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Since the beginning of my academic career, I have been interested in whether changes in social attitudes and behaviors are created by public policy, or whether new public policies change social attitudes and behaviors. I ponder this regarding public attitudes and behaviors around the use of corporal punishment on children. According to my colleague and mentor, Murray A. Straus, corporal punishment is "the use of physical force with the intention of causing the child to experience pain, but not injury, for purposes of correction or control of the child's behavior." Corporal punishment is currently legal in every state of the U.S. and in most other nations. In practice, the difference between corporal punishment and physical abuse hinges on whether the child is injured seriously enough for the case to come to the attention of child protective services, regardless of the intent of the parent. The evidence concerning the potential ill effects of using corporal punishment against children is overwhelmingly consistent and yet, most of the U.S. and much of the world ignores this evidence. Public policy has been effectively used to shape or reinforce many attitudes and behaviors concerning social problems; there is no reason the same can't be true for corporal punishment.

USES OF PUBLIC POLICY

In my doctoral dissertation, completed in 2002, I examined whether public policy could create behavioral change. The literature indicates that public policy that is used to promote specific behavior or social conditions generally comes in one of three forms. *Punishment* is applied to those who violate a policy, such as by having sex before the age of consent or driving while intoxicated. *Benefits* are sometimes offered to those who are less fortunate, such as by increasing the number of affordable housing vouchers or by providing tax breaks for those who adhere to a specific policy. *Information and guidelines* are offered to many to encourage adherence to a policy, such as education about the benefits of wearing a bicycle helmet or the harmful effects of shaking a baby. In my first book, *Mending Broken Families: Social Policies for Divorced Families—How Effective Are They?* I reviewed many forms of social policies that were intended to promote parental cooperation, increase parent-child contact, and diminish time in court. Most of these family policies were effective in one form or another and did promote family and child well-being.

PUBLIC POLICY AND CORPORAL PUNISHMENT

In 1979 Sweden passed the first national legislation banning corporal punishment by parents. (See the table accompanying this article.) This legislation is part of the civil, not the criminal code; thus, there is no criminal penalty for using corporal punishment. The purpose of the legislative ban was to set a national standard for the humane treatment of children, to provide funds for public education on this issue and to help parents use more positive methods of discipline. As of today, twenty-three countries have forbidden corporal punishment by parents. In June 2006, the United Nations Committee on the Rights of the Child declared that it is "the obligation of all States parties to move quickly to prohibit and eliminate all corporal punishment and all other cruel or degrading forms of punishment of children." The United States has not acted on this declaration.

> *"The evidence concerning the ill effects of using corporal punishment is overwhelmingly consistent and yet, most of the U.S. ignores this evidence."*

In fact, the United States, as a whole, remains committed to the entitlement to use corporal punishment against children. Twelve states have statutory guidelines that grant authority to educators or school boards to use corporal punishment in educational settings. Most other states have banned corporal punishment in schools, and a few states remain without specific legislation regarding the use of corporal punishment in schools. This is where the bans against corporal punishment in the United States end, however. It is legal in every state in the union for a parent or guardian to use corporal punishment against their children. In some states it is even legal to use corporal punishment in institutional settings, foster homes, and the like.

PUBLIC POLICY, CORPORAL PUNISHMENT, AND MASSACHUSETTS

There is one minor exception to the lack of legislative action about corporal punishment in the United States. In 2005 Brookline, Massachusetts became the first and still the only municipality in the country to ban the use of corporal punishment against children. The ban is intended to be educational and is not punitive in nature against parents who use corporal punishment. The exact language reads: "Town Meeting [of Brookline] encourages parents and caregivers of children to refrain from the use of corporal punishment and to use alternative nonviolent methods of child discipline and management with an ultimate goal of mutual respect between parent and child." The effectiveness of, or outcomes of this ban remain unexamined.

