

Corporal Punishment in Public Schools: What Are the Issues?

Abstract This chapter analyzes incidences of corporal punishment to highlight the severity of the problem. In each case, the reasons corporal punishment was administered, by whom, and what injuries were subsequently received are included. Several definitions of corporal punishment are considered. These all include the central idea that corporal punishment is physical harm received as punishment in order to try and change a person's behavior. Whether corporal punishment is child abuse is discussed, with a cursory look at the definitions of abuse given by some states. This chapter includes examples of where doctors have, on occasion, notified Child Protective Services (CPS), but have been told that the state cannot interfere with school policy. Finally, the doctrine of *in loco parentis* is considered as it relates to public schools.

Keywords Corporal punishment • United States public schools
Paddling • The convention on the rights of the child • Child abuse
in loco parentis • Spousal abuse

Hyman and Snook open their book, *Dangerous Schools*, with the following harrowing account:

Whack! Smack! The long arching swing of the paddle ended abruptly against her behind. She leaned over with both hands tightly gripping the edge of the counter. Her pants offered little protection from the earnest efforts of the

man with broad shoulders and powerful arms. Her eyes were filled with tears as she cried in anger and outrage.

(Hyman and Snook 1999, 19.)

Seventeen-year-old Shelley Gaspersohn attended Dunn High School in Dunn, North Carolina. Shelley was punished for illegally missing a day at school. It was her first offense in all the years she had been attending the school. As a consequence, she was given 6 days in-school suspension. However, the promised classwork and homework were not made available, and after 3 days she became concerned that she was falling behind with her classes. Shelley was especially worried about missing her instruction on calculus. She was concerned that it may affect her scholarship at the University of North Carolina.

Shelley asked if she could have an alternative punishment. She was offered, and accepted, six blows with the paddle. This was administered on December 1, 1982. Shelley was so badly injured that medical treatment was required to stop the heavy menstrual hemorrhaging that occurred as a result of her beating. The doctor who treated her contacted the Department of Social Services to file child abuse charges. However, the doctor was told that Social Services could not intervene in school cases. Her mother filed charges against the Harnett County School Board and Glen Varney, the assistant principle. (For the full transcript of the testimony given by both Shelley and her mother to Senator Arlen Specter see USSCJJ 1984.)

Though this happened over 30 years ago, it is not just an isolated incident, nor a thing of the past in US public schools. The fact that, as a result of the beating, Shelley required hospital treatment did not deter other schools from paddling teenage girls.

Fifteen years later in Ohio, seventeen-year-old Bria Rose received a similar blow by a wooden paddle (Hyman and Snook 1999, 20). She was severely bruised on her buttocks. Like Shelley, Bria required gynecological treatment as she bled for over 20 days. She was told that she would possibly have internal damage to her reproductive system. In 1994, Ohio had abolished corporal punishment. However, a loophole allowed individual school districts to reinstate it if the policy was reviewed and approved by a task force consisting of parents, educators, and community members.

Bria's parents sued the Bloom-Vernon School District. However, a US district judge dismissed the case in 1999. The family decided not to pursue it any further.

Another 7 years later, in 2004, eighteen-year-old Jessica Serafin received several blows from a paddle, which was described as a four-foot-long piece of wood. Jessica attended the School of Excellence in Education, San Antonio, Texas. Jessica's offense was that, after arriving on the campus of her high school, she briefly left to purchase a taco for breakfast. She returned to the campus in time for class. Jessica, who was described as petite, was summoned to the interim principal's office. This man, who stood over six feet tall, informed her she would be paddled for breaking the rule about leaving campus. Jessica refused and asked to be sent home. In response the interim principal called in two other adults to restrain her. At one point she managed to get her hand free. Unfortunately, the paddle hit her hand causing it to fracture. Jessica also had bleeding wounds on her buttocks. Her mother had to take Jessica to the hospital for emergency treatment.

The USA is one of the last remaining Western nations where there is not a total ban on corporal punishment. (See Chap. 5 for information about when individual nations prohibited corporal punishment.) To date, corporal punishment is still legal in nineteen states (Lyman 2006). The most recent state to implement a ban on corporal punishment was New Mexico in 2011 (NM Stat. Ann. Sec 22-5-4-3, Findlaw, n.d.).

