




Report on Physical Punishment in the United States: What Research Tells Us About Its Effects on Children

By Elizabeth T. Gershoff, Ph.D.



PHOENIX CHILDREN'S *Hospital*

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1919 East Thomas Road, Ste 2211C | Phoenix, AZ 85016 | Telephone: 602-546-3342 | Fax: 602-546-3356
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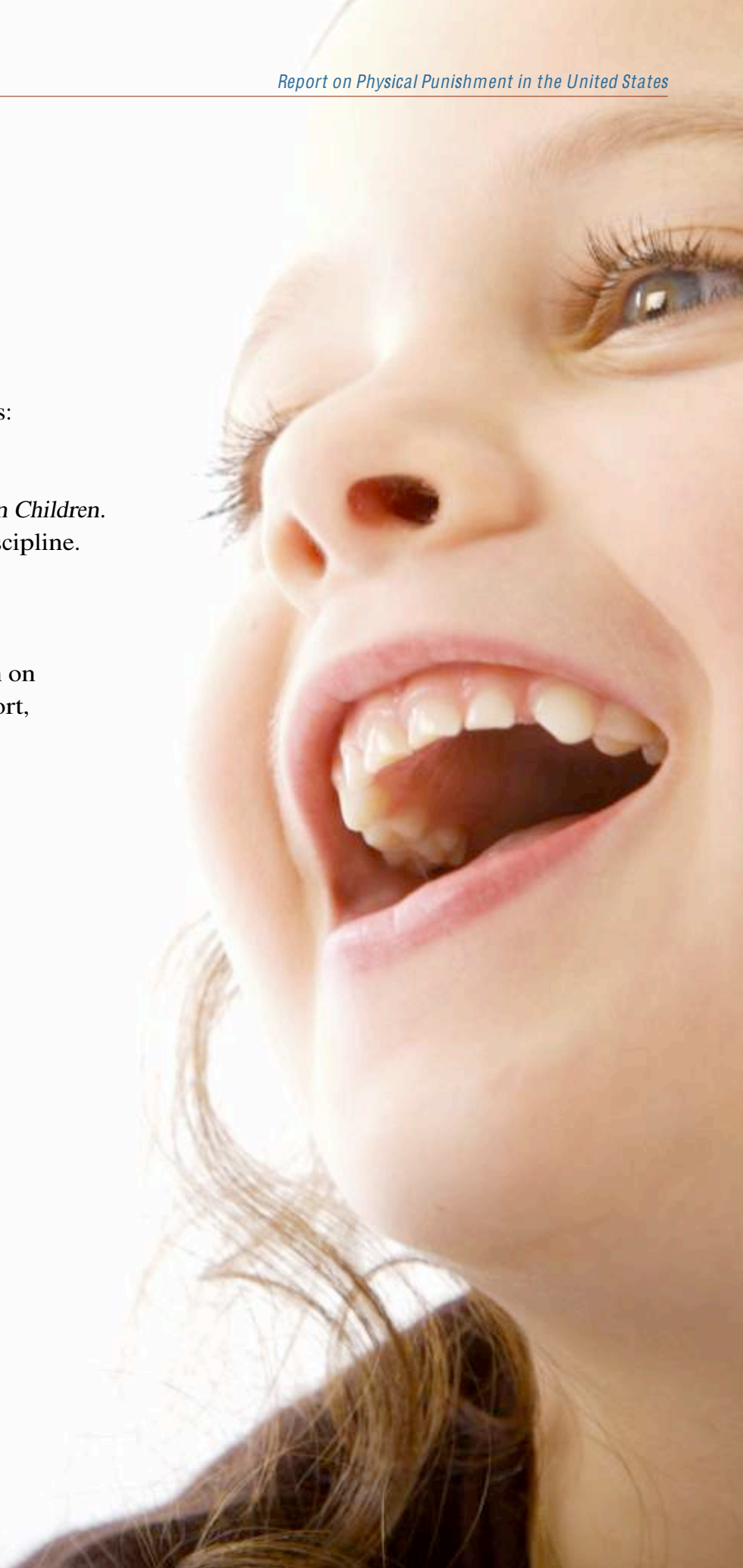
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For additional copies or for information on
organizational endorsement of this report,
please contact:

Center for Effective Discipline
155 W. Main St. #1603
Columbus, Ohio 43215
Tel: (614) 221-8829
Fax: (614) 221-2110
Website: www.StopHitting.org



Acknowledgments

About the Author

Elizabeth T. Gershoff, PhD, is an Associate Professor of Social Work at the University of Michigan in Ann Arbor, Michigan. She received a doctoral degree in Child Development and worked for five years as an Associate Research Scientist at the National Center for Children in Poverty at Columbia University. In her current research, Dr. Gershoff focuses on the impacts of parenting and violence exposure on child and youth development over time and within the contexts of families, schools, neighborhoods, and social policies. She also studies the long-term impacts of school-based violence prevention on youth mental health and academic achievement.

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Stephen J. Bavolek, PhD

*President, Family Development Resources, Inc.
Asheville, North Carolina*

E. Valerie Barnes, MD

*Sally P. Archer Child Advocacy Center and Bates-Eldredge
Child Sex Abuse Clinic
Salinas, California*

Shay Bintliff, MD, FACEP

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*Professor of Law
Michigan State University
East Lansing, Michigan*

Nadine Block, MEd

*Retired School Psychologist
Director, Center for Effective Discipline
Columbus, Ohio*

David Corwin, MD

*Medical Director, Primary Children's Center for Safe
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Professor and Chief, Pediatrics' Division of Child Protection
And Family Health
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*Associate Professor of Family Social Sciences
University of Manitoba
Winnipeg, Manitoba, Canada*

Ron Ensom, MSW, RSW

*Ensom & Associates
Ottawa, Ontario, Canada*

Paul Fink, MD

*President, Leadership Council on Child Abuse and
Interpersonal Violence
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School of Medicine
Chairman, American Psychiatric Association's Task
Force on Psychiatric Aspects of Violence
Bala Cynwyd, Pennsylvania*

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Co-Director, Family Research Laboratory
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Durham, New Hampshire*

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*Core Faculty, PsyD Program in Clinical Psychology
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Cincinnati, Ohio*

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University of Wisconsin-Milwaukee
Milwaukee, Wisconsin*

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Division of Healthy Start and Perinatal Services
Maternal and Child Health Bureau
Health Resources and Services Administration
US Department of Health & Human Services
Washington, District of Columbia*

Roberta A. Hibbard, MD

*Professor of Pediatrics
Indiana University School of Medicine
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Department of Psychiatry
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Island Jewish Medical Center
Manhasset, New York*

Jane Knitzer, EdD

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New York, New York*

Michele S. Knox, PhD

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University of Toledo Medical Center
Toledo, Ohio*

Matthew Mulvaney, PhD

*Assistant Professor of Psychology
SUNY-Brockport
Brockport, New York*

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*Early Childhood Program Facilitator
College of Education
Chicago State University
Chicago, Illinois*

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Boston, Massachusetts*

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Texas Southern University
Houston, Texas*

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University of Michigan
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San Antonio, Texas*

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Chapel Hill, North Carolina*

Marcia Stanton, MSW

*Coordinator, Child Abuse Prevention
Phoenix Children's Hospital
Phoenix, Arizona*

Murray Straus, PhD

*Co-Director, Family Research Laboratory
University of New Hampshire
Durham, New Hampshire*

John W. Travis, MD, MPH

*Founder, Wellness Associates
Co-founder, Alliance for Transforming the Lives of Children
Mullumbimby, New South Wales, Australia*

John Valusek, PhD

*Retired Staff Psychologist, Wesley Medical Center
Founder, New Ethic: People Are Not For Hitting
Wichita, Kansas*

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Report on Physical Punishment in the United States: What Research Tells Us About Its Effects on Children

Executive Summary

The main goal of this report is to provide a concise review of the empirical research to date on the effects physical punishment has on children. This report was created for parents and others who care for children, professionals who provide services to them, those who develop policy and programs that affect children and families, interested members of the public, and children themselves.

Research Highlights

This report synthesizes one hundred years of social science research and many hundreds of published studies on physical punishment conducted by professionals in the fields of psychology, medicine, education, social work, and sociology, among other fields. 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.

Conclusions

The mounting research evidence that physical punishment of children is an ineffective parenting practice comes at a time of decreasing support for physical punishment within the United States and around the world. The majority of American adults are opposed to physical punishment by school personnel. An increasing number of Americans (now at 29 percent) are opposed to physical punishment by parents. At the same time, there is a growing momentum among other countries to enact legal bans on all forms of physical punishment, bolstered by the fact that the practice has come to be regarded as a violation of international human rights law.

There is little research evidence that physical punishment improves children's behavior in the long term. In contrast, there is substantial research evidence that physical punishment puts children at risk for negative outcomes, including increased aggression, antisocial behavior, mental health problems, and physical injury. The clear connections between physical abuse and physical punishment that have been made in empirical research and in the child abuse statutes of several states suggest that reduction in parents' use of physical punishment should be included as integral parts of state and federal child abuse prevention efforts.

Preface

The idea for the *Report on Physical Punishment in the United States: What Research Tells Us About Its Effects on Children* was conceived by the advisory board of End Physical Punishment of Children (EPOCH-USA) and was inspired by the *Joint Statement on Physical Punishment of Children and Youth*, a Canadian document published by Coalition on Physical Punishment of Children and Youth and authored by Joan Durrant and Ron Ensom. The decision to create this report was supported by representatives from several major child-serving organizations who collectively wished to clarify the national discussion of this issue through the creation and dissemination of an empirically based report. The main goal of this report is to provide a concise review of the empirical research to date on the effects of physical punishment on children. The impetus for this summary was a growing frustration among many professionals working with or for children and families that the media and the public at large were not aware of the growing research literature demonstrating few positive and many negative potential impacts of physical punishment on children. The report thus synthesizes one hundred years of social science research and many hundreds of published studies on physical punishment. This body of research has been conducted by professionals in the fields of psychology, medicine, education, social work, and sociology, among other fields.

Audience

This report was created for parents and others who care for children, professionals who provide services to them, those who develop policy and programs that affect children and families, interested members of the public, and children themselves. In other words, it was written for individuals who may have used or considered using physical punishment with their own children or students, who may have been physically punished themselves by their caregivers or teachers, who work with families who use physical punishment, or who advocate for families with young children who use or are tempted to use physical punishment.

About Endorsement

Endorsement of the report signifies confidence in its review of research on physical punishment and conclusions drawn from the review, but not necessarily for its specific policy-relevant recommendations. There are no legal, financial, or follow-up obligations associated with endorsement of the report. Organizations may use the report for their own educational and/or advocacy purposes.

Report on Physical Punishment in the United States: What Research Tells Us About Its Effects on Children

What Is Physical Punishment?

For the purposes of this report, physical punishment is defined as *the use of physical force with the intention of causing the child to experience bodily pain or discomfort so as to correct or punish the child's behavior.*^{1,2,3} This definition includes light physical force, such as a slap on a child's hand, as well as heavier physical force, including hitting children with hard objects such as a wooden spoon or paddle. However, physical punishment does not refer only to hitting children as a form of discipline; it also includes other practices that involve purposefully causing children to experience physical discomfort in order to punish them. Physical punishment thus also includes washing a child's mouth with soap, making a child kneel on sharp or painful objects (e.g., rice, a floor grate), placing hot sauce on a child's tongue, forcing a child to stand or sit in painful positions for long periods of time, and compelling a child to engage in excessive exercise or physical exertion. In the United States, physical punishment is known by a variety of euphemisms, including “spank,” “smack,” “slap,” “pop,” “beat,” “paddle,” “punch,” “whup/whip,” and “hit.”^{4,5} The term “physical punishment” is often used interchangeably with the terms “corporal punishment” or “physical discipline.”

Physical punishment in schools is typically administered by a principal or other administrator, although sometimes a teacher delivers the punishment. In many cases, school physical punishment takes the form of a child being hit on his or her buttocks with a wooden paddle. Some school districts give specific requirements for the size and shape of paddles, while others do not, but a typically sized paddle is 2 feet long, 3 inches wide, and ½ inch thick⁶.

Physical punishment is distinct from protective physical restraint. Whereas physical punishment involves causing the child to experience pain as a form of punishment, protective physical restraint involves the use of physical force to protect the child or others from physical pain or harm. Examples of protective physical restraint include holding a child to prevent them from running into a busy street, pulling a child's hand away from a hot stove, or holding a child who has hurt another child to prevent him/her from doing so again.

