints of traditional Chinese culture. Bo (2017) mentioned in *The Ugly Chinaman* that the only way for Chinese people to “build their reputation and honor their families” is to go into politics. Being an official will bring wealth, power, status, and all possible honour. The path chosen by Chinese intellectuals to pursue honour and wealth is not business or invention, but to stand out in the national imperial examination for the selection of future officials. This explains why Chinese students must enter university via the national entrance exam rather than choosing occupational education.

The other reason for choosing tertiary education over occupational education is the emphasis on minds-on learning rather than hands-on experience. Mencius said: “He who rules lives by his mind; he who is ruled lives by his labor” (*lao xin zhe zhi ren; lao li zhe zhi yu ren*). This explains why children are encouraged to study. If students enter university, they can work in an office after graduation and become a manager to

manage office staff or factory workers, so they “rule.” If they fail to enter college and end up in occupational school, they will become workers after graduation, and thus “ruled.” This is a common understanding of parents and children and the reason for the emergence of the concept of scheduled children.

Furthermore, traditional Chinese culture advocates hard work and reading. Su (1993) pointed out that reading is considered entertainment in the West, a method of improving one’s character and ability. However, in China, reading is a serious matter that requires ambition, perseverance, and diligence. *Records On The Warring States Period (zhan guo ce)* offered an example of the notion of reading in China: “One tied his head to the beam above him; another pricked his thigh with an awl”. The Chinese tradition of reading actually involves repetitive learning and rote learning. China’s college entrance exam also continues this tradition. The content tested in this exam is textbook knowledge and most knowledge points are recited.

Second, scheduled children are subject to the constraints of their parents and family. Parents’ high expectations, their enrolment of children in interest classes, and their fear that their children will lose at the starting line lead to the busy schedules of their children. From the perspective of children, their studies and lives could be carefree. However, when they understand that they will need to take care of their parents in their old age and that they are responsible for honouring the whole family, one can imagine children’s pressure. Under the constraints of parents and family, scheduled children are deprived of their interests. The so-called interest classes are all based on the interests of the parents, not those of their children. Many children do not particularly like entering mathematics competitions or practising the piano. Their parents enrol them in these classes simply because these “interests” can lead to a higher score for them as students with special talents.²³

Third, scheduled children are under the constraints of society, such as the national entrance exam, a specific historical context, fixed social classes, a low level of

²³ Students with special talents are those whose particular skills or talents may allow them to gain entrance to senior high school and college with scores below the admission requirements.

social welfare, and the one-child policy. Like political children, scheduled children are products of history. The social and historical context of China's rural-urban dichotomy²⁴ is the underlying reason for the dictatorial status of the college entrance exam and the expectation that "one exam determines one's life." In the past, the urban-rural gap was closer to a chasm: most resources were allocated to citizens who had urban household registration status (*hukou*). The college entrance exam can help people obtain urban household registration status. If people have rural household registration, they cannot work in cities. Accordingly, for rural children, the college entrance exam is like a gate to life or death. Although urban children have more opportunities for development, a college degree remains the stepping stone to access government bodies, public institutions, state-owned enterprises, big private firms, and multinational corporations. Therefore, the national entrance exam is also important to them.

Fixed social classes and few channels to move up the ladder also lead to the emergence of the concept of scheduled children. Life should be filled with many possibilities. Yet, in real life, the limited number of channels that allow people in China to move from the bottom of society to the upper class is the main reason why rural children firmly believe that education can change one's destiny. Whether education can indeed change one's destiny, some parents and children believe that they can stand out only through their studies. Children from mountainous areas and villages especially believe that it is only possible to change their fate by taking the college entrance exam and going to university in a big city.

Another factor leading to the emergence of the notion of scheduled children in China is the low level of social welfare, including pensions and medical insurance, coupled with the emphasis on raising children for old age care. Due to the late start of China's social welfare system and its limited benefits, the responsibility for taking care of the elderly rests with their children. Conversely, in countries with well-developed

²⁴ The urban-rural dichotomy is a serious obstacle to China's economic and social development, which is mainly reflected in the gap between the rural and urban household registration system and the two resource allocation systems.

social welfare, care and support for the elderly are generally provided by national social welfare departments. In addition, parents' belief that they must raise children for old age care increases their expectations of children. Therefore, parents constantly increase children's academic and extracurricular activities, resulting in a heavy burden of schoolwork and more pressure.

The one-child policy and the importance of the nuclear family structure are other important reasons leading to the concept of scheduled children. With the implementation of this policy, parents began to take better care of their only child; some even spoiled their child and essentially took care of all aspects of his or her life. This did not help children develop the ability to live independently. In addition, as the family structure has become simpler, the child is generally the centre of the family. According to statistics, the Chinese urban family consisted on average of 3.89 people in 1985 and 3.23 in 1995, most families having only one child (Sun, 2000). Moreover, the family's significantly improved standard of living provides adequate material resources for the development of children, including food, clothing, accommodation, medical care, and other resources. However, children also tend to indulge in material comfort and to lapse into inertia. After solving the problems of food and clothing, children's education is next on the agenda, thanks to the improved standard of living. As a result, children can attend extracurricular enhancement classes and interest classes.

It is worth noting that despite the three constraints imposed on scheduled children, they have developed the resilience and ability to handle stress and manage their time, enhancing their competitiveness in the future.

2.5. Individualism, Familism, and Collectivism

Based on the above discussion, it seems that the three Chinese notions of children reflect solidarity and collectivism, whilst the Western concept of children reflects child-centredness, independence, and individualism. Solidarity and collectivism are characteristic of Chinese culture, and independence and individualism of Western culture (Su, 1993). With globalisation and China's economic opening up, along with the opening of the media and increased market and cultural exchange,

Western values have gradually penetrated mainland China. The United Nations Convention on the Rights of the Child is an example of the globalisation of the concepts of child and childhood. China's status as a signatory proves that the traditional Chinese notion of children has been affected by global, and especially Western, conceptions of child and childhood. In other words, familism and collectivism in mainland China have been affected by individualism. Therefore, there is a need to discuss children as individuals, with respect to the family and the collective and the relationships between children, the family, and the collective.

Confucianism argues that the family is the most important social unit, as it is there that people learn to use and obey power. The family is also the first school of ethics and contributes to creating a healthy society. Chinese people often see or hear the saying "a peaceful family will prosper" (*jia he wan shi xing*) in their daily lives. The Confucian notion of the family still has a significant influence on China, and the importance of the family can be seen in real life. If a person's family life is not harmonious, it is very difficult for that person to achieve a promotion at work; for instance, divorce is a taboo in the workplace. Furthermore, Chinese people have many configurations of family relations, whether distant or close. This shows the importance of family relationships from another angle.

Before the New Culture Movement (1915-1923), Confucianism was the dominant ideology of Chinese society, which supported familism. However, during the New Culture Movement, familism was criticised and individualism encouraged. Chen Duxiu (discussed later) advocated individualism and criticised family-based standards. As Sun (2015b) pointed out,

[the] leaders of the New Cultural Movement all recognized that the value of individual independence, equality and autonomy to a new culture in the contemporary society; they were deeply aware of the core status of family to traditional Chinese culture. To get rid of old cultural values, it is needed to criticize "family" thoroughly. (p. 62)

In 1956, China's socialist transformation was completed. China began to adopt

collectivism, private ownership was abolished, and the socialist economic system was established. The emphasis on the family, considered a product of private ownership, was also abolished. Since the reform and opening up, China has started to introduce a socialist market economy, although not a complete one, leading to the coexistence of a private and a public economy. The existence of a private economy has provided the social economic basis for the return of the family to society. However, China remains a socialist country and continues to support collectivism. For instance, in the 1980s, the government demanded that people obey four rules: “individuals should obey the organization, subordinates should obey higher authorities, the part should obey the whole, and regions should obey the Central.”

In general, every individual in China is constrained. The collective limits the family and individuals, and the family limits individuals. Children are subject to many constraints imposed by their parents, family, politics, and traditional culture. In other words, children are tools for the collective and the family in China. Confucian children are under the constraints of the family and traditional culture, political children are constrained by the state and society, and scheduled children are subject to the constraints of all four entities. Evidently, therefore, children in China have become subject to more and more restrictions. The underlying reason for these constraints is that children are not seen as independent individuals, which can be further attributed to familism and collectivism.

Debate on the status of the “individual” vs. the “family” during the New Culture Movement, which started in 1915, had a widespread social influence. Chen Duxiu suggested that Western values are based on individuals and Eastern values on the family when summarising the fundamental ideologies of Eastern and Western nations in *New Youth* magazine (X. Sun, 2015). Chen identified four disadvantages of family-centredness: (1) it harms people’s independence of personality, (2) it stifles their freedom of will, (3) it deprives individuals of their equal rights, and (4) it harms their creativity (X. Sun, 2015).

In early 1916, Chen Duxiu called on young people to strive to gain

independence and reject their status as tools to regain their individual personalities.²⁵ This can also apply to children. Confucian children are their parents' children and the products of Confucian culture. Political children are the children of the Party, the state, and the collective. Scheduled children are the children of all of the above, but not children themselves.

In general, the concept of Confucian children reveals a contradiction between children as individuals and traditional Confucian culture (including parents and the family). The concept of political children reveals a contradiction between children as individuals and the collective (including the Party and the state). Finally, the concept of scheduled children reveals a contradiction between children as independent individuals and all of the above. However, the state and society have started to value individual interests and individualism has started to rise, as evidenced by the creation of the legal system.

China attaches increasing importance to the protection of disadvantaged groups, such as children, and has issued a series of laws, such as the Minors Protection Law, the Labour Law, the Law on Employment Contracts, the Anti-Domestic Violence Law, the Law on the Protection of the Rights and Interests of the Elderly, and the Law on the Protection of Women's Rights and Interests. In addition, China pays increasing attention to the protection of personal property, as evidenced by the implementation of the Property Law in 2007.

2.6. Obedient Children

From the above discussion, we can see that Confucian children, political children, and scheduled children are subject to many compulsory tasks and prohibitions. Indeed, there are many things that Chinese people, including Chinese children, must and must not do.

Obedience education is a historical tradition in both ancient and modern China. The first side of obedience is based on restrictions or forced compliance. The reason

²⁵ Available at www.youth.cn, http://agzy.youth.cn/qsnag/zt/ws94/bnhs/201304/t20130424_3142104.htm; accessed 26 February 2020.

for these restrictions is the inequality of power between adults and children, based on which children are not treated as human beings. It takes discipline and rules to make children obey, and the consequence of breaking the rules is punishment. This inequality of power can easily lead to child maltreatment. From a very young age, Chinese people live in a world that prioritises others. Their personal feelings and thoughts are suppressed and their personal opinions are stifled by their families, society, and traditional culture. Over time, Chinese children lose their personal opinions and thoughts and find it difficult to make their own choices. Chinese parents often interfere with all of their children's choices to make them obedient. For parents, obedience is the only way to be a good child. This type of education has a huge effect on children: children will gradually depend on their parents for suggestions or even let their parents decide everything for them.

Confucius said: "There are three things of which a noble man is in awe: He is in awe of the will of Heaven; he is in awe of great men; he is in awe of the words of sages." Specifically, Confucian children should obey older members of their family and sages; political children should follow the instructions of the Party and state; and scheduled children should listen to their parents, teachers, the Party, and the country. In modern China, the two words commonly used to praise a child are "obedient" (*ting hua*) and "well behaved" (*guai*). Obedience education exists in all aspects of our daily lives. For example, Jay Chou, a famous popular music singer from China, has two songs on obedience: "Listen to Mom" and "Listen to Dad."

The other side of obedience is "tell," indicating that there is always someone telling you or forcing you to do something. Children under obedience education will follow orders without thinking. Sages and elders tell Confucian children what to do, the Party and the state tell political children what to do, and parents and teachers tell scheduled children what to do.

In addition to being told what to do, Confucian children are told what not to do. Children's behaviour is restrained by Confucian culture, the family power system, and the power system of society. Confucius said: "While one's parents are alive, one

should not travel to distant places. If it is necessary to travel, there should be a definite direction” (*fu mu zai, bu yuan you, you bi you fang*). Confucian culture and the family power system place restrictions on children. These restrictions have a negative effect on behaviour, as children and young people follow rules and standards without developing an innovative spirit or having the courage to explore new things.

To look at Chinese education from a Western perspective, we can refer to a three-episode documentary produced by the BBC in 2015 entitled *Are Our Kids Tough Enough?* The documentary told the story of five teachers from mainland China working at a middle school in a small town in England, who taught British students using the Chinese education mode for one month. In the documentary, the Chinese teachers often stressed that “Discipline is very important, without discipline, you could not learn well.” Another point often mentioned was authority. One Chinese teacher said: “In China, teachers have absolute authority. You will be respected if you are a teacher, and students will follow your words.” Another teacher stated: “According to Chinese culture, students are born to obey the rules and show respect to authorities, which is also an important part of Confucianism. It is very important to listen to the words of teacher and parents.” A Chinese student also said: “Parents are always right.” However, the British students they taught did not agree. The third point mentioned by the Chinese teachers was collectivism. For instance, one Chinese teacher stated: “Everybody doing the same thing will remind us that we are dependent on each other, that we are part of a group. A group morning exercise is a method to train collective consciousness.” The documentary pointed out that unity is at the core of Chinese culture and the success of Chinese academic performance. Everything Chinese schools do is aimed at promoting collective responsibility. As one Chinese teacher put it: “In China, individualism is not encouraged; we will do anything for our country.”

The characteristics of Chinese education are high pressure and fierce competition. Teachers use force to compel learning and punish their students, such as through humiliation. In the documentary, the performance of British students was graded, ranked, and publicised following the Chinese education mode, which put

pressure on those who had poor results. The learning method of Chinese students is characterised by repetitive practice, memorisation, and long study sessions. Regarding this Chinese education mode, one British student said:

This kind of education will change your personal character. In our British social education classes, you will be encouraged to express your own opinion. However, in Chinese education, you will be told to listen to the facts; these facts are correct and come from authorities like teachers, principals and the government ... Chinese education is a bit like a production line.

One event depicted in this documentary was particularly striking. To prevent a British student from bringing a kettle to school to make tea for himself during class, one Chinese teacher asked his parent to come to school. In China, it is shameful when teachers ask parents to come to school. In general, parents in China cooperate with teachers to educate and even reprimand students. However, the boy's mother told the teacher that it is a human right to have a cup of hot tea during class. This example illustrates the difference between Chinese and British education in the relationships between teachers, parents, and students. In the documentary, after two weeks of chaos, the intervention of the school and the parents helped put things back on track. The school decided to draw up a list of students who had misbehaved in class to restore order at school. In addition, the Chinese teachers held parent-teacher meetings in which they asked the parents to make sure that their children followed the rules, were quiet, and focused on their studies.

This documentary showed that the foundation of Chinese education is discipline, which suppresses individual opinions and personal character. Students should be subject to the collective, the rules, and the authorities, and obey their parents and teachers.

2.7. Summary

The notion of Confucian children emphasises the relationship between fathers and children. The notion of political children emphasises the relationship between the state and children. Finally, the notion of scheduled children emphasises the

relationship between the school and children. Fathers and patriarchy play the most important roles in the notion of Confucian children. For the notion of political children, the state, the authority of the leaders, and the national interest and ideology play the most important roles. Finally, for the notion of scheduled children, the school, the authority of the teachers, and the exam-oriented education system are the most important. These three categories each position children within a hierarchical order.

Based on the educational ideology of the Confucian hierarchy, if a child is really “obedient,” he or she is likely to be an ordinary person with no notable personal characteristics. He or she may be able to find a job to make a living, but will be very unlikely to achieve impressive results. Achievements cannot be made without innovation and breakthroughs, implying that the achiever must be different. However, being different is criticised in Chinese society, which promotes convergence. Being the same, not different, is what traditional Chinese culture advocates. For children who grow up with this discourse, it can be very difficult to overcome the opinions of others, to innovate, and to achieve results. The constant emphasis on the civil service examination and the postgraduate entrance examination is related to the traditional ideas of Chinese culture that “Being a government official is the natural outlet for good scholars” (*xue er you ze shi*) and that “receiv[ing] an education is to be at the top of society” (*wei you du shu gao*), and to the recognition of society for civil service and school education.

To summarise the three main Chinese notions of children, Confucianism expects children to show filial piety and to be responsible for supporting their parents. Political children are expected to be loyal to the Party and to the country. The notion of scheduled children expects children to go to a top university and to find decent jobs after graduation. Thus, the country, society, parents, and teachers easily neglect the physical health and feelings of children.

These three notions of children contradict the modern Western concept of children. To improve the well-being of children, we must ask the following questions. What is the nature of children? What are the characteristics of childhood? What are

children's needs? Are there any differences between Chinese children and children from other countries? The answers to these questions are essential for improving the well-being of children. In addition, with regard to the implementation of education policies, we must reflect on the Chinese education system, including school and family education. We must answer the following two questions. What type of childhood do children want? What type of childhood should they have?

This chapter has reviewed the literature on Chinese children. The next chapter focuses on the literature on children, childhood, and child maltreatment in the Western context.

Chapter 3: Literature Review

I begin this chapter by exploring the effects of the concepts of children and childhood on the understanding and definition of child maltreatment. I start by reviewing the literature relevant to my study, particularly that on children and childhood, and the discovery of child maltreatment in the US and in the UK. The current situation of child maltreatment in mainland China is also discussed.

3.1. Children and Childhood

There are four reasons why I review the literature on children and childhood. First, as the public's understanding of children and childhood can reflect society's attitudes towards children and their responses, it is important to explore what children and childhood are and how they are conceived by the community. Second, examining the concepts of children and childhood can aid understanding of the differences between children and adults, thereby helping us to identify the types of threats that children face and the types of protection they need. Third, understanding how children and childhood are socially constructed can reveal how child maltreatment is conceived in mainland China. Finally, the changing attitudes and understanding of children and childhood, along with the improvement in the status of childhood, make child maltreatment a major concern in Europe and in the US (Qiao, 2012).

3.1.1. The Invention of Childhood

In *The Disappearance of Childhood*, Postman (1994) argued that the idea of childhood was the great invention of the Renaissance. This is consistent with the contention that the idea of childhood did not exist in the Middle Ages (Aries, 1962, as cited in Prout & James, 1997). James, Jenks, and Prout (1998) suggested that "childhood is not a new phenomenon" (p. 4). In addition, the French historian Philippe Aries (1962), who had a great influence on the social sciences, asserted that "childhood has not always been the same thing" (as cited in James et al., 1998, p. 4).

However, Pollock (1983, as cited in Prout & James, 1997) challenged Aries' idea of the discovery of childhood and asked why past societies should consider children in the same way as Western countries do today. Indeed, the fact that children

were seen differently in the past “does not mean that they were not regarded as children.”

In the Middle Ages, according to Plumb (1971, as cited in Postman, 1994), people touched each other sexually while children ate and drank next to them. At the time, it was not strange for adults to play with children’s sexual organs; this was simply considered indecent fun (Postman, 1994). However, this behaviour is considered a serious crime today.

Two factors may explain why the idea of childhood was absent in the medieval world. The first is that the idea of childhood cannot exist without a developed idea of shame (Postman, 1994). Elias (1978) suggested that shame and embarrassment are associated with sexuality and “only when the distance between adults and children grows does ‘sexual enlightenment’ become an ‘acute problem’” (as cited in Postman, 1994, p. 48). In other words, society began to hide many secrets from children, including sexual relations, money, violence, illness, death, and social relations (Postman, 1994). In addition, Elias argued that the hallmark of civilised culture is that adults strictly control their sexual desires and avoid talking about their sex drive in front of children. The modern definition of childhood indicates that children “need to be sheltered from adult secrets, particularly sexual secrets” (Postman, 1994, p. 9). This modern definition and the concept of childhood proposed by Elias are similar to the “innocent child” discourse discussed in the section on the pre-sociological discourses of childhood.

The second reason is that neither the young nor the elderly could read in the Middle Ages (Postman, 1994). However, in the 16th century, with the invention of the printing press in Europe, a new definition of childhood was created based on reading competence (Postman, 1994). Postman (1994) pointed out that after the invention of the printing press, young people became adults by learning to read. Therefore, in Europe, schools were transformed. As a result, the concept of childhood became a necessity. This argument is in line with the theory of socialisation in traditional studies on childhood, transforming social children into social adults and considering children as unformed adults. Furthermore, Postman suggested that “where literacy was valued

highly and persistently, there were schools, and where there were schools, the concept of childhood developed rapidly” (p. 39).

John Locke and Jean Jacques Rousseau developed the theory of childhood discussed in the next section.

3.1.2. Pre-Sociological Discourses of Childhood

Pre-sociological discourses of childhood emphasised the concepts of the evil child, the innocent child, the immanent child, the naturally developing child, and the unconscious child. Postman (1994) argued that the thought of Locke and Rousseau had an important influence on the idea of childhood. However, James et al. (1998) criticised these pre-sociological discourses of childhood for ignoring “the social context within which the child resides” and “any concept of social structure” (p. 10). The meaning of each of these pre-sociological discourses of childhood is discussed in the following section.

The evil child. James et al. (1998) proposed that the discourse of the evil child assumes that the child is inherently evil, corrupt, and base, and that these qualities can only be exorcised by discipline and punishment. In addition, training children properly helps them become obedient adults. The discourse of the evil child is also called “the Puritan discourse of childhood” (Rogers, 2003, p. 22). Indeed, different assumptions about the nature of children lead to different treatments of children.

The innocent child. The discourse of the innocent child is also known as the “Romantic discourse of childhood,” and assumes that the nature of children is inherently good (Rogers, 2003). Jean Jacques Rousseau is the main representative of the concept of the innocent child. James et al. (1998) pointed out that the discourse of the innocent child is the basis of contemporary child-centred education, special needs provision, nurseries, and kindergartens, responding to demand and childrearing strategies based on individual needs.

However, Kitzinger (1997) identified three limitations of the concept of innocence to encourage the public to fight against sexual abuse. First, “the notion of childhood innocence is itself a source of titillation for abusers.” Second, innocence

stigmatises the “knowing” child who has sexual knowledge. Third, the ideology of innocence prohibits children from acquiring knowledge and power and therefore increases their vulnerability to abuse (pp. 168–169).

The immanent child. In his book *Some Thoughts Upon Education*, John Locke described children as a *tabula rasa* (blank slate). There is an obvious contrast between John Locke’s and Rousseau’s understanding of children (James et al., 1998). From a Lockean or Protestant perspective on childhood, “the child is an unformed person who through literacy, education, reason, self-control, and shame may be made into a civilized adult” (Postman, 1994, p. 59).

However, Rousseau insisted that “the child is important in himself, not merely as a means to an end.” Rousseau’s thinking differed greatly from the Lockean perspective, which considered the child “as a potential citizen and perhaps merchant” (Postman, 1994, p. 58).

Although Rousseau and Locke interpreted the nature of children differently, they both believed that children “are not inadequate or partially formed adults” (James et al., 1998, p. 6), but have a range of special interests and needs that should be recognised as such. These beliefs are at odds with the theory of socialisation, which does not consider children to be fully formed individuals. I discuss the theory of socialisation in the section on traditional childhood studies. In addition, Locke and Rousseau both believed that childhood cannot exist “without the future-oriented guidance of adults” (Postman, 1994, p. 60).

Archard (1993, as cited in James et al., 1998) suggested that Locke was the first to discuss child-centred education through idealistic assumptions and empiricist stimuli. Similarly, in the classic Chinese text *The Analects of Confucius*, published between 540 and 400 BC, Confucius (*Kongzi*) pointed out that teaching depends on the different talents and situations of students (*yin cai shi jiao*).²⁶

The naturally developing child. Developmental psychology is based on two everyday assumptions: first, that children are natural rather than social phenomena; and

²⁶ The Chinese characters denoting *yin cai shi jiao* are 因材施教.

second, that “part of this naturalness extends to the inevitable process of their maturation” (James et al., 1998, p. 17). The most prominent advocate of this model was Jean Piaget. However, “fundamental objections have arisen concerning the view that there is a universal, standardized and inevitable programme of developmental stages” (Burman, 1994, as cited in James et al., 1998, p. 18; Morss, 1990; Richards & Light, 1986).

3.1.3. Traditional Childhood Studies

There are two main traditional theories of childhood: developmental psychology and socialisation. Developmental psychology is a theory in the field of psychology, and socialisation is a theory in the field of sociology. However, unlike other scholars, Corsaro (2015) suggested that socialisation and developmental psychology are two models of socialisation, one being a deterministic model and the other a constructivist model. In the first model, the child is seen as passive, whilst in the second model, the “child is seen as an active agent and eager learner.” I discuss these two models in the next section.

Developmental psychology. Developmental psychology is a traditional theory of childhood that remains dominant today. The most prominent advocate of developmental psychology was the psychologist Jean Piaget. The traditional concepts of children and childhood are influenced by developmental psychology and physiology, defining children according to their physiological age, psychological and physical maturity, and abilities (Qiao, 2012). Corsaro (2015) suggested that dominant developmental psychology influenced early studies of childhood socialisation. Moreover, developmental psychology provides a framework to justify “the naturalness of childhood itself” (Prout & James, 1997, p. 9).

Prout and James (1997) stated that the key concept in the dominant framework of developmental psychology is development, with three themes related to rationality, naturalness, and universality. In addition, in terms of development, it is impossible to separate the biological facts of immaturity, such as dependence, from the social aspects of childhood. Jenks (1982, as cited in Prout & James, 1997) also stated that the basis

of the dominant framework in developmental psychology is the idea of natural growth.

Prout and James (1997) pointed out that from Piaget's point of view, child development consists of a set of predetermined stages, leading to the final achievement of logical competence marked as adult rationality. During these stages, children become adults by acquiring cognitive skills. Indeed, according to Piaget, childhood is a temporary phase for a child to become an adult.

Socialisation theory. "Socialization is a concept that has been much employed by sociologists to delineate the process through which children, and in some cases adults, learn to conform to social norms" (James et al., 1998, p. 23). Prout and James (1997) defined socialisation as the process that transforms a social child into a social adult. They also suggested that neglected children's poor academic performance, deviant behaviour, and failure to become socialised indicate their failure to become human beings. Corsaro (2015) also pointed out that "the child is seen as something apart from society that must be shaped and guided by external forces to become a fully functioning member," and that "in Parsons's view, the child is a threat to society; he must be appropriated and shaped to fit in" (pp. 7–8).

Prout and James (1997) further argued that the psychological discourses of the irrationality, naturalness, and universality of childhood were transformed into the theory of socialisation during the 1950s. James et al. (1998) also found close parallels between developmental psychology and the model of the socially developing child in sociology.

Prout and James (1997, as cited in Wyness, 2012) summarised the dominant framework of childhood as follows: children are natural, simple, amoral, and asocial, whilst adults are cultural, complex, moral, and social. In addition, children are in a process of becoming, as people-in-waiting, whilst adults are beings with full personhood.

Complementing this discussion of children and childhood in Western countries, during China's Ming Dynasty, the philosopher Hong (2008) mentioned in his famous book *Cai Gen Tan* that children are the embryo of adults and if they do not learn, they

cannot become capable adults in the future.²⁷ The idea of this ancient Chinese text, published about 400 years ago, is consistent with the theory of socialisation. However, as the Chinese saying goes, “you can see what a child’s adulthood will be like from observing the child at the age of three, and you can see what the child’s old age will be like by observing the child at the age of seven” (*san sui kan lao, qi sui kan da*).²⁸ This old Chinese saying is consistent with the theory of developmental psychology, which defines children according to their physiological age and suggests that each stage of childhood has specific characteristics and common features.

In addition, the assertion that children are close to nature in the dominant framework of childhood summarised by James and Prout (1997) is in line with Rousseau’s pre-sociological account of the innocent child and the Romantic discourse of childhood. However, these traditional concepts of children and childhood are not without criticism.

3.1.4. Criticism of Traditional Conceptualisation

James et al. (1998) stated that the direction of influence of socialisation is apparent: “society shapes the individual” (p. 23). Similarly, Corsaro (2015) argued that the idea that “society appropriates the child” (p. 7) in the theory of socialisation is essentially a deterministic model, which means that a child is trained to become a competent and contributing adult.

The first criticism of traditional conceptualisation is that children are not fully treated as individuals. This debate questions whether children are “human beings” or “human becoming.” Ritchie and Kollar (1964) proposed that “children are not to be viewed as individuals fully equipped to participate in a complex adult world, but as beings who have the potentials for being slowly brought into contact with human beings” (as cited in James et al., 1998, p. 24). Corsaro (2015) also argued that “adult most often view children in a forward-looking way, that is, with an eye to what they will

²⁷ The Chinese characters are as follows: 子弟者，大人之胚胎，秀才者，士夫之胚胎。此時若火力不到，陶鑄不純，他日涉世立朝，終難成個令器。

²⁸ The Chinese characters are as follows: 三歲看老，七歲看大。

become – future adults with a place in the social order and contributions to make to it” (p. 6). Similarly, James and Prout (1997) suggested that traditional approaches to studying children “tend to accentuate the socially developing child as an outcome of socialization processes rather than as an actor in society” (p. xiii).

The second criticism is that children are considered passive. Addressing the practice of child sexual abuse, Kitzinger (1997) stated that “children are constantly acting to preempt, evade, or modify sexual violence. However, ‘adult-centric’ discourses ignore such strategies: children are not seen as agents in their own lives” (p. 173). In contrast, Corsaro (2015) pointed out that the improvement made by developmental psychology is that many developmental psychologists treat children as active rather than passive.

Viewing children as passive and incomplete human beings has important implications for child protection. For example, it “ignore[s] children’s individual acts of resistance but obscures relations between children and thus the importance of young people’s alliances with one another as a resource against adult violence” (Kitzinger, 1997, p. 173). In addition, “the refusal to recognize children’s resistance strategies is to rely totally on adult protection to prevent, or interrupt, abuse” (Kitzinger, 1997, p. 174). Finally, focusing on children’s innate vulnerability diverts attention from the socially constructed oppression of young people (Kitzinger, 1997).

The third criticism is that traditional childhood studies did not focus on children. As James et al. (1998) pointed out, children receive little or no attention in the theory of socialisation. In a study of child sexual abuse, Kitzinger (1997) stated that child survivors remain faceless and that their struggles to resist abuse remain, to a large extent, unknown. Similarly, Corsaro (2015) stated that the deterministic model of socialisation “simplifies highly complex processes and, in the process, overlooks the importance of children and childhood in society” (p. 9).

The fourth criticism is that traditional childhood studies regarded childhood as a temporary stage from child to adult. For instance, James et al. (1998) stated that sociologists, anthropologists, and psychologists generally treat childhood as a stage in

life during which children can gradually acquire the skills necessary to participate in daily activities. In addition, Corsaro (2015) argued that developmental psychology focuses primarily on the development of the child and “the child’s becoming an adult” (p. 16).

Jenks (1996) argued that according to various disciplines, perspectives, and interests, “childhood receives treatment as a stage, a structured process of becoming, but rarely as a course of action or a coherent social practice” (as cited in James et al., 1998, p. 207). James et al. (1998) agreed with Jenks, suggesting that traditional developmental psychologists were very good at fitting children in a stage or level of achievement and that socialisation theorists “searched childhood expressions for evidence of adult interactional skills as steps towards the achievement of adulthood” (p. 208).

However, Corsaro (2015) agreed with Piaget that any sociological theory of children and childhood seeking to interpret children’s understanding of the adult world “must consider the child’s level of cognitive development” (p. 11). For example, when Corsaro conducted his first ethnographic study of young children, a three-year-old boy interpreted a curve on a blackboard as a snake. Corsaro explained that adults’ interpretation of the curve differed from that of children. Therefore, the level of cognitive development of children must be taken into account.

The fifth criticism of developmental psychology is “the overwhelming concern with the endpoint of development, or the child’s movement from immaturity to adult competence” (Corsaro, 2015, p. 16). Similar to the dominant framework of childhood proposed by Prout and James, Mackay (1973) argued that the theory of socialisation absorbs the binarism of the psychological model in which children are regarded as “immature, irrational, incompetent, asocial and acultural with adults being mature, rational, competent, social and autonomous” (as cited in James & Prout, 1997, p. 13). Therefore, Corsaro (2015) suggested that the sociological theories of childhood must break the individualistic principle that “regards children’s social development solely as the child’s private internalization of adult skills and knowledge” (p. 18).

Furthermore, Corsaro (2015) pointed out that although constructivist theories reframe children as active agents, they mainly focus on developmental outcomes rather than on the complexity of social structure and children's group activities.

These criticisms are related to a set of new approaches to the study of childhood, called the new sociology of childhood. James et al. (1998) pointed out that the main distinction between the traditional concept of the socially developing child and these new approaches lies in the notions of "becoming" and "being," as discussed in the section on traditional childhood studies. More specifically, the new discourses on childhood consider children as "being" rather than "becoming"; they view a child as "a person, a status, a course of action, a set of needs, rights or differences – in sum, as a social actor" (James et al., 1998, p. 207). The four new discourses on childhood are discussed in the next section.

3.1.5. New Sociology of Childhood

The representatives of the new sociology of childhood are Allison James, Chris Jenks, Alan Prout, William A. Corsaro, and Jens Qvortrup. In particular, Jens Qvortrup (1994) and William A. Corsaro (2015) proposed the idea of the social structural child. The new sociology of childhood abandons the general and natural concepts of children and childhood to focus on social and cultural effects (Qiao, 2012). "Childhood is both constructed and reconstructed both for children and by children" (James & Prout, 1997, p. 7). James et al. (1998) also argued that in the new paradigm, children as social actors shape and are shaped by their circumstances. Similarly, Corsaro (2015) proposed that "children both affect and are affected by society" (p. 4). James and Prout (1990b, as cited in James et al., 1998) argued that the importance of the new paradigm is that it treats children as agents. In the new sociology of childhood, children and childhood are the centre of analysis instead of being discussed in relation to the family or the school (Qvortrup, 1994a, 2009, as cited in Corsaro, 2015). Indeed, over the last 20 years, there has been "a movement from research on to research with or research for children" (Corsaro, 2015, p. 45).

Prout and James (1997) summarised that in the new paradigm, "childhood is

understood as a social construction” and that “children are and must be seen as active in the construction and determination of their own social lives” (p. 8). The new paradigm moves away from the concept of socialisation, which considers children as defective individuals, and focuses on their future potential rather than their present being (James et al., 1998). Similarly, Corsaro (2015) suggested that “children are active, creative social agents who produce their own unique children’s cultures while simultaneously contributing to the production of adult societies” (p. 3).

James et al. (1998) identified four ways of studying childhood (the socially constructed child, the social structural child, the minority group child, and the tribal child), with four dichotomous theoretical themes (agency–structure, universalism–particularism, local–global, and continuity–change).

Structure and agency. “Structure is the way that sociology conceptualizes these social relationships and their manifestation,” which means that “the individual is relatively passive in respect of making the social” (James et al., 1998, p. 201). However, Giddens (1984) proposed that “social action continuously and reflexively creates and is produced by both agency and structure at one and the same time” (as cited in James et al., 1998, p. 202).

Identity and difference. The second dichotomy is “an earlier sociological binary between self and other,” in which “children learn who they are through interaction with (usually) the adult other” (James et al., 1998, pp. 202–203).

Continuity and change. “The space of childhood might always have existed, but it has had a changing profile and intent” (Qvortrup, 1994, as cited in James et al., 1998, p. 203). Similarly, James et al. (1998) argued that the concept of childhood is not constant.

Local and global. The last dichotomy has recently attracted more attention in the social sciences (James et al., 1998).

James et al. (1998) tried to interpret and integrate these dichotomies with reference to four discourses: the socially constructed child, the tribal child, the social structural child, and the minority group child. These discourses are discussed in turn

below.

