

# THE SPECIAL PROBLEM OF CULTURAL DIFFERENCES IN EFFECTS OF CORPORAL PUNISHMENT

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## I

### INTRODUCTION

A large body of research documents the link between corporal punishment and child-behavior problems such as aggression, delinquency, and criminality.<sup>1</sup> Until fairly recently, these studies largely ignored the potential influence of a family's culture on the links between corporal punishment and children's adjustment—that is, culture as a kind of filter that can ease or exacerbate the effects of corporal punishment on child behavior. But a growing body of literature brings into question whether these links are generalizable to families from a broad range of cultural backgrounds. Researchers have increasingly investigated how different cultural contexts contribute to parents' attitudes, goals, and practices in raising their children. Specific parenting practices may have different effects on children's behavior, depending on the cultural contexts in which the parenting occurs.<sup>2</sup>

This paper first reviews research within American samples that has examined the cultural differences and similarities in associations between corporal punishment and children's adjustment. Second, it describes parental warmth as a moderator of those same links. Third, it documents the role of parents' beliefs about corporal punishment. Fourth, it addresses why there may be cultural differences in the links between corporal punishment and children's adjustment. Fifth, it considers an apparent paradox regarding within-culture versus between-culture effects. Finally, it summarizes the implications of the research in this area for the global community.

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1. See generally Elizabeth T. Gershoff, *Corporal Punishment by Parents and Associated Child Behaviors and Experiences: A Meta-Analytic and Theoretical Review*, 128 PSYCHOL. BULL. 539 (2002).

2. Cynthia Garcia-Coll & Katherine Magnuson, *Cultural Influences on Child Development: Are We Ready for a Paradigm Shift?*, in CULTURAL PROCESSES IN CHILD DEV. 1, 16–17 (Ann S. Masten ed., 1999).

## II

## CULTURAL DIFFERENCES AND SIMILARITIES IN LINKS BETWEEN CORPORAL PUNISHMENT AND CHILDREN'S ADJUSTMENT IN AMERICAN SAMPLES

Researchers investigating the potential differences in the relationship between corporal punishment and children's adjustment have focused primarily on externalizing behavioral outcomes such as aggression and delinquency, and secondarily on internalizing outcomes such as depression and anxiety. Most of this research has focused on comparisons between European American and African American families. These studies have reported four patterns of findings:

A. Studies Reporting a Significant Relationship Between Corporal Punishment and Behavior Problems for European Americans; Weak or No Relationship for African Americans and Hispanics

1. After accounting for the effect of children's antisocial behavior on their parents' use of corporal punishment, European American children's antisocial behavior elicited more-frequent corporal punishment.<sup>3</sup> African American children's antisocial behavior, though, was unrelated to the frequency with which their parents used such punishment.

2. Using a representative community sample, a study found that although the experience of corporal punishment in the first five years of life was associated with higher levels of teacher- and peer-reported behavior problems for European American children in third grade, this was not so for a similar cohort of African American children.<sup>4</sup> No significant association between the experience of corporal punishment and subsequent teacher- and peer-reported behaviors was found for African American children.

3. A study reported generally similar associations between spanking and child-behavior problems across racial and ethnic groups, but reported a trend for a weaker relationship for African Americans than for European Americans.<sup>5</sup>

4. A study found a significant association between corporal punishment and clinical thresholds of behavior problems for European American children, yet this association was not significant for African American or Hispanic children.<sup>6</sup>

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3. Jane D. McLeod, Candace Kruttschnitt & Maude Dornfeld, *Does Parenting Explain the Effects of Structural Conditions on Children's Antisocial Behavior? A Comparison of Blacks and Whites*, 73 SOC. FORCES 575, 586-90 (1994).

4. Kirby Deater-Deckard et al., *Physical Discipline Among African American and European American Mothers: Links to Children's Externalizing Behaviors*, 32 DEVELOPMENTAL PSYCHOL. 1065, 1068-79 (1996).

5. Jane D. McLeod & James M. Nonnemaker, *Poverty and Child Emotional and Behavioral Problems: Racial-Ethnic Differences in Processes and Effects*, 41 J. HEALTH & SOC. BEHAV. 137, 144-52 (2000).

6. Eric P. Slade & Lawrence S. Wissow, *Spanking in Early Childhood and Later Behavior Problems: A Prospective Study of Infants and Young Toddlers*, 113 PEDIATRICS 1321, 1323-27 (2004).

5. Data from the Early Head Start Research and Evaluation Study led to a finding that, after controlling for earlier aggression, corporal punishment of three-year-olds was significantly associated with concurrent, parent-reported child aggression for European American families, but not for African American or Hispanic families.<sup>7</sup>

#### B. Studies Reporting a Significant Relationship Between Corporal Punishment and More Behavior Problems for European Americans, but Fewer Behavior Problems for African American and Hispanics

1. Using an African American and a Hispanic sample and controlling for baseline child-behavior problems, corporal punishment was found to be unrelated to child-reported externalizing (acting out) problems and was related to fewer parent-reported externalizing problems fifteen months later.<sup>8</sup>

2. A longitudinal study following children for five years and controlling for prior conduct problems found that spanking statistically predicted more fights at elementary school for European American children but fewer fights for African American children.<sup>9</sup>

3. A study found significant ethnic differences in how corporal punishment during a child's first five years of life predicted three of the seven adolescent behaviors assessed, and significant ethnic differences in how corporal punishment at ages eleven and thirteen predicted all seven externalizing outcomes at age sixteen, controlling for parents' marital status, socioeconomic status, and child temperament.<sup>10</sup> The study's findings showed that the experience of corporal punishment at each point was related to higher levels of subsequent behaviors for European American adolescents but lower levels of such behaviors for African American adolescents.