Physical punishment is the use of physical force with the intention of causing the child to experience bodily pain or discomfort so as to correct or punish the child's behavior.

How Common Is Physical Punishment of Children in the United States?

In Homes

Several recent studies reveal that the majority of parents in the United States continue to physically punish their children. Nearly two-thirds of parents of very young children (1- and 2-year-olds) reported using physical punishment.^{7,8} By the time children reach 5th grade, 80 percent have been physically punished.⁹ By high school, 85 percent of adolescents report that they have been physically punished, with 51 percent reporting that they have been hit with a belt or similar object.¹⁰

In Schools

According to the U.S. Department of Education's Office for Civil Rights, physical punishment was administered to a total of 272,028 public school children across the country in the 2004-2005 school year.¹¹ Prevalence rates in the states that allow physical punishment average less than 1 percent of all students but there is variability among the states. Mississippi has by far the highest rate at 9.1 percent of all schoolchildren (45,197 students), which means that 1 in 11 of all K-12 students in Mississippi experienced physical punishment in the 2002-2003 year.

Texas reported the largest absolute number of students who were subject to physical punishment at 57,817, but this large number constitutes a prevalence rate of only 1.4 percent because Texas has a large population of students. The Office for Civil Rights also reports that African American students were 2.5 times more likely than White students and 6.5 times more likely than Hispanic students to receive physical punishment; boys were 3.4 times more likely than girls to receive physical punishment.

In Other Settings That Care for Children and Youth

Whether physical punishment is allowed in other settings that care for children-- such as center-based child care, family-based child care, home foster care, camps, residential treatment centers, and group homes or institutions for children--varies from state to state. There are no published reports of the rates of physical punishment in such settings. A summary of the permissibility of physical punishment in these various settings across the states is provided in Appendix A.

Is Americans' Approval of Physical Punishment Declining?

Belief in the utility and even necessity of physical punishment as a method of child rearing has been strong through generations of Americans from at least the early 17th century to the present day.^{12,13} Now, four hundred years later at the beginning of the 21st century, American approval of physical punishment by parents is showing signs of decline.

In the 1960s, 94 percent of adults were in favor of physical punishment.¹⁴ According to the General Social Surveys (GSS), by 1986 84 percent of American adults agreed that children sometimes need a “good hard spanking.” In the latest GSS completed in 2004, the percentage had dropped to 71.3 percent of surveyed Americans as agreeing or strongly agreeing with that statement.¹⁵

It is clear that although Americans remain more in favor of physical punishment than Europeans, Americans' approval of physical punishment of children by parents has declined gradually yet steadily over the last 40 years.¹⁶

Physical punishment by school personnel, on the other hand, is clearly out of favor with Americans. Although school systems in the United States have a history of having used physical punishment with children,¹⁷ the majority of Americans now disapprove of physical punishment in the schools. In a 2005 poll, only 23 percent of adult respondents believed that teachers should be permitted to spank children in school; in other words, 77 percent of Americans disapprove of school physical punishment.¹⁸

Americans' approval of physical punishment of children by parents has declined gradually yet steadily over the last 40 years.

When Is Physical Punishment Most Likely to be Used?

Research has found that parents are more likely to use physical punishment if:

- They strongly favor it and believe in its effectiveness.^{19,20,21,22,23,24}
- They were themselves physically punished as children.^{20, 24,25,26,27,28}
- They have a cultural background, namely their religion, their ethnicity, and/or their country of origin, that they perceive approves of the use of physical punishment.^{29,30,31,32,33,34,35,36}
- They are socially disadvantaged, in that they have low income, low education, or live in a disadvantaged neighborhood.^{7,32,37,38,39}
- They are experiencing stress (such as that precipitated by financial hardships or marital conflict), mental health symptoms, or diminished emotional well-being.^{7,22,34,40,41,42,43,44,45}
- They report being frustrated or aggravated with their children on a regular basis.^{7,45}
- They are under 30 years of age.^{7,29,32,34,38,45,46}
- The child being punished is a preschooler (2-5 years old).^{21,29,35,36,38,45,47}
- The child's misbehavior involves hurting someone else or putting themselves in danger.^{21, 22,48}

Are Children Who Are Physically Punished Better Behaved?

Parents use physical punishment primarily to reduce undesirable child behavior in the present and to increase desirable child behavior in the future. The empirical findings on the short-term effectiveness of physical punishment in achieving child compliance are mixed. A meta-analysis (which is a method of research synthesis that statistically combines existing data to discern the average strength of the findings) of five studies examining children's immediate compliance with physical punishment found a positive effect on average.⁵¹ However, the findings were highly inconsistent in that one of the studies found no effect and another found that children were *less* likely to comply when physically punished. In one of these studies, the authors concluded that “there was no support for the necessity of the physical punishment” to change children's behavior.^{49,50}

The research to date also indicates that physical punishment does not promote long-term, internalized compliance. Most (85 percent) of the studies included in a meta-analysis found physical punishment to be associated with *less* moral internalization of norms for appropriate behavior and long-term compliance.⁵¹ Similarly, the more children receive physical punishment, the more defiant they are⁵² and the less likely they are to empathize with others.⁵³

Parents often use physical punishment when their children have behaved aggressively, such as hitting a younger sibling, or antisocially, such as stealing money from parents.^{21,48,54} Thus it is particularly important to determine whether physical punishment is effective in achieving one of parents' main goals in using it, namely to reduce children's aggressive and antisocial behaviors over time. In a meta-analysis of 27 studies, every study found physical punishment was associated with more, not less, child aggression.⁵¹ A separate meta-analysis of 13 studies found that 12 of them documented a link between physical punishment and more child antisocial behavior.⁵¹ Similarly, in recent studies conducted around the world, including studies in Canada, China, India, Italy, Kenya, Norway, Philippines, Thailand, Singapore, and the United States, physical punishment has been associated with more physical aggression,^{55,56,57,58} verbal aggression,⁵⁵ physical fighting and bullying,⁵⁹ antisocial behavior,^{60,61} and behavior problems generally.^{10,62,63,64} The conclusion to be drawn from these studies is that, contrary to parents' goals when using it, the more parents use physical punishment, the more disobedient and aggressive their children will be.

Contrary to parents' goals when using it, the more parents use physical punishment, the more disobedient and aggressive their children will be.

An alternative explanation that has been offered for the findings that physical punishment is associated with more defiance and aggression in children is that it is not physical punishment that causes the aggression, but rather that defiant and aggressive children elicit more physical punishment from their parents.^{65,66,67} The viability of this explanation has been examined in longitudinal studies that compare the extent to which child aggression predicts future parent physical punishment and vice versa. These studies indeed confirm that the more aggressive children are, the more physical punishment parents use in the future.

They also find, however, that the more parents use physical punishment, the more aggressive their children become over time even after accounting for children's initial levels of aggression.^{68,69,70} Additional strong evidence of the causal role of physical punishment comes from a study that used randomized controlled trials (the highest standard of scientific testing) to evaluate a parenting intervention designed to reduce child problem behaviors.

With data from over 500 families, this evaluation revealed that significant reductions in children's externalizing behavior problems were a direct result of decreases in parents' reliance on physical punishment as a result of program participation.⁷¹ Taken together, the findings from these research studies support a causal link between parents' use of physical punishment and increases in children's future aggression, over and above the propensity for disobedient and aggressive child behavior to elicit parental physical punishment.

Are Children Who Are Physically Punished at Risk for Unintended Negative Side Effects?

In addition to showing that it fails to achieve parents' intended goals, research from the social sciences has confirmed that physical punishment puts children at risk for a range of unintended negative consequences or “side effects.”

Impaired Mental Health

A meta-analysis of 12 studies found that the frequency or severity with which children experienced physical punishment was associated with increased mental health problems in children in every study.⁵¹ Subsequent studies, not included in the meta-analysis, have confirmed the association of physical punishment with impairments in children's mental health, such as anxiety and depression,^{10,39,41,72,73} alcohol and drug use,⁷⁴ and general psychological maladjustment.⁷⁵ These findings were consistent across a range of countries, including Hungary, Hong Kong, Jamaica, and the United States.

One means by which physical punishment might lead to mental health problems in children is by increasing their stress levels. Frequency of physical punishment has been found to predict self-reported psychological distress among 10-16 year olds, even at low rates of physical punishment.⁷⁶ Toddlers who experience frequent physical punishment show elevated levels of the stress hormone cortisol in reaction to an anxiety-provoking interaction involving their mothers.⁷⁷ Such findings are markedly similar to those from a large body of research that has linked the experience of physical assault substantiated as abuse with lasting impairments in children's neurobiological stress systems.⁷⁸

There is also evidence that the association of physical punishment with impaired mental health persists into adulthood. Physical punishment was associated with a high rate of mental health problems in all eight studies included in a meta-analysis.⁵¹ Subsequent studies continue to find that mental health problems such as increased depressive symptoms in adulthood are predicted by levels of physical punishment experienced during childhood.⁷⁹

The frequency or severity with which children experienced physical punishment was associated with increased mental health problems in children in every study.

Poor Quality of Parent-Child Relationships

One of the main concerns about physical punishment is that its use will harm parent-child relationships.⁸⁰ If children try to avoid painful experiences, and if they see their parents as sources of pain (inflicted via physical punishment), they may attempt to avoid their parents,^{81,82} which in turn will interfere with the development of trust and closeness between parent and child.^{80,83} Such concerns have in fact been borne out in research findings, with 13 out of 13 studies finding physical punishment to be associated with poorer quality of parent-child relationships.⁵¹ They also are supported by emerging qualitative research in which children have been interviewed about their experiences with physical punishment.

In a New Zealand study of 80 children aged 5 to 14, many reported feeling sad, angry, fearful, and estranged from their parents after being physically punished.⁸⁴ Similarly, a recent longitudinal study of adolescents found that those who were physically punished by their parents were less warm toward, open with, and close with their parents.¹⁰

Adult Aggression and Antisocial Behavior

Children carry into their adulthood the lessons they have learned about the acceptability of aggression as a problem-solving measure and as a method of controlling others' behavior. Youth who have experienced physical punishment are more likely to report having hit a dating partner than those who have not been physically punished.⁸⁵

The more that men and women report having been physically punished in childhood, the more they report using verbal and physical aggression and ineffective problem-solving behaviors with their spouses.⁸⁶ Research has consistently found that the more individuals were physically punished in childhood, the more likely they are, as adults, to perpetrate violence on their own family members.^{51,87}

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Are Children Who Are Physically Punished At Risk of Physical Harm?

Because physical punishment involves hitting or otherwise hurting children, there is an inherent risk that children can be injured by their parents. Research has found that children who are spanked by their parents are at seven times greater risk of being severely assaulted (such as being punched or kicked) than children who are not physically punished.⁸⁸ It is thus not surprising that children who are spanked by their parents in the past month are 2.3 times as likely to suffer an injury requiring medical attention than children not spanked.⁸⁹

From the earliest days of research on the dynamics of child physical maltreatment, studies have revealed that most physical abuse incidents were the result of parents attempting to punish their children.⁹⁰ Since then, findings have been consistent in demonstrating that most physical abuse takes place in situations where caregivers attempt to correct children's behavior or to “teach them a lesson.”^{91,92,93,94}

The 2003 Canadian Incidence Study of Reported Child Abuse and Neglect confirmed these findings: three-quarters of substantiated physical abuse cases in Canada involve physical punishment.⁹⁵ A recent meta-analysis found a strong and consistent association (10 out of 10 studies examined) between parents' use of physical punishment and the likelihood that the parent would physically injure the child or be reported to child protective services.⁵¹

That physical punishment and physical abuse are points along a continuum of violence is also evident in their similar effects: adults who were physically punished report the same elevated psychiatric symptoms as adults who were frequently physically abused, just to a lesser extent, compared with adults who were neither physically punished nor abused.⁹⁶

Why Is Physical Punishment Not Effective as a Discipline Technique?

Decades of social science theory and research have generated several explanations for why physical punishment is likely to have few intended positive effects and many unintended negative effects.

