

THE VIRGINIA JOURNAL OF

# *Social Policy the Law*

VOLUME 8 • FALL 2000 • NUMBER 1 <sup>9-60</sup>

CORPORAL PUNISHMENT BY PARENTS:

CP62

THE CRADLE OF VIOLENCE IN THE FAMILY AND  
SOCIETY

**Murray A. Straus\***

## INTRODUCTION

This article addresses the most prevalent and important form of violence in American families: spanking a child who misbehaves. Very few social scientists or pediatricians think spanking plays a major negative role in a child's development. Some favor spanking. The majority, although they do not explicitly favor spanking, believe it is sometimes necessary.<sup>1</sup> There is a small minority who genuinely oppose spanking in the sense that they believe a child should never, ever, under any circumstances, be spanked. Thus, the beliefs expressed by the majority of psychologists and pediatricians reflect a practical and philosophical inconsistency about spanking. This inconsistency is comparable to opposing the idea of a husband slapping his wife, but believing that it may be necessary in some situations.

One way that pediatricians and social scientists deal with these inconsistencies, and with the "culture war" over spanking,<sup>2</sup> is by

---

\* Professor of Sociology and Co-Director, Family Research Laboratory, University of New Hampshire, Durham. This article is part of a research program on corporal punishment at the Family Research Laboratory, University of New Hampshire, Durham, New Hampshire. For a bibliography of publications on corporal punishment by members of the laboratory, see the laboratory website <[www.unh.edu/frl](http://www.unh.edu/frl)>. The work was supported by National Institute of Mental Health grant T32MH1 5161 and by the University of New Hampshire.

<sup>1</sup> See, e.g., Kathryn A. Anderson & David E. Anderson, Psychologists and Spanking, 5 J. Clinical Child Psychol. 46, 46-49 (1976) (citing a study in which a majority of psychologists spanked their own children); Eliza R. Schenk et al., Ethical Beliefs, Attitudes, and Professional Practices of Psychologists Regarding Parental Use of Corporal Punishment: A Survey, 3 Children's Services: Soc. Pol'y, Res., & Prac. 23, 23-38 (2000).

<sup>2</sup> See generally Murray A. Straus, Corporal Punishment Research and the Culture Wars, in Corporal Punishment by Parents in Social Context (Murray A. Straus ed., forth-

“selective inattention”<sup>3</sup> to spanking and other legal forms of corporal punishment (hereinafter “CP”). Regardless of whether they favor, defend, or oppose CP, content analyses of child development text books and advice-to-parents’ books reveal that almost no one devotes significant attention to the topic.<sup>4</sup> Spock’s book, for example, has only one paragraph on CP.<sup>5</sup> In psychology, the predominant pattern is illustrated by the work of two of America’s most distinguished developmental psychologists—Mavis Hetherington and Ross Parke. Even though Parke has done empirical research on CP, their outstanding textbook<sup>6</sup> devotes *only* one quarter of a page to the topic.<sup>7</sup> In this brief section, Hetherington and Parke do point out the link between CP and aggression by the child, but they do not recommend teaching parents to avoid CP. There are, of course, some exceptions to the pattern of ignoring CP, the most prominent being Protestant Fundamentalist psychologists such as Rosemond and Larzelere.<sup>8</sup> They believe that the Bible instructs parents to spank, and that failure to spank when necessary will result in a willful and out-of-control child.<sup>9</sup>

In this article, I will start by putting CP in the context of other types of family violence. Then I will present evidence to show that CP is a major aspect of the socialization of almost all American children, although experienced in varying degrees. I will also present evidence to show that, rather than being a somewhat undesirable but innocuous aspect of parent-child relationships, CP has profound harmful effects on children and on society as a whole. If

---

coming); James Taranto, *The Pastor vs. the Social Workers*, Wall St. J., Sept. 15, 1999, at A32.

<sup>3</sup> See generally Louis A. Dexter, A Note on Selective Inattention in *Social Science*, 6 Soc. Probs. 176, 176-82 (1958).

<sup>4</sup> See Murray A. Straus, The Conspiracy of Silence, in Murray A. Straus, *Beating the Devil Out of Them: Corporal Punishment in American Families* 3, 3-17 (1994); Murray A. Straus & Julie H. Stewart, Corporal Punishment by American Parents: National Data on Prevalence, Chronicity, Severity, and Duration, in *Relation to Child, and Family Characteristics*, 2 *Clinical Child & Family Psychol. Rev.* 55, 55-56 (1999).

<sup>5</sup> See Benjamin Spock, *Baby and Child Care* 338 (1968).

<sup>6</sup> E. Mavis Hetherington & Ross D. Parke, *Child Psychology: A Contemporary Viewpoint* (1993).

<sup>7</sup> See *id.* at 429.

<sup>8</sup> See, e.g., John K. Rosemond, *To Spank or Not to Spank: A Parents’ Handbook* (1994); Robert E. Larzelere, Response to Oosterhuis: Empirically Justified Uses of Spanking: Toward a Discriminating View of Corporal Punishment, 21 *J. Psychol. & Theology* 142, 142-47 (1993).

Larzelere, *supra* note 8, at 142-47.

these two propositions are correct, then ignoring CP has been a fundamental oversight of developmental psychology, the sociology of the family, and the sociology of childhood. In support of this perspective on CP, I will:

- \* Describe findings from repeated studies of nationally representative samples of parents which show that spanking and other legal forms of **CP**, such as slapping a child's hand for **touching a forbidden** or dangerous object, are much more prevalent than almost all social scientists think. In fact, these practices are almost universal.

- \* Present evidence from longitudinal research showing that CP is associated with an increased risk of the child experiencing *major*, and often life-long, social and psychological problems.

- \* Argue that the cumulative effect of those personal problems contributes to major social problems such as delinquency and adult crime, low educational attainment, physical assaults on spouses, and mental illness.

- \* Argue **that**, although there is still much to be learned about CP, currently available research provides the basis for developing social policies to end CP which will serve as an aspect of primary prevention of family violence, mental illness and other serious personal and social problems.

#### I. THE PREVALENCE OF FAMILY VIOLENCE

CP is part of a larger pattern of family violence. Consequently, I will briefly describe some of the key elements of that larger pattern. Along with physical violence, family members direct a great deal of psychological aggression at each other.<sup>10</sup> I will focus entirely on physical violence, i.e., what psychologists call physical aggression and the criminal justice system calls physical assault.<sup>11</sup> Moreover, when describing the extent of physical violence, I will

---

<sup>10</sup> See Murray A. Straus & Stephen Sweet, Verbal/Symbolic Aggression in Couples: Incidence Rates and Relationships to Personal Characteristics, 54 *J. Marriage & Fam.* 345, 346-57 (1992); Yvonne M. Vissing et al., Verbal Aggression by Parents and Psychosocial Problems of Children, 15 *Child Abuse & Neglect*, 223,230 (1993).

<sup>11</sup> See Richard J. Gelles & Murray A. Straus, Determinants of Violence in the Family: Towards a Theoretical Integration, *in* *Contemporary Theories About the Family*, 549, 554-55 (W.R. Burr et al. eds., 1979) (defining and analyzing physical aggression).

draw most heavily from the National Family Violence Surveys that my colleagues and I conducted in 1975, 1985, 1992, and 1995.<sup>12</sup>

### A. *The Conflict Tactics Scales*

The four national surveys used the Conflict Tactics Scales, or CTS, to measure violence.<sup>13</sup> The CTS has also been used in over one hundred other studies in more than ten countries. The CTS is a simple behavioral self-report instrument. It asks the respondent to think about conflicts between the respondent and his or her partner that occurred in the referent period, usually the previous twelve months. The parent-child versions ask about conflicts with a specific child. The CTS items ask about use of three conflict tactics: negotiation, psychological aggression, and physical assault. The physical assault items range in severity from slaps to attacks with weapons. The most recent revision of the CTS includes supplemental scales for injury and sexual coercion.<sup>14</sup>

---

<sup>12</sup> Murray A. Straus, The National Family Violence Surveys, in *Physical Violence in American Families: Risk Factors and Adaptions to Violence in 8,145 Families*, 3, 3-16 (Murray A. Straus & Richard J. Gelles eds., 1990).

<sup>13</sup> For more on the Conflict Tactics Scales, see Murray A. Straus, *Measuring Intrafamily Conflict and Violence: The Conflict Tactics Scales (CTS)*, 41 *J. Marriage & Fam.*, 75, 75-88 (1979); Murray Straw et al., *The Revised Conflict Tactics Scales (CTS2): Development and Preliminary Psychometric Data*, 17 *J. Fam. Issues* 283, 283-316 (1996); *Identification of Child Maltreatment with the Parent-Child Conflict Tactics Scales: Development and Psychometric Data for a National Sample of American Parents*, 22 *Child Abuse & Neglect* 249, 249-70 (1998).

<sup>14</sup> See generally Murray A. Straus et al., *The Revised Conflict Tactics Scales (CTS2): Development and Preliminary Psychometric Data*, *supra* note 13.

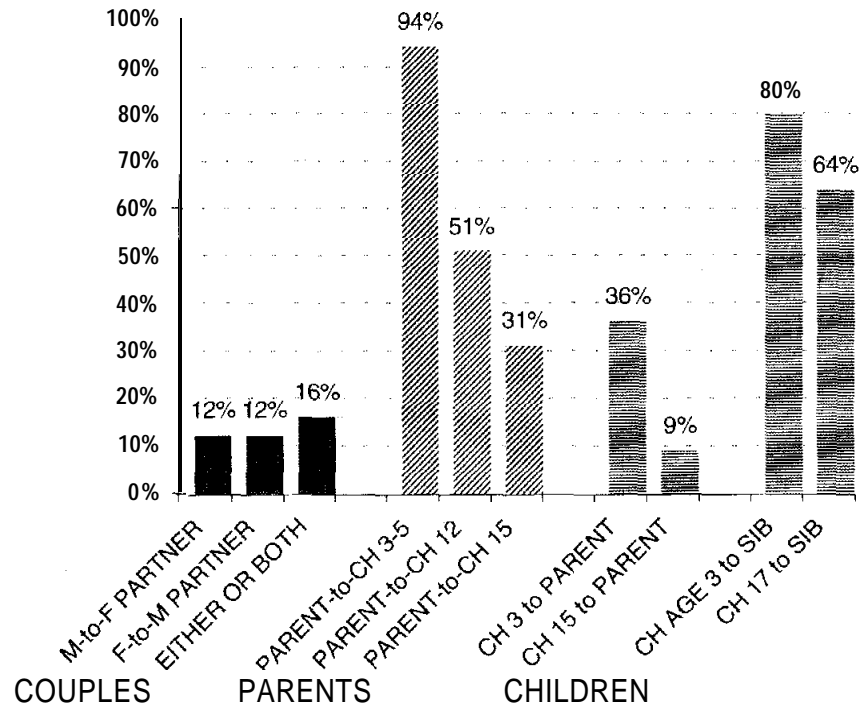
**Figure 1. Physical Assault Rates, National Family Violence Surveys<sup>15</sup>**

Figure 1 shows the percentage of American families that experienced each of several types of physical assault during the twelve months preceding the interview.<sup>16</sup> The sample includes cohabiting couples, but for simplicity, I will often use the terms “husband” and “wife.”

A word needs to be said about the discrepancy between the rates in Figure 1 and the rates of family violence based on the National Crime Survey (NCS) and its successor the National Crime Victimization Survey (NCVS). The NCS and NCVS are large annual surveys conducted by the Bureau of the Census for the National Institute of Justice. The family violence rates from these surveys are drastically lower than the rates from the National

<sup>15</sup> All data on couples used in Figure 1 are from Murray A. Straus & Richard J. Gelles, *How Violent are American Families? Estimates from the National Family Violence Research Survey and Other Studies, in Physical Violence in American Families: Risk Factors and Adaptations to Violence in 8,145 Families* 95, 9.5-112 (Murray A. Straus & Richard J. Gelles eds., 1990). All data on parents and children used in Figure 1 are from Straus & Stewart *supra* note 1 at 50-61.

Family Violence Surveys discussed below. For example, the NCS rates are about one-fiftieth the rates in Figures 1 and 2.<sup>17</sup> One of the reasons for this huge discrepancy is because the NCS is presented to respondents as a study of crime, rather than as a study of family problems. The difficulty with a "crime survey" as the context for determining prevalence rates of intrafamily violence is that most people think that being slapped or kicked by their spouse is wrong, but not a "crime" in the legal sense. Thus, only a minute proportion of assaults by spouses were reported in the National Crime Survey.<sup>18</sup> The NCS was replaced by the National Crime Victimization Survey (NCVS) which attempted to deal with this problem by explicitly telling respondents that they wanted to find out about all assaults, including those committed by family members. This helped a great deal but still resulted in a rate that is only one-eighteenth the rate found by family conflict studies.<sup>19</sup>

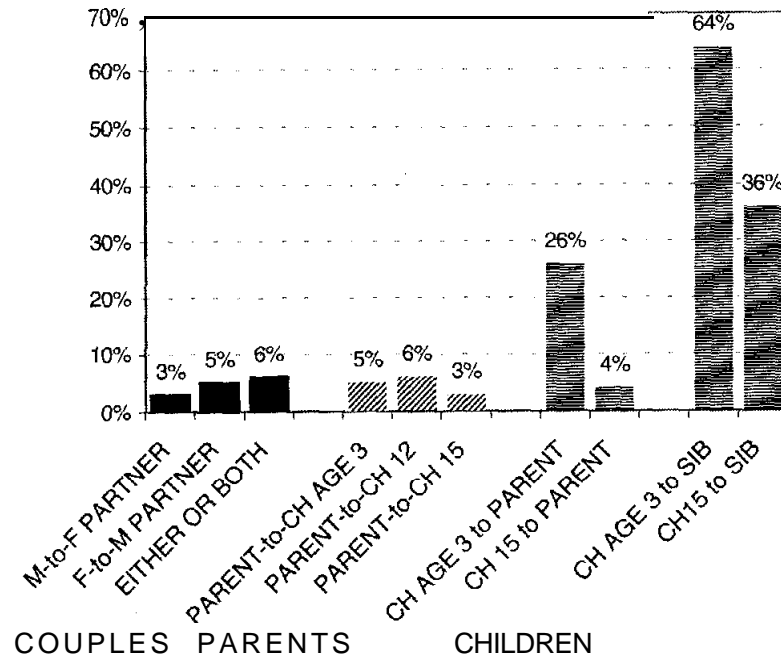
### *B. Violence in Couples*

The bar at the left side of Figure 1 labeled "M-to-F PARTNER" shows that a physical assault by a husband occurred in about 12% of American couples during the year covered by our survey. The second bar shows that about the same percentage of couples experienced an assault by a female partner. The bar for "EITHER OR BOTH" indicates the percentage of cases in which one or the other or both was violent. Of the 16% of American couples in which one or the other partner was violent, both partners were violent in about half the cases. The remaining half was about equally divided between cases in which the husband was violent but not the wife and cases in which the wife was violent but the husband was not. Applying this rate to the approximately 54 million couples in the United States results in an estimate of about 8.7 million couples who experienced at least one assault during the year studied.

---

<sup>17</sup> See Deidre A. Gaquin, Spouse Abuse: Data from the National Crime Survey, 2 *Victimology* 632, 632-43 (1977).

<sup>18</sup> See Murray A. Straus, The Controversy over Domestic Violence by Women: A Methodological, Theoretical, and Sociology of Science Analysis, *in* *Violence in Intimate Relationships* 17, 22-24 (Ximena B. Arriaga and Stuart Okamoto eds. 1999).

**Figure 2. Severe Physical Assault Rate, National Family Violence Survey<sup>20</sup>**

Most of those assaults can be characterized as relatively minor—pushing, slapping, shoving, or throwing things. However, Figure 2 shows that a substantial number of assaults were more serious, such as kicking, punching, biting, or choking. Applying the rate from Figure 2 to the number of couples in the United States reveals that in the year studied about 3.4 million couples experienced one or more severe assaults.