The socially constructed child. The discourse of the socially constructed child challenges pre-existing definitions and investigates how the concept of childhood is constructed (James et al., 1998). James et al. (1998) pointed out that social constructionists generally reject positivist methods, suggesting that children make sense of the world themselves and through “their interaction with adults” rather than “by natural and social forces” (p. 28). In addition, the social constructionist framework opposes naturalism and places “childhood squarely in the realm of the culturally located and thus humanly constituted,” therefore, “the ‘socially constructed’ child is a local rather than a global phenomenon and tends to be extremely particularistic” (James et al., 1998, pp. 213–214). The implication of the concept of the socially constructed child for an understanding of child abuse and child protection is that child abuse and child protection are unique to a given region due to cultural, regional, or socio-economic differences. Accordingly, child abuse and child protection strategies differ between cultural, regional, and socio-economic contexts.

The tribal child. This approach focuses on the structured social activity of children (James et al., 1998). “The tribal child approach conceptualizes children as different from adults, focusing on the ‘otherness’ of childhood. It sees the child’s cultural world as separate from that of adults, where children act autonomously with their own rituals and rules” (Punch, 2003, p. 280).

However, Punch (2003) argued that the tribal approach must balance the voices of adults and children, whilst research using this approach has only focused on children, ignoring the adult-child relationship. This, according to Punch (2003), has led to “a simplification of the child’s world as separate from adults” (p. 280).

The minority group child. This approach seeks to challenge the power relationships between children and adults (James et al., 1998). “Within this mode of discourse, childhood is also understood as a universal category in relation to its rights, qualities of personhood and status identity” (James et al., 1998, p. 210). In other words, this approach is “universalistic, differentiated and global, and fails to find liberation

through the historical process. It sees children as conscious and active beings with a consciousness awaiting mobilization” (James et al., 1998, p. 212).

This approach focuses on the adult-child relationship, considering children as active subjects barely distinguishable from adults (James et al., 1998, as cited in Punch, 2003). The minority group child approach can be linked with the early Middle Ages, when adults did not consider children as children (discussed in the section on the invention of childhood in this chapter).

The social structural child. James et al. (1998) suggested that “children constitute a formative component of all social structures. This approach begins from such an assumption: children are not pathological or incomplete; they form a group, a body of social actors, and as citizens they have needs and rights” (p. 32). The authors further argued that “children bear the same status as research subjects as do adults” (p. 33).

Although children are continuously changing, childhood itself is a constant (Corsaro, 2015; Qvortrup, 1994). Similarly, James et al. (1998) suggested that childhood is not a historical invention. They argued that in the social structural approach, childhood is “an enduring (though changing) feature of the social structure of any society” (p. 210), which is universal and global. Corsaro (2015) also proposed that childhood is a structural form, which means that it is a component of society, like age groups and social classes. In addition, Qvortrup (1994) pointed out that “as a structural form, childhood is interrelated with other structural categories such as social class, gender, and age groups” (as cited in Corsaro, 2015, p. 4).

The discourses of the social structural child and the socially constructed child are different and even contradictory (James et al., 1998). James et al. (1998) explained that the discourse of the social structural child is universal and is “specifically related to the institutional structure of societies in general and not simply subject to the changing nature of discourses about children or the radical contingencies of the historical process” (p. 33). In contrast, as mentioned previously, James et al. (1998) argued that “the socially constructed child is a local rather than a global phenomenon

and tends to be extremely particularistic” (p. 214).

As the perceptions of children and childhood held by professionals and the public differ across cultural, regional, and historical contexts, it is necessary to study how children and childhood are understood in the specific context of mainland China. To this end, this study used the theoretical perspectives of the socially constructed child and the minority group child, which are discussed in the next chapter.

There are three central tenets of the new paradigm. The first and most important theme is that childhood is a social construct (James & Prout, 1997). Corsaro (2015) argued that in the new sociology of childhood, assumptions about origins are examined as social constructs rather than simply accepted as established facts or obvious social realities. Second, childhood cannot be completely separated from other social variables, such as social class, gender, or race (James & Prout, 1997). In the field of child sexual abuse, Kitzinger suggested that sexual abuse is an intrinsic risk when the ideological and structural position intersects with patriarchy (James & Prout, 1997). Third, “childhood and children’s social relationships and cultures are worthy of study in their own right, and not just in respect to their social construction by adults” (James & Prout, 1997, p. 4).

With regard to the prevention of child sexual abuse, this new paradigm of childhood has influenced the development of child protection programmes. New innovative and radical programmes help children identify maltreatment and get help (Kitzinger, 1997). Indeed, Kitzinger (1997) pointed out that “the images of childhood presented by these programs are in striking contrast to the images of the innocent and passive child in need of protection” (p. 176). Furthermore, these new prevention programmes challenge the traditional views of children and use child-centred and child-sensitive methods to involve rather than lecture children (Kitzinger, 1997). “Refusing the conception of ‘childhood innocence’ which hinders children from getting information, these programs equip children with knowledge about bullying and unfairness, and encourage children to believe in their own instincts” (Elliott, 1988, as cited in Kitzinger, 1997; Finkelhor, 1986).

However, some scholars have argued that the current concept of childhood reflects a middle-class, white, and Western understanding of childhood. For example, Finkelhor (1986) proposed that “the ‘individual’s right to be safe’ makes little sense to some Latin or Asian children” (as cited in Kitzinger, 1997, p. 177). Kitzinger (1997) argued that many of the new child protection programmes “fail to address the concerns of ‘minority’ children and rely on racist, classist and heterosexist assumptions about the ‘nature’ of childhood” (p. 178). Accordingly, Finkelhor and Kitzinger’s arguments motivated my study of the perceptions of children and childhood held by professionals in mainland China.

Kitzinger (1997) argued that the main goals of child safety programmes are to help children identify maltreatment and to empower them to help themselves, thereby rejecting the notion that children are passive and defenceless. However, efforts to foster children’s empowerment are limited. For example, they may inadvertently encourage children to think that it is their fault if they are abused (Hamilton, 1989, as cited in Kitzinger, 1997). Focusing on the empowerment of individuals also diverts attention from the need to change oppressive social structures through collective and political action (Kitzinger, 1997).

In the field of child maltreatment, the term “child protection” is used not only by scholars, but also by practitioners. However, Kitzinger (1997) suggested that activists against child abuse should use a reconstructed definition of childhood instead of the concept of protection or empowerment; that is, acknowledging children’s potential use of strategies, challenging ideas of their powerlessness, and thinking in terms of oppression instead of vulnerability and liberation instead of protection. Kitzinger’s argument is consistent with the discourse of the minor group child in the new sociology of childhood. By adopting this approach, “children’s need for protection (by adults, from adults) or their need for assertive self-defence strategies would be substantially reduced if they had more access to social, economic and political resources” (Kitzinger, 1997, p. 184).

Kitzinger (1997) further proposed that “it is childhood as an institution that

makes children ‘vulnerable’” and that “it is not just the abuse of power over children that is the problem but the existence and maintenance of that power itself” (pp. 184–185). In addition, Hearn (1989, as cited in Kitzinger, 1997) suggested that the problem of child abuse is rooted in patriarchal society.

3.1.6. Socio-Legal Construction of Children

In mainland China, children are not considered as a homogeneous group in all laws. That is, the types of legal treatment and rights granted to children depend on their age specified by a particular law. There are five age categories in China’s laws for children: 10, 12, 14, 16, and 18 years old. For instance, according to The General Rules on Civil Law (Article 11) and the Minors Protection Law (Article 2), individuals under the age of 18 are considered minors. In addition, according to the Criminal Law of the People’s Republic of China (Article 17), individuals under the age of 14 cannot bear criminal responsibility, individuals above the age of 16 should shoulder criminal responsibility, and individuals between the ages of 14 and 16 should shoulder criminal responsibility for murder, rape, robbery, drug trafficking, fire, explosion, and poisoning. According to the Labour Law (Article 15), employers cannot hire minors under the age of 16.

According to The Road and Transport Safety Law Enforcement Regulations (Article 72), the minimum age for riding a bicycle is 12. According to The General Rules on Civil Law (Article 12), minors between the ages of 10 and 14 have limited capacity for civil conduct, and those under the age of 10 have no capacity for civil conduct. According to The Specific Advice for the People’s Court to Deal with Children Support in Divorce Cases (Article 5), in the event of a custody dispute, the opinions of children over the age of 10 should be considered.

As in the Minors Protection Law in mainland China, in the United Nations Convention on the Rights of the Child, children under the age of 18 are defined as minors. In Taiwan, according to the Protection of Children and Youths Welfare and Rights Act, children under the age of 12 are defined as minors, and young people between the ages of 12 and 18 are also defined as minors. In Hong Kong, according

to Chapter 213 of the Protection of Children and Juveniles Ordinance (Article 2), children are defined as minors under the age of 14, as are juveniles between the ages of 14 and 18.

All of these articles show that children are divided into different groups according to their age and legal rights. However, James et al. (1998) argued that understanding that in many parts of the world a child's age impinges very differently on local conceptualizations of children's physical and social skills has alerted researchers to think more reflexively about age as a "social" rather than a "natural" variable among children. (p. 175)

In other words, they proposed that when discussing the age of children, the socio-cultural environment should be taken into account. In addition, it is important to discuss the law in a specific social context. Therefore, the following questions are worth asking. Is it appropriate to determine the legal responsibility and cognitive skills of all children using unified and universal physiological ages despite differences in cultural, regional, and socio-economic circumstances, parental skills, and individual characteristics? Do all children pass through the same developmental stages? What is the role of culture or other social variables in the construction of the concepts of children and childhood in the context of mainland China?

In summary, the new sociology of childhood challenges biological determinism and traditional developmental psychology, both favouring the discourse of the naturally developing child.

3.1.7. The Relationship Between Childhood and Maltreatment

Kitzinger (1997) explored "how childhood is constructed and reconstructed within the contemporary 'pro-child' debates and how these constructions affect our understandings of child sexual abuse as 'a problem' and our visions of 'a solution'" (p. 166). She suggested that discussions of child sexual abuse are deeply embedded in childhood discourses, whilst "pro-child" discussions "have succeeded in problematizing child sexual abuse without problematizing childhood as a structural position within society" (p. 184). Moreover, discussions about child sexual abuse use

discourses on sexuality, family, gender, social class, and ethnicity (Campbell, 1988; Parton & Parton, 1988, as cited in Kitzinger, 1997). Finally, child sexual abuse is often referred to as “stealing” or “violating” childhood (Barr, 1986; Bradbury, 1986, as cited in Kitzinger, 1997; *The Sun*, 1986).

James and Prout (1997) stated that the growing awareness of child maltreatment, particularly child sexual abuse, in Western countries in the last decade has challenged the traditional concept of childhood. However, Kitzinger (1997) argued that all mainstream approaches to child sexual abuse have failed to challenge the social construction of childhood or children’s repression, arguing for the development of a radical and social constructionist approach to oppose sexual abuse.

In addition, Neil Postman (1994) discussed the relationship between the disappearance of childhood and maltreatment in his book *The Disappearance of Childhood*, in which he famously proposed that childhood is disappearing. He suggested that “it is only half an explanation to say that children are beaten up because they are small. The other half is that they are beaten up because they are not perceived as children” (p. 136). Postman further explained that many adults today hold a conception of children similar to that in the 14th century; that is, they regard children as miniature adults.

The Children’s Rights Movement advocates two conflicting conceptions of childhood. The first claims that childhood is desirable and seeks to protect children from maltreatment by supporting the intervention of public authorities when parents fail in their duties. In contrast, the second conception rejects adult supervision and the control of children, justifies the disappearance of childhood, and advocates freeing young people and children from control and restrictions (Postman, 1994).

In summary, both perceiving children as children and not perceiving children as children can lead to child maltreatment. According to Postman (1994), childhood is disappearing, which can lead to child maltreatment. For example, many adults today understand children as they were perceived in the 14th century; that is, as miniature adults. In addition, the media have played a vital role in erasing the differences

between the sexuality of children and that of adults (Postman, 1994). Finally, Kitzinger (1997) challenged the traditional discourse of childhood innocence and argued that childhood innocence can have negative effects in the fight against child abuse and neglect. To put it simply, whether children are viewed as children or as innocent children has implications for the fight against child abuse and neglect.

3.2. Child Maltreatment

3.2.1. The “Discovery” of Child Maltreatment

Like the concept of childhood, the concept of child maltreatment is socially constructed. The “discovery” of child abuse as a social problem occurred only a few decades ago. According to Pfohl (1977), in the late 18th and early 19th centuries, a major North Carolina court still defended the belief that parents are responsible for determining their children’s punishment. This common law heritage demonstrates a long tradition of legitimised violence against children.

For instance, the concept of child abuse was virtually non-existent in the US in the early 19th century. It was non-existent in the sense that the public did not recognise it as a social problem. According to Pfohl (1977), three reform movements led to the discovery of child abuse as a social problem: the House of Refuge movement in 1825, the creation of the Society for the Prevention of Cruelty to Children (SPCC) in 1875, and the emergence of the juvenile court system in 1899. However, their main objective was not to protect children from abusive parents, but to deter future delinquents; thus children rather than abusive guardians were institutionalised (Pfohl, 1977). In other words, these movements were victim blaming.

Regarding the House of Refuge movement in 1825, after the first law was passed, New York opened a House of Refuge, which was the first institution for juveniles. In this House of Refuge, children lived with vagrants, delinquents, and abandoned and neglected juveniles (Pfohl, 1977).

However, first, the constitutionality of the law, which was the foundation of the House of Refuge movement, was challenged for imprisonment without due process (Pfohl, 1977). Second, during the House of Refuge movement, the principle of *parens*

patriae suggested that the state was responsible for defending children who could not defend themselves (Pfohl, 1977), which justified their removal before they were abused (Thomas, 1972, as cited in Pfohl, 1977).

It should be noted that the main objective of removing children was not to protect them but “to decrease the possibility that parental inadequacies and the ‘cause of poverty’ would transfer from this generation to the next generation of society” (Giovannoni, 1971, as cited in Pfohl, 1977). In other words, the movement failed to distinguish abuse from poverty (Zalba, 1966, as cited in Pfohl, 1977) and delinquency.

Regarding the second social reaction in 1875, the Society for the Prevention of Cruelty to Animals intervened in the maltreatment case of a nine-year-old girl named Mary Ellen, who had been severely abused by her adoptive parents. This attracted media attention and led to the creation of the New York SPCC (Pfohl, 1977). The targets of this movement were cruel employers and adoptive parents (Giovannoni, 1971, as cited in Pfohl, 1977); it did not seek to identify biological parents as abusers.

However, the idea of the SPCC was to remove children from their families, which went against the new disciplines of social work and child psychology (Kadushen, 1967, as cited in Pfohl, 1977) focused on uniting families (Thomas, 1972, as cited in Pfohl, 1977). In addition, the White House Conference on Children in 1909 proposed that children should not be separated from their parents simply because of poverty, and that social services and financial support should be provided to protect the integrity of the family (Pfohl, 1977). However, “the lack of public interest, funding problems, mergers with other organizations and the assumption of protection services by public agencies” (Felder, 1971, as cited in Pfohl, 1977, pp. 312–313) contributed to the short duration of the SPCC movement.

Regarding the third reform movement, the emergence of the juvenile court system, the first juvenile court was established in Illinois in 1899, which was seen as a milestone in the legal protection of adolescents. By 1920, all but three states in the US had juvenile courts (Pfohl, 1977).

However, these juvenile courts did not protect children from unfit parents. In

fact, victims of child maltreatment were seen as pre-delinquents, as part of the general problem of poverty. In addition, the three movements refused to label parents who abused their children as abusers (Pfohl, 1977). In short, the juvenile court movement also failed to differentiate between abuse, poverty, and delinquency.

The cultural context of the mid-20th century included (a) “the decline of preventative penology,” which “represented the philosophical basis for various voluntary associations and legislative reform efforts,” and (b) the “advance of child protection” (Pfohl, 1977), contributing to the discovery of child abuse. Specifically, “the decline of preventive penology is partially attributed to three variables: the perceived failure of ‘institutionalization’, the impact of the ‘Great Depression’ of the 1930s, and a change in the cultural meaning of ‘adult vices’” (pp. 313–314).

Although child welfare and public policy focused on children as individuals and regulated child labour in 1930, stakeholders did not pay enough attention to abusers (Pfohl, 1977), nor did they identify parents as abusers. In addition, Pfohl (1977) suggested that with a general tolerance for maltreatment and no organised labelling interest in the mid-20th century, child maltreatment did not become a major social problem.

Pfohl (1977) explained why paediatric radiologists – rather than other groups of doctors – discovered child abuse first. There were four reasons for this phenomenon. First, doctors in emergency rooms were unaware of child abuse (Bain, 1963; Boardman, 1962). Second, they were unwilling to believe that parents could abuse their children (Elmer, 1960; Fontana, Donovan, & Wong, 1963; Kempe, Silverman, Steele, Droegemueller, & Silver, 1963). Third, the “norm of confidentiality” between physicians and patients (Boardman, 1962) hindered the public visibility of children suffering from different forms of maltreatment. Fourth, physicians did not want to be involved in time-consuming legal proceedings (Bain, 1963).

Pfohl (1977) pointed out that paediatric radiology was relatively marginal in the medical community, and that the discovery of child abuse gave paediatric radiology an opportunity to improve its status in the medical field. In addition, like paediatric

radiology, paediatrics and psychodynamically oriented psychiatry were marginal professions in the medical field. Therefore, these three marginal and relatively low-status medical subjects made joint efforts to shed light on child maltreatment, helping to improve their status.

In 1962, Kempe and his colleagues published an article entitled “The Battered Child Syndrome,” which marked an important step in the process of identifying and characterising child maltreatment. Using a medical instead of a socio-legal label for maltreatment avoided additional medical controls. In other words, a medical label ensured the professional autonomy of physicians, indicating the power of medical terminology (Pfohl, 1977). Pfohl (1977) argued that “problems associated with perceiving parents as patients whose confidentiality must be protected were reconstructed by typifying them as patients who needed help” (p. 319).

The application of the medical label was called the Child Maltreatment Report movement. Although various law enforcement advocates argued that child maltreatment was a crime and should be prosecuted accordingly, a survey conducted between 1962 and 1972 revealed that all legal scholars at the time supported treatment rather than punishment for abusers, and that law enforcers and legal scholars refused to label maltreatment as a social problem that needed to be managed (Pfohl, 1977). Pfohl (1977) also suggested that the propagation of the concept of child abuse by the media should not be underestimated. In summary, “discovered by the radiologists, substantiated by their colleagues, and distributed by the media, the label was becoming widespread” (Pfohl, 1977, p. 320).

Based on this experience of the discovery of child abuse in the US, opinions on the problem of child abuse (e.g. from a medical or socio-legal perspective) significantly affect how the problem is dealt with.

In addition to Pfohl, Nigel Parton (1979) explored the history of child abuse in England using a natural history model. Parton argued that when sketching the history of child abuse, it is important to know “how the problem is conceived, which definition is pre-eminent and who are the primary definers” (p. 432). Therefore, it is essential to

discuss interest groups and ideologies in the history of the problem of child abuse.

According to Parton (1979), two major ideologies affect the perception of child abuse. The first ideology is legal; it considers child abuse as deviant behaviour and argues that abusers must bear legal responsibility. The second ideology is medical; it attributes child abuse to illness and therefore prescribes medical treatment rather than punishment (Parton, 1979). Carter (1974) argued that in the legal model, “stakeholders” refers to “the police and the legal profession”; in the medical model, stakeholders include “paediatricians, radiologists, psychiatrists and forensic pathologists” (as cited in Parton, 1979, p. 433); and in the social welfare model, “stakeholders” refers to social workers. Different models lead to different ways of dealing with the problem of child abuse. This is one of the reasons why I interviewed lawyers, doctors, and social workers, as discussed in detail in Chapter 4.

Parton (1979) stated that although society paid increasing attention to child welfare in the late 19th and early 20th centuries, child maltreatment was rarely recognised as a social problem during this period. In addition, since the Second World War, theory and practice have focused on the natural family, delinquency, and neglect rather than on child abuse. Furthermore, “the discovery of child abuse in Britain, its definition as a social problem and the socio-legal reaction against it required the coalition of certain organized interests in the 1960s and early 1970s” (Parton, 1979, p. 435).

As in the US, doctors were the first to discover child maltreatment in the UK. However, child abuse in the UK was discovered by two orthopaedic surgeons in 1963 instead of paediatric radiologists in the US, confirmed and promoted by forensic pathologists and paediatricians (Parton, 1979). In addition, doctors in the US and the UK revealed their discovery by publishing papers in top medical journals, the *Journal of the American Medical Association* and the *British Medical Journal*, respectively. Parton (1979) explained that it is not surprising that members of legal and social welfare agencies did not disclose cases of child abuse, because they focused on “family casework, neglect and the problem family” (p. 437).

Between 1968 and 1972, the NSPCC battered child research unit played a key role in disseminating the problem of child abuse, stressing that “the problem was primarily a disease passed on through generations, and symptomatic of family malfunctioning” (Parton, 1979, pp. 438–439), and arguing that punishing parents was inappropriate. However, during this period, with the exception of the medical profession, no other profession, such as social work, supported the NSPCC. Therefore, with the limited recognition of the problem of child maltreatment among the concerned stakeholders and the lack of a cause célèbre with front-page news, the government gave low priority to the problem of child maltreatment (Parton, 1979).

In other words, without the support of other social forces to establish a coalition or an interest group, it was difficult to put this social issue on the government’s agenda. I discuss the politics of child maltreatment in the section on the politics of discovering a social problem. More importantly, the recognition of the problem of child abuse by not only an interest group, but also the government fundamentally influenced the formation of a coalition, thereby influencing the government’s decision to include this social issue in its agenda. Finally, in both the UK and the US, the media played an important role in making child maltreatment a social problem. These observations inspired me to explore the perceptions of the problem of child maltreatment held by doctors, lawyers, and social workers and how the media portray child maltreatment incidents.

For example, in the UK in 1973, the media, such as *The Times*, focused intensively on the death of Maria Colwell, and “the decision to set up an official enquiry was crucial in establishing this case as a scandal and the issue as a major social problem” (Parton, 1979, p. 440). The media, such as *The Sunday Times*, not only followed closely the investigation into the death of Maria Colwell, but were also “concerned about the rights of foster parents, changing attitudes to the blood tie and the law relating to adoption for some time,” and the “call for legislative reforms to protect the victims and reduce the parental rights of the ‘batterers’” (Parton, 1979, pp. 440–441).

Between 15 May and 18 May 1973, the Tunbridge Wells Study Group on Child

Abuse, linking medical professions, social services, legal professions, and the police and made up of leading paediatricians, psychiatrists, and social workers, held a conference attended by Sir Keith Joseph (Minister of Social Services) and people from the Department of Health and Social Security (DHSS; Parton, 1979). Parton (1979) argued that the timing was crucial as the statement regarding the investigation into the Maria Colwell case was made on 24 May.

Before the conference, the ideology of social problems was that social problems and deprivation were attributed to the family, especially problem families, encouraging the DHSS to conceptualise and deal with the problem of child abuse at the time (Parton, 1979).

With the collaboration of the media and the Tunbridge Wells Study Group, in addition to the involvement of the Minister of Social Services, who was then a key figure in the government, the government responded urgently to this issue. Similar to the US, in the UK, it was only when stakeholders collaborated as a coalition and with the support of the media that child maltreatment became a social problem that required government intervention. The experience of the US and the UK illustrates the importance of this study.

Finally, the problem of child abuse has been considered to be controlled by social work and social services (Parton, 1979). Parton (1979) argued that increased awareness of a social problem is not simply based on objective or neutral circumstances, as “there is a complicated relationship between the recognition and conceptualization of the problem and the solutions deemed most appropriate to overcome it” (p. 444).

In this section, I present some phenomena considered normal in the past but understood as child maltreatment today. For example, children getting married before the age of 14 was acceptable in the past. However, in developed countries today, child marriage is illegal, although it still exists in some countries, especially in Africa. Many nongovernmental organisations (NGOs) are currently working to prevent child marriage in Africa. In addition, the examples of child labour and street children in the UK during the Industrial Revolution and child labour in the Yi ethnic minority group in

Sichuan Province in mainland China today are also discussed.

3.2.2. The Socio-Legal Definition of Child Maltreatment

First, the different definitions of child maltreatment as a social problem show how child maltreatment is perceived by government officials, professionals, or the public. Second, the various departments dealing with child maltreatment reflect the way in which the problem of child abuse is understood. Parton (1979) argued that with the effect of public expenditure cuts, a family may only receive support when children are in danger, and the development of services dealing with the problem of child maltreatment seems to have led individual social services to manage the poor and to offer stigmatising and selective services.

There is no official and legal definition of child maltreatment in mainland China. In addition, in academia and social practice, there is no consensus on maltreatment. For example, in some cases, “abuser” refers to the guardian, whilst others have argued that the definition should be limited to a family member (Chen, Dunne, & Wang, 2002). In the latter article, the authors did not limit the abuser to the guardian or a family member in their definition of child sexual abuse. In other words, the abuser could be anyone in society. Sexual abuse is an exception among the four common types of child abuse in terms of abusers. Therefore, it is essential to provide a clear and consistent definition of the four types of child maltreatment. Some scholars have disagreed with the idea of combining physical abuse and neglect and calling it child maltreatment, arguing that abuse is different from neglect (Pan & Li, 2005; Yang, Du, & Zhang, 2007, as cited in Liao, Lee, Roberts-Lewis, Hong, & Jiao, 2011).

In the area of law, according to China’s latest Anti-Domestic Violence Law in 2016, the definition of domestic violence includes part of the behaviour of child maltreatment, such as physical abuse, but does not include neglect. Liao et al. (2011) suggested that “the broad notion of maltreatment falls under the Chinese legal category of ‘domestic violence’” (p. 1710).

A clear and consistent official and legal definition is important for lawmaking, the provision of services, and the comparison between academic books and journal

articles. For example, why are the perpetrators of abuse in the Criminal Law of the People's Republic of China limited to family members? Perhaps the definition of abuse, especially child maltreatment, is unclear or inappropriate. In other words, perpetrators of child maltreatment should not be limited to family members, because the law cannot regulate child maltreatment when the abuser is not a family member.

In addition, the results of academic books and journal articles can benefit from a clear and consistent academic definition, at least at the national level. For instance, if there is a consistent definition of child maltreatment in China, the results generated by different authors at different times can be compared. Similarly, if the Chinese definition of child maltreatment is consistent with the international definition, the results obtained in China can be compared with those of other countries.

3.3. Culture Context

China has its particular culture which may affect the media coverage and the understanding of the problem of child maltreatment by society. The media coverage content analysis and the interview with professionals can explore whether the coverage or professionals reflect Chinese culture on the problem of child maltreatment. And the culture context and defence for family may be influence coverage and professionals' tendency of category of the nature of the child maltreatment.

Qiao and Chan (2005) explored the reasons for inadequate concern of child abuse in mainland China, and the different understanding of the concept of child abuse and neglect in Chinese context through the analysis of four child abuse cases. "There are still many Chinese who hold the attitudes that 'beating is caring and scolding is loving' and 'the rod makes an obedient son'" (Qiao and Chan, 2005, p.24). Qiao and Chan (2005) also suggested that "it is in fact never easy to distinguish child abuse from harsh child discipline among the Chinese" (p.24).

There are a lot of literature discussing defence of family and constrain of government power. "Social conservatives are the defence of the traditional family from state intervention, rather than the protection of children from abuse" (Mendes,

2000, p.53; Goddard, 1996b, cited in Goddard, 1996a). Ayre (2001) stated that “it has been felt important to constrain the exercise of power by state in the field of child abuse by establishing a fairly rigid legal framework for intervention” in England and Wales (p.888). “In Chinese culture, there is a strong presumption that children are the responsibility of their parents, and, filing that, of the wider family and community” (Shang, 2008, cited in Katz et al., 2001, p.93).

“To many Chinese, the family is still a private sphere” and “the state will usually not respond to such cases actively. This is unlikely in Chinese society for a number of reasons”; First, “the heavy emphasis of Chinese culture upon filial piety forbids them to complain against their parents”; Second, “traditional Chinese are typically reserved and are not prepared to expose their family shame to the public”; Lastly, “the public is also not inclined to intrude into the private domain of the family so as to avoid shattering” (Qiao and Chan, 2005, p.24). The negative effects would be that “many cases of the child maltreatment may escape public attention, giving the impression that child maltreatment is a very rare phenomenon in China” (Qiao and Chan, 2005, p.24).

Chapter 4: Research Methodology and Data Collection

This chapter introduces the data collection and data analysis methods used in this thesis to investigate the following: (a) the discursive construction of the problem of child maltreatment by mainstream newspapers in Guangzhou; (b) the perceptions of professionals, including social workers, medical professionals, and legal professionals, of the problem of child maltreatment; and (c) the views of professionals on the dominant discourses and salient cases reported in the media. This study used the case study method and semi-structured interviews to collect data, and critical discourse analysis to analyse the data collected. As mentioned in Chapter 1, the data collection was divided into two phases. In the first phase, I explored the dominant and competing discourses on the problem of child maltreatment in the media in mainland China. In the second phase, I examined the perceptions of professionals of media discourses, the concept of childhood, and the problem of child maltreatment. Both phases helped me to investigate the discursive construction of the problem of child maltreatment in mainland China.

4.1. Theoretical Framework

This study is theoretically informed by social constructionism, sociocultural perspective and new sociology of childhood. These three theories focus on context, social and cultural factors. Both social constructionism and new sociology of childhood understand childhood as a social construction. Furthermore, both sociocultural perspective and new sociology of childhood emphasize the agency of individual.

4.1.1 Social constructionism

“Many sociologists point out that social problems are not ‘something out there’. They are socially constructed” (Fuller and Mayer, 1941; Becker, 1966; Spector and Kitsuse, 1977, cited in Qiao and Chan, 2005, p.25). “It may reasonably be argued that objective social conditions constrain what people will perceive as social problems. In contrast, Blumer (1971) suggests that problem perceptions are independent of objective conditions: The societal definition determines whether the condition exists as a social

problem” (Cited in Ross and Staines, 1972, p.21). “Attitudes, not conditions, determine social problems” (Green, 1975, cited in Qiao and Chan, 2005). Ross and Staines (1972) also suggest that “social problems are detected when a discrepancy between ideal and reality is perceived” (p.20).

The major theorists of social constructionism of social problem are Kitsuse and Spector. Fuller and Myers suggested that “social problems consisted of an objective condition and a subjective definition”. By contrast, Spector and Kitsuse argued that “sociology of social problem should focus on subject definition process” (Rubington and Weinberg, 1995, p. 294). “Two schools of thought have emerged within the developing constructionist tradition: strict social constructionists, those who only study the claims-making process, and contextual constructionists, who take into account what is known about objective conditions” (Best, 1995, p.341). This study would apply the contextual constructionism perspective.

Best (1995) stated that in order to study claims from constructionist perspective, it requires focusing on the “claims, the claims-maker, and the claims-making process” (p.348). “The first task in constructionist analysis is to locate examples of the claims being made”, and the sources for claims includes: 1. press coverage and broadcast; 2. scholarly and professional books and periodical articles ... (Best, 1995, p.348). “Once a set of claims has been located, their content can be analyzed. Several questions become important: what is being said about the problem? How is the problem being typified?” (Best, 1995, p.348). Therefore, this study conducted media discourse analysis and professional discourse analysis.

4.1.2 Sociocultural perspective and new sociology of childhood

Social constructionism suggests that meaning and knowledge are socially constructed in the social and cultural context. Gemignani and Pena (2007) suggested that “social constructionism promotes a critical reflection on the epistemologies and knowledge that appear to be valid, granted, or true in a specific social, historical, and cultural context” (p.279).

Same as social constructionism, sociocultural perspective also emphasizes the

importance of context, social and cultural factors when describing people's behavior and mental processes (Sanderson, 2010). de Abreu (2000) also pointed out that context is a central part of analysing a phenomenon in sociocultural perspective.

Maunder and Crafter (2018) suggested that the origin of sociocultural approaches are found in Vygotsky's (1978) work. Daniels (2015) pointed out that in Vygotsky's work, the social and the individual mutually shape each other. This view emphasizes the agency of individual, which is in line with new sociology of childhood theory. As mentioned in chapter 3, James et al. (1998) argued that in new sociology of childhood, children as social actors shape and are shaped by their circumstances.

Maunder and Crafter (2018) also suggested that from sociocultural perspective, "meaning making is complex and embedded within the communities individuals are part of. The process of making meaning occurs between and within individuals – explaining why definitions vary in different contexts" (p.15). The sociocultural perspective provides a lens to move my attention away from individual level of child maltreatment and focus on the historical, cultural and contextual influences on child maltreatment.

Same as social constructionism and sociocultural perspective, new sociology of childhood theory also focuses on social and cultural factors. As mentioned in chapter 3, Qiao (2012) pointed out that the new sociology of childhood abandons the general and natural concepts of children and childhood to focus on social and cultural effects. The tenet of new sociology of childhood is also in line with social constructionism theory. As mentioned in chapter 3, Prout and James (1997) summarized that in the new sociology of childhood, "childhood is understood as a social construction" (p.8).

4.2. The First Phase: News Analysis

As mentioned in Chapter 1, the objectives of the media analysis conducted in this study were to (a) explore trends in child maltreatment in the media (e.g. types, sources); (b) identify dominant and competing discourses and explore how the problem of child maltreatment is framed in mainstream newspapers; and (c) identify the dominant discourses of professionals in the media. Media coverage of child abuse

cases in six mainstream newspapers in Guangzhou in 2005, 2010, and 2015 was collected. The analysis focused on “who says what, to whom, why, how, and with what effect” (Babbie, 2010, p. 333). For instance, in media discourses, who is to blame? Culture, the government, society, children, or parents? The dominant discourse (if any) of media coverage was also analysed. Do the media over-report sexual abuse cases, stranger danger cases, and extrafamilial abuse cases, or do they provide case-based coverage? Are social causes discussed in the media? What are the sources of media coverage? Do the media refer to the concepts of child abuse and neglect? Do we hear the voices of children, parents, social workers, doctors, lawyers, and/or government officials?

Subsequently, semi-structured interviews with professionals, including social workers, doctors, judges, police officers, and lawyers, were conducted to examine their perceptions of typical media coverage, (dominant) media discourses, and those responsible for child protection or child abuse.

4.2.1. Sample

Six mainstream newspapers were selected: *Guangzhou Daily* (*guangzhou ribao*), *Nanfang Daily* (*nanfang ribao*), *Yangcheng Evening News* (*yangcheng wanbao*), *Southern Urban Daily* (*nanfang dushibao*), the *Information Times* (*xinxi shibao*), and *New Express* (*xinkuaibao*).

4.2.2. Sampling Period

Media coverage of child maltreatment in the six mainstream newspapers in Guangzhou in 2005, 2010, and 2015 was collected. The reason for choosing three non-consecutive years rather than three consecutive years was that non-consecutive years were expected to better reveal the changing trend in discourses on the problem of child maltreatment over the last 15 years. Second, in November 2005, the Guangzhou government published the Guangzhou Social Workers Professional Qualification Regulations.²⁹ Third, the Guangzhou government began purchasing social work services in 2008, revealing its promotion of social services. Fourth, the Guangzhou

²⁹ The Chinese title of the regulation is 廣州市社會工作者職業資格暫行規定.

government published 23 government regulations on social work between 2006 and 2016.

2005 can be seen as the start of the development of social work services by the Guangzhou government, attracting the attention of the media, professionals, and the public. In addition, the development of social work services accelerated between 2005 and 2015. Therefore, collecting press articles between 2005 and 2015 was appropriate.

4.2.3. Sampling Procedures

Stage 1: Selecting news reports using keywords

In this stage, news reports were selected using five keywords in Chinese in the WiseNews database: “child abuse” (three keywords: *er tong nue dai*, *nue dai er tong*, and *nue tong*), “child neglect” (*shu hu zhao gu*), and “child protection” (*er tong bao hu*). Each article on child maltreatment identified using this keyword search was saved, printed, and compiled into a provisional sample of news reports on child abuse. The sample was divided into three subsamples based on the year in which the news was reported.