- It does not teach children *why* their behavior was wrong or *what* they should do instead.^{97,98}
- It can interfere with parents' intended message. The pain and fear associated with physical punishment can interfere with children's perception and acceptance of parents' disciplinary message and thus their internalization of that message.⁸¹
- It teaches children that they should behave in desired ways because if not they will be punished, not because there are important, positive reasons for behaving appropriately. Consequently, when the threat of punishment is not present, there is no reason to behave appropriately.^{97,98}
- It models for children that it is acceptable to use aggression to get their way, especially if they are bigger or more powerful than the other person.^{99,100}
- It can increase the likelihood that children will attribute hostile intentions to others in social situations that, in turn, increase the likelihood that they will behave aggressively in social interactions.¹⁰¹
- It may cause children to be afraid of their parents. Such fear can erode the parent-child relationship and can cause children to avoid their parents.⁸⁰
- It may teach children to link violence with loving relationships.¹⁰²

What Are Cultural Perspectives on The Use of Physical Punishment?

Cultures vary in the extent to which they endorse physical punishment as a way of teaching children or correcting their unwanted behaviors. When parents perceive that their culture approves of, or even encourages, the use of physical punishment, they are more likely to reject the notion that physical punishment is undesirable or harmful and should be abandoned.¹⁰³ It is important to avoid stereotyping cultural groups. Within every group there are people who reject physical punishment as well as people who support it, and people who use only mild forms as well as people who punish children in an abusive way.

There has been some debate about whether physical punishment may have less negative, or even positive, effects on children who are members of cultures in which physical punishment is more accepted.^{104,105} Research is mixed on this issue. Some research has found that physical punishment has negative effects in families of European descent but not in families of African descent, the latter of which tend to be more in favor of physical punishment.^{106,107,108} Other research, however, has found no differences in the extent to which physical punishment predicted negative outcomes among children in European-American, African-American, and Hispanic-American families.^{60,61,109,110}

Similarly, an international study conducted in six countries outside the U.S. found that, although perceived normalcy of physical punishment somewhat weakened the association between physical punishment and behavior problems and anxiety, across all six countries more frequent use of harsh physical punishment was associated with more child behavior problems and more anxiety symptoms.¹¹¹

What Is the Legal Status of Physical Punishment in the United States?

Homes

Physical punishment by parents is permitted in 49 states by statute or court decision.^{111,112} The exception may be Minnesota, where several statutes taken together indicate that parental physical punishment is a violation of the criminal law.¹ The Supreme Court has not considered whether parents have a fundamental constitutional right to use physical punishment with their children.^{114,115}

Schools

The Supreme Court has, however, considered the constitutionality of physical punishment administered by public school personnel at the elementary and secondary levels. The Court held that school physical punishment does not violate the Constitution's Eighth Amendment prohibition of “cruel and unusual punishments.”¹¹⁶ One of the factors persuading the Justices to uphold the constitutionality of physical punishment in this case was that, at the time of the decision, only two states had banned public school physical punishment, evincing “no trend towards its elimination.”¹¹⁷ In the years following the *Ingraham* decision, 27 states have joined those original two states in prohibiting all physical punishment in public schools (see Appendix A for a state-by-state analysis).¹ In addition, some states that permit public school physical punishment have delegated authority to local school districts to prohibit the practice. Indeed, school districts in some of the country's largest cities have prohibited physical punishment, including Atlanta, Dallas, Houston, Memphis, Miami-Dade, and Tucson.¹¹⁸ Yet even among most states with bans on physical punishment in public schools, the ban usually does not extend to private schools; only two states, Iowa and New Jersey, have banned physical punishment in both public *and* private schools.

In Other Settings That Care for Children

Many, although far from all, states have passed laws that ban physical punishment in non-school settings that care for children (see Appendix A for state by state listings). Physical punishment is prohibited in all state-regulated center-based child care in 48 states. Within the child welfare system, 49 states prohibit physical punishment in foster care settings. Physical punishment is also banned in juvenile detention facilities in 30 states and in residential care for children, including group homes or institutions, in 44 states. Congress banned physical punishment in facilities for juveniles convicted of federal crimes.¹

Only 14 states have banned physical punishment in all six of these settings that care for children, with an additional 24 states having banned physical punishment in five of the six settings. In contrast, three states (Indiana, Louisiana, and Mississippi) have banned the practice in only two of these settings (See Appendix A).¹

Do State Laws Define Allowable vs. Prohibited Physical Punishment?

There is no national legal consensus on how to distinguish legally acceptable physical punishment from dangerous physical assault for which a parent can be criminally liable for child abuse.¹¹² Rather, states have their own definitions of physical child abuse, some of which also mention physical punishment.¹¹⁹ Appendix B summarizes the references to physical punishment included by various states in their civil and/or criminal statutes on abuse.

Many states explicitly or implicitly reflect the understanding that physical abuse can result from physical punishment. Specifically, 15 states use a variety of adjectives to describe punishment that is considered to be physical abuse, including “unreasonable,” “excessive,” “cruel,” and “inappropriate.”

Nevada law (in the Nevada Revised Statutes) is most explicit in this regard, stating that “excessive physical punishment may result in physical or mental injury constituting abuse or neglect of a child.”¹²⁰ Twelve states have also found it important to provide a definition of what constitutes acceptable physical punishment within their criminal or civil codes defining physical abuse.

With regard to what is allowable, many states require that physical punishment be “reasonable” or “moderate,” but they do not define what behaviors meet this standard. Three states have decided that physical punishment does not constitute abuse if it stops short of inflicting “harm” or “injury” on the child (Florida, Georgia, Minnesota). Taken together, the laws of these 25 states that include mention of physical punishment in their definitions of physical abuse make clear that physical punishment and illegal physical abuse or assault of children are inherently connected.

How Is Physical Punishment of Children a Human Rights Issue?

Consensus is growing in the international community that physical punishment of children violates international human rights law.¹ This principle of law is set forth in at least seven multilateral human rights treaties: the United Nations (U.N.) Convention on the Rights of the Child (CRC), the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the U.N. Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Torture Convention), the American Convention on Human Rights (American Convention), and the two European Social Charters.

The United States has ratified (or accepted into law) and, therefore, is a party solely to the ICCPR and the Torture Convention. For these two treaties, the U.N. Human Rights Committee oversees monitoring of the ICCPR and the U.N. Committee Against Torture monitors the Torture Convention. Both of these committees have stated that the interdiction on “torture or other cruel, inhuman, or degrading treatment or punishment” included in both treaties requires a ban on physical punishment of children in any context.¹ In addition, a former U.N. Special Rapporteur on Torture, Theo van Boven, stated that “any form of corporal punishment of children is contrary to the prohibition of torture and other cruel, inhuman or degrading treatment punishment.”¹²¹

Consensus is growing in the international community that physical punishment of children violates international human rights law.

The CRC is unique in being the first international treaty to focus solely on the physical, social, cultural, political, and civil rights of children.¹²² The United States was among the countries that played a key role in the drafting of the Convention over a 10-year period.¹²³ The CRC has been ratified (or accepted into law) by 192 countries. Only two countries have signed but not ratified the treaty: Somalia and the United States. The U.N. Committee on the Rights of the Child, which is charged with monitoring countries' compliance with the provisions of the CRC, has at several points in the last decade stated that the physical punishment of children is incompatible with the CRC, which explicitly prohibits “all forms of physical or mental violence” (Article 19). In 2006, the Committee on the Rights of the Child issued a General Comment, the strongest type of statement it can make, in which it stated explicitly that physical punishment is a form of “legalized violence against children” that is prohibited by Article 19 of the CRC and thus should be eliminated through “legislative, administrative, social and educational measures.”¹²⁴ The Commissioner for Human Rights of the Council of Europe also has firmly condemned physical punishment, observing that, despite their vulnerable status, children are less protected than adults because they do not have legal protection from assault.¹²⁵

Which Countries Have Banned All Physical Punishment?

Increasingly, countries around the world are prohibiting physical punishment of children. More than 100 countries and principalities have banned physical punishment in the schools (see Appendix E for a list of these countries).¹²⁶ Importantly, 24 countries have prohibited physical punishment in all settings, including the home: Sweden (1979), Finland (1983), Norway (1987), Austria (1989), Croatia (1994), Cyprus (1994), Denmark (1997), Latvia (1998), Bulgaria (2000), Germany (2000), Israel (2000), Iceland (2003), Romania (2004), Ukraine (2004), Hungary (2005), Greece (2006), Chile (2007), the Netherlands, (2007), New Zealand (2007), Portugal (2007), Uruguay (2007), Spain (2007), Venezuela (2007), and Costa Rica (2008) (see Appendix C for the wording of these laws).¹²⁶

In most of these countries, these laws appear in the civil law, not the criminal law; the two exceptions are New Zealand and Portugal, both of which have passed the bans under criminal law. While there is no criminal defense for the use of physical punishment in the 24 countries with full bans, the bans did not create a new crime of “spanking.” Rather, all assaults of people are treated similarly, whether of children or adults.

These laws are not aimed at prosecuting parents, but at setting a clear standard of caregiving. Discretion is applied when decisions are made regarding charging and prosecution, just as it is in the case of assaults against adults; the best interests of the child are a primary consideration in such decisions.

The primary purpose of these bans is to protect children by sending an unambiguous message that hitting them is not allowed. Most recently, the Parliamentary Assembly of the Council of Europe called for the abolition of physical punishment in all of its member countries (see Appendix C for the wording of the recommendation).

While there is no criminal defense for the use of physical punishment in the 24 countries with full bans, the bans did not create a new crime of “spanking.” Rather, all assaults of people are treated similarly, whether of children or adults.

In Sweden, the first country to ban all physical punishment of children in 1979, the percentage of adults who hold positive attitudes toward spanking has declined from over 50 percent in the 1960s to 10 percent in 2000.¹²⁷ In a 1994-1995 survey, among respondents who were 18 to 34 years old (and thus were children when the ban went into effect) and respondents who were currently 13- to 15-year-old children (born after the 1979 ban), only 6 percent approved of the use of mild forms of physical punishment.¹²⁸ Use of physical punishment has also declined dramatically; whereas 51 percent of all preschool children had experienced physical punishment in 1980, only 8 percent had by 2000.¹³⁰

Increased awareness about violence against children has led to an increase in the number of assaults against children that are reported, although the vast majority of these involve minor assaults.¹²⁹ A government review panel concluded that the rise in assault reporting was indeed attributable to increases in reporting rather than in committing of actual abuse.¹³⁰

Conclusions

Approval of physical punishment of children by their parents has declined gradually yet steadily over the last 40 years. Few American adults approve of physical punishment of children by teachers and school administrators, with three-quarters expressing opposition to the practice. At the same time, there is a growing momentum among other countries to enact legal bans on all forms of physical punishment, bolstered by the fact that the practice has come to be regarded as a violation of international human rights law.

There is little research evidence that physical punishment improves children's behavior in the long term. In contrast, there is substantial research evidence that physical punishment puts children at risk for negative outcomes, including increased aggression, antisocial behavior, mental health problems and physical injury.

The clear connections between physical abuse and physical punishment that have been made in empirical research and in the child abuse statutes of several states suggest that reduction in parents' use of physical punishment should be included as integral parts of state and federal child abuse prevention efforts.

Recommendations

1. That parents, caregivers, and all school personnel in the United States make every effort to avoid using physical punishment and to rely instead on nonviolent disciplinary methods to promote children's appropriate behavior.
2. That all public and private schools and institutions that care for children in the United States (including foster care agencies and group homes) cease using physical punishment and rely instead on nonphysical disciplinary methods to promote children's appropriate behavior.
3. That all states pass legislation to ban physical punishment statewide in all public and private schools.
4. That federal, state, and local governments fund and administer a three-tiered strategy of public education about physical punishment as part of their mandates to prevent child abuse.

Tier 1: All citizens: Education for all citizens is needed about the potential for physical punishment to contribute to negative outcomes for children such as through public service announcements in a variety of media.

Tier 2: New parents, at-risk parents, and “pre-parents”: Education for current and future parents is needed about the effective alternatives to physical punishment and the potential negative outcomes of physical punishment. Potential settings for such interventions include childbirth classes, high school family life curricula, foster and adoptive parent preparation programs, pre-marital counseling, babysitting training courses, and well-child visits.

Tier 3: Professionals who work directly with children and families and are mandated reporters of child maltreatment, including teachers, child care providers, doctors, psychologists, and social workers: Education of professionals is needed in several areas: the ineffectiveness of physical punishment, its potential negative outcomes, including injury, and effective alternatives; the need to discuss physical punishment and non-violent methods during well-child visits, counseling sessions, etc.; how to identify and substantiate potentially harmful practices; and how best to intervene when such practices are identified. Such education could take place during professional education and training, as well as through continuing education.