Deana Pollard Sacks, Professor of Law at Thurgood Marshall School of Law, Texas Southern University, takes an uncompromising stand against corporal punishment. She says, "The failure of nearly half of the United States to adopt policies consistent with children's and society's best interests necessitates a judicial declaration that school corporal punishment is an unconstitutional liberty infringement and also violates the Equal Protection Clause" (Sacks 2009).

Jessica Serafin claimed that her paddling, with the ensuing injuries, was unconstitutional. The US Supreme Court dismissed the case on June 23, 2008 (*Serafin v. School of Excellence in Ed.* 2007). An appeal was made (United States Court of Appeal for the Fifth Circuit 2008; Fulbruge 2007). The petition to redress was filed on September 1, 2008. (For a copy of the Petition for Redress, see Beach 2008.) As of the time of writing, I could find no documents containing a resolution to the case.

At the General Assembly of the United Nations on November 20, 1989, the Convention on the Rights of the Child was adopted (the text can be found at CRIN, n.d.). The Reagan Administration contributed to the contents and wording of the document. President Clinton signed it on February 6, 1995. However, it was never sent to the senate to be ratified. At the time of writing, 195 countries have ratified the Convention.

The latest countries to ratify it were Somalia on January 20, 2015, and South Sudan on May 5, 2015. (South Sudan became a country only on July 9, 2011.) Therefore, at the time of writing only the USA has failed to ratify it. It can be interpreted as “prohibiting parents and schools from spanking, paddling or psychologically maltreating children” (Hyman and Snook 1999, 13; ACEI 2015).

In the American Bar Association’s *Human Rights Magazine*, Howard Davidson, director of the American Bar Association’s Center on Children and the Law, Washington, D.C., writes:

For the past decade and a half, the U.S. Senate and three presidents have been unwilling to join this global alliance and ratify the CRC, which—ironically—was drafted with the active involvement of representatives of the Reagan administration. CRC supporters include, in addition to the American Bar Association, a large number of America’s faith-based groups, professional associations concerned with child health and safety, and such respected organizations as the American Red Cross, the Association of the Junior Leagues, Camp Fire, CARE, Childreach, the Christian Children’s Fund, the General Federation of Women’s Clubs, the Girl Scouts, March of Dimes, Save the Children, and the YMCA. (2005)

During 2008, in his presidential campaign, Barak Obama stated that his administration would review the treaty. Luisa Blanchfield writes:

The election of President Barack Obama has focused renewed attention on the possibility of U.S. ratification of the Convention. During the 2008 presidential campaign Obama stated that his administration would review the treaty. Similarly, Susan Rice, appointed U.S. Permanent Representative to the United Nations in January 2009 said, at her January 2009 confirmation hearing, that the Obama Administration supported CRC objectives and would conduct a legal review of the treaty. (2009, 1)

On March 2, 2011, part of the USA response to the United Nations Human Rights Council was, “We also support the recommendations that we ratify the Convention on the Rights of the Child, as we support its goals and intend to review how we could move toward its ratification” (USDS 2011). At the time of writing, 6 years later, the Obama administration is still reviewing the Convention.

In the definitions of corporal punishment considered in Introduction, key words are “purposeful,” “deliberate,” and “intentional.” A story Hyman

recites shows the importance of the wording (1997, 10). A student in Washington, D.C. was blowing “spit bubbles.” The teacher hit him across the mouth causing bleeding and pain. The teacher claimed it was an instinctive response. Her defense was, partially, that the school board defined corporal punishment as “intentional” and, therefore, she had not violated their regulations. The case was settled out of court, but the school board removed the word intentional from their definition of corporal punishment. Washington, D.C. no longer allows corporal punishment (DCMR 2002).