Stage 2: Numbering the news reports

The news reports were numbered according to the dates of their publication. However, as they were selected using five keywords with similar meanings in Chinese, some of them were duplicates. For example, in Chinese, the term “child abuse” has three possible translations: *nue dai er tong*, *er tong nue dai*, and *nue tong*. Therefore, all duplicates were identified with the same number.

Stage 3: Selecting the news reports that meet the inclusion criteria

The news reports included in the final sample for media analysis were required to be (1) news articles reporting child abuse cases; (2) reviews of child abuse cases; (3) feature articles on child abuse and neglect; or (4) news articles discussing the causes and solutions of child maltreatment.

Based on preliminary research, it was found that a significant number of the sampled news reports discussed issues related to child protection laws without really discussing the causes of, solutions to, or persons responsible for child maltreatment.

These news reports were not included in the sample for analysis, as they often focused on issues other than child maltreatment; for instance, many focused on juvenile delinquency.

To reduce sampling errors, coding is often done by two people. Indeed, Riffe, Lacy, and Fico (2014) stated that “in content analysis, establishing adequate inter-coder reliability is a key part of assessing measurement success. Inter-coder reliability means that different coders applying the same classification rules to the same content will assign the same number” (p. 51). However, as this study needed to demonstrate my independent effort as student researcher, it was not possible to have two coders. Therefore, in this media analysis, I was the sole coder.

The following three steps were used to select and include the news reports in the sample for media analysis:

Step 1: I read each news report and checked it against the set of inclusion criteria to determine whether it should be included in the sample for analysis.

Step 2: Between two and four weeks later, I repeated step 1 to code each news report to determine whether or not it should be included in the sample for analysis.

Step 3: The two sets of codes were juxtaposed and listed in a Microsoft Office Excel file. They were checked for consistency in coding. Differences in the selected news reports between the two coding stages were highlighted. Inconsistently coded cases were marked with a “?” and classified as undecided cases.

Step 4: The classification rate was computed based on all news reports with consistent codes in the two coding stages. Consistent codes indicated that the student researcher coded a news report as “a case of child maltreatment” or “not a case of child maltreatment.” All news reports with inconsistent codes were coded a third time to see if they should be included in the sample for analysis.

Stage 4: Analysing the content of the news reports and compiling cases of child maltreatment

Two units of analysis were used for the media analysis. The first was “news reports” and the second was “cases.” To analyse the content of the news reports, I used

each news report, i.e. the first unit of analysis, to identify the types of child maltreatment that attract media attention, how the media discuss the causes of an incident, the types of solutions they offer to the problem, and the professionals they consult for advice. This helped identify the discourses in the news reports. Discourse analysis was conducted using a coding sheet (see Appendix A) to collect qualitative data.

To analyse the cases, I collated all news reports on the same case and compiled all available information to get a better understanding of a child maltreatment case. When focusing on cases as the unit of analysis, I examined the types of child maltreatment cases that attract media attention and the possible reasons for such attention. Again, based on my preliminary research, a child maltreatment case can be reported at different times due to the progress of the case. Changes in discourses over time were identified and examined.

4.2.4. Compiling Cases for Case Studies

After calculating the number of news reports and identifying cases of child maltreatment in Stage 4, two salient child maltreatment cases in the media including Nanjing case and Guangzhou case were selected for discussion with professionals. A salient case was indicated by the number of times it was reported in the media. The higher the number of times, the greater the media attention, the more salient the case.

Case study research is a type of social science research method, which includes experiments, surveys, stories, and archival analysis (Yin, 2014). Babbie (2016) proposed that a case study refers to “the in-depth examination of a single instance of some social phenomenon, such as a village, a family, or a juvenile gang” (p. 302). The definition of a case study proposed by Yin (2014) consists of two parts: (a) the scope and (b) the characteristics of a case study. Regarding the scope of a case study, “a case study is an empirical inquiry that investigates a contemporary phenomenon (the ‘case’) in depth and within its real-world context, especially when the boundaries between phenomenon and context may not be clearly evident” (Yin, 2014, p. 16). In addition, the main characteristics of a case study are “triangulation of evidence” and “many more variables of interest than data points” (Yin, 2014, p. 24).

The media not only reflect the “reality” of society, but also build this reality and influence the cognition of readers. By analysing the content of the salient cases of child maltreatment reported in the newspapers, the dominant views of journalists on these cases, reflecting the way in which the media construct discourses on the problem of child maltreatment, were identified. These discourses provided information on how the media understand the causes of child maltreatment and the types of solutions to be sought to resolve this problem.

In addition, exploring the aspects overlooked by the media highlighted the extent of people’s awareness of the problems of child abuse and neglect. Finally, examining why these dominant cases attract more media attention shed light on the types of child maltreatment cases that attract public attention and those overlooked by the media.

4.2.5. Strengths, Limitations, and Concerns

Yin (2014) stated that case study research, like other types of research, has its strengths and limitations. For instance, Yin (2014) suggested that “the ability to trace changes over time is a major strength of case studies – which are not limited to cross-sectional or static assessments of a particular situation” (p. 151). In this case study, as newspaper coverage was sorted by date, changes in the media treatment of the Nanjing child maltreatment incident were clear.

Yin (2014) also pointed out that “the greatest concern has arisen over a presumed need for greater rigor in doing case study research” (p. 19). Indeed, if researchers do not follow systematic procedures, the validity and reliability of their results may be limited. Another concern of case study research is that bias can occur more frequently than with other research methods (Yin, 2014). Researchers must report all results fairly when conducting case study research (Yin, 2014). However, in a case study, researchers may be tempted to only report the results that seem valuable, whilst “non-valuable” results are omitted, which is a type of bias. If researchers conducting a case study do not report all results fairly, this concern will become a limitation.

The third concern relates to the generalisability of the case study results (Yin, 2014). The short answer proposed by Yin (2014) is that case studies generalise the results through analytic generalisation, whilst quantitative research generalises the results through statistical generalisation. The fourth concern is that case study reports can be long and difficult to read (Yin, 2014). The fifth concern with case study research is related to its unclear comparative advantage, unlike other research methods (Yin, 2014). However, Yin (2014) also pointed out that some quantitative scholars have suggested that randomised controlled trials (RCTs) are “limited in their ability to explain ‘how’ or ‘why’ a given treatment or intervention necessarily worked (or not)” (p. 21). At the same time, case study research can complement RCTs and answer “how” and “why” questions. Specifically, as mentioned in the previous section, this study explored why the Nanjing case caught the public’s attention.

4.2.6. Case Selection Criteria

To be an exemplary case study, a case study must be significant, which means that the case must be uncommon and of public interest and that the issues in question are of national importance in terms of theory, policy, or practice. In addition, “significant” indicates that the case is revelatory and reflects a current situation that sociologists have not been able to examine in the past. Finally, it means that the case is critical in terms of reflecting two conflicting propositions, including a well-known debate or significant differences in public beliefs (Yin, 2014). The second criterion for selecting a case is that the case study must be complete, which means that the case has boundaries and relevant evidence (Yin, 2014).

4.3. The Second Phase: Semi-Structured Interviews with Informants

As mentioned in Chapter 1, the objectives of conducting semi-structured interviews with informants were as follows: (a) to explore the perceptions of professionals (e.g. social workers, legal professionals, and medical professionals) on childhood and the problem of child maltreatment; and (b) to examine the views of professionals on the dominant and competing discourses and on salient cases in the media.

This study used semi-structured interviews as a data collection method (the interview guides are provided in Appendix B). There are three types of interviews: structured interviews, semi-structured interviews, and in-depth interviews (Britten, 1995). However, Bryman (2012) pointed out that the meaning of the term “in-depth interview” is similar to that of the term “qualitative interview,” which includes both semi-structured and unstructured interviewing. Mason (2002) suggested that the term “unstructured interviewing” is “a misnomer because no research interview can be completely lacking in some form of structure,” and thus proposed using the term “loosely structured forms of interviewing” rather than “structured interview” (p. 62). In this study, I used Bryman’s classification of interviews.

In this study, semi-structured interviews were more appropriate than structured interviews and unstructured interviews, as they ensured that the research question could be answered in the space of a single interview (only about an hour). Using semi-structured interviews, I asked the participants several open-ended questions related to the research question. After these open-ended questions, I asked them follow-up questions or focused questions to dig deeper. I did not limit the participants’ thoughts and responses. In addition, I focused on questions that could best aid understanding of the research question and objectives. I did not choose structured interviews, because the questions asked in structured interviews may be leading, and may thus have limited the participants’ thoughts and responses.

The advantages of semi-structured interviews are as follows. First, “the relatively unstructured nature of the semi-structured interview and its capacity to provide insights into how research informants view the world” (Bryman, 2012, p. 471). Second, the flexibility of qualitative interviews, such as open-ended questions and interaction between interviewers and interviewees, can raise additional issues, which can help better understand people, phenomena, or social problems.

4.3.1. Participant Recruitment

This study used theoretical sampling and snowball sampling to recruit participants, including six social workers, five doctors, three judges, two police officers,

and two lawyers. The profile of the 18 interviewees is provided in Appendix C.

Theoretical sampling

is the process of data collection for generating theory whereby the analyst jointly collects, codes, and analyses his data and decides what data to collect next and where to find them, in order to develop his theory as it emerges. The process of data collection is controlled by the emerging theory. (Glaser & Strauss, 1967, p. 45)

Therefore, sampling is a continuous process instead of a linear process. In addition, unlike statistical sampling, the “sample size is not defined in advance” (Flick, 2015, p. 172) in theoretical sampling. During the interviews, I stopped collecting data when theoretical sampling reached theoretical saturation. According to Glaser and Strauss (1967), “saturation means that no additional data are being found whereby the sociologist can develop properties of the category” (p. 61). In other words, theoretical saturation indicates that no new information will appear.

Three groups of professionals were selected as participants: social workers, medical professionals, and legal professionals. I chose these three groups of professionals for the following reasons. (a) The number of quotations from social workers and lawyers in the media regarding child maltreatment has increased over the last 15 years, indicating their increased influence concerning the problem of child maltreatment. (b) Doctors, especially paediatricians, play an important role in detecting child maltreatment when abused children are sent to the hospital. (c) There are three main perspectives for understanding child maltreatment, a medical perspective, a legal perspective, and a social welfare perspective (Knudsen, 1992), with different views on the problem of child maltreatment. As mentioned in Chapter 1, social workers often perceive the problem of child maltreatment from a social welfare perspective, whilst legal professionals perceive it from a legal perspective and doctors from a medical or public health perspective. In addition, most studies of child maltreatment to date have examined child abuse and neglect from a medical or public health perspective. Therefore, it is important to investigate the perceptions of these

three types of professionals of the problem of child maltreatment. In doing so, I was able to identify potential intertextuality or interdiscursivity between the three groups. Therefore, I was able to assess the perspectives adopted in the dominant discourses on child abuse and neglect.

Staff of the All-China Women's Federation and teachers are also important stakeholders in the study of child maltreatment. However, this study focused on the perceptions of professionals, whilst staff of the Women's Federation are government officials rather than professionals; therefore, this group was outside the scope of the study. In addition, according to many of the professionals interviewed, teachers are rarely mentioned in the media, showing that their influence on the discursive construction of the problem of child maltreatment is not as important as that of social workers, lawyers, and doctors. Therefore, in this study, teachers were not included as participants.

The criteria for selecting social workers were as follows: (a) worked in a social work service centre in City A in southern China; and (b) worked in a social service agency serving families, children, or victims of domestic violence. The criteria for selecting doctors were as follows: (a) worked in a hospital, including community hospitals, in City A; and (b) was preferably a paediatrician or psychologist. The criteria for selecting legal professionals were as follows: (a) worked in a law firm in City A; and (b) preferably specialised in child protection and domestic violence. To protect the privacy of the participants, their companies and titles are not mentioned in this study; pseudonyms are used for all of the interviewees.

4.3.2. Two Rounds of Interviews

Two rounds of interviews were conducted in this study. There were 18 interviewees in the first round and 12 in the second round. The reasons for eliminating four interviewees in the second round of interviews are provided in Appendix D. Two rounds of interviews were conducted with one objective: to investigate the discourses of social workers, legal professionals, and doctors on childhood and the problem of child maltreatment. The purpose of the first round of interviews was to collect the

views of the participants on childhood and the problem of child maltreatment and to identify the dominant and competing discourses on these two topics. In the first round, general questions and open-ended questions were asked. In addition, to avoid bias, the dominant and competing discourses in the media were not discussed during this first round.

The objectives of the second round of interviews were (a) to collect the perceptions of these professionals on the salient cases of child maltreatment identified in the first phase of this study: the Nanjing case in 2015 and the Guangzhou case in 2010 (related news coverage is provided in Appendix E); and (b) to collect their perceptions of the dominant and competing discourses in the media and those of other professionals. In the second round of interviews, based on the analysis of the transcripts from the first round of interviews, the questions were more specific than in the first round.

After the first round of interviews, the dominant and competing discourses of professionals on childhood and the problem of child maltreatment were identified and compared, to facilitate the second round of interviews. In addition, the dominant and competing discourses of social workers, legal professionals, and doctors in both rounds of interviews were compared to identify potential intertextuality and interdiscursivity.

All of the interviews were audio recorded. After the two rounds of interviews, I transcribed each interview myself. In addition, the transcripts were sent to all of the participants to check if they wanted to amend their answers, which allowed me to confirm that I had understood what they had said. This also allowed the participants to add information not mentioned during their interviews.

4.3.3. Research Site

City A in southern China was chosen for four reasons. First, I have lived in City A for 25 years, so I know this city well. Second, City A is the provincial capital and the largest city in southern China, which makes City A a multicultural city. Therefore, the results of this research could be more easily generalised. Third, City A is the political, economic, and cultural centre of southern China. Therefore, it was

relatively easy to recruit stakeholders. Fourth, the media industry in City A is well developed, facilitating my media content analysis. For instance, City A has six local mainstream newspapers: *Guangzhou Daily* (*guangzhou ribao*), *Nanfang Daily* (*nanfang ribao*), *Yangcheng Evening News* (*yangcheng wanbao*), *Southern Urban Daily* (*nanfang dushibao*), the *Information Times* (*xinxi shibao*), and *New Express* (*xinkuaibao*).

4.4. Data Analysis Methods

Gough (1996) suggested that “the function of content studies is to compare different media or to make cross-cultural comparisons” (p. 364). Language is not neutral; it not only conveys but also shapes ideas (Spender, 1980, as cited in Goddard & Saunders, 2000). However, Goddard and Saunders (2000) pointed out that “little attention has been paid to detailed analysis of the language used to describe child abuse and child victims in media texts” (p. 39).

To analyse media discourses, critical discourse analysis was used. As Hesketh and Lynch (1996) suggested, “one way of gaining some insight into a community’s values is to observe what appears in press reports” (p. 347). The recordings of each interview were transcribed verbatim for further analysis. The keywords used by the participants were coded, categorised, and compared. The discourses of the media and those of the professionals were also compared.

4.4.1. Critical Discourse Analysis

This study used discourse analysis as a data analysis method. As Bernard (2011) proposed, “what we ought to be observing-and describing-they say, is ordinary discourse itself, since culture emerges from the constant interaction and negotiation between people” (p. 422). Bernard also suggested that “formal discourse analysis involves taping of actual interactions and careful coding and interpretation” (p. 422). In this study, each conversation was recorded using a voice recorder. The transcripts were then compared with the notes and the voice recordings to ensure that there were no errors.

Bernard (2011) recommended highlighting important words and phrases in

written texts to turn them into themes. There are two ways to identify themes: “look for repetitions” and “look for unusual terms or common words that are used in unusual ways” (Bernard, 2011, p. 430). After identifying the themes, memos play an important role in determining how the themes are connected in a theoretical model (Bernard, 2011). The other important method in discourse analysis is the use of direct quotes containing key information from informants (Bernard, 2011).

There is a small difference between qualitative content analysis and discourse analysis. Unlike qualitative content analysis, which analyses the content of the material, discourse analysis explores what is not in the material. As Schreier (2012) argued, discourse analysis focuses on “what is and what is not there in the material” (p. 47). Therefore, this study investigated what was not included in the discourses of media and the professionals interviewed.

The disadvantage of discourse analysis is that media reports and transcripts cannot illustrate the facial expressions of the interviewees, which can offer important insights for the interviewer.

4.4.2. Why Discourse Analysis?

Social constructionism argues that childhood can be socially constructed by different and changing discourses (Qiao, 2012). In addition, D’Cruz (2004) stated that “child protection as a discourse has an identifiable language and associated meaning that prescribe particular practices as appropriate responses and exclude others” (p.103). For example, the “battered child syndrome” proposed in 1962 was a medical rather than a socio-legal label. Moreover, adopting a discourse on childhood from competing discourses will influence the way we understand children and how we treat them (Rogers, 2003). I explain this in the next paragraph.

The concept of discourse has been widely used in social constructionist studies: “the term ‘discourse’ is used to mean a self-contained set of interconnected ideas held together by a particular ideology or view of the world” (Rogers, 2003, p. 21). There are many discourses on childhood, among which the two competing discourses are the Romantic discourse of childhood and the Puritan discourse of childhood. The

assumptions of these two competing discourses are different. According to the Romantic discourse, “children are inherently innocent and wholesome,” whilst the Puritan discourse of childhood suggests that “children are inherently wicked and sinful” (Rogers, 2003, p. 21). The Romantic discourse indicates that the innocence of children must be protected. In contrast, the Puritan discourse implies that children “need to be carefully controlled, regulated and disciplined” (Rogers, 2003, p. 23). As previously mentioned, there are other views on childhood. For instance, the concept of *tabula rasa* proposed by John Locke in his book *Some Thoughts Upon Education* indicates the importance of education and training (Synnott, 1983).

Therefore, I used discourse analysis to identify the media and professional discourses on childhood and to determine the assumptions and the knowledge base behind these adopted discourses. As explained earlier, discourses on child maltreatment not only reflect how people understand this problem, but also affect the way they respond to it. In addition, exploring how childhood is defined using discourse analysis helped understand the problem of child maltreatment. As Pasura et al. (2012) stated, perceptions and definitions of child sexual abuse are influenced and shaped by particular cultural, social, and historical contexts. Moreover, the definition of childhood is associated with how child sexual abuse is constructed and understood.

Discourse analysis involves analysing a text in the context in which it was produced, which is consistent with the macrosystem from an ecological perspective. Phillips and Jørgensen (2002) suggested that “language use should be empirically analyzed within its social context” (p. 62). In addition, some basic concepts of discourse analysis can guide research. Discourse and power/knowledge are the basic concepts of discourse analysis, and the concepts of competing discourses, dominant discourses, intertextuality, and interdiscursivity aid understanding of the discursive construction of the problem of child maltreatment.

4.4.3. Pre-Sociological Discourses of Childhood

The concepts of the evil child (Puritan discourse), the innocent child (Romantic discourse), and the immanent child in the pre-sociological discourses of childhood, as

discussed in Chapter 3, provided a lens to investigate the nature of children.

China's ancient literature offered similar descriptions of children. For example, Mencius (372BC–289BC), an ancient Chinese philosopher, suggested in his famous book *Mengzi* that human beings are intrinsically good. In addition, the first sentence of the famous book *Three Character Primer* in the Song Dynasty stated that human nature is inherently good (*ren zhi chu, xing ben shan*).³⁰ In contrast, Xuncius (313BC–238BC) suggested that human nature is inherently evil. Finally, another philosopher in ancient China, Gaozi, suggested that there is no good or evil in human nature.

As mentioned in Chapter 3, different assumptions about the nature of children lead to differences in the treatment of children. For example, if children are seen as inherently evil, discipline and punishment may be used, which may lead to physical abuse. In addition, perceptions of the nature of children can influence the effectiveness of child maltreatment prevention. As mentioned in Chapter 3, Kitzinger (1997) stated that the discourse of childhood innocence encourages abusers to abuse children and prevents children from acquiring knowledge of sex, making them more vulnerable to abuse.

The situation discussed by Kitzinger 20 years ago reflects the current situation in mainland China. In rural areas of China, most children receive no sex education. As a result, many children do not know when they are victims of sexual abuse or rape. In mainland China, even in urban areas, many teachers and parents are uncomfortable talking about sex with children. As a result, children can only gain knowledge from adult films. However, learning this way is ineffective. Some girls do not even know that they are pregnant until they give birth.

Therefore, it is important to investigate professionals' perceptions of the nature of children and childhood and the problem of child maltreatment in China to develop strategies for prevention and solution and change the way people treat children.

4.4.4. The Socially Constructed Child

In the new sociology of childhood, as previously discussed, there are four

³⁰ The Chinese text is 人之初，性本善.

dominant discourses of childhood: the socially constructed child, the tribal child, the social structural child, and the minority group child. Specifically, this study focused on the discourse of the socially constructed child as a theoretical framework. I chose this approach for the following reasons. First, the discourse of the socially constructed child suggests that both adults and children construct the meaning of childhood. Second, the discourse of the socially constructed child argues that childhood is unique in terms of culture, place, nationality, and even individuality. Therefore, this approach can help investigate professionals' perceptions of childhood and the problem of child maltreatment in mainland China. Indeed, as the discourse of the social structural child suggests that the concept of childhood is universal, to investigate the perceptions of childhood and the problem of child maltreatment in the context of mainland China, I chose the discourse of the socially constructed child over that of the social structural child.

4.4.5. Discourse and Power/Knowledge

Foucault's concepts of discourse and power/knowledge can aid analysis of how the media portray child abuse and neglect and how professionals perceive the problem of child maltreatment in mainland China. For example, the Western experience of child protection in the media as a discourse is a type of knowledge and power from Western countries, which can influence child protection practices in mainland China. In addition, quotations from psychologists, social workers, and lawyers in the media can illustrate the relationship between knowledge and power. The power of professionals lies in the fact that their voice can be heard by the general public. Therefore, the concepts of discourse and power/knowledge can help understand how knowledge of the problem of child maltreatment is produced and disseminated in newspapers.

Finally, the concept of power/knowledge is useful for analysing the awareness/consciousness of professionals in the field of child protection. For instance, if professionals suggest that we should learn from the experience of Western countries, regardless of the situation, context, or traditional culture, we can conclude that the

awareness of professionals is influenced by foreign experience and knowledge. Examples of the power of foreign experience discourse include advocating for the establishment of a mandatory reporting system, children's shelters, an independent law against child maltreatment, and child protection authorities. In addition, if professionals suggest that child abuse behaviour is influenced by genetics or mental disorders, or if professionals, such as lawyers and social workers, use words from medical professionals, these practices indicate that the awareness of professionals is more influenced by medical discourse.

Medical discourse is powerful in the field of child maltreatment. For instance, when child abuse in the US was characterised as battered child syndrome in 1962, it was understood as a medical problem. As argued in Chapter 2, the powerful and exclusive nature of medical knowledge and the medical community made child maltreatment a medical problem at the time.

Today, more than half a century after the discovery of child abuse, the problem of child maltreatment in mainland China is being led by medical science in academia. When I searched for the keyword "child abuse" (*nue dai er tong*) in the China Academic Journals Full-text Database, the world's most comprehensive database of Chinese journals, most of the 1,698 journal articles retrieved came from the fields of psychology (1,336), psychiatry (650), paediatrics (369), prophylactic medicine (279), clinical medicine (123) and pre-clinical medicine (155).³¹ Of the 30 most cited academic articles, most came from the disciplines of public health and law, with few articles coming from the fields of sociology, social work, or social policy. Child abuse and neglect constitute a multicausal problem that requires multidisciplinary efforts in prevention and intervention. Therefore, the prevalence of medical discourse may indicate that other dimensions of child abuse and neglect are minimised.

However, it is worth asking whether the problem of child maltreatment is only a medical or public health problem. If the problem of child maltreatment is defined as a medical or public health problem, prevention and solutions to child abuse and neglect

³¹ Available at http://epub.cnki.net/kns/brief/default_result.aspx; accessed 26 February 2020.

will follow medical logic. This will overlook the social causes of this problem, thereby negatively affecting the way it is treated.

Discourse and power/knowledge provide a useful lens for analysing the discursive construction of the problem of child maltreatment. Indeed, the power relations between children and adults, between government departments, between disciplines, and between professionals from different fields influence the discursive construction of the problem of child maltreatment. For instance, stronger and more powerful disciplines and professionals can influence the perceptions of professionals from other fields, which is the power of knowledge. Therefore, it is essential to analyse the dominant and competing discourses in the media and the perceptions of professionals, to investigate the effect of the relationship between discourse, power, and knowledge on the discursive construction of child abuse and neglect.

4.4.6. Consequences of Accepted Discourse

Phillips and Jørgensen (2002) pointed out that when two or more discourses in the same field present different interpretations of the world, it is worth exploring the social consequences of accepting one discourse over another. As mentioned in the previous section, the accepted medical discourse of the problem of child maltreatment can have negative effects on prevention, intervention, and solutions to child abuse and neglect. Therefore, it is important to examine the discourses of the problem of child maltreatment in mainland China and to discuss the consequences of an accepted discourse. One way to investigate these discourses is to identify competing and dominant discourses.

4.4.7. Competing and Dominant Discourses

Phillips and Jørgensen (2002) argued that by focusing on different or competing discourses in the same field, it is possible to identify dominant discourses, competing discourses, and the common assumptions shared by all popular discourses. Areas in which all discourses share the same assumptions are more stable, whilst those in which different discourses compete for meaning are more open to change (Phillips & Jørgensen, 2002). Indeed, as Phillips and Jørgensen (2002) argued, “Fairclough points

out that change occurs especially when discourses are transported interdiscursively between orders of discourse One can focus, in particular, on which actors implement the “foreign” discourses, which discourses the new discourses displace and what the consequences are” (pp. 142–143).

Therefore, in this study, competing and dominant discourses and common assumptions were examined. What foreign or new discourses displace the old ones? What is the trend in media coverage? For example, if the media or interviews show that social service organisations should take responsibility for child maltreatment, this reflects the influence of the service socialisation discourse. If the media report that the government should provide social services to protect children, this reflects the influence of the marketisation discourse.

Competing discourses reflect not only competition between different discourses, but also competition between professionals, government departments, and even NGOs from local or foreign countries. In addition, competing discourses may reflect competition between Chinese culture and foreign culture or between Chinese ideology and Western ideology. The dominant discourse reflects the winner of the competition between different discourses.

4.4.8. Intertextuality and Interdiscursivity

As Fairclough (1992) proposed, interdiscursivity occurs when different discourses and genres are articulated together in a communicative event Interdiscursivity is a form of intertextuality A particularly pronounced form of intertextuality is manifest intertextuality, whereby texts explicitly draw on other texts, for instance, by citing them. (as cited in Phillips & Jørgensen, 2002, p. 73)

For example, the media sometimes refer to the opinions of professionals, such as social workers, lawyers, and doctors, which is a type of intertextuality.

According to Fairclough (1992, as cited in Phillips & Jørgensen, 2002), a text can be seen as a link in an intertextual chain, which means that each text absorbs elements from other texts. For instance, media texts can be a link between scientific

reports and texts and talk from the audience. A journalist mentions the content of a scientific report in a media text and readers absorb the elements of this media text. Similarly, in media coverage of child maltreatment, journalists can include the opinions of professionals by directly or indirectly quoting their words. Then, these reports are read by the public and their content can become a dominant discourse. Therefore, it is crucial to explore media and professional discourses on child abuse and neglect, which play an important role in the discursive construction of the problem of child maltreatment.

In summary, this study investigated the intertextuality and interdiscursivity of the media and professional discourses on childhood and the problem of child maltreatment.

Chapter 5: Media Discourses

5.1. Introduction

This chapter discusses media discourses on child abuse to understand how the Chinese media construct the problem of child abuse. Based on analysis of various news reports, two cases of child abuse in Nanjing and Guangzhou were selected and were used for the second round of interviews. News analysis laid the foundations for the interviews with the professionals. This chapter is divided into four sections: sample selection, media discourses, changes in report content, and case discussion.

5.2. Sample Selection

Stage 1: Selecting news reports using keywords

In this stage, the news reports were selected using the following five keywords in Chinese from the WiseNews database: “child abuse” (*er tong nue dai*, *nue dai er tong*, and *nue tong*); “child neglect” (*shu hu zhao gu*); and “child protection” (*er tong bao hu*).

Table 1

Statistics on the Six Mainstream Newspapers Reporting Cases of Child Maltreatment in Guangzhou in 2005

Keyword	<i>er tong nue dai</i>	<i>nue dai er tong</i>	<i>nue tong</i>	<i>shu hu zhao gu</i>	<i>er tong bao hu</i>	Total
<i>Guangzhou Daily</i>	0	0	0	0	0	0
<i>Yangcheng Evening News</i>	1	4	5	1	8	19
<i>Nanfang Daily</i>	0	2	0	0	4	6
<i>Southern Urban Daily</i>	0	13	4	1	4	22
<i>Information Times</i>	0	0	0	0	0	0

<i>New Express</i>	0	3	4	0	2	9
Total	1	22	13	2	18	56

Table 2

Statistics on the Six Mainstream Newspapers Reporting Cases of Child Maltreatment in Guangzhou in 2010

Keyword	<i>er tong</i>	<i>nue dai</i>	<i>nue</i>	<i>shu hu</i>	<i>er tong</i>	Total
Newspaper	<i>nue dai</i>	<i>er tong</i>	<i>tong</i>	<i>zhao gu</i>	<i>bao hu</i>	
<i>Guangzhou Daily</i>	0	6	5	1	10	22
<i>Yangcheng Evening News</i>	0	5	3	1	9	18
<i>Nanfang Daily</i>	1	3	2	0	9	15
<i>Southern Urban Daily</i>	1	20	11	3	26	61
<i>Information Times</i>	1	3	3	2	12	21
<i>New Express</i>	1	2	3	1	8	15
Total	4	39	28	8	74	153

Table 3

Statistics on the Six Mainstream Newspapers Reporting Cases of Child Maltreatment in Guangzhou in 2015

Keyword	<i>er tong</i>	<i>nue dai</i>	<i>nue</i>	<i>shu hu</i>	<i>er tong</i>	Total
Newspaper	<i>nue dai</i>	<i>er tong</i>	<i>tong</i>	<i>zhao gu</i>	<i>bao hu</i>	
<i>Guangzhou Daily</i>	0	11	15	0	15	41
<i>Yangcheng Evening News</i>	0	2	17	1	6	26
<i>Nanfang Daily</i>	0	3	10	0	6	19

<i>Southern Urban Daily</i>	1	7	13	0	16	37
<i>Information Times</i>	0	7	21	0	7	35
<i>New Express</i>	0	2	13	2	10	27
Total	5	32	89	3	57	186

As Table 1, Table 2, and Table 3 show, the number of news reports on child abuse increased from 56 in 2005 to 153 in 2010 and 186 in 2015. The total number of reports reflects a significant increase in child maltreatment during these three years.

Stage 2: Numbering the news reports

The news reports were numbered according to the reporting date. However, as these news reports were selected by using five similar keywords in Chinese, some news reports were duplicates. As previously mentioned, in Chinese, “child neglect” has three possible translations: *nue dai er tong*, *er tong nue dai*, and *nue tong*. Therefore, all duplicates were numbered only once. As a result, the number of news reports identified for 2005, 2010, and 2015 were 52, 127, and 167, respectively.

Stage 3: Selecting news reports that met the criteria

Four types of news articles were selected: (1) news articles reporting cases of child abuse; (2) reviews of child abuse cases; (3) feature stories on child abuse and neglect; and (4) news articles discussing the causes and solutions of child maltreatment or who should be held responsible for child abuse and neglect.

After three rounds of report selection, the number of reports meeting these criteria was 25, 54, and 97 in 2005, 2010, and 2015, respectively, as shown in Table 4. Despite only a half of the total number of reports, there is still the tendency of multiple-time increase of such media coverage.

In Table 4, “international news reports” and “international cases” refer to all reports and cases taking place outside mainland China, including foreign countries and Hong Kong, Macao, and Taiwan. International and domestic reports included not only

news of child abuse cases, but also comments and feature articles discussing these cases.

Table 4
Statistics on Selected News Reports

Year	No. of initial news reports	No. of selected news reports	No. of international news reports	No. of international cases	No. of domestic news reports	No. of domestic cases
2005	52	25	15	9	10	6
2010	127	54	20	15	34	11
2015	167	97	19	7	78	15

Table 4 shows that during the sampling period, the number of international news reports remained stable, whilst the number of international cases increased from 9 in 2005 to 15 in 2010, then decreased to 7 in 2015. In contrast, the number of domestic news reports increased from 10 in 2005 to 34 in 2010 and 78 in 2015. However, the increase in the number of domestic cases was not as rapid as that in the number of domestic news reports, indicating an increase in the number of news reports on each domestic case of child abuse. In other words, the national media paid more attention to specific cases.

5.3. Media Discourses

Five media discourses were identified in this study: the legalisation of child abuse, the medicalisation of child abuse, the discourse of foreign experience, the discourse of traditional Chinese culture, and the “missing” discourse.

5.3.1. The Legalisation of Child Abuse

News about child abuse has become increasingly legislative, focusing on laws and systems. This type of discourse aims to prevent child abuse using legal measures. For example, the article “6-year-old Girl Stunned by Mother with a Hanger” suggested that cases of child abuse should be investigated to determine criminal responsibility in accordance with China’s Minors Protection Law and the Criminal Law. The article “Attention to Safety in Schools: Monstrous Headmaster Molested 11 Teenage Girls”

reported that the suspect had violated the Minors Protection Law, the Teachers' Law, and the Criminal Law. In addition, "4 Grievous Questions Triggered by Son Killed by Father Case" discussed the deprivation of parental custody. "What's the Future to Keep Children from Abuse" advocated for the establishment of laws for children. "Domestic Violence Shouldn't be a Mere Family Matter" discussed the establishment of a temporary guardianship system for juveniles. In addition, "Mainland Should Learn from Hong Kong about Protecting Minors" suggested that laws should be supplemented or improved and that loopholes should be eliminated to protect minors. Finally, "Kindergarten Teachers Abuse Children, Not Just an Ethical Problem" addressed the shortcomings of current laws and regulations.

The article "Famous Blogs" discussed the low cost of breaking the law and how to protect children. "How Did a Kindergarten Teacher Become a Child Abusing Monster?" argued that education legislation, especially the drafting of a law on preschool education, should be placed on the government's agenda as soon as possible, and that the occurrence of abuse cases is related to the low cost of breaking the law and the difficulty of obtaining evidence. "Domestic Enlightenment of Overseas Students' Crime: How Did Pranks Become Kidnapping" stated that the punishment for serious offences reflects the legal respect for freedom and personality. As this analysis showed, Chinese Internet users hate teachers who abuse children and students who hurt their peers, yet there is no legal punishment for such behaviour, as China currently has no laws on child abuse or torture. Perpetrators are not punished for causing serious harm to their victims. Unless these circumstances change, violence at school will continue to escalate.

5.3.2. The Medicalisation of Child Abuse

The medicalisation of child abuse indicates the tendency to discuss child abuse as a psychological or mental (medical) problem in news reports. In this type of discourse, not only the abusers but also the victims are treated as suffering from mental illness. For example, the article "6-year-old Girl Stunned by Mother with a Hanger" suggested that the mother may be suffering from a psychological disorder and should

go to the hospital with her daughter so that a psychologist could diagnose her. The article “I Don’t Like Being a Street Performer with Daddy” mentioned that the father had a paranoid personality and should see a psychiatrist. Similarly, “Attention to Safety in Schools: Monstrous Headmaster Molested 11 Teenage Girls” stated the following: Professor Zhong Hong, Deputy Director of the Guangdong Sexual Psychology Committee, held the opinion that the suspect committed crimes 7 times within just 3 months and molested 11 underage girls, which was very likely to be caused by paedophilia, a sexual abnormality of great social hazard.

In addition, the article “Who Should Regulate Parents Beating Children” discussed the possibility of parents suffering from mental illness. “Middle-aged Man Hurt Himself after Killing 10-year-old Son Controlled by Police” stated that the police were still investigating whether Deng, the abuser, may have a mental illness. Family psychology experts have suggested that if a family member suffers from depression, medical help should be sought and intervention and treatment should be provided. “Who Said Parents Beating Children Are Perfectly Justified” reported that a consultant from the Guangzhou Sunflower Psychological Counselling Centre suggested that parents with mental health issues or depression should ease the pressure on their children. Parents with a tendency for depression could do extreme things because of their morbid psychology. Therefore, parents who cannot control their emotions and often beat their children should seek help from psychiatrists.

