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The primary school's invasion of the privacy of the child: unmasking the potential of some current practices

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Privacy has been defined as “the protective buffer within which people can avoid another party’s taking something from them, keeping watch over them, or entering into their lives in a way that is both unwelcome and undesirable”. It is a premise of this paper that such a position needs to be taken very seriously in contemporary society, and particularly in the case of schools, as school personnel have the capacity to engage in practices which show great disregard for individual and family privacy. This is illustrated in the case of primary school education in the Republic of Ireland. Particular attention is paid to assessment, pedagogical and curricular practices that derive from patterns of systematic and mandatory disclosure that are confessional, performative and public.

Keywords: privacy; primary schools; children; Ireland

Introduction

A well-known legal assertion of privacy as “the right to be left alone” was made as early as 1890 (Warren and Brandeis 1890). Eighty years later, a similar definition was offered by Fried (1970) when he spoke of privacy as constituting control over information about oneself and noted that unapologetic invasions of privacy are particularly evident among those with less power and influence, including children. Much recent attention to privacy (Bellman et al. 2004; Introna and Pouloudi 1999; Kalvenes and Basu 2006; Malhotra, Kim, and Agarwal 2004; Stead and Gilbert 2001) has been based on an acceptance of these positions. Also, it has led to the development of the notion of “privacy-destroying technologies”. This refers to those technologies deployed by governments and businesses which are threatening to make informational privacy obsolete (Froomkin 2000).

This is not to argue that the situation has been uncontested. Indeed, there has been a significant legal response. For example, legislation has been introduced to protect individuals from invasion of privacy by the commercial and financial sectors. Nonetheless, there is still a wide range of areas in which the law has not responded adequately (Froomkin 2000, 1461). One such area is that of children’s privacy rights (Tang and Dong 2006) including, in particular, their right to privacy within the schooling sector. On this, Davis (2001), who defines privacy as a right to control access to one’s thinking, makes the point that if human beings possess a right to privacy, then pupils who are children also possess this right.

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Kasper (2005, 77), on analysing a variety of such positions, offers the following definition: “privacy is the protective buffer within which people can avoid another party’s taking something from them, keeping watch over them, or entering into their lives in a way that is both unwelcome and undesirable”. One of the most common and well-known ways in which this protective buffer is breached in schools nowadays is through the collection, exchange, storage and use of information about pupils. This is a serious situation which needs to be contested. This paper, however, is concerned with the equally – if not even more powerful – breaches of privacy which can occur through subtle intrusive activities which can manifest themselves within the process of education.

Some of the ways in which there can be such breaches of privacy through the process of education are illustrated in the case of primary school education in the Republic of Ireland. The analysis is based upon reflections on unstructured observations undertaken when visiting schools, anecdotal evidence and the interrogation of policy documents, including guidelines on assessment, curriculum and pedagogy. The intention was not to determine the extent to which the situation portrayed is widespread; this would necessitate the adoption of a variety of other approaches such as large-scale surveys based on representative samples. Rather, what is presented is an exposition on what is the case in certain situations in order to illustrate a scenario that has the potential to become widespread, if it is not already so.

Intrusive activities that can manifest themselves in relation to the processes of education

In 1971, the process of education in Irish primary schools took a sharp change of direction with the introduction of a new child-centred curriculum. Many of the fundamentals of this curriculum were reinforced when it was replaced in 1999 by the current “Primary Schools Curriculum” (Government of Ireland 1999a). This curriculum is organised around six major learning areas: language; mathematics; social, environmental and scientific education; arts education; physical education; and social, personal and health education. Religious education is also taught in schools, with the particular syllabus being the responsibility of the different Church authorities.

The central aim of the Irish primary school curriculum, according to the prescribed syllabus, is to nurture the child in all dimensions of his or her life. Also, much of the prescribed pedagogy is in harmony with this child-centredness. For example, there is regular reference to the importance of the active involvement of children in their own learning, that learning should involve guided activity and discovery methods and that collaborative learning should feature in the learning process. In the main, these recommendations and others are crystallised in the following statement: “It is a fundamental principle of the curriculum that the child’s existing knowledge and experience should be the starting point for acquiring new understanding. The curriculum enables the child to move from the known to the unknown”.