The most common instrument used in corporal punishment is the paddle. This has been described as being about two feet long, six inches wide, and half an inch thick (USSCJJ 1984). Sometimes holes are drilled into the wooden paddles to decrease air resistance, thus making them more effective. Although the paddle is the usual means of punishment, it is not the only weapon documented as being used. Hyman and Snook comment:

Years ago educators concluded that it made no sense to hurt their hands when forcefully striking the behinds of their errant students. Contemporary educators almost always use wooden paddles. For the last twenty-two years I have tracked cases from all over the country and never cease to be amazed by the variety of ways in which school children can be hurt ... other weapons documented at the NCSCPA include rubber hoses, leather straps and belts, switches, sticks, rods, ropes, straight pins, plastic baseball bats, and arrows. Punching, slapping, kicking and shaking are popular forms of getting children’s attention.” (1999, 30)

When corporal punishment is being administered, it is usual to ask the child to bend over a chair or bench. On occasion, as in Jessica’s case, a second, and even third, person holds the child in place.

IS CORPORAL PUNISHMENT CHILD ABUSE?

The federal government defines child abuse as “Any recent act or failure to act on the part of a parent or caretaker which results in death, serious physical or emotional harm or sexual abuse or exploitation; or an act or failure to act which presents an imminent risk of serious harm” (USDHHS 2010a, b). However, this minimal definition allows the states to detail their own definitions.

For example, the State of Michigan defines child abuse as:

[H]arm or threatened harm to a child's health or welfare that occurs through non-accidental physical or mental injury, sexual abuse, sexual exploitation, or maltreatment by a parent, a legal guardian, or any other person responsible for the child's health or welfare or by a teacher, a teacher's aide, or a member of the clergy. (CWIG 2013)

Massachusetts defines child abuse as:

[T]he non accidental commission of any act by a caregiver upon a child under age 18 that causes or creates a substantial risk of physical or emotional injury, or constitutes a sexual offense under the laws of the Commonwealth, or any sexual contact between a caregiver and a child under the care of that individual. (CWIG 2013)

Colorado has a definition that is of interest in the debate on whether corporal punishment is child abuse:

[A]n act or omission that threatens the health or welfare of a child in one of the following categories: Skin bruising, bleeding, malnutrition, failure to thrive, burns, fracture of any bone, subdural hematoma, soft tissue swelling, or death ... (CWIG 2013)

If the Colorado definition is used, the incidents of corporal punishment on the teenage girls cited above would clearly be child abuse. The welts and bruises that were inflicted on these teenagers would almost certainly have resulted in child abuse allegations if their parents or other caregivers had inflicted them (see also, Whipple and Richey 1997). However, when parents have filed charges of abuse against their school districts, the charges have not been upheld by the courts (see Chap. 3).

In *Garcia v. Miera*, the Tenth Circuit denied a motion against the school district. A nine-year-old girl had been beaten on two occasions. The first occasion she was held upside down by the ankles and paddled five times. The second time she again received five strokes from the paddle, this time while bent over a chair. Subsequently, she was examined by medical professionals. One commented, "that she 'would have called [the police department's] Protective Services' had a child received those injuries at home" (Mitchell 2010).

IN LOCO PARENTIS

Schools are considered *in loco parentis*, yet, in the issue of corporal punishment, schools behave in a way that would be unacceptable to many parents. The term *in loco parentis* is derived from the Latin. It refers to “the legal responsibility of some person or organization to perform some of the functions or responsibilities of a parent” (Legal Information Institute, n.d.). *In loco parentis* has been used to allow corporal punishment to be administered without parental permission.

Susan Stuart comments:

In the evolution of law, perhaps one of the greatest anomalies is the continuing vitality of the doctrine of *in loco parentis* in education law... When the doctrine is applied in public schools, most courts have focused almost solely on the disciplinary aspect of the principle without considering its concomitant protective responsibilities. (2010, 970)

Larry Brendtro, Martin Brokenleg, and Steve Van Bockern also note this lack of nurturing in schools. They say:

The school is the only institution providing ongoing, long-term relationships with all of our young. Some children spend only minutes a day in conversation with parents, but all are required by law to be in extended contact with the adults who staff our schools. Educators have not yet risen to such challenges. (2002, 12–13)

In 1982, a study questioned teachers in Mississippi, Pennsylvania, New York, Tennessee, and Florida (cited in Hyman 1997, 53). They were asked various questions about their childhood, training, and experiences. In addition, they were asked how often they paddled their students. The results showed that teachers who had been paddled in school, or spanked at home, were the most frequent paddlers of the children in their care. Those who were never, or very infrequently, disciplined using corporal punishment almost never paddled their students. Though a consideration of the correlation of teachers' childhood experiences and their classroom practices is beyond the scope of this book, the correlation needs to be noted, perhaps for further research.