4. A study found a significant negative correlation between race and corporal punishment in African American boys, with mothers' reports of corporal punishment leading to lower levels of teacher-rated (but not mother-rated) behaviors.<sup>11</sup>

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7. Ann M. Stacks et al., *The Moderating Effect of Parental Warmth on the Association Between Spanking and Child Aggression: A Longitudinal Approach*, 18 *INFANT & CHILD DEV.* 178, 185–89 (2009).

8. Gail A. Wasserman et al., *Parenting Predictors of Early Conduct Problems in Urban, High-Risk Boys*, 35 *J. AM. ACAD. CHILD & ADOLESCENT PSYCHIATRY* 1227, 1230–33 (1996).

9. Marjorie L. Gunnoe & Carrie L. Mariner, *Toward a Developmental–Contextual Model of the Effects of Parental Spanking on Children's Aggression*, 151 *ARCHIVES PEDIATRIC & ADOLESCENT MED.* 768, 771–74 (1997).

10. Jennifer E. Lansford et al., *Ethnic Differences in the Link Between Physical Discipline and Later Adolescent Externalizing Behaviors*, 45 *J. CHILD PSYCHOL. & PSYCHIATRY* 801, 804–08 (2004).

11. Jodi Polaha et al., *Physical Discipline and Child Behavior Problems: A Study of Ethnic Group Differences*, 4 *PARENTING: SCI. & PRAC.* 339, 348–52 (2004).

### C. Study Reporting Stronger Relationship Between Corporal Punishment and Behavioral Problems for African Americans than European Americans

Although there is evidence that effects of physical abuse are more detrimental for African American than European American youth,<sup>12</sup> only one study examining racial differences in the relationship between corporal punishment and children's adjustment has reported worse effects of corporal punishment for African American than European American youth. Using data from boys in the Pittsburgh Youth Study, a study reported that frequent use of corporal punishment predicted more teacher-rated conduct problems six months later for African American boys at ages seven, nine, and eleven, but for European American boys only at age seven.<sup>13</sup> No racial differences were found for boys at ages thirteen or fifteen or in the relationship between corporal punishment and mother-reported conduct problems.

### D. Studies Reporting No Difference in the Relationship Between Corporal Punishment and Behavior Problems for African Americans, Hispanics, and European Americans

1. A study found no racial or ethnic differences in their models, which included links between spanking frequency and children's internalizing and externalizing behavior.<sup>14</sup>

2. In two sets of analyses using data from the National Longitudinal Survey of Youth (NLSY), parents' use of corporal punishment was found to be related to higher levels of children's initial antisocial behavior as well as to increases in children's antisocial behavior over time.<sup>15</sup> These effects did not differ by race or ethnicity, but the introduction of a child's age as a separate variable indicated that although the effects of corporal punishment on children's antisocial behavior became more detrimental with their increasing ages, this association was less detrimental for African American and Hispanic children in the sample.<sup>16</sup>

3. Another study using data from the NLSY conducted separate analyses for each racial and ethnic group and concluded that the expected correlations between corporal punishment and externalizing problems were found more for

12. See generally Jennifer E. Lansford et al., *A Twelve-Year Prospective Study of the Long-Term Effects of Early Child Physical Maltreatment on Psychological, Behavioral, and Academic Problems in Adolescence*, 156 ARCHIVES OF PEDIATRICS & ADOLESCENT MED. 824 (2002).

13. Dustin A. Pardini, Paula J. Fite & Jeffrey D. Burke, *Bidirectional Associations Between Parenting Practices and Conduct Problems in Boys from Childhood to Adolescence: The Moderating Effect of Age and African American Ethnicity*, 36 J. ABNORMAL CHILD PSYCHOL. 647, 653–58 (2008).

14. Jane D. McLeod & Michael J. Shanahan, *Poverty, Parenting, and Children's Mental Health*, 58 AM. SOC. REV. 351, 356–60 (1993).

15. Andrew Grogan-Kaylor, *The Effect of Corporal Punishment on Antisocial Behavior in Children*, 10 CHILD MALTREATMENT 153, 157–60 (2004); Andrew Grogan-Kaylor, *Corporal Punishment and the Growth Trajectory of Children's Antisocial Behavior*, 10 CHILD MALTREATMENT 283, 287–90 (2005) [hereinafter Grogan-Kaylor, *Growth Trajectory*].

16. Grogan-Kaylor, *Growth Trajectory*, *supra* note 15.

European American than for African American or Hispanic youth, although it was not possible to test these differences statistically.<sup>17</sup> Nevertheless, corporal punishment was related to more internalizing and externalizing problems for youth in all three groups.<sup>18</sup>

4. A study concluded that for both high-risk African American and European American children in the Longitudinal Studies of Child Abuse and Neglect, corporal punishment at age six led to increases in future parent-reported externalizing behaviors by age eight, but only for children who were predisposed to such behaviors at age four.<sup>19</sup> The authors framed their finding as a “punishment exacerbation effect,” suggesting that for both African American and European American children, corporal punishment exacerbates problems for children predisposed to impulsive, aggressive, or noncompliant behaviors.

5. Similarly, a study using data from the National Institute of Child Health and Human Development Study of Early Child Care and Youth Development found no racial or ethnic differences, but reported that mother-reported child-behavior problems at thirty-six months and in first grade were predicted longitudinally by parents’ earlier use of corporal punishment, especially for children who were difficult to parent at age six months.<sup>20</sup>

These studies suggest that corporal punishment may affect children’s behavior in different ways depending on factors other than race or ethnicity (namely, a child’s predisposition for certain behavior).

#### E. Studies of Asian American Parents’ Use of Corporal Punishment

There is some evidence that Asian Americans may be more accepting of physical force in childrearing than are European Americans,<sup>21</sup> but very few studies have examined the links between Asian American parents’ use of corporal punishment and their children’s adjustment.

A study of Chinese American adolescents found that adolescents’ reports of their parents’ use of harsh discipline (including corporal punishment) were related to the adolescents’ depressive symptoms, controlling for family income, education, and immigrant-generation status.<sup>22</sup> Likewise, in a study of working-

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17. Mary K. Eamon, *Antecedents and Socioemotional Consequences of Physical Punishment on Children in Two-Parent Families*, 25 CHILD ABUSE & NEGLECT 787, 793–96 (2001).