Moreover, the article “Mommy Blogger Suspected of Poisoning Son with Salt for Attention and Popularity” reported that “Dr K” suggested that Spears may have a rare psychological disorder: factitious disorder imposed on another. This disorder refers to the phenomenon whereby parents intentionally hurt their children to get attention. Mothers with this disorder usually have mental problems; they do not feel guilt, and are emotionally indifferent. According to Firman, an American medical expert, social media are commonly used by such patients to gain sympathy. Similarly, the article “Whether Scolding and Beating is Love or Not” addressed the psychological phenomenon of “Stockholm Syndrome.” This article attributed the dependence of an

abused son on his foster mother to a mental issue.

5.3.3. The Discourse of Foreign Experience

The discourse of foreign experience focuses on learning from Western countries and Hong Kong and Macao, but ignores the transferability of Western experience to China. For instance, the article “Son Killed by Father Incident” included comments by Lei Zhang Shenjia, Secretary General of Hong Kong Against Child Abuse. In “4 Grievous Questions Triggered by Son Killed by Father Case,” Gao Suisheng, Head of the Rights and Interests Department of the All-China Women’s Federation, stated that child protection in Los Angeles has become a government action. “Residential Community Found Child Care Centre after Deng’s Tragedy” discussed Macao’s experience. Similarly, “Who Said Parents Beating Children Are Perfectly Justified” mentioned the experience of Hong Kong and Macao. “Child Neglect is Not Just a Family Matter” stated that future researchers and policy makers should draw on the article “Abuse or Neglect of Attended Children and Juveniles” published in Hong Kong.

“Mainland China Should Learn from Hong Kong to Protect Minors” also discussed the experience of Hong Kong, whilst “Tiger Moms and Dads” reported that a mandatory system has been implemented in the US. “Kindergarten Teachers Abuse Children, Not Just an Ethical Problem” mentioned the experience of Hong Kong and the US. “Kid, Run if You Face Danger” addressed the 10 principles of child protection supervision in the UK. “Domestic Violence Shouldn’t Be a Mere Family Matter” discussed the experience of the UK and Canada. “Why Advocate for the Introduction of ‘Crime for Manners Injurious to a Child’” discussed how the experience of the US and European countries should be used. Finally, “Does It Work to Install Monitoring Facilities in Kindergarten Classrooms” stated that China should learn from South Korea.

5.3.4. The Discourse of Traditional Chinese Culture

This type of discourse focuses more on traditional Chinese culture. For example, the article “Mothers of Foshan Gather to Protest against Domestic Violence after Son Killed by Father Tragedy” stated: “I think this is the problem of Chinese tradition. If the kid doesn’t obey, you are just helpless.” “Who Said Parents Beating

Children Are Perfectly Justified” mentioned the traditional concept of “spare the rod, spoil the child” (*bu da bu cheng qi*). However, “What’s the Future to Keep Children from Abuse” stated that the “spare the rod, spoil the child” concept has become obsolete. In addition, “How We Should Be Fathers” discussed patriarchal culture. “Domestic Violence Shouldn’t Be a Mere Family Matter” also mentioned the traditional concepts of “spare the rod, spoil the child,” “beating and scolding are a way to show affection” (*da shi qin, ma shi ai*), and “don’t wash your dirty linen in public” (*jia chou bu ke wai yang*). Similarly, “Laws Should Clarify the Bottom Line of Physical Punishment Education” addressed the traditional education method of “spare the rod, spoil the child.”

Moreover, “Ridiculous Education” stated that Chinese parents always treat their children as “private property” based on the principle of “spare the rod, spoil the child.” “Tiger Moms and Dads” argued that the habit of beating children should be abandoned, mentioning the concept of “spare the rod, spoil the child” and “a strict teacher produces outstanding students” (*yan shi chu gao tu*). “Monitoring Facilities in Kindergartens Hurt Teachers and Kids” reported that being a teacher is a respected occupation in ancient and modern China. “Trust your mentor, follow his way” (*qin qi shi, xin qi dao*) is also an excellent Chinese tradition. Finally, “Details of Child Abuse Case in Nanjing Given by Police” suggested that in traditional culture, parents have absolute authority in the family and government intervention is rejected.

5.3.5. The Missing Discourse

The missing discourse focuses on the absence of children’s voices and the lack of news reports on child psychological abuse. As previously mentioned, discourse analysis should focus not only on existing discourses but also on missing ones. Among the discourses of lawyers, psychologists, and staff of the Women’s Federation, children’s voices were missing, indicating that the views of victims or children are not valued. In addition, no news reports on neglect and mental abuse were found. In the news reports, physical abuse was the main topic, followed by sexual abuse, with few reports on neglect and mental abuse. Finally, no journalist discussed the concept of child psychological abuse.

5.4. Changes in Report Content

This section focuses on the changes in news reports on child abuse between 2005, 2010, and 2015 in the following four dimensions. (1) The nature of the problem of child abuse changed from the individual to the environmental level. (2) Sexual assault offenders changed from strangers to acquaintances. (3) News coverage increased from a single report to a series of reports. (4) Stakeholders changed from primary and middle school teachers to lawyers and social workers.

5.4.1. From the Individual to the Environmental Level

In 2005, no news reports discussed the responsibility of the government. For example, “Family Letters to Protest the Private Lottery” and “Mom, Stay Away from the Private Lottery if You Love Me” published in *Yangcheng Evening News* (17 May 2005 and 28 April 2005, respectively) discussed child abuse as a family problem. In addition, “Are You Happy, My Kid? Xiao Liang’s Journey to Find His Family” and “To Disobedient Children: Punishment by Copying Books, Standing and Fines,” published in *Yangcheng Evening News* (14 December 2005 and 2 December 2005, respectively), discussed child abuse at the individual level.

In 2010, in the article “Why are Children Always Sexually Abused by Teachers?” published in *Guangzhou Daily* (8 May 2010), the author argued that when children are sexually assaulted by other people, parents should ask themselves if the family has problems. In “Does Invisible Violence Happen in Your Family?” published in *Guangzhou Daily* (8 May 2010), the author focused on the parents. In “Why Did a Preschool Teacher with 10 Years of Experience Abuse Little Kids? Investigation into the Case of Students Burned by Teacher with Iron in Jiangsu” published in *Guangzhou Daily* (21 December 2010), the author argued that this case reflects the problems of quality and shortage of teachers and insufficient supervision by the education administration. In “Prevention of Sexual Assault by Teachers on Teacher’s Day” published in *Nanfang Daily* (8 May 2010), the author focused on strengthening the protection of children by the family, school, and society and on strengthening the moral education of teachers by the education authority.

In 2015, in the article “Why Do Human Beings Commit Crimes” published in *Guangzhou Daily* (13 Mars 2015), the author argued that the causes of child abuse are poverty, unemployment, family problems, and a lack of education. In terms of how to solve this problem, the authors of “The Problem of Left-Behind Children Could Not Be Solved by Families,” published in *Guangzhou Daily* (15 July 2015), and “Multiple Ways to Say No to Family Violence,” published in *Guangzhou Daily* (11 August 2015), discussed the problem of child abuse in terms of culture, school, educational value, family education, government, legislation, society, child protection system, social organisation, justice, hospital, civil administration, and the police.

5.4.2. Abusers: From Strangers to Acquaintances

In 2005, the perpetrators of sexual assault included the owner of a restaurant, a young man (17 years old) living near his victim, and a middle-aged man living in the same village in the city as the victim.

In 2010, the abusers included an unknown person, a high school teacher, a security guard in a housing estate, an acquaintance from the neighbouring village, a male teenager (stranger), a primary school teacher, a schoolmate from a higher grade in the same primary school, a schoolmate from a higher grade in the same secondary school, a father in Shenzhen, a father in Taiwan, and a masseur.

In 2015, the abusers included teachers, an unemployed youth, a father in Guangzhou (victim: 16-year-old daughter), a father in Guangzhou (victim: 9-year-old daughter), and a colleague of the victim’s father.

5.4.3. From a Single Report to Series Reports

With an increasing number of series reports and more news reports on one case, the media and the public began to pay more attention to cases of child abuse with hot and in-depth debates. The case of a son killed by his father in Guangzhou in 2010 and the case of child abuse by the stepmother in Nanjing in 2015 are typical examples.

In 2005, there was only one series report on a sexual assault case, entitled “A 17-year-old Male Teenager Sexually Assaults a 6-year-old Girl,” published on 21 July. The follow-up report indicated that the male teenager was arrested by the police on 22

July 2005. All other news articles were single event reports without follow-up reports in 2005 and 2010.

However, in 2015, the case of a father who sexually assaulted his 16-year-old daughter in Guangzhou was reported in a series of reports in *Guangzhou Daily* on 5, 6, 7, and 8 August and on 8 December. The author used the entire page to report the case on 6 August and half a page on 5, 7, and 8 August, respectively. In addition, the case of a boy abused by his foster parents was reported in a series of reports published in *Guangzhou Daily* on 6, 14, and 21 April.

5.4.4. Increase in the Number of Stakeholders: From Teachers to Social Workers, Psychologists, and Lawyers

In 2005, the opinions of lawyers, psychologists, and judges on child abuse cases rarely appeared in the news. However, in 2015, the opinions of lawyers, professors, and judges were frequently cited. In addition, the opinions of social workers appeared in 2010 and became one of the main stakeholders in 2015.

Table 5

Stakeholders in News Reports Between 2005 and 2015

Year	Stakeholders
2005	Procuratorial organs; criminal police; legal medical experts; the Women’s Federation; parents; professors; kindergarten, primary school, secondary school, and high school teachers
2010	Stakeholders in 2005; private kindergartens; neighbourhoods; landlords; doctors; school psychologists; director of the education centre; general government office; judges; education bureau; county government; social workers
2015	Lawyers (six times); volunteers (three times); professors (seven times); courts (five times); secretary of the Political and Legal Affairs Committee; hospital psychologists; social work organisations; university psychologists; social workers

In general, the opinions of primary and middle school teachers in the media appeared less often over time. In 2005, the voices of kindergarten, primary school, middle school, and high school teachers all appeared in the media. However, in 2015, university teachers, instead of primary and middle school teachers appeared more often in the media. In addition, the views of judges and social workers began to gain more attention. It should also be noted that psychologists and psychological consultants were represented more and more frequently. In 2005, no psychologist was mentioned in the media. However, in 2015, psychological consultants in hospitals and university psychologists started to appear.

Therefore, social workers, psychological experts, university professors, lawyers, and judges were cited more often in the media over the period of study, illustrating the medicalisation (especially psychological) and the legalisation of the problem of child abuse.

5.5. Case Discussion

5.5.1. Description of the Nanjing Case

On 3 April 2015, a form teacher suspected that a 9-year-old boy was being abused by his adoptive parents and claimed that this was not a unique case. Both adoptive parents were highly educated: the adoptive mother, Li, was a journalist and the adoptive father was a lawyer.

The teacher posted a message accompanied by nine photographs on Sina Weibo (a Chinese microblog similar to Twitter) on 3 April 2015. The pictures showed that the boy had coagula in his ear, a bean-size scar on his face, and hundreds of bruises on his body, including his arms, legs, back, and buttocks. In addition, his right foot was red and swollen. The message stated that evidence of child abuse had first been discovered by the form teacher six months previously. However, more recently, the teacher had found that the boy's injuries were more serious than before, and observed a significant change in the boy's character demonstrating his fear of people. As the joint efforts of the teachers failed to solve the problem, the form teacher and other teachers turned to the Internet for help. An hour after the first message, the teacher

posted another message on Sina Weibo claiming that they had already called the police and that the media had intervened in this case.

The boy told his teachers that his adoptive mother used water pipes and branches to whip him, that his leg had been burned by steam, and that the scar on his face had been caused by a stick. The director of teaching and discipline at the school reported that his adoptive mother had beaten the boy because he did not know the story of *The Adventures of Pinocchio*, which was the extracurricular assignment that she had given him.

The teacher also planned to conduct a home visit to speak with his foster parents, but the boy was terrified when the teacher informed him of this plan. The teachers had previously found that the boy had been beaten twice, but believed that the injuries were only skin trauma and perhaps the result of different educational concepts. Therefore, they did not intervene immediately.

The boy's biological mother and his adoptive mother were cousins. The boy's biological parents were farmers in Anhui Province. He had several siblings, but his parents could not afford to raise so many children, so they thought it would be better for the boy to live with his adoptive mother Li, because the living conditions and educational resources in Nanjing were better than those in their disadvantaged rural area. In addition, his adoptive mother had no son. Therefore, in May 2013, the adoptive mother legally adopted the boy when he was six years old.

On 5 April 2015, the Nanjing Police Bureau announced that the adoptive mother was in custody for the alleged crime of wilful and malicious injury. After she was detained for physical abuse, the boy temporarily lived with his biological parents. The boy's biological parents expressed their understanding of the adoptive mother's behaviour during interviews.

After the adoptive mother's arrest, the boy and his biological father visited the school, the Department of Civil Affairs, and the Department of Public Security (Police Bureau) to resolve the problems of schooling and adoption as the boy could not go to school for half a month. The school replied that they had to wait for the decision of

the Education Bureau, and the Department of Civil Affairs and the Department of Public Security both stated that they could not solve the adoption problem. In addition, the boy's biological father said that due to their economic situation, they could not stay in Nanjing and had not received a response from the government after asking for help.

On 12 April, the Nanjing Department of Public Security called for the arrest of the adoptive mother. However, on 19 April, the Nanjing Procuratorate rejected the request.

On 21 April, the adopted son returned to school to continue his study. Although his schooling problem had been resolved, he still faced many difficulties. For instance, the boy could not go back to his adoptive mother's home, but he and his biological parents could not settle in Nanjing.

On 20 July, the adoptive mother was prosecuted by the Pukou District Procuratorate in Nanjing.

On 30 September 2015, the defendant Li was charged with wilful and malicious injury and sentenced to six months in prison.

5.5.2. Why Choose This Case?

When selecting and counting the number of news reports that met the inclusion criteria in 2005, 2010, and 2015, the case of child abuse in Nanjing in 2015 received the most attention from the six mainstream newspapers in Guangzhou.

This case was chosen first because it was a salient case with 45 news reports, feature stories, and reviews in the 6 mainstream newspapers in Guangzhou in 2015. In addition, it was a salient case because the abuser was the adoptive mother. Indeed, there is a widespread stereotype or prejudice that an adoptive mother will not treat a stepchild well. Therefore, this case caught the attention of the public. If the abuser had been the child's biological mother or if the child had been abused in the family of origin, this case may not have caught the attention of the media and the public. Finally, this case was salient because the female abuser was highly educated and worked as a journalist. If the abuser had been a farmer, this case might not have caught the attention of the media and the public.

Second, this case received attention nationwide from mainstream and new media in 2015. Of the 45 news reports and reviews published in the 6 mainstream newspapers in Guangzhou, 19 were news reports, reviews, and feature stories, indicating that this case was a hot topic at the time. In addition, this case caught the attention of lawyers, judges, social workers, the Women's Federation, and Internet users. Moreover, this case was a critical case because it involved various debates and competing views in the media.

Third, this case represented a milestone with far-reaching influence on and implications for child protection law and policy in China. Collecting all information on this case with precision and detail could help policymakers and lawmakers establish regulations and laws to protect children.

Fourth, in addition to these 45 articles, the media content was informative, detailed, and involved enthusiastic discussions and debates. By focusing on the sequence of events in media coverage, the storyline was complete.

5.5.3. Findings

Six interconnected themes were identified. Education and prospect-centred educational concepts led to non-child centred protection concepts. In addition, the value of family intactness and parent-centred authority jointly led to non-child centred protection concepts. The value of family intactness, parent-centred authority, and non-child centred protection concepts jointly led to imperfect laws and regulations. Finally, there was no related social services. In other words, as there is no refuge for abused children, the victims are forced to return to their families and live with their abuser(s), which is detrimental to the well-being of children.

The first theme identified was non-child centred protection concepts. In the news reports, when child abuse occurred, no-one knew what to do. The main discussions in the news reports focused on whether the adoptive mother should be arrested or deprived of custody of the boy. In other words, the media, the public, various stakeholders, and society did not focus on the physical and psychological well-being of the child.

For example, the review “Child Abuse Case in Nanjing: Arrest or Not, It Is a Question” reported the opinions of cyber citizens and discussed whether or not the adoptive mother should be arrested. In addition, only a few news reports focused on the child; for example, “Stepmother Custody in the Child Abuse Case Cannot Be Simply Deprived” (News Report No. 42), “Is Scolding and Beating Love or Not?” (News Report No. 59), and “The National Reality behind the Decision not to Arrest the Abusive Stepmother” (News Report No. 63) argued that we should respect the child’s wishes.

The second theme was education and prospect-centred educational concepts. In general, Chinese parents give priority to the education and prospects of their children, which is even more important than their physical and psychological health. In addition, future well-being is more important than immediate well-being. Here are some examples.

Indeed, if the abuse case had not happened, the kid would have had a better life with the stepmother than with his biological parents and his future would also be brighter. (News Report No. 57)

To create a better educational environment for Xiaolei, his parents abandoned family affection and endured humiliation. It is obvious that they would endure any hardship for a brighter future for the child. (News Report No. 63)

Why should we believe that physical punishment could be a type of education? Because of expectations for the future. We believe that punitive education can help children overcome laziness, make them do things that are actually against their nature. (News Report No. 59)

The third theme was the value of family intactness. As the public, the government, and the courts stress the importance of family intactness, the problem of child abuse cannot shift from a private problem to a public problem, as shown in the following examples.

Severe sanctions for domestic violence against juveniles is for the benefit of children. However, if children lose their families because of these sanctions, it

can disrupt their lives, which is definitely at odds with justice. (News Report No. 65)

A lady named Baihe told the journalist that some parents won't listen to any advice, they often use "family matters" as an excuse to reject others. Siwen said that sometimes even the police were stopped by parents to enter their homes. (News Report No. 50)

The result of "no arrest" reflects the national reality. First, the law always follows the principle of "harmony is precious" (*he wei gui*) in these injury cases, which does not have serious consequences for the family. (News Report No. 63)

The fourth theme was parent-centred authority. Sometimes, parents force their children to do what they think is right and good for them, regardless of what the children want, as shown in the following example:

A judge from the Nanjing Intermediate People's Court told the journalist that in traditional culture, parents have absolute authority and the right to control their children, and they reject government intervention (News Report No. 39).

Parents often see this type of behaviour as expressing love.

The fifth theme was imperfect laws and regulations. There still lacks an effective law to punish child abuse and other types of child maltreatment in China. Imagine the following situation: if the boy in the Nanjing case had not received minor injuries, would the adoptive mother have been prosecuted? How many cases of child abuse and neglect are prosecuted and effectively resolved? In addition, although laws exist, they were not implemented in this case.

One of the most important articles is that parental custody shall be deprived in serious cases of child abuse. However, this article is often called the "zombie article" because it is rarely used. (News report No. 50)

The sixth theme was the lack of related social services. Due to imperfect and unenforced laws, there is still a lack of related social services to place abused children, so the courts cannot decide to remove the victims from their families. Ultimately, abused children are forced to return to their families because they have nowhere to go.

For cases of child abuse committed by parents, the police believe that it is bad for these children to stay with their families. However, they do not know where to send them. (News Report No. 50)

5.6. Summary

The media discourses and the discourses on child abuse discussed in this chapter demonstrate the medicalisation of the problem of child abuse. Similarly, the media discourses, the discourses on child abuse (Chapter 7), and the possible responses to child abuse (Chapter 8) emphasise the legalisation of the problem of child abuse. In addition, the change in stakeholders from teachers in 2005 to social workers, psychologists, and lawyers in 2015 reflects the medicalisation and legalisation of the problem of child abuse.

Moreover, the discourse of traditional Chinese culture in this chapter illustrates the concepts of obedient children and Confucian children discussed in Chapter 2. The interaction and conflict between the discourse of traditional Chinese culture and the discourse of foreign experience are described not only in this chapter, but also in Chapters 6, 7, and 8.

The obvious absence of children's voices in the media indicates that the media ignore children's opinions and feelings. Similarly, in the Nanjing case study, the emphasis placed on family intactness and parent-centred authority clearly signal the neglect of children's feelings. Likewise, in Chapters 6, 7, and 8, none of the interviewees mentioned the feelings of children or considered children, childhood, and the problem of child abuse from the perspective of children.

The analysis reported in this chapter shows that the news reports focused more on the environmental level than the individual level. Similarly, in Chapters 7 and 8, the interviewees proposed solutions to the problem of child abuse from legal, social, and cultural perspectives. However, professionals' perceptions of child abuse in the media were selected by journalists or editors. Therefore, I considered it important to explore the discourses of child abuse by professionals using semi-structured interviews with professionals, as described in Chapter 4. The following chapters present the

results of interviews conducted to explore professional discourses on children, childhood, the problem of child abuse, and possible responses to child abuse.

Chapter 6: Discourses on Children and Childhood

6.1. Introduction

This chapter presents the results of the discourses on children and childhood. Based on the results presented in this chapter, the key argument is as follows: in the context of globalisation and China's social environment, the interaction and conflict between traditional Chinese culture, with the core value of obedient children, and Western culture, characterised by a happy childhood, affect the ways people understand children and how parents treat their children.

Based on the (dominant) discourses on children and childhood, this chapter analyses the effects of these discourses on child abuse. The results show that the interaction and conflict between traditional Chinese values, Western values, and the reality in China have a significant effect on these discourses.

In traditional Chinese culture, a happy childhood is often not encouraged and play is not justified. In addition, children are not seen as free individuals; instead, the importance of the state and the family is emphasised. Children must obey their elders and the state. A disobedient child is usually put on the “right track” through scolding or beating by parents and teachers.

However, the Western emphasis on a happy and free childhood has affected traditional Chinese culture. The history of a strong West and a weak East and China's eagerness to learn from Western developed countries since the call to “learn from the advanced technologies of the West to resist the invasion of the Western powers”³² (*shi yi chang ji yi zhi yi*) in the Qing Dynasty laid the foundation for the entry of Western values into Chinese society. At the same time, since the reform and opening up of China in 1977, socialist China has achieved great success in learning from the economic

³² This famous call was proposed by Wei Yuan in his work *The Illustrated Treatise on the Maritime Kingdoms* (*Haiguo tuzhi*) published in 1842. He mentioned in the preface that “learn[ing] from the Western developed countries” means learning their strengths in military technology. “Advanced technologies” refer to warships, weapons, and army training. Wei proposed not only to buy ships and weapons from the West, but also to introduce their advanced industrial technologies to help build China's own ships and weapons. In addition, “resist the West” means resisting invasion and winning the war. According to him, “learn from the West” is the means and “resist the West” is the goal.

system of Western capitalist countries, increasing the effect of Western values on traditional Chinese values. It has also become increasingly easy for people to recognise and understand the West due to media communication.

However, the social contexts of contemporary China and the West are very different. Western developed countries generally have relatively developed national welfare systems, and the difference in social wealth and income between mental and physical labour is relatively small. However, in China, the social welfare system needs to be improved and the gap between the rich and the poor is large, as the channels of upward social mobility are limited and educational resources, especially high-quality primary and tertiary educational resources, are rare. The traditional value of raising children for old age care or as a future safety net (*yang er fang lao*), parents' high expectations for children (*wang zi cheng long, wang nv cheng feng*), and China's one-child policy³³ have led parents and children to focus on academic success.

Overall, China's traditional culture and historical and social context, along with Western values, affect Chinese people's perceptions of children, childhood, and child abuse. The conflict between Chinese and Western values is clearly reflected in the discourses on children and childhood. Chinese values emphasise the need for children to exhibit obedience, whilst Western values stress the importance of a happy childhood.

In this study, for instance, the effect of traditional Chinese culture on people's understanding of child abuse was illustrated by the fact that some interviewees did not consider beating children as abuse because of the concept of "spare the rod, spoil the child" (*gun bang di xia chu xiao zi*). Therefore, the intended purpose and result of beating children, based on parents' high expectations of children, should be considered when discussing the definition of child abuse in China. This is a good illustration of the effects of traditional concepts of children and childhood on the definition of child abuse.

³³ The family planning policy is a basic state policy in China, namely a birth planning programme in accordance with the population policy. It was launched as a basic state policy in 1982 and included in the Constitution in December of the same year. "Later marriage, later childbirth, fewer and better birth" are advocated to control population growth in a planned way.

People's understanding of children and childhood is also closely related to how they believe that the problem of child abuse should be solved, as discussed in Chapter 8. For instance, the view that children are incapable and immature emphasises that children need protection and ignores children's agency and ability to protect themselves from abuse by educating and empowering them. Therefore, it is essential to identify people's understanding of children and childhood to understand how the problem of child abuse can be solved.

Finally, this chapter seeks to link the results of this study with the new sociology of childhood that emerged in the West in the 1990s. Specifically, it aims to highlight the difference in public conceptions of children and childhood between China and the West.

6.2. Discourses on Children

This section illustrates how the interviewees perceived children. The concept of childhood plays an essential role in the problem of child abuse and how to solve it. If children are viewed as individuals with agency, in the same way as adults, or as capable individuals, then empowering children and educating them about self-protection can be an important solution for society to prevent child abuse. In contrast, if children are considered as individuals with little or no capacity for self-protection, it will not be easy for the public to accept child empowerment and self-protection education. Based on the results of the interviews, public perceptions of children can be divided into three areas: children as developing beings, children in need of protection, and obedient children.

6.2.1. Children as Developing Beings

A discourse describing children as physically immature mental beings was found to be dominant. More than half of the interviewees (10 interviewees) expressed this view to some extent. They mainly mentioned the power relationship between adults and children and examined children from an adult's perspective.

For example, social worker E mentioned that "children's physical development is not yet finished." Lawyer R believed that children's cognitive functioning is not at

the level of that of an adult. Similarly, doctor J argued that “the main difference between children and adults is their brains Children’s behaviour is relatively childish, while adults are mature people.” These opinions all reflected an understanding of children from an adult’s perspective.

Social worker E mentioned children’s physical condition, whilst lawyer R and doctor J only mentioned their cognitive functioning. For instance, doctor H stated that

the level of cognitive maturity of children differs from that of adults, as does their view of things. They need adults to be by their side when they grow up Needless to say, their mind, cognition, and physical condition are all immature.

Similarly, judge N suggested that “indeed, both the physical and mental conditions of juveniles are very immature ... but they can be guided pretty well unlike adult offenders.” Police officer O thought that the main difference between children and adults lies in their psychology, with few differences in their bodies. Social worker F and doctor G also mentioned the cognitive, mental, and physical differences between children and adults. For example, social worker F suggested that “First, the development of their [children’s] minds is very different from that of adults. Their physical condition determines that their mind, their IQ and EQ, and their ability to act are all different from those of adults.” Doctor G offered the following view:

Children are different from adults in their understanding of society and their awareness of danger. In terms of body, children are different from adults. There is a very large gap in the development of their body, their weight, or their height.

Judge L, lawyer Q, and social worker E also explained that because of their immature mentality and physical condition, children have a low capacity for self-protection. For example, social worker E believed that “children are immature in many aspects and therefore much weaker than adults in terms of self-

protection.” Lawyer Q also stated that “children have a low capacity for self-protection, they make mistakes and break the law easily.” Judge L argued,

after all, children are not as mature in their mental and intellectual development as adults. So naturally they need protection and care. They should not be treated as adults, especially from a legal perspective. Children have limited capacity for civil conduct.

Judge N, doctor H, and doctor I argued that children are developing individuals. The related concepts in the literature are “children as developing beings” and “human becoming” vs. “human beings.” Judge N mentioned that children’s cognitive abilities gradually increase as they become older, and doctor H discussed the growth or improvement of the capacity for acceptance from children to adults. All of these views reflected an understanding of children as developing individuals, as shown in the following examples.

Children are still in a phase of continuous learning and education. Their understanding of society is also gradually increasing. Therefore, when we engage with children, we must realise that children have an inadequate understanding of society. We must therefore provide them with support and education in this respect. (Judge N)

Children go through the preschool-age, school-age, and adolescent phases. Infants and preschool-age children depend entirely on their parents to accept new things. School-age children are usually six years old and older. They have more opportunities to engage with other children and they receive teaching and guidance from school teachers. Thus, they have a different capacity for learning new things compared with preschool-age children. The school-age phase can last a long time, until the adolescent phase begins. Teenagers can experience many problems. They think that they know many things, which is a different kind of mentality. (Doctor H)

Doctor J described children as needing protection until they reach adulthood, concluding that children are developing individuals. He stated that “children and

adults are different. But they are at different stages of development, thus each person will pass from the need for protection to protecting others because each will evolve from a child to an adult.”

In short, the interviewees clearly viewed children as mentally and physically immature and as developing beings. Therefore, they argued, children need protection. Judge L linked this with the immaturity of children in terms of mentality, intelligence, and other aspects. The following section further discusses the interviewees’ views on why children need protection.

6.2.2. Children in Need of Protection

The idea that children are incapable was widely presented by the interviewees. For example, they argued, children have a limited capacity for self-care, a limited moral capacity, a limited ability to make choices, and a limited ability to ask for help or call the police. The absence of these four capacities is summarised in the idea that children are limited in their ability to protect themselves. Among the interviewees, doctor I mentioned that his daughter attended karate lessons to learn how to protect herself. Doctor I and social worker B suggested that it is possible to cultivate children’s capacity for self-protection. For example, social worker B stated that “lawyers talk to children about self-protection laws,” constituting “a kind of prevention.” However, most of the interviewees who mentioned children’s capacity for self-protection regarded children as having little or no capacity for self-protection, and felt that they must therefore be protected by adults.

They claimed that children have no capacity for self-care. Social worker F proposed that “before a child turns three, he has absolutely no capacity for self-care. He or she is not independent. So only the parents can decide for him or her and deal with things for him or her.” Like social worker F, doctor I mentioned children’s lack of capacity for self-care. As outlined in the sections below, the interviewees interpreted children’s lack of capacity for self-care in terms of a lack of moral capacity, the inability to choose, and the inability to ask for help or call the police.

First, children have limited moral capacity, as noted by doctor I and doctor K. For example, doctor I argued that

children, for sure, have no capacity for self-care. Their understanding of society, their mental health, and their level of mental and intellectual maturity are different from those of adults. They do not have the capacity to identify various phenomena and opinions, no capacity for learning or a clear learning goal.

Doctor K's opinion was similar.

First, the main differences between children and adults lie in their capacity for self-protection and their moral capacity. A child cannot distinguish a bad guy from good people. Second, children will not think twice like adults. Children usually have a very pure and simple mind. In addition, children usually lack experience, so they lack the ability to determine true or false, good or bad. Therefore, it is easy for children to be abused.

Doctor K's argument that children have simple minds and are therefore easily abused was echoed by social worker C and social worker D. Social worker C stated that "children's world is simpler and more pure [than adults']; their minds are not complex." Similarly, social worker D believed that "children's world is relatively simple." Doctor J wished that children were able to retain their purity.

Third, according to the interviewees, children have a limited ability to make choices. The results of the interviews generally indicated the power relationship between parents and children, which is a part of traditional Chinese culture. As mentioned earlier, social worker F believed that children are not independent. Social worker D and doctor H stated that children do not have the ability to make choices. For example, social worker D stated as follows.

If you give children too many choices, I do not think it's a good thing because they do not have the ability to make choices. Children do not know which one to choose. Therefore, if you ask for their opinion and they cannot give you an answer, I will make the decision for them.

Similarly, doctor H argued that children do not know how to choose, as shown in the following example.

Interviewer: Did your son choose the painting class or did you choose it for him?

Interviewee: We did. We want our son to choose, but he cannot choose.

(Doctor H)

Doctor G was asked if children should decide for themselves whether to take an interest class, or if their parents should decide for them. Although he did not clearly state that children are not able to make choices, his answer indicated that parents are responsible for making decisions.

If parents have a certain level of education, they will decide what is best for their children. They may ask their children to really focus on one aspect. Therefore, parents may choose their children's interest classes based on their subjective opinions. Other parents may give their children more freedom, for example, ask them what they would like to do in their free time.

Fourth, the interviewees noted that children lack the ability to call the police or otherwise ask for help. Lawyer R suggested that "Chinese children today certainly do not know how to find a lawyer." Lawyer Q argued that child abuse is very difficult to identify because children do not know how to speak out. For example, they do not know when or how to call the police. "Children do not know how to make a phone call or call the police, and it never occurs to them that they can call the police," said police officer P.

As children lack these four capacities, they have no capacity for self-protection and must therefore be protected by adults. This was illustrated by the interviewees when asked under what circumstances children should be protected. For instance, social worker C stated, "I think in all circumstances. Because on many occasions children are unable to judge whether this environment is safe or not." Here, social worker C echoed lawyer R's idea that children may not even realise that being beaten by their parents is child abuse, because they have no capacity for self-protection.

According to judge L, the main difference between children and adults lies in their ability to protect themselves. “Certainly, children have a lower capacity for self-protection than adults, therefore they must be taken care of and protected.” Similarly, judge M suggested that

the main difference between children and adults is their awareness of their need for self-protection. Children do not know how to protect their legitimate rights and interests. We need external forces, laws, regulations, and a system to protect children’s rights and interests.

Both judge L and judge M considered children as individuals in need of protection, which was a dominant discourse among the interviewees. Indeed, judge L clearly believed that children need protection in all circumstances.

Similarly, doctor G saw children as a group in need of protection. Doctor J also stated that “in most occasions, children need protection, because they do not have the capacity to conduct legal action under civil law and they have no awareness of danger. So they need protection most of the time.”

Lawyer Q and police officer O thought of children as a disadvantaged group. Lawyer Q identified several disadvantaged groups, namely the elderly, women, the disabled, and young people. Police officer O argued that children and women belong to disadvantaged groups, and thus need protection.

6.2.3. Obedient Children

Interestingly, most of the interviewees unknowingly expected children to act like adults when interacting with them. In other words, the parents hoped that their children would be obedient; specifically, that they would listen to them. This expectation was often the basis of parents’ rationale for beating and scolding their children.

However, as shown in the section on children as developing individuals, adults and parents in China often believe that compared with adults, children are intellectually, mentally, and physically immature. In addition, as mentioned in the section on children in need of protection, most of the interviewees believed that children lacked

various capacities. These two conceptions of children often explained why parents asked their children to listen to them. Moreover, some interviewees simultaneously considered children as adults and not as adults. For instance, although lawyer R clearly indicated that he did not usually treat children as adults, he still hoped that children could be as “sensible” (*dong shi*) as adults.

Interviewer: When you are with a child, do you consider him or her as an adult?

Lawyer R: Most of the time, I do not. But occasionally, I hope they can be sensible.

In their interviews, social worker D and social worker E clearly explained that they subconsciously treated children as adults and hoped that they understood what the adults were saying. When parents hope that their children will act according to their expectations and requirements, they do not consider their children as independent individuals. In other words, some parents do not consider children as adults, they hope that children will listen to their parents and obey them, as shown in the examples below.

Subconsciously, I treat him as an adult. I hope that he understands what I am saying and that his answer will be the same as mine. In this sense, I am being selfish. I hope that he will do as I expect. (Social worker D)

These parents usually expect their children to act as adults. This type of parent tends to believe that if one does not understand what they are saying, one is an unreasonable adult. Thus, in their subconscious, they actually treat children as adults. (Social worker E)

Social worker E also stated that he did not treat children as adults, and suggested that if children “do not listen,” children will be beaten by their parents. Similarly, social worker B mentioned that “in Chinese culture, children are usually beaten when they grow up, and they will obey you when they are beaten.” Beating children is therefore considered a traditional parenting practice among Chinese people, which in turn justifies this behaviour. In other words, as mentioned earlier, children’s disobedience is the basis of parents’ rationale for beating and scolding their children.