5. That federal, state, and local governments move toward standardization of criteria for substantiation of physical abuse.
6. That state legislatures revise relevant criminal and family codes to provide children with the same protection from assaults provided to adults.
7. That all of the above interventions be implemented in a culturally competent way so as to effectively engage and not offend people from cultural minority groups within the United States.

Appendix A

Prohibitions on Physical Punishment in Six Educational, Care, or Supervisory Settings Across All 50 States and the District of Columbia

State	Schools	Child Care Centers	Family Child Care	Home Foster Care	Group Homes/ Institutions	Juvenile Detention Facilities
Alabama		X	X	X	X	
Alaska	X	X	X	X	X	X
Arizona		X	X	X	X	
Arkansas		X	X	X		
California	X	X	X	X	X	X
Colorado		X	X	X	X	X
Connecticut	X	X	X	X	X	
Delaware	X	X	X	X	X	
District of Columbia	X	X	X	X	X	
Florida		X	X	X	X	X
Georgia		X	X	X	X	X
Hawaii	X	X	X	X		
Idaho				X	X	X
Illinois	X	X	X	X	X	X
Indiana		X		X		
Iowa	X ^a	X	X	X	X	X
Kansas		X	X	X	X	X
Kentucky		X	X	X	X	X
Louisiana				X		X
Maine	X	X	X	X	X	X
Maryland	X	X	X	X	X	
Massachusetts	X	X	X	X	X	
Michigan	X	X	X	X	X	
Minnesota	X	X	X	X	X	X
Mississippi		X	X			
Missouri		X	X	X	X	X
Montana	X	X	X	X	X	X
Nebraska	X	X	X	X	X	X
Nevada	X	X	X	X	X	
New Hampshire	X	X	X	X	X	
New Jersey	X ^a	X	X	X	X	X

State	Schools	Child Care Centers	Family Child Care	Home Foster Care	Group Homes/ Institutions	Juvenile Detention Facilities
New Mexico		X	X	X	X	
New York	X	X	X	X	X	X
North Carolina		X	X	X	X	X
North Dakota	X	X	X	X	X	
Ohio		X	X	X	X	X
Oklahoma		X	X	X	X	X
Oregon	X	X	X	X	X	X
Pennsylvania	X	X	X	X	X	X
Rhode Island	X	X	X	X	X	
South Carolina				X	X	X
South Dakota	X	X	X	X		
Tennessee		X	X		X	X
Texas		X	X	X	X	X
Utah		X	X	X	X	X
Vermont	X	X	X	X	X	
Virginia	X	X	X	X		X
Washington	X	X	X	X	X	
West Virginia	X	X	X	X	X	X
Wisconsin	X	X	X	X	X	X
Wyoming		X	X	X	X	
TOTAL	29	48	49	44	47	30

Sources: Bitensky, S. H. (2006). *Corporal punishment of children: A human rights violation*. Ardsley, NY: Transnational Publishers.

Center for Effective Discipline. (2008). *U.S. Corporal Punishment and Paddling Statistics by State and Race: States Banning Corporal Punishment*. Columbus, OH: Author. Downloaded from: <http://www.stophitting.org/disatschool/statesBanning.php>

^a Prohibits physical punishment in both public and private schools; all other prohibitions apply to public schools only.

Appendix B

Definitions of Allowable and Prohibited Physical Punishment in U.S. State Laws

Regarding What Is Considered Allowable Physical Punishment	
Statute Terminology	States
“reasonable” and/or “moderate” standard applied to physical punishment	Arkansas, Colorado, District of Columbia, Indiana, Minnesota, Mississippi, Missouri, Oregon, South Carolina, Texas, Washington
physical punishment is not abusive if it does not result in “harm” or “injury” to the child	Florida, Georgia, Minnesota
“the reasonable exercise of parental discipline involving the use of ordinary force, including, but not limited to, spanking, switching, or paddling”	Oklahoma
“Nothing in this chapter may be used to prohibit the reasonable use of corporal punishment as a means of discipline.”	Washington
Regarding Conditions Under Which Physical Punishment Constitutes Physical Abuse	
Statute Terminology	States
“unlawful corporal punishment or injury”	California
“inappropriate or excessively harsh discipline”	Florida
“excessive corporal punishment”	Illinois, Nevada, New Jersey, New York, North Dakota, Ohio, Rhode Island, South Carolina, Wyoming
“cruel” or “grossly inappropriate” physical punishment	Connecticut, Nebraska, New Mexico, North Carolina
“unreasonable” and/or “excessive” physical punishment	New Jersey, New York, Ohio, Wyoming
“Excessive corporal punishment may result in physical or mental injury constituting abuse or neglect of a child.”	Nevada

Source: United States Department of Health and Human Services, Administration on Children, Youth and Families, Children's Bureau. (2005). *Definitions of child abuse and neglect: Summary of state laws*. Washington, DC. Online at www.childwelfare.gov/systemwide/laws_policies/statutes/defineall.pdf



Appendix C

Laws of the 24 Countries That Have Prohibited Physical Punishment of Children in All Settings

The bans are listed in chronological order. Information listed below was obtained from the website of the Global Initiative to End All Corporal Punishment of Children (www.endcorporalpunishment.org).

1. Sweden

Physical punishment was banned in all schools and childcare settings in 1962. The Penal Code defense for physical punishment of children was repealed in 1957. Physical punishment was explicitly prohibited in 1979.

The parent or guardian shall exercise necessary supervision in accordance with the child's age and other circumstances. The child may not be subjected to physical punishment or other injurious or humiliating treatment. (Parenthood and Guardianship Code, 1979)

This provision was amended in 1983 to include an affirmation of children's rights.

Children are entitled to care, security, and a good upbringing. Children are to be treated with respect for their person and individuality and may not be subjected to corporal punishment or any other humiliating treatment. (Parenthood and Guardianship Code, 1983)

2. Finland

Physical punishment was banned in schools in 1914. The defense of “lawful chastisement” was removed from the Criminal Code in 1969. Physical punishment was explicitly prohibited in 1983.

A child shall be brought up in the spirit of understanding, security and love. He shall not be subdued, corporally punished or otherwise humiliated. His growth towards independence, responsibility and adulthood shall be encouraged, supported and assisted. (Child Custody and Rights of Access Act, 1983)



3. Norway

Physical punishment was banned in schools in 1936. The Criminal Code defense for physical punishment was repealed in 1972. Physical punishment was explicitly prohibited in 1987.

The child shall not be exposed to physical violence or to treatment which can threaten his physical or mental health. (Parent and Child Act, 1987)

4. Austria

Physical punishment was banned in all schools in 1974. The criminal defense of “reasonable” punishment was repealed in 1977. Physical punishment was explicitly abolished in 1989.

The minor child must follow the parents' orders. In their orders and in the implementation thereof, parents must consider the age, development and personality of the child; the use of force and infliction of physical or psychological suffering are not permitted. (Section 146a, General Civil Code, 1989)

5. Cyprus

Physical punishment of children was banned in 1994 in a law that prohibits all forms of violence within the family.

Any unlawful or controlling behaviour which results in direct actual physical, sexual or psychological injury to any member of the family [is prohibited]. (Prevention of Violence in the family and Protection of Victims Law, 1994)

6. Denmark

Physical punishment was banned in schools in 1967. It was completely abolished in 1997.

A child has the right to care and security. He or she shall be treated with respect as an individual and may not be subjected to corporal punishment or other degrading treatment. (Parental Custody and Care Act, 1997)



7. Latvia

Physical punishment was explicitly abolished in 1998.

Cruel treatment of a child, physical punishment and offences against the child's honor and respect are not allowed. (On Children's Rights Protection, 1998)

8. Croatia

Physical punishment was explicitly abolished in 1998.

Parents and other family members must not subject the child to degrading treatment, mental or physical punishment and abuse. (The Family Act, 1998)

9. Bulgaria

Physical punishment appears to be unlawful according to the Child Protection Act of 2000. It is not yet clear how this law is interpreted.

Every child has a right to protection against all methods of upbringing that undermine his or her dignity, against physical, psychological or other types of violence and against all forms of influence which go against his or her interests. (Child Protection Act, 2000, Article 11.2)

10. Germany

Physical punishment was prohibited in schools and residential care facilities in the 1970s. It was completely banned in 2000.

Children have a right to be brought up without the use of force. Physical punishment, the causing of psychological harm and other degrading measures are forbidden. (Civil Law, 2000)



11. Israel

The Israeli Parliament (Knesset) removed the common law defense of “reasonable chastisement” in 2000. A ruling of the Supreme Court in the same year outlawed all violence in child rearing.

[Physical punishment] injures [the child's] body, feelings, dignity and proper development. Such punishment distances us from our goal of a society free of violence. Accordingly, let it be known that in our society, parents are now forbidden to make use of corporal punishments or methods that demean and humiliate the child as an educational system. (Justice D. Beinisch, Supreme Court, 2000)

12. Iceland

Physical punishment was abolished in the Children's Act, passed in March 2003 and entered into effect on November 1, 2003.

It is the parents' obligation to protect their child against any physical or mental violence and other degrading or humiliating behaviour. (Article 28, Children's Act, 2003)

13. Ukraine

A new Family Code came into force in January 2004, detailing the responsibilities of parents towards their children and banning all physical punishment.

"Physical punishment of the child by the parents as well as other inhuman or degrading treatment or punishment are prohibited." (Family Code of Ukraine, Article 150 [7])

14. Romania

A new Law on the Protection and Promotion of the Rights of the Child in Romania was passed by both Chambers of the Romanian Parliament in June, 2004.

*(1) The child has the right to be shown respect for his or her personality and individuality and may not be made subject to physical punishments or to other humiliating or degrading treatments.
(2) Disciplinary measures concerning the child can only be taken in accordance with the child's dignity, and, under no circumstances are physical punishments allowed, or punishments which relate to the child's physical and mental development or which may affect the child's emotional status. (Civil Rights and Liberties, § 1, Article 28 [1, 2])*



15. Hungary

Physical punishment in the home was prohibited by an amendment to the Act on the Protection of Children and Guardianship Administration (1997), agreed by Parliament in December 2004, which came into force on January 1, 2005.

The child has the right to be respected his/her human dignity, to be protected against abuse - physical, sexual and mental violence, failure to provide care and injury caused by any information. The child shall not be subjected to torture, corporal punishment and any cruel, inhuman or degrading punishment or treatment. (Act on the Protection of Children and Guardianship Administration, 1997, as amended, 2005; Article 6, para. 5)

16. Greece

On October 19, 2006, the Greek Parliament passed Law 3500/2006 on the Combating of Intra-family Violence, under which physical punishment of children within the family is prohibited.

Physical violence against children as a disciplinary measure in the context of their upbringing brings the consequences of Article 1532 of the Civil Code. (Combating of Intra-family Violence, Article 4)

17. The Netherlands

The Senate of The Netherlands passed a law on March 6, 2007, prohibiting all corporal punishment of children by parents and caregivers. The law amended article 1:247 of the Civil Code so that it now reads:

(1) Parental authority includes the duty and the right of the parent to care for and raise his or her minor child. (2) Caring for and raising one's child includes the care and the responsibility for the emotional and physical wellbeing of the child and for his or her safety as well as for the promotion of the development of his or her personality. In the care and upbringing of the child the parents will not use emotional or physical violence or any other humiliating treatment.



18. New Zealand

On May 16, 2007, the New Zealand parliament passed by an overwhelming majority new legislation effectively prohibiting corporal punishment of children by parents.

(1) Every parent of a child and every person in the place of a parent of the child is justified in using force if the force used is reasonable in the circumstances and is for the purpose of

(a) preventing or minimising harm to the child or another person; or

(b) preventing the child from engaging or continuing to engage in conduct that amounts to a criminal offence; or

(c) preventing the child from engaging or continuing to engage in offensive or disruptive behaviour; or

(d) performing the normal daily tasks that are incidental to good care and parenting.

(2) Nothing in subsection (1) or in any rule of common law justifies the use of force for the purpose of correction.