18. *Id.* Internalizing problems include mental states such as depression and anxiety, while externalizing problems include acting out behaviors such as aggression and delinquency.

19. Anna S. Lau et al., *Factors Affecting the Link Between Physical Discipline and Child Externalizing Problems in Black and White Families*, 34 J. COMMUNITY PSYCHOL. 89, 96–98 (2006).

20. Matthew K. Mulvaney & Carolyn J. Mebert, *Parental Corporal Punishment Predicts Behavior Problems in Early Childhood*, 21 J. FAM. PSYCHOL. 389, 392–93 (2007).

21. See generally Ruth K. Chao, *Chinese and European Cultural Models of the Self Reflected in Mothers’ Childrearing Beliefs*, 23 ETHOS 328 (1995); George K. Hong & Lawrence K. Hong, *Comparative Perspectives on Child Abuse and Neglect: Chinese Versus Hispanics and Whites*, 70 CHILD WELFARE 463 (1991).

22. Su Y. Kim & Xiaojia Ge, *Parenting Practices and Adolescent Depressive Symptoms in Chinese American Families*, 14 J. AM. PSYCHOL. 420, 425–30 (2000).

class, Asian American–Pacific Islanders between ten and eighteen years old, higher levels of harsh parental discipline (including corporal punishment) were associated with more-externalizing problems.<sup>23</sup> On the other hand, a study of Cambodian, Chinese, Laotian or Mien, and Vietnamese youth found that their reports of their parents' discipline practices were not significantly related to their reports of their own delinquency.<sup>24</sup>

Despite their conclusions, all three of these studies were based on relatively small samples, did not disaggregate corporal punishment from other forms of harsh discipline (such as threatening to lock the child out of the house), and did not compare Asian Americans with other groups; it is thus unclear whether the relationship between corporal punishment and child adjustment is weaker, stronger, or about the same as it would be in other cultural groups.

#### F. Cultural Differences that Do Not Focus on Race or Ethnicity

Although culture is often defined in terms of race or ethnicity, it can include a wide range of socially defined groups. Religion has emerged as an important cultural distinction that is related to parents' use of corporal punishment.<sup>25</sup> Conservative Protestants (Adventists and Baptists, for example) were found to be more likely to report using corporal punishment and more likely to believe in its efficacy than were parents with other or no religious affiliation. In particular, conservative Protestant parents were more likely to believe that corporal punishment prevents future child misbehaviors and that it has less detrimental effects on children in terms of their social and moral development. In fact, the principle of "sparing the rod and spoiling the child" has been advanced by conservative Protestant church leaders and popular media figures, such as James Dobson, who give parenting advice.<sup>26</sup> These cultural values related to religion may be more important than race or ethnicity in shaping parents' discipline strategies and children's responses to them.

Culture also has been defined in terms of geographic region and socioeconomic status (SES). Corporal punishment is used more frequently by lower-SES families, and is more prevalent in the South than in other regions of the United States.<sup>27</sup> Yet there is some evidence that individual differences in

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23. Barbara D. DeBaryshe, Sylvia Yuen & Ivette R. Stern, *Psychological Adjustment in Asian American–Pacific Islander Youth: The Role of Coping Strategies, Parenting Practices, and Community Social Support*, 2 *ADOLESCENT & FAM. HEALTH* 63, 66–68 (2001).

24. Thao N. Le, Golnoush Monfared & Gary D. Stockdale, *The Relationship of School, Parent, and Peer Contextual Factors with Self-Reported Delinquency for Chinese, Cambodian, Laotian or Mien, and Vietnamese Youth*, 51 *CRIME & DELINQ.* 192, 206–12 (2005).

25. Elizabeth T. Gershoff, Pamela C. Miller & George W. Holden, *Parenting Influences from the Pulpit: Religious Affiliation as a Determinant of Parental Corporal Punishment*, 13 *J. FAM. PSYCHOL.* 307, 312–15 (1999).

26. See JAMES C. DOBSON, *THE NEW DARE TO DISCIPLINE* (1986).

27. Clifton P. Flynn, *Regional Differences in Attitudes Toward Corporal Punishment*, 56 *J. MARRIAGE & FAM.* 314, 317–21 (1994); accord 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. R.* 55, 59–64 (1999).

corporal punishment do not as strongly predict individual differences in child aggressive behavior in low-SES compared to high-SES groups. Using the NLSY to address the limitation that many studies confound race, ethnicity, and SES, one study found complex relationships between children's age, ethnicity, poverty status, spanking frequency, and behavior problems.<sup>28</sup> Specifically, spanking produced stronger negative effects for younger Hispanic children than for older ones, but the opposite was true for European American and African American children. Furthermore, the age differences in punishment effects between African American and Hispanic families were stronger in low-SES families, but the differences between African American and European American families were stronger in high-SES families. Similarly, the relationship between spanking and a child's reading scores and vocabulary depended on ethnicity and poverty status. The authors concluded that (1) more-frequent spanking was related to more behavior problems for children in all three racial and ethnic groups, (2) there was a generally weaker pattern of association between spanking and behavior problems for African American children, and (3) the associations depended on the family's poverty status. Others reviewing the links between corporal punishment and child adjustment concluded that the research to date was inconclusive regarding any differences between African Americans and European Americans in these associations.<sup>29</sup>

Taken together, the body of research on cultural differences and similarities in links between corporal punishment and children's adjustment in American samples can be used to support two main conclusions. First, despite a few exceptions that show corporal punishment to be related to better behavior for African American youth, studies generally report either that parents' use of corporal punishment is associated with more child-adjustment problems (even if the relationship is weaker among some groups than others) or that there is no association between corporal punishment and child adjustment. This supports the argument that corporal punishment does not show enough benefits across cultural groups within the United States to justify its use. Second, the literature presents a complicated pattern of findings in which the strength of the association between corporal punishment and child adjustment often differs by cultural group (either race, ethnicity, region of residence, or religion). So corporal punishment is not consistently associated with behavior problems in the same way across all cultural groups; understanding the implications of corporal punishment for a given child is more appropriately a matter of understanding the broader cultural and parent-child contexts in which it is used.