Policy-makers in many other U.S. states have proposed legislation prohibiting the use of corporal punishment against children, but no such legislation has become law. In Massachusetts, Representative Jay Kaufman of Lexington, on behalf of resident Kathleen Wolf, proposed House Bill 3922 in 2007. This legislation, *An Act Prohibiting Corporal Punishment of Children,* was in keeping with the Brookline legislation in that the purpose of law would be educational in nature: "This [legislation] is intended to actively support nonviolent parenting. The provisions of this section are intended to eliminate the use of corporal punishment to discipline children, because of the emotional harm and risks of bodily harm associated with corporal punishment of children." No language specifies what would happen to caregivers who violate this law. There is also no language which describes how "nonviolent parenting" would be supported, such as through funds for publication education, but it is a first step toward using public policy to make a statement about what types of disciplinary behaviors are appropriate on the part of caregivers. House Bill 3922 was assigned to the Committee on Children, Families, and Persons with Disabilities, which studied the legislation, held public testimony, and was then referred for further study. As of January 2009, this bill appears to be stuck in committee.

ROLE OF SOCIAL SCIENCE RESEARCH IN INFORMING PUBLIC POLICY

Medical research has frequently led to new public policies. However, research from psychology, sociology, social work, and family studies (the disciplines most concerned with corporal punishment by parents) have seldom been the basis for new public policy. These disciplines have, nevertheless, made important contributions to public policy, such as in the forms of justifying, revising, consolidating, and sometimes correcting, policies that had been initiated in response to changes in social circumstances, including changes in cultural norms and values. A specific example is the effort by many feminists starting in the mid 1970's, to change police treatment of domestic violence. The change was happening, but slowly. The pace, however, quickened dramatically after publication of the results of an experiment comparing three modes of police action: separating and calming down the parties, referral to services, and arrest of the offender. This particular study found that those arrested were less likely to reoffend. This experiment is unlikely to have been conducted, and the results are unlikely to have been the subject of a brief sent to all police departments in the US, were it not for changes already brought about by the women's movement. Child maltreatment is another age-old phenomenon that was addressed incrementally by legislation to protect children from abuse and neglect. That effort was galvanized by the 1962 publication of a paper by C. Henry Kempe on the "battered-child syndrome" which described the phenomenon and provided X-ray diagnostic criteria of the physical effects of child abuse. Social policies that target families of divorce were the result of a combination of factors. The public was concerned about the ethics of raising children without both parents actively involved, as well as the legal rights of both children and parents to have unfettered access to one another. Finally, some research showed that, in the absence of violence and extreme hostility, children suffered fewer consequences when they had continued contact with both of their parents. The result was legislation that promoted shared and cooperative parenting, such as mandatory mediation, divorce education programs, and parenting plans.

Policies to end corporal punishment in the armed services and in schools occurred because of a change in values and beliefs, not because of research evidence. Similarly, the Swedish no-spanking law of 1979 was enacted primarily on the basis of moral principles. The change in school legislation in the U.S. concerning corporal punishment began long before there was empirical research, and even now the quality of research showing harmful effects of corporal punishment in schools is minimal. In this instance, it appears that the policy followed, and reinforced, a social change that was already happening.

The sequence of events for policy on corporal punishment by parents in the U.S. has been somewhat different. There has been a large amount of research, much of it of high quality, showing that corporal punishment is a risk factor for many social and psychological problems. If past history is a guide, this research will be ignored until a "moral passage" brings about policy changes, and with it, receptivity to the empirical evidence to justify and improve the policy. However, if the research on corporal punishment is extensive, of high quality, and if it consistently shows harmful side effects, perhaps the increasing demand for "evidence-based" practices and policies will result in one of the few examples of research resulting in a new social policy. But is there sufficient evidence for public policies to end the legal use of corporal punishment?

THE RESEARCH EVIDENCE

There have been over a hundred studies, including both longitudinal studies and experiments, concerning the effects of corporal punishment on children and adults. The book that I am co-authoring with Murray A. Straus of the Family Research Laboratory at the University of New Hampshire and Rose Medeiros at the University of California-Los Angeles, *The Primordial Violence: Corporal Punishment by Parents, Cognitive Development, and Crime*, captures much of this research and provides evidence for the wisdom of ending the use of corporal punishment against children. *Primordial Violence* is based on studies using nationally representative samples of over seven thousand families, and is a book about ordinary parents and their children, not about parents who legally abuse and neglect their children. Some of the main discussion points of this book are that corporal punishment slows the cognitive development of toddlers, reduces the probability of college graduation and increases the probability of antisocial behavior and crime. It also highlights what is often called "developmental criminology," which is primarily concerned with the development of deviant behavior and offending over time and on factors that pre-date or co-occur with the development of criminal behavior.