‘These rates are extremely high. But as high as they are, they must be regarded as minimum estimates. There are a number of reasons for this, including memory lapse and the virtual certainty that not every respondent was completely frank in describing violent incidents.<sup>21</sup> The true rates could be as much as double those shown in Figures 1 and 2.

<sup>20</sup> See Straus, *supra* note 12.

<sup>21</sup> See Murray A. Straus et al., *Behind Closed Doors: Violence in the American Family* 3.5 (1980).

*C. Domestic Assaults by Women*

Another remarkable finding demonstrated in Figures 1 and 2 is the similarly high rate of assault by husbands and wives. The high rate of violence by women in the home is inconsistent with the extremely low rate of assault by women outside the family, but the high rate found in Figures 1 and 2 is consistent with **the** results of over a hundred other studies of couples.<sup>22</sup> There is little doubt about the high frequency of wife-to-husband assault. However, the effect of assault is, on average, very different for men and women. For example, assaults by male partners are seven times more likely to result in injury that needs medical attention.<sup>23</sup> The greater risk of serious injury and fear of injury is one of the reasons that police calls for domestic violence are overwhelmingly cases involving a male offender.<sup>24</sup>

The repeated finding that the rate of assault by women is similar to the rate by their male partners cannot be dismissed on the assumption **that** women acted in self-defense. According to both male and female respondents, wives struck the first blow as often as did **husbands**.<sup>25</sup> Nor can the finding be dismissed based on **the** much lower injury rates in assaults by women because violence by women greatly increases the risk of injury to *women*.<sup>26</sup> Let us assume that most of the assaults by women are the "slap the cad" genre and are not intended to, and do not, physically injure the husband.<sup>27</sup> The danger to women of such behavior is that it

<sup>22</sup> See generally Martin S. Fiebert, Annotated Bibliography: References Examining Assaults by Women on their Spouses/Partners, in *Sexual Harassment & Sexual Consent* 273, 273-86 (Barry M. Dank & Roberto Refinette eds., 1997) (listing eighty-five scholarly investigations which show that women are as physically aggressive, or more physically aggressive, than men in relationships).

<sup>23</sup> See Jan E. Stets & Murray A. Straus, Gender Differences in Reporting of Marital Violence and its Medical and Psychological Consequences, in *Physical Violence in American Families: Risk Factors and Adaptations to Violence in 8,145 Families* 151, 151-65 (Murray A. Straus & Richard J. Gelles eds., 1990).

<sup>24</sup> See Straus, *supra* note 18, at 27-29.

<sup>25</sup> See Murray A. Straus, Physical Assaults by Women Partners: A Major Social Problem, in *Women, Men and Gender: Ongoing Debates* 210, 210-15 (Mary Roth Walsh ed., 1997).

<sup>26</sup> See Stets & Straus, *supra* note 23.

<sup>27</sup> See Cathy S. Greenblat, A Hit is a Hit is a J-lit. .Or is it! Approval and Tolerance of the Use of Physical Force by Spouses, in *The Dark Side of Families* 235, 247, 252-54



may set the stage for the husband to respond with physical violence. Sometimes the result of violence initiated by women is an immediate and severe retaliation. But regardless of whether immediate retaliation occurs, the fact that the woman slapped the man may provide a precedent and justification for him to hit her on another occasion when he perceives that *she* is being obstinate “bitchy” or “not listening to reason.” Women must forsake violence in their relationships with male partners and children and must insist on non-violence by other women as much as they rightfully insist on it by men. Failing to attend to the problem of violence by women will ultimately frustrate the goal of being free from violence by men.

#### *D. Violence By Parents*

As high as are the rates of violence between spouses and cohabiting couples, they pale by comparison to the rates that involve children. For an overview, compare the left three bars of Figure 1 which refer to behavior in the role of spouses, with the rest of the chart, which refers to behavior in relation to children or by children. The bars on the right side are much higher, indicating a much greater prevalence of violence in roles involving children.

The bar for “PARENT-to-CH 3-5” indicates that 94% of the parents of children age three-to-five in this nationally representative sample, reported hitting their child one or more times during the year of this survey. The rate is much lower for children of age twelve and over, but it nonetheless means that a majority of twelve-year-olds were hit by a parent during the year of the study. The next bar indicates that even at age fifteen, over a third of American children were still hit by their parents. Of course, the laws of every state give parents the right to strike their children by including an exemption for parents in the assault statutes. Similarly, the laws of some states still include a provision exempting husbands from rape charges when they physically force sex on their wives.

Figure 2 gives the rates for attacks on children that are severe enough to be labeled as physical abuse. The violent acts in this measure include hitting the child with an object, kicking, punch-

---

(David Finkelhor et al. eds., 1983); Straw, *supra* note 25, at 216-17.

ing, burning, and attacking with weapons. For all three age groups shown in Figure 2, the rates shown are more than ten times higher than the rate of physical abuse known to child protective services and other human service professionals. This is consistent with the belief of almost all child abuse specialists that these agencies deal with only a fraction of the actual number of cases.<sup>28</sup> Applying the rate of 4% to the 69 million children in the U.S. in 1996 suggests that a minimum of 2.8 million children are seriously assaulted each year. The phrase "a minimum of" is used because one can assume that not all parents were willing to discuss instances when they kicked or punched their child.

### *E. Violence By Children*

#### 1. Child-to-parent Violence

Given the examples of violence set by almost all American parents, the data in Figures 1 and 2 on children hitting parents should not be surprising. In fact, what is surprising is that the rate for fifteen-year-old children is not higher than the 9% shown in Figure 1 and 4% for severe attacks in Figure 2.

#### 2. Sibling violence

The relationship between brothers and sisters vies with the parent-child relationship as the most violent role relationship in American families. The columns at the right of Figure 1 show that 80% of parents of three-year-old children reported that the child had hit a brother or sister during the year of our survey. This is something one might expect given the poor impulse control of toddlers. However, the right hand bar of Figure 1 shows that even at age seventeen, over a third of the children engaged in assaults on their siblings that carry a relatively high risk of causing injury (kicking, punching, biting, choking, attacks with a weapon, etc.).

The high rates of child-to-parent and child-to-sibling violence by teen-agers might come as a surprise. However, this high rate is predictable for two reasons. First, children have a tendency to

---

<sup>28</sup> See Straus, *supra* note 18, at 17-44; Murray A. Straus, *The Conflict Tactics Scales and its Critics: An Evaluation and New Data on Validity and Reliability*, in *Physical Violence in American Families: Risk Factors and Adaptations to Violence in 8,145 Families* 49, 49-73 (Murray A. Straus & Richard J. Gelles eds., 1990).

imitate and exaggerate the behavioral patterns of parents. Second, implicit social norms tolerate violence between siblings, exemplified by phrases such as “kids **will** fight.”<sup>29</sup>

### *F. Conclusion*

The statistics just presented indicate that the family is the most violent setting experienced by a typical American. This applies to all family members and all family role-relationships. It is especially true for children, almost all of whom experience violence at the hands of their parents and siblings. In addition, physical attacks between parents take place in the homes **of** at least 16% of American children in any one year, and in about one-third of the homes, physical violence extends over the length of their childhood.<sup>30</sup> These statistics indicate that violence at home is very much a part of nearly every American childhood.

## **II. THE PREVALENCE OF CORPORAL PUNISHMENT**

Although the public and professionals concerned with children are sensitive to certain types of violence experienced by children at home, as indicated in the introduction, they ignore the most prevalent and chronic violence experienced by children at the hands of parents—spanking and other legal forms of CP. Because violence at the hands of their parents, in the form of CP, is experienced to **some** extent by almost all American children, and because it often begins in infancy and continues on average for about thirteen years, CP needs to be examined in more detail. We need to know why almost all parents hit toddlers, and we need to know **the** effects and side-effects of CP. But first we need to define CP:

Corporal Punishment is an act carried out with the intention of causing physical pain, but not injury, for purposes of correction or control.<sup>31</sup>

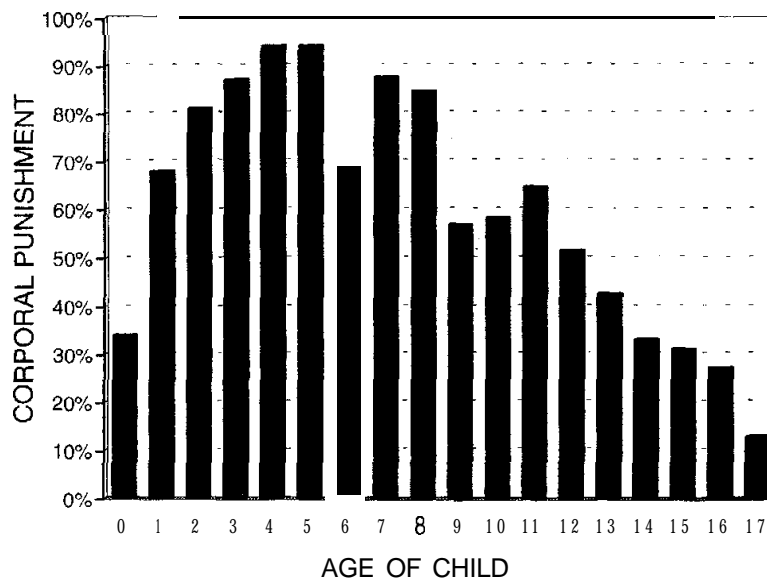
---

<sup>29</sup> See Straus et al., *supra* note 21, at 76-77.

<sup>30</sup> See Murray A. Straus, Children as Witnesses to Marital Violence: A Risk Factor for Lifelong Problems Among a Nationally Representative Sample of **American Men** and Women, in *Children and Violence: Report of the Twenty-Third Ross Roundtable on Critical Approaches to Common Pediatric Problems* 98, 98-109 (D.F. Schwartz ed., 1992).

<sup>31</sup> See generally Murray A. Straus, *Beating the Devil Out of Them: Corporal Punishment in American Families* 4-5 (1994) (analyzing definitions of CP).

**Figure 3. Prevalence of Corporal Punishment by Child's Age (1995 National Survey)<sup>32</sup>**



#### *A. Age Trends*

Figure 3 gives the prevalence rates for parental violence against children from birth through age seventeen from the 1995 national survey.<sup>33</sup> Figure 3 shows that:

- \* Over a third of parents surveyed reported hitting an infant.
- \* Almost all parents of toddlers reported hitting their child at least once during the preceding twelve months.
- \* CP continues through age thirteen for at least one-third of American children, and for about one out of six, CP continues through age seventeen.

As indicated previously, these numbers are almost certain to be minimum estimates because it is very likely that not all parents disclosed whether they hit their children. Some did not disclose because they simply did not remember. Spanking or slapping a child who misbehaves is such an unremarkable occurrence that

<sup>32</sup> See Straus & Stewart, *supra* note 4, at 59 fig.1.

<sup>33</sup> See Straus & Stewart, *supra* note 4, at 59 fig.1.

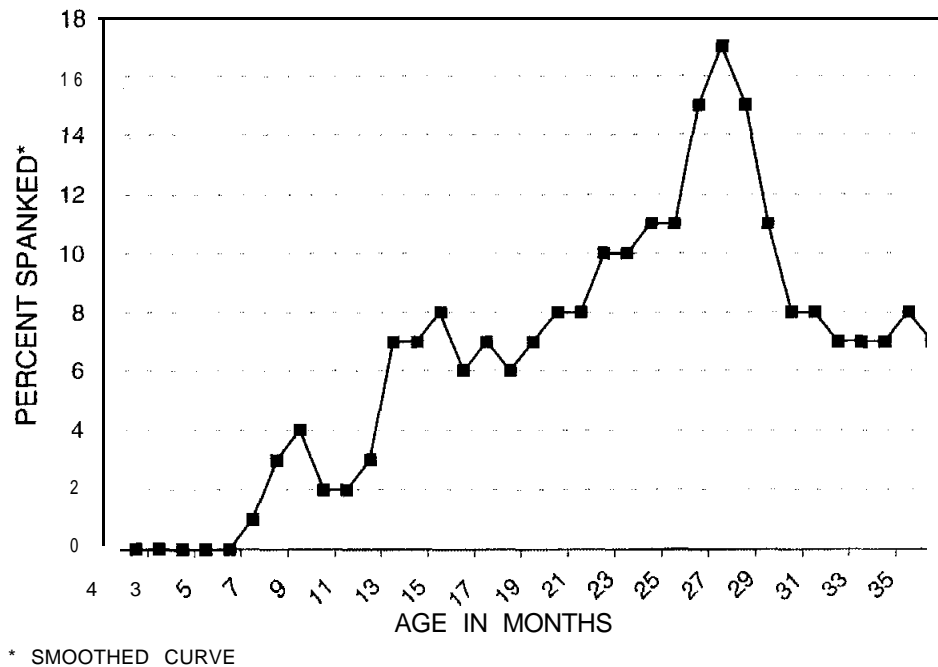
most instances are forgotten. Some did not disclose because they did not want to reveal this aspect of their behavior. In addition, only one parent in each household was interviewed. The rates do not take into account the actions of the other parent. For all of these reasons, the percentages in Figure 3 must be regarded as lower bound estimates.

### *B. Chronicity*

#### 1. Toddlers

In addition to prevalence, it is also important to know the frequency of CP.

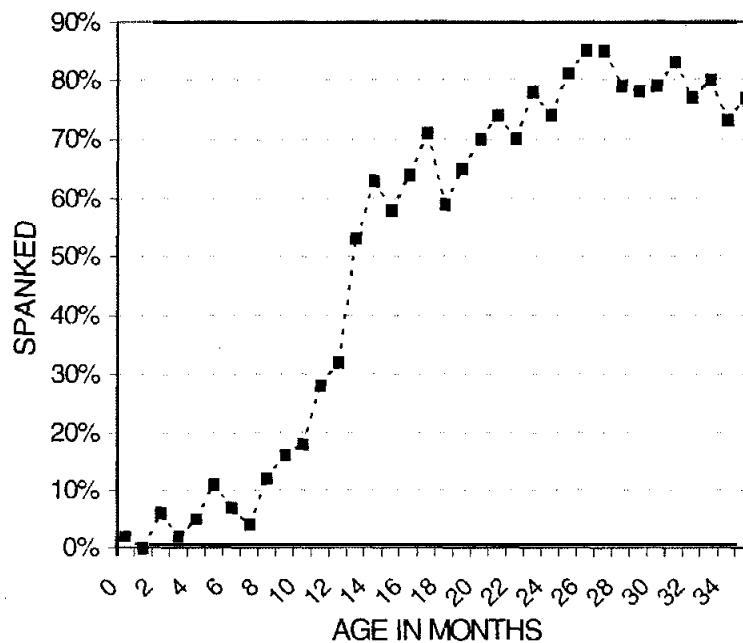
**Figure 4. Percent Spanked During Interview by Mothers of Infants and Toddlers, National Survey of Youth, 1986 (N = 1,743)<sup>34</sup>**



<sup>34</sup> See Murray A. Straus & Mallie J. Paschall, Corporal Punishment by Mothers and Child's Cognitive Development: A Longitudinal Study (1999) (paper presented at the 6th International Family Violence Research Conference, Durham, NH) (on file with author) (discussing the National Longitudinal Survey of Youth).

The National Longitudinal Survey of Youth interviewers recorded CP that took place during the survey interview. It turned out that about seven percent of the mothers of children age three to nine hit the child even in that brief period.<sup>35</sup> Figure 4 shows that the peak age for hitting was twenty-five months-the onset of the "terrible twos"-when 21% of the parents were observed hitting the child during the course of the interview.

**Figure 5. Percent Spanked in Previous Week by Mothers of Infants and Toddlers, National Survey of Youth, 1986 (N = 1,743)** <sup>36</sup>



Another method to determine frequency of use of CP was to ask parents if they had found it necessary to spank the child in the past week. The National Longitudinal Survey of Youth shows that 85% of mothers of children age twenty-five and twenty-six months said they had spanked in the previous week.<sup>37</sup> Those who

<sup>35</sup> See id.