For judges and the law, the complexity of the research findings presents a dilemma regarding the extent to which blanket injunctions should be made

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28. Robert H. Bradley et al., *The Home Environments of Children in the United States Part II: Relations with Behavioral Development Through Age Thirteen*, 72 *CHILD DEV.* 1868, 1871-79 (2001).

29. Ivor B. Horn, Jill G. Joseph & Tina L. Cheng, *Nonabusive Physical Punishment and Child Behavior Among African American Children: A Systematic Review*, 96 *JAMA* 1162, 1166-67 (2004).

against the use of corporal punishment. The bulk of the research shows that corporal punishment has detrimental effects on children from a range of ethnic, cultural, and socioeconomic backgrounds or that there are no long-term benefits of using corporal punishment. These findings suggest that from a scientific perspective, a ban on corporal punishment would be warranted despite the evidence that corporal punishment does not affect all children in the same way.

### III

#### THE ROLE OF PARENTAL WARMTH

The outcomes associated with a given discipline strategy may depend on how children perceive their parents' disciplinary messages.<sup>30</sup> Children are less likely to internalize the disciplinary messages their parents are trying to convey and may show worse long-term adjustment if they perceive the discipline as being unfair or unreasonable.<sup>31</sup> If parents are out of control and angry when disciplining their children, the message received by the children may be that the experience is scary and unpredictable. But if parents discipline their children as a controlled part of an overall parenting plan, then the message received by the children may be that although the discipline is unpleasant, it is carried out in a careful manner with their best interests at heart.<sup>32</sup>

There is some evidence that corporal punishment and children's adjustment are unrelated after taking into account aspects of parenting such as warmth and involvement.<sup>33</sup> This may be because the trust and reciprocity engendered in parent-child relationships by parental warmth<sup>34</sup> may offset the potentially deleterious effects of corporal punishment. For example, one study found that spanking predicted an increase in mother-reported internalizing and externalizing problems over time for European American, African American,

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30. Joan E. Grusec & Jacqueline J. Goodnow, *Impact of Parental Discipline Methods on the Child's Internalization of Values: A Reconceptualization of Current Points of View*, 30 *DEVELOPMENTAL PSYCHOL.* 4, 17 (1994).

31. *Id.*

32. E.g. Lynetta Mosby et al., *Troubles in Interracial Talk About Discipline: An Examination of African American Child Rearing Narratives*, 30 *J. COMP. FAM. STUD.* 489, 492-93 (1999).

33. See generally Nancy Darling & Laurence Steinberg, *Parenting Style as Context: An Integrative Model*, 113 *PSYCHOL. BULL.* 487 (1993); Robert E. Lazerle et al., *Relations of Spanking and Other Parenting Characteristics to Self-Esteem and Perceived Fairness of Parental Discipline*, 64 *PSYCHOL. REP.* 64 (1989); Ronald L. Simons et al., *A Cross-Cultural Examination of the Link Between Corporal Punishment and Adolescent Antisocial Behavior*, 38 *CRIMINOLOGY* 47 (2000).

34. Grusec & Goodnow, *supra* note 30; see generally ELEANOR E. MACCOBY, *SOCIAL DEVELOPMENT: PSYCHOLOGICAL GROWTH AND THE PARENT-CHILD RELATIONSHIP* 392 (1980); Eleanor E. Maccoby & John A. Martin, *Socialization in the Context of the Family: Parent-Child Interaction*, in 4 *SOCIALIZATION, PERSONALITY, AND SOCIAL DEVELOPMENT* 1 (Paul H. Mussen & E. Mavis Hetherington eds., 4th ed. 1983).

and Hispanic children, but only in the context of low maternal support.<sup>35</sup> In a sample of three- to eight-year-old children in English biological and adoptive families, researchers examined the correlation between interviewer-rated harshness of maternal corporal punishment and parent-rated negative child behavior and tested whether the correlation varied as a function of maternal warmth or mother-child genetic similarity.<sup>36</sup> For both genetically related and adoptive mother-child dyads, corporal punishment and negative child behaviors were positively correlated only in dyads that were low in maternal warmth.<sup>37</sup> Both of these studies reported that the correlation between corporal punishment and child adjustment depended on the level of warmth in the parent-child relationship.<sup>38</sup> Parental acceptance-rejection theory suggests that if children interpret their parents' use of corporal punishment as evidence of rejection or an absence of love, it will have deleterious effects on their adjustment. The association between parents' use of corporal punishment and children's adjustment was no longer significant after statistically controlling for children's perceptions of the harshness and justness of their parents' corporal punishment.<sup>39</sup> Similarly, parents' use of corporal punishment negatively affects children's adjustment in part by making children feel rejected.<sup>40</sup> The effect of punishment may depend on the context in which it is employed and the meaning that it delivers for the child. The take-home message from this set of studies is that although corporal punishment is an important aspect of parent-child relationships, the overall context of that relationship might be more important in explaining children's responses to corporal punishment than whether the parent uses it.

#### IV

#### THE ROLE OF CORPORAL PUNISHMENT BELIEFS

Family and cultural contexts may affect the association between parents' behavior and children's adjustment to the extent that they influence how children construe their parents' behaviors. The parental acceptance-rejection theory, for example, considers children's perceptions of their parents'

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35. Vonnie C. McLoyd & Julia Smith, *Physical Discipline and Behavior Problems in African American, European American, and Hispanic Children: Emotional Support as a Moderator*, 64 J. MARRIAGE & FAM. 40, 44-50 (2002).

