

LEGAL ADULT VIOLENCE

By Mike A. Males, 1996

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A 1985 study of 1,000 families by family violence researcher Murray Straus found that parents inflicted nearly twice as many severe, and nearly four times as many total, violent acts on their teenage children than the other way around.⁵¹ Other studies indicate Strauss findings may be conservative. A 1988 survey of 1,146 parents found that 80 percent of the children under age 10, two-thirds of the 10-14-year-olds, and one-third of the 15-17 year-olds were hit or struck by their parents within the previous year. Parents are nearly four times more likely to commit simple assault, and twice as likely to commit severe or aggravated assault, against their teenage children than the other way around. Two thousand to 5,000 children are killed by their parents every year, with most called "accidents."⁵²

Widespread official attention and legal initiatives are brought to bear against family violence when adults are victimized. Health Secretary Shalala's call for "zero tolerance" for domestic violence aimed at women has been matched by her "zero commentary" on the issue of child abuse. Clinton's radio address condemning domestic violence, in the wake of the O. J. Simpson verdict and the eve of Louis Farrakhan's Million Man March on Washington, focused almost exclusively on spousal violence and mentioned child victims only in passing.⁵³ Los Angeles Police Chief Willie Williams had harsher words for "young people" who commit violence "against their parents or their grandparents" than for the 170,000 cases of child abuse and neglect inflicted on children by the city's parents and caretakers the previous year.⁵⁴ Battered children are a constituency with even less power than battered women....

....American parents freely hit their kids. The 1990 National Longitudinal study of youth found that 61 percent of the 3-5-year-olds were spanked in the week preceding the interview, and these an average of three times. Two of three adolescents reported having been legally hit by their parents or other adults at least once while in their teens.⁵⁹ Thus the kind of violence that would bring misdemeanor or felony assault charges if inflicted upon an adult occurs hundreds of millions of times every year in the lives of American children—and is not reflected in child abuse statistics cited.

The benefits of corporal punishment promised by its advocates do not materialize in fact, a point well reviewed elsewhere. To the contrary: Legally spanked and beaten children are "associated with an increased probability of several psychosocial problems" including educational failure,⁶⁰ problem drinking,⁶¹ adult depression and spouse abuse,⁶² reduced occupational and economic achievement,⁶³ increased aggression and violence,^{64, 65} and even a greatly-enhanced probability of winding up on death row.⁶⁶ In a logic not yet grasped by lawmakers, the Supreme Court, the police in the Pico/Aliso district, or six in ten American parents, beating children (legally or illegally) produces children who beat.

No matter. Academics can study and report, logicians can reason, civil libertarian hearts can bleed. Hitting children is not a subject to which rational debate applies. It is another manifestation of Americans' unique exploitation of children as models for absolutist behavior standards and austere punishments that grown adults would not impose on themselves. Advocates of corporal punishment (such as the Orange County, California, legislator who proposes to paddle juvenile graffitiists) portray themselves as "tough." Yet Singapore, whose policy of caning criminals American advocates of spanking juveniles recommend as a model, administers 95 percent of its legal beatings to adults — especially to corrupt politicians. In contrast, the U.S. appears to be the only nation that authorizes the hitting of juveniles while shielding even adult criminals from physical punishment. This breathtaking anti-child hostility was reflected in a 1977 Supreme Court decision:

An examination of the Amendment and the decisions of this Court construing the proscription against cruel and unusual punishment confirms that it was designed to protect those convicted of crimes. We adhere to this long-standing limitation and hold that the Eighth Amendment does not apply to the paddling of children as a means of maintaining discipline...⁶⁷

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The Court's decision came in a Florida case in which junior high students, for offenses as trivial as "being slow to respond," were beaten. One suffered a hematoma requiring medical attention and absence from school for several days, the other lost the use of one arm for a week. Not only did the Court uphold corporal punishment of youths, it allowed schools to inflict it without hearing, notice, or review. It is difficult to read the majority opinion without concluding that justices were delighted with their "toughness" in dismissing every significant fact of the case.

To rejoin, as did the Court's four dissenters (all now retired), that "where corporal punishment becomes so severe as to be unacceptable in a civilized society, (we) can see no reason that: it should become any more acceptable just because it is inflicted upon children," is polite understatement. As in the case of social policy, we American adults through our institutions and courts are imposing Third World conditions of poverty and legal violence upon our children while demanding First World protections for ourselves.

The question is less whether corporal punishment is barbaric, futile, or even counter-productive than its extraordinary hypocrisy. If beatings are effective in deterring misbehavior, and if deterrence is the goal, then American grownups (especially the Bible-quoters who freely cite "spare the rod" admonitions but overlook whole verses of Deuteronomy mandating harsh physical punishments of adult criminals) should demand an even heavier schedule of paddlings, spankings, and other physical punishments for adult drunk drivers, child molesters, white collar criminals, racketeering legislators, and other adult miscreants than it would impose upon children who are "slow to respond." And televise the lashings for maximum deterrence and viewing pleasure: The Caning Channel.

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