The parents I mentioned previously used to scold and beat their children quite often. One of their reasons is that they think their children do not listen to them. Their standard is “you should listen to me,” “you understand a normal command and then you are a normal kid.” In short, they resort to violence because children disobey. (Social worker E)

The expectation of an obedient child was also suggested by social worker C, who mentioned that he hoped that the child would be both “obedient” (*ting hua*) and “good” (*guai*). According to the interview transcript below, the notion of an obedient or good child mainly refers to the child’s ability to sit down and read a book, emphasising “stillness” (*jing*). A “disobedient” child is a child who does not listen to teaching and advice in terms of discipline and homework. Not surprisingly, playing and driving a scooter are defined as “disobedient” (*bu ting hua*) or “naughty” (*tao qi*) behaviour. Unlike reading a book, this type of behaviour is centred on “motion” (*dong*).

Some colleagues in other social service centres told me that they never actually saw the children in their centres sit down and read a book. They asked me how our children can sit down to read. They considered their children naughtier because they like to play on their scooter, they also feel that they are not as obedient and do not listen to advice on homework and discipline. (Social worker C)

Traditional Chinese culture tends to encourage “stillness” instead of “motion.” In addition, traditional Chinese values do not encourage play activities for children. Han Yu’s old saying from the Tang Dynasty is still used as a motto in today’s society: “achievements are reached by hard work rather than recreation; actions are done after thorough consideration rather than casual decision” (*ye jing yu qin, huang yu xi; xing cheng yu si, hui yu sui*) . The first half of this saying indicates that only hard work, not recreation, leads to progress. Ancient China and modern China have different values of play compared with the West. The following section discusses how the discourses of play in the East and the West affect childhood.

6.3. Discourses on Childhood

This section presents the results of my analysis of discourses on childhood. Children and childhood are two interconnected concepts, childhood being a “constructed” concept. Before the discovery of childhood, there were no boundaries between adults and children. Therefore, children and adults were expected to behave and speak in the same ways.

Identifying discourses on childhood can help better understand how people treat children. In China, children are under enormous pressure to study from primary school or even kindergarten. “Not losing at the starting line” has become a motto for many parents. To “win” at the starting line, Chinese parents enrol their children in different interest classes and nurture them as students with special talents, to be able to take advantage of the lower admission score policy and win at the starting line in this fierce competition. To win, Chinese children participate in various training classes from a young age. Parents sacrifice their children’s happiness and play time, and even force them to take training classes against their will. If children disobey or do not listen to their parents, the parents will scold and beat them. Therefore, the interviewees’ understanding of childhood and play was closely related to how they treat children. If the interviewees believed that childhood should be happy and carefree, they were less likely to beat or scold their children to force them to study. However, due to the pressure of social competition, some parents chose to be “tiger dads and moms,” which could go against their understanding of childhood.

In general, exploring the interviewees’ perceptions of childhood helped understand how they understood child abuse. This section is divided into three subsections illustrating the interviewees’ perceptions of childhood: carefree childhood, missing childhood, and childhood, education, and the parent-child relationship. The interviewees’ attitudes towards play reflected their understanding of childhood.

6.3.1. Carefree Childhood

This section presents the results for the interviewees’ understanding of childhood. They believed that childhood should be carefree, happy, relaxing, free,

healthy, warm, and safe.

For instance, police officer O and lawyer R believed that childhood should be carefree. Police officer O specifically emphasised that childhood should leave space outside of education and adult intervention.

Childhood should provide a space where a child can experience independent growth outside of education. In addition, adults should not be so deeply involved in children's lives. I think that childhood should be spent with other children of the same age and that growing up without worries is more important.

Lawyer R also suggested that "children should be carefree and childhood should be a happy time."

In addition to the need to reduce parental intervention in childhood, as mentioned by police officer O, doctor G and doctor J stated that childhood should be free. For instance, doctor J argued that "it is best to give children a relaxing, happy, and free childhood." Similarly, doctor G said that "I think children should have a peaceful and free environment." Doctor G emphasised that parents should not restrain and control their children in the name of love.

I think children need a happy and free childhood. We should not force them to do something based on someone else's will Many parents restraint their children, force them, or control them in the name of love or by being responsible for them. (Doctor G)

Similar to doctor G, doctor H mentioned that "childhood should first be healthy and happy."

Doctor J believed that "if you have a warm and happy childhood, you will feel happy." Social worker F, like doctor J, considered that childhood should be warm, protected, and respected.

I think childhood should make children feel that people are warm, take care of each other, and respect each other. This type of childhood enables a better development for many children and makes them feel more humanity and warmth I think that care and respect will make people feel that childhood is

beautiful. (Social worker F)

Finally, the interviewees mentioned that childhood should be safe. For instance, social worker D argued that “a good childhood should be spent in a happy and relaxing environment and be safe.” Lawyer Q also suggested that childhood should be safe and that children’s rights should be protected.

A carefree childhood is a happy, relaxing, free, and warm childhood. So, how did the interviewees understand children’s play in the context of a carefree childhood? The following paragraphs address this question based on the interview results.

Doctor K considered that playing in a carefree childhood entailed studying through games and play activities: “I think childhood should be carefree, allowing a child to use his or her imagination and study during games and play activities.” Social worker E shared a similar view, suggesting that childhood should be happy, especially while playing: “During this phase children should be allowed to play happily. Or you can say to let them meet the world and get more information.”

Different from the idea of playing happily proposed by social worker E, doctor I placed a condition on a happy and healthy childhood: childhood is not only about playing happily. Although he emphasised that childhood should be healthy and happy, he focused more on cultivation, study, and reading. An analysis of doctor I’s interview transcript highlighted the conflict between Eastern and Western values: he seemed to emphasise Western values but actually encouraged the Chinese tradition.

I think we should offer children a healthy and happy childhood. But this does not mean just playing. You know about the elite education in this society. When your child plays, upper class children learn social communication and manners, many even study abroad for quality education. When your child is playing, other children are reading books, thick books. (Doctor I)

How did the interviewees’ expectations of a carefree childhood and attitudes towards play fit the context of Chinese society? The following section addresses the dilemma between the expectation of a happy childhood and Chinese reality and values.

6.3.2. Missing Childhood

The previous section discussed the interviewees' perceptions of childhood and play. The interviewees argued that the concepts of carefree childhood and happy play are challenged by the pressure to study, reflecting their inability to help children have a carefree childhood and play happily. Doctor K pointed out that too many extracurricular classes deprive children of a carefree childhood:

Childhood is supposed to be carefree, but now with so many extracurricular classes, children cannot have a carefree childhood. If you do not study, you will fall behind others. You will not understand your teachers' questions in class, so you need to study.

Doctor K gave the example of his brother, reflecting his anxiety as a parent about his children's academic performance.

He said that more than 90% of high school graduates can enter college, but only 30% can enrol in high school. I asked him about the remaining 70%. He said that the remaining 70% can enrol in occupational high school. Those that end up here will not go to university. So, a 30% enrolment rate is pretty awful. Most students will not enter high school. This is why everyone is so crazy to compete ... [for] various types of remedial classes.

This is not an isolated example; it is very common in urban and rural areas of China. Typical examples are the accompanied study mode for students and parents offered at Hengshui High School in Hebei Province and Maotanchang High School in Anhui Province. Students attending these two schools have out-of-school classes on weekends. It is fair to say that they have no time for recreation and rest.

Parents' anxiety is related not only to their children's entry into high school, but also to their enrolment in extracurricular/out-of-school classes, their financial capacity, and competition. In this context, "competition" refers to competition between their children and other children in terms of school results, but also to that between parents regarding their financial capacity and their ability to obtain a *hukou* (household

registration),³⁴ as doctor K suggested.

Studying requires financial support and extracurricular classes are expensive. [Other people may] have a wealthy family and children who are clever and want to study, so there is a difference as you said: the good will be better. Some families do not have the money to take children to these classes, and other families do not have their household residence registered here, thus children cannot participate in the college entrance examination here. Therefore, all of this is out of the question.

One of the consequences of this anxiety and fierce competition for children is endless extracurricular classes. Doctor K explained that many Chinese students have classes at school Monday through Friday and extracurricular classes on weekends. Yet he believed that childhood should be carefree and spent playing, as discussed in the previous section, which presents a stark contrast. Indeed, doctor K stated that in China, childhood involves “five extracurricular classes on weekends: English, painting, and various interest classes since primary school. This is very different from the US, where childhood is what a childhood should be: you play while studying and study while playing.”

Another consequence is that children no longer have an idealistic, carefree childhood. Social worker C explained this using the example of a friend: “I do not think that children today have a real childhood. She [the friend] said that she takes her son to painting, piano, taekwondo, and swimming classes on weekends and that all of his mornings and afternoons are fully planned.” Anxiety and competition also lead parents to prevent their children from simply playing; they want them to read more and get a solid education. This illustrates the contradiction between parents’ hope for a carefree childhood and a competitive education. Unfortunately, the latter often encroaches on the former. As doctor I stated: “For example, Ivanka Trump had a very

³⁴ The household registration system is a basic state administrative system. At first, the system was closely related to land and was a way of managing the population based on families and clans. Now, the household registration system is a legal system allowing the state to collect, confirm, and record people’s basic demographic information, such as birth, death, family relationships, and address, to protect the rights and interests of certain groups of citizens in terms of employment, education, and social welfare. It is a way of managing the population based on individuals.

successful education designed for her. She probably did not play throughout her childhood, she must have received strict training in various disciplines while enjoying childhood.”

6.3.3. Childhood, Education, and the Parent-Child Relationship

The conflict between parents’ expectations regarding childhood and the reality of education affects the parent-child relationship. Chinese education influences the parent-child relationship, which in turn affects children and childhood. Specifically, the reality of intense educational competition in China forces parents to impose strict requirements on their children, such as limiting their entertainment and leisure time to attend various extracurricular classes, to ensure that their children’s scores are sufficiently high to enter top universities. As a result, the parent-child relationship in China, stuck between the reality of education and the fiction of a carefree childhood, can be used as a buffer to protect children’s carefree childhood or as a means of pressure to deprive them of their childhood.

For instance, police officer O pointed out that “childhood in China is actually an education problem. In the current education system, a lot of time is spent studying and there is a lack of moral education and personal development.” The Chinese education system discussed by police officer O combines “artistic” interest classes, covering calligraphy, dancing, piano, fine arts, Chinese chess, and the game of go; classes focused on physical training, such as artistic gymnastics, basketball, football, swimming, taekwondo, or roller skating; and academic competition classes, such as mathematics, physics, and English Olympiads.

Some parents take their children to interest classes to develop their interests and hobbies. However, other parents have a specific objective when taking their children to mathematics and physics competitions. If they win a medal in this type of competition, they may qualify to enter China’s top universities without passing the NCEE (*gao kao*); thus they will not have to compete with many outstanding students for limited opportunities in top universities. In other words, exams rather than interests dictate education. Therefore, “interest-oriented” classes are better understood as

training classes or enhancement classes.

The NCEE is still considered a bottleneck in China today, because people see it as the only way to change their life path. This (mis)understanding is closely related to the history of the exam. After 10 years of interruption due to the Cultural Revolution, Deng Xiaoping decided in 1977 to reinstate the NCEE, providing an opportunity for middle-aged and young people to change their destiny. China has a rural-urban division for its household registration system (*hukou*), and the only way to move from rural to urban registration is the NCEE. Even today, government agencies, state-owned enterprises, and public institutions still prefer to employ college graduates who have “cadre status.”³⁵ Without a college degree, one can only attain “worker status.” There is a big difference in treatment between the two: employees with cadre status have better development prospects than those with worker status. In addition, parents and students attach great importance to school grades because they are deeply affected by the saying “to receive an education is to be at the top of society” (*wan ban jie xia pin, wei you du shu gao*)³⁶ in traditional Chinese culture.

Regarding this social phenomenon, social worker C and a third of the interviewees (six interviewees) shared their opinions on compulsory education and extracurricular classes. Social worker C pointed out that some children attend extracurricular classes because they want to please their parents: “Some children go to interest classes because they really like to learn. However, for some extracurricular classes, they do not want to attend, but their parents will not be happy if they do not.” Doctor I held a similar view, suggesting that “some parents force their children to learn, you know this will happen with China’s exam-oriented education.” Similarly, doctor K wanted to promote heuristic learning, but this could hardly be achieved in the context of exam-oriented education in China.

Childhood in the US is better, which could not happen in China. Children

³⁵ In the Chinese social system, employees have three types of status: farmer, worker, and cadre. College students are special talents cultivated by the state, and thus have cadre status.

³⁶ This proverb means that all sectors are inferior to politics and that the only right path is to enter politics to become a government official.

should use their imagination and creativity during their childhood. Parents should accompany their children during outdoor learning, walks, and trips, which is heuristic learning through observation. Education in China is exam-oriented, it goes without saying that rankings are based on exam scores. (Doctor K)

Doctor G also explained the following:

Back in the days, there were no interest classes. Today, with the development of society, the financial capacity of each family has increased. Therefore, parents spare no effort to educate their children, but there should be a limit.

Doctor G used expressions such as “spare no effort” (*bu yi yu li*) and “there should be a limit” (*shi ke er zhi*), showing that parents go too far for the education of their children.

Although doctor G did not completely reject the possibility of forced education, he believed in individual education and emphasised the agency of children.

Some children may be forced to learn, but some may not. In the movie *Dangal*, the hero trains his two daughters to become world champions in Indian society, where the status of women is very low. I think that this is an acceptable mode. However, whether it works will differ between children. (Doctor G)

Doctor G also mentioned approaches beyond school learning: “Poor exam scores do not mean a hopeless life for children, there are other ways. School learning may not be what they are good at, but it will not be the only factor that will determine their future.”

Doctor H strongly rejected the idea of making children go to many interest classes: “I strongly disagree with the idea. Children only need a certain degree of guidance when they grow up, including developing their minds, rather than too many limitations. I think that they should have a happy childhood.” Doctor J also wished that children could grow up freely.

I prefer to give my daughter more free time, in a relaxing and free environment where he can grow up in a healthy way, which I think is more important than going to a prestigious university. Because when she thinks back, she will feel

that she had a very happy childhood instead of a childhood with only learning and education.

According to doctor G, parents are so keen on “training classes” because they are too busy with work.

Today, parents are very busy at work. When they get home, they are exhausted and are not in the mood or have the energy to take care of their children. Instead, they prefer to enrol their children in interest classes because there are teachers for them. (Doctor G)

Immediately after the creation of the PRC, few women worked. After 1955, however, “women held up half the sky” (*fu nv neng ding ban bian tian*).³⁷ In addition, the international feminist movement and associated promotion of gender equality have substantially diminished the influence of the traditional Chinese saying that “men go to work while women look after the house” (*nan zhu wai, nv zhu nei*). As a result, the employment rate of women in China has increased. However, the labour system in China is not perfect, which leads to frequent overtime.

Drawing on the experience of Japan, social worker D argued that the situation in China – with parents busy working and spending little time with their children – needs to change.

The parent-child relationship in Japan may not be perfect, as many parents are busy with work. However, there is a mandatory measure for parents to engage in public welfare activities with their children, which increases parents’ engagement with their children. So they can reach a family goal.

Social worker D went on to say that “children need to experience a growth phase with their parents by their side. Sometimes we feel that without parental support or care, something will be missing in this phase.” Similarly, social worker E expressed the desire for children to be “supported in their childhood. This is very important as it

³⁷ In 1955, the Guizhou Democratic Women’s Federation published the article “Equal Pay for Men and Women in the Cooperative.” After reading the article, Mao Zedong called on his followers to “promote it in all villages and cooperatives.” Later, he argued that “women hold up half the sky,” which increased women’s enthusiasm for production.

will have a big influence on their lives.” Judge N agreed, stating that “we need to stress the importance of parents’ support during childhood to most parents.” Similar to social worker D, police officer P stressed the importance of learning accompanied by parents, who should practise this themselves and study with their children. He explained this as follows: “I was at my child’s side when he was growing up. I taught him all the way to the ninth grade. Children need your support during childhood.”

Based on the findings described above, we can conclude that exam-oriented education, training classes, and the heavy workload of parents work together to limit children’s potential and damage the parent-child relationship. The medical professionals focused more on education, whilst the social workers and legal professionals focused on providing support for children. The perceptions of education, childhood, and play held by several of the doctors I interviewed also reflected the conflict between traditional Chinese culture, Western values, and China’s reality.

6.4. Summary

The discourses on children presented in this chapter show that the interviewees believed that children lack the ability to call the police or ask for help, the capacity for self-care, moral capacity, and the ability to make choices, which can be summarised as a lack of self-protection ability. How these perceptions affected their understanding of ways to educate children in self-protection and child abuse and empower children is the next thought-provoking question.

Contemporary Chinese understanding of childhood may be influenced by the West. In Chapter 3, this study summarised that the West has heterogenous conceptualizations of childhood. For example, in the pre-sociological discourses of childhood, there are the evil children, the innocent children, the immanent children and naturally developing children. In this study, the interviewees suggested that children are relatively simple and innocent. The perception of children and childhood as innocent may to some extent hinder the promotion of sex education in China. Of course, this perception is not the only factor to blame in this case; it is also related to the stigma associated with sex education in China. However, it is worth discussing the effect of

the discourse of innocent childhood on child abuse.

The interviewees believed that childhood should be happy, relaxing, free, healthy, and safe; that is, carefree. However, the family planning policy implemented 30 years ago has increased parents' expectations of their children. China's exam-oriented education also puts enormous pressure on parents and children. Parents have to sacrifice their children's carefree childhood to enable them to achieve excellent academic results. It is worth reflecting on the fact that scolding and beating children and psychologically pressurising them to perform well academically constitute child abuse.

In the context of China's fierce competition in education and the pressure to study, the highly educated interviewees oscillated between traditional Chinese values and Western values regarding their attitudes towards children's play. Traditional Chinese culture promotes "diligence in study" (*qin xue*), whilst Western values emphasise happy childhood and happy learning. Some interviewees had to compromise in the face of fierce competition and pressure to study.

Moreover, the results showed that because of parents' expectations of children, beating children was considered to have an educational function. This view affected how the interviewees defined child abuse; some defined it as an educational measure implemented by parents. For instance, doctor I, judge N, and social worker F suggested that parents' inappropriate education and inadequate educational capacity are the main reasons for child abuse. Social worker B held a similar view, proposing that "children feel that beating is a type of parenting education." Parents' practice of beating children is discussed in the next chapter.

As stated in the introduction, this chapter has discussed the interaction and conflict between traditional Chinese values and Western values, which profoundly affected the interviewees' perceptions of children and childhood. This topic is also addressed in the next chapter.

Chapter 7: Child Abuse: Definition, Nature, and Causes

7.1. Introduction

This chapter presents the results related to the definition, nature, and causes of child abuse based on an analysis of the transcripts of the interviews with the social workers, medical professionals, and legal professionals in the field of child protection who participated in this study. The interviewees' definitions of child abuse provided a basic understanding of the problem, i.e. the types of behaviour that the interviewees considered child abuse. The discourses on the nature and causes of the problem of child abuse provided a better understanding of how they viewed this problem.

Based on the interviewees' understanding of child abuse, this chapter illustrates that traditional Chinese culture and Western values, social structure and legal development, and the individualisation and medicalisation of child abuse are interconnected in the problem of child abuse. These correlations are the result of the interaction between China and the West, accelerating the pace of globalisation and creating a smaller world thanks to advances in information and communications technology (ICT).

7.2. Definition of Child Abuse

An analysis of the interview transcripts showed that the interviewees defined child abuse according to the physical and psychological harm caused to children. Most of the interviewees were predominantly aware of physical abuse, followed by psychological abuse, although they had some understanding of other forms of child abuse. This section presents the results for the interviewees' definitions of child abuse, including physical abuse and other forms of abuse.

7.2.1. Competing Discourses on Physical Punishment as Child Abuse

Discourses compete when they hold divergent positions (Phillips & Jørgensen, 2002). Such opposition is due to the different views held by different people on the same issue. In this thesis, physical punishment was a clear example. Some of the interviewees viewed it as child abuse, whilst others did not, indicating a lack of

consensus. Over time, one discourse can take the leading position and become a dominant discourse, affecting people's understanding of a problem and its solutions. The following section presents the results of two competing discourses on whether physical punishment is child abuse.

7.2.1.1. Physical punishment is child abuse. Doctor J and police officer O both considered physical punishment as child abuse. Doctor J stated that the “physical punishment of students by kindergarten and primary school teachers is child abuse, including hitting them on the palm, pulling their ears, or making them stand in class.” Police officer O also suggested that “physical punishment is a kind of abuse.” Doctor K clarified that the intention behind the behaviour is also an important consideration, namely whether the behaviour arises from goodwill or malice. He argued that malicious physical punishment is child abuse.

If a child talks in class and he or she is forced to run laps on the playground in a hot summer and is prevented from going home to have dinner, this is abuse. We need to determine whether physical punishment is good or bad. Such behaviour, I think, is malicious. If the teacher is so angry that he or she beats the child with a ruler once, it is OK. It is really about the intention of the teachers. (Doctor K)

7.2.1.2. Physical punishment is not child abuse. Although doctor K considered malicious physical punishment as child abuse, he gave a negative answer when asked whether physical punishment was abuse. In short, he argued, intent should be considered, but the severity of punishment is also important. He believed that physical punishment can be a means of education:

I do not think that physical punishment is child abuse. If a child sits in class and talks with a classmate and does not listen, it is OK to make him or her stand. But the punishment should not last for too long. Some teachers will make children stand for one or two classes, even the entire morning, which is too long as children need rest. Another point is that physical punishment can hurt their self-esteem, but it is not child abuse. (Doctor K)

Doctor K further elaborated on the severity of physical punishment. He

believed that the punishment should not be too severe and that teachers should stop the punishment in time. “When seeing that the child has followed [the command], the teacher should let him or her sit. Actually, a punishment does not have to be severe, teachers should be lenient.” We can see that the same interviewee had different answers as to whether physical punishment is child abuse. The key is intention. With good intent, claimed doctor K, punishment is not child abuse, but with malicious intent, it can be considered as abuse. Intention as a determinant of child abuse is further discussed later in this chapter.

7.2.2. Competing Discourses on Beating Children as Abuse

When discussing whether beating children is abuse, the interviewees showed more divergent views. Judge M and police officer P thought that beating children is child abuse. In contrast, social worker D and doctor G suggested that it is not abuse, whilst social worker E was more ambivalent. Generally, the social workers and medical professionals interviewed were less certain that beating children constitutes abuse than the legal professionals, who were more affirmative in their responses. These different opinions reflected the interaction and conflict between traditional Chinese culture and Western values.

Judge M and police officer P clearly stated that beating children is abuse, regardless of the extent. Police officer P stated that “beating a child is definitely child abuse.” Judge M also argued that “beating and abandoning children is child abuse Beating children, regardless of their age and the extent, is definitely child abuse.”

In contrast, social worker D and doctor G held the view that beating children is not necessarily child abuse. Indeed, social worker D highlighted the difference between beating children in principle and in reality. In principle, all behaviours of beating children are considered child abuse, yet in reality, beating children is a manifestation of traditional Chinese culture. Social worker D explained: “In principle, beating children is abuse, even if it is just hitting on the palm. However, in traditional Chinese culture, spanking is part of the tradition.” Like social worker D, doctor G mentioned Chinese culture and pointed out the origin of beating children, the proverb

“spare the rod, spoil the child” (*gun bang di xia chu xiao zi*).

Parents who beat their children are not necessarily abusive, it depends on the extent and frequency. As the old Chinese saying goes, spare the rod, spoil the child. It has been part of our culture for so many years, transmitted by our ancestors.

Social worker E had a more ambivalent attitude towards this issue. He thought that in the Chinese context, beating and scolding children may not be considered abusive behaviour and was not sure whether child abuse is a violation of the law:

It is difficult for me to judge. Does child abuse break the law? I do not think so. In China, it may not be related to child abuse. When a mother is angry, she will beat or yell at her child or talks in a domineering manner. But you are asking if it is child abuse. If it was, we would have a lot of abuse here. I do not know.

7.2.3. Indifference is child abuse

When analysing the transcripts, I found that being indifferent to children and emotional abuse were dominant discourses of child abuse. Social worker C, doctor J, and lawyer Q explicitly mentioned indifference to children as abuse. Doctor G, lawyer Q, and lawyer R also mentioned emotional abuse. Finally, social worker F mentioned emotional indifference. This indicated that the interviewees’ understanding of child abuse ranged from physical abuse to psychological forms of abuse. In other words, their understanding of child abuse was broad.

Social worker C suggested that even if the guardian provides food and shelter for the child, it is still abusive behaviour if the guardian is indifferent to the child:

Neglect is child abuse. I can guarantee that you will be fed and that you will receive some money every day, but I completely ignore your feelings ... this is abuse. It will cause trauma to the child and even affect his or her outlook on life or love and marriage. (Social worker C)

Social worker F also pointed out the negative effect of emotional indifference on children:

The children here [left-behind children] are apathetic. No one will praise them if they are good or criticise them if they are bad, they are upset. This is the situation of left-behind children, they have no emotional response and no sense of value.

Doctor G highlighted the difference between emotional abuse and other forms of abuse, suggesting that the harm caused to children by emotional abuse is less easily observable. Emotional abuse affects children's personality and mental state.

I think that child abuse is not just about the physical aspect, it also includes emotional abuse. An outside observer cannot feel [or see the harm from] emotional abuse. You can easily notice parents' violent treatment on their children, but you rarely see [the harm of] emotional abuse. I think [sometimes] it hurts a child even more. Under long-term emotional abuse, he or she will suffer in terms of social character, mental state, and other aspects.

Like social worker C, doctor J thought that it is inappropriate to meet children's physical needs but not their psychological needs. In addition, like social worker F, doctor I believed that neglecting children will lead to unsociable behaviour and indifference to society: "During childhood, we should take great care of children and lead them towards a positive and happy direction. Raising children by simply giving them food and clothing is not enough, it can lead to apathy and indifference to society."

Social worker D also shared this view: "a lack of emotional satisfaction is abuse. No scolding, no beating, but no emotional support." In addition, lawyer Q argued that neglect and indifference to children is a type of abuse. He pointed out a shortcoming of the Anti-Domestic Violence Law: it addresses "[physical] violence but provides no regulations on [indifference as a form of] violence.

There are regulations on child abuse in the Anti-Domestic Violence Law. Legally, child abuse [includes] physical violence or verbal abuse, psychological abuse. The drawback of the [current] legal framework is that it stipulates all [physical] violence, such as beating and scolding. But it does not stipulate child neglect, such as not taking a child to the

hospital when he or she is ill or being indifferent to a child.

Like lawyer Q, lawyer R viewed emotional abuse as abusive behaviour and pointed out the flaw in the law, having no regulations on emotional abuse: “I think emotional abuse is [also] child abuse, yet legally, abuse probably means violent action.”

7.2.4. Psychological abuse.

When analysing the transcripts, it was found that psychological abuse against children was also a dominant discourse among the interviewees. Judge L clearly stated that both physical abuse and psychological abuse are child abuse. Judge M considered psychological torture and harm as child abuse: “Today, people are more concerned with mental health. If you do not hurt a child physically, but torture or hurt him or her mentally, it should be considered child abuse.” In addition, all judges, doctors, social workers, and police officers believed that psychological abuse is a form of child abuse. When analysing their transcripts, three common types of psychological abuse were illustrated by the interviewees: not meeting children’s emotional needs, scaring children, and persistently scolding children.

In terms of emotional needs, social worker F considered that not meeting children’s emotional needs is psychological abuse, which can have far worse effects than physical abuse: “I often hear about psychological and physical abuse. Mental abuse is more serious. Failure to meet children’s emotional needs can be a serious form of psychological abuse.”

Regarding scaring children, in one way or another, social worker A, doctor H, and police officer O suggested that bullying children is abuse. For example, social worker A pointed out that “psychological harm is [evidence of] child abuse. Verbal abuse will cause psychological trauma to children and affect them later in adulthood, making them feel shy. I think these are all forms of abuse.” Similarly, police officer O stated that “if parents bully their daughters in the long term, it is child abuse.” Doctor H, social worker E, and police officer P held similar views.

Regarding scolding children, social worker B explained that “it actually depends on the language or how the verbal abuse takes place. Perhaps threatening to

abandon children, long-term accusations, or personal attacks are child abuse, as children live in this environment for the long term.” In addition to the content and language of verbal abuse, the duration should be considered. To consider scolding or accusing children as psychological abuse, this behaviour must occur in the long term.

7.2.5. Factors to Consider When Defining Child Abuse

In the above analysis, the view that beating children is not necessarily child abuse was common. To consider beating children as child abuse, certain conditions had to be met. If these conditions were met, beating children was considered abusive. The interviewees had a clear attitude towards this issue. During the in-depth interviews, they clearly limited the scope of child abuse to a number of conditions: intent and purpose, duration and frequency, the extent of beating, and the consequences of beating.

7.2.5.1. Intent and purpose. According to the interviewees, beating children out of goodwill is not child abuse. For instance, social worker A suggested that there may be a good reason for beating a child. Social worker D and social worker E also mentioned beating children out of love, and doctor I mentioned goodwill. Social worker A stated that

if a child is beaten every day, I think we need to see why his or her parents beat him or her. Is it the child’s problem or the parents’ problem? If the child is too naughty, it is OK to educate him or her to some extent.

Evidently, social worker A considered beating children as a means of education. Social worker D held the same view:

There are two types of beating: beating out of love and beating for no reason. If a father beats his or her child to educate him or her or to teach him or her to take responsibility, it is out of love. But beating for no reason is like beating a child to vent your anger.

Similarly, social worker F proposed that beating is only abuse if it is not performed in the child’s interests. He suggested that beating as a means of education will help the child grow. According to him,

Educating and disciplining children, such as beating and scolding them, but not out of care and out of love, is a type of child abuse. If you love your children and hope they grow up to become normal and good children, then I do not think that beating and scolding is abuse.

Doctor K held a similar view.

In addition to intent, social worker D, doctor H, doctor K, judge N, and police officer O discussed the purpose of beating children. The three groups of professionals focused on the purpose of the perpetrators to determine whether beating children is abuse. Usually, the purpose of beating children or physical punishment is related to education. For example, social worker D stated that “spanking is part of the tradition. Regardless of good or bad, it has its purpose.” Doctor H pointed out the difference between education and abuse: “I think that physical punishment for educational [purposes] is acceptable, we need to distinguish this from abuse.” Police officer O also believed that “in Chinese tradition, parents beating their children once or very lightly, for educational purposes, is common. You cannot say that they are abusing children. However, legally it is different.” Here, he acknowledged the distinction between traditional Chinese culture and China’s modern legal system.

7.2.5.2. Duration and frequency. The interviewees also considered duration, i.e. whether children are beaten continuously over a long period or beating only happens occasionally. In the first case, they argued, it is abuse; in the second, it is not. Another consideration was frequency. If children are beaten frequently, this behaviour is more likely to be considered child abuse. The views of social worker D, doctor G and judge L in terms of duration are summarised below.

If children are not beaten seriously, or if it is not a continuous process, for example, a father beating his or her child for an entire night, and they are fine the next day, then we do not need to intervene. (Social worker D)

I do not think that it is acceptable. My parents beat me when I was little, I am against it. But it depends on the frequency [of beating]. If parents beat their children often, it is definitely abuse. If it is only occasional, I tend not to be too

harsh on this issue. (Doctor G)

The two judges also argued that long-term violence against children is abuse. At the same time, they had a tolerant attitude towards warning and educating children occasionally. Judge N stated that “usually, as we understand it, abuse is a long and constant process of harm. I have come across very few cases of [child abuse] in my work as a judge.” Judge L mentioned that whether beating children is abuse “depends on the extent. If it is long term and the child is covered with injuries, it is definitely too much. But if it is only to warn or when the child is wrong, appropriate education is acceptable.”

7.2.5.3. The extent of beating. Generally, the interviewees did not consider light beating as child abuse, unlike causing physical harm. The analysis revealed that half of the interviewees (nine interviewees) considered beating children as abusive if it is extensive. The three groups of professionals nearly reached a consensus in this respect.

For example, social worker B and doctor H both considered that light beating is not child abuse, as shown in the following statements: “Light beating is not abuse, but beating for real is, as there will be scars” (social worker B) and “Light beating does not count as abuse” (doctor H).

Similarly, social worker E stated that the extent of child abuse should be considered. Doctor G did not consider beating children as child abuse, stating that there is a limit to beating and that beating has an educational function:

Which parent has never been angry? Slapping a child is very common, but it depends on which part of the child is slapped and to what extent. Harm should not be caused to the child, the key is to manage the extent. Spanking a child lightly is definitely fine. You can never teach a child properly if he or she does not feel pain.

Similarly, doctor K and lawyer R both considered physical harm as a type of abuse. Doctor K pointed out that “severe beating is considered abuse if it causes harm [to the child].” Lawyer R further argued that “if there are scars or permanent injuries,

it is serious, it is abuse.” Doctor J agreed. In addition, judge L and police officer O both stated that beating a child black and blue is definitely abuse. Judge L said that “if the beating lasts a long time and causes injury, it definitely crosses the line.” Police officer O also pointed out that “black and blue (bruises) and serious injuries are definitely child abuse.”

In addition to physical harm, doctor J and judge N discussed the psychological harm of beating children. If psychological harm is caused, this behaviour is child abuse. Doctor J pointed out that “injuring or maiming a child is definitely abuse. Causing psychological distortions and trauma, leading to a frightened child, is also considered abuse.” Expressing his opinion on whether parents beating their children is abuse, judge N explained the following.

It depends on the extent. If physical or psychological harm is caused to the child, even if it is not serious, it should be considered abuse ... If the child is hit on the palm once because he or she did something wrong or is spanked for doing something dangerous, I think it is just a warning or a reminder.

It is worth noting is that both doctor G and judge N mentioned beating children as a warning as acceptable parental behaviour when educating their children.

7.2.5.4. The consequences of beating. When deciding whether beating children is abuse, some interviewees based their views on whether such beating helps children get back on track, for example, by improving their academic performance. Compared with other considerations, this was less common. Below are some excerpts from the interviews with doctor G and social worker F.

I know a child whose father hit him with a belt. But he got great results when he grew up and studied abroad in the US. This is inseparable from the way his father educated him. He played video games when he was little and did not study at all. He was afraid his father would beat him, so he studied hard. However, this method should not be encouraged. (Doctor G)

If beating is severe, it is definitely child abuse. But, based on the concept of “spare the rod, spoil the kid,” if beating can make a child grow, I do not think it

is abuse. It is not an impossible method of education. This is probably my cultural DNA and habit. However, if beating does not improve the child's behaviour, or even makes it worse, it is perhaps abuse. (Social worker F)

Both interviewees mentioned the positive effect of beating children. In addition, although doctor G did not encourage educating children through beating, social worker F considered it worth trying, as it is part of "Chinese cultural DNA."

7.2.6. High Tolerance for Child Abuse

To summarise, the interviewees generally considered the intent, extent, duration, and consequences of beating children. Based on their interview transcripts, although they generally tended to reject child abuse, they only classified the few cases that met their narrow definitional framework as child abuse. The interviewees generally showed a high tolerance for child abuse, illustrated by the statement of Judge L reproduced below.

After all, child abuse occurs only in rare circumstances. If it were universal, society would be horrible. Abuse means treating children in a cruel and vicious manner. It probably refers to psychological intimidation and threats and to physical beating and molestation. These are abusive behaviours.

Without further explanation, judge L clearly considered child abuse to refer to extreme cases, reflecting the views of many interviewees in this study.

7.3. Nature and Causes of Child Abuse

This section discusses how the interviewees perceived the nature and causes of child abuse. According to the interviewees, child abuse can arise from personal, family, legal, social, and cultural aspects, with multiple factors often working together to contribute to the problem. Their narration of individual and pathological reasons pointed to an individualising tendency to attribute child abuse – to social and legal reasons via a structural attribution, and to cultural and family reasons via a traditionalising attribution. In many cases, the interviewees mentioned that child abuse is caused by multiple factors and can be attributed to the interplay between traditional Chinese culture and the Western world, made possible by the increasing pace

of globalisation and progress in ICT.