The highlighting of this central principle of constructivist pedagogy in the prescribed curriculum is very much to be commended. However, it is also of serious concern that it is not accompanied by a set of recommendations indicating that it needs to be espoused with great care and sensitivity. This deficit means that not only is it required that children’s learning in Irish classrooms be a public affair, but also that what takes place in this regard has the potential to facilitate great incursions into the private lives of children. This is so in relation to a variety of the processes of

education, but especially in the domains of assessment, pedagogy and curriculum content.

Specifically in relation to assessment, much of the classroom questioning, observation and judgement by the teacher, which are key elements of formative assessment, are public. Associated practices range from children marking each other's work, to giving responses in whole-class and group situations, to being asked to call out who achieved correct and incorrect answers in homework or class tests. Also, summative assessment results may be seen on wall charts decorating classrooms, indicating children's marks in weekly tests over the school year.

Along with assessment of knowledge and skills, children's values and attitudes are also assessed. In history, for example, these include assessing the extent to which a child demonstrates, as it is put:

Open, questioning attitudes to the beliefs, values and motivations of others, a tolerance towards various ethnic, cultural, religious and social groups, a sense of responsibility for the preservation of heritage, and a sense of local, national, European and global identity. (Government of Ireland 1999b, 78)

These are wide-ranging areas requiring sophisticated evaluation, yet assessment is carried out by reliance on teachers' judgements and observations, specifically of "the responses pupils make to the teacher's questions and suggestions; the participation of pupils in whole-class discussions [and] the interaction of pupils with each other" (Government of Ireland 1999b, 79). Contemplating this situation leads one to the view that patterns of disclosure by children are not only meant to be compulsory, but can also be used to assign children to a variety of attitudinal and value categories. The results can then be open to viewing by a wide range of professionals and others connected with schools, depending on individual school policy.

The dominant pedagogical style, which is teacher-led, can also work to make the life of the child a matter of public business. This style is characterised by whole-class discussion and questioning of individual children who are expected to answer aloud, followed by the setting of a written task or assignment to be completed by the children individually (Devine 2003, 54). These practices are accompanied by feedback, intervention, praise, criticism and commentary, much of which also takes place publicly (Drudy and Uí Chatháin 1999; Hanafin 1995). Attention also needs to be drawn to the fact that children's audience in a classroom is often diverse; it can consist of the teacher, teaching assistant, special needs assistant, friends and children both known to them and not known. When a child answers a question publicly in class, it is answered not only for the teacher, but also for other children and for any other adults who may be in the classroom. This exacerbates the incursion into the personal.

Asking children to answer a question, or to comment on something, necessitates putting them "on the spot". There is little room for them not to answer. On the contrary, the emphasis is on compulsory answering, participation is lauded and non-participation is constructed as lack of interest, lack of motivation or laziness. Indeed, the discourse on participation is at a doxic level (O'Sullivan 2005), its benefits being not only unquestioned, but unquestionable, in a cultural context that places little value on diffidence, modesty or holding back. This situation is complicated by findings which suggest that children in Irish primary schools tend to think about school as a place where they have no privacy rights. Devine's (2003) study, for example, suggests that children's private lives are understood by them to be those lives outside of the public domain of schools, while in school "everything is up for grabs".

The problem, of course, is that the embedding and normalising of compulsory public disclosure about children, their families, their homes, and their feelings has the potential to, at the very least, create discomfort. Some, for example, may say things aloud in classroom discussions that they later regret, or may be caused to regret by the responses of other children. Also, there is evidence that children themselves can feel the effects of the recommended teaching style, expressing a preference for whole-class teaching because of a desire for all of them to be treated in the same way (Devine 2003, 83–4).

Another pedagogical practice promoted in some Irish primary schools is that of “circle time”. This involves the classroom teacher seating all of the children in the class in a circle when a genuine personal problem arises. Children are then given opportunities to speak, often through holding an item which indicates that the person has the floor. The teacher facilitates a discussion on the issue, after which the children proceed to address it and then attempt to come up with a solution. The point is that the opportunities provided by this practice for problem-solving and for giving children a “voice” can also be an opportunity for public exposure of both private and family issues. Children may say things which either they or adults in their lives, later regret. Furthermore, even if information is confined to the circle group, with provision being made for children to speak to their parents if they need to do so, the practice may still lead to a lot of people knowing personal details about individual children.