36. Kirby Deater-Deckard, Linda Ivy & Stephen A. Petrill, *Maternal Warmth Moderates the Link Between Physical Punishment and Child Externalizing Problems: A Parent-Offspring Behavior Genetic Analysis*, 6 PARENTING: SCI. & PRAC. 59, 67-73 (2006).

37. *Id.*

38. *Id.*; McLoyd & Smith, *supra* note 35.

39. Ronald P. Rohner, Shana L. Bourque & Carlos A. Elordi, *Children's Perceptions of Corporal Punishment, Caretaker Acceptance, and Psychological Adjustment in a Poor, Biracial Southern Community*, 58 J. MARRIAGE & FAM. 842, 846-50 (1996).

40. Ronald P. Rohner, Kevin J. Kean & David E. Cournoyer, *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, 685-90 (1991).

acceptance and rejection to be of paramount importance.<sup>41</sup> If children believe that their parents' use of corporal punishment is indicative of "good" and caring parenting, there may be no association between that type of discipline and children's adjustment problems. But if children do not perceive that type of discipline as being indicative of good parenting, they may associate being disciplined with being rejected by their parents, which could be related to higher levels of problem behavior.

Sweden is a particularly interesting country in which to study corporal-punishment beliefs because in 1979 it became the first of several nations to ban corporal punishment explicitly.<sup>42</sup> Swedish parents' endorsement of corporal punishment as a necessary disciplinary method has declined over time, both before and after the ban (from fifty-three percent in 1965 to eleven percent by 1996).<sup>43</sup> Use of corporal punishment in Sweden has declined along with declined endorsement of its use:<sup>44</sup> though nearly every child born in the mid-1950s experienced corporal punishment,<sup>45</sup> only forty-five percent of mothers surveyed in 2000 reported ever using it.<sup>46</sup> Based on the data from Sweden, one would expect that legal bans of corporal punishment in other countries would be followed by changes in societal norms about the appropriateness of corporal punishment and a decline in its use.

In spite of the legal ban and prevailing attitudes, there is still considerable variation in disciplinary practices and beliefs in Sweden. In one study examining school-age children's beliefs about the appropriateness of corporal punishment, about one third of the children reported that their parents might hypothetically use corporal punishment, and about half felt that corporal punishment was acceptable and indicative of parental love and concern.<sup>47</sup> In another study researchers compared longitudinal data collected in Tennessee as part of the Nashville Parenting Project to a sample from Trollhättan, Sweden, to examine

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41. *Id.*

42. Barnombudsmannen [The Children's Ombudsman], The Swedish Corporal Punishment Ban, <http://www.barnombudsmannen.se/adfinity.aspx?pageid=90> (last visited Jan. 6, 2010).

43. BARBO HINDBERG, MINISTRY OF HEALTH & SOC. AFFAIRS, SWED., ENDING CORPORAL PUNISHMENT: SWEDISH EXPERIENCE OF EFFORTS TO PREVENT ALL FORMS OF VIOLENCE AGAINST CHILDREN—AND THE RESULTS 14 (2001); accord Klaus A. Ziegert, *The Swedish Prohibition of Corporal Punishment: A Preliminary Report*, 45 J. MARRIAGE & FAM. 917, 921 (1983).

44. Joan E. Durrant, *Evaluating the Success of Sweden's Corporal Punishment Ban*, 23 CHILD ABUSE & NEGLECT 435, 438–43 (1999); cf. Kerstin Palmérus, *Self-Reported Discipline Among Swedish Parents of Preschool Children*, 8 INFANT & CHILD DEV. 155, 162–66 (1999) (documenting the use of alternate discipline methods).

45. HINDBERG, *supra* note 43, at 15; Håkan Stattin et al., *Corporal Punishment in Everyday Life: An Intergenerational Perspective*, in COERCION AND PUNISHMENT IN LONG-TERM PERSPECTIVES 315 (Joan McCord ed., 1995).

46. Joan E. Durrant, Linda Rose-Krasnor & Anders G. Broberg, *Physical Punishment and Maternal Beliefs in Sweden and Canada*, 34 J. COMP. FAM. STUD. 585–604 (2003).

47. Emma Sorbring, Margaretha Rödhalm-Funnemark & Kerstin Palmérus, *Boys' and Girls' Perceptions of Parental Discipline in Transgression Situations*, 12 INFANT & CHILD DEV. 53, 58–63 (2003). The researchers were not able to ask the children explicitly whether they had been corporally punished or not.

whether American and Swedish children's perceptions regarding the acceptability of their parents' discipline strategies differed.<sup>48</sup> Children in each country were presented with a series of hypothetical vignettes in which a child misbehaves and the mother intervenes; the type of misbehavior and mothers' discipline strategies varied across vignettes. Children were then asked to rate their agreement with statements regarding whether the mother was trying to harm the child, whether the mother was showing her love to the child, whether the mother was trying to prevent future misbehavior in the child, and whether the mother was a "good" parent. American children generally endorsed parents' use of corporal punishment, whereas Swedish children had wider variation in their views, with half reporting that corporal punishment was acceptable and the other half reporting that it was not. In contrast, the American and Swedish children's perceptions regarding parents' use of reasoning and explanation were quite similar, with children in both countries agreeing that these methods of discipline were "good" forms of parenting. These findings suggest that children's beliefs about the appropriateness of corporal punishment are shaped, in part, by the societal standards reflected in corporal-punishment laws.

Data regarding children's own discipline experiences and associated behavior problems were not available for the Swedish sample, but in the American sample, such data were examined in relation to children's perceptions regarding the acceptability of corporal punishment.<sup>49</sup> For European American children, corporal punishment was associated with higher levels of problem behaviors in children with the least positive beliefs about such punishment but was associated with lower levels of problem behaviors in children with the most positive beliefs about it. For African American children, there were nonsignificant, negative associations between corporal punishment and behavior problems both for children who endorsed the use of corporal punishment as well as for those who did not. These findings suggest that a child's ethnic or cultural environment contributes to different interpretations of parental behaviors in ways that might lead to different outcomes for children.