<sup>36</sup> See id.

<sup>37</sup> This figure is based on my own analysis of the National Longitudinal Survey of Youth, Child Data File. For a discussion of the National Longitudinal Survey of Youth,

had spanked were then asked how often in that week, and the average turned out to be 3.2 times.<sup>38</sup> In the National Survey of Family and Households, the peak year for spanking by mothers was age two for girls, 67% in the previous week, and age three for boys, when 70% were hit one or more times in the previous week.<sup>39</sup> Although more educated persons tend to look less favorably upon CP,<sup>40</sup> George Holden's study of thirty-nine college educated mothers of three-year-old children found that 77% hit the child in the previous week and that, of those who did, it occurred an average of 2.5 times that week.<sup>41</sup> Allowing for under-reporting, these findings suggest that while there are a few toddlers who almost never experience CP, and there are a large number for whom it occurs only a few times a month, about half of American toddlers are hit about once a day, day in and day out.

## 2. Early Teens

Hitting a teenager might be thought of as a one-time response to some crisis or extreme event. Surprisingly, however, the mean number of times parents hit thirteen-year-olds, according to the 1985 National Family Violence Survey, was about eight times, while the median was four times.<sup>42</sup> Thus, among the third of American teens whose parents continue to use CP, it tends to be something that happens repeatedly.

---

see *id.*

<sup>38</sup> See Jean Giles-Sims et al., Child, Maternal, and Family Characteristics Associated with Spanking, 44 *Fam. Rel.* 170, 172-73 (1995).

<sup>39</sup> See Randal D. Day et al., Predicting Spanking of Younger and Older Children by Mothers and Fathers, 60 *J. Marriage & Fam.* 79, 85 (1998).

<sup>40</sup> See Murray A. Straus & Anita K. Mathur, Social Change and Change in Approval of Corporal Punishment by Parents from 1968 to 1994, in *Family Violence Against Children: A Challenge for Society* 91, 91-105 (Dietlev Frehsce et al. eds., 1996).

<sup>41</sup> See George W. Holden & Pamela C. Miller, Cognitive Versus Emotional Parenting: Alignments between Child-Rearing Cognitions, Emotions and Reported Behavior 1-12 (1997) (paper presented at the Biennial Meeting of the Society for Research in Child Development, Washington, DC) (on file with author).

<sup>42</sup> See generally Murray A. Straus & Denise A. Donnelly, Hitting Adolescents, in Straus, *supra* note 31, at 35-63.

### *C. Summary*

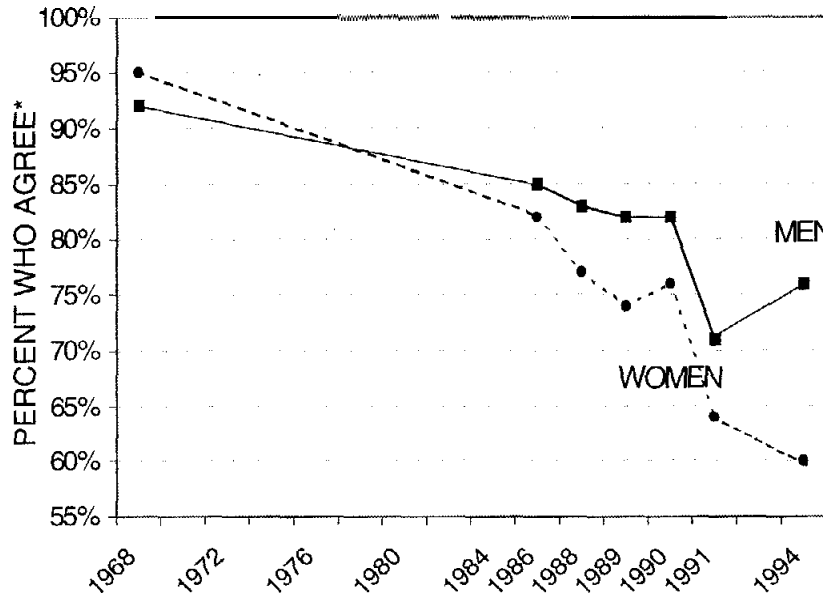
These statistics indicating the prevalence of CP, in combination with the lack of attention to CP in psychology and sociology text books and advice-to-parents books, lead to the conclusion that violent socialization in the form of CP is more prevalent, more chronic, more severe, and continues longer than generally realized by social scientists. The very fact that almost all sociologists, psychologists, and parents object to using the terms “hitting” or “parental violence” to refer to CP indicates misperception of the extent to which American children are brought up violently. This selective misperception reflects the social causes of CP described in the following section.

### **III. THE SOCIAL CAUSES OF CP**

Like all social relationships, CP is influenced by cultural beliefs, norms and sanctions. I will start by describing some of the cultural myths that produce the near universality of CP. I refer to them as cultural myths because they are culturally learned beliefs that contradict the available empirical evidence. I will then discuss the social origins of these myths. Finally, I will discuss some of the social structural factors that give rise to CP and the social control processes that transmit and enforce the norms concerning the “necessity” of CP.



**Figure 6. Percent Agreeing “It is Sometimes Necessary to Discipline a Child With a Good Hard Spanking”<sup>43</sup>**



\* ADJUSTED FOR DIFFERENCE BETWEEN YEARS IN AGE, EDUCATION, INCOME, PERCENT MINORITY, AND REGION

### A. Cultural Myths and Norms That Support CP

#### 1. CP Works When Other Methods of Discipline Do Not

The overwhelming majority of Americans believe that spanking a child is sometimes necessary. “What if a child runs out into the street” is often mentioned to make the point. In 1968, 94% of the United States population believed that “a good hard spanking is sometimes necessary.”<sup>44</sup> It is hard to think of any other parenting practice that 94% of the population would agree on. Figure 6 shows that the percentage has been decreasing since 1968, but it is still more than two-thirds. Moreover, my qualitative research suggests that the true percentage of proponents is at least 90% because almost no one agrees that a child should never, ever, under any circumstances, be spanked. Relief in the “necessity” of spanking is deeply embedded in American culture.

<sup>43</sup> See Straus & Mathur, *supra* note 40, at 95, 98 fig.2.

<sup>44</sup> See Straus & Mathur, *supra* note 40, at 96-97.

Many parents have told me that they feel they have to spank even though they prefer not to. One mother, for example, said that she does not believe in CP. She added, “you know, reasoning and time-out don’t always work.” While this is certainly correct, it ignores the fact that CP does not always work, as illustrated by my study of 1003 mothers in two small cities in Minnesota.<sup>45</sup> Mothers were asked about the most recent time they used CP, and the behavior at which it was directed. They were then asked if they had previously hit the child for the same misbehavior. Seventy-three percent had previously used CP for that misbehavior.<sup>46</sup> This suggests a 73% failure rate for CP. The presumed necessity of spanking is so deeply imbedded in American culture that almost no one perceives this readily observable fact.

## 2. Spanking is Harmless

Another key element of American culture that sustains the violent child rearing of American children is the belief that if CP is done in moderation by loving parents, it is harmless. On the contrary, the research findings summarized later in this article show that this is another cultural myth. Longitudinal studies show that the long-term effect of spanking is to increase the probability of misbehavior relative to non-corporal methods of discipline. In addition, other longitudinal studies show that CP has harmful side effects.<sup>47</sup> However, parents have no way of looking into the future to see how their child will turn out compared to a child of parents who do not spank. Hence the most powerful reasons for avoiding spanking are not readily observable by parents, and the myth remains unchallenged.

### *B. Culturally Structured Misperception of Short-Run Effectiveness of CP*

American culture teaches **that** spanking works when other methods of discipline do not, but several studies show that spank-

---

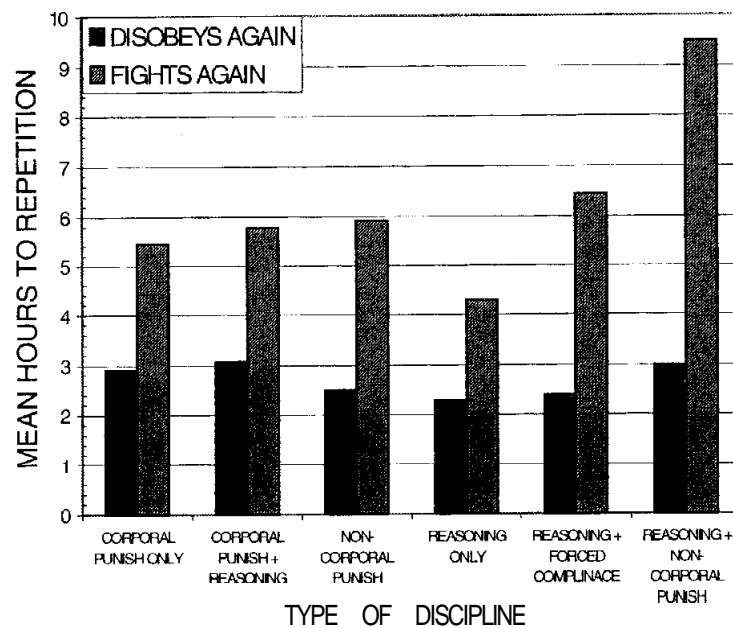
<sup>45</sup> See Murray A. Straus & Vera E. Mouradian, Impulsive Corporal Punishment by Mothers and Antisocial Behavior and Impulsiveness of Children, 16 Behav. Sci. & L. 3653,353 (1998).

See id.

<sup>47</sup> See, e.g., Straw & Paschall, *supra* note 34.

ing has no greater effectiveness than non-corporal punishments. One of these is the previously mentioned study suggesting a 73% failure rate.

**Figure 7. Hours to Repetition of Misbehavior by 40 Children Age 2-3<sup>48</sup>**



2,853 INSTANCES OF DISOBEDIENCE, 785 INSTANCES OFFIGHTING

The results of a more definitive study are given in Figure 7.<sup>49</sup> It shows the average number of hours following various methods of discipline before a toddler repeated a misbehavior. Spanking is no more effective than reasoning and explaining. Both methods get the child to stop, but typically for only a few hours and often for only a few minutes. When non-CP methods of correction are used, and the **almost** inevitable repetition of the misbehavior occurs, parents tend to attribute it to the ineffectiveness of the discipline tactic. After a few times, parents turn to spanking on the incorrect assumption that spanking works when all else fails. Figure 7 shows that this culturally ingrained belief is false.

<sup>48</sup> See Robert E. Larsele et al., The Effects of Discipline Responses in Delaying Toddler Misbehavior Recurrences, 18 Child & Fam. Behav. Therapy 35, 45-49 tbls.2, 3 (1996).

<sup>49</sup> For a report of the study, and its comparison of spanking with reasoning and explaining, see id. at 45-49.

Although the authors of several time-out programs recommend spanking,<sup>50</sup> a series of experiments by Roberts and colleagues demonstrate that spanking was no more effective than an escape-barrier method.<sup>51</sup> The escape-barrier method placed the child in a small room while holding a piece of plywood across the open door for a period of only one minute. Both the spanking and the barrier methods required a number of repetitions before the child was trained to stay in time-out by himself.<sup>52</sup> The spanked children engaged in more disruptive behavior (such as yelling and whining) before achieving compliance, and it took an average of 8.3 spankings to secure compliance, which was about the same number needed for the barrier method.<sup>53</sup>

The truth is that nothing works with toddlers because, on average, all disciplinary strategies have a low short-run effectiveness at this age. All forms of discipline, including spanking, require many repetitions. The difference between spanking and other disciplinary tactics is that parents are prepared to spank over and over again until it works, but they give up quickly when non-corporal disciplinary strategies do not work. The evidence just reviewed indicates that if parents show equal persistence in non-corporal strategies, they work as well as or better than CP. Parents, however, perceive the outcomes through a cultural lens that focuses on the failures of non-corporal disciplinary tactics and blinds them to the equal failure rate of CP.<sup>54</sup>

#### IV. THE SOCIAL ORIGINS OF CULTURAL SUPPORT FOR CP

It is not sufficient to identify the cultural myths and norms supporting CP. It is also necessary to identify what gave rise to these myths and norms, and to understand why they continue in

---

<sup>50</sup> See, e.g., Sheila M. Eyberg & Stephen R. Boggs, Parent-Child Interaction Therapy: A Psychosocial Intervention for the Treatment of Young Conduct-Disordered Children, *in* Handbook of Parent Training 61, 72 (J.M. Briesmeister & C.E. Schaefer eds., 1998).

<sup>51</sup> See Dan E. Day & Mark W. Roberts, An Analysis of the Physical Punishment Component of a Parent Training Program, 11 *J. Abnormal Child Psychol.* 141, 149 (1983); Mark W. Roberts, Enforcing Timeouts With Room Timeouts, 4 *Behav. Modification* 353, 365 (1988); Mark W. Roberts & Scott W. Powers, Adjusting Chair Timeout Enforcement Procedures for Oppositional Children, 21 *Behav. Therapy* 257, 267 (1990).

<sup>52</sup> See Mark W. Roberts, *supra* note 51, at 361.

<sup>53</sup> See *id.*

<sup>54</sup> There are many other equally unfounded cultural myths about CP that cannot be presented here for lack of space. See, e.g., Straus, *supra* note 31, at 149-64.

the face of contrary empirically observable evidence. The basic principle is that, over time, groups and societies tend to create a culture that rationalizes and justifies whatever behavior characterizes the group. Thus, a violent society tends to glorify violence. Similarly, a society that uses cocaine tends to create cultural elements glorifying cocaine. Songs, such as Cole Porter's "I Get a Kick Out of You,"<sup>55</sup> reflected the cocaine use of the upper-middle class in the 1920s. There are similar themes in the music of the recent crack-using segments of the population, except that in addition, the current songs glorify the violence also prevalent in the crack epidemic. Given this principle, it should not be surprising that in a society where almost all parents hit children, there will be a shared belief that CP is necessary for the well being of children. Once these ideas become embedded in the culture, they become part of the social forces that perpetuate the system that gave rise to them.

#### *A. Why Nearly Everyone Hits Toddlers*

If the cultural supports for spanking are partly an outgrowth of the fact that nearly all parents hit toddlers, the next step is to understand why nearly all parents do this.

##### *1. Family Structure*

A basic reason for the wide prevalence of CP can be found in some key aspects of the structure of American families. Tucker and Ross, building on the theoretical approach of Donald Black,<sup>56</sup> point out that children "are in subordinate positions of extremely hierarchical relationships, and their young age limits the degree of bonding with parents. Moreover, younger children have minimal contact with those outside the household and thus have little third party support."<sup>57</sup> They argue that these three characteristics of American family structure; hierarchy, social distance, and social isolation may make it impossible or very difficult to eliminate CP altogether.

---

<sup>55</sup> Cole Porter, *I Get A Kick Out of You*, on *Anything Goes* (Harms 1934).

<sup>56</sup> See generally Donald Black, *The Behavior of Law* (1976); Donald Black, *Crime as Social Control*, 4X Am. Soc. Rev. 34, 34-45 (1983).

<sup>57</sup> James Tucker & Susan Ross, *Corporal Punishment and Black's Theory of Social Control*, in *Corporal Punishment of Children in Theoretical Perspective* (Michael Donnelly & Murray A. Straus eds., forthcoming).

## 2. Characteristics of Children

Children, especially toddlers, while lovable, are also incredibly demanding and infuriating. This demanding aspect is shown by observational studies which have found that a typical two- or three-year-old requires some directive or corrective action about once every six to ten minutes.<sup>58</sup> The infuriating aspect shown by the evidence is that, in the short run, all of these directions and corrections seem to have little effect. Larzelere, for example, found that the "recidivism" rate for misbehavior by two- and three-year-old children is about 80% during any one day.<sup>59</sup> Thus, although the spanking may serve to stop the misbehavior, there is an 80% chance that toddlers will repeat whatever they were corrected for within the same day, and often within the same hour.

