



CORPORAL PUNISHMENT

Let's outlaw spanking young children in California

By Leonard Edwards

I have a legislative proposal.

It is controversial, but I think now is the time to bring this issue up for public comment. I propose a law that would make hitting children 5 years of age or younger illegal. There would be no penalty, no criminal violation, just a statement of public policy that no parent figure should hit these young children. I realize there is current law permitting age-appropriate spanking contained in California Welfare and Institutions code section 300(a), but numerous studies demonstrate that hitting children is ineffective and has a negative long-term impact on them.

The American Academy of Pediatrics has just released a policy statement advising parents against the use of spanking as a disciplinary tool. That organization of pediatricians has concluded that spanking "increases aggression in young children in the long run and is ineffective in teaching a child responsibility and self-control."

They urge parents to employ more supporting forms of discipline. Numerous studies support the AAP's findings. Physical abuse is one of the adverse childhood experiences that may have a detrimental effect on children in later life.

There are other reasons.

More than 125 children die from physical abuse each year in California, and almost 100 children suffer near fatalities, most by parents and most 5 years of age or younger.

A total of 54 countries around the world, representing a range of cultures, have banned corporal punishment of all children, not just the younger ones. Sweden was the first country to do so about 40 years ago. The public reaction was negative. A public education program accompanied the law explaining alternative ways to discipline children. Now the Swedish public strongly supports the ban and has for years. Fortunately, there are proven interventions that reduce corporal punishment. The most impressive is the Triple P parenting class that is being used in at least three counties in California (San Francisco, Santa Clara and Santa Cruz). Data in Santa Clara show a reduction in a number of indicators. The most comprehensive study confirming the program's effectiveness is "Population-Based Prevention of Child Maltreatment: The U.S. Triple P

System Population Trial.” That study concluded: “The real-world magnitude of the observed effects can be derived from the data. In a community with 100,000 children under 8 years of age, these effects would translate into 688 fewer cases of CM (child maltreatment), 240 fewer out-of-home placements, and 60 fewer children with injuries requiring hospitalization or emergency room treatment.”

Most Americans believe that parents must have corporal punishment as a disciplinary option if they are going to raise their children effectively.

A frequent parental response to ending corporal punishment are statements such as “I was spanked/beaten as a child and look at me now,” “It made me who I am today” and “Let’s don’t fix it if it isn’t broken.” We should recognize that all family traditions are equal. Maybe, in some cases, they’ve made our lives more precarious and unhappy, and maybe we haven’t turned out quite as well as we’d like to believe.

It was once culturally appropriate in some communities to beat one’s wife. No longer.

When we were young, we did not have seat belts and believed they were unnecessary. No one complains now. Same with motorcycle helmets.

Corporal punishment in schools was legal in all states and is still the law of the land, although now most states including California do not permit such punishment.

Times change, and cultures also change, but sometimes the law and education can help make those changes. By letting adults know that is it not legal to strike young children, we, as a society, will begin to set a standard that will hopefully reduce the numbers of children who suffer from parental abuse.

No other state has passed similar legislation. California can be the first. Isn’t it time to recognize what science has informed us? Let’s end corporal punishment of our most vulnerable children.

Leonard Edwards is a retired Santa Clara County Superior Court judge.



Leonard Edwards, right, is a retired Santa Clara County Superior Court judge who is nationally known for his youth programs.

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