## V

### WHAT COULD ACCOUNT FOR CULTURAL DIFFERENCES?

Within cultural groups, parental warmth and parents' and children's beliefs about the advisability of using corporal punishment appear to be important to an understanding of how corporal punishment will relate to a child's adjustment. Variation occurs not just within cultures but also between cultures. What factors might account for differences between cultures in links between

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48. Kirby Deater-Deckard, Kenneth A. Dodge & Emma Sorbring, *Cultural Differences in the Effects of Physical Punishment*, in ETHNICITY & CAUSAL MECHANISMS 204, 215-17 (Michael Rutter & Marta Tienda eds., 2005).

49. *Id.*

corporal punishment and child adjustment? Some propose that the meaning children attach to the experience of corporal punishment depends on the cultural context in which it is administered.<sup>50</sup> If corporal punishment is the norm within a given culture, then children may believe that their parents are using corporal punishment as part of a planned strategy that is in their best interests; this could serve as a buffer against the adverse effects of corporal punishment.<sup>51</sup> If, however, corporal punishment is not the norm within a given cultural context, then children may believe that their parents are out of control and rejecting, which may exacerbate children's maladjustment. There is evidence that cultural norms are indeed related to children's interpretation of corporal punishment as indicating parental hostility or not, which in turn mediates the link between corporal punishment and children's adjustment.<sup>52</sup> In attribution-theory terms, a nonnormative experience holds greater information value than a normative one, leading to internal attributions about its cause.<sup>53</sup> Between-culture differences in the normativeness of corporal punishment might help account for children's and parents' beliefs about its advisability within a given cultural context.

Consistent with this perspective, African Americans are more likely than European Americans to believe that corporal punishment is an appropriate and effective disciplinary strategy.<sup>54</sup> The idea that "I'd rather my child get a beating from me than from the police" is common in the African American community.<sup>55</sup> African American families have been found to experience higher levels of stress, and parents worried more about their children's future aggressiveness than did European Americans, accounting for African American parents' more-frequent use of corporal punishment.<sup>56</sup> In parenting narratives, African American parents and community elders have articulated their beliefs that corporal punishment was more effective than reasoning as a form of discipline, but also that corporal punishment should be accompanied by teaching rather than anger.<sup>57</sup>

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50. Kirby Deater-Deckard & Kenneth A. Dodge, *Externalizing Behavior Problems and Discipline Revisited: Nonlinear Effects and Variation by Culture, Context, and Gender*, 8 PSYCHOL. INQUIRY 161, 166-69 (1997).

51. *Id.*

52. Jennifer E. Lansford et al., *Children's Perceptions of Maternal Hostility as a Mediator of the Link Between Discipline and Children's Adjustment in Four Countries*, 34 INT'L J. BEHAV. DEV. 452, 452-61.

53. See John H. Harvey & Gifford Weary, *Current Issues in Attribution Theory and Research*, 35 ANN. REV. PSYCHOL. 427, 431-45 (1984).

54. Clifton P. Flynn, *To Spank or Not to Spank: The Effect of Situation and Age of Child on Support for Corporal Punishment*, 13 J. FAM. VIOLENCE 21, 30-32 (1998).

55. Arthur L. Whaley, *Sociocultural Differences in the Developmental Consequences of the Use of Physical Discipline During Childhood for African Americans*, 6 CULTURAL DIVERSITY & ETHNIC MINORITY PSYCH. 5, 8 (2000).

56. Ellen E. Pinderhughes et al., *Discipline Responses: Influences of Parents' Socioeconomic Status, Ethnicity, Beliefs About Parenting, Stress, and Cognitive-Emotional Processes*, 14 J. FAM. PSYCHOL. 380, 386-93 (2000).

57. Mosby et al., *supra* note 32.

The context in which corporal punishment is administered may be more important than the corporal punishment itself in determining its effects on children's development.<sup>58</sup> African American parents use corporal punishment more frequently than do European American parents; in this more-normative family-cultural context, family variations in punishment are unrelated to long-term outcomes for children.<sup>59</sup> In contrast, the positive correlation between early corporal punishment and later deviant-behavior problems in European American children is robust.<sup>60</sup>

One study of corporal punishment in mother-child dyads in six countries (China, India, Italy, Kenya, the Philippines, and Thailand) extended the question of cultural moderation into an international context to directly address the issue of cultural normativeness.<sup>61</sup> The researchers found that the perceived normativeness of corporal punishment moderates the association between children's experiencing such punishment and their associated aggression and anxiety.<sup>62</sup> So more-frequent use of corporal punishment is less strongly associated with adverse child outcomes in countries where such punishment is more normative.

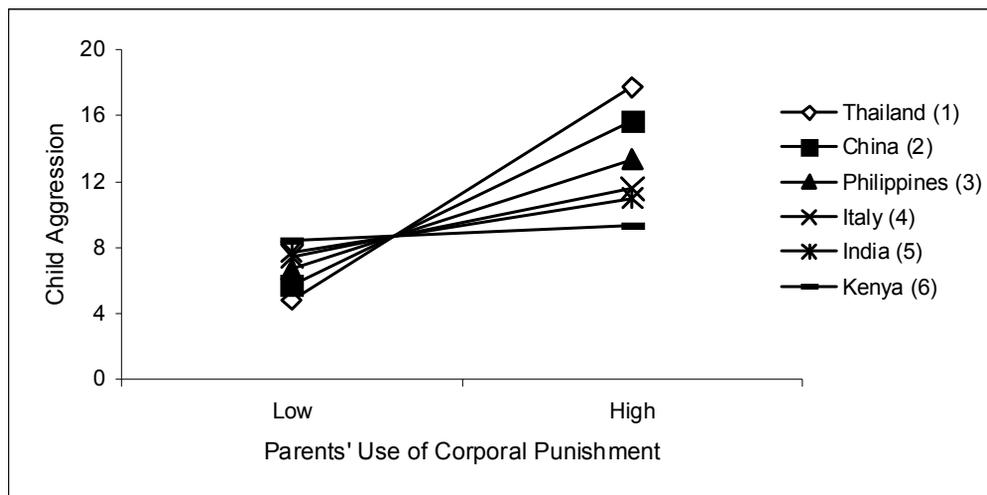


Figure 1 depicts the significant results indicating the influential role of cultural normativeness in the link between mothers' use of corporal punishment and children's adjustment.<sup>63</sup> "High" and "low" reflect use of corporal