## 3. CP is Gratifying

Hitting a child whose misbehavior frustrates and angers a parent may be satisfying, and the satisfaction derived from this may reinforce use of CP, even when CP does not work. By contrast, when non-corporal disciplines do not work, there is no satisfaction from venting anger, only frustration.

### *B. Social Transmission and Social Control*

#### 1. Social Learning

One of the most important ways the culture and the practice of CP is transmitted from generation to generation is through the social learning that takes place as a result of being spanked as a child. Straus found that the more CP a parent experienced as a teen-ager, the greater the chance that he or she will hit his or her own children.<sup>60</sup> Similarly, Graziano and Namaste found that 72% of young adults who were spanked believe that spanking is effective, as compared to only 28% of those who were not themselves

---

<sup>58</sup> See Thomas G. Fower & M. Lynn Chapieski, *Childrearing and Impulse Control in Toddlers: A Naturalistic Investigation*, 22 *Dev. Psychol.* 271, 272 (1986); C.L. Lee & J.E. Bates, *Mother-Child Interactions at Age Two Years and Perceived Difficult Temperament*, 56 *Child Dev.* 1314, 1317 (1985).

<sup>59</sup> See Robert E. Larzelere et al., *Punishment Enhances Reasoning's Effectiveness as a Disciplinary Response to Toddlers*, 60 *J. Marriage & Fam.* 388,396 (1998).

<sup>60</sup> See Straus, *supra* note 31, at 58.

spanked.<sup>61</sup> A Swedish study found that 41% of those who were physically punished believed that it was necessary in bringing up children, compared to only 11% of those who had not been hit by their parents.<sup>62</sup>

## 2. Pro-spanking Advice from Primary Group Network

Twenty-five years ago, Suzanne Steinmetz and I wrote about "The Family As Cradle of Violence."<sup>63</sup> We wrote that both the immediate family and extended kin network advise use of CP. If a child persists in some misbehavior, it is common for grandparents, bothers, sisters, and friends to tell the mother, "what that child needs is a good hard spanking." Although such advice has probably decreased in the ensuing generation, it is still frequent. For example, the sample of 1003 Minnesota mothers interviewed in the 1993 survey mentioned previously<sup>64</sup> were asked where they got information about how to handle discipline problems. As might be guessed, almost everyone got child-rearing advice from family (96%). They were then asked if the advice had been in favor of or opposed to CP. Only 18% of those who gave family advice opposed CP, whereas 43% recommended CP.<sup>65</sup>

## 3. Implicit Endorsement of Spanking by "Experts"

At one time, CP was also recommended by religious and secular experts. Susanna Wesley, the mother of John Wesley (founder of the Methodist church), was proud to say about her children: "when turned a year old (and some before), they were taught to fear the rod, and to cry softly. . . ."<sup>66</sup>

At first glance, current best selling books for parents seem to

---

<sup>61</sup> See Anthony M. Graziano & K.A. Namaste, Parental Use of Physical Force in Child Discipline: A Survey of 679 College Students, 5 J. Interpersonal Violence 449, 449-63 (1990).

<sup>62</sup> Peter Newell, Children are People Too: The Case Against Physical Punishment 16 (1989).

<sup>63</sup> Suzanne K. Steinmetz & Murray A. Straus, The Family as Cradle of Violence, Soc'y, Sept.-Oct. 1973, at 50-56. See also Suzanne K. Steinmetz & Murray A. Straus, General Introduction: Social Myth and Social System in the Study of Intra-Family Violence, in Violence in the Family 3, 3-25 (Suzanne K. Steinmetz & Murray A. Straus eds., 1974).

<sup>64</sup> See Straus & Mouradian, supra note 4.5, and accompanying text.

<sup>65</sup> These results are being published for the first time.

<sup>66</sup> Daniel R. Miller and Guy E. Swanson, The Changing American Parent: A Study in the Detroit Area 10 (195X).

have departed radically from the advice given in previous centuries. Current books suggest that it is best to use alternative disciplinary methods. However, the difference is not as great as it may seem because, rather than say “never spank,” almost all authors, including Spock, advise parents to avoid CP “as much as possible.”<sup>67</sup> The problem is that most parents, including parents of toddlers who spank three or more times a week, think that they are spanking only when necessary. Consequently, this advice is tantamount to a continued endorsement of CP. Such contradictions are common in parental advice literature.<sup>68</sup>

#### 4. Sanctions for not Spanking

The network of family and kin does more than communicate the myths and norms concerning the necessity of CP. Family and kin also enforce those norms by criticizing and shaming violators. Carson located and interviewed twenty-one families who did not spank.<sup>69</sup> She found that all twenty-one experienced pressure to spank. Their friends and relatives expressed concern that their children would be spoiled or “run wild.” In short, these non-spanking parents were treated as deviants and subject to sanctions to bring them back to normal behavior. And, like many other types of social deviants, they developed methods of disavowing their deviance. One method, for example, was to say that their child was so well-behaved that it was not necessary to spank. This is an effective deviance disavowal strategy because in contemporary American society, no one is likely to tell the parent to spank anyway. This strategy implicitly acknowledges the cultural norm concerning the necessity of spanking, while at the same time provides a socially acceptable explanation for why the norm was not applicable.

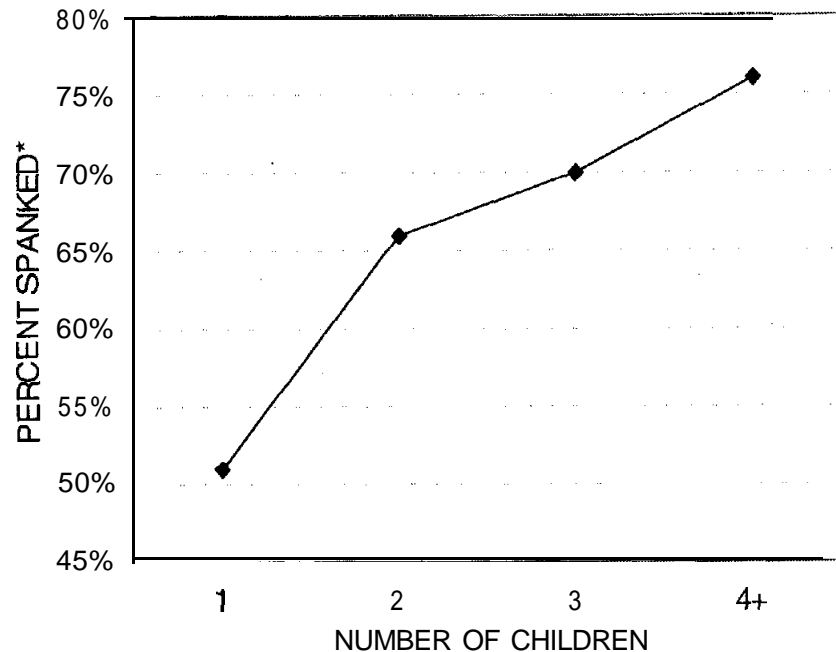
---

<sup>67</sup> Dr. Benjamin Spock, *Baby and Child Care* 338 (1992).

<sup>68</sup> See Straus, *supra* note 31, at 14-15.

<sup>69</sup> Barbara A. Carson, *Parents Who Don't Spank: Deviation in the Legitimization of Physical Force* (1986) (unpublished Ph.D. dissertation, University of New Hampshire) (on file with author).



**Figure 8. Corporal Punishment by Number of Children<sup>70</sup>**

\* CONTROLLING FOR AGE OF CHILD, SIBLING POSITION, AGE OF PARENT, AND SOCIOECONOMIC STATUS OF FAMILY

### C. Social Stress

Another of the many social causes of CP is social stress, such as unemployment, poverty, and spousal assault. Each of these stresses is associated with a higher than average use of CP. This can be illustrated with two examples. Both examples are from studies that controlled for other variables such as socioeconomic status and whether the parent grew up in a family in which the parents were violent to each other.

One of the most common stresses faced by families is coping with more than one child. Consistent with this conceptualization, Asdigian and Straus found that the more children in a family, the greater the probability that such children will be spanked (Figure 8).<sup>71</sup>

Although there is abundant evidence that stress is associated

<sup>70</sup> See Nancy L. Asdigian & Murray A. Straus, *There Was an Old Woman Who Lived in a Shoe: Number of Children and Corporal Punishment* 3, 7-8 (Aug. 9, 1997) (paper presented at the Annual Meeting of the American Sociological Association) (on file with author).

<sup>71</sup> See *id.*

with all kinds of violence, ranging from spanking children to murder, it is important to note that stress does not automatically lead to violence. Some people become violent under stress and others do not. In a study of stress and physical assaults on a spouse, I found that stress was associated with violence primarily among those who grew up in violent families.<sup>72</sup> Therefore, part of the explanation takes us back to social learning.

#### *D. Occupational Role Requirements*

Every society develops methods of bringing up children that will equip them to fulfill the roles they will play as adults. Agricultural and traditional industrial societies need adults to function as obedient members of hierarchical groups, such as the patriarchal farm family, the patriarchal church, or the assembly-line factory. It is no accident that the only adult institution in Western society that continued CP into the twentieth century was the most hierarchical of all institutions—the military. Families also have remained very hierarchical and many parents continue to value unquestioning obedience, both for its own sake and as “preparation for life.” If unquestioning obedience is indeed an important part of the life into which children must fit, then CP can help equip children to take their place in that type of society.<sup>73</sup> Evidence from cross-cultural studies using the Human Relations Area Files shows that “the more conformity is valued relative to self-reliance, the more physical punishment is used in child rearing.”<sup>74</sup>

In a post-industrial society, however, there are relatively few jobs that fit the “strong back and a weak mind” mold. Instead, the

---

<sup>72</sup> See Murray A. Straus, Social Stress and Marital Violence in National Sample of American Families, in *Forensic Psychology and Psychiatry* 229, 229-50 (Fred Wright et al. eds., 1980).

<sup>73</sup> See generally Melvin L. Kohn, *Class and Conformity: A Study in Values* 24 (1969) (arguing that working class parents value conformity and thus punish their children for violations of externally imposed proscriptions); Melvin L. Kohn & Carmi Schooler, *Work and Personality: An Inquiry into the Impact of Social Stratification* (1983). See also Leonard I. Pearlin, *Class Context and Family Relations: A Cross-National Study* 121 (1967) (“(Parental discipline) is not exercised [for its own sake, but is an important and patterned aspect of parent-child relations, instrumental to the socialization process.”).

<sup>74</sup> Godfrey J. Ellis & Larry R. Peterson, Socialization Values and Parental Control Techniques: A Cross-Cultural Analysis in *Child Rearing*, 23 *J. Comp. Fam. Stud.* 47 (1992).

predominant occupations are in services and management, and in the professions and sciences. Thus, an unprecedented proportion of the population must be self-directed, autonomous, and creative, and have the skills to cooperate, explain, and negotiate. The hierarchy of management remains, but at each level, team management is more and more prevalent. The same trends are occurring among blue-collar workers as jobs require flexibility and decision-making more than the brute force and the perseverance to maintain the pace of **an** assembly line. This transformation is illustrated by the oil refinery workers studied by Blauner.<sup>75</sup> Where the assembly line persists, line work is also transforming through an organizational shift to teams of workers who have mutual responsibility for production and for quality control of a product or a major component **of** a product.

The changing requirements of the workplace may help to explain why we seem to be on the threshold of a moral passage that will transform Western culture from one in which almost all children are socialized by CP to one in which CP occurs for only a small minority of the population.

### *E. Community Violence*

Space permits mention of only one more of the social causes of CP—the level of violence in the community. Analyses of world samples of societies show that the more warfare a society engages in, the greater its use of CP.<sup>76</sup> Within the United States, African-Americans forged their culture in a **caldron** of violence under slavery and Jim Crow, and a large proportion of African-Americans now live in the nation's most violent neighborhoods. Consistent with this is the stronger endorsement of CP by African-Americans than by Euro-Americans.<sup>77</sup> This is another example of the principle that, over time, groups and societies tend to create a culture that rationalizes and justifies whatever **circumstances** and behavior characterize the group.

---

<sup>75</sup> See Robert Blauner, *Alienation and Freedom: The Factory Worker and His Industry* 167 (1964) (describing how continuous process technology in oil refineries has changed the dominant job requirement from manual skill to responsibility).

<sup>76</sup> See David Levinson, *Family Violence in Cross-Cultural Perspective* 40-43 (1989).

<sup>77</sup> See Straus & Mathur, *supra* note 40; Clifton P. Flynn, Normative Support for Corporal Punishment: Attitudes, Correlates, and **Implications**, 20 *Child Abuse & Neglect* 47, 47-55 (1996).

## V. FIVE STUDIES DOCUMENTING CP'S HARMFUL EFFECTS

As noted earlier, because CP is a legal and expected behavior by parents, most people do not perceive that it is also a form of physical violence. Although there are important differences between experiencing violence in the form of CP by parents and in the form of being slapped by a colleague at work or by a stranger, there are also important similarities. One similarity is the motivation to strike. Most CP and most assaults by peers, including two-thirds of murders in the United States, are carried out to correct what the offender believes is the misbehavior of the victim.<sup>78</sup> Another similarity is that victims of CP, like victims of other types of violence, have an increased risk of serious and often life-long problems, as discussed below.

### A. Overview

#### 1. Pre- 1997 Studies

The increased risk that a child will become physically violent is the harm of CP most frequently investigated over the past forty years. This link between CP and the physical aggressiveness of a child was clearly shown in a 1957 study by Sears, Maccoby, and Levin,<sup>79</sup> and by almost all of the more than eighty studies since then.<sup>80</sup> For example, Figure 9 shows the results of a study of kindergarten children by Strassberg.<sup>81</sup> The results demonstrate that spanked children had double the rate of physical aggression against other children in school. Likewise, Figure 10 shows that the relationship between corporal punishment and physical aggression extends into adulthood, as reflected in rates of spousal assault.<sup>82</sup>

---

<sup>78</sup> See generally Franklin E. Zimring and Gordon Hawkins, *Crime is Not the Problem: Lethal Violence in America* 159-84 (1997).

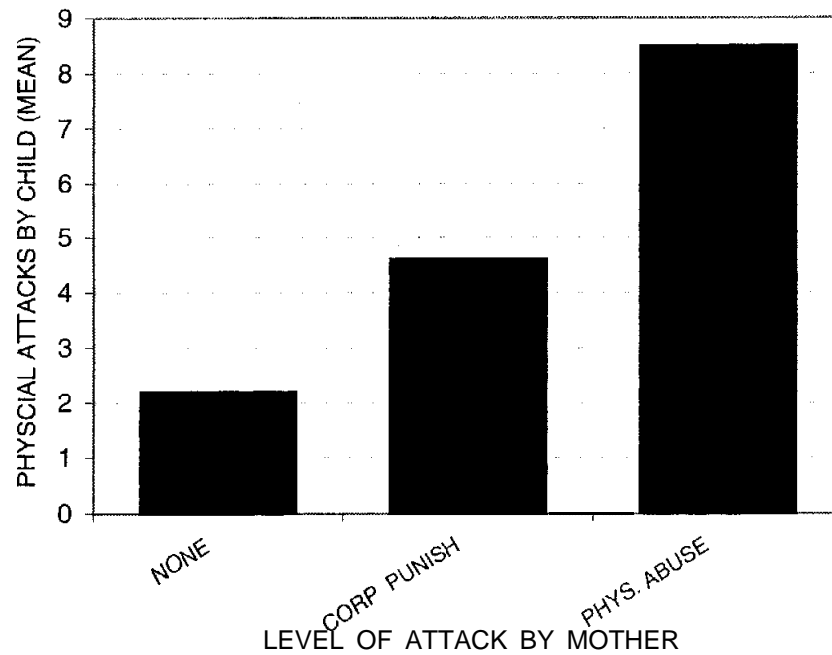
<sup>79</sup> Robert R. Sears et al., *Patterns of Child Rearing* 259,262 (1957).