Equally disconcerting is the common practice of the early-morning “news” slot in infant classes, which actively inducts children into patterns of disclosure. This practice, especially common on Monday mornings, involves children in telling and recording incidents and events from their lives outside of school by drawing on their weekend activities and their home and social lives. On this, we have heard of many teachers of infant classes express benign, surprised hilarity regarding the kinds of things children tell in infant classes and how much teachers (and, of course, other children) know about families.

Various pedagogical practices recommended for specific school subjects prescribed on the primary school curriculum also have the potential to make children’s learning in Irish classrooms a public affair. In the language curriculum, for example, the communicative method of language teaching is prescribed. This puts the learner at the centre of the learning experience, mimics real-life situations and emphasises aural and oral acquisition. Priority is given to learners being enabled to speak about themselves, their interests, their families, their lives, their hopes and their aspirations, as well as to function in daily life using the target language in such situations as shopping, buying train tickets and seeking directions. This priority is represented by displaying the “I”, which is at the centre of the learning experience, as the innermost circle in a series of concentric circles and indicating that it relates to such matters as “who I am”, “how old I am”, “where I live”, “my hobbies”, “what I like”, “what I don’t like”, “what I fear” and “what I expect”. The more distal concentric circles are slightly more removed from the individual child and relate to discussion of one’s family and one’s milieu, who one’s parents are, their occupations, the kind of house in which one lives, the nature of one’s neighbourhood, whether or not one has pets, one’s relationship with one’s grandparents, brothers and sisters and so on.

The whole-class teaching favoured in this approach means that children answer questions individually, in pairs or in small groups, to one or two others or in front of all present in the classroom. In this way, and because the questions are answered repeatedly over time – often a period of weeks, months or even years – the pen

pictures of each child become embedded in the group consciousness. Thus, language learning in schools, with its incursions into the private domain of children's lives, and the mandatory making of that domain public, not just reflects, but may produce social mores more usually seen in confessional, "celebrity" or "reality" visual media, where the private life is moved into a highly visible and accessible public domain. An associated issue is that the revealing of personal information about where one lives, the kind of house one inhabits, the sorts of food eaten at home and so on, may, either consciously or unconsciously, lead teachers to categorise children in prejudicial ways. Such a position is substantiated by the notable and long-standing body of research which suggests that teacher behaviour towards, and evaluation of, children in classrooms is mediated through knowledge that they have of them in such domains as their prior achievement, social class and family resources (Anyon 1980).

There are also other areas of the curriculum that systematically produce invasions of privacy. The "Social, Environmental and Scientific Education" curriculum, presented under the three subject headings of "history", "geography" and "science", is notable in this regard. In relation to history, for example, it is stated that:

Primary school children will understand the actions of people in the immediate past more readily than those of people in distant ages, and historical enquiry will acquire a greater relevance for children if it fulfils their need to explore and understand their immediate environment. (Government of Ireland 1999b, 7)

For these reasons, it is stated, "the history curriculum places a very strong emphasis on the study of personal and local history in all classes of the primary school" (Government of Ireland 1999b, 7).

The latter emphasis is evident in textbooks and teaching materials, with widespread dependence on such pedagogical tools as the construction of family trees and the identification of the kinds of people who are in the child's immediate family, the families of their parents and those of their grandparents. Through using these tools, it is held, the child will be brought to understand more fully the "world in which he/she lives – how events and personalities have shaped the home, locality and wider environment in which he/she exists" (Government of Ireland 1999b, 6). It is held also that local studies should be promoted so that children will gain their first impressions of the concept of time through "simple discussions of personal and family history" (Government of Ireland 1999b, 7). The argument is that children can begin to appreciate the existence of times different from their own by exploring the changes that have occurred and elements that have remained unchanged "in their own lives, in the lives of their families and friends, and in their homes and immediate environments" (Government of Ireland 1999b, 7). To summarise, the emphasis is on history as a means of interrogating identity rather than building it.

