

Corporal punishment, psychological maltreatment, violence, and punitiveness in America: Research, advocacy, and public policy

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Abstract

The high levels of punitiveness in our society are used to explain why it is taking so long to ban corporal punishment in American schools. Corporal punishment in home and school, and the related issues of psychological maltreatment and violence, are discussed in terms of definitions, demography, research, and effects. Advocacy research is explained as an approach to amelioration and to test the hypothesis that the United States is the most punitive of Western democracies. Policy initiatives for legislative action and prevention are presented.

Key words: Corporal punishment, Psychological maltreatment, Violence, Child abuse, Advocacy research, Punitiveness

In 1974, the American Psychological Association's (APA) Council of Representatives passed a resolution opposing the use of corporal punishment in schools (Bacon & Hyman, 1979). The debate about that resolution reflected historical and contemporary struggles in which social scientists, polarized by political, social, personal, and religious orientations, argued about the efficacy of aversive procedures to change human behavior (Altemeyer, 1988; Axelrod & Apsche, 1983; Skinner, 1979). There was no mention of how modeling theory might account for the positions that various psychologists took in the debate. Personal experiences of punishment in childhood may strongly influence objectivity, especially when interpreting social science and behavioral research related to punitive techniques (Eron, Walder & Lefkowitz, 1971; Lennox, 1982; Pokalo, 1986; Sofer, 1983; Straus & Gimple, 1992). Modeling effects may also influence the interpretation and explanation of contemporary and historical religious and secular struggles to shape public policy toward misbehavior and deviance (Greven, 1991; Hyman & Pokalo, 1992). The current polarization between the religious and political right and left is well known in terms of debates on a wide range of topics regarding punishment as social policy. The debates include abortion, penalties for substance abuse, treatment of convicted criminals, youth violence, gun control, capital punishment and corporal punishment in schools (Hyman, 1989a).

The gradually successful efforts to abolish corporal punishment in schools offer a blueprint for interpreting Americans' attitudes towards the amelioration of the problems of children and youth. In 1976 only two states forbade corporal punishment in schools, and at least 3 million incidents occurred each year (Hyman & Wise, 1979). After almost two decades of advocacy, barely more than half of the states (27) have forbidden it. This is an especially cogent and informative scenario from a cross-national perspective. By the early 1980s, most of the Western democracies and the Communist/Socialist block had already forbidden school corporal punishment or were well on their way toward its abolition (Hyman, 1990).

The purpose of this article is to offer a relatively brief explication of the problem of punitiveness in our society as reflected in the movement to abolish corporal punishment and related forms of student maltreatment. I propose that the struggle to abolish maltreatment of school children is a metaphor for understanding a major cause of so many failures of U.S. policy to prevent social ills. This struggle illustrates the depth and breadth of Americans' deeply held convictions that perpetuate extremely punitive attitudes toward misbehavior and deviance of children and youth. Ironically, this punitiveness describes causes and helps explain failures to prevent our societies' high levels of violence.

The hypothesis that has emerged from two decades of research, expert testimony, advocacy, litigation, clinical evaluations and media appearances regarding corporal punishment is that the United States is the most punitive of all

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the Western democracies. This is why so many prevention projects, clearly grounded in sound social science research, fail to receive appropriate support by policy makers and the public. In this example, this punitiveness is the primary reason for the long, as yet to be completed, attempt to ban corporal punishment in U.S. schools.

BACKGROUND

In 1974, the debate by APA Council on the resolution regarding corporal punishment revealed that, although there was much research on the effects of punishment, there was very little on the use of corporal punishment of children, especially in schools (Bongiovanni, 1979).

Those members of the council who opposed the resolution used arguments based on traditional beliefs and anecdotal evidence. Among the justifications heard in this esteemed body was the familiar, "I was hit as a child and look where I am now" defense of spanking. Opponents also pointed to the lack of experimental data indicating that corporal punishment of school children was harmful.

Those in favor argued that the overwhelming body of experimental research indicated that reward was far superior to punishment in changing behavior. They also spoke to the morality of allowing teachers to use violent solutions to behavioral problems. They stressed that violence teaches violence and that hitting is inherently a violent act, because its purpose is to inflict pain.

Even though everyone recognized the lack of research specific to corporal punishment in schools, no one on the Council recommended experimental studies involving the assignment of school children to paddlings.

Following passage of the resolution, the Board of Social and Ethical Responsibility in Psychology established the Task Force on Children's Rights, which focused on the issue of corporal punishment in the schools. The Task Force helped to establish, in 1976, the National Center for the Study of Corporal Punishment and Alternatives in the Schools at Temple University. In 1993, it became the National Center for the Study of Corporal Punishment and Alternatives (NCSCPA). The original goal of the Center was to establish a program of research, public policy studies, legal advocacy, alternatives, and a clearinghouse for information on corporal punishment in schools (Hyman & Fina, 1983). The title change reflects the broadened scope, which includes studies of the prevention of misbehavior, violence, and abusive discipline in home and school. Our research led to studies of psychological maltreatment and the effects of severe discipline, including posttraumatic stress disorder, transgenerational patterns of child abuse and violent children and youth. Much of what follows stems from almost two decades of effort by Center staff (NCSCPA, 1993).

Corporal Punishment

Defining Corporal Punishment

Corporal punishment is generally defined as the purposeful infliction of pain or confinement as a penalty for an offense (Hyman & Wise, 1979). In schools, it most often involves the use of a wooden paddle. Studies of instruments used, types of offenses, intentions of paddlers and consequences to children and their families indicate that a simple definition offers, at best, a convenient starting point for understanding corporal punishment from legal, demographic, educational, and psychological perspectives.

For instance, the usual legal definition cited above, was used by a defendant teacher, in litigation against her and the Washington, D.C. School Board. The plaintiff student had been blowing spit bubbles in the air and the teacher claimed that this disgusting, unsanitary act had caused her to "instinctively" strike out. Her smack on his mouth caused bleeding, pain, and emotional trauma (Robinson v. District of Columbia, 1987). Her defense was based, in part, on the school board regulations that defined corporal punishment as an "intentional" act. She stated that she had not intended to hit the child, therefore, her instinctive act had not violated the school board sanctions. Rather than face the plaintiffs in court, the defendants settled the case through attorneys and removed the term, "intentional" from the definition.

Teacher resistance to banning corporal punishment is often based on the argument that its use, or at least the threat that it can be used, is needed to stem student violence. However, all laws and regulations regarding corporal punishment in schools protect teachers' rights to use force to quell disturbances, and to protect themselves, others, property, or student's from self-injury. A teacher is not liable for the incidental infliction of pain as a result of the legitimate use of any of the aforementioned. In any event, teachers rarely paddle big, strong, potentially violent students, as most hitting occurs in the lower grades (Hyman & Wise, 1979; Russell, 1988, 1989)

The disciplinary procedures that directly inflict pain are varied. Therefore, corporal punishment should be broadly defined to include unreasonable confinement in a restricted space (Hyman, 1989b)—forcing children to assume fixed postures for unreasonable periods of time, excessive exercise and drills, forced ingestion of noxious substances and exposure to painful environments and/or psychological maltreatment that causes emotional pain. The data clearly demonstrate that the potential duration, intensity, and frequency of psychological symptoms resulting from traumatic physical or psychological assaults by educators are the same (Hyman, 1990).

Types of Corporal Punishment

The abuses listed in this section represent a small fraction of actual school-related abuses in America. They were cul-

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