7.3.1. Personal Problem

In one dominant discourse, child abuse is seen as a personal problem. Coupled with a pathologising perspective, this view attributed the nature and causes of the problem of child abuse to personal factors, to the neglect of the structural factors of the problem of child abuse, and to the protection of children from abuse from a structural perspective.

Half of the interviewees (nine interviewees) argued that personal reasons lead to child abuse, while many also admitted that there are reasons other than personal problems.

Social worker B and lawyer R pointed out that the nature of child abuse is related to personal problems. Lawyer R considered that the reasons for abusing children “are probably closer to personal behaviour.” Judge M and police officer P pointed out that parents cannot control their mood due to their enormous pressure at work. Specifically, judge M gave several reasons, all related to personal matters, suggesting that “often, it is due to enormous social pressure, work pressure, or family conflicts. When they cannot find an appropriate solution, they vent their anger on their children. This is usually the case among family members.” When discussing the causes of child abuse, police officer P admitted that personal reasons have a social and economic basis: “When you have a job and a family, you have to take care of the elderly and children. The adults in each family face this pressure and someone will feel upset.” Social worker F suggested that family poverty explains why parents vent their anger on their children.

An important cause of child abuse is poverty, I think it has been a main cause for a long time. Parents are poor because they suffer from injustice in society or because they do not stand out or succeed, so they beat and scold their children to vent their anger.

Doctor I, judge N, and social worker F argued that parents’ inappropriate means of educating their children and their inadequate parenting skills are causes of child

abuse. Doctor I gave many reasons, all related to personal factors. He stated that “some parents resort to easy and harsh methods to teach their children because they do not have adequate [parenting] skills.” Judge N also believed that “the ability of parents in terms of family education is a big problem.” Similarly, social worker F explained the following.

Regarding the nature of child abuse, I believe that personal issues lead to this problem. Parents may be influenced by social customs or family culture, they accept their parents’ cultural DNA to beat or scold their children as a way to educate them, leading to child abuse.

7.3.2. Pathological Problem

Generally, the interviewees agreed that child abuse is a psychological, mental, or pathological problem. Overall, nine interviewees (social worker A, social worker D, social worker F, doctor G, doctor H, doctor I, doctor K, judge L, and judge N) argued that child abuse is a medical problem. Three of the six social workers and four of the five doctors interviewed shared this view. This suggests that this pathologising discourse may be related to professional training. However, as two of the three judges interviewed also considered it a medical problem, it is more likely that this pathologising discourse is strongly anchored among Chinese people.

The medicalisation of child abuse is a partial understanding of the phenomenon and can lead to one-sided solutions, which fail to resolve the problem. In addition, it can be seen that social workers and doctors powerfully “produce” an expert discourse, arguing that child abuse is a medical problem. The relationship between knowledge and power is discussed in more detail later in this thesis.

Social worker A and social worker D viewed child abuse as a mental problem, whilst social worker F considered it a psychological problem. In addition, four of the five doctors interviewed saw it as a medical problem, e.g. doctor G and doctor C attributed child abuse to parents’ mental challenges. Indeed, doctor I suggested that abusing children “may be due to obsessive-compulsive disorder [in parents].” Doctor G also explained the following:

often, I think that child abuse is related to parental illness. Child abuse rarely occurs in normal families where the parental relationship is harmonious. Abuse can also be related to the mental aspects of parents, for example, they are easily upset or agitated.

Similarly, doctor H stated that the reason for child abuse “could be tyranny.” Doctor K attributed child abuse to mental and psychological problems and stressed the importance of psychiatrists over lawyers and judges. He suggested that abusers suffer from sadism and should be treated. Based on the results, it seems that medical doctors and social workers have produced a clear discourse, arguing that child abuse is a medical problem based on their power and forming a knowledge system that child abuse belongs to the fields of public health, mental, and medical problems. This system has influenced other professionals, as evidenced by the fact that judges held the same view, further empowering doctors.

Judge L and judge N held the same position as that of several doctors. Judge L believed that child abuse is a “social and medical problem.” Judge N further clarified that child abuse can be related to mental disorders, such as depression, mania, or sadism, affecting other family members.

The views of these two judges illustrated the effect of medical power on the judges’ perceptions of child abuse, which has gradually spread to the justice system. Therefore, when adjudicating cases of child abuse, judges may also rely on psychological and medical knowledge. The medicalisation of child abuse by social workers, doctors, and judges will lead to medical solutions.

7.3.3. Family Problem

In another dominant discourse, child abuse is a family problem in terms of nature and causes. Indeed, social worker A, social worker B, social worker E, doctor H, police officer O, and police officer P argued that child abuse can be a family problem. This view was shared by all of the social workers. For example, social worker A stated, “I would consider it a family problem.” Social worker B explained that

child abuse is very unlikely to be discovered by other people or by society,

because Chinese people would consider it a family problem. The problem is not discussed, or children believe that it is the way for parents to educate them.

Similarly, social worker E stated that “after all, it is a family problem. Your power may not be enough to change others’ family structure.”

It is worth noting that not only the social workers considered child abuse as a family problem; the two police officers interviewed agreed with this view. For example, police officer P suggested that the nature of child abuse is a “family matter.” Police officer P stated as follows.

After all, it is a family problem, if you arrest the child’s father for abuse, who will take care of the child? Welfare facilities in China are not well developed, which is a very realistic problem. Without the other necessary support facilities, you cannot expect police intervention to play an important role.

We can see that child abuse as a family problem has become a dominant discourse in China, which explains why the problem is invisible and why people believe that public intervention by professionals will not be useful.

7.3.4. Legal Problem

Doctor K, judge M, and lawyer Q held the view that inadequate laws are the reason for child abuse. As only three interviewees suggested this point of view, it cannot be viewed as a dominant discourse. Below are excerpts illustrating this view. Doctor K argued that “the legal system related to this problem in China is not that perfect.” Similarly, Judge M suggested that

we do not fully use the current law to protect the rights of children, or we can say that the punishment for child abuse is not severe enough to prevent more cases of child abuse, which makes it even more serious.

Lawyer Q suggested that no legal regulations cover parents’ abuse of their children in China and that the cost of breaking the law is low. He also mentioned that it is a flaw in the Chinese legal system not to treat child neglect as abuse. The view of lawyer Q was undoubtedly related to his social class. Belonging to the middle class, lawyers do not fully understand the helplessness of low-income workers who do not

have the time to take care of their children or the financial means to hire someone to do it.

7.3.5. Cultural Problem

The interviewees commonly also viewed child abuse as a cultural problem. Social worker B, social worker D, social worker E, doctor K, and lawyer Q believed that traditional Chinese culture is one of the factors leading to child abuse. Social worker D argued that beating children is a traditional way of educating young children. Although social worker D considered child abuse as a social problem, he also discussed culture as a deeply rooted cause.

In mainland China, I would say that [beating children] is cultural. In traditional education, children need to be beaten. It can also be a social and family problem, so ultimately I would consider it a cultural and social problem. A social problem cannot be solved if culture and ideology do not change. (Social worker D)

Social worker B also argued that abusing children is “a cultural problem because they always treat children that way.” Similarly, social worker E believed that child abuse is related to culture. He suggested that scolding and beating children is common in China, which can hardly be seen as child abuse from the perspective of Chinese culture, and that if scolding and beating children are considered child abuse, child abuse is everywhere in China. Social worker B, social worker D, and social worker E all argued that scolding and beating children are part of Chinese culture.

Explaining his views on the cultural causes of child abuse, doctor K compared the Chinese and Western ways of raising children. Unlike the West, Chinese culture condones the use of punishment to discipline children. Indeed, doctor K stated the following: “I agree that it is because of culture, which is also a habit. Chinese people are used to discipline their children, which is a fundamental difference between Western culture and Chinese culture. Americans are very democratic.”

Based on the results of the interviews, both traditional Chinese culture and Western values played a role in the interviewees’ understanding of the problem of child

abuse. Obviously, there are collisions and clashes between Western and Chinese values. This was evidenced by the statement of lawyer Q that “child abuse can be a complex problem, our culture does not take the perspective of children. Usually, we issue laws and promote law education from an adult’s perspective.” The Chinese culture discussed by lawyer Q does not focus on the child’s perspective, only on the adult’s perspective.

7.3.6. Child Abuse as a Multi-Causal Problem

Explaining their views on the nature of child abuse, social worker C, doctor H, doctor K, judge N, and police officer O suggested that multiple factors work together to lead to child abuse. However, child abuse was rarely understood as a multi-causal problem, which was not, therefore, a dominant discourse. Some exceptions are as follows. Social worker C believed that child abuse involves multiple factors, including personal, family, and social factors. Police officer O suggested that personal, mental, social, legal, and cultural factors all lead to child abuse. Specifically, police officer O mentioned that personal factors are not the only cause of this problem; there are also social factors, such as a lack of social education and public understanding. Doctor H argued that child abuse is

a family problem and a cultural problem and is related to personal character or temperament. Personal pathology may also be a reason, as medical research has shown that some people have violent tendencies, which can lead to child abuse. However, it cannot be seen as mainstream.

Doctor K suggested that child abuse is caused by cultural, legal, and medical factors and that these factors interact and influence each other. Judge N held that child abuse is a family problem, a legal problem, and a social problem. He pointed out that “during the trial of most cases related to a family problem, they are not only problems of law and family affection, but also social problems.”

7.4. Summary

By summarising the arguments of the interviewees, we can see the interaction and conflict between traditional Chinese culture and Western values and between the

structural discourses of child abuse and the individualisation of child abuse. Physical punishment reflects two functions: the power of parents over children and the perceived need to discipline children. In traditional Chinese society, physical punishment is part of parental authority, a demonstration of their power, which is very similar to the relationship between monarchy and punishment described by Michel Foucault. Foucault (1995) proposed that

in monarchical law, punishment is a ceremonial of sovereignty; it uses the ritual marks of the vengeance that it applies to the body of the condemned man; and it deploys before the eyes irregular and always above its own laws, the physical presence of the sovereign and of his power. (p. 130)

Foucault (1995) also pointed out that “a body is docile that may be subjected, used, transformed and improved ... in every society, the body was in the grip of every strict powers, which imposed on it constraints, prohibitions or obligations” (p. 133).

Three points are worth discussing: the dissemination of the concept of child abuse; the individualisation of child abuse; and the absence of the child from discourses.

7.4.1. The Dissemination of the Concept of Child Abuse

No concept of child abuse existed in traditional Chinese culture. However with globalisation and the popularisation of the Internet, this Western concept has gradually entered the mentality and language of Chinese people. This point was made clearly by the statements of the interviewees about child abuse, reflecting their acceptance that specific behaviours should be considered child abuse.

Regarding the definition of child abuse proposed by the interviewees, they often mentioned physical abuse first, followed by psychological and emotional forms of abuse. This shows that the interviewees’ understanding of child abuse has widened, echoing the international experience that awareness of child abuse begins with physical abuse before involving other forms of child abuse and neglect. Globally, the concept of child abuse was first based on the battered child syndrome, which refers to physical abuse.

Based on the transcripts of the interviews, there was little dispute among the

interviewees that psychological abuse is a type of child abuse. They all believed that mental abuse and psychological abuse are forms of child abuse. Psychological harm inflicted on children as a form of child abuse was a dominant discourse among the interviewees. Indeed, there were no competing discourses on this point of view. However, the professionals interviewed defined child abuse differently in two respects: whether physical punishment is child abuse or not; and whether beating children is child abuse or not. The interviewees had different views on whether physical punishment is physical abuse, leading to competing discourses.

Although the concept of child abuse came from Western countries, because of deeply rooted traditional cultural values, such as “spare the rod, spoil the child” (*gun bang di xia chu xiao zi*) and “expecting children to have a bright future” (*wang zi cheng long, wang nv cheng feng*), it will be very difficult to change traditional Chinese values when it comes to beating children, despite the continued effect of Western concepts and values on Chinese traditions.

7.4.2. The Individualisation of Child Abuse

The different professionals interviewed had different opinions on the nature or causes of child abuse. The interviewees suggested that this problem has personal, medical, family, legal, social, cultural, and/or mixed causes.

Through the efforts of different agencies, such as the Committee for the Protection of Children and Adolescents, the problem of child abuse has been medicalised. Medical discourse has created the knowledge system that child abuse is a public health, psychological, and medical problem. This knowledge system has increased the authority of physicians. In addition, it has influenced the understanding of child abuse among social workers and legal professionals. To be more specific, social workers and legal professionals generally consider child abuse as a medical and psychological problem. This medical discourse has not only affected other professionals, but also the justice system, the daily work of child protection, and news reports through agencies, such as the Committee for the Protection of Children and Adolescents, the investigation of the psychological background of minors by the courts,

the Expert Committee on Child Abuse Protection Cases, and the Committee for Child Abuse Prevention.³⁸ Moreover, medical discourse has spread through traditional and new media to affect public understanding of child abuse.

Foucault (1995) argued that

the formation of knowledge and the increase of power regularly reinforce one another in a circular process ... any growth of power could give rise in them to possible branches of knowledges; it was this link, proper to the technological systems, that made possible within the disciplinary element the formation of clinical medicine, psychiatry, child psychology, educational psychology, the rationalization of labour. (p. 224)

Foucault (1995) also pointed out that “as medicine, psychology, education, public assistance, ‘social work’ assume an ever greater share of the powers of supervision and assessment, the penal apparatus will be able, in turn, to become medicalized, psychologized, educationalized” (p. 306).

The differences in the professionals’ understanding of the causes and nature of child abuse can influence their solutions to this problem. There was no consensus among the interviewees; the different professionals understood the nature and causes of child abuse differently. This may also affect their interventions in cases of child abuse and the effectiveness of the implementation of future children protection policies and intervention procedure guidelines. Therefore, a better understanding of the scope of the consensus reached and of the differences between various professionals is important to formulate and implement laws and policies on child abuse and child protection.

7.4.3. Missing Child-Centred Concept

This chapter has discussed the dominant and competing discourses on child abuse by various professionals. However, there seems to be a lack of a child-centred concept among professionals. Indeed, almost all of the interviewees discussed child

³⁸ A typical example is that of Jiao Fuyong, Director of the Department of Pediatrics at Shaanxi Provincial People’s Hospital. Please see <http://news.sohu.com/20050518/n225617533.shtml> for Jiao’s article “Abuse and Neglect of Children: A Serious Public Health Problem”; accessed 26 February 2020.

abuse and child protection from an adult's perspective. For example, when discussing what constitutes child abuse, most interviewees mentioned the purpose and outcome of beating children based on the expectation of adults. They did not see it from a child's perspective, let alone mentioned related concepts, such as children's rights and needs, the best interests of the child, or a child-centred concept.

In November 1919, Lu Xun stated in his article "How We Should Be Fathers" (*wo men zen yang zuo fu qin*) that all facilities should be child-centred. A century passed before this concept was mentioned again. This idea is not only important for how to be good parents today, but also for the well-being of children, child welfare, and child protection. In addition, policies should be focused on children and the best interests of the child.

The notions of children and child abuse and the perceptions of professionals of ways of solving the problem of child abuse will affect the understanding of and solutions to child abuse. Therefore, the perspectives of professionals on responses to child abuse are discussed in Chapter 8.

Chapter 8: Perspectives on Responses to Child Abuse

8.1. Introduction

Based on the results for the discourses on children and childhood in Chapter 6 and the discourses on child abuse in Chapter 7, this chapter presents the interviewees' views on how to solve this problem. The main argument of this chapter is that child abuse is a systematic problem, which requires coordination and cooperation between government departments, communities, and stakeholders to find effective solutions.

8.2. Problems to Combat Child Abuse

When discussing how to deal with the problem of child abuse, the interviewees identified four main problems: the ineffectiveness of the police, a lack of family intactness, intervention difficulties, and insufficient coordination between departments. The first two problems involve legal discourses, and the second two relate to administrative discourses.

8.2.1. Calling the Police is Not an Option

Social worker F and doctor G suggested that it is often ineffective to call the police when dealing with cases of child abuse. Social worker F stated that “without laws, calling the police is useless, unless it is reported by the media.” Doctor G remembered that once she saw a child constantly shaking his head in the hospital. She suspected the child may have taken methamphetamine.

We found bruises all over the child's body and reported the case to the superintendent of the hospital, asking if we should call the police or not. However, I did not call the police. Even if I had, the police would not have intervened in a child abuse case.

Doctor H held a similar view, explaining that in the event of physical injuries, we will decide whether we should report the case to the director of the hospital based on the situation. Calling the police is not our choice. No one will intervene in cases of child abuse in China, not even the police.

However, police officer O did not agree that the police do not intervene in cases of child abuse: “I believe that even the least competent police officer in our police station will not turn a blind eye to a child abuse case.” Police officer O added that “there are a lot of things that the police can do. In the civil service system of China, police officers work long hours with great work pressure.”

Another reason for the ineffectiveness of calling the police was put forward by lawyer Q, who argued that “the problem is the absence of procedures to deal with cases of child abuse.” Doctor G held a similar view, suggesting that “we do not have procedures to deal with such cases.” In short, lawyer Q and doctor G suggested that there is no coordination mechanism between the police system (public security system) and the medical system to handle cases of child abuse, which shows that the problem of child abuse has no systematic solution.

In addition, most interviewees suggested that they would not call the police in the event of child abuse. For instance, social worker B stated, “I really do not think that beating a child needs to be handled by the police.” Social worker D further stated that

after all, it depends on whether children, parents, and neighbours think about calling the police. If not, there will be no solution ... even if you call the police, it is still not clear whether the police will ask social workers to come or not, as the whole system is not connected.

Police officer P indicated that he rarely receives case reports on child abuse. This suggests that stakeholders rarely call the police for cases of child abuse. Police officer P also explained this as follows:

it is impossible for a child to call the police if his or her father beats him or her. Even if the mother witnesses her child being beaten by the father, it is unlikely that she will report the case to us. As police officers, we can only be mediators. In short, police officer P illustrated the role of the police in cases of child abuse.

One notable exception was lawyer Q, who suggested that “anyone who discovers cases of child abuse should call the police.” This view was rare among the

interviewees. Lawyer Q argued that

many social workers in mainland China are not familiar with the law and do not even know the specific function of each government department. Social workers are especially unaware of the constitution, they do not know the origin of their rights.

Based on the analysis of the interview transcripts, the interviewees focused on legal intervention and did not realise that there are other options, such as seeking help from residents' committees or social workers.

8.2.2. Family Intactness

Like their counterparts in the West, Chinese people place great value on family intactness, which affects the decisions of judges when dealing with cases of child abuse. The view of the judges interviewed reflected the myth that the “family is always good for children”:

if parents were deprived of guardianship, who would take care of their children? The government cannot do the job. In Hong Kong, there are specific government agencies to supervise and place children with foster families, and social service organisations will take care of children. However, in our country, it is better for children to live with their parents than in welfare institutions. We do not have organisations with the legal capacity to replace parental guardianship. (Judge N)

The concept of family intactness showed that it is difficult to apply child protection laws. For instance, judge N emphasised that family intactness is presumed to be in the best interests of children:

government intervention in family affairs should be subject to the condition that the conflict in the family is serious. This principle can be applied to child protection. External intervention should not take place unless the child is seriously injured. After all, family intactness, affection, and communication must be protected.

The absence of child protection agencies, services, and laws in China highlights

that child abuse is a systematic problem.

8.2.3. Intervention Difficulties

In terms of intervention difficulties, the social workers I interviewed often mentioned the absence of a legal framework clearly defining their role when handling cases of child abuse. As social worker D explained,

we do not have a defined role to step in. Even if we want to intervene, the parents and related government departments will not allow it. Sometimes we have to wait for parents and related government departments to ask for help, then we can intervene.

Lawyer Q proposed a solution, emphasising the importance of creating a special government department for general administration: “It is only with a special child welfare department that this problem will be properly handled.” Doctors D also felt helpless, as evidenced by his use of the word “only” several times during the interview:

We *only* have five minutes for each patient, what kind of help can you give to a child? What I can do is check his or her mental state and make suggestions to the parents. I can *only* act as a spectator. We are not indifferent, it is just that we do not have enough time to sit and talk, otherwise other patients will complain. Therefore, the first thing I think of is to call the police. But, what can I do after that? You will find that calling the police is useless, there is no regulation that says that child abuse is a violation of the law. As doctors, we can *only* check the mental state of the child and suggest consulting a psychologist. I am a paediatrician and this is the *only* thing I can do in five minutes.

Unlike doctor J, lawyer Q proposed that “we should not be the silent majority. We should have civic awareness for the development of society.” One of the reasons for the difficulties of intervention is the lack of awareness among professionals, which must be cultivated in professional training. Social workers and doctors often find it difficult to intervene in cases of child abuse, suggesting that there is a lack of communication, cooperation, and coordination between professionals, between

professionals and government departments, and between social services organisations, hospitals, and government departments. This further illustrates that child abuse is a systematic problem.

8.2.4. Lack of Coordination

Social worker F mentioned the lack of coordination between police officers and social workers, suggesting that “it is impossible for us to tell the police what to do, they would not listen to social workers. They would simply drive a police car to a child’s home. But we do not suggest doing that.” However, Lawyer Q saw the coordination between different government departments from a broader perspective.

A City Committee for Juvenile Protection is placed under China’s Communist Youth League Committee. The National Working Committee on Children and Women under the State Council is created by the State Council, but operates under the Women’s Federation. The functions of these two departments and the way in which resources are allocated need to be clarified. The Minors Protection Law does not specify which department is responsible for the protection of children.

Social worker D also explained: “We feel helpless. Although the latest Anti-Domestic Violence Law mentions that social workers, schools, and neighbourhoods have an obligation to call the police for cases of child abuse, the police procedures are different from those of social workers.”

The root cause of the coordination problem lies in the lack of a mechanism to coordinate the efforts of different departments. As lawyer Q stated, “there is no corresponding police department to handle children cases.” The second problem was identified by social worker D, who argued that “there is no organisation responsible for young children, there is none for kindergarten or even younger children.”

This problem has also been noted by the Chinese government, which has started to make changes. In February 2019, a new Child Welfare Department was created under the supervision of the Ministry of Civil Affairs, which is responsible for formulating policies and standards in the areas of child welfare, orphan protection, child

adoption, and child assistance. The department is also responsible for optimising the child care system for left-behind children in rural areas and the child protection system for children in difficulty, and for providing advice on child welfare, adoption registration, and the management of child protection agencies.³⁹ In January 2019, the Supreme People's Procuratorate created the Ninth Procurator Office, which is specifically responsible for prosecuting juvenile-related cases. This will be beneficial for the legal protection of juveniles.⁴⁰

In summary, the interviews showed that there is a general inability among professionals to deal with cases of child abuse. The lack of coordination and cooperation between social service organisations, government departments, the police, the procuratorates, and the courts clearly illustrates that child abuse is a systematic problem.

8.3. Perspectives on Solutions to the Problem of Child Abuse

Regarding the different solutions to child abuse, some interviewees preferred mediation and had an ambiguous attitude towards government intervention, while others preferred to optimise laws and regulations and were positive about their use to punish child abusers and protect children. These two views reflected opposing attitudes towards public power. In short, the interviewees identified different solutions to child abuse, namely mediation, laws, departmental administration, social services, and foreign experience. Mediation may be related to the influence of traditional Chinese culture. In addition, the discourses on mediation, laws, departmental administration, and social services reflect a systematic problem. Moreover, the discourses on departmental administration, social services, and foreign experience may be affected by Western values.

8.3.1. Mediation Discourse

When discussing how to solve the problem of child abuse, one third (six) of the

³⁹ Source: People Web. Please see <http://gz.people.com.cn/n2/2019/0218/c358161-32649663.html>, accessed 27 August 2020.

⁴⁰ Source: Chinanews Web. Please see <http://www.chinanews.com/sh/2019/01-03/8718887.shtml>, accessed 27 August 2020.

interviewees preferred mediation. “Mediation” refers to the practice of dealing with child abuse in the context of Chinese culture.

For instance, social worker D stated that “what we can do is try to persuade the parents to protect their children when beating them. We rarely see cases where the police are called.” Doctor I added, “we do our best to help them. If we can, we try to have a friendly conversation with the parents.” Social worker F explained that

police officers must be aware that child abuse is a violation of the law, so they can provide help on time. With regard to domestic violence, the police often take Chinese culture into consideration. Even if a police officer intervenes, he or she may not consider what the parents have done as abuse and arrest them. The role of the police is to mediate, not to intensify the conflict.

Police officer P also stated that “if children are beaten by their parents or older relatives, we simply go there and mediate the conflict.” He further explained why he uses mediation to deal with such cases:

Interviewer: You said that the grandfather starved his grandson. How did you handle the case?

Police officer P: I just talked and persuaded him. I told him that the education of children is not forced. We are not psychologists. In fact, family conflicts are very difficult to manage. For example, if a father beats his child, as policemen, we must do our best to mediate the conflict and satisfy both parties. Because even if the father is arrested, the problem will not be resolved, the conflict may escalate after the arrest.

Interviewer: If a father beats his child very severely, would you still choose mediation over arrest?

Police officer P: Yes. Whether it is minor injuries, serious injuries, or sending the parents to prison, children may lose the financial support of their families, then how can family intactness be preserved? ... The police rarely arrest these parents. Article 19 of the Security Administration Punishment Law regulates mediation.

Based on the analysis of the interview transcript, police officer P treated child abuse as a dispute. The way to handle conflicts and disputes is mediation. Yet, the nature of the problem of child abuse is not a dispute, but parental failure, which is a moral and ethical problem. Nevertheless, police officer P still used mediation, even in very serious cases of child abuse. Similarly, police officer O justified the use of mediation, stating that

the police enforce the law in a cold and harsh manner instead of a warm and gentle manner. So police intervention will be very difficult due to its shortcomings, I do not think we should use legal instruments to solve this social problem.

Similarly, social worker E cited the example of her classmate and his parents, expressing her doubt about the parents' conviction:

his parents used to leave him alone at home. Now he is in college and talks to them every week. He is the adult who takes care of his mother. If you accused his parents of child abuse, wouldn't it be more difficult for him to separate from his parents?

Judge N argued that "public intervention occurs only when the couple separates or when the family conflict is beyond mediation." In other words, mediation comes first. In addition, he stressed the consequences of mediation: "at the primary stage, conflicts are solved by the local village committee, the residents' committee, or the police. Thus, few cases will be referred to the courts." As many child abuse cases are reported by the media, but few are handled by the courts, this shows a problem in the child protection system. The discourse on mediation reflects that child abuse is a systematic problem.

8.3.2. Legal Discourse

Legal intervention is a type of intervention by public authorities. Lawyer Q, judge L, judge M, and doctor H supported legal intervention. For example, lawyer Q suggested that "for these cases, the government departments concerned should be allowed to intervene, they should not act as peacemakers." Judge L, who also

preferred legal intervention, stated that “the intention behind the formulation of the Anti-Domestic Violence Law is to make legal intervention possible in cases of excessive domestic violence.” Judge M held a similar view.

The opinion of no legal intervention in family affairs is wrong. Regardless of civil or criminal cases, the law should play its role. For example, for child abuse, if a criminal offence is committed, there should be legal intervention. If a child is slightly injured, the suspects should be charged with intentional injury, which belongs to public prosecution with the intervention of the police and the prosecution. The law should be used against these crimes and protect the interests of children. In addition to criminal proceedings, there are civil proceedings, for example, the verdict on guardianship and custody of children.

Lawyer Q insisted on the need for administrative and judicial intervention, not only to deal with a case, but also to send a signal to the public that child abuse is not accepted: “There will be no public attention unless a child is injured or in fatal cases of child abuse, which is terrifying. When children are neglected, there should be administrative and judicial intervention.” Doctor H held a similar view, suggesting that “today, many cases of violence between couples and between parents and children should be defined as domestic violence, requiring legal intervention. You have to use legal enforcement to inform people that domestic violence is against the law.”

Doctor J explained how to protect children if their parents are abusers. On this question, Doctor I pointed out that “the advice of the government is very important. Without it, nothing can be done.” Lawyer Q also argued that “the state should be the last resort, as it is the guardian of children when the guardianship of the parents is withdrawn.”

In terms of legal solutions, the interviewees proposed the creation of a legal system for child abuse, including formulating and revising the law, strict law enforcement, and public legal education.

Regarding the legislation and revision of the law, police officer A, lawyer R, doctor I, and doctor E recommended optimising current laws and regulations. Doctor

K stated that “the state will not intervene unless some unexpected child cases occur. New legislation is needed.” Similarly, lawyer R believed that “our nation should do better in terms of legislation. Currently, China does not provide sufficient protection for children through the law.” Police officer O also pointed out that “our nation must improve its child protection work in terms of legislation, punishment, and prevention.”

However, some interviewees argued that China does not need new legislation. They suggested that it would be better to keep the current system and principles. Judge N explained that “the existing laws are sufficient. The basic principles and rules allow judges to make their own decision on the behaviour of organisations that can harm juveniles.” Doctor I also argued that “if the law was strictly enforced, no one would dare to abuse it. Strict punishment and law enforcement are key.” Judge L suggested that “the role of the government is to make laws and enforce them.” Similarly, judge M stated that “the government should enforce child protection laws and regulations.” Moreover, police officer O mentioned that “for child abuse behaviour like pulling children’s ears, the government should impose heavy fines.”

Finally, lawyer Q and lawyer R mentioned the importance of raising public awareness and preventing child abuse through public legal education. Lawyer Q explained that “we need to raise public awareness through legal education.” Lawyer R stated that “it is not realistic for children to seek the help of a lawyer directly. Therefore, it is important to educate teachers about the law through lectures given by judges or lawyers.” In addition, raising children’s awareness is essential. Lawyer Q argued that “it is essential for young children to know the laws and rules as a preventive measure.” The law plays an important role in the problem of child abuse. Laws and regulations may need to clarify under which circumstances mediation or public intervention should be used when dealing with cases of child abuse.

8.3.3. Discourse on Departmental Administration

Social worker D and lawyer Q suggested creating a coordination mechanism led by the Ministry of Civil Affairs. They argued that the government should develop this mechanism to solve the problem of child abuse. Specifically, social worker D proposed

that “there should be coordination between the police station, the residents’ committee, and social service organisations. Currently, each department and organisation have its own procedures. There is no case referral from the police or residents’ committees to social service organisations.” Social worker D added that “there is another problem, namely the lack of a mechanism through which our projects can work in a coordinated way between the government departments concerned.”

Lawyer Q held a similar view, explaining the following:

we have the Committee for the Protection of Minors in City A, which is a coordination mechanism. When cases of child abuse occur, the committee will invite experts from different professional backgrounds to discuss. These cases will be presented to the experts who will make suggestions. Then the committee will connect social resources.

Discussing who should lead the coordination mechanism, lawyer Q and social worker D had the same view: they both agreed that the Ministry of Civil Affairs should take the lead to protect children. Lawyer Q stated that “the Ministry of Civil Affairs should be responsible for the protection of children, as it has most of the social welfare resources.” In addition, lawyer Q explained the following:

the Ministry of Civil Affairs needs the cooperation of the police to lead the procedure, as the Ministry of Civil Affairs is an administrative department without law enforcement power. The police have strong law enforcement power and should send police officers to follow through the procedure.

Second, police officer O suggested setting up shelters, essential for law enforcement by the police, as “certain minor crimes can be difficult to deal with because they take place in single-parent families.” So far, anti-domestic violence shelters have been created in many cities in China. Different cities have different names and dates of foundation for their shelters.

It should be noted that there are already eight shelters in the city where police officer O lives. However, only 21 victims came to the shelter for help in the last 5 years. Based on police officer O’s interview, he was not even aware of the existence

of these shelters. It is one thing to set up shelters, but another for these shelters to really play a role. These centres alone cannot effectively protect children; we need a system and a series of coordinated measures. Good coordination between child protection professionals is the key to child protection, which is an effective solution to child abuse as a systematic problem.

8.3.4. Social Services Discourse

Regarding the social service system, the solutions proposed by the interviewees included family education, social support, and social services for families in the community. Most interviewees focused on the family, believing that the family is the protector of children. According to judge L, “children have a close relationship with their families, so families should play the role of protectors.” Doctor H held a similar view, suggesting that “families should protect children physically and psychologically and provide psychological support and guidance.” Doctor K also argued that “the family is the most important factor, because parents and children are very close, so the family plays the most important role in the protection of children. Abnormal changes in children can be detected by parents through details.” In addition, Lawyer R believed that “family members should protect rather than harm their children.”

However, not all families know how to take good care of children. Social worker D suggested that “only by combining a child protection system with family education and the social climate can we make a breakthrough.” Social worker D also stated that “it should be the parents’ responsibility. However, who should support parents? There should be an appropriate child protection mechanism and services.” He further explained that

our society lacks a family support system. For example, as parents, we do not know how to educate our children. We want them to obey, but they do not, so we have no other way but to beat them. Many cases of child abuse occur because of this.

Lawyer Q mentioned community social services, arguing that all “communities should have child care centres.” Indeed, many cities in China, such as Guangzhou,

Chengdu, Tangshan, Dongying, and Jiangmen, already have “4:30 pm classrooms”⁴¹ organised by social service organisations, to provide a study and rest house for students whose parents are too busy to take care of them after school.

The establishment and development of the social service system in China is related to the transformation of government function. Government policies regarding the services of social service organisations provide an opportunity for the development of the three solutions above. From the creation of the PRC to the eve of the reform and opening up (period of the public economy) in the late 1970s, the Chinese government was a versatile government that provided all major public services. Since 1977, China has gradually shifted from a planned economy to a market economy and from a versatile government to a service-oriented government. On 30 September 2013, the State Council published the Framework for Government Purchasing Services from Organisations, indicating that the government was transferring some of its public service functions to social organisations. On 30 December 2016, the Ministry of Civil Affairs published the Support Framework for the Development of Social Organisations through Government Purchasing Services, making it clear that social organisations would provide part of China’s public services. As social services are part of the child protection system, the discourse on social services shows that child abuse is a systematic problem.

8.3.5. Discourse on Foreign Experience

Based on the analysis of the interview transcripts, learning from foreign experience to deal with the problem of child abuse was a dominant discourse. For example, social worker F, doctor G, doctor K, and judge N suggested learning from the US. Social worker C mentioned learning from Hong Kong. Social worker E discussed learning from Taiwan. Social worker D mentioned learning from Japan. This discourse showed that the interviewees were aware that there are shortcomings

⁴¹ “4:30 pm classrooms” are classrooms run by social workers and volunteers from social work organisations, providing free babysitting and psychological counselling services to children in need. They provide a free place to study, allowing children to finish their homework on time accompanied by staff. There are also different interest classes to enrich students’ extracurricular lives.

and room for improvement in child protection in China. The discourse on foreign experience indicated that the interviewees were influenced by foreign culture, advances in ICT, and globalisation. Even in remote areas in China, people can get information from abroad via the Internet, making it possible for foreign experience to influence the interviewees. The discourse on foreign experience among the interviewees was as follows.

Social worker F, doctor G, and judge N suggested learning from foreign laws and mechanisms for child protection. Social worker F stated that “child abuse in the US is impossible. A child protection order will be issued immediately and many government departments will intervene.” Doctor G held a similar view, arguing that “in the US, you could never beat children. Your custody will be deprived as soon as somebody complains.” Lawyer Q suggested that “some developed countries are better at protecting children. Adults cannot harm the interests of children and protective measures are sufficient.” Judge N stated that “some overseas organisations will actively intervene or investigate families based on some indications. Without this mechanism, many cases of child abuse could not be identified by society.” In addition, social worker E mentioned that “Taiwan has a fairly good anti-domestic violence system.” Social worker D also stated that “in Japan, the government will help parents take care of their children if they are unable to do so. The children will be sent to children’s home and the parents will bring them home on the weekends.”