VARIOUS CHALLENGES TO CORPORAL PUNISHMENT

If we are ever to turn toward a kindlier society and a safer world, a revulsion against the physical punishment of children would be a good place to start.

(Spock 1989, 172)

Corporal punishment has a long history in civilization. One of the earliest records shows that corporal punishment was part of the law code of Ur-Namma, who was the ruler of the Sumerian city of Ur (2112-2095 BCE). This law code mainly advocated for monetary penalty. However, corporal punishment was indicated for certain infringements of the law. Flogging, whipping with a belt, and rubbing salt in the mouth are all documented and, on occasion, the death penalty was ascribed (Geltner 2014, 106–115).

Since then, corporal punishment has been used in many aspects of life throughout the development of humankind as a means of social control. Since the mid-nineteenth century, there has been a growing unease with the use of corporal punishment in most aspects of common life.

In particular, in the mid-nineteenth century, reformers opposed the use of corporal punishment in the navy, against women (wives), in prisons, and in education.

Public awareness of flogging in the navy had arisen due to the publication of several books: *The Wandering Boy* by Horace Lane (1837), *White Jacket* by Herman Melville (1850), *An Exposition of Official Tyranny in the United States Navy* by Solomon Sanborn (1841), and *Cruise of the Frigate Columbia Around the World* by William Murrell (1840). Each of these was a first-hand tale of life in the navy, including vivid and detailed accounts of the corporal punishment experienced. Myra C. Glenn comments:

The public petitioned the United States Congress to abolish flogging aboard American men-of-war. In 1850, for example, the senate received 271 such petitions. (1984, 12)

On September 28, 1850, President Millard Filmore signed into law the bill that outlawed flogging in the US Navy. Flogging was formally abolished aboard ship in 1853. However, it was over a hundred years later, in 1957, before all forms of physical punishment were banned. This was in the US Marine Corps and was a direct result of the Ribbon Creek incident

(April 8, 1956), when a disciplinary march resulted in the deaths of six people. (There are many accounts of the Ribbon Creek incident and the ensuing trial of Drill Instructor Staff Sergeant Matthew McKeon. For example, see Ruppert 2003, 15–17.)

In *The Wandering Boy*, in addition to talking about his experiences in the navy, Lane spoke of the 5 years he spent in prison and the corporal punishment he received there. He was imprisoned in Auburn and Sing Sing prisons in New York State for theft. It was common practice to whip and beat the prisoners in these institutions. It was a long time before corporal punishment was finally abolished in all prisons. Matthew Pate comments, “Even in the face of abandonment in most other realms corporal punishment died a hard death in American prisons” (Pate 2012, 335).

Prison regulations were decided by the individual states. As early as 1826 the New York State legislature was challenged by the people of Auburn to stop the flogging of prisoners. The practice declined, but was not banned until December 14, 1847. The abolition was a result of a public outcry against the death of Charles Plumb (Lewis 1965, 251–252). Plumb was a disruptive prisoner whose offenses included tearing his bed sheets, smashing windows, and attacking a guard. He received over 360 lashes over several days and died from the ensuing fever. Although it was never proved that the lashes were directly linked to the fever, the public outcry was sufficient to force corporal punishment to be banned in New York State. However, not all states reached the decision to abolish corporal punishment in the nineteenth century. One of the latest states to affect a ban was Delaware where the practice of whipping prisoners continued until 1963. The Delaware Supreme Court finally banned the practice in 1972 on the basis that the state prohibition on cruel and unusual punishment was being violated by its continued use.