<sup>80</sup> See generally Elizabeth E. Thompson, *The Short- and Long-Term Effects of Corporal Punishment on Children: A Meta-Analytic Review* (forthcoming) (on file with author).

<sup>81</sup> Zvi Strassberg et al., *Spanking in the Home and Children's Subsequent Aggression Toward Kindergarten Peers*, 6 *Dev. & Psychopathology* 445,44561 (1994).

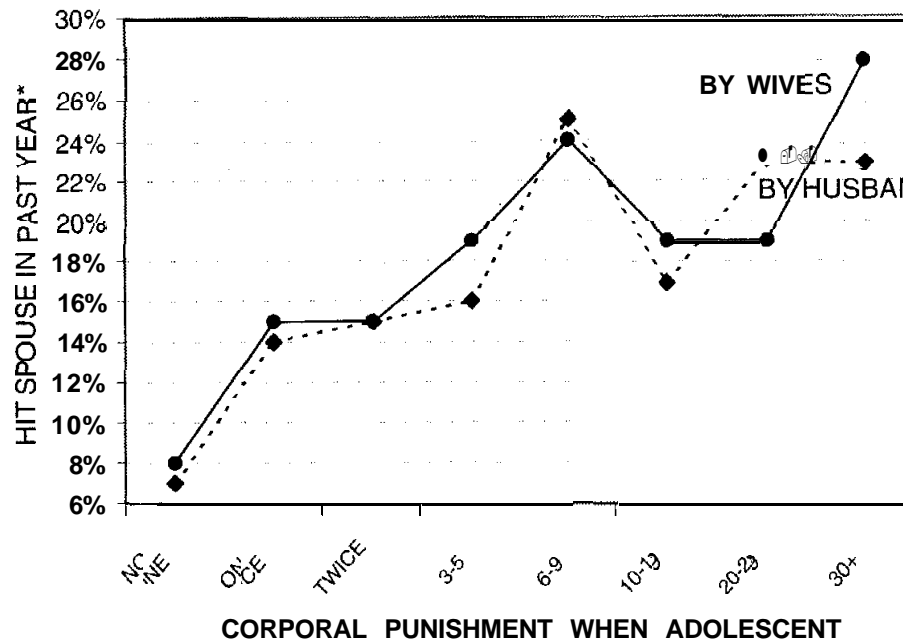
<sup>82</sup> See also Murray A. Straus & Carrie L. Yodanis, *Corporal Punishment in Adolescence and Physical Assaults on Spouses*, 58 *J. Marriage & Fam.* 825, 825-41 (1996).

**Figure 9. Physical Attacks on Other Children in Kindergarten, by Physical Attacks on Child by Mother Six Months Earlier\*\***



83 See Strassberg et al., *supra* note 81, at 452.

**Figure 10. Percent Who Hit Spouse in Past Year by Corporal Punishment as an Adolescent<sup>84</sup>**



\* CONTROLLING FOR VIOLENCE BETWEEN RESPONDENT'S PARENTS, AGE, SOCIOECONOMIC STATUS, ETHNIC, GROUP OF RESPONDENT, AND NUMBER OF CHILDREN.

Although several of these studies controlled for multiple variables, such as socioeconomic status and violence between the parents, they are all open to criticism on the ground that they did not account for aggressive behavior itself. Let us take the example of Figure 10 which shows that the more CP, the greater the probability of hitting a spouse later in life. Those findings could simply reflect the fact that the parents were responding to a high level of aggression by the child, i.e., they spanked because the child repeatedly grabbed toys from or hit a sibling. Since aggression is a relatively stable trait, it is not surprising that **the most** aggressive children early in life remain the most aggressive as adults, and are now hitting their spouses. These studies can be interpreted as showing **that** behavior problems of children cause parents to use CP, rather than showing that CP causes behavior problems. To deal with that dilemma, research on CP needs to use a "longitudinal" design **that** controls for the child's aggression or other antisocial behavior at Time 1 (the time of the spanking), and then ex-

<sup>84</sup> See Straus & Yodanis, *supra* note 82

amines the effects of CP on the child's behavior over time.

## 2. Advances since 1997

The three-year period from 1997 to 1999 marked a turning point in research on CP. In this period, five landmark studies became available. They can be considered "landmark" studies because they were the first in forty years of research to overcome the serious defect on the long-term effects of CP just mentioned. All five of the new studies took into account the child's antisocial behavior at Time 1, and all five were based on large and nationally representative samples of American children.

A word of caution on approaching the findings of these studies-CP is a "risk factor," not a one-to-one cause, of the harmful outcomes investigated. It is similar to the relation between smoking and lung cancer. Heavy smokers (more than a pack a day) have about a one out of three chance of dying from a smoking related disease.<sup>85</sup> One out of three is a big risk, and it has led millions to stop smoking. However, the same figure also means that two-thirds of heavy smokers will not die of it. Consequently two out of three heavy smokers will be able to say at age sixty-five: "this research is nonsense. I smoked all my life and I'm fine." That, in fact, was the reaction when the research on smoking started coming out forty years ago. There is now a similar reaction to the research on spanking. Most people can say "I was spanked, and I am okay," and in most cases they will be right. But, they will be wrong if they also believe that their own condition disproves the research on the harmful side effects of CP.

### *B. Study 1: Corporal Punishment and Subsequent Antisocial Behavior*

For this research, my colleagues and I studied over 3,000 children in the National Longitudinal Survey of Youth.<sup>86</sup> The children were in three age groups: three to five, six to nine, and ten to fourteen. The mothers of all three groups of children were interviewed at the start of the study in 1988 and then again in 1990 and

---

<sup>85</sup> See Margaret E. Mattson et al., What are the Odds that Smoking Will Kill You?, 77 Am. J. Pub. Health 425,42531 (1987).

<sup>86</sup> See Murray A. Straus et al., Spanking by Parents and Subsequent Antisocial Behavior of Children, 151 Archives Pediatric & Adolescent Med. 761,762 (1997).

1992. The findings were very similar for all three age groups across the time period studied. To avoid excess detail, the following analysis only describes the results for the six- to nine-year-old children, and for the change in antisocial behavior two years after the first interview.

### 1. Measure of Corporal Punishment and Antisocial Behavior

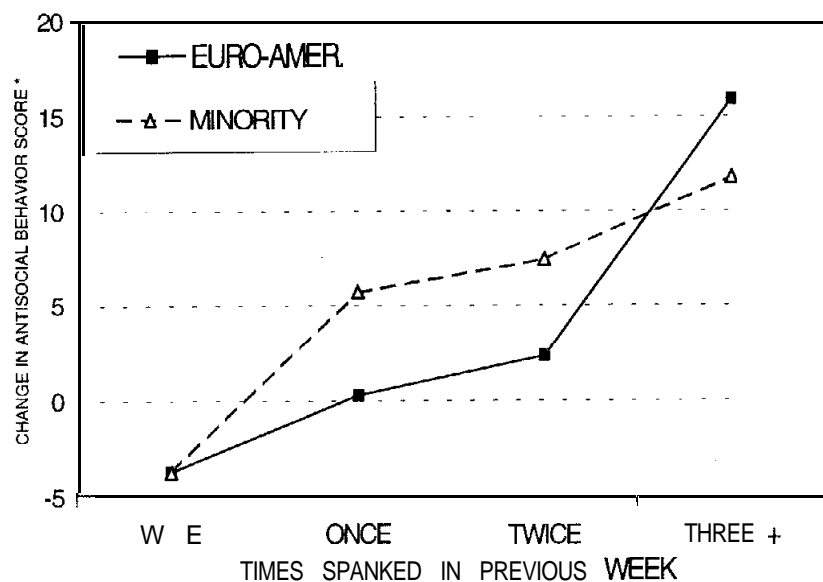
To measure CP, the mothers were told: “sometimes kids mind pretty well and sometimes they don’t,” and asked “about how many times, if any, have you had to spank your child in the past week?” Antisocial behavior was measured by asking the mothers whether, in the past three months, the child cheated or told lies, bullied or was cruel or mean to others, did not feel sorry after misbehaving, broke things deliberately, was disobedient at school, or had trouble getting along with teachers.

### 2. Other Variables

We also took into account several other variables that could affect antisocial behavior by the child. These included the sex of the child, cognitive stimulation provided by the mother, emotional support by the mother, ethnic group of the mother, and socioeconomic status of the family.



**Figure 11. Change in Antisocial Behavior From 1988 to 1990 by Spanking in 1988 (Children 6-9)<sup>87</sup>**



\* ADJUSTED FOR TIME-1 ANTISOCIAL BEHAVIOR, COGNITIVE STIMULATION AND EMOTIONAL SUPPORT BY THE MOTHER, CHILD GENDER, AND SOCIOECONOMIC STATUS CP67-1 ANTISOCIAL

### 3. Findings

Figure 11 shows that the more CP is used during the first year of the study, the greater the tendency for antisocial behavior to *increase* subsequent to the CP.<sup>88</sup> Of course, other things also influence antisocial behavior. For example, girls have lower rates of antisocial behavior than boys, and children whose mothers are warm and supportive are less likely to behave in antisocial ways.<sup>89</sup> Although these other variables do lessen the effect of CP, we found that the tendency for CP to make things worse over the long run applies regardless of race, socioeconomic status, gender of the child, and the extent to which the mother provides cognitive stimulation and emotional support.<sup>90</sup>

<sup>87</sup> See id.

<sup>88</sup> See id. at 762, 765.

<sup>89</sup> See id.

<sup>90</sup> See id. at 766.

### *C. Study 2: A Replication of CP and Antisocial Behavior*

Gunnoe and Mariner analyzed data from another large and representative sample of American children-the National Survey of Families and Households.<sup>91</sup> They studied 1112 children in two age groups: four to seven and eight to eleven. In half of the cases the mother was interviewed and in the other half, the information was provided by interviews with the father. The parents were first interviewed in 1987-88, and then again five years later. Gunnoe and Mariner's measure of CP was the same as in Study 1-whether the parent spanked in the previous week and, if so, how often. Gunnoe and Mariner examined the effect of CP on two aspects of the child's behavior: fighting at school and antisocial behavior. Their antisocial behavior measure was also the same as in Study 1.

#### 1. Findings on Fighting

Gunnoe and Mariner found that the more CP in 1987-88, the greater the amount of fighting at school five years later.<sup>92</sup> This is consistent with the theory that, in the long run, CP is counterproductive. However, for toddlers and for African-American children, they found the opposite, i.e. that CP is associated with less fighting five years later.<sup>93</sup> Gunnoe and Mariner suggest that this occurs because younger children and African-American children tend to regard CP as a legitimate parental behavior rather than as an aggressive act.<sup>94</sup> However, CP by parents of young children and by African-American parents is so nearly universal (for example, 94% of parents of toddlers)<sup>95</sup> that its absence suggests an alternative explanation for increased aggression-that no CP means no discipline. If that is the case, it is no wonder that children whose parents exercise no discipline are worse-behaved. CP may not be good for children, but failure to properly supervise and control is even worse.

#### 2. Findings on Antisocial Behavior

Gunnoe and Mariner's findings on the relation of CP to antiso-

---

<sup>91</sup> See Majorie Linder Gunnoe & Carrie Lea Mariner, Toward a Developmental-Contextual Model of the Effects of Parental Spanking on Children's Aggression, 151 *Archives Pediatric Adolescent Med.* 768, 769 (1997).

<sup>92</sup> See id. at 712.

<sup>93</sup> See id. at 774.

<sup>94</sup> See id. at 771, 774.

<sup>95</sup> See *infra* sec. I.A., fig. 1.

cial behavior show that the more CP experienced by the children in Year 1, the *higher* the level of antisocial behavior five years later. Moreover, they found that the harmful effect of CP applies to all the categories of children they studied—that is, to children in each age group, to all races, and to both boys and girls. Gunnoe and Mariner conclude that this replicates the findings of Study 1.<sup>96</sup> Thus, both of these major, long-term studies resulted in evidence that, although CP may work in the short run, in the long run it is associated with more antisocial behavior for children of all ages and all ethnic groups.

#### *D. Study 3: CP and Child-to-Parent Violence*

Brezina analyzed data from a nationally representative sample of 1886 adolescent boys who participated in the Youth in Transition study.<sup>97</sup> This is a two-wave panel study that started in 1966. Although the data refer to a previous generation of high school students, the current relationship between CP and children hitting parents is probably similar to that existing at the time of the study.

##### *I. Measure of Parental Corporal Punishment and Child Aggression*

CP was measured by asking the boys: “how often do your parents actually slap you?” The response categories ranged from 1 (never) to 5 (always). Twenty-eight percent of the boys reported having been slapped by their parents during the year of the first wave of the study when their average age was fifteen, and nineteen percent were slapped during the wave two year, a year and half later.<sup>98</sup> The boys were asked similar questions about how often they hit their father and their mother. Eleven percent reported hitting a parent the first year, and seven percent reported hitting a parent at wave two of the study.<sup>99</sup>

##### *2. Conclusions*

Brezina found that CP at Time 1 was associated with an *in-*

---

<sup>96</sup> See Gunnoe & Mariner, *supra* note 91, at 772.

<sup>97</sup> Timothy Brezina, Teenage Violence Toward Parents as an Adaptation to Family Strain: Evidence from a National Survey of Male Adolescents, 30 *Youth & Soc’y* 416, 424-25 (1999).

<sup>98</sup> See *id.* at 426.

<sup>99</sup> See *id.*

creased probability of a child assaulting the parent a year and a half later.<sup>100</sup> Thus, while it is true that CP teaches the child a lesson, the lesson demonstrated by this study is, on average, the opposite of the lesson probably intended by the parents.

As with the other studies, the data analysis took into account some of the many other factors that affect the probability of child-to-parent violence. These include the socioeconomic status and race of the family, the age of the parents, the child's attachment to the parent, the child's attitude toward aggression, and the child's physical size.<sup>101</sup>

#### *E. Study 4: CP and Dating Violence*

Simons and his colleagues tested the theory that CP by parents increases the probability of later hitting a partner in a dating relationship.<sup>102</sup> They studied 113 boys in rural Iowa, beginning when they were in the seventh grade, or about age thirteen.<sup>103</sup>

##### *1. Measures of Corporal Punishment, Dating Violence, and Delinquency*

The mothers and the fathers of these boys were asked how often they spanked or slapped the child when he did something wrong, and how often they used a belt or paddle for CP. These questions were repeated in waves 2 and 3 of this five-year study.<sup>104</sup> The scores for the mother and the father for each of the three years were combined to create an overall measure of CP. More than half of the boys experienced CP during those years.<sup>105</sup> Consequently, the findings about CP apply to the majority of boys in that community, not just to the children of a small group of violent parents. The information on dating violence came from the boys themselves, so it was not influenced by whether the parents viewed the boys as aggressive. The boys were asked, in the last year, "when you had a disagreement with your girlfriend, how of-

---

<sup>100</sup> See *id.* at 433.

<sup>101</sup> See *id.* at 427-28.

<sup>102</sup> Ronald L. Simons et al., *Socialization in the Family of Origin and Male Dating Violence: A Protective Study*, 60 *J. Marriage & Fam.* 467,467.78 (1998).

<sup>103</sup> See *id.* at 47 I

<sup>104</sup> See *id.*

<sup>105</sup> See *id.* at 473.

ten did you hit, push, or shove her?"<sup>106</sup> Simons and his colleagues controlled for a given respondent's predisposition to misbehave by asking the boys at Time 1 how often they engaged in each of twenty-four delinquent acts such as skipping school, stealing, and physically attacking someone with a weapon; and also how often they used drugs and alcohol.<sup>107</sup>

## 2. Parental involvement and support

Finally, the study took into account the extent to which the parents showed warmth and affection, were consistent in their discipline, monitored and supervised their children, and explained rules and expectations. In addition, it also controlled for witnessing parental violence.<sup>108</sup>

## 3. Findings

Simons and his colleagues found that the more CP experienced by these boys, the greater the probability of their physically assaulting a girlfriend.<sup>109</sup> What makes this study so important is that the statistical analysis took into account the misbehavior that leads parents to use CP, and also for the quality of parenting. This means that the relation of CP to violence against a girlfriend is very unlikely to be a reflection of misbehavior at Time 1, or of poor parenting. Rather, it is another study showing that the long run effect of CP is to engender more, rather than less, misbehavior. In short, spanking boomerangs.