(Crimes [(Abolition of Force as a Justification for Child Discipline) Substituted Section 59] Amendment Bill)

19. Portugal

The Portuguese Parliament passed Law 59/2007 on September 4, 2007, which amended the Penal Code to prohibit all corporal punishment of children, including that by parents:

Whoever repeatedly, or not, inflicts physical or psychological ill-treatment, including corporal punishment, deprivation of liberty and sexual offences, is punished with 1 to 5 years of imprisonment. (Penal Code, amended 2007, article 152)

20. Uruguay

On November 20, 2007, the House of Representatives of Uruguay passed a law prohibiting all corporal punishment of children. The bill had previously been agreed unanimously by the Senate. The law amends the Children and Young People's Code to add the following:

Article 12bis. Prohibition of physical punishment. It is prohibited for parents, guardians, and all other persons responsible for the care, treatment, education or supervision of children and adolescents, to use physical or any other kind of humiliating punishment as a form of correcting or disciplining children or adolescents. (Proyecto de Ley Sustitutivo Prohibición del Castigo Físico)



21. Chile

An amendment to the Civil Code of Chile was passed in December 2007 which effectively bans corporal punishment of children by parents. Article 234, which recognized parents' right to punish their children, was amended to specify that the power to correct children excludes all forms of physical punishment.

22. Spain

Article 154 of the Spanish Civil Code, which recognizes the rights of parents and guardians to use “reasonable and moderate” forms of correction, was amended in December 2007 to state that parents and tutors must respect the physical and psychological integrity of children.

23. Venezuela

Venezuela enacted legislation which prohibits all corporal punishment of children, including in the home, effective December 2007. A new article (article 32-A “the right to good treatment”) was inserted into the Law for the Protection of Children and Adolescents, stating:

All children and young people have a right to be treated well. This right includes a non-violent education and upbringing, based on love, affection, mutual understanding and respect, and solidarity.

Parents, representatives, guardians, relatives, and teachers should use non-violent methods of education and discipline to raise and educate their children. Consequently, all forms of physical and humiliating punishment are prohibited. The State, with the active participation of society, must ensure policies, programmes and protection measures are in place to abolish all forms of physical and humiliating punishment of children and young people.

Corporal punishment is defined as the use of force, in raising or educating children, with the intention of causing any degree of physical pain or discomfort to correct, control or change the behaviour of children and young people, provided that the act is not punishable.

Humiliating punishment can be understood as any form of offensive, denigrating, devaluing, stigmatising or mocking, treatment, carried out to raise or educate children and young people, with the aim of disciplining, controlling or changing their behaviour, provided that the act is not punishable. (Article 32A, the Law for the Protection of Children and Adolescents)



24. Costa Rica

By a law passed in June 2008, article 143 of the Family Code was amended to read, "Parental authority confers the rights and imposes the duties to orient, educate, care, supervise and discipline the children, which in no case authorises the use of corporal punishment or any other form of degrading treatment against the minors." (Amendment to Article 143, Código de Familia (Family Code)).

Council of Europe, Parliamentary Assembly

In addition to the country-wide bans listed above, the Council of Europe, Parliamentary Assembly (which has 45 member countries) has stated:

The Assembly considers that any corporal punishment of children is in breach of their fundamental right to human dignity and physical integrity. The fact that such corporal punishment is still lawful in certain member states violates their equally fundamental right to the same legal protection as adults. Striking a human being is prohibited in European society and children are human beings. The social and legal acceptance of corporal punishment of children must be ended. (Council of Europe, Parliamentary Assembly, 2005, para. 5)

The Assembly went on to call for a coordinated campaign against corporal punishment in all member countries and for Europe to become "a corporal punishment-free zone for children" (para. 7).



Appendix D

Countries and Principalities That Have Prohibited Physical Punishment of Children in Schools

Albania	Honduras	Philippines
Algeria	Hungary	Poland
Andorra	Iceland	Portugal
Angola	Iran	Republic of Moldova
Armenia	Iraq	Romania
Austria	Ireland	Russian Federation
Azerbaijan	Israel	San Marino
Bahrain	Italy	Sao Tome and Principe
Belarus	Japan	Senegal
Belgium	Jordan	Serbia
Bosnia and Herzegovina	Kenya	Slovakia
Bulgaria	Kiribati	Slovenia
Burkina Faso	Kuwait	South Africa
Cameroon	Kyrgyzstan	Spain
Canada	Latvia	Sweden
China	Lesotho	Switzerland
Croatia	Libyan Arab Jamahiriya	Taiwan
Cyprus	Liechtenstein	Thailand
Democratic Republic of Congo	Lithuania	Tonga
Denmark	Luxembourg	Turkey
Djibouti	Macedonia, Former Yugoslav Republic of	Turkmenistan
Dominican Republic	Malawi	Ukraine
Ecuador	Maldives	United Arab Emirates
Egypt	Mali	United Kingdom of Great Britain and Northern Ireland
El Salvador	Malta	Uzbekistan
Estonia	Marshall Islands	Vanuatu
Ethiopia	Mauritius	Venezuela
Fiji	Micronesia	Yemen
Finland	Mongolia	Zambia
Gabon	Montenegro	
Georgia	Namibia	
Germany	Netherlands	
Greece	New Zealand	Note: In Australia, it is prohibited in all schools in South Wales and Tasmania, as well as the state schools of the Capital Territory, South Australia and Victoria.
Guinea	Norway	
Guinea-Bissau	Oman	
Haiti	Papua New Guinea	



Appendix E

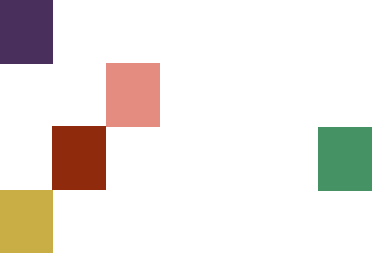
Resources for Parents and Caregivers

The resources listed here are provided as examples of parenting resources that deemphasize physical punishment and emphasize instead a positive approach to discipline. Those seeking assistance are advised to assess the credibility and suitability of a resource or service they are considering, and to specifically ask about its position with regard to physical punishment. The books, video and audiotapes, and websites may be found or accessed in libraries, parent or family resource centers, community health centers, family and educational book stores or sections in general book stores, pediatricians' and family physicians' offices, and on the Internet. These resources are not necessarily endorsed by the organizations and individuals who endorse this document.

Parenting and Discipline Advice With Alternatives to Physical Punishment

Books for Parents and Caregivers

- Christophersen, E. R., & Mortweet, S. L. (2003). *Parenting That Works: Building Skills That Last A Lifetime*. Washington, DC: APA Life Tools.
- Clarke, J. I., Gradous, D., Sittko, S., & Ternand, C. (1986). *Help! For Parents of Children 6 to 12 years (Vol. 5)*. San Francisco, CA: Harper & Row Publishers.
- Coloroso, B. (2001). *Kids Are Worth It! Giving Your Child the Gift of Inner Discipline* (2nd ed.). Toronto, ON: Penguin Books.
- Cosby, B., & Poussaint, A. F. (2007). *Come on People: On the Path from Victims to Victors*. Nashville, TN: Thomas Nelson.
- Covey, S. R. (1997). *Seven Habits of Highly Effective Families*. New York, NY: Golden Books.
- Crary, E. (1993). *Without Spanking or Spoiling: A Practical Approach to Toddler and Preschool Guidance* (2nd ed.). Seattle, WA: Parenting Press, Inc.
- Crary, E. (1995). *365 Wacky, Wonderful Ways to Get Your Children to Do What You Want*. Seattle, CA: Parenting Press, Inc.
- Faber, A., & Mazlish, E. (1999). *How to Talk so Kids Will Listen & Listen so Kids Will Talk*. New York, NY: Avon Books, Inc.
- Favaro, P. (1994). *Smart Parenting: An Easy Approach to Raising Happy, Well-Adjusted Kids*. Chicago, IL: Contemporary Books, Inc.

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- Glenn, H. S., & Nelsen, J. (2000). *Raising Self-Reliant Children in a Self-Indulgent World: Seven Building Blocks for Developing Capable Young People* (2nd ed.). Roseville, CA: Prima Publishing.
- Gordon, T. (1989). *Teaching Children Self-Discipline at Home and at School: New Ways for Parents and Teachers to Build Self-Control, Self-Esteem, and Self-Reliance*. New York, NY: Times Books.
- Greenspan, S. I., & Salmon, J. (1995). *The Challenging Child: Understanding, Raising, and Enjoying the Five "Difficult" Types of Children*. Don Mills, ON: Addison-Wesley.
- Hyman, I. A. (1997). *The Case Against Spanking: How to Discipline Your Child Without Hitting*. San Francisco, CA: Jossey-Bass.
- Ingersoll, B. (1988). *Your Hyperactive Child: A Parent's Guide to Coping With Attention Deficit Disorder*. New York, NY: Main Street Books.
- Kurcinka, M. S. (1998). *Raising Your Spirited Child: A Guide for Parents Whose Child Is More Intense, Sensitive, Perceptive, Persistent, Energetic*. New York, NY: Harper Collins.
- Maag, J. W. (1996). *Parenting Without Punishment: Making Problem Behavior Work for You*. Philadelphia, PA: The Charles Press.
- Margolin, L. (1990). Child abuse by babysitters: An ecological-interactional interpretation. *Journal of Family Violence*, 5, 95-105.
- Marshall, M. J. (2002). *Why Spanking Doesn't Work: Stopping This Bad Habit and Getting the Upper Hand on Effective Discipline*. Springville, UT: Bonneville Books.
- Nelsen, J. (1996). *Positive Discipline* (Revised edition). New York: Ballantine Books.
- Nelsen, J., Lott, L., & Glenn, H. S. (1993). *Positive Discipline A to Z: 1001 Solutions to Everyday Parenting Problems*. Rocklin, CA: Prima Publishing.
- Riera, M., & Di Prisco, J. (2002). *Right From Wrong: Instilling a Sense of Integrity in Your Child*. Cambridge, UK: Perseus Publishing.
- Sears, W., & Sears, M. (1995). *The Discipline Book: How to Have a Better-Behaved Child From Birth to Age Ten*. New York: Little, Brown, and Company.
- Severe, S. (2000). *How to Behave So Your Children Will, Too!* New York, NY: Penguin.
- Shore, P., Leach, P., Sears, W., Sears, M., & Weininger, O. (2002). *Teaching Your Child Positive Discipline: Your Guide to Joyful and Confident Parenting*. Toronto, ON: The Parent Kit Corporation.
- Wolfe, J. (1998). *I'm Three Years Old: Everything Your Three-Year-Old Wants You to Know About Parenting*. New York, NY: Becker & Mayer Books.



Books Directed at Children

Agassi, M., & Heinlen, M. (2000). *Hands Are Not for Hitting*. Minneapolis, MN: Free Spirit Publishing.

Beckwith, K. (2000). *If You Choose Not to Hit*. Minneapolis, MN: Educational Media Corporation.

Online Books, Pamphlets, and Guides

Positive Discipline: What It Is and How to Do It

Authored by Joan E. Durrant, Ph.D., and published by Save the Children Sweden, Regional Office for Southeast Asia and the Pacific, Bangkok, Thailand. Available free for download from

<http://seap.savethechildren.se/upload/scs/SEAP/publication/publication%20pdf/violence/Positive%20Discipline%20Report%2023Aug07.pdf>

Encouraging Better Behavior: A Practical Guide to Parenting

Created by the National Society for the Prevention of Cruelty to Children, London, England, 2002.

Available free for download from:

http://www.nspcc.org.uk/HelpAndAdvice/Publications/Leaflets/encouraging_pdf_wdf36202.pdf

Positive Discipline: A Guide for Parents...Because Kids Don't Come With Directions

Created by the Children's Hospitals and Clinics of Minneapolis/St. Paul, 1999.

Copyright: the Regents of the University of Minnesota. Available free for download at:

<http://xpedio02.childrenshc.org/stellent/groups/public/@web/@healthprof/documents/policyreferenceprocedure/027121.pdf>

Positive Discipline and Child Guidance

Created by Barakat, I. S., & Clark, J. A. of the University of Missouri, Extension Service, Columbia, Missouri, 1998. Guide available free for download at:

<http://muextension.missouri.edu/explorepdf/hesguide/humanrel/GH6119.pdf>

The Power of Positive Parenting

Created by Kerby T. Alvey and the Center for the Improvement of Child Caring.

Booklet available in English or Spanish for \$4.25 from: <http://www.ciccparenting.org/>

The Successful Parenting Guide

Created by Parents Anonymous of Claremont, CA.

Pamphlet available in English or Spanish for \$4.00 from:

<http://www.parentsanonymous.org/pahtml/parTips.html>

Why It Hurts to Spank a Child

Created by We the Children of Los Angeles, CA.