In the nineteenth century the practice of husbands using physical violence against their wives was also challenged in the law courts. Data about the percentage of wives who were being beaten are not available. However, it was clearly a significant problem. Glenn says:

Although it is impossible to estimate what percentage of American wives in the nineteenth century suffered physical abuse from their husbands, available statistics on divorce for cruelty suggest that wife beating was a serious social problem. In the early 1880s, the Chief of the Bureau of Statistics on Labor provided divorce statistics for various states during the 1860–78 period. These statistics show that a significant percentage of divorces were for

intolerable or extreme cruelty. Out of 7,233 divorces ... 2,949 were for cruelty, 375 for extreme cruelty, and 223 for cruel and abusive treatment. (1984, 65)

The problem of wife beating also caused considerable religious tensions. Glenn again, "Anglo-American religion, custom, and law historically promoted a wife's subordination and deference to her husband" (67). The Bible was often quoted to show that the wife was the property of the husband, who had the right to treat her as he pleased.

An isolated example of reform occurred as early as 1650 when the Massachusetts Bay Colony declared that men could not strike their wives. However, at that time the legal system did not offer wives much protection or legal recourse.

It was over two hundred years later when states turned to a serious consideration of the plight of wives. In 1871, Alabama became one of the first states to rescind the right of men to beat their wives. In *Fulgham v. State*, an appeal case before the Alabama Supreme Court, Hon. Charles Pelham presiding, it was stated that:

Besides this, the constitution has wisely and justly extended the protective power of the State to all its people alike. Its shield is stretched out over the high and the low, the rich and the poor, the strong and the weak, the wise and the simple, the learned and the unlearned, and the good and the bad, without distinction of rank, caste or sex. All stand upon the same footing before the law, "as citizens of Alabama, possessing equal civil and political rights and public privileges." (1871)

Other states soon followed with their own legislation. In 1882, Maryland became the first state to make wife beating a crime punishable by a year in prison, or (ironically) forty lashes. The legal right of husbands to punish their wives continued to be challenged in the courts over the next century. The Indiana Coalition Against Domestic Violence produced a timeline that gives a brief history of domestic violence from 756 BCE to 1999 CE (ICADV 1999). The timeline details how in Rome in 756 BCE husbands had an absolute right to beat their wives. They were allowed to use a rod or stick that had a circumference no wider than the base of the husband's thumb, hence the saying, rule of thumb. In 202 BCE after the Punic wars, wives were given a little more freedom. They could sue their husbands for excessive beatings.

This reverted in 300 CE with the church fathers reestablishing patriarchy and the right of husbands to treat their wives as they chose. Christian Emperor Constantine set the example by having his wife burned alive as he had no further use for her. Patriarchy and the right of men to beat their wives continued throughout the middle ages. It was not until 1792, when Mary Wollstonecraft wrote advocating better education and better treatment for women, that the issue was brought to public attention (Wollstonecraft 1996).

After this, legislation slowly started to be enacted. In 1824, Massachusetts allowed husbands to administer only moderate chastisement in emergency situations. In 1829, England abolished the husband's power of chastisement. Around the same time Sweden granted women the equal right of inheritance.

In 1861, John Stuart Mill wrote and, later, published *The Subjection of Women* in which he argues for the reform of divorce laws that would allow women to divorce for cruelty and violence.

During the ensuing period a number of cases were brought before the courts where women claimed spousal abuse. In many of these, the court tended to favor the husband, stating that what happens between a husband and wife is their personal business. However, legislation slowly started to be passed. Shelters were set up for abused women and they were afforded some protection. By 1989, in the USA, 1200 programs had been established that annually provided shelter for 300,000 women and children. Still, in 1992 the US Surgeon General said that abuse from husbands was the leading cause of injury for women up to the age of forty-four. Guidelines were issued to doctors to check for spousal abuse.

The United Nations recognized wife beating as a human rights issue in 1992. In 1994 Congress passed the Violence Against Women Act (VAWA), introduced by then-Senator Joe Biden. It was subsequently improved and expanded in 2000 and 2005 (Legal Momentum 2009). The bill was reauthorized in 2014, effective from July 1, 2015 (Clery Center 2015).

Individual states have their own legislation and definitions of what constitutes domestic violence (Nolo 2015) and what the consequences are. For example, a conviction of domestic violence in Maine is a Class D crime carrying a sentence of up to 364 days in jail and a \$2000 fine. Second and subsequent convictions are a Class C crime and carry up to 5 years in jail and a \$5000 fine.

Despite the legislation, abuse of partners continues to be a significant problem that should not be understated. It is estimated that a woman is beaten every 15 s (ACADV, n.d.). Even so, the fact that spousal violence is illegal in all fifty states suggests some progress.