### *F. Study 5: CP and Child's Cognitive Development*

The last of the five longitudinal studies<sup>110</sup> was prompted by studies showing that talking to children, including pre-speech infants, is associated with an increase in neural connections in the brain and in cognitive performance.<sup>111</sup> Those findings led us to theorize that if parents avoid CP, they are more likely to engage in verbal methods of behavior control, such as explaining to the

---

<sup>106</sup> See *id.*

<sup>107</sup> See *id.* at 472.

<sup>108</sup> See *id.*

<sup>109</sup> See *id.* at 474.

<sup>110</sup> See generally Straus & Paschall, *supra* note 34.

<sup>111</sup> See, e.g., Sandra Blakeslee, In Brain's Early Growth, Timetable May be Crucial, N.Y. Times, Aug. 29, 1995, at C1.

child, and that the increased verbal interaction will in turn enhance the child's cognitive ability.

This theory was tested on 806 children of mothers in the National Longitudinal Study of Youth who were age two to four in the first year of our analysis.<sup>112</sup> A year later, the research was repeated for an additional 704 children who were age five to nine. Corporal punishment was measured by observing whether the mother hit the child during the interview and by questioning the mother about the frequency of spanking in the past week.<sup>113</sup> A corporal punishment scale was created by adding the number of times the parent spanked in two sample weeks.<sup>114</sup> Cognitive ability was measured in Year I and Year 3 by tests appropriate for the age of the child at the time of testing, such as the Peabody Picture Vocabulary Test.<sup>115</sup>

The study took into account the mother's age and education, whether the father was present in the household, the number of children in the family, the mother's supportiveness, cognitive stimulation, and ethnic group, and the child's age, gender, and birth weight.<sup>116</sup>

Figure 12 shows what we found. To understand these findings, it is necessary to keep in mind that the cognitive ability scores were computed so that at each age, a score of 100 is the average. Consequently, a score of -1.5 in Figure 12 indicates lagging behind the average rate of cognitive development, not an absolute decrease in cognitive ability.<sup>117</sup> Even with this in mind, Figure 12 is somewhat difficult to understand, so I will describe the results point by point.

---

<sup>112</sup> See Straus & Paschall, *supra* note 34, at i.

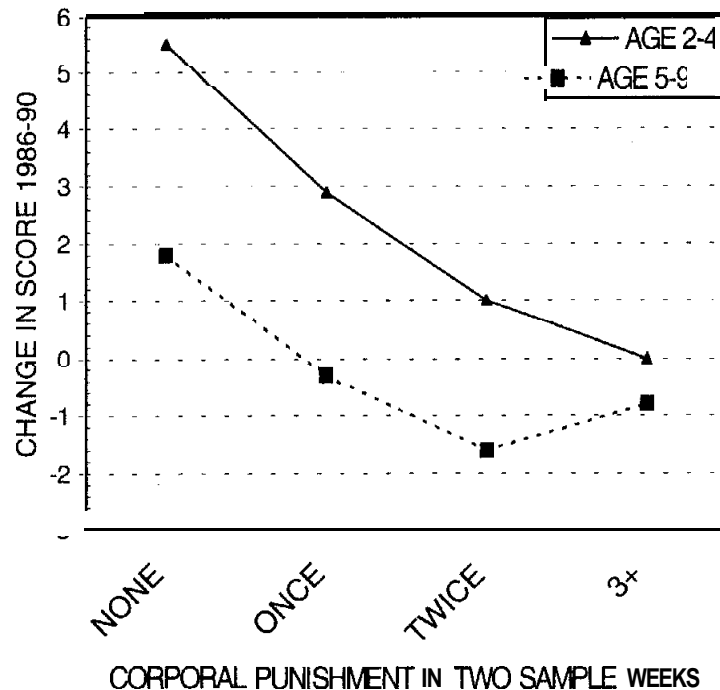
<sup>113</sup> See *id.*

<sup>114</sup> See *id.* at 4.

<sup>115</sup> See *id.*

<sup>116</sup> See *id.* at 3.

<sup>117</sup> See *id.* at 11.

Figure 12. Change in Child Cognitive Ability by Corporal Punishment <sup>118</sup>

### 1. Children Age 2-4

The upper line of Figure 12 is for children age two to four at the start of the study. (1) At the right side of the upper line are the children who were hit three or more times in the two sample weeks. This was the typical experience for children this age (48%). Since they are the average children, it should not be surprising that they followed the typical pattern of cognitive development, as shown by the mean change of zero; i.e., they did not gain or fall behind other children in their cohort. (2) The next group of children to the left are those who were hit less often during the two sample weeks (two times). Their mean of +1 indicates that they experienced slightly above average cognitive development. (3) The children who were hit only once during those two weeks gained considerably **more** (an average of three points) during the two years covered by the study. (4) Finally, at the upper left are the rare children (only 6.7%) who were not spanked in either of the two sample weeks. They gained an average of 5.5 points relative to the average cognitive ability of children their

age. In summary, the upper line of Figure 12 shows that the less CP parents use on a toddler, the greater the probability that the child will have an above-average growth in cognitive ability.

## 2. Children Age 5-9

The lower line of Figure 12 is for children age five to nine. (1) The plot point for the children who were not spanked in the two sample weeks shows that they experienced above average cognitive growth during the two years of this study. However, the benefit is not as great as for toddlers (just under two points compared to 5.5 points for toddlers), perhaps because at ages five to nine, spanking is more exceptional, or because the period of most rapid development of neural connections is complete. (2) Children who were spanked **once** during the two sample weeks (the typical experience for this age) also experienced the normal pattern of cognitive development. However, those who were spanked **two or three** times during the two sample weeks, i.e. spanked more than average for this age, fell behind the average cognitive development.

The greater benefit of avoiding CP for the younger children is consistent with the research showing the most rapid growth of neural connections in the brain at early ages.<sup>119</sup> This has an extremely important practical implication because the defenders of CP have now retreated to limiting their advocacy to toddlers.<sup>120</sup> Their recommendation is not based on empirical evidence. The evidence **from** this study suggests that, at least in so far as cognitive development is concerned, supporters of CP have unwittingly recommended CP at the age when CP is likely to have the most adverse effect on cognitive development.

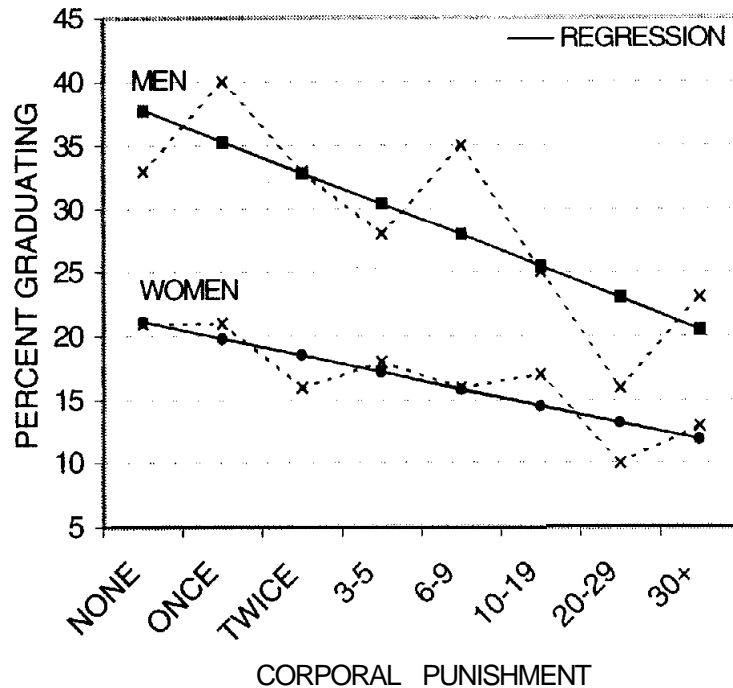
---

<sup>119</sup> See *id.*

<sup>120</sup> See Stanford B. Friedman & S. Kenneth Schonberg, Consensus Statements, in *The Short- and Long-Term Consequences of Corporal Punishment* 849, 850 (Stanford B. Friedman & S. Kenneth Schonberg eds., 1996).



Figure 13. College Graduation by Corporal Punishment as an Adolescent<sup>121</sup>



### G. Other Psycho-Social Problems

Taken together, the first four studies demonstrate that CP is no more effective than non-corporal disciplinary strategies, and that overall CP is counterproductive since it tends to foster aggression and antisocial behavior. The fifth study indicates that CP can hinder cognitive development, and there is now research indicating that CP also is a risk factor for a surprisingly large number of other serious and life-long problems.<sup>122</sup> I will illustrate a few of them.

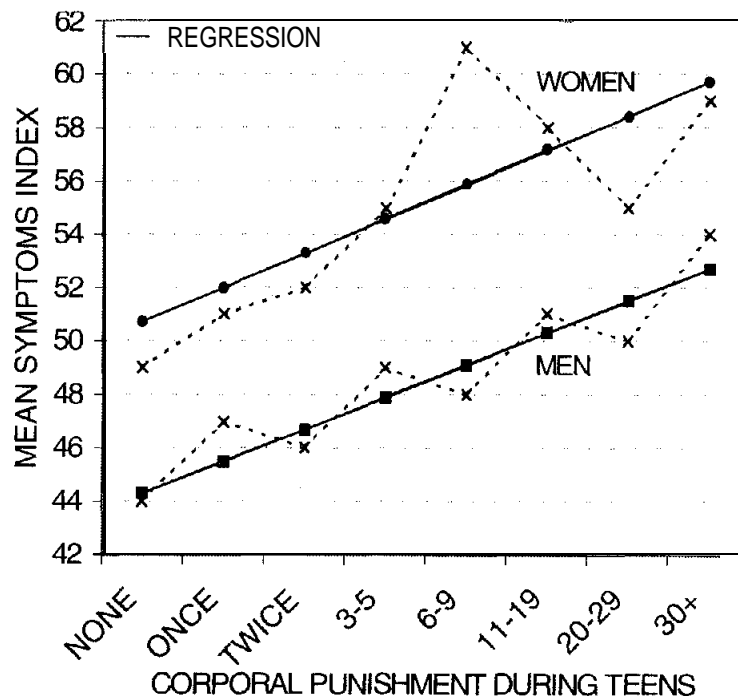
<sup>121</sup> See Straus & Mathur, *supra* note 40, at 91.

<sup>122</sup> See Straus, *supra* note 31, at 145.

### 1. Educational Attainment

If CP interferes with cognitive development, it follows that it should also interfere with behaviors that depend heavily on cognitive ability, such as educational attainment, and that is exactly what Figure 13 shows.

**Figure 14. Depressive Symptoms by Corporal Punishment by Parents<sup>123</sup>**



### 2. Depression

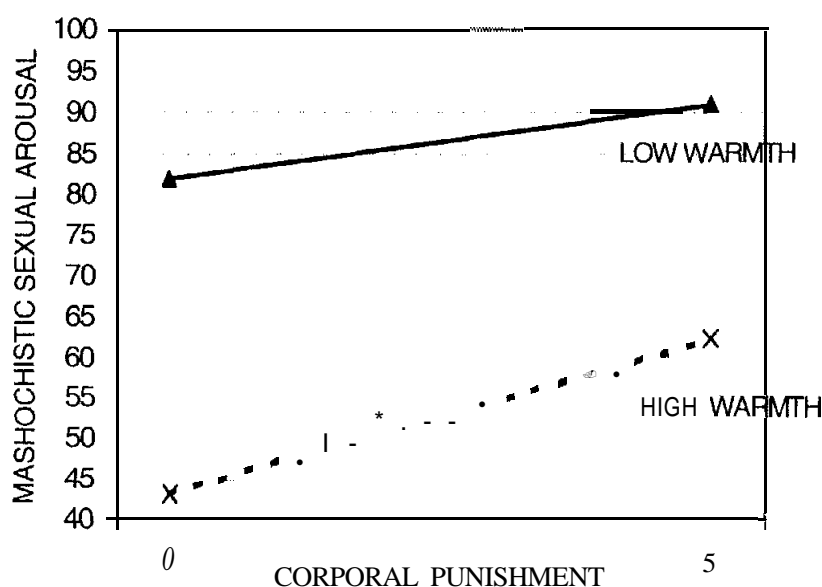
Another adult problem that is associated with CP is depression. Figure 14 shows that for both men and women, the more CP experienced at age thirteen, the greater the number of depressive symptoms as an adult.

<sup>123</sup> See Straus & Paschall, *supra* note 34, at I-18.

### 3. Masochistic Sex

There is considerable historical and case study evidence that the experience of CP at the hands of a loving parent may have the effect of fusing feelings of love and violence.<sup>124</sup> That evidence was the basis for the hypothesis that the more a person had been spanked as a child, especially if the spanking was done by loving parents, the greater the probability that they would want to be spanked when having sex. Figure 15 shows that as the amount of CP increases, so does the probability that the respondent experienced at least one instance of having been sexually aroused by spanking or other masochistic sexual experiences.<sup>125</sup>

**Figure 15. Probability of Masochistic Sexual Arousal by Corporal Punishment and Parental Warmth**<sup>126</sup>



\* ADJUSTED FOR PARENTAL MONITORING, CONSISTENCY, REASONING, PHYSICAL ABUSE, AND SOCIOECONOMIC STATUS

<sup>124</sup> See, e.g., Ian Gibson, *The English Vice: Beating, Sex and Shame in Victorian England and After 18-20* (1978); Jean-Jacques Rousseau, *The Confessions of Jean-Jacques Rousseau* 19 (W. Conyngham Mallory trans., 1935).

<sup>125</sup> See also Murray A. Straus & Denise Donnelly, *The Fusion of Sex and Violence*, in Straus, *supra* note 31, at 130-31.

<sup>126</sup> See *id.*

## VI. EFFECTS OF CORPORAL PUNISHMENT ON SOCIETY

Table 1 compares the prevalence of various social problems among those who experienced a great deal of CP with those who experienced none during the referent period. The right column of Table 1 shows the amount by which the problem might decrease if CP were eliminated. Strange as it may appear, such a seemingly innocuous practice as spanking a disobedient child may have major effects on society as a whole.

A problem with Table 1 is that it compares those who experienced no CP with those who experienced the highest frequency of CP. Most parents use CP far less frequently than the highest group. Consequently, if CP were ended, rather than reductions of from 34% to 80%, the actual reductions in social harms would be much smaller. For example, the elimination of CP might only yield a 10% reduction in these problems. Is that a major social change? It clearly is for the 10% who are spared the problem. In addition, there are also indirect victims. A much larger percentage could be spared the pain of crimes perpetrated by the direct victims, or spared the grief and disruption of a mentally ill spouse or child. And society could be spared a substantial part of the monetary costs of the mental health problems and loss of productivity associated with CP.