The curricular area entitled "Social Personal and Health Education" (SPHE) (Government of Ireland 1999c) also presents challenges to children's privacy. The need for a specific curriculum in these domains is justified largely by reference to the move from a post-industrial to a service economy, accompanied by expressed needs for certain kinds of skills, including the need for emotional literacy and a concomitant emphasis on communication (Mac an Ghaill, Hanafin, and Conway 2004). Again, there is a routine engagement in the completion of detailed family trees, even though anecdotal accounts point to children feeling uncomfortable with the practice for reasons that range from relatives who have died to parents who are absent. Also, they are sometimes even asked to account for the eating patterns in their homes,

accompanied by judgements about the healthiness, or otherwise, of those patterns. Similarly, some teachers require pupils to respond publicly in class, as well as in their copybooks, to such questions and statements as: What makes you angry? What makes you sad? When are you afraid?

Such activity can provide opportunities for undesired and even unintended disclosure, and children's feelings of anxiety and pressure may be great. The "spiral" approach to all learning areas in the curriculum, which is based on the notion that similar content should be revisited year after year, but at ever deeper and wider levels, has the potential to produce similar outcomes. Certainly, it means that the topic of "the family" arises at least once every year in each learning area. This, we hold, paves the way for the possibility of a relentless drip effect on children, exposing ever more aspects of their private lives, and leaving them anticipating ever more forays into their identity, bodies, growth, safety, family, friends and communities.

Discussion

Internationally, children's rights, described in 1973 as "a slogan in search of a definition" (Rodham 1973, 487) have come a long way in a short time (Freeman 2000). In particular, the United Nations (UN) Convention on the Rights of the Child, 1989, offered the world's first international legal instrument on children's rights including the articulation of general rights such as the right to life, prohibition against torture, freedom of expression, thought and religion, the right to information and privacy (Freeman 2000, 277). The associated change in discourse from children's needs to children's rights (Devine 2003) was evidenced in Ireland as a move towards thinking of children as citizens "who are respected as young citizens with a valued contribution to make and a voice of their own" (National Children's Strategy 2000, 4). This move was reflected in government policy and numerous pieces of legislation from the Child-care Act 1991 onwards (Richardson 1999).

More recently, children's rights organisations in Ireland are increasingly turning attention to the promotion of policies that empower children (Roberts 2001, 6) as a complement to the more widespread emphasis on the protection of children and the promotion of their welfare. Such initiatives reflect the changes in themes identified by O'Sullivan (2005) in relation to child advocacy in Ireland. The 1960s and 1970s, he argues, was a period during which "the importance of childhood" was promoted within a sequence of developmental stages, as was "children's entitlements in the light of this, and most distinctively the needs of deprived children and children 'at risk'" (O'Sullivan 2005, 445). The 1970s to the early 1980s witnessed a "dramatic transformation" (O'Sullivan 2005, 542) in the public attention to childhood, leading to the emergence of a "new protectionism". Finally, the period since the 1980s has been a time of unprecedented public revelations and media interest relating to "childhood adversity" (Ferguson 1996), but in particular to what has come to be described as "child abuse".

Notwithstanding such developments, however, it would appear from the practices outlined in this paper that the new discourses of deprivation, protectionism and children's rights have not managed to supplant those of control and compulsion, particularly as they operate to disguise how schools can seriously impinge on the privacy of the child. A similar situation has been highlighted in the UK in relation to recent government policies aimed at improving child welfare by sharing information on children. Attention has been drawn to the databases that are being built to collate information

on children in education, youth justice, health, social work and elsewhere, with systems linking up through the new Information Sharing Index. On this, Anderson et al. (2006) argue that child protection will receive less attention as a result, and that the systems will intrude so much into privacy and family life that they will violate data protection law and human rights law.

Returning to the specific context of this paper, namely, Ireland, it is not possible at this point to go much further than raise these and other questions for debate; their resolution will require engagement in a significant project requiring deliberation on the results of empirical and analytical studies. Yet, regardless of what is proposed, it surely holds that, as a first principle, schools and those in them have a duty of care regarding the compilation, access and distribution of information about individuals. Schools and teachers may argue that, *in loco parentis*, there are things they must know about children in their care. This is a valid argument, yet it does not nullify the position that greater care is needed in how data are collected about children, how they are stored and who has access to them. At the very least, before a decision is made to collect and store any information, the following questions should be asked: Why is this information being collected? Why is it necessary? What purpose will it serve? Is it necessary to hold this information about all children? Is information being collected and stored inadvertently? To whom should it be made available?