Elizabeth Thompson Gershoff conducted a meta analysis (which is a statistical synthesis of many previously conducted studies on a single topic of interest) on 88 studies concerning the effects of corporal punishment. She found that in 93% of studies, corporal punishment has harmful effects. The volume and the quality of the research continues to grow since that publication. Yet content analyses of child development text books published in 1980–85, 1990–1995, and 2000–2005 found that such texts devoted an average of only a half page to the subject of corporal punishment, and that none recommend that parents should *never* spank. We ask, how can so little space be given to a mode of parenting for which there is strong evidence of harmful side effects, and which is experienced by over 90% of preschool children and by at least a third of infants in our country? This is possibly because there has not yet been a moral passage about hitting children. The majority of the American public, and of professionals concerned with children, remain convinced that corporal punishment is "sometimes necessary."

The meta-analysis of 88 studies by Gershoff found a degree of agreement between studies that may be unique. Twelve of the studies examined the relation of corporal punishment to mental health problems of children, such as anxiety and depression, and eight examined the relation of childhood corporal punishment to adult mental health problems. Without exception, these 20 studies found that corporal punishment was associated with an increased probability of mental health problems. Thirteen studies investigated delinquent behavior. It is widely believed that corporal punishment "teaches the child a lesson" and therefore reduces delinquency. Instead, in 12 of the 13 studies corporal punishment was found to be associated with a *higher* probability of delinquent and anti-social behavior. The same near unanimity (4 out of 5) was found for studies concerning the relation between corporal punishment as a child and adult criminal behavior. These findings were true even in the face of demographic controls and sometimes in the face of controls such as parental warmth.

Given these empirical results, why don't most professionals concerned with children, including many who are in principle opposed to corporal punishment, take steps to advise parents to never spank, the same way that we advise parents to never shake a baby? Part of the explanation may be that most had experienced corporal punishment as a child and do not come to see it as having had any adverse effects on them. But that is the situation with almost all adverse life experiences. For example, a third of heavy smokers will die of a smoking related disease. This also means that two-thirds will not. These people can say at age 70 that they have smoked all their life and have not suffered any ill effects. That may be factually correct about their health, but the implication that smoking is therefore safe for everyone is false. The correct conclusion is that they are one of the lucky two-thirds. These smokers can only directly perceive the satisfaction from smoking. They have no way of perceiving future harmful effects. Similarly, those who were spanked, or who spank their own children, can only directly perceive that when spanked, the child

COUNTRIES BANNING CORPORAL PUNISHMENT AGAINST CHILDREN, BY YEAR BAN WAS PASSED

COUNTRY	YEAR BAN PASSED
Sweden	1979
Finland	1983
Norway	1987
Austria	1989
Cyprus	1994
Denmark	1997
Latvia	1998
Croatia	1999
Germany	2000
Israel	2000
Bulgaria	2000
Iceland	2003
Romania	2004
Ukraine	2004
Hungary	2005
Greece	2006
Spain	2007
Venezuela	2007
Uruguay	2007
Portugal	2007
New Zealand	2007
Netherlands	2007
Costa Rica	2008

**Source: The Global Initiative to End All Corporal Punishment Against Children, September 2008*
***Italy: In 1996, the Supreme Court in Rome declared corporal punishment unlawful; this ruling has not been confirmed by legislation.*

****Nepal: In 2005, the Supreme Court declared that the provision in the Child Act that permits parents, guardians, and teaching to administer a minor beating to children unlawful. The Child Act has not been amended to reflect that ruling.*

stops the misbehavior at that instant. They have no way to directly perceive the harmful effects of spanking because they do not surface until later, and as in the case of smoking, show up in only a fraction of the cases.