Pamphlet in English downloadable free from: <http://www.wethechildren.com/spankingenglish.htm>

Pamphlet in Spanish downloadable free from: <http://www.wethechildren.com/spankingspanish.htm>



Online, Video-, Audio-, and CD-ROM-Based Parenting Advice With Alternatives to Physical Punishment

101 Positive Principles of Discipline

Videos and CDs created by Katharine Kersey, the University Professor of Early Childhood Education at Old Dominion University. Materials available through Old Dominion University, Richmond, Virginia. Order from (800) 968-2638 or <http://www.odu.edu/~kkersey/101s/index.shtml>

ACT Adults and Children Together Against Violence

Pamphlets, books, and training materials developed by the American Psychological Association and the National Association for the Education of Young Children. Materials in English and Spanish are available from <http://actagainstviolence.apa.org/>

Active Parenting Publishers

Books and videos created by Dr. Michael H. Popkin, including the *1, 2, 3, 4 Parents!* series. Materials in English and Spanish are available from Active Parenting USA Headquarters, Kennesaw, Georgia. Order from (800) 825-0060 or (800) 235-7755 or <http://www.activeparenting.com/>

Center for the Improvement of Child Caring

Books, videos, and CDs based on the books by Kerby T. Alvey, including *Yelling, Threatening & Putting Down: What to Do Instead* and *Parent Training Today: A Social Necessity*. Materials available from the Center for the Improvement of Child Caring, Studio City, California. Order from (800) 325-CICC or <http://www.ciccparenting.org>

Faber/Mazlish Workshops, LLC

Books, videos, and audiotapes based on the books by Adele Faber and Elaine Mazlish, including *How to Be the Parent You Always Wanted to Be* and *How to Talk so Kids Will Listen & Listen so Kids Will Talk*. Materials available from Faber/Mazlish Workshops, LLC, in Carmel, New York. Order from 914-967-8130 or <http://www.fabermazlish.com/>

International Network for Children and Families

Books, audiotapes, and workshops based on Kathryn Kvols' book *Redirecting Children's Behavior*. Materials available through the International Network for Children and Families, Gainesville, Florida, including, *9 Things to Do Instead of Spank*. Order from (877)375-6498 or <http://www.incaf.com/catalog.php>



Kids Are Worth It!

Books, videos, and CDs videos based on the writings and presentations of Barbara Coloroso, including the video *Winning at Teaching...Without Beating Your Kids*. Materials are available through Kids Are Worth It!, Inc., in Littleton, Colorado. Order from (303) 972-3244 or <http://www.kidsareworthit.com/>

Nurturing Parenting Program

Books, videos, and CDs based on Stephen J. Bavolek's Nurturing Parenting Program, including the video *Shaking, Hitting, Spanking: What to Do Instead*. Materials specifically for African-American families and for Christian families are available, as are editions in English, Spanish, and Hmong. Materials available through Family Development Resources, Inc., Park City, UT. Order from (800) 688-5822 or <http://www.nurturingparenting.com>

Parent Effectiveness Training (P.E.T.)

Books, CDs, and audiotapes based on Thomas Gordon's Parent Effectiveness Training program. Materials available from Gordon Training International, Solana Beach, California. Order from (800) 628-1197 or <http://www.gordontraining.com/family.html>

Positive Discipline

Books, CDs, and audiotapes and workshops based on Jane Nelsen's series of *Positive Discipline* books, for both parents and teachers. Materials available through Empowering People, Inc., Orem, UT. Order from (800) 456-7770 or <http://www.positivediscipline.com>



Websites With Information About Parenting and Discipline

The following websites are rich sources of information about parenting and discipline, families, child care, and the health and development of children. Most of the sites provide additional links to other websites where even more information may be found.

American Academy of Pediatrics
Guidance for Effective Discipline
<http://www.aap.org/policy/re9740.html>

Ask Dr. Sears.com
Discipline and Behavior
<http://www.askdrsears.com/html/6/T060100.asp>

Aware Parenting Institute
<http://www.awareparenting.com>

Children's Rights Information Network
<http://www.crin.org>

Girls and Boys Town
Are You Losing Your Cool With Your Kids?
<http://www.girlsandboystown.org/parents/tips/staycalm.asp>

Kids Health
Disciplining Your Child
<http://www.kidshealth.org/parent/positive/family/discipline.html>

New York University Child Study Center
Positive Parenting
<http://www.kidshealth.org/parent/positive/>

Parents Anonymous
<http://www.parentsanonymous.org>

The Child Advocate
Positive Parenting Information
<Http://www.childadvocate.org>

The Natural Child Project
<http://www.naturalchild.org>



Community Information and Support Services for Parents

Parenting courses are offered by some family resource centers, family service agencies, community health centers and school boards. They provide information on child and adolescent development, the parenting role, communicating with children and youth, effective discipline strategies, and other issues related to raising children. They usually provide reference materials. Access to professional consultation on parenting problems and referral to other parenting services may be available.


Parent support groups are often provided by the same organizations as above, as well as by some children's mental health services and pediatric hospitals. Their format is small-group professionally guided discussion, and their atmosphere is respectful and supportive. These groups enable parents to identify their needs, share their concerns, learn from and support one another, reduce feelings of isolation and ineffectiveness, gain skills and confidence, and learn about resources and services in their community.

Parent-child play groups and physical activity programs are offered by family resource centers, community health centers, recreational programs, and private parent groups. They provide opportunities for parents to have fun with their children, learn new skills together, and strengthen family relationships. They also provide opportunities for parents to get together, share experiences and form informal support networks.

Family physicians and pediatricians are able to provide parenting guidance or make referrals to community services for particular parenting needs and problems.

Public health, community health centers, and family resource centers offer a variety of services and programs for parents and families, as well as information on community resources.

Parent help/support lines and crisis/distress lines, operated by a variety of professional services, have been growing in number and popularity. Callers speak with a professional or trained volunteer able to provide parenting information and guidance and referrals to other resources. Although many communities host local hotlines, two national toll-free hotlines are available:



The Girls and Boys Town National Hotline (1-800-448-3000; TDD 1-800-448-1833) is a 24-hour national hotline for parents, children, and teens in the United States, Canada, and U.S. territories, available 365 days a year. The hotline is staffed by professional counselors, with Spanish-speaking counselors available and translation services for other languages also available. All conversations are free and confidential. For more information, visit: <http://www.girlsandboystown.org/hotline/index.asp>

The Child help National Child Abuse Hotline (1-800-4-A-CHILD) is staffed 24 hours a day, 7 days a week, with professional crisis counselors who, through interpreters, can provide assistance in 140 languages. The hotline serves the United States, its territories, and Canada, and offers crisis intervention, information, literature, and referrals to thousands of emergency, social service, and support resources. All calls are anonymous and confidential. For more information, visit: http://www.childhelpusa.org/get_help/hotline-overview

Churches and other religious communities may be able to provide some assistance with parenting needs and problems. Parents may feel comfortable in speaking with clergy, pastoral counselors, or family support volunteers to ask for guidance or referral for particular parenting issues and problems.

Community libraries offer many resource materials for parents such as those described earlier in the section on reading and audiovisual references on parenting.

Parenting conferences and lectures are organized in many communities from time to time. They may offer particular perspectives on parenting issues, and usually provide participants with information about community parenting and family resources.



Appendix F

Resources for Teachers

The following books for teachers emphasize positive, non-punitive discipline as a means of promoting appropriate student behavior and positive learning environments.


- Beane, A. L. (1999). *The Bully-Free Classroom: Over 100 Tips and Strategies for Teachers K-8*. Minneapolis: Free Spirit Publishing.
- Bluestein, J. (2006). *21st Century Discipline: Teaching Students Responsibility and Self-Management* (3rd.). Thousand Oaks, CA: Corwin Press.
- Bluestein, J. (2001). *Creating Emotionally Safe Schools*. Deerfield Beach, FL: Health Communications, Inc.
- Cherry, C., & Nielsen, D. M. (2001). *Please Don't Sit on the Kids: Alternatives to Punitive Discipline* (2nd ed.). Carthage, IL: Fearon Teacher Aids.
- Glasser, W. (1998). *The Quality School: Managing Students Without Coercion* (3rd ed.). New York, NY: HarperCollins.
- Nelsen, J., Escobar, L., Ortolano, K., Duffy, R., & Owen-Sohocki, D. (2001). *Positive Discipline: A Teacher's A-Z Guide: Hundreds of Solutions for Every Possible Classroom Behavior Problem* (revised 2nd ed.). Roseville, CA: Prima Publishing, Random House.
- Nelsen, J., Lott, L., & Glenn, H. S. (2000). *Positive Discipline in the Classroom: Developing Mutual Respect, Cooperation, and Responsibility in Your Classroom* (revised 3rd ed.). Roseville, CA: Prima Publishing, Random House.





References


1. Bitensky, S. H. (2006). *Corporal punishment of children: A human rights violation*. Ardsley, NY: Transnational Publishers.
2. Committee on the Rights of the Child. (2006). *General Comment No. 8 (2006): The right of the child to protection from corporal punishment and/or cruel or degrading forms of punishment (articles 1, 28(2), and 37, inter alia) (CRC/C/GC/8)*. Geneva, Switzerland: United Nations. Downloaded August 21, 2006, from <http://www.ohchr.org/english/bodies/crc/docs/co/CRC.C.GC.8.pdf>
3. Straus, M. A. (2001). *Beating the devil out of them: Corporal punishment in American families* (2nd edition). Piscataway, New Jersey: Transaction Publishers.
4. Davis, P. W. (1996). Threats of corporal punishment as verbal aggression: A naturalistic study. *Child Abuse and Neglect*, 20, 289-304.
5. Mosby, L., Rawls, A. W., Meehan, A. J., Mays, E., & Pettinari, C. J. (1999). Troubles in interracial talk about discipline: An examination of African American child rearing narratives. *Journal of Comparative Family Studies*, 30, 489-521.
6. Pickens County Board of Education. (2006). *The Pickens County Board of Education Board Policy Manual* (see p. 255). Carrollton, AL: Author. Downloaded September 28, 2006, from <http://www.pickens.k12.al.us/Other%20Resources/Policy%20Manual.doc>
7. Regalado, M., Sareen, H., Inkelas, M., Wissow, L. S., & Halfon, N. (2004). Parents' discipline of young children: Results from the National Survey of Early Childhood Health. *Pediatrics*, 113, 1952-1958.
8. Socolar, R. R. S., Savage, R., & Evans, H. (2007). A longitudinal study of parental discipline of children. *Southern Medical Journal*, 100, 472-477.
9. Gershoff, E. T., & Bitensky, S. H. (2007). The case against corporal punishment of children: Converging evidence from social science research and international human rights law and implications for U.S. public policy. *Psychology, Public Policy, and Law*, 13, 231-272.
10. Bender, H. L., Allen, J. P., McElhaney, K. B., Antonishak, J., Moore, C. M., Kelly, H. O., & Davis, S. M. (2007). Use of harsh physical discipline and developmental outcomes in adolescence. *Development and Psychopathology*, 19, 227-242.
11. Office for Civil Rights. (2007). *2004 Civil Rights Data Collection: Projected Values for the Nation*. Washington, DC: U.S. Department of Education. Downloaded August 15, 2007, from <http://vistademo.beyond2020.com/ocr2004rv30/xls/2004Projected.html>
12. Forehand, R., & McKinney, B. (1993). Historical overview of child discipline in the United States: Implications for mental health clinicians and researchers. *Journal of Child and Family Studies*, 2, 221-228.
13. Greven, P. (1991). *Spare the child: The religious roots of punishment and the psychological impact of physical abuse*. New York: Random House.
14. Straus, M. A., & Mathur, A. K. (1996). Social change and change in approval of corporal punishment by parents from 1968 to 1992. In D. Frehsee, W. Horn, & K. Bussmann (Eds), *Family violence against children: A challenge for society*. New York: Walter de Gruyter.