REFERENCES

- Arkansas Coalition Against Domestic Violence (ACADV). n.d. National Domestic Violence Statistics. http://www.domesticpeace.com/ed_nationalstats.html. Accessed 9 July 2015.
- Association for Childhood Education International (ACEI). 2015. Prohibiting Corporal Punishment in Schools. <http://acei.org/global-news/prohibiting-corporal-punishment-in-schools>. Accessed 9 July 2015.
- Beach, Scott. 2008. Woman Legally Tortured in Texas—U.S. Supreme Court Approves. *Portland Independent Media Center*. <http://portland.indymedia.org/en/2008/09/379497.shtml>. Accessed 20 Oct 2013.
- Blanchfield, Luisa. 2009. *United Nations Convention on the Rights of the Child: Background and Policy Issues*. Washington: Congressional Research Services.
- Brendtro, Larry K., Martin Brokenleg, and Steve Van Bockern. 2002. *Reclaiming Youth at Risk: Our Hope for the Future*. Bloomington, FL: National Education Service.
- Child Welfare Information Gateway (CWIG). 2013. State Statute Search. https://www.childwelfare.gov/systemwide/laws_policies/state/index.cfm?event=stateStatutes.processSearch. Accessed 29 Aug 2013.
- Clery Center. 2015. Final Regulations for the VAWA Amendments to Clery. <http://clerycenter.org/article/final-regulations-vawa-amendments-clery>. Accessed 17 July 2015.
- Child Rights International Network (CRIN). n.d. Text of the Convention. <https://www.crin.org/en/home/rights/convention/text-convention>.
- Davidson, Howard. 2005. The Convention on the Right of the Child: A Call for U.S. Participation. *American Bar Association Human Rights Magazine* 32 (1). http://www.americanbar.org/publications/human_rights_magazine_home/human_rights_vol32_2005/winter2005/hr_winter05_intro.html. Accessed 23 July 2013.
- D.C. Municipal Regulations and D.C. Register (DCMR). 2002. Corporal Punishment. <http://www.dcregs.dc.gov/Gateway/RuleHome.aspx?RuleNumber=5-E2403>. Accessed 18 Mar 2015.
- Findlaw. n.d. *Ingraham v. Wright*. <http://caselaw.findlaw.com/us-supreme-court/430/651.html>. Accessed 7 July 2015.

- Fulbruge, Charles R. (Clerk). 2007. In the United States Court of Appeals for the Fifth Circuit, October 30. <http://www.ca5.uscourts.gov/opinions/unpub/06/06-50530.0.wpd.pdf>. Accessed 22 Oct 2013.
- Fulgham v State. 1871. (June Term). <http://faculty.law.miami.edu/zfenton/documents/Fulghamv.State.pdf>. Accessed 7 July 2015.
- Geltner, G. 2014. History of Corporal Punishment. In *Encyclopedia of Criminology and Criminal Justice*, ed. D. Weisburd, and G. Bruinsma. New York: Springer.
- Glenn, Myra C. 1984. *Campaigns Against Corporal Punishment: Prisoners, Sailors, Women and Children in Antebellum America*. Albany: State University of New York Press.
- Hyman, Irwin A. 1997. *The Case Against Spanking: How to Discipline Your Child Without Hitting*. San Francisco: Jossey-Bass.
- Hyman, Irwin A., and Pamela A. Snook. 1999. *Dangerous Schools: What We Can Do About the Physical and Emotional Abuse of Our Children*. San Francisco: Jossey-Bass.
- Indiana Coalition Against Domestic Violence (ICADV). 1999. History of Battered Women's Movement. <http://www.icadvinc.org/what-is-domestic-violence/history-of-battered-womens-movement/>. Accessed 7 July 2015.
- Lane, Horace. 1837. *The Wandering Boy, Careless Sailor, and Result of Inconsideration: A True Narrative*. Skaneateles, NY: Luther A. Pratt.
- Legal Momentum. The Women's Legal Defense and Education Fund. 2009. History of the Violence Against Women Act. <https://www.legalmomentum.org/history-vawa>. Accessed 17 July 2015.
- Lewis, W. David. 1965. *From Newgate to Dannemora: The Rise of the Penitentiary in New York, 1796-1848*. Ithaca: Cornell University Press.
- Lyman, Rick. 2006. In Many Public Schools, the Paddle is No Relic. The New York Times, September 30. http://www.nytimes.com/2006/09/30/education/30punish.html?_r=1&pagewanted=all. Accessed 15 May 2012.
- Melville, Herman. 1850. *White Jacket: The World in a Man of War*. London: Richard Bentley.
- Mitchell, Courtney. 2010. Corporal Punishment in the Public Schools: An Analysis of Federal Constitutional Claims. *Law and Contemporary Problems* (73:2 Spring). www.law.duke.edu/journals/lcp. Accessed 20 Oct 2013.
- Murrell, William Meacham. 1840. *Cruise of the Frigate Columbia Around the World: Under the Command of Commodore George C. Read in 1838, 1839 and 1840*. Boston: Benjamin B. Mussey.
- Nolo. 2015. Domestic Violence and Abuse. <http://www.criminaldefenselawyer.com/topics/domestic-violence>. Accessed 7 July 2015.
- Pate, Matthew. 2012. Corporal Punishment. In *The Social History of Crime and Punishment in America: A-De*, ed. Wilbur R. Miller. Los Angeles: Sage.
- Ruppert, Jack. 2003. *One of Us: Officers of Marines: Their Training, Traditions and Values*. Westport, CT: Praeger.