In fact, in the legal discourse, the discourse on departmental administration, and the discourse on social services, even if the interviewees did not clearly mention foreign experience, their views on domestic violence, the revocation of custody, the need for coordination, expert consultation, the creation of shelters, the creation of a family support system, and the provision of social services in the discourse on social services are all influenced by Western values. These concepts and mechanisms do not come from traditional Chinese society. They are imported from the West. In short, the effect of Western values on the interviewees was significant, even if sometimes they did not realise it.

8.4. Summary

Child abuse is a systematic problem. However, there is a lack of coordination and cooperation for the protection of children in China. First, there is no cooperation between different government departments. Second, there is a lack of coordination between different professionals. One of the reasons why child abuse is a systematic problem is that the Minors Protection Law does not specify which departments is responsible for child protection, leading each department to act independently. The problem of departmental management is related to the legal system. In addition, the Minors Protection Law does not provide detailed procedures for handling cases of child abuse cases, nor does it stipulate the requirements for proof of child abuse by stakeholders. Therefore, the limited awareness of professionals is also related to the legal system.

Moreover, there is no special unit for handling cases of child abuse in the police and the government, which weakens the government's management of child abuse cases and training and advice on child protection for stakeholders. Therefore, stakeholders are not sufficiently informed about child protection. The interaction between several problems related to child abuse makes it a systematic problem. Some interviewees argued that there should be a special department to coordinate child protection work, enhance coordination between government departments, and optimise the law. This indicates that the interviewees believed that government leadership, the optimisation of the law, and strict law enforcement are key solutions to the problem of child abuse. Based on their trust in the government and the law, their solutions were to punish the abusers rather than to identify the reasons and risks of child abuse by parents, and to support families to avoid cases of child abuse.

Chapter 9: Discussion, Recommendations, and Conclusions

9.1. Introduction

The various findings of this study are the following: the individualisation, medicalisation, and legalisation of child abuse; the interaction and conflict between traditional Chinese culture and foreign experience; and the absence of children's voices. These findings reflect the influence of Western culture and thought. It should be noted that although the concepts of family and patriarchy were classified as traditional Chinese culture in this research, this does not mean that these concepts do not exist in the West. It simply indicates that traditional Chinese culture stresses them more. In fact, Western countries have tried to eliminate patriarchy. Currently, the fundamental concept of family in Western countries is still influenced by liberal individualism (Oswell, 2013), which is similar to the situation in China. The difference is that Western countries went through this process earlier. In the discussion section, the separation of traditional Chinese culture and foreign experience aims to highlight the effect of foreign thoughts and experiences on traditional Chinese culture.

Based on the analysis of the interview transcripts, the concept of family in traditional Chinese culture is widespread in the media, in the perceptions of children and child abuse, and in the responses to child abuse. Traditional Chinese culture emphasises family and patriarchy, which reflects familism and the power of parents. In patriarchy, it is not difficult to understand why children absolutely obey their parents. In addition, it is reasonable to examine the concepts of children and childhood from an adult's perspective.

The legalisation and medicalisation of child abuse are related to the discourse of foreign experience. However, child abuse is only partially understood, which hampers a systematic solution and reflects the power of Western ideology. The discourse of foreign experience focuses on the legal protection and development of individuals, emphasising individualism and rights. Although the concept of family in China is strong, more attention has been paid to the protection and development of individuals, as awareness of individualism and individual rights has improved.

Furthermore, children's voices are lacking and there is no child-centred concept or maximisation of children's interests. This chapter is divided into four sections. The first section summarises the five main findings of this study: the individualisation of child abuse, the legalisation of child abuse, the discourse of traditional Chinese culture, the discourse of foreign experience, and the absence of children's voices. The discussion section includes five points: individualism and familism, the medicalisation and legalisation of the problem of child abuse, child abuse in the context of globalisation, children as agents, and children's rights in exam-oriented education. The recommendations section includes four points: promoting child protection legislation, prohibiting physical punishment, adopting systematic solutions to the problem of child abuse, and protecting children's rights.

9.2. Findings

Among the five findings, the individualisation and legalisation of child abuse and the discourse of traditional Chinese culture reflect the interviewees' views on the nature and causes of child abuse. Furthermore, the perceptions of child abuse by professionals were influenced by social context such as the increasing pace of globalization and progress in Information and Communication Technology (ICT). As mentioned in Chapter 7, with globalization and the popularisation of internet, the Western concept of child abuse has gradually entered the mentality and language of Chinese people. The discourse of foreign experience reflects the interviewees' views on how to solve this problem. Finally, children's voices are missing in the interviewees' discourses.

9.2.1. The Individualisation of Child Abuse

Regarding the individualisation and medicalisation of child abuse, the literature review in Chapter 3 mentioned that child abuse was "discovered" by Dr Kempe in 1962. Child abuse was originally defined as the battered child syndrome, a medical problem. The medicalisation of child abuse was illustrated by media analysis in Chapter 5 and the perceptions of child abuse in Chapter 7. In Chapter 5, the medicalisation of child abuse was the dominant discourse in the news reports. In fact, it was the dominant

discourse in media coverage and the perceptions of professionals.

9.2.2. The Legalisation of Child Abuse

Besides the medicalisation of child abuse, the legalisation of child abuse was also a dominant discourse. In Chapter 5, the news reports focused more on laws and regulations, reflecting the tendency to include legal issues in the news. In the discussion section on how to solve child abuse in media coverage, the solutions shifted from the individual level to the environmental level. In addition, based on the analysis in Chapter 5, the stakeholders in the news reports changed from primary and middle school teachers to lawyers and social workers. Furthermore, in the discourses on child abuse in Chapter 7, the interviewees started to share the view that child abuse is a social and legal problem. Finally, in Chapter 8 discussing solutions to child abuse, legal solutions were also a dominant discourse. These results reflect that solving the problem of child abuse using the law has become a dominant discourse of child abuse, with a significant influence on the media and the perceptions of professionals.

9.2.3. The Discourse of Traditional Chinese Culture

In Chapter 2, the traditional Chinese perception of children, also known as Confucian children, was introduced. The Confucian view suggests that children should obey their elders and be good. Similarly, the media analysis in Chapter 5 showed that traditional Chinese concepts, such as “spare the rod, spoil the child” (*gun bang di xia chu xiao zi*) have become a dominant discourse. In addition, in Chapter 6, the interviewees believed that children need to be protected and should be obedient and work hard in their studies. Moreover, in Chapter 7, on the question of whether beating children is child abuse, the interviewees argued that it depends on specific situations and that physical punishment may not be child abuse. Six conditions should be considered to determine whether a type of punishment constitutes abuse: intent and purpose, duration and frequency, the extent of beating, and the consequences of beating. This view is clearly influenced by traditional Chinese culture, which emphasises that children should obey their parents and the concept of “spare the rod, spoil the child.”

9.2.4. The Discourse of Foreign Experience

Although traditional Chinese culture is a dominant discourse, foreign experience affects traditional Chinese culture. In Chapter 5, the interviewees suggested learning from the experience of the UK, the US, Canada, Hong Kong, and Macao. In Chapter 6, the results showed that the Western concept of a happy childhood has affected the traditional Chinese culture discourse of obedient children, influencing the way people treat children in general and parents treat their children. In Chapter 7, the interviewees mentioned that child abuse is a legal problem, affecting the traditional Chinese concept of “the law should not interfere in family affairs” (*fa bu ru jia men*). Solving family problems using the law is not a Chinese tradition. However, it is very common in Western countries to solve cases of domestic violence and child abuse using the law. Similarly, in Chapter 8, the interviewees suggested learning from foreign experience (for instance, Hong Kong, Taiwan, or the US) in terms of child protection and legal systems to solve the problem of child abuse. It was found that the interaction and conflict between traditional Chinese culture and foreign experience were illustrated in the media and the perceptions of professionals on children, child abuse, and its solutions in China.

9.2.5. Absence of Children’s Voices

The last important finding is the absence of children’s voices in the news reports and the interviews. In the news reports, the stakeholders interviewed by the journalists were professionals, such as teachers, staff at the Women’s Federation, social workers, doctors, lawyers, judges, and police officers, who did not mention children’s voices. Similarly, the interviewees rarely mentioned children’s thoughts and needs. In other words, the media and professionals do not look at children, childhood, and the problem of child abuse from a child’s perspective, nor listen to their voices. For instance, as shown in Chapter 6, traditional Chinese culture does not emphasise that children are free individuals. This chapter discussed the perceptions of children and childhood, including developing children, children in need of protection, and obedient children. It showed that the perceptions of children are mainly passive and that the

agency of children is not emphasised, which leads to the belief that children are incompetent or incapable, thereby ignoring possible methods for children to actually protect themselves. Therefore, reflection on an adult's perspective on children and childhood is necessary.

According to the historical context of Chinese children in Chapter 2 and the discussion of children and childhood in Chapter 6, contemporary China is used to examine children and childhood from an adult's perspective. Children are defined as lacking agency. Therefore, child-centred ideas are not applied in child protection practices. For instance, in Chapter 2, the Confucian concept of children requires children to be obedient and to unconditionally follow the order of their parents. Political children follow the words of the Party and the state, and scheduled children follow the words of the school, teachers, and parents. These views ignore the needs of children and force them to follow the will of adults, depriving them of their agency.

9.3. Discussion

9.3.1. Individualism and Familism

The concept of rights in modern Chinese society is imported from abroad. The discussion of children as agents and children's rights is inseparable from the discourse on power in Western society. As China has a tradition of respecting the elders and caring for the young, this concept is not at odds with traditional Chinese culture.

However, it is unclear why traditional Chinese culture and Western experience are dominant discourses with the greatest influence on the discourse of child abuse. Since ancient society, Chinese people have lived and produced in family units. After the creation of the PRC, the role of the family was temporally replaced by collective units such as the people's commune, and the state took care of the elders and provided medical services. After the reform and opening up, collectivism in China faded and familism prevailed after the reform of state-owned enterprises. The role of the family was again emphasised and the power of parents increased. One of the reasons why the Western experience is a dominant discourse is that the economic and military power

of Western countries occupies a leading position in the modern world and China is currently learning from the West. Another reason is that the reform and opening up, the development of the Internet and advances in ICT in China have made Western values easily accessible to Chinese people. In China's transition from a planned economy to a market economy, individualism has increased with the development of private ownership, focusing on respecting individuals and objecting to the dominance of authority over individuals. Therefore, in China, emerging individualism is inseparable from the development of private ownership, leading to the rejection of authority.

It should be noted that it is incorrect to define individualism as a Western thought. In Western countries, there is also familism and collectivism. For instance, the UK is pro-collectivism and the US is pro-individualism. As Perkins and Spates (1986) argued, marriage and friends are more important to the British, while Americans prefer to live a "meaningful life." We can conclude that this reflects the deeply rooted difference between the two cultures: British culture is pro-collectivism, while American culture is pro-individualism.

9.3.2. The Medicalisation and Legalisation of the Problem of Child Abuse

This study showed that the problem of child abuse has been medicalised and legislated. The medicalisation of child abuse stresses personal attribution, or personal responsibility, which is related to the concept of individualism discussed in the previous section. Both medical and legal powers are important elements of Western discourse. In Chapter 7 on medical power, doctors and social workers defined child abuse as a medical, public health, or psychological problem with their professional power, forming a knowledge system. Foucault (1995) pointed out that "power produces knowledge" and "the machinery by which the power relations give rise to a possible corpus of knowledge, and knowledge extends and reinforces the effects of this power" (pp. 27–29). In other words, power and knowledge interact and reinforce each other.

In addition, Chapter 7 mentioned that medical power has affected judges' opinions on child abuse, which can be seen in the justice system. Namely,

psychological and medical knowledge have replaced judicial knowledge in the trial of cases of child abuse. Foucault (1995) argued that “in penal practice, psychological knowledge will take over the role of casuistic jurisprudence” (p. 99). Therefore, the medicalisation of child abuse by professionals will lead to medical solutions to the problem of child abuse.

Like medical power, legal power has deeply affected the problem of child abuse. “Public power” refers to the formulation, enforcement, and supervision of laws implemented by state bodies. In China, the Supreme People’s Court created the Juvenile and Family Court and the Supreme People’s Procuratorate created the Ninth Procurator Office to conduct judicial adjudication, protect minors, and prevent juvenile delinquency. These measures have strengthened the protection of minors at the national level. However, using a legal approach has to some extent made child abuse a legal problem.

The consequence of excessive medical power is the medicalisation of child abuse, with doctors providing solutions and making child abuse a “professional problem.” This is not ideal for preventing and solving the problem of child abuse by all stakeholders in society. Excessive legal power will lead to punishment, neglecting prevention and other solutions to solve the problem of child abuse (such as a social work approach). There are multiple causes of child abuse. Therefore, instead of focusing on medical solutions and legal approaches, we need to strengthen coordination and cooperation between professional agencies (including hospitals, schools, and social work organisations), state departments (including courts, procuratorates, police, civil administration, education department), social organisations (including the CCYL Committee and the Women’s Federation), and professionals (including social workers, medical workers, judges, and lawyers).

9.3.3. Child Abuse in the Context of Globalisation

The concept of child abuse comes from abroad. As the findings presented in this chapter show, the definition of child abuse given by the interviewees was partly influenced by traditional Chinese culture. However, with regard to solutions to child

abuse, the interviewees were influenced by the experience of multiple countries and regions, suggesting that their perceptions of child abuse were affected not only by traditional Chinese concepts, but also by Western thoughts and values.

For instance, the medicalisation and legalisation of child abuse have occurred in the context of globalisation and modernisation. During China's modernisation process, China learned from the West. With the influence of scientific discourse, Western medicine was introduced and developed rapidly in China as an "advanced" culture, which had a significant effect on traditional Chinese medicine. Law and medicine have become essential in the context of globalisation. After the Opium War in 1840, Westernisationists advocated "traditional Chinese values aided by modern Western management and technology" (*zhong xue wei ti, xi xue wei yong*). To reclaim consular jurisdiction, the Qing government had to study foreign laws and revise its own law. In 1901, the Imperial University of Peking created a law major, allowing teachers and students who majored in law to play a positive role in spreading the Western concepts of law, capitalism, democracy, and the Western legal system, and in criticising the feudal legal system. They promoted reform of the legal system and ideology in the late Qing Dynasty and the early ROC years (Zhang, 2007). In contemporary China, laws are influenced by economic globalisation and market orientation. For example, the formulation of the Property Law was intended to protect private ownership.

In the field of child protection, the revision of the Minors Protection Law was influenced by the United Nations Convention on the Rights of the Child. In addition, child protection programmes in China by international organisations bring foreign experience, such as Plan International, Save the Children, and the United Nations Organization for the Protection of Children Equity. Moreover, communication via the Internet and movies disseminate foreign experience. Not only cities, but also underdeveloped regions in China can discover the world via the Internet, including foreign experience in child protection. The introduction and distribution of the South Korean movie *The Crucible* in 2011 was thought-provoking for Chinese people. In other words, the concepts of child abuse and child protection in China are influenced

by international societies, organisations, and conventions.

9.3.4. Children as Agents

This study showed that most interviewees viewed children as passive and incapable individuals. However, Oswell (2013) pointed out that “they are not simply and passively fitted into pre-existing social roles. Rather, children are seen both to affect and be affected by social structure and by the constructions and institutions of childhood therein” (p. 45). Oswell further argued that

a wealth of empirical studies have considered children as agentic beings, namely as social beings who make a difference to the social worlds around them, whether in terms of their capacity to interpret and make meaning or in terms of their capacity to materially manipulate their environment (p. 35).

“For the sociologists of childhood, it has been important to disclose ‘children’ as social agents and not simply to see ‘childhood’ as constructed by adults alone” (James & Prout, 1990, as cited in Oswell, 2013, p. 16). “In contrast, sociologists of childhood from the late 1980s onwards have argued that children should be understood and researched as social ‘beings’, not becomings” (Oswell, 2013, p. 40).

In addition, Oswell (2013) explained the following:

for Giddens, the question of agency is fundamentally one about power. Agents have a capacity and capability to make things happen, to have an influence and to have some sort of control. He argues that agency is not simply about being able to act, but about being able to make a difference (p. 46).

Giddens (1984) further argued that

This presumes that to be an agent is to be able to deploy (chronically, in the flow of daily life) a range of causal power, including that of influencing those deployed by others. Action depends upon the capability of the individual to “make a difference” to a pre-existing state of affairs or course of events. An agent ceases to be such if he or she loses the capability to “make a difference,” that is, to exercise some sort of power (p. 14).

Anthony Giddens’ discussion of structure and agency is the basis of the new

sociology of childhood. As Oswell (2013) suggested, “the sociology of childhood as enunciated by James and Prout thus construes, on the one hand, children as social actors (interpreting and acting upon their world), and on the other, childhood as a social institution, objectivised as social structure” (p. 44). Corsaro (2015) further explained that “childhood is a permanent structural form or category that never disappears even though its members change continuously and its nature and conception vary historically” (p .3).

Figure 1 shows an example of the application of Giddens’ theory in the new sociology of childhood. It uses James et al.’s (1998) framework of four dominant discourses of childhood: the socially constructed child, the social structural child, the minority group child, and the tribal child.

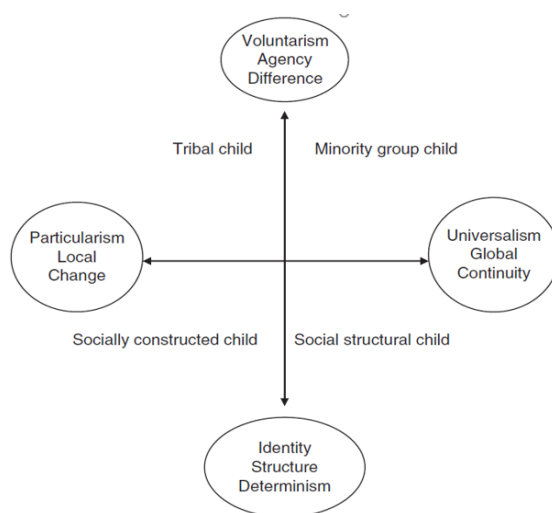


Figure 1. Modelling childhood. Adapted from *Theorizing Childhood*, by A. James, C. Jenks, and A. Prout, 1998, Cambridge: Polity Press in association with Blackwell, p. 199.

As Oswell (2013) argued, protectionism is not set against the autonomy or freedom of the child; it simply states that the child does not always know or act in its own best interests and that a higher authority should, and is able to, act on behalf of the child. This welfarist conceptualisation of the child is also linked to the rise of the child as a developmental subject (i.e. by virtue of their relative lack of reason, experience

and awareness, the child is unable to act fully on their own behalf) (p. 240).

In that regard, although protectionism can be seen positively in terms of parents providing children with a safe environment to grow and learn (i.e. a space free from intruders and dangers) for example, this protectionism can be seen in extremis as potentially leading to absolute control over children and a complete denial of the ability of children to author their own actions. In the 1970s, the concept of the family not as a site of developmental facilitation, but as a site of incarceration and control was strongly criticised. The school timetable and the scheduling of classroom activities are seen as controlling, as are the practices of parental care and love within the family (Oswell, 2013, pp. 240–241).

The development of ICT has affected the agency of children as children learn and adapt faster than adults. As Oswell (2013) suggested, “in fact, what we know is that levels of cognitive intelligence (and perhaps even more so media literacy) do not exactly correlate with age. A bright 10-year-old is just as likely to be literate as a dull 50-year-old” (p. 201).

9.3.5. Children’ Rights in Exam-Oriented Education

The findings section in this Chapter mentions that adults generally think from their own perspective and rarely take into account children’s needs and thoughts. As Oswell (2013) explained

There has been a clear shift from the late 1980s onwards that foregrounds the study of “actual” children as opposed to children seen simply as caricatures predicated on adult fantasies and projections. This argument construes children as people, ones valued in their own right, not as adjuncts to adults, family or school, and not measured according to normative adult views and structures (p. 41).

Despite the emergence of individualism in China, with the discourse of traditional Chinese culture, children’ rights, as an imported concept related to individualism, are not easy to develop in China. This section discusses children’ rights, including the right to play, the right to choose, and the right to participate.

9.3.5.1. Exam-oriented education. Chapter 6 showed that the tradition of focusing on studying during childhood in China collides with the Western concept of a happy childhood. The first reason for this collision is the fierce competition to get into a better school, from kindergarten to university. The second reason is the influence of the Western concept of happy education, as shown by the interviewees. The first reason is related to exam-oriented education in China, while the second reason is related to happy, quality-oriented education in the West.

With fierce competition for better education, parents and schools force children to improve their academic performance and enter ideal schools through repetitive learning. This phenomenon is common in East Asian countries, especially in China, Japan, and South Korea. The comparison between cramming in China and independent study in the West has sparked a heated debate. For example, the BBC documentary *Are Our Kids Tough Enough?* in 2015 reflected on crammed education and forced learning.

Due to the college entrance exam, Chinese children have to attend training classes. Therefore, they lose their right to choose their hobbies and their time to play. Clearly, exam-oriented education and training classes for children come from the perspective of adults rather than taking into account the needs and health of children.

9.3.5.2. The right to play. In Chapter 6, the interviewees proposed that play and study are linked: play is reasonable when it can improve children's studies. Attitudes towards childhood and play are totally different in Chinese and Western culture. Western culture focuses on play activities without specific objectives, unlike Chinese culture. Amy Chua (2011), American professor of Chinese law and author of *Battle Hymn of the Tiger Mother*, explained the following:

despite the three-hour lesson block we'd just had, I would often try to sneak in an extra post lesson practice session—nothing like getting a good jump on the next week! I admit that this schedule might sound a little intense. But I felt that I was in a race against time (pp. 36–37).

Conversely, Gopnik (2016), author of *The Gardener and the Carpenter*, argued

that childhood and play are linked, as play helps children study in a relaxed way. Therefore, letting children play is very important. Gopnik believed that play can bring happiness, legitimising it. In addition, Gopnik suggested that play can help children cope with unknown events and cultivate their capacity for innovation. These two examples show that attitudes towards childhood and play are totally different among authors from different culture backgrounds.

9.3.5.3. The right to choose. The interviewees in this study suggested that children are incompetent and do not know how to make choices, therefore their parents make choices for them. Similarly, Amy Chua (2011) argued that parents make the most favourable choices for their children and that ignoring their children's thoughts is the best way to raise children. Therefore, Chua concluded:

I believed that the only way for Lulu to get out from under the shadow of her high-performing sister was to play an even more difficult, more virtuosic instrument. That's why I chose the violin. The day I made that decision—without consulting Lulu, ignoring the advice of everyone around me—was the day I sealed my fate (p. 33).

In contrast, Gopnik (2016) proposed that “children may be sensitive to the information they get from other people, but they are not passively shaped by others” (p. 89). In other words, Gopnik argued that young children are able to analyse, search, and interpret information. In addition, children prefer to focus on probability and causality, therefore they are more creative than adults while learning. We can see that these two authors are influenced by Chinese and Western culture, respectively. Cultural differences may therefore be the source of these opposing opinions.

9.3.5.4. The right to participate. The interviewees in this study did not mention that participation is a children's right. This may be because they believed that children are unable to participate and do not know how to make choices, or because they looked at children from an adult's perspective. In addition, in the context of exam-oriented education, children do not have time to play public roles as studying takes up most of their time. However, Lieten (2008) pointed out that children's

involvement can include the following: “*contributing to policy dialogue* (doing research, providing information, expressing views, lobbying on the content), *contributing to implementation* (involvement in community-level implementation projects) and *monitoring and evaluation* (assessing whether budgets are getting through to local level, evaluating achievements) (p. 11).”

Furthermore, Hart (1997), Goetze, UNICEF, and the World Bank discussed child participation. Take the example of Hart’s (1997) typology of child participation, from high to low participation, the typology is as follows: first, child-initiated, shared decisions with adults; second, initiated and directed by children; third, adult-initiated, shared with children; fourth, consulted and informed; fifth, assigned but informed; sixth, tokenism; seventh, decoration; and eighth, manipulation. In Chinese society, people rarely discuss child participation. For instance, In this study, no interviewee mentioned the concept of child participation.

9.4. Recommendations

9.4.1. Promoting Child Protection Legislation

Cases of child abuse have been reported frequently by the media in recent years and the debate on the problem of child abuse by the public and the academic world has become heated. Nigel Parton (1979) pointed out that there are four stages in the transformation of child abuse into a social problem: discovery, diffusion, consolidation, and reification. The discovery stage indicates that certain people or groups think that a certain phenomenon is a problem. The diffusion stage refers to the recognition that the problem requires public attention as a serious problem. The consolidation stage indicates that existing or new departments are starting to solve the problem and are taking responsibility. Finally, the reification stage indicates that the public, professionals, and agencies have confirmed the social problem and are beginning to develop laws and procedures to solve it.

Policymaking requires social consensus. First, the definition of child abuse given by the interviewees showed that professionals already have a certain understanding of the concept of child abuse, reaching the consensus that mental or

psychological abuse is abusive behaviour. In addition, some professionals have started to acknowledge that beating children and psychological punishment are forms of child abuse. Although there is still controversy, it is a good start. Second, in January 2019, the Ministry of Civil Affairs created the Department of Children Welfare, indicating that the problem of child abuse has entered the consolidation stage. Third, on 21 October 2019, a draft amendment of the Minors Protection Law was submitted to the Standing Committee of the National People's Congress for review, which proves that the problem of child abuse has entered the reification stage. Chinese society is starting to reach a consensus. Therefore, using laws and public education and in-depth social debates on child abuse, it is suggested that the government should prohibit child abuse, optimise the Minors Protection Law, and formulate other child protection laws and regulations.

In recent years, the central and local governments in China have developed laws, regulations, and policies to protect children. However, first, there is no clear definition of child abuse in current laws and regulations. For instance, Article 10 of the Minors Protection Law prohibits domestic violence against minors, abuse, and abandonment of minors. However, it does not specify the types of behaviours considered to be domestic violence and abuse. Second, the definition of child abuse has been replaced by domestic violence. For instance, the concept of domestic violence is used in the Anti-Domestic Violence Law, while the term “abuse” does not appear in the law. In addition, there is a major limitation to the regulation of child abuse in the Anti-Domestic Violence Law, as the law is not formulated to target child abuse behaviours that occur outside the family. Therefore, there is practical significance to promote the definition of child abuse.

Regarding mental or psychological abuse, the word “mental” does not appear in the Minors Protection Law. In addition, although the word “psychology” appears three times in the law, it does not refer to psychological abuse. Evidently, the Minors Protection Law emphasises the psychological health of minors, neglecting their possible mental or psychological abuse. Fortunately, this omission is addressed in the

Anti-Domestic Violence Law in 2016. Article 2 clearly stipulates that “domestic violence, means psychological or mental abuse behaviours between family members by approaches like beating, vituperation, intimidation, restriction of personal liberty, etc.”

9.4.2. Prohibiting Physical Abuse

The previous section mentioned that there is no consensus among professionals on beating children and physical punishment as forms of child abuse. One reason is that traditional Chinese culture is based on concepts such as “spare the rod, spoil the child” (*hai zi bu da bu cheng cai*), “the father is to blame for his son’s faults” (*zi bu jiao, fu zhi guo*), “a strict teacher produces outstanding students” (*yan shi chu gao tu*), or “to teach without severity is the teacher’s laziness” (*jiao bu yan, shi zhi guo*). Therefore, physical punishment, such as beating or scolding children, by parents and teachers is common and reasonable.

In 2016, a news report entitled “Middle and Preliminary Schools Should Have the Right to Physically Punish Children”⁴² published in *China Youth Daily* (14 April 2016) sparked wide public debate. Opinions were divided. Some people argued that preliminary and middle school teachers should engage in limited physical punishment on disobedient children, whilst others were against any kind of physical punishment. This contradiction is also evident in this thesis. On 23 June 2019, the State Council published *Opinions on Reforming Education and Improving the Quality of Compulsory Education*, proposing to “formulate specific regulations to clarify teachers’ disciplinary right in education.” It also sparked public and media discussions. Some media argued that “disciplinary right” indicates that teachers can act like private schools did before, such as beating students with a ruler and viewing it as a teachers’ right.⁴³ However, others suggested that this disciplinary right should be supervised, as physical

⁴² Available at http://zqb.cyol.com/html/2016-04/14/nw.D110000zgqnb_20160414_7-02.htm; accessed 27 August 2020.

⁴³ For example, the article “It Is Time to Clarify Disciplinary Authority in Education,” published by *Changshan News Network*. Available at http://jrns.zjol.com.cn/html/2019-07/12/content_221694.htm; accessed 27 August 2020.

punishment and its disguised form should be strictly forbidden.⁴⁴ These opposing opinions reflect different views on the disciplinary authority of teachers and different attitudes towards physical punishment in the public and the media.

In fact, Article 29 of the Compulsory Education Law, Article 21 of the Minors Protection Law, and Article 31 of the Teacher's Law clearly stipulate that physical punishment inflicted by teachers and schools on students is prohibited. However, the Minors Protection Law does not state that guardians should not physically punish children. This is also mentioned in Article 12 of the Anti-Domestic Violence Law, with a different wording: guardians of minors must fulfil the responsibility of guardianship and education and educate children in a civilised manner; domestic violence is prohibited. This article does not clearly state that guardians should not physically punish children.

China has not yet completely banned the use of physical punishment on children like the Nordic countries, and Chinese culture has a high tolerance for physical punishment for educational purposes. However, China is trying to ban physical punishment from a legal and policy perspective. Physical punishment is widespread around the world. Most Western countries have already banned or in the process of prohibiting physical punishment. For example, the UK voted to ban the use of physical punishment by parents through child protection legislation, but failed. There is an old saying in the West: "spare the rod, spoil the child." Although there is still no social consensus on the prohibition of physical punishment for educational purposes, the government can prohibit physical punishment to protect the physical and mental health of children during policy development. In addition, the government and society can support the promotion of civilised educational methods by parents and change the tradition of physical punishment, to achieve social consensus on the prohibition of physical punishment.

It takes time and requires public education to change the tradition. Therefore,

⁴⁴ For example, the article "Do not Miss Un-Disciplinary Authority in Education" published by *People's Daily*. Available at <http://theory.people.com.cn/n1/2019/0716/c40531-31235890.html>; accessed 26 February 2020.

it is suggested that social organisations or the Women's Federation support parenting education through government purchases or corporate donations. Parents play an important role in Chinese families, with a significant effect on children's lives and studies and on their marriage and career when they grow up. Parents in China are called the head of the family (*jia zhang*), thus parenting education is very important for children. Parent education activities can be carried out by social organisations or by the Women's Federation's Social Service Centre for Women and Children.

9.4.3. Adopting Systematic Solutions to the Problem of Child Abuse

The analysis of the nature and causes of child abuse showed that child abuse was predominantly treated as an individual problem or as a medical problem; fewer than a third of the interviewees believed that this problem can have multiple causes. Other interviewees viewed child abuse as a family, social, legal, or cultural problem.

This study showed that child abuse is a systematic problem. It involves the idea of parents, family, and school on education, public opinion on children and childhood, multiple government departments, such as the Ministry of Civil Affairs, the Ministry of Education, and the Ministry of Public Security, procuratorates and courts, schools and social organisations, and the formulation and optimisation of laws and regulations. In other words, child abuse is linked with individuals, the family, society, and culture. In addition, it requires the joint effort of professionals, such as teachers, social workers, medical professionals, and law professionals, to effectively prevent and manage the problem of child abuse.

The medicalisation and individualisation of child abuse will lead to neglecting its systematic nature, which can be an obstacle to government intervention and to communication and cooperation between different professionals to solve this problem. Thus, this research offers the following suggestions.

First, governments should organise and manage a joint conference system with the Ministry of Civil Affairs, the police, procuratorates, and other departments and experts. In addition, government should develop a communication and coordination mechanism between child protection departments, the police, courts, procuratorates,

social work organisations, hospitals, and schools.

Second, government may publish a guide on cooperation between professionals and agencies. Currently, child protection departments and organisations, such as the Ministry of Civil Affairs, the Women's Federation, the CCYL Committee, procuratorates, social work organisations, and children welfare houses, all participate in child protection work. However, there are no guidelines on cooperation between various departments and professionals. The UK published *Working Together to Safeguard Children: A Guide to Inter-Agency Working to Safeguard and Promote the Welfare of Children*, emphasising a child-centred and coordinated approach to protect children. In addition, this guide focuses on children's needs. It is worth noting that this guide devotes several paragraphs to specify and guide cooperation between different professionals (such as social workers, medical professionals, and the police) and organisations (such as schools, police departments, social service centres, children's centres, and hospitals) in different circumstances. A similar guide should be produced in China based on the current situation.

Third, the state may publish procedural guidelines for dealing with child abuse cases. Led by the State Council and joined by the Supreme People's Court, the Supreme People's Procuratorate, the Ministry of Public Security, the Ministry of Justice, the Ministry of Civil Affairs, the Ministry of Education, the National Health Commission, the Ministry of Human Resources and Social Security, the Women's Federation, and the CCYL committee, China should work together to develop detailed and workable procedural guidelines on how to deal with child abuse cases for the central and local governments. *Procedural Guide for Handling Child Abuse Cases (Revised 2015)* in Hong Kong can be used as a reference. Local governments in China have established such guidelines, but with relatively rough and unfeasible outcomes. For instance, there are procedural requirements in *Opinions on Setting up a Compulsory Reporting System on Minor Abuse Cases*, *Opinions on Setting up a Compulsory Interference System on Minor Abuse Cases (Trial)* in Hangzhou, Zhejiang Province. Specific procedural guidelines can help clarify responsibilities between different

professionals and agencies, manage cases of child abuse, and protect children.

Fourth, government should purchase social services on child protection and the prevention of child abuse. Indeed, as family service centres provide general services, and cases of child abuse and domestic violence require more professional social workers to follow up, the government should purchase professional social services to deal with these cases. When social workers in family service centres come across cases of child abuse and domestic violence, they can refer these cases to social workers specialising in child protection. Regarding the treatment of such cases, the social work programme called Baiyun Carnation Women as part of a social work organisation in Guangzhou deserves to be promoted. This programme provides social services to women and other family members in five family types: families with extramarital affairs, families with domestic violence, families with tense relationships between members, families with difficult parent-children relationships, and families who have lost a child. In terms of preventing child abuse and domestic violence, the services of a domestic violence prevention centre in Shenzhen are worth promoting. Through lectures, community-wide advertising, a hotline, and legal counselling, the centre raises awareness of domestic violence prevention among citizens, prevents cases of domestic violence, and protects the interests of women and children. Overall, it is important to adopt a systematic mindset to solve the problem of child abuse.

9.4.4. Protecting Children's Rights

This study showed that there was a lack of child-centred discourse in the perceptions of professionals. China joined the United Nations Convention on the Rights of the Child in 1992. In addition, Article 3 of the Minors Protection Law stipulates that minors have the right to subsistence, the right to develop, the right to be protected, and the right to participate. Thus, minors should receive protection and care because of the characteristics of their mental and physical development. The rights of minors must be protected against any violation. However, the professionals interviewed did not mention the concept of children's rights during their interviews, indicating that this concept is not yet part of the context of professionals in China.

Therefore, it is necessary to emphasise children's right to be protected, their right to speak, and their right to participate.

First, children's right to be protected must be emphasised. Article 19 of the United Nations Convention on the Rights of the Child stipulates the following:

States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

The *Outline of the Programme for Chinese Children's Development (2011-2020)* places the principle of protection by law at the top of five main principles. It makes it clear that children's legal rights and their full and healthy development should be protected during their mental and physical development. This shows that the *Outline* focuses on protecting of children. It is suggested that the Minors Protection Law should not only indicate what types of behaviour constitute child abuse, but should also include neglect of care in its regulations to clarify the legal responsibility of guardians.

Second, children's right to speak must be protected. Article 12 of the United Nations Convention on the Rights of the Child states the following:

States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

Children themselves have the right to choose and express their opinions on the lifestyle, career, and hobbies they prefer. To equate physical punishment to an education method to discipline children through beating and scolding is a simplification of education by guardians. "To teach by personal example as well as verbal instruction" (*yan chuan shen jiao*) is a tradition in China. Therefore, guardians should be the example and use communication to replace violence.