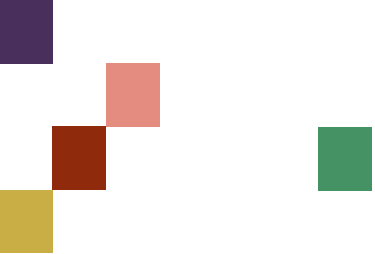
- 
15. Gershoff, E. T. (2007). Unpublished analysis of *General Social Surveys, 1972-2004* [Cumulative File], available through SDA, Computer-Assisted Survey Methods Program, University of California, Berkeley, California. Available at: <http://sda.berkeley.edu/cgi-bin/hsda?harsda+gss04>
 16. McAlister, A., Sandström, P., Puska, P., Veijo, A., Chereches, R., & Heidmets, L. (2001). Attitudes toward war, killing, and punishment of children among young people in Estonia, Finland, Romania, the Russian Federation, and the USA. *Bulletin of the World Health Organization*, 79(5), 382-387.
 17. Hyman, I. A. (1990). *Reading, writing, and the hickory stick: The appalling story of physical and psychological abuse in American schools*. Lexington, MA: Lexington Books.
 18. SurveyUSA. (2005, August 24). *Disciplining a Child* (082405). Downloaded December 9, 2006, from <http://www.surveyusa.com/50StateDisciplineChild0805Alphabetized.htm>
 19. Ateah, C., & Durrant, J. E. (2005). Maternal use of physical punishment in response to child misbehavior: Implications for child abuse prevention. *Child Abuse & Neglect*, 29, 169-185.
 20. Bower-Russa, M. E., Knutson, J. F., & Winebarger, A. (2001). Disciplinary history, adult disciplinary attitudes, and risk for abusive parenting. *Journal of Community Psychology*, 29, 219-240.
 21. Holden, G. W., Coleman, S. M., & Schmidt, K. L. (1995). Why 3-year-old children get spanked: Parent and child determinants as reported by college-educated mothers. *Merrill-Palmer Quarterly*, 41, 431-452.
 22. Holden, G. W., Miller, P. C., & Harris, S.D. (1999). The instrumental side of corporal punishment: Parents' reported practices and outcomes. *Journal of Marriage and the Family*, 61(4), 908-919.
 23. Durrant, J. E., Broberg, A. G., & Rose-Krasnor, L. (1999). Predicting maternal use of physical punishment from maternal characteristics in Sweden and Canada. In P. Hastings, & C. C. Piotrowski (Eds.), *New directions in child development: Conflict as a context for understanding maternal beliefs about child rearing and children's misbehavior* (pp. 25-41). San Francisco, CA: Jossey-Bass.
 24. Socolar, R. R. & Stein, R. E. K. (1995). Spanking infants and toddlers: Maternal beliefs and practice. *Pediatrics*, 95, 105-111.
 25. Graziano, A., Hamblen, J. L., & Plante, W. A. (1996). Subabusive violence in childrearing in middle-class American families. *Pediatrics*, 98 (4 Supplement), 845-851.
 26. Rodriguez, C. M., & Sutherland, D. (1999). Predictors of parents' physical disciplinary practices. *Child Abuse & Neglect*, 23, 651-657.
 27. Stattin, J., Janson, H., Klackenber-Larsson, I., & Magnusson, D. (1995). Corporal punishment in everyday life: An intergenerational perspective. In J. McCord (Ed.), *Coercion and punishment in long-term perspectives* (pp. 315-247). Cambridge, MA: Cambridge University Press.
 28. Barkin, S., Scheindlin, B., Ip, E. H., Richardson, I., & Finch, S. (2007). Determinants of parental discipline practices: A national sample from primary care practices. *Clinical Pediatrics*, 46 (1), 64-69.
 29. Day, R. D., Peterson, G. W., & McCracken, C. (1998). Predicting spanking of younger and older children by mothers and fathers. *Journal of Marriage and the Family*, 60, 79-94.
 30. Ellison, C. G., Bartkowski, J. P., & Segal, M. L. (1996). Conservative Protestantism and the parental use of corporal punishment. *Social Forces*, 74, 1003-1028.


- 
31. Gershoff, E. T., Miller, P. C., & Holden, G. W. (1999). Parenting influences from the pulpit: Religious affiliation as a determinant of parental corporal punishment. *Journal of Family Psychology, 13*, 307-320.
 32. Giles-Sims, J., Straus, M. A., & Sugarman, D. B. (1995). Child, maternal, and family characteristics associated with spanking. *Family Relations, 44*, 170-176.
 33. Lansford, J. E., Deater-Deckard, K., Dodge, K. A., Bates, J. E., & Pettit, G. S. (2004). Ethnic differences in the link between physical discipline and later adolescent externalizing behaviors. *Journal of Child Psychology and Psychiatry, 45*, 801-812.
 34. Xu, X., Tung, Y. Y., & Dunaway, R. G. (2000). Cultural, human, and social capital as determinants of corporal punishment: Toward an integrated theoretical model. *Journal of Interpersonal Violence, 15*, 603-630.
 35. Grogan-Kaylor, A., & Otis, M. D. (2007). The predictors of parental use of corporal punishment. *Family Relations, 56*, 80-91.
 36. Dietz, T. L. (2000). Disciplining children: Characteristics associated with the use of corporal punishment. *Child Abuse and Neglect, 24*(12), 1529-1542.
 37. Molnar, B. E., Buka, S. L., Brennan, R. T., Holton, J. K., & Earls, F. (2003). A multilevel study of neighborhoods and parent-to-child physical aggression: Results from the Project on Human Development in Chicago Neighborhoods. *Child Maltreatment, 8*, 84-97.
 38. Straus, M. A., & Stewart, J. H. (1999). Corporal punishment by American parents: National data on prevalence, chronicity, severity, and duration, in relation to child and family characteristics. *Clinical Child and Family Psychology Review, 2*, 55-70.
 39. Eamon, M. K. (2002). Influences and mediators of the effect of poverty on young adolescent depressive symptoms. *Journal of Youth and Adolescence, 31*(3), 231-242.
 40. Coyl, D. D., Roggman, L. A., & Newland, L. A. (2002). Stress, maternal depression, and negative mother-infant interactions in relation to infant attachment. *Infant Mental Health Journal, 23*(1-2), 145-163.
 41. Eamon, M. K. (2001). Antecedents and socioemotional consequences of physical punishment on children in two-parent families. *Child Abuse & Neglect, 25*(6), 787-802.
 42. Wolfner, G. D., & Gelles, R. J. (1993). A profile of violence toward children: A national study. *Child Abuse & Neglect, 17*, 197-212.
 43. Tajima, E. A. (2000). The relative importance of wife abuse as a risk factor for violence against children. *Child Abuse & Neglect, 24*, 1383-1398.
 44. Wilson, C. M., Wilson, L. C., & Fox, C. A. (2002). Structural and personal contexts of discipline orientations of Guyanese parents: Theoretic and empirical considerations. *Journal of Comparative Family Studies, 33*, 1-13.
 45. Wissow, L.S. (2001). Ethnicity, income, and parenting contexts of physical punishment in a national sample of families with young children. *Child Maltreatment, 6*, 118-129.
 46. Culp, R. E., Culp, A. M., Dengler, B., & Maisano, P. C. (1999). First-time young mothers living in rural communities use corporal punishment with their toddlers. *Journal of Community Psychology, 27*, 503-509.

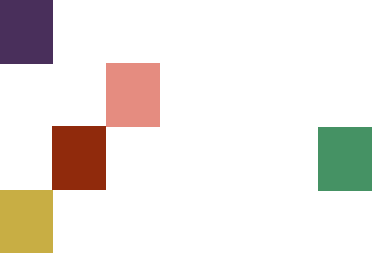
- 
47. Loeber, R., Drinkwater, M., Yin, Y., Anderson, S. J., Schmidt, L. C., & Crawford, A. (2000). Stability of family interaction from ages 6 to 18. *Journal of Abnormal Child Psychology*, 28, 353-369.
 48. Catron, T. F., & Masters, J. C. (1993). Mothers' and children's conceptualizations of corporal punishment. *Child Development*, 64, 1815-1828.
 49. Day, D. E., & Roberts, M. W. (1983). An analysis of the physical punishment component of a parent-training program. *Journal of Abnormal Child Psychology*, 11, 141-152 [quote from p. 150].
 50. Roberts, M. W., & Powers, S. W. (1990). Adjusting chair timeout enforcement procedures for oppositional children. *Behavior Therapy*, 21, 257-271.
 51. Gershoff, E. T. (2002). Corporal punishment by parents and associated child behaviors and experiences: A meta-analytic and theoretical review. *Psychological Bulletin*, 128, 539-579.
 52. Eamon, M. K., & Altshuler, S. J. (2004). Can we predict disruptive school behavior? *Children & Schools*, 26, 23-37.
 53. Lopez, N., Bonenberger, J., & Schneider, H. (2001). Parental disciplinary history, current levels of empathy, and moral reasoning in young adults. *North American Journal of Psychology*, 3, 193-204.
 54. Zahn-Waxler, C., & Chapman, M. (1982). Immediate antecedents of caretakers' methods of discipline. *Child Psychiatry and Human Development*, 12, 179-192.
 55. Pagani, L. S., Tremblay, R. E., Nagin, D., Zoccolillo, M., Vitaro, F., & McDuff, P. (2004). Risk factor models for adolescent verbal and physical aggression toward mothers. *International Journal of Behavioral Development*, 28, 528-537.
 56. Nelson, D. A., Hart, C. H., Yang, C., Olsen, J. A., & Jin, S. (2006). Aversive parenting in China: Associations with child physical and relational aggression. *Child Development*, 77, 554-572
 57. Lansford, J. E., Chang, L., Dodge, K. A., Malone, P. S., Oburu, P., Palmérus, K., Bacchini, D., Pastorelli, C., Bombi, A. S., Zelli, A., Tapanya, S., Chaudhary, N., Deater-Deckard, K., Manke, B., & Quinn, D. (2005). Physical discipline and children's adjustment: Cultural normativeness as a moderator. *Child Development*, 76, 1234-1246.
 58. Sim, T. N., & Ong, L. P. (2005). Parent physical punishment and child aggression in Singapore Chinese preschool sample. *Journal of Marriage and Family*, 67, 85-99.
 59. Ohene, S. A., Ireland, M., McNeely, C., & Borowsky, I. W. (2006). Parental expectations, physical punishment, and violence among adolescents who score positive on a psychosocial screening test in primary care. *Pediatrics*, 117, 441-447.
 60. Grogan-Kaylor, A. (2004). The effect of corporal punishment on antisocial behavior in children. *Social Work Research*, 28, 153-162.
 61. Grogan-Kaylor, A. (2005). Corporal punishment and the growth trajectory of children's antisocial behavior. *Child Maltreatment*, 10, 283-292.
 62. Javo, C., Ronning, J., Heyerdahl, S., & Rudmin, F. (2004). Parenting correlates of child behavior problems in a multiethnic community sample of preschool children in northern Norway. *European Child & Adolescent Psychiatry*, 13, 8-18.

- 
63. Kerr, D., Lopez, N., Olson, S., & Sameroff, A. (2004). Parental discipline and externalizing behavior problems in early childhood: The roles of moral regulation and child gender. *Journal of Abnormal Child Psychology*, 32, 369-383.
64. McLoyd, V. C., & Smith, J. (2002). Physical discipline and behavior problems in African American, European American, and Hispanic children: Emotional support as a moderator. *Journal of Marriage and the Family*, 64, 40-53.
65. Baumrind, D., Larzelere, R. E., & Cowan, P. A. (2002). Ordinary physical punishment: Is it harmful? Comment on Gershoff (2002). *Psychological Bulletin*, 128, 580-589.
66. Benjet, C., & Kazdin, A. E. (2003). Spanking children: The controversies, findings and new directions. *Clinical Psychology Review*, 23, 197-224.
67. Larzelere, R. E., Kuhn, B. R., & Johnson, B. (2004). The intervention selection bias: An underrecognized confound in intervention research. *Psychological Bulletin*, 130, 289-303.
68. Campbell, S. B., Pierce, E. W., Moore, G., Marakovitz, S., & Newby, K. (1996). Boys' externalizing problems at elementary school age: Pathways from early behavior problems, maternal control, and family stress. *Development and Psychopathology*, 8, 701-719.
69. Cohen, P., & Brook, J. S. (1995). The reciprocal influence of punishment and child behavior disorder. In J. McCord (Ed.), *Coercion and punishment in long-term perspectives* (pp. 154-164). Cambridge, MA: Cambridge University Press.
70. Kandel, D. B., & Wu, P. (1995). Disentangling mother-child effects in the development of antisocial behavior. In J. McCord (Ed.), *Coercion and punishment in long-term perspectives* (pp. 106-123). New York: Cambridge University Press.
71. Beauchaine, T. P., Webster-Stratton, C., & Reid, M. J. (2005). Mediators, moderators, and predictors of 1-year outcomes among children treated for early-onset conduct problems: A latent growth curve analysis. *Journal of Consulting and Clinical Psychology*, 73, 371-388.
72. Csorba, J., Rózsa, S., Vetro, A., Gadoros, J., Makra, J., Somogyi, E., Kaczvinszky, E., & Kapornay, K. (2001). Family- and school-related stresses in depressed Hungarian children. *European Psychiatry*, 16, 18-26.
73. Rodriguez, C. M. (2003). Parental discipline and abuse potential effects on child depression, anxiety, and attributions. *Journal of Marriage and Family*, 65, 809-817.
74. Lau, T. F., Kim, J. H., Tsui, H., Cheung, A., Lau, M., & Yu, A. (2005). The relationship between physical maltreatment and substance use among adolescents: A survey of 95,788 adolescents in Hong Kong. *Journal of Adolescent Health*, 37, 110-119.
75. Steely, A. C., & Rohner, R. P. (2006). Relations among corporal punishment, perceived parental acceptance, and psychological adjustment in Jamaican youths. *Cross-Cultural Research*, 40, 268-286.
76. Turner, H. A., & Finkelhor, D. (1996). Corporal punishment as a stressor among youth. *Journal of Marriage and the Family*, 58, 155-166.
77. Bugental, D. B., Martorell, G. A., & Barraza, V. (2003). The hormonal costs of subtle forms of infant maltreatment. *Hormones and Behavior*, 43, 237-244.