58. See generally Gunnoe & Mariner, *supra* note 9, at 768.

59. Jean Giles-Sims, Murray A. Straus & David B. Sugarman, *Child, Maternal, and Family Characteristics Associated with Spanking*, 44 FAM. REL. 170, 174 (1995).

60. Deater-Deckard et al., *supra* note 4; Lansford et al., *supra* note 10.

61. Jennifer E. Lansford et al., *Physical Discipline and Children's Adjustment: Cultural Normativeness as a Moderator*, 76 CHILD DEV. 1234, 1237-38 (2005).

62. *Id.* at 1238-40.

63. *Id.* at 1242.

punishment at values one standard deviation above and below the mean, calculated across the entire sample. The numbers in parentheses after each country name show the country's rank in the normativeness of corporal punishment as indicated by the average of mothers' reports of how frequently they use it (with 1 being the least normative and 6 being the most normative). More-frequent use of corporal punishment was related to higher levels of child aggression and anxiety in all countries, but the countries in which corporal punishment was the least typical showed the strongest positive association between individual mothers' use of corporal punishment and their children's behavior problems.<sup>64</sup>

## VI

### WITHIN- VERSUS BETWEEN-CULTURE EFFECTS

Research suggesting that greater normativeness of corporal punishment within a cultural group weakens the link between a child's individual experience of punishment and his or her aggressive behavior may appear inconsistent with other results suggesting that greater acceptability of corporal punishment within a cultural group is associated with higher levels of societal violence. For example, the cultural-spillover theory of violence suggests that if societies condone violence for legitimate purposes, such as rearing children or punishing criminals, individuals within the society are themselves more likely to use violence for both socially legitimate and criminal purposes.<sup>65</sup> Likewise, other forms of violence are accepted more readily in cultural contexts in which corporal punishment is frequent.<sup>66</sup>

This apparent paradox involving within- and between-culture effects could be explained through a framework that models aggressive behavior at a culture-wide level and parental rejection at an individual level.<sup>67</sup> Within a particular culture, children who are corporally punished may not show worse adjustment than children who are not if children perceive such punishment as typical and therefore not as a sign of parental rejection.<sup>68</sup> Yet within such a culture, children may internalize norms regarding the appropriateness of corporal punishment<sup>69</sup> and generalize those norms to the acceptability of using physical force in other domains of life. Together, these two processes could result in higher societal levels of violence in cultural groups in which corporal punishment of children is

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64. *Id.* at 1240–44.

65. Larry Baron, Murray A. Straus & David Jaffee, *Legitimate Violence, Violent Attitudes and Rape: A Test of the Cultural Spillover Theory*, 529 ANNALS N.Y. ACAD. SCI. 79, 80–82 (1988).

66. Emily M. Douglas & Murray A. Straus, *Assault and Injury of Dating Partners by University Students in 19 Countries and its Relation to Corporal Punishment Experienced as a Child*, 3 EUR. J. CRIM. 293, 300–05 (2006).

67. Jennifer E. Lansford & Kenneth A. Dodge, *Cultural Norms for Adult Corporal Punishment of Children and Societal Rates of Endorsement and Use of Violence*, 8 PARENTING: SCI. & PRAC. 257, 265–67 (2008).

68. Rohner, Bourque & Elordi, *supra* note 39.

69. Deater-Deckard et al., *supra* note 4.

normative, even if there is no apparent adverse effect on an individual child compared to other children in that cultural group. Indeed, this explanation is supported by the analyses of data from the Standard Cross-Cultural Sample of anthropological records<sup>70</sup> showing higher societal levels of violence in cultural groups in which the corporal punishment of children is the norm.<sup>71</sup> These findings suggest that if legal systems are able to change norms regarding the acceptability of corporal punishment by outlawing its use, there may be trickle-down effects related to less endorsement of the use of other forms of violent or aggressive behavior.

## VII IMPLICATIONS

The anthropology literature includes many examples of parental behaviors that might be perceived as detrimental to children in one cultural context but not in another. For example, folk remedies at times involve practices that leave burns or other marks when parents try to treat their children's medical symptoms.<sup>72</sup> These practices are not intended to hurt children, but rather to help them recover from illness. These kinds of practices become problematic, however, when parents use them outside of their accepted setting, as when families immigrate to the United States and such practices conflict with American definitions of child abuse or neglect.<sup>73</sup> Cultural evidence is sometimes used in legal cases.<sup>74</sup> For example, an English judge dismissed a case involving a mother who made small cuts on the cheeks of her two sons after evidence was introduced that in the mother's native tribe, the purpose of making the cuts was to initiate her sons into the tribe.<sup>75</sup> Within the United States, ear piercing and male circumcision are accepted practices that physically hurt children and permanently alter their appearance; nevertheless, these practices are not defined as being abusive and are not presumed to be detrimental to children's long-term adjustment.

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70. George P. Murdock & Douglas R. White, *Standard Cross-Cultural Sample*, 8 *ETHNOLOGY* 329, 331–41 (1969). The records include relevant ethnographic data from 186 cultures studied by anthropologists.