- Sanborn, Solomon Hewes. 1841. *An Exposition of Official Tyranny in the United States Navy*. New York.
- Sacks, Deanna Pollard. 2009. State Actors Beating Children: A Call for Judicial Relief. *UC Davis Law Review*, April. http://lawreview.law.ucdavis.edu/issues/42/4/articles/42-4_Sacks.pdf. Accessed 20 Oct 2013.
- Serafin v School of Excellence of Education*. 2007. <http://www.ca5.uscourts.gov/opinions/unpub/06/06-50530.0.wpd.pdf> and <https://certpool.com/dockets/07-9760>. Accessed 18 March 2015.
- Spock, Benjamin. 1989. *Dr. Spock On Parenting: Sensible, Reassuring Advice for Today's Parents From America's Most Trusted Parenting Expert*. New York: Pocket Books.
- Stuart, Susan. 2010. *In Loco Parentis* in Public Schools: Abused, Confused and in Need of Change. *University of Cincinnati Law Review*. 78. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1548675. Accessed 12 Sept 2013.
- United States Court of Appeals for the Fifth Circuit. 2008. *Jessica Serafin v. School of Excellence in Education*, July 21. <https://certpool.com/dockets/07-9760>. Accessed 22 Oct 2013.
- United States Department of Health & Human Services (USDHHS). 2010a. Administration for Children and Families Administration on Children, Youth and Families, Children's Bureau. Child Maltreatment, Washington, D.C. http://www.acf.hhs.gov/programs/cb/stats_research/. Accessed 6 Jan 2012.
- United States Department of Health & Human Services (USDHHS). 2010b. Definitions of Child Abuse and Neglect in Federal Law. <https://www.childwelfare.gov/can/defining/federal.cfm>. Accessed 29 Aug 2013.
- United States Department of State (USDS). 2011. Response to the United Nations Human Rights Council Working Group Report. <https://www.state.gov/j/drl/upr/archive/157986.htm>. Accessed 23 July 2013.
- United States Senate Committee on Juvenile Justice, Committee on the Judiciary, Hearing on Corporal Punishment in Schools (USSCJJ). 1984. Testimony of Shelley Gaspersohn to U.S. Senate Subcommittee on Juvenile Justice, October 17. <http://www.nospank.net/shelly.htm>. Accessed 20 Oct 2013.
- Whipple, Ellen E., and Cheryl A. Richey. 1997. Crossing the Line from Physical Discipline to Child Abuse: How Much is Too Much? *Child Abuse and Neglect* 12 (5). <http://www.ncbi.nlm.nih.gov/pubmed/9158904>.
- Wollstonecraft, Mary. 1996. *A Vindication of the Rights of Women*. Mineola, NY: Dover Publications.

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