- 
78. Watts-English, T., Fortson, B. L., Gibler, N., Hooper, S. R., & De Bellis, M. D. (2006). The psychobiology of maltreatment in childhood. *Journal of Social Issues, 62*, 717-736.
79. Turner, H. A., & Muller, P. A. (2004). Long-term effects of child corporal punishment on depressive symptoms in young adults: Potential moderators and mediators. *Journal of Family Issues, 25*, 761-782.
80. Azrin, N. H., & Holz, W. C. (1966). Punishment. In W. K. Honig (Ed.), *Operant behavior* (pp. 380-447). New York: Appleton-Century-Crofts.
81. Grusec, J. E., & Goodnow, J. J. (1994). Impact of parental discipline methods on the child's internalization of values: A reconceptualization of current points of view. *Developmental Psychology, 30*, 4-19.
82. Maccoby, E. E., & Martin, J. A. (1983). Socialization in the context of the family: Parent-child interaction. In E. M. Hetherington (Ed.), P. H. Mussen (Series Ed.), *Handbook of child psychology, Vol. 4: Socialization, personality, and social development* (pp. 1-101). New York: Wiley.
83. Parke, R. D. (1977). Some effects of punishment on children's behavior--Revisited. In E. M. Hetherington & R. D. Parke (Eds.), *Contemporary readings in child psychology* (pp. 208-220). New York: McGraw-Hill.
84. Dobbs, T. A., Smith, A. B., & Taylor, N. J. (2006). "No, we don't get a say, children just suffer the consequences": Children talk about family discipline. *International Journal of Children's Rights, 14*, 137-156.
85. Straus, M. A. (2004). Cross-cultural reliability and validity of the Revised Conflict Tactics Scales: A study of university student dating couples in 17 nations. *Cross-Cultural Research, 38*, 407-432.
86. Cast, A. D., Schweingruber, D., & Berns, N. (2006). Childhood physical punishment and problem solving in marriage. *Journal of Interpersonal Violence, 21*, 244-261.
87. Douglas, E. M., & Straus, M. A. (2006). Assault and injury of dating partners by university students in 19 countries and its relation to corporal punishment experienced as a child. *European Journal of Criminology, 3*, 293-318.
88. Clément, M. E., Bouchard, C., Jetté, M., Laferrière, S. (2000). *La violence familiale dans la vie des enfants du Québec* ["Family Violence in the Lives of Québec's Children"]. Québec, Institut de la Statistique du Québec.
89. Crandall, M., Chiu, B., & Sheehan, K. (2006). Injury in the first year of life: Risk factors and solutions for high-risk families. *Journal of Surgical Research, 133*, 7-10.
90. Gil, D. G. (1970). *Violence against children: Physical child abuse in the United States*. Cambridge, MA: Harvard University Press.
91. Coontz, P. D., & Martin, J. A. (1988). Understanding violent mothers and fathers: Assessing explanations offered by mothers and fathers of their use of control punishment. In G. T. Hotaling, D. Finkelhor, J. T. Kirkpatrick, & M. A. Straus (Eds.), *Family abuse and its consequences: New directions in research* (pp. 77-90). Newbury Park, CA: Sage.
92. Gil, D. G. (1973). *Violence against children: Physical abuse in the United States*. Cambridge, MA: Harvard University Press.

- 
93. Kadushin, A., & Martin, J. A. (1981). *Child abuse: An interactional event*. New York: Columbia University Press.
94. Margolin, L. (1990). Child abuse by babysitters: An ecological-interactional interpretation. *Journal of Family Violence*, 5, 95-105.
95. Durrant, J., Trocmé, N., Fallon, B., Milne, C., Black, T., & Knoke, D. (2006). *Punitive violence against children in Canada*. CECW Information Sheet #41E. Toronto, ON: University of Toronto, Faculty of Social Work. Downloaded September 29, 2006, from www.cecw-cepb.ca/DocsEng/PunitiveViolence41E.pdf
96. Afifi, T. O., Brownridge, D. A., Cox, B. J., & Sareen, J. (2006). Physical punishment, childhood abuse and psychiatric disorders. *Child Abuse and Neglect*, 30, 1093-1103.
97. Hoffman, M. L. (1983). Affective and cognitive processes in moral internalization. In E. T. Higgins, D. N. Ruble, & W. W. Hartup (Eds.), *Social cognition and social development* (pp. 236-274). New York: Cambridge University Press.
98. Lepper, M. R. (1983). Social control processes and the internalization of social values: An attributional perspective. In E. T. Higgins, D. N. Ruble, & W. W. Hartup (Eds.), *Social cognition and social development* (pp. 294-330). New York: Cambridge University Press.
99. Bandura, A., & Walters, R. H. (1959). *Adolescent aggression*. New York: Ronald Press.
100. Eron, L. D., Walder, L. O., & Lefkowitz, M. M. (1971). *Learning of aggression in children*. Boston: Little, Brown, & Co.
101. Dodge, K. A., Pettit, G. S., McClaskey, C. L., & Brown, M. (1986). Social competence in children. *Monographs of the Society for Research in Child Development*, 51 (1, Serial No. 213).
102. White, S. O., & Straus, M. A. (1981). The implications of family violence for rehabilitation strategies. In S. E. Martin, L. B. Sechrest, & R. Redner (Eds.), *New directions in the rehabilitation of criminal offenders*. Washington, D.C.: National Academy Press.
103. Fontes, L. A. (2005). *Child abuse and culture: Working with diverse families*. New York: Guilford.
104. Deater-Deckard, K., & Dodge, K. A. (1997). Externalizing behavior problems and discipline revisited: Nonlinear effects and variation by culture, context, and gender. *Psychological Inquiry*, 8, 161-175.
105. Deater-Deckard, K., Dodge, K. A., & Sorbring, E. (2005). Cultural differences in the effects of physical punishment. In M. Rutter & M. Tienda (Eds.), *Ethnicity and causal mechanisms* (pp. 204-226). Cambridge, UK: Cambridge University Press.
106. Deater-Deckard, K., Dodge, K. A., Bates, J. A., & Pettit, G. S. (1996). Physical discipline among African American and European American mothers: Links to children's externalizing behaviors. *Developmental Psychology*, 32, 1065-1072.
107. Gunnoe, M. L., & Mariner, C. L. (1997). Toward a developmental-contextual model of the effects of parental spanking on children's aggression. *Archives of Pediatric and Adolescent Medicine*, 151, 768-775.
108. McLeod, J. D., Kruttschitt, C., & Dornfield, M. (1994). Does parenting explain the effects of structural conditions on children's antisocial behavior? A comparison of blacks and whites. *Social Forces*, 73, 575-604.

- 
109. Lau, A. S., Litrownik, A. J., Newston, R. R., Black, M. M., & Everson, M. D. (2006). Factors affecting the link between physical discipline and child externalizing problems in black and white families. *Journal of Community Psychology*, 34, 89-103.
110. Straus, M. A., Sugarman, D. B., & Giles-Sims, J. (1997). Spanking by parents and subsequent antisocial behavior of children. *Archives of Pediatric and Adolescent Medicine*, 151, 761-767.
111. Lansford, J. E., Chang, L., Dodge, K. A., Malone, P. S., Oburu, P., Palmérus, K., Bacchini, D., Pastorelli, C., Bombi, A. S., Zelli, A., Tapanya, S., Chaudhary, N., Deater-Deckard, K., Manke, B., & Quinn, D. (2005). Physical discipline and children's adjustment: Cultural normativeness as a moderator. *Child Development*, 76, 1234-1246.
112. Davidson, H. (1997). The legal aspects of corporal punishment in the home: When does physical discipline cross the line to become child abuse? *Children's Legal Rights Journal*, 17, 18-29.
113. Edwards, L. P. (1996). Corporal punishment and the legal system. *Santa Clara Law Review*, 36, 983.
114. Kearney, M. K. (1995). Substantive due process and parental corporal punishment: Democracy and the excluded child. *San Diego Law Review*, 32, 1.
115. Pollard, D. A. (2002). Banning corporal punishment: A constitutional analysis. *52 American University Law Review* 447.
116. *Ingraham v. Wright*, 430 U.S. 651, 51 L.Ed.2d 711 (1977).
117. *Ibid.*, at 660-661.
118. Center for Effective Discipline (2007). *Discipline at school: 94 of the 100 largest school districts in the U.S. protect 10,045,925 students from paddling*. Columbus, OH: Author. Downloaded from <http://www.stophitting.com/disatschool/100largest.php>
119. United States Department of Health and Human Services, Administration on Children, Youth and Families, Children's Bureau. (2005). *Definitions of child abuse and neglect: Summary of state laws*. Washington, DC: Author. Downloaded August 18, 2007, from: http://www.childwelfare.gov/systemwide/laws_policies/statutes/defineall.pdf
120. NRS §432B.150 (Nevada Revised Statutes, 1985).
121. Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, *Report to the General Assembly, 57th Sess., U.N. Doc. A/57/173* (2002, July 2). Downloaded from: <http://daccessdds.un.org/doc/UNDOC/GEN/N02/475/60/PDF/N0247560.pdf?OpenElement> (see para. 53).
122. Limber, S. P., & Flekkøy, M. G. (1995). The U.N. Convention on the Rights of the Child: Its relevance for social scientists. *Society for Research in Child Development Social Policy Report*, IX (2).
123. Kilbourne, S. (1999). Placing the Convention on the Rights of the Child in an American context. *Human Rights*, 26, 27-31.
124. See footnote 2, para. 18.
125. Hammarberg, T. (2006, June 6). *Children and corporal punishment: "The right not to be hit, also a children's right."* Issue Paper 2006/1. Strasbourg, France: Council of Europe, Commissioner for Human Rights. Downloaded from <https://wcd.coe.int/ViewDoc.jsp?id=1008209&BackColorInternet=99B5AD&BackColorIntranet=FABF45&BackColorLogged=FFC679>

- 
126. Global Initiative to End All Corporal Punishment of Children. (2007). *States with full abolition*. London: Author. Downloaded from <http://www.endcorporalpunishment.org>
127. Janson, S. (2005). Response to Beckett (2005) The Swedish myth: The corporal punishment ban and child death statistics. *British Journal of Social Work*, 35, 125-138.
128. Durrant, J. E. (2003). Legal reform and attitudes toward physical punishment in Sweden. *International Journal of Children's Rights*, 11, 147-173.
129. Durrant, J. E. (1999). Evaluating the success of Sweden's corporal punishment ban. *Child Abuse and Neglect*, 23, 435-448.
130. Boyson, R. (2002). *Equal protection for children: An overview of the experience of countries that accord children full legal protection from physical punishment*. London: National Society for the Prevention of Cruelty to Children. Downloaded from http://www.nspcc.org.uk/inform/publications/downloads/equalprotectionforchildren_wdf48095.pdf



PHOENIX CHILDREN'S *Hospital*

This report was developed
in conjunction with:
Phoenix Children's
Hospital
Child Abuse Prevention
1919 East Thomas Road,
Suite 2211C
Phoenix, AZ 85016
Telephone: 602-546-3342
Fax: 602-546-3356