**Table 1. How Much Could Ending Corporal Punishment Decrease Psychological and Social Problems?**

	<u>CORPORAL PUNISHMENT</u>		
	<u>HIGH</u>	<u>NONE</u>	<u>CHANGE</u>
<u>A. CHILD BEHAVIOR PROBLEMS</u>			
REPEATEDLY AND SEVERELY ATTACKED A SIBLING IN PREVIOUS 12 MONTHS <sup>127</sup>	40 %	18%	55% LESS
NUMBER OF TIMES HIT OTHER CHILDREN IN SCHOOL IN TWO WEEK PERIOD (MEAN) <sup>128</sup>	4.3	2.1	51% LESS
CHANGE IN MENTAL ABILITY IN 4 YEARS: <sup>129</sup>			
CHILDREN AGE 2-4 IN YEAR 1	0.0	+5.5	5.5% LESS
CHILDREN AGE 5-9 IN YEAR 1	-0.8	+1.8	2.6% LESS
JUVENILE DELINQUENCY IN PAST 12 MONTHS <sup>130</sup>	15%	3 %	80% LESS
SYMPTOMS OF PSYCHOLOGICAL DISTRESS (MEAN) <sup>131</sup>	.99	.65	34% LESS
<u>B. ADULT PROBLEMS</u>			
GRADUATE FROM COLLEGE <sup>132</sup>	15%	22 %	47 % MORE
SERIOUSLY DEPRESSED IN THE PREVIOUS 12 MONTHS (90TH PERCENTILE) <sup>133</sup>	13%	7 %	46% LESS
HIT SPOUSE IN PREVIOUS 12 MONTHS <sup>134</sup>	25 %	8 %	68% LESS
PHYSICALLY ABUSED OWN CHILD IN PAST 12 MONTHS (i.e. went beyond legal CP) <sup>135</sup>	24 %	8 %	67% LESS

<sup>127</sup> See Straus, supra note 31, at 102.

<sup>128</sup> See Strassberg et al., supra note 81, at 451-55.

<sup>129</sup> See Straus & Paschall, supra note 34, at ii fig. 1.

<sup>130</sup> See Straus, supra note 31, at 108.

<sup>131</sup> See Straus & Paschall, supra note 34, at 1.

<sup>132</sup> See Straus & Mathur, supra note 40, at 91.

<sup>133</sup> See Straus, supra note 31, at 74.

<sup>134</sup> See id. at 104.

<sup>135</sup> See id. at 94.

While the currently available research cannot estimate the percentage by which the problems in Table 1 would actually be reduced if CP were ended, and while no one can be sure that some new evil will not replace hitting children, Table 1 suggests that the following benefits could accrue to a society that raises its children non-violently:

- \* Parents will be able to bring up their children with less stress and hassle because young children, on average, will be better behaved. Among older children there will be less delinquency. When these children are adults and parents, they will be less likely to engage in physical abuse of their own children.
- \* Family relationships will be more rewarding because there will be a closer bond between parents and children.<sup>136</sup>
- \* A society with little or no hitting of children is likely to produce an adult population with fewer people who are alienated, depressed, or suicidal and is likely to experience fewer violent marriages.
- \* The potential benefits for the society as a whole include a reduction in crime rates, especially violent crimes, increased economic productivity, and less money spent on controlling or treating crime and mental illness.

## VII. SOCIAL POLICY IMPLICATIONS

The evidence presented in this article suggests the need for policies and programs to reduce or eliminate the social conditions that are at the root of the violent child rearing practiced by most American parents, and also programs to promote non-violent methods of child rearing. However, caution is needed because the effects of social change are notoriously difficult to predict. Eliminating CP does not guarantee that the new state of affairs would be better. What is perfect for most children may be excruciatingly painful for others. I do not believe that there can ever be a perfect society-unless one sees ant hill society as perfect! Every social arrangement suits some people better than others, so there are al-

---

<sup>136</sup> See generally Murray A. Straus & Kimberly A. Hill, *Corporal Punishment, Child-to-Parent Bonding, and Delinquency* (1997) (paper presented at the 5th International Family Violence Research Conference, Durham, NH) (on file with author).

ways casualties of society. Nevertheless, some social arrangements produce more casualties.<sup>137</sup> The evidence summarized in this article suggests that one of these arrangements is violent child-rearing.

Even the five longitudinal studies I summarized are far from perfect. They can be picked apart one by one, as can just about every epidemiological study. This is what the tobacco industry did with great success for a number of years. However, when the Surgeon General's committee on smoking reviewed the research, they concluded that despite the defects of the individual studies taken one by one, the cumulative evidence indicated that smoking causes lung cancer and other diseases, and they called for an end to smoking. With respect to spanking, I believe that these five studies provide sufficient evidence for a new Surgeon General's warning. In the meantime, in the wake of just two of the five studies, the American Academy of Pediatrics has done exactly that and issued "Guidelines for Effective Discipline" that advise parents to avoid spanking.<sup>138</sup> That is a major step forward, but it needs to be followed up by an intensive parent education program to inform parents of the risks to which they are exposing their child by spanking. As a starter, there should be a "No-Spanking" poster in every pediatrician's office and every maternity ward. In addition, following the example of the warning notice on cigarettes, there could be a notice on all birth certificates, such as:

WARNING: SPANKING HAS BEEN DETERMINED  
TO BE DANGEROUS TO THE HEALTH AND WELL  
BEING OF YOUR CHILD — DO NOT EVER, UNDER  
ANY CIRCUMSTANCES SPANK OR HIT YOUR  
CHILD.

Some defenders of spanking, such as Larzelere and his colleagues, believe that such an unconditional anti-spanking stance is unethical and irresponsible because it is not supported by truly conclusive scientific evidence.<sup>139</sup> However, there are circum-

---

<sup>137</sup> See generally Robert B. Edgerton, *Sick Societies: Challenging the Myth of Primitive Harmony* (1992).

<sup>138</sup> American Academy of Pediatrics, *Guidance for Effective Discipline* (RE9740), 101 *Pediatrics* 723, 726 (1998).

<sup>139</sup> See Robert E. Larzelere et al., *Two Emerging Perspectives on Parental Spanking from Two 1996 Conferences*, 152 *Archives Pediatrics & Adolescent Med.* 303, 304

stances when it is ethical and responsible to base advice on research that is less than conclusive. One example is research that suggests, although not conclusively, that a certain drug might have serious side effects. Advice based on that non-definitive evidence would be appropriate if there were equally effective drugs available that did not have those side effects. Similarly, the abundance of evidence in this article and elsewhere<sup>140</sup> indicating that CP may have harmful side effects is sufficient for advising parents to avoid spanking, even though the evidence is not definitive. The research clearly indicates that non-corporal disciplinary strategies are just as effective in the immediate situation<sup>141</sup> and more effective in the long run,<sup>142</sup> and do not have the harmful side effects of CP.<sup>143</sup> Thus when parents avoid CP they are not giving up a necessary mode of discipline.

#### *A. Should Spanking Be Illegal?*

In 1979, Sweden became the first country to make spanking by parents illegal.<sup>144</sup> The movement has since spread to the rest of Scandinavia and in 1985, the Council of Europe recommended that its member nations limit or prohibit CP by parents. The Swedish legislation was initially greeted with derision and scorn. However, within ten years almost all Swedes came to support the law. This was partly because there are no penalties for spanking. Rather, the purpose of the law was to set a national standard, to educate parents and children, and to help parents who were having difficulty managing their children. These goals have largely been achieved, and by non-punitive methods.<sup>145</sup>

The Swedish experience tells us that a no-spanking law can be successful even though most of the population may not yet seem

---

(1998).

<sup>140</sup> See Straus, *supra* note 31, at 165-68.

<sup>141</sup> See Robert E. Larzelere et al., *supra* note 48, at 47; Mark W. Roberts & Scott W. Powers, Adjusting Chair Timeout Enforcement Procedures for Oppositional Children, 21 *Behav. Therapy* 257, 267-70 (1990).

<sup>142</sup> See Straus et al., *supra* note 86, at 766-67.

<sup>143</sup> See Straus, *supra* note 31, at 153-55, 157-59; Straus & Paschall, *supra* note 34, at 14.

<sup>144</sup> See John E. Durrant, Evaluating the Success of Sweden's Corporal Punishment Ban, 23 *Child Abuse & Neglect* 435, 435 (1999).

<sup>145</sup> See *id.* at 436-37.



ready to embrace the idea. The history of other radical humanitarian social changes is similar. There is vehement opposition at first, sometimes even war, as in the case of slavery in the United States; sometimes just derision and foot dragging, as in the case of voting rights for women. The civil rights gains of the 1960s and the gains in women's rights in the 1970s depended on a mobilized minority. Had they been put to a popular vote at the time, like the Swedish law on CP, they might not have passed. In fact, the Equal Rights Amendment to the U.S. Constitution did not pass. Although there is lingering opposition, the overwhelming majority of Americans now favor equal rights for women as well as African-Americans and other minorities. CP of children is as deeply ingrained an aspect of American society as was the idea that African-Americans and women were inferior human beings. It will take the determined efforts of a mobilized minority to end this ancient evil.

Nevertheless, cultural rights are one reason to exercise caution in using the law to bring an end to hitting children. It may also be a tactical mistake. Many Americans associate Sweden with "free sex" and socialism. The idea of an anti-spanking law has a "big brother" tone. Consequently, it may be best to think of an anti-spanking law as a step that will help complete, rather than begin, the moral passage to a society in which children are not hit. In the meantime, the government can do many things. It can educate, as it has done with respect to smoking and seat belts. Part of that education can be in the form of "warning labels" on birth certificates and baby food, and in posters in the offices of pediatricians.

These educational campaigns can draw on the strong desire of parents to raise happy and successful children, just as the anti-smoking campaign drew on the strong desire of people to avoid dying of lung cancer. As that campaign gained strength and no-smoking was taken up by the elite, it became fashionable to not smoke rather than to smoke. Gradually the ground was prepared for the no-smoking laws passed in many states and cities. The same scenario is likely for no-hitting, but how long it will take is anyone's guess.

### *B. Cultural Autonomy*

Valid and important principles often contradict other valid and important principles. The principle that children should be brought

up in ways that do not injure them may be incompatible with the principle of respect for cultural diversity and rights. Unfortunately, the culture of a society or sector of society may include injurious practices. Robert Edgerton cites many examples of injurious practices that are part of a traditional culture.<sup>146</sup> Some of these are harmful to the whole society, such as the Dugum Dani where warfare was valued and frequently practiced.<sup>147</sup> Some are mainly harmful for powerless segments of the society, such as foot binding of women in China or genital mutilation of girls in much of Northwest Africa.<sup>148</sup> Mutilation of female genitals is an important example because, like spanking, it is defended by its victims.<sup>149</sup>

It may not be necessary, however, to pit scripture against science. Moreover, the experience of Sweden suggests that the incomparability between the principle of respect for cultural diversity and the principle that children should be “disciplined” in ways that do not increase the risk of physical and mental health problems may be avoided. The Swedish no-spanking law does not include a criminal penalty for spanking.<sup>150</sup> Instead, the law assumes that when parents spank, it is because they are having trouble controlling a child. The Swedes try to help such parents learn methods of teaching and correcting misbehavior that are equally or more effective than CP. When parents use those approaches, they do not “need” to spank. Ending or reducing spanking in this way does not impose on people’s values because even parents who approve of spanking on grounds of religion or ethnic culture usually hope that it will not be necessary. Since most parents prefer not to inflict harm upon their children, most would engage in other forms of discipline if they understood that CP was unnecessary.

### *C. Research Policy*

Both critics and supporters of the idea that children and society would benefit from a policy of no-spanking agree on the profound importance of CP, but their predictions are opposite. Those who argue for the necessity of CP see a society with unhappy and out

---

<sup>146</sup> See Edgerton, *supra* note 137, at 133-59.

<sup>147</sup> See *id.* at 140.

<sup>148</sup> See *id.* at 9, 134-35.

<sup>149</sup> See *id.* at 9-10.

<sup>150</sup> See Durrant, *supra* note 144, at 436.

of control children, and a higher rate of crime and mental illness. Given the serious problems that could either be reduced or exacerbated if parents bring up children without CP, there is an urgent need for research. I will mention a few of the critical issues.

### 1. Risk of Psychological Attacks or Parental Withdrawal

If cultural norms changed from requiring CP to prohibiting it, parents might instead verbally attack the child or just give up and ignore misbehavior. Either would be a disaster. The evidence suggests that such a turn of events would be worse than CP.<sup>151</sup> The presently available research suggests the opposite effect, but it does not adequately address the issue. Among the parents in the 1985 National Family Violence survey, those who did the least spanking were also the parents who engaged in the fewest verbal attacks.<sup>152</sup> They may also be the parents who most closely monitored and supervised their children. However, that data would not apply if the cultural norms change to prohibit CP. This is because under current circumstances, non-spanking parents are an exceptional minority. They are defying the cultural prescription which says that a good parent should spank "if necessary." Both avoiding verbal attacks and the presumed high level of involvement with their children results from a deep commitment to the well being of children that also led parents to reject spanking. There is a danger that if more ordinary parents are told to never spank, they might react by ignoring misbehavior or with verbal attacks. My own hypothesis is that the opposite would be more common; i.e., that prohibition of spanking would lead most parents to think more carefully and humanely about how they relate to their children.

### 2. Say No

The previous discussion implies that part of the process of changing the cultural norms concerning spanking would be for parent educators to take a firm stand and say that a child should never, ever, under any circumstances be spanked. However, parent

---

<sup>151</sup> See Yvonne M. Vissing et al., *Verbal Aggression by Parents and Psychosocial Problems of Children*, 15 *Child Abuse & Neglect* 223, 234-36 (1991); Robert J. Sampson & John N. Laub, *Crime in the Making: Pathways and Turning Points through Life* 95-98 (1993); Gerald R. Patterson et al., *A Developmental Perspective on Antisocial Behavior*, 44 *Am. Psychologist* 329, 330-32 (1989).

<sup>152</sup> Based on my analysis of the 1985 National Family Violence Survey, cited at *supra* note 12.

educators currently are almost unanimous in arguing the opposite. They believe that it would be counterproductive to tell parents to never spank because the parent will become defensive and may drop out of the program. Consequently, parent education programs such as "STEP"<sup>153</sup> or "PET"<sup>154</sup> do not explicitly say "no-spanking," even though the authors are opposed to CP. A small but growing number of books explicitly advise against any spanking.<sup>155</sup> However, most parent educators continue to argue for a "positive approach," by which they mean teaching parents alternative disciplinary strategies, rather than the "negative approach" of forbidding spanking. This is a false dichotomy. As pointed out earlier, toddlers on any given day may continue to misbehave regardless of the form of discipline used by the parent. So, it is inevitable that so-called alternative disciplinary strategies such as explaining, deprivation of privileges, and time-out will be found not to work. Therefore, unless the parents have a commitment to never use CP, after they have told Johnny for the proverbial tenth time, they are likely to spank. This suggests that the strategy of teaching alternative disciplinary practices, without ever mentioning no-spanking, will be less effective than if both are included. If that is correct, parent education materials need to also send an unambiguous message which says that a child should never, ever, under any circumstances, be spanked. That may not sound like a startling recommendation to sociologists who are aware of the importance of normative prescriptions and prohibitions. However, most parent educators think it would be a disaster. The important point for this discussion is that, to the best of my knowledge, there is no research evidence on this issue.

### 3. Different Effects for Minorities

Some social scientists<sup>156</sup> and some religious proponents of CP<sup>157</sup> argue that a national effort to end spanking amounts to im-

---

<sup>153</sup> Don Dinkmeyer, Sr. & Gary D. McKay, *The Parent's Handbook: STEP Systematic Training for Effective Parenting* (1989) (explaining "STEP" program).

<sup>154</sup> Thomas Gordon, *P.E.T. Parent Effectiveness Training* (1970) (explaining "PET" program).

<sup>155</sup> See, e.g., Kerby T. Alvy, *Black Parenting: Strategies for Training* 76 (1987); see also Stephen J. Bavolek, *The Nurturing Programs* (1992); Penelope Leach, *Your Baby & Child: From Birth to Age Five* (1997).

<sup>156</sup> See, e.g., Kenneth Polite, *Response: The Medium/The Message: Corporal Punishment, an Empirical Critique*, 98 *Pediatrics* 849, 850 (1996).

<sup>157</sup> See, e.g., Robert E. Larzelere, *Response to Oosterhuis: Empirically Justified Uses*

posing the unproven beliefs and values of one segment of society on others. However, the results of the cross-cultural research cited earlier, together with analyses of Afro-American and Afro-Caribbean children,<sup>158</sup> has found the same link between CP and social and psychological problems among Euro-American children. Nevertheless, there are also studies suggesting that in the context of African-American culture and life circumstances, CP may have beneficial effects, or at least no adverse effect.<sup>159</sup> This issue urgently needs further research. In the meantime, it is a sufficiently challenging goal to focus no-spanking educational programs on Euro-American families.