71. Lansford & Dodge, *supra* note 67.

72. Karen K. Hansen, *Folk Remedies and Child Abuse: A Review with Emphasis on Caida de Mollera and its Relationship to Shaken Baby Syndrome*, 22 *CHILD ABUSE & NEGLECT* 117, 117–21 (1997); see generally Amanda L. Risser & Lynette J. Mazur, *Use of Folk Remedies in a Hispanic Population*, 149 *ARCHIVES PEDIATRIC & ADOLESCENT MED.* 978 (1995) (discussing use of herbal folk remedies).

73. See generally Roger J.R. Levesque, *Cultural Evidence, Child Maltreatment, and the Law*, 5 *CHILD MALTREATMENT* 146 (2000).

74. Doriane L. Coleman, *Individualizing Justice Through Multiculturalism: The Liberals' Dilemma*, 96 *COLUM. L. REV.* 1093, 1093–94 (1996).

75. Michaël Fischer, *The Human Rights Implications of a Cultural Defense*, 6 *S. CAL. INTERDISC. L.J.* 663, 678 (1998) (referencing the unreported 1974 case *R. v. Adesanya*); see generally Sebastian Poulter, *Foreign Customs and the English Criminal Law*, 24 *INT'L & COMP. L.Q.* 136, 139 (1975) (expanded case discussion).

Yet using cultural normativeness as a justification for particular parenting practices has its limits. For example, although the cultures that practice female circumcision defend it as a culturally normative practice with spiritual implications, the practice has been condemned by the global community as being abusive to and having long-term negative effects on women.<sup>76</sup> Practices such as these may necessitate applying a global standard to protect children from serious long-term harm.

Studying cultural differences in effects of corporal punishment on child development in the current global context may be further complicated by the United Nations and the World Health Organization's goals to reduce parents' use of corporal punishment on a global scale. In 1989 the United Nations Convention on the Rights of the Child placed the protection of children's rights at the forefront of concerns facing the international community. The 192 countries that have ratified the Convention have committed themselves to ensuring children's rights in a number of domains, particularly protecting children from abuse and exploitation.<sup>77</sup> Article 19 requires that countries "take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation" and indicates that these protective measures should be accompanied by "the establishment of social programmes to provide necessary support for the child and for those who have the care of the child."<sup>78</sup>

The World Health Organization has argued that the United Nations Convention on the Rights of the Child should serve as a starting point for countries to work collectively to eliminate child abuse, and it has taken action to begin reaching that goal.<sup>79</sup> The United Nations' global study of violence against children concluded that the study "should mark a turning point—an end to adult justification of violence against children, whether accepted as 'tradition' or disguised as 'discipline.'"<sup>80</sup> The study challenged social norms condoning any form of violence against children, including corporal punishment.<sup>81</sup> Partly as a result of this mission, parenting specialists in many cultures in which corporal punishment has been the norm have been trying to alter parents' disciplinary

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76. See generally Doriane L. Coleman, *The Seattle Compromise: Multicultural Sensitivity and Americanization*, 47 DUKE L.J. 717 (1998).

77. United Nations Convention on the Rights of the Child, Nov. 20, 1989, 1577 U.N.T.S. 3.

78. *Id.*

79. WORLD REPORT ON VIOLENCE AND HEALTH 57–81 (Etienne G. Krug et al. eds., 2002), available at [http://whqlibdoc.who.int/publications/2002/9241545615\\_eng.pdf](http://whqlibdoc.who.int/publications/2002/9241545615_eng.pdf).

80. Paulo S. Pinheiro, *Report of the Independent Expert for the United Nations Study on Violence Against Children 5*, delivered to the General Assembly, U.N. DOC. A/61/299 (Aug. 29, 2006), available at <http://www.violencestudy.org/IMG/pdf/English-2-2.pdf>.

81. *Id.* at 25–26.

strategies.<sup>82</sup> Such attempts may alter the normativeness of corporal punishment within a given cultural context and, thereby, its relation with children's adjustment. If these interventions are successful, the challenge will be to work with parents to devise alternate child-behavior management strategies that do not rely on corporal punishment.

## VIII

### CONCLUSIONS

Studies that have examined links between parents' use of corporal punishment and children's adjustment have not reached consensus regarding whether cultural differences affect these associations. The majority of these studies have compared European Americans with African Americans, reporting patterns of findings that could lead to one of two conclusions: either the complex relationship between corporal punishment and child adjustment differs across cultural groups, or corporal punishment rarely has beneficial effects for any cultural group and is therefore not justified. Regardless of cultural group, parents' warmth has been shown to provide an important context for corporal punishment, though, in that significant associations between parents' use of punishment and children's adjustment problems are sometimes found only in the context of low parental warmth. Beliefs about the acceptability and effectiveness of corporal punishment also provide an important context: if parents' use of corporal punishment conveys to children that their parents reject them, this perception can increase children's adjustment problems.

Parents and children in different cultural groups may interpret corporal punishment as either an appropriate and effective discipline strategy or not, depending on the normativeness of corporal punishment within their group. Although corporal punishment is generally related to more behavior problems regardless of cultural group, this association is weaker in countries in which corporal punishment is the norm. Yet cultures in which corporal punishment is the norm also have higher levels of societal violence.

Complicating matters, the United Nations Convention on the Rights of the Child has turned global attention to eliminating all forms of violence against children, including parents' use of corporal punishment, and the United Nations and the World Health Organization are working to change cultural norms about the appropriateness of corporal punishment and to implement parenting programs designed to reduce parents' use of such punishment. Even if the effects of corporal punishment differ depending on the context in which it is used, there is too little evidence that corporal punishment has beneficial effects to justify its use. Therefore, from a global perspective, the implication for law

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82. Peter Newell, Coordinator, Global Initiative to End All Forms of Corporal Punishment of Children, *Why is Challenging all Corporal Punishment So Important?*, Speech (Feb. 2009), *available at* [http://http://www.unicef.org/india/reallives\\_5388.htm](http://http://www.unicef.org/india/reallives_5388.htm).

and policy is that societies have an obligation to prevent all forms of violence against children, including corporal punishment.