It has also been illustrated how schools in Ireland invade the privacy of the child through the process of education. In the absence of appropriate safeguards, it was argued, there is potential for children's self-esteem to be damaged through feeling exposed by teacher questioning and by public displays of their work. Disclosure of personal information in the public sphere of the classroom can also leave children open to bullying and hurtful comment. Ironically, children and young people using the Internet in Ireland are advised by experts that one of the best ways to avoid online bullying is to resist sharing too much information about oneself (Berson, Berson, and Ferron 2002; Office of the Information and Privacy Commissioner for British Columbia 2000). The likelihood, however, that this advice may have equal validity in the classroom is overlooked. In this forum, children cannot switch an off button on a computer in order to escape from taunts; instead, they may be compelled to sit day-after-day in the same space and play day-after-day in the same playground, with peers who sometimes know things about them that may be far too private. To take up this position is also to reject absolutely the point made by those like Beale (2004) who argue for the necessity, importance and relevance of discussing matters such as family diversity as a way of "empowering" children through their sharing of information about their own family backgrounds, offering as evidence quotes such as "It helped me because I don't get a chance to see my dad but now I know I'm not the only one in the class that doesn't" (Beale 2004, 9).

Again, however, as with the discussion on schools holding increasing amounts of data about children, one is left with many questions which cannot be adequately dealt with here; their identification, not to mention their answering, needs to be addressed in a comprehensive research agenda. This, however, is not to simultaneously argue for a rejection of progressive curricula and child-centred learning. Rather, it is to emphasise the importance of taking cognisance of Noddings (2003, 104) point that while personal experience is important in the educative process, one has to find ways to address the "real potential for personal harm when we encourage students to speak of their own experience". On this, she argues that when students are asked to "discuss the homes

they live in and the homes they dream of, they need assurance that they are not compelled to speak and even that their choice of silence on some things is admirable". This, she states, is because "we cannot know, when such discussions are encouraged, what will come out, or how great a student will later regret having spoken" (Noddings 2003, 104).

On considering this position in relation to the critique already offered of the language curriculum in Irish primary schools, it is arguable that while relevant use of the target language is necessary for language acquisition, accurate representations of the personal aspects of children's lives are not. It is unlikely, for example, that any child would be expected to answer in "real-life everyday situations" the sorts of personal questions which are recommended for the language programme. Indeed, it would be considered unacceptable to ask many of those questions of adult strangers. One possible, though not the only, way forward is to consider approaches developed by Noddings who emphasises on the use of literature and the imagination in discussing the personal. Also, in history and geography, through using the imagination, a child could be anyone he or she chooses to be for the purposes of learning. The challenge is to promote divergent thinking along these and other lines so that appropriate pedagogical approaches can be developed and utilised which are faithful to child-centred education, while at the same time show sympathy to the child's right to privacy.

Conclusion

Recently it has been contended that schools can be dangerous for pupils in many ways, including for their health and their safety (Potts and O'Donoghue 2007). The central argument of this paper has been that breaches of children's privacy also have the potential to make schools dangerous places for children who have not yet learned, as many adults must do at some time in their lives, to avoid the excesses of others' curiosity. Possibilities in this regard, as they operate to varying degrees and in a variety of settings in Ireland, and the lack of appropriate safeguards, have been considered.

The particular emphasis in the paper has been on illustrating how schools can seriously impinge on privacy through holding and sharing increasing amounts of data about children, as well as through various practices which constitute parts of the process of education. It might, of course, by way of counter-argument, be posited that surveillance and disclosure are features of the twenty-first century society and that children, like others, must learn to live with that. If, however, that is the case, then at the very least it would be well for families – parents, guardians and children – to know that schools not only reflect this surveillance through diverse methods of data collection, but actively produce children and young people enculturated early into patterns of disclosure.

Finally, it is not being suggested that the exact same problems as those identified regarding Ireland exist in every liberal democracy in the Western World. What is contended, however, is that through portraying them, others are provided with a case that can help them to reflect on the situation in their own societies and clarify similar issues to be addressed. The outcome, it is hoped, should be the emergence of a comprehensive research agenda internationally in order to unmask those practices that serve to undermine children's privacy in school and lead to suggestions for improving the situation.

Notes on contributors

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