### VIII. THE FUTURE

Fortunately, most people escape the harmful side effects of CP, just as most heavy smokers escape the diseases associated with heavy smoking. Moreover, until the research evidence became common knowledge, smokers had no way of seeing the life-threatening harm they were doing; and parents today have no way of perceiving the serious and sometimes life-threatening harm to which they are unknowingly exposing their children. Smoking is an example of a serious public health threat that would never have been addressed were it not for research evidence that was at first ridiculed or doubted, even among the medical research community. CP is an example of a serious threat to children and society that is being brought into public consciousness by research evidence, and is doubted even among the research community.<sup>160</sup>

Nevertheless, despite the continuing high prevalence rates for

---

of Spanking: Toward a Discriminating View of Corporal Punishment, 21 *J. Psychol. & Theology* 142, 142-47 (1993); Robert E. Larzelere, Should the Use of Corporal Punishment by Parents be Considered Child Abuse? No, in *Debating Children's Lives: Current Controversies on Children and Adolescents* 204, 204-09 (M. Mason & E. Gambrill eds., 1994).

<sup>158</sup> See Straus et al., *supra* note 86, at 766; Ronald P. Rohner et al., Effects of Corporal Punishment, Perceived Caretaker Warmth, and Cultural Beliefs on the Psychological Adjustment of Children in St. Kitts, West Indies, 53 *J. Marriage & Fam.* 681, 691 (1991).

<sup>159</sup> See, e.g., Kirby Deater-Deckard et al., Physical Discipline Among African-American and European-American Mothers: Links to Children's Externalizing Behaviors, 32 *Developmental Psychol.* 1065, 1069 (1996); Gunnoe & Mariner, *supra* note 91, at 768.

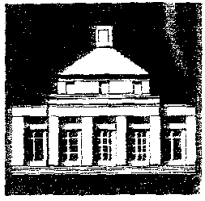
<sup>160</sup> See, e.g., The Short- and Long-Term Consequences of Corporal Punishment, *Pediatrics* 853, 856 (Stanford B. Friedman & S. Kenneth Schonberg eds., 1996).

toddlers, CP is decreasing in the US.<sup>161</sup> The decrease is occurring in three ways. First, CP is more and more becoming confined to use with toddlers and early school years. Second, the frequency of hitting is declining. Third, fewer and fewer parents are resorting to the once standard hairbrush, stick, belt or paddle. As indicated in a previous section, these changes are occurring because the structure of American society is changing. As a result, American society is at a point in history where the centuries long, but slow, trend away from CP is accelerating.

The idea of ending CP is likely to be regarded as an interesting but relatively unimportant change in the family. But the evidence summarized in this article suggests that ending CP would make an important contribution to primary prevention of major psychological and social problems. A society that brings up children by non-violent methods is likely to be less violent, healthier, and wealthier. Consequentially, rather than experiencing only a minor change in the private sphere of the family, American society could be on the threshold of a major social change that portends profound and far reaching benefits for society, as well as for children and parents.

---

<sup>161</sup> See Murray A. Straus & Julie H. Stewart, Corporal Punishment by American Parents: National Data on Prevalence, Chronicity, Severity, and Duration, in Relation to Child, and Family Characteristics, 2 *Clinical Child & Fam. Psychol. Rev.* 55, 55-70 (1999); Straus & Mathur, *supra* note 40.



THE VIRGINIA JOURNAL OF

# *Social Policy the Law*

VOLUME 8 • FALL 2000 • NUMBER 1

COMMENTS ON "IS SPANKING UNIVERSAL" BY STEVEN

CP62A

L. NOCK

**Murray A. Straus\***

Professor Nock notes, "My task is a difficult one because I am going to be a critic of something argued to produce less violence, better health, and greater wealth." I face a parallel problem because I am a critic of something that almost everyone in our society thinks is sometimes necessary—spanking a child who persists in misbehaving. My task is made doubly difficult by the clarity and cogency of Professor Nock's comments.

My response has two objectives. First, I want to contest the specifics of several of Professor Nock's remarks as well as his overall conclusion that there is insufficient evidence to advise parents to never spank. Second, and more important, I will suggest that his cogently-argued views reflect a culturally patterned blindness to the harmful effects of corporal punishment ("CP").

## I. IF SPANKING IS A CROSS-CULTURAL UNIVERSAL, IT MAY NOT BE "SOMETHING TO CONFRONT WITH POLICIES OR LAWS."

Professor Nock implies in his comments that, since spanking is a cross-cultural universal, its use is not properly addressed through public policy or law. Even if spanking is a universal, it should be the object of public policies if it is harmful. That is the approach we take with other harmful universals such as the problems of aging and murder. We do not use the fact that these are universal to say that nothing should be done about them. The difference between the treatment of spanking and aging is not that one is a universal and the other is not. Rather, the only reason that spanking is treated differently than other universals is that the presumed benefit of spanking "when necessary" is a deeply embedded aspect of

---

\* Professor of Sociology and Co-Director, Family Research Laboratory, University of New Hampshire, Durham.

American culture. Consequently, almost all Americans, including Professor Nock, doubt the wisdom of never hitting a child. Indeed, this belief is so deeply embedded that he engages in "selective inattention" by ignoring the evidence in my article which shows that spanking on average is no more effective than non-violent modes of discipline.

## **II. IF ALL CHILDREN ARE SPANKED, IT IS A CONSTANT AND CANNOT EXPLAIN ANYTHING**

This is an entirely valid statistical argument, but it does not apply to CP because, although the percentage is very small, there are enough parents who truly never use CP to demonstrate a relationship. Even if only one-percent of parents truly never spank, there is sufficient variance with a large enough sample to determine if there is covariance with some presumed harmful or beneficial effects of a no-spanking policy. This is what Vera Mouradian and I did for a recent project in which we studied 1000 children and identified 189 who, at least according to the mothers, had never been spanked.<sup>1</sup> These children had the lowest average anti-social behavior scores and were the least impulsive, even compared to children who were very rarely spanked.'

What about the argument that infrequent spanking is harmless? As a society, spanking is so taken for granted that we forget it is a euphemism for hitting. The harmful side effects of a single instance can perhaps be seen better if we think of a husband slapping his wife "just once." The risk of harmful psychological effects from a single incident may be low for both errant children and errant wives, but it is there.

## **III. THE CONFLICT TACTICS SCALES (CTS) IS INVALID**

The CTS, upon which much of the Straus research is based, is far from a perfect instrument. However, the consensus in the research community is that it is the best available and as even Professor Nock says, it is the "staple in the toolkit of research methods for studying issues of violence." Moreover, the discrepancies

---

<sup>1</sup> See Murray A. Straus & Vera E. Mouradian, Impulsive Corporal Punishment by Mothers and Antisocial Behavior and Impulsiveness of Children, 16 *Behav. Sci. & L.* 353, 356-57 (1998).

<sup>2</sup> See *id.* at 366.



he mentions between the rates of violence produced by the CTS and by the National Crime Victimization Survey demonstrate the invalidity of the National Crime Victim Survey for this purpose, not the CTS.<sup>3</sup> Although more than 400 studies, including those in *Beating the Devil Out of Them*, have used the CTS, its validity is now a moot point. None of the five new longitudinal studies summarized in my article that provide the most conclusive evidence on the benefits of avoiding CP used the CTS.

#### IV. THE LINK BETWEEN CP AND CHILDREN'S AGGRESSION MAY REFLECT OTHER FACTORS IN A FAMILY'S ENVIRONMENT

This existence of additional variables is a standard problem in all non-experimental research. The standard method of dealing with these other factors is to statistically control for as many of them as possible. The statistical analyses for Professor Nock's book *Marriage in Men's Lives*, for example, controlled for up to six variables.<sup>4</sup> The research on CP has controlled for twenty-seven variables that could be the "real cause" of the problems linked to CP, including:

##### Parent Demographic and Family Characteristics

- \* Educational level of parents
- \* Income, including very low income
- \* Racial/ethnic group
- \* Single-parent versus two-parent families
- \* Number of children in the family
- \* Sex of the parent
- \* Age of the parent

---

<sup>3</sup> See generally Murray A. Straus, The Controversy over Domestic Violence by Women: A Methodological, Theoretical, and Sociology of Science Analysis, in *Violence in Intimate Relationships* 17-44 (X. Arriaga and S. Oskamp eds., 1999).

<sup>4</sup> See Steven L. Nock, *Marriage in Men's Lives* 144 (1998).

Parental Role Behaviors

- \* Adequacy of parent's supervision of children
- \* Parental warmth and support
- \* Whether parents established clear rules and expectations
- \* Use of other disciplinary strategies such as time out
- \* Parental consistency in discipline
- \* Parental use of reasoning
- \* Parental involvement and cognitive stimulation

Child Characteristics

- \* Child's birth weight
- \* Sex of the child
- \* Age of the child
- \* Child's delinquency or antisocial behavior at Time 1
- \* Child's cognitive ability at Time 1
- \* Child-to-parent bond

Psycho-social Problems

- \* Conflict between the parents
- \* Violence between the parents
- \* Violence in family in which the parents grew up
- \* Parental alcohol abuse
- \* Parent attitudes approving violence
- \* Physical abuse
- \* Depression of parents

No single study controlled for all of these alternative explanations. Even if they had, there are still other variables that need to be controlled. In addition even the best of the studies of CP has defects or limitations. However, it is a well recognized scientific,

principle, sometimes called “triangulation,” that one can come to valid conclusions on the basis of evidence from studies that when taken individually are not definitive. This is because the weak point of one study may be dealt with in another study.

I think we have reached the point of triangulation concerning CP. There have been more than eighty studies examining the effects of CP and, with rare exceptions, they have found harmful long-term effects.<sup>5</sup> But despite the weight of **this** evidence, CP is virtually ignored in child development textbooks,<sup>6</sup> while parental practices, such as monitoring (i.e., watchfulness and awareness of where the child is and what he or she is doing), are covered in detail. I suggest it is because the writers and readers of those books find that the research showing that monitoring is helpful “makes sense” whereas the research showing that CP is harmful does not. The important point is that “making **sense**” is a reflection of what our culture and experience (not science) tells us is right. Science tells us that CP is harmful, but “common sense” and what we can see with our own eyes tells us that, when used by loving parents, it is not. I hope it will not take as long for the science on spanking to prevail over “common sense” as it took for science to debunk the “common sense” notion that the earth is flat, not round.

#### V. THE CORRELATION BETWEEN CRIME AND CP

Professor Nock suggests that the correlation between the use of CP and higher crime rates is undermined by two observations. First, there has been an increase in crime and violence corresponding to the decline of CP in the home and the school in the United States. Second, there are societies such as Japan with extremely low crime rates that use CP. These two statements would be valid arguments against ending use of CP if CP was the only cause or the major cause of delinquency and adult crime, but it is not. CP is only a small part of the explanation for these problems. Other factors which contribute to increased crime rates include

---

<sup>5</sup> See Elizabeth E. Thompson, *The Short- and Long- Term Effects of Corporal Punishment on Children: A Meta-Analytic Review* (unpublished manuscript, on file with author).

<sup>6</sup> See Murray A. Straus & Julie H. Stewart, Corporal Punishment by American Parents: National Data on Prevalence, Chronicity, Severity, and Duration, in Relation to Child, and Family Characteristics, 2 *Clinical Child & Fam. Psychol. Rev.* 5.5, 55-56 (1999).

unemployment, deterioration of community ties, poverty, and familial instability.

With so many variables affecting the crime rate, even complete elimination of one of them, such as unemployment or poverty, would result in only a small reduction in crime. Thus, a major decrease in the juvenile crime rates requires doing something about a large number of these risk factors for crime. Elimination of one of them, including CP, is insufficient by itself to bring about a major change or to overcome increases in the others. Consequently, in the period from the mid 1960's to the mid 1990's, when so many of the risk factors for crime listed above were increasing, the reduction in CP could not counteract other trends in American society. And even with the decrease in CP, one-third of American parents still use CP to discipline their teenagers.

What about societies such as Japan, which use CP, but which do not have high crime rates? There has been no study comparing the amount of CP in Japan and the United States. CP is certainly used in Japan, but perhaps less than in the United States. My guess is that a key aspect of child rearing that keeps the delinquency rate down is close supervision and monitoring of children. Even more important is the degree of social control characteristic of Japanese society. It is not just children who are closely monitored and supervised by informal social networks and the police. A society, in effect, chooses the balance between freedom and order. In the United States, we opt for more freedom and we pay the price with less order. Japan is moving towards more freedom and that will contribute to more crime. In the United States, there has been a movement towards more order and that has contributed to the decline in crime since the mid- 1990's.

#### **VI. THE CONTEXT AND MEANING OF SPANKING MAKES A DIFFERENCE**

I agree with Professor Nock that context and meaning affect the outcome of CP. But that does not make CP different from other parent practices, and indeed, all human social interaction. Some contexts and meanings undermine the beneficial effects of good practices such as marriage or close monitoring and supervision of children. Similarly, some contexts and meanings mitigate the harmful effect of bad practices such as spanking. But they re-

main good and bad practices. In the case of spanking, we know that such things as parental warmth reduce, but do not eliminate, the harmful effects of CP.<sup>7</sup>

However, even when practices seem to show beneficial effects in a specific cultural context, the explanation may not be that “culture makes things right.” My article indicates that, although CP is associated with increased rates of misbehavior by Euro-American children, about half of the studies of African-American children find no relationship or improved behavior. I suggest that the reason might be that, among African-American parents, CP is so nearly universal that no CP means no discipline. If that is the case, it is no wonder that children whose parents exercise no disciplinary control are less well-behaved. CP may not be good for children, but failure to properly supervise and control is even worse.

## **VII. THE EVIDENCE IS INSUFFICIENT TO RECOMMEND NEVER SPANKING**

The insufficiency of conclusive evidence on spanking is the crux of Professor Nock’s position. Although the evidence of harmful effects is very strong and stronger than the evidence on which evaluations of most parental practices are based, I agree that it is not truly definitive. If so, is it sound public policy or ethical to recommend that parents never spank? As indicated in my article, there are circumstances when it is ethical and responsible to base advice on research that is less than conclusive. For example, this occurs when research indicates, even though not conclusively, that a treatment for a certain disease might have serious side-effects. Advising patients to avoid that treatment is correct if there is an equally effective treatment that does not have those side effects. That is exactly the situation with the treatment called spanking. The strong, but not truly definitive evidence, summarized in my article indicates that CP is very likely to have harmful side effects. This evidence is sufficient for advising parents not to spank because the research clearly indicates that non-corporal disciplinary

---

<sup>7</sup> See, e.g., Murray A. Straus & Denise Donnelly, *Beating the Devil Out of Them: Corporal Punishment in American Families* 132 (1994) (asserting an inverse relationship between childhood CP and adult masochistic sex).

strategies are just as effective in the immediate situations more effective in the long run in securing good behavior,<sup>9</sup> and do not have the harmful side effects of CP. Thus, when parents replace CP by non-violent modes of discipline, they reduce the risk of harmful side effects, while increasing the probability of raising a well-behaved and well-adjusted child.

---

<sup>8</sup> See Robert E. Larzelere et al., The Effects of Discipline Responses in Delaying Toddler Misbehavior Recurrences, 18 *Child & Fam. Behav. Therapy* 35, 47-49 (1996); Mark W. Roberts & Scott W. Powers, Adjusting Chair Timeout Enforcement Procedures for Oppositional Children, 21 *Behav. Therapy* 257, 268-69 (1990).

<sup>9</sup> See Murray A. Straus et al., Spanking by Parents and Subsequent Antisocial Behavior of Children, 151 *Archives Pediatric & Adolescent Med.* 761, 766 (1997).