Third, children's right to participate must be protected. The right to participate is related to the right to speak. Children's opinions are important. Therefore, they should participate in the formulation of child-related laws and regulations. The *Outline of the Programme for Chinese Children's Development (2011-2020)* places child participation as one of the main principles for the first time, encourages and supports children to participate in family, cultural, and social life, creates a social environment encouraging children to participation, opens a way and a channel for children to speak, and emphasises and absorbs children's opinions. The *Annual Report on Children's Participation in China (2017)* pointed out that in terms of family participation, limited topics are used during communication between children and parents. In terms of social interaction, children prefer to interact with their classmates than with their neighbours. In terms of public participation, there are few channels for children's participation. The Minors Protection Law mentions children's right to participate, but does not explain this right. It is suggested that when developing child-related laws and regulations, the government should involve children and respect and listen to their voices.

9.5. Summary

Foreign experience affects traditional Chinese culture. In this process, the discourses of traditional culture and foreign experience collide and interact. To be more specific, the concepts of family and hierarchy in traditional Chinese culture are affected by foreign ideology, such as individualism, Western medicine, modern laws, and the maximisation of children's interests. In addition, China's domestic and global context, such as the reform and opening up and globalisation, increases the effect of foreign experience.

To prevent and solve the problem of child abuse, we must pay attention not only to structural improvement, but also to the importance of children as agents. Optimising China's social structure includes better laws, regulations, policies, and procedures, and the creation and adjustment of state organs. The focus on children as agents is also very important for child protection. Children are neither passive or

incapable individuals, nor incomplete individuals who can only take orders from adults. On the contrary, children are individuals with agency, the ability to think, and the ability to protect themselves. Society must respect children's thoughts and protect their rights. Children should be involved in child protection work and the prevention of child abuse. We must cultivate their awareness of self-protection as an effective approach to prevent cases of abuse.

The government and the state have an obligation to promote child protection. However, society, the media, schools, social organisations, parents, and all members of society should also assume this responsibility. It should be made clear that in matters of child protection, children are not only stakeholders but also agents. I hope that the findings, discussion, and suggestions of this thesis can promote child protection in China and improve the well-being of Chinese children.

9.6. Limitations

This study recommends listening to, respecting, and understanding children. However, as was the case with the interviewees, children's voices are absent in the thesis. Currently, the child protection mechanism is led by professionals, the importance of this study is therefore to improve communication and coordination between professionals. In the long term, listening to children's voices will be key to solving the problem of child abuse and improving children's well-being. Another limitation of this study is that some professionals were not included in this research, such as teachers and prosecutors.

Future research should interview children to determine how they understand themselves and the concepts of childhood and child abuse, to modify current public policies and develop new policies from their perspective. In addition, using qualitative research, a national quantitative study on the views of professionals on child abuse should be conducted to obtain a national overview and identify the differences and similarities between professionals, which will help the central and local governments develop appropriate public policies.

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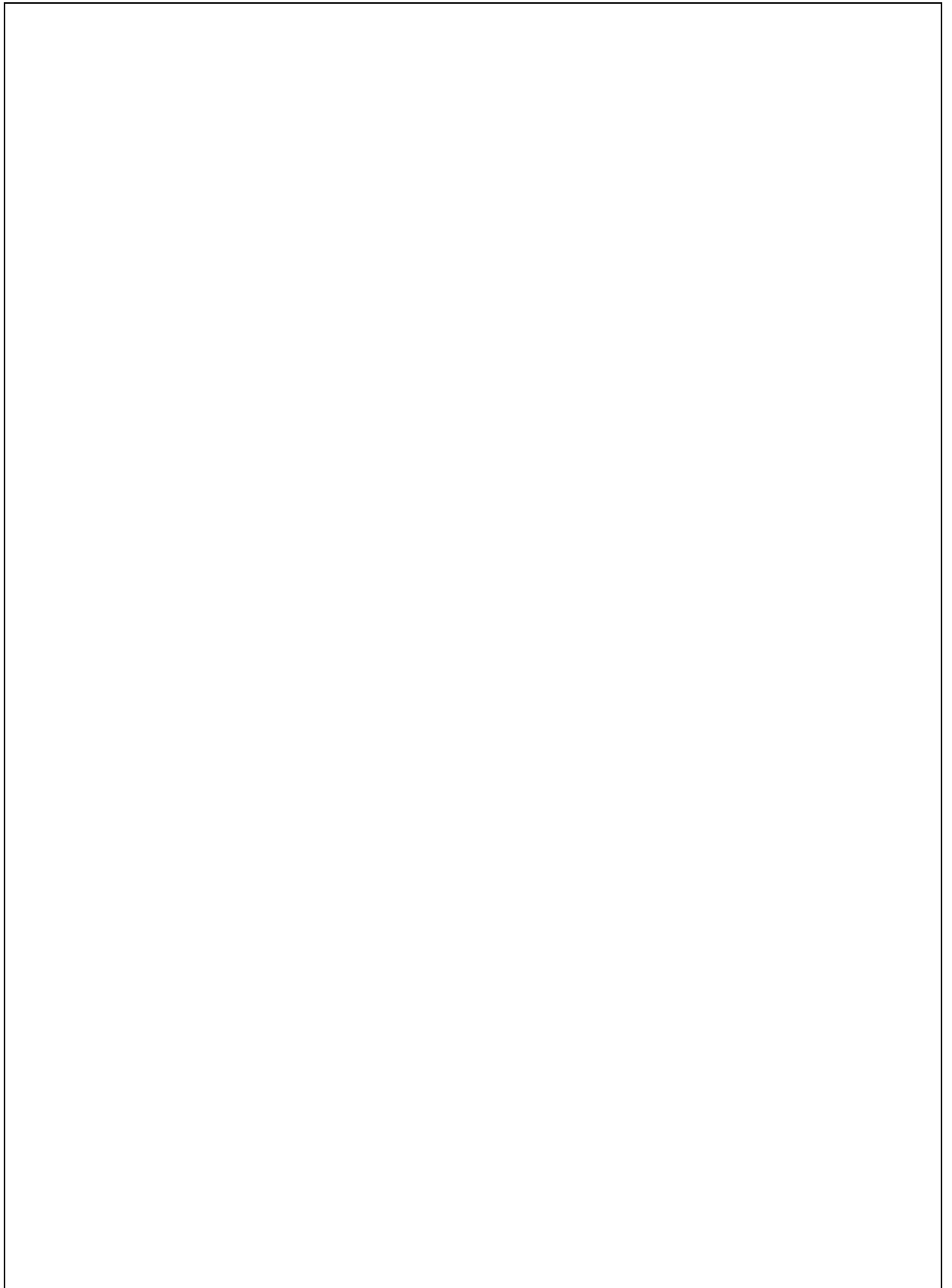
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Appendix I: Coding Sheet

報道時間： 20__年__月__日； 報道字數： _____； 版面： _____ 表格編號： _____

1.	題目：	8.	施虐者身份		
			第一個	第二個	第三個
	2. 所屬報刊 <input type="checkbox"/> 廣州日報 <input type="checkbox"/> 羊城晚報 <input type="checkbox"/> 南方日報 <input type="checkbox"/> 信息時報 <input type="checkbox"/> 新快報 <input type="checkbox"/> 南方都市報		性別		
			男	<input type="checkbox"/>	<input type="checkbox"/>
			女	<input type="checkbox"/>	<input type="checkbox"/>
			年齡		
			_____	_____	_____
	3. 報道類型 <input type="checkbox"/> 社論 <input type="checkbox"/> 新聞報道 <input type="checkbox"/> 專題報道 <input type="checkbox"/> 專欄 <input type="checkbox"/> 其他（請註明： _____）		職業		
			_____	_____	_____
			關係		
			父母親	<input type="checkbox"/>	<input type="checkbox"/>
			兄弟姊妹	<input type="checkbox"/>	<input type="checkbox"/>
			(外)祖父母	<input type="checkbox"/>	<input type="checkbox"/>
			其他親屬	<input type="checkbox"/>	<input type="checkbox"/>
			教師	<input type="checkbox"/>	<input type="checkbox"/>
			鄰居	<input type="checkbox"/>	<input type="checkbox"/>
			朋友	<input type="checkbox"/>	<input type="checkbox"/>
			陌生人	<input type="checkbox"/>	<input type="checkbox"/>
			其他（請註明） _____		
	4. 虐待兒童的成因 <input type="checkbox"/> 沒有提及成因 <input type="checkbox"/> 有報道成因（可選多項） <input type="checkbox"/> 個人因素 <input type="checkbox"/> 家庭因素 <input type="checkbox"/> 政府因素（政策、法規、政府機構） <input type="checkbox"/> 社會因素 <input type="checkbox"/> 文化因素 <input type="checkbox"/> 其他（請註明： _____）		9. 受害者個人信息		
			第一個	第二個	第三個
			性別		
			男	<input type="checkbox"/>	<input type="checkbox"/>
			女	<input type="checkbox"/>	<input type="checkbox"/>
			年齡：		
			_____	_____	_____
	5. 虐待兒童的解決辦法 <input type="checkbox"/> 沒有提及解決辦法 <input type="checkbox"/> 有提及解決辦法（可選多項） <input type="checkbox"/> 個人層面解決問題方案 <input type="checkbox"/> 家庭層面解決問題方案 <input type="checkbox"/> 政府層面解決問題方案 <input type="checkbox"/> 社會層面解決問題方案 <input type="checkbox"/> 文化層面解決問題方案 <input type="checkbox"/> 其他（請註明： _____）		10. 個案報道還是系列報道		
			<input type="checkbox"/> 個案報道 <input type="checkbox"/> 系列報道		
	6. 是否涉及致命個案 <input type="checkbox"/> 是 <input type="checkbox"/> 否 <input type="checkbox"/> 未提及		11. 虐待兒童類型（可選多項）		
			<input type="checkbox"/> 性虐待 <input type="checkbox"/> 身體虐待		
			<input type="checkbox"/> 精神虐待 <input type="checkbox"/> 疏忽照顧		
	7. 個案所在地 廣東省 <input type="checkbox"/> 是 <input type="checkbox"/> 否 廣州市 <input type="checkbox"/> 是 <input type="checkbox"/> 否 城鄉 <input type="checkbox"/> 城 <input type="checkbox"/> 鄉		12. 採訪對象（可選多項）		
			<input type="checkbox"/> 律師 <input type="checkbox"/> 法官 <input type="checkbox"/> 父母 <input type="checkbox"/> 受害者 <input type="checkbox"/> 警察		
			<input type="checkbox"/> 心理學家 <input type="checkbox"/> 志願者 <input type="checkbox"/> 社工 <input type="checkbox"/> 婦聯 <input type="checkbox"/> 其他（請註明： _____）		

備註：



Appendix II: Research Invitation, Informed Consent Form and Interview Guides

香港理工大學 應用社會科學系

《中國媒體和專業人士就虐待兒童的看法及其對中國大陸兒童保護的含義》

研究邀請

本人為香港理工大學應用社會科學系博士生，現正按課程要求進行上述研究。目的是希望探討中國專業人士對兒童、童年和兒童保護的經驗和看法。

我懇請閣下參與兩次每一次約 45 分鐘的面談，時間和地點由被訪談者定。內容是圍繞您作為專業人士，對兒童、童年和兒童保護的經驗和看法。

面談是以自由和開放的方式進行。訪談內容將會被錄音，作為日後資料整理和分析之用。您參與此項研究是自願的，可以自動或在研究員的要求下退出而不會負上任何責任。

參與此研究不會對您的個人、家庭、生活及工作構成任何危害，您提供的所有資料均受嚴格保密，日後的研究報告若有需要引用這些資料時，也不會有辨認到您個人隱私的資料。您所提供的研究資料，在研究完成後的一年內將會完全銷毀。

如您對這項研究有任何疑問，您可以聯繫本人（手機電話：+86 1341626 或+852 6932 _____；郵箱：junn.li@polyu.edu.hk）或本人的博士生導師陳沃聰教授（電話：+852 27665726；郵箱：ssycchan@polyu.edu.hk）。您也可以書面形式聯絡香港理工大學道德小組委員會秘書莫小姐（Miss Cherrie Mok）提出查詢。

我熱切期盼您會參與這次研究，為中國的兒童保護事業和增進兒童福祉作出貢獻。

香港理工大學應用社會科學系李雋
2017 年 3 月 7 日

香港理工大學
應用社會科學系

《中國媒體和專業人士就虐待兒童的看法及其對中國大陸兒童保護的含義》

參與研究同意書

本人（以下署名）同意參與上述研究。

我明白會被邀請做兩個約一小時的訪談，訪談的內容圍繞我作為專業人士對兒童、童年和兒童保護的看法。

研究員已經向我解釋我作為參與者的權利。我明白訪談的內容會做錄音/錄影，作為日後資料整理和分析之用。

我明白我參與此項研究是自願的，我隨時可以自動或在研究員的要求下退出研究而不會負上任何責任。

我明白參與此項研究不會對我個人、家庭、生活及工作構成任何危害，所有我所提供的資料均受嚴格保密，日後的研究報告若有需要引用這些資料時，也不會有辨認到個人隱私的資料。

我亦明白我所提供的研究資料，在研究完成後的三年內將會完全銷毀。

簽名： _____

正楷簽名： _____

日期： _____

第一輪訪談提綱

關於童年與兒童：

1. 請您談一下你對兒童和童年的看法。
2. 兒童和成年人有什麼區別嗎？

關於兒童保護：

3. 您有沒有聽說過虐待兒童？請問您認為什麼是虐待兒童？
4. 請問兒童在什麼情況下需要被保護？
5. 政府和家庭在兒童保護中扮演什麼樣的角色？
6. 您認為虐待兒童是什麼性質的問題？
7. 虐待兒童問題在我國嚴不嚴重？
8. 在您的工作中，是否接觸過虐待兒童的個案？您是怎麼應對和協助這些個案的？
9. 你認為在虐待兒童問題/個案上，警員/醫生/律師可以扮演什麼角色？
10. 就我研究的課題，還有什麼意見嗎？

香港理工大學應用社會科學系

《中國媒體和專業人士就虐待兒童的看法及其對中國大陸兒童保護的含義》

第二輪訪談說明

尊敬的受訪者：

您好！十分感謝您百忙之中抽空參與訪談。您的參與和寶貴意見將對中國兒童保護事業產生影響。與第一次訪談相同，您的姓名、工作單位、訪談內容及任何能追溯到您的資訊都將嚴格保密，研究完成一年內所有訪談資料都將銷毀。以下將解釋進行第二輪訪談的原因。

進行第二輪訪談的第一個原因是第一輪訪談中有些問題未充分討論，因此需要在第二輪訪談中再討論。第二個原因是本研究需要對虐待兒童新聞報導中的典型案例進行討論。在虐待兒童新聞報導中，有兩個關注度比較高的案例，分別是發生在 2010 年的廣州番禺案（共 15 篇報導）和 2015 年的南京案（共 45 篇報導）。

訪談者會將兩個案例的新聞報導發給您。如果時間允許，請您在訪談前閱讀新聞報導。您也可自行搜索關於南京案和番禺案的新聞報導及相關資料。

如您有任何問題，可隨時與我聯繫，我的聯繫方式是：1341626 ；
junn.li@polyu.edu.hk。

再次感謝您的參與！

香港理工大學
應用社會科學系
博士研究生 李雋
2018 年 2 月 25 日

第二輪訪談提綱

在未看過訪談者發給您的新聞報導前，如果 1 代表非常不熟悉，10 代表非常熟悉，您對南京案和番禺案的熟悉程度是_____。

1. 請問您對南京虐童案有什麼看法？
2. 請問您認為您在南京案中可以扮演什麼角色？其他專業人士可以扮演什麼角色？
3. 請問您認為在南京案中家庭和國家可以扮演什麼角色？
4. 請問您對番禺案有什麼看法？
5. 請問您認為您在番禺案中可以扮演什麼角色？其他專業人士可以扮演什麼角色？
6. 請問您認為在番禺案中家庭和國家可以扮演什麼角色？
7. 就我的課題和此次訪談，您有什麼建議或意見？

Appendix III: Profile of Interviewees

Table 6
Profile of interviewees (Updated April 2018)

Occupation	Gender	Age	Marital status	Fertility status	Education background
Social worker A	Female	26-30	Unmarried	Childless	Undergraduate
Social worker B	Female	26-30	Married	One child	Undergraduate
Social worker C	Female	26-30	Unmarried	Childless	Undergraduate
Social worker D	Male	36-40	Married	Two children	MSW
Social worker E	Female	21-25	Unmarried	Childless	MSW
Social worker F	Male	36-40	Married	Two children	MSW
Doctor G	Female	36-40	Married	One child	Master
Doctor H	Male	31-35	Married	One child	Master
Doctor I	Male	41-45	Married	Two children	PhD
Doctor J	Female	31-35	Married	One child	Master
Doctor K	Female	56-60	Married	One child	Undergraduate
Judge L	Female	31-35	Married	One child	Undergraduate
Judge M	Female	46-50	Married	One child	Undergraduate
Judge N	Male	31-35	Married	One child	Undergraduate
Police officer O	Male	36-40	Married	Childless	Undergraduate
Police officer P	Male	46-50	Married	One child	Undergraduate
Lawyer Q	Male	46-50	Married	One child	Undergraduate
Lawyer R	Male	26-30	Unmarried	Childless	Undergraduate

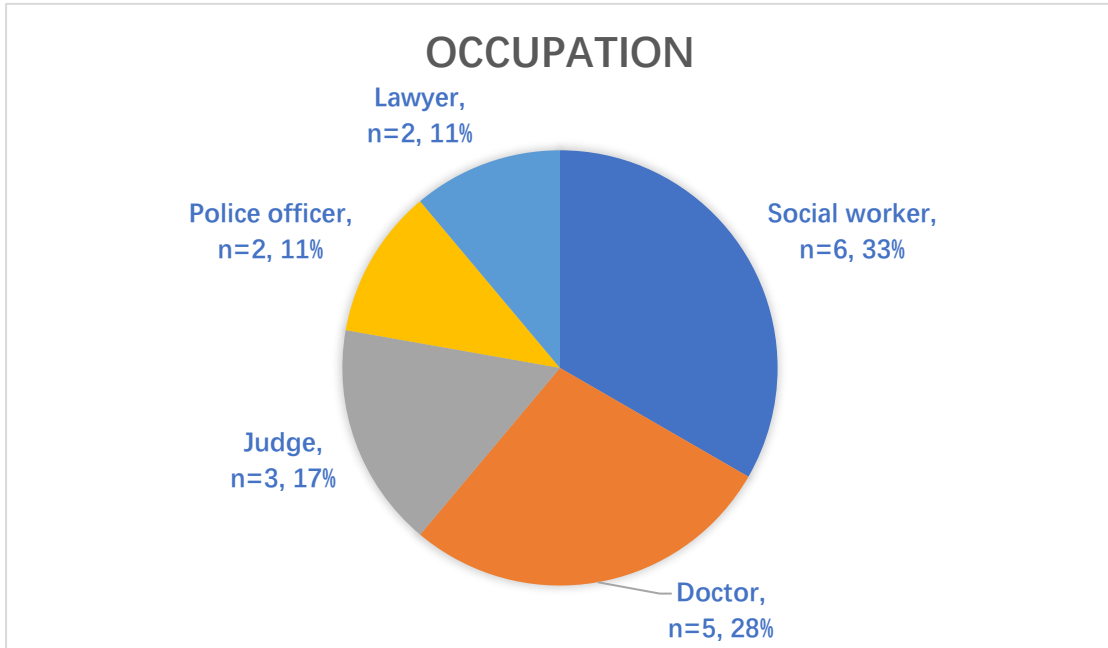


Fig.2. Number and percentage of interviewees by occupation (n=18)

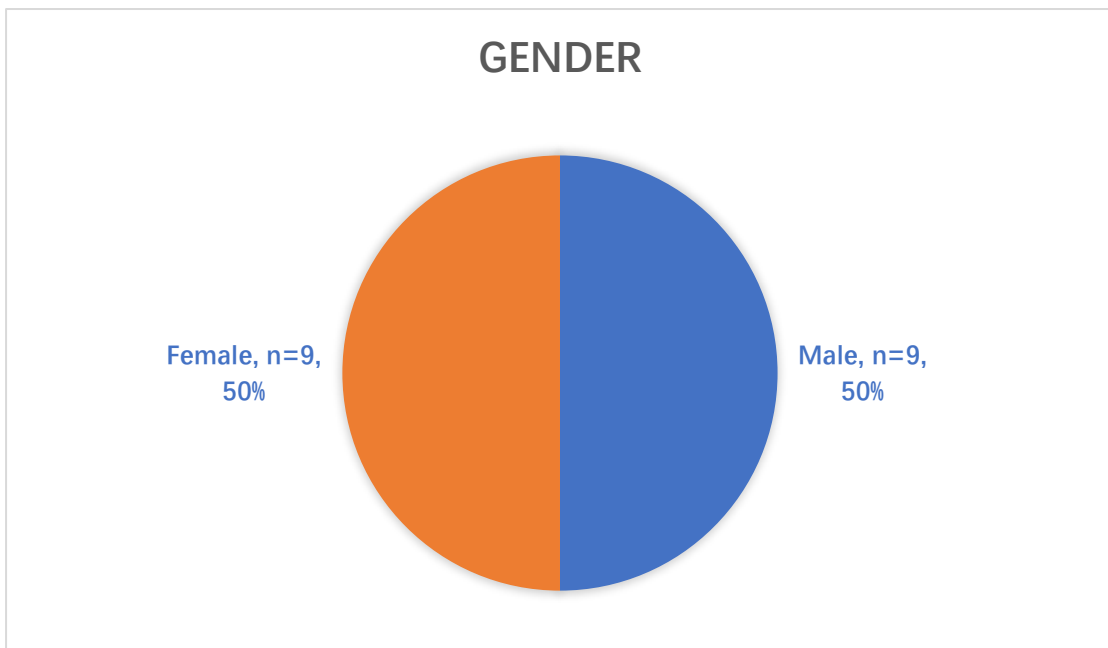


Fig.3. Number and percentage of interviewees by gender (n=18)

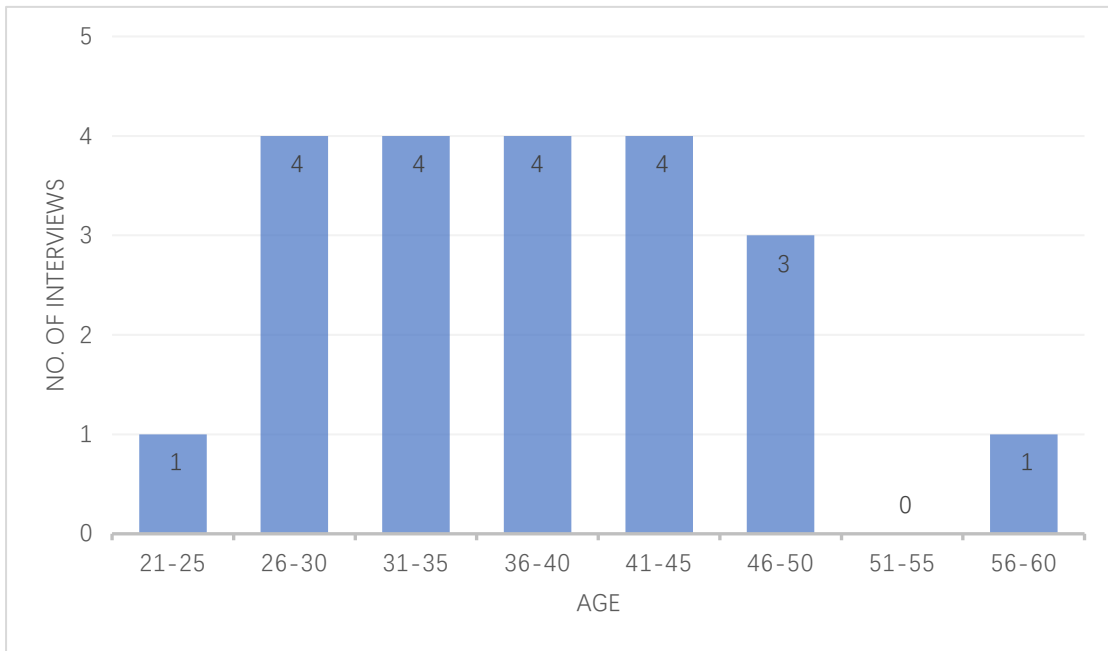


Fig.4. Number of interviewees by age (n=18)

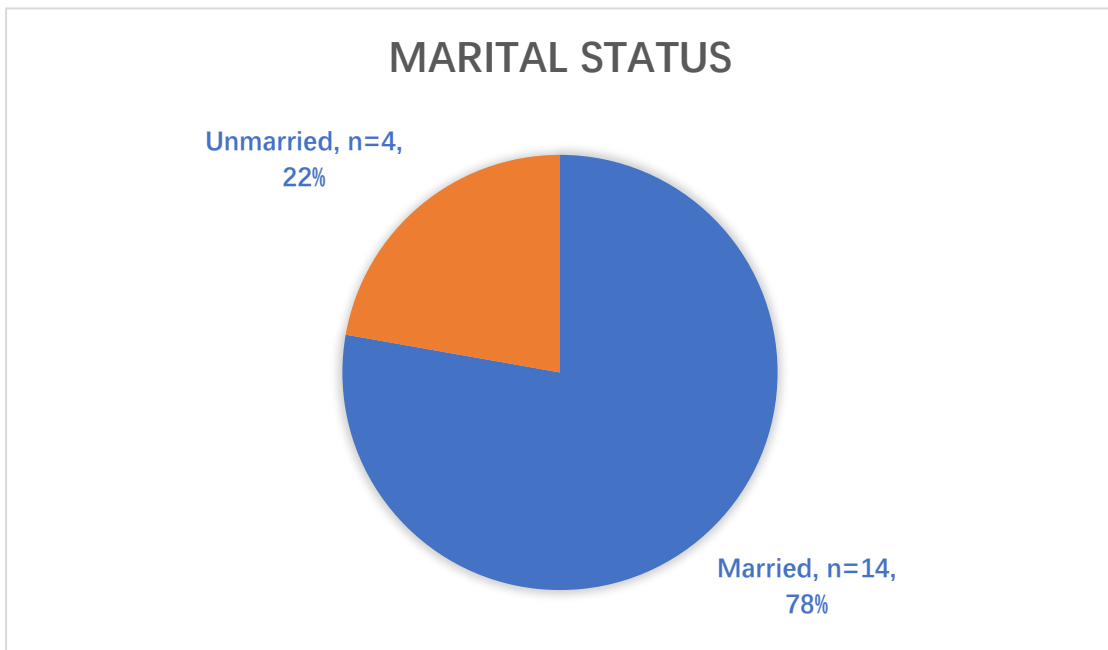


Fig.5. Number and percentage of interviewees by marital status (n=18)

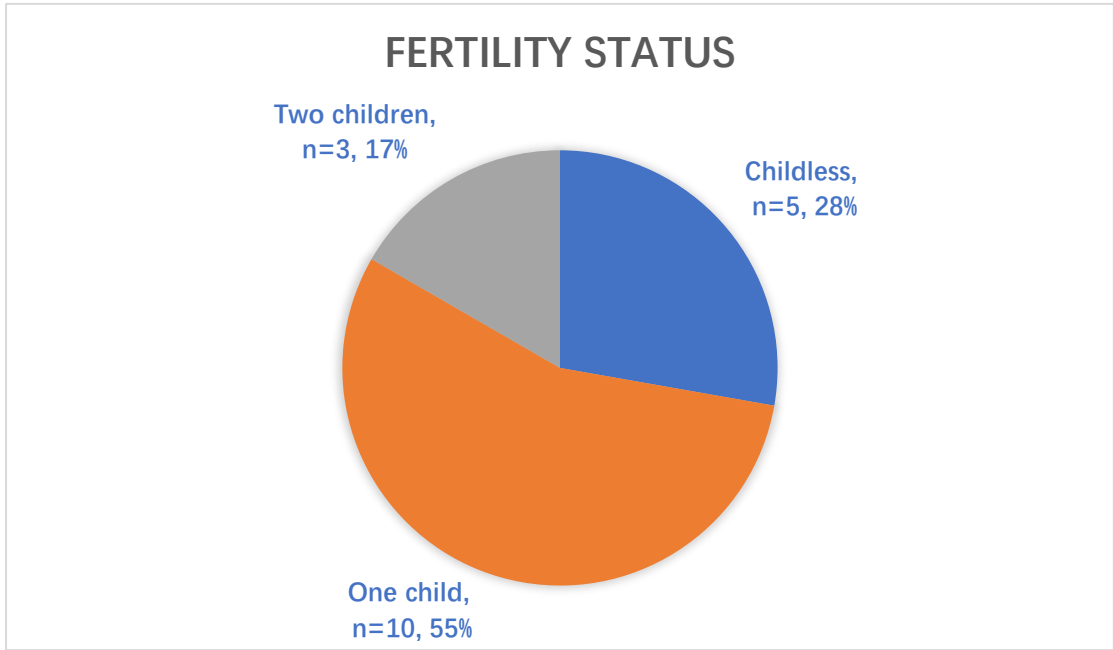


Fig.6. Number and percentage of interviewees by fertility status (n=18)

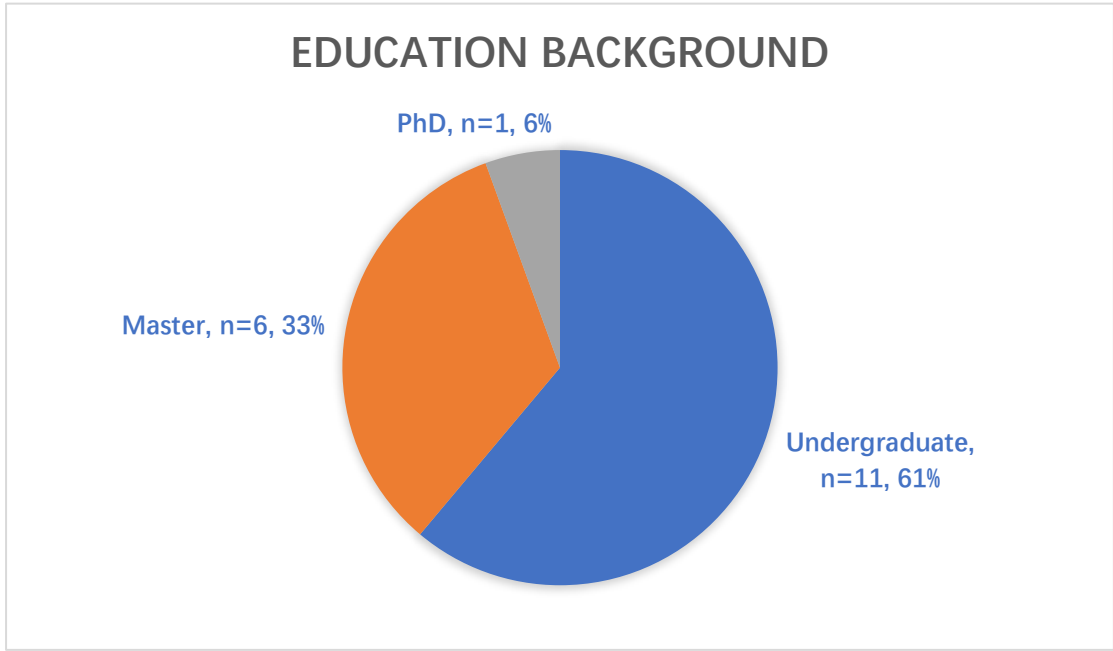


Fig.7. Number and percentage of interviewees by education background (n=18)

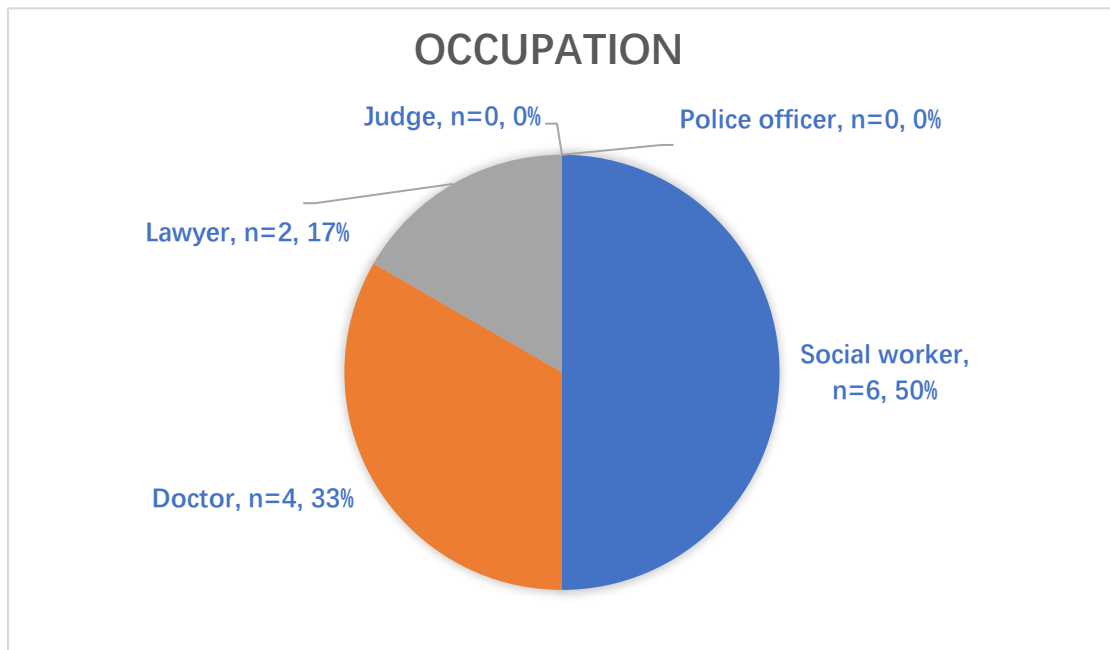


Fig.8. Number and percentage of interviewees by occupation in second round interview (n=12)

Appendix IV: Summary of Two Rounds of Interviews

Table 7

Summary of first round interviews (April 2017 to January 2018)

Social worker	Social worker A from Social service center A (20/4/2017)	Social worker B from Social service center B (19/5/2017)	Social worker C from Social service center B (22/6/2017)	Social worker D from Social service center C (10/7/2017)	Social worker E from Social service center D (4/9/2017)	Social worker F from Social service center E (10/9/2017)	
Doctor	Doctor G from Hospital A (6/7/2017)	Doctor H from Hospital B (7/7/2017)	Doctor I from Hospital C (17/8/2017)	Doctor J from Hospital D (2/9/2017)	Doctor K from Hospital E (23/12/2017)		
Legal professional	Judge L from Court A (4/8/2017)	Judge M from Court A (4/8/2017)	Judge N from Court B (2/10/2017)	Police officer O from Police station A (16/10/2017)	Police officer P from Police station B (24/10/2017)	Lawyer Q from Law firm A (30/8/2017)	Lawyer R from Law firm B (18/1/2018)

Table 8

Summary of second round interviews (February 2018 to April 2018)

Social worker	Social worker A from Social service center A (26/2/2018)	Social worker B from Social service center B (2/3/2018)	Social worker C from Social service center B (2/3/2018)	Social worker D from Social service center C (4/4/2018)	Social worker E from Social service center D (28/2/2018)	Social worker F from Social service center E (25/3/2018)	
Doctor	Doctor G from Hospital A (20/4/2018)	Doctor H from Hospital B (24/3/2018)	Doctor I from Hospital C (22/4/2018)	Doctor J from Hospital D (19/4/2018)	Doctor K from Hospital E Rejected		
Legal professional	Judge L from Court A Rejected	Judge M from Court A Rejected	Judge N from Court B Rejected	Police officer O from Police station A Rejected	Police officer P from Police station B Rejected	Lawyer Q from Law firm A (23/4/2018)	Lawyer R from Law firm B (25/3/2018)

Appendix V: Related News Reports of Nanjing and Guangzhou

Case

Please use WeChat to identify the following QR code to find the news reports of Nanjing case and Guangzhou case.

