PROGRESS IN THE UNITED STATES FOR ENDING CORPORAL PUNISHMENT OF CHILDREN

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Progress in the United States for ending corporal punishment of children

Much of the world has accepted ending corporal punishment of children as a means to affirm children’s rights to physical protection and to reduce violence against children. The United States of America has lagged behind many nations in providing children legal protection from corporal punishment. Public support for corporal punishment of children in the United States is waning and that is being translated into legal protections for children. In thirty-one states plus the District of Columbia, corporal punishment in schools no longer occurs. An increasing number of local school districts are banning its use in the nineteen states that still allow it. National polls show that more parents are opting for alternatives to corporal punishment of children. Parenting programs in the U.S. teach parents alternative strategies for positive discipline and encourage parents to never use physical force for punishment.

What is corporal punishment?

Physical punishment and corporal punishment are synonyms. They can be defined as follows: the intentional infliction of physical pain for the purpose of preventing or stopping misbehavior. “Spanking” is to hit with the flat of the hand usually on the buttocks and “paddling” is to hit a student on the buttocks with an implement, usually a wooden “paddle.” In U.S. schools that permit corporal punishment, the wooden paddle used to administer corporal punishment is usually eighteen to twenty-four inches long, three to four inches wide and an inch thick. A teacher who uses physical contact to stop a fight, to protect persons or property or remove a weapon is not using corporal punishment and is protected in criminal and civil laws in states that have banned corporal punishment. A parent who grabs a child who is about to step into the street or a child who is reaching for a hot pot on the stove is not using physical punishment. Restraining a child in homes or in schools is ordinarily not corporal punishment.

What progress is being made in the U.S. to end all corporal punishment of children?

The U.S. is making slow, but steady progress in ending the use of corporal punishment of children. The Center for Effective Discipline (CED) surveys regulatory agencies on corporal punishment laws and regulations in child care, foster care, schools and institutions for youth. State laws and regulations on corporal punishment of children vary widely. Some states which do not ban it completely, ban it under certain circumstances, ban it for different age groups, or ban it in some settings and not others even within a category.
U.S. schools

Corporal punishment has ended in all public schools in thirty-one states as well as the District of Columbia (Washington D.C.). The majority of these states ban it by state law while others ban it by the state board of education regulation. In the nineteen states which still allow the use of corporal punishment in schools, the majority of large urban school districts have banned its use. States still permitting corporal punishment in schools are: Alabama, Arizona, Arkansas, Colorado, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Wyoming. Only a handful of the nation’s one-hundred largest cities allow its use in their schools. The most recent state to ban the use of corporal punishment in their schools was New Mexico in 2011. In 2011, both Texas and North Carolina passed state legislation which allowed parents the ability to “opt-out” of corporal punishment for their child/student. The number of students subjected to school corporal punishment and the incidence of corporal punishment in schools is decreasing, but it is still a major problem with several students per year reporting injuries suffered as a result of a school paddling. The top-hitting states are primarily southern states.

U.S. homes

Reasonable physical punishment is allowed in homes in all states except Minnesota where a series of statutory provisions read together make physical punishment by parents or other lawful custodians a prosecutable assault. There are no reported cases of parents being prosecuted for administering mild corporal punishment in Minnesota. Corporal punishment of children in U.S. homes is still widely accepted. U.S. parenting programs and home visitation providers stress positive discipline with parents and guide parents away from physical or violent punishment for child rearing.

U.S. professionals indicating the potential harmful effects of corporal punishment on children

Over fifty national organizations including the American Medical Association, American Bar Association, National Association of State Boards of Education, American Academy of Pediatrics, American Psychological Association, National Education Association and National Parent Teacher Association have adopted positions against school corporal punishment.

In 2002, the International Society for the Prevention of Child Abuse and Neglect voted to accept the resolution banning all corporal punishment of children adopted by the Global Initiative to End All Corporal Punishment of Children. The American Academy of Child and Adolescent Psychiatry, American
Humane Association, American Orthopsychiatry Association, Association for Childhood Education International and National Association of Social Workers are among organizations calling for a ban on all corporal punishment of children. The American Academy of Pediatrics in “Guidance for Effective Discipline” (1998), recommends that parents be “encouraged and assisted in the development of methods other than spanking for managing undesirable behavior.” In 2004, the United Methodist Church passed resolutions calling for an end to all corporal punishment of children at its national conference and the General Assembly of the Presbyterian Church – USA passed their resolution at their 2012 national conference.

Evidence indicating the negative effects of corporal punishment on children

In 2008, the “Report on Physical Punishment in the United States: What Research Tells Us About Its Effects on Children” by Elizabeth T. Gershoff, Ph.D. was published. This report was endorsed by over seventy U.S. organizations including the Academy on Violence and Abuse, American Academy of Pediatrics, American Professional Society on the Abuse of Children, American Medical Association, National Child Protection Training Center, National Indian Child Welfare Association, National Alliance of Children’s Trust and Prevention Funds and Voices for America’s Children. The report synthesize one hundred years of social science research and hundreds of published studies on physical punishment conducted by professionals in the fields of psychology, medicine, education, social work, and sociology. The research supports several conclusions:

- There is little research evidence that physical punishment improves children’s behavior in the long term.
- There is substantial research evidence that physical punishment makes it more, not less, likely that children will be defiant and aggressive in the future.
- There is clear research evidence that physical punishment puts children at risk for negative outcomes, including increased mental health problems.
- There is consistent evidence that children who are physically punished are at greater risk of serious injury and physical abuse.
Child abuse prevention must include the goal to end all corporal punishment of children

Almost a quarter of a million children are physically abused each year in the U.S. and a thousand children die from maltreatment. Many cases of physical abuse begin as “discipline”. Most child abuse prevention experts agree that ending corporal punishment through education and legal reform would make a great impact on child abuse prevention and could drastically reduce the overall incidence of child physical abuse.

Conclusion

The U.S. is slow in its progress to protect children from physical punishment at the hands of the people who are charged to protect, nurture and teach them. Progress is steady, but slow.

The U.S. needs to ban school corporal punishment in the public schools in all fifty states.

The U.S. needs to ban school corporal punishment in all private schools in all fifty states.


The U.S. needs to require the prohibition of physical punishment in all laws regarding schools, foster care, institutional care and child care as a condition of federal funding.

All federal funded parent education programs should provide training on the negative effects of physical punishment and the benefits of positive alternatives.

Child abuse prevention grants should require that state programs focus activities on eliminating parental physical punishment of children and supporting positive alternatives.