From this one can infer a second explanation for the failure of many social service and mental health workers to advise parents to "never spank." It is because, as the content analyses of textbooks shows, the academic community has failed to inform them of the research showing harmful side effects. Similarly, they have not been informed about the results of research which shows that, although spanking does correct misbehavior, it is not more effective than other methods of correction and control. Thus, they continue to believe the cultural myth that spanking works, when other methods do not. Given this belief, and given their concern for the well-being of children, it is not surprising that there is continued acceptance of the cultural myth that spanking may sometimes be necessary, and they therefore do not advise parents to "never spank." With over 90% agreement in the research showing that corporal punishment is a risk factor for developmental problems, the evidence provides solid justification for a change in policy to one focused on ending corporal punishment.

ETHICS OF ADVISING PARENTS NEVER TO SPANK

Some defenders of corporal punishment argue that it is unethical to advise parents to "never spank" until there is absolutely conclusive evidence of the harm, and of the equal or greater effectiveness of other methods of correction and control. The evidence, although extremely strong, is not absolutely conclusive. Yet, that is also a frequent situation with prescription drugs. Nevertheless, standard public policy requires advising parents to stop using a drug, or withdrawing it from the market if there is evidence of harmful side effects, even though the evidence is not conclusive. This is especially the case if there is an equally effective drug without harmful side effects. Corporal punishment is like the drug with harmful side effects. Because there are alternatives that are equally, or even more effective, which do not have the side effects of corporal punishment, there is an ethical *requirement* to advise parents to "switch drugs," i.e. to never spank. Furthermore, there are many instances when we do advise parents to refrain from certain behaviors, such as never shaking an infant, never abusing a child and never operating a motor vehicle unless a child is "buckled in."

TYPES OF POLICY

Returning to the three forms of public policy to promote specific behaviors or societal conditions that I explored in my dissertation, my colleague and book co-authors, Murray A. Straus, Rose Medeiros and I believe that the policy to end corporal punishment should be non-punitive and should follow the successful Swedish example. This provides encouragement in the form of public education campaigns, information and advice, and benefits in the form of help to parents who are having difficulty managing without spanking. For many fields, it means revising text books to reflect three key facts. First, over 90% of American parents spank pre-school children, at least on occasion. Second, a large amount of research, including longitudinal studies controlling for factors such as early instances of misbehavior and family and parenting characteristics, show that children who are not spanked are, on average, the best behaved and have the lowest rates of psychological problems. (This is probably the best-kept secret of American child psychology.) Third, there is no need to put a child at risk for the harmful side effects of corporal punishment since the research shows that spanking is not more effective than other methods.

We believe that many professional associations, organizations, and government agencies, such as the Society for Family Psychology of the American Psychological Association, the Society For Research On Child Development, the U.S. Children's Bureau, and many others should adopt a policy of advising parents to never, under any circumstance, spank; that is, to never hit a child as a method of correction and control. In 1946 the pediatrician Benjamin Spock published his influential book *Baby and Child Care*. In it he advised that parents avoid spanking a child "if possible," which approach was similarly taken by the American Academy of Pediatricians in 1998. It is important that parents be advised *never* to spank because, paradoxically, advice like Spock's only ensures the perpetuation of spanking. The explanation of this paradox lies in the limited ability of toddlers to control their own behavior. It is almost inevitable that a toddler will repeatedly fail to do something she or he is supposed to do, or repeatedly do something she or he was told not to do. After the third or fourth repetition, parents of two year olds are likely to conclude that they can't avoid spanking. So there needs to be an unequivocal *never* spank message. One of the few parenting education programs to do this is the Bavolek Nurturing Parent program. We conclude that public policy should be modeled on this type of parent education, and on shaken baby prevention campaigns, to provide education and support concerning the potentially negative impacts of spanking a child, and to state that hitting or spanking a child is *never* acceptable.

*This article was adapted from: Straus, M.A. & Douglas, E.M. (2008). Research on spanking by parents: Implications for public policy. *Family Psychologist* of the American Psychological Association, *Winter.*

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