

Chapter 4

Corporal Punishment in Schools, “Still Legal?”: An Examination of the Phenomenon in the US and Guyana

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ABSTRACT

The chapter explores how two geographically distant countries are brought close by their cultural acceptance of corporal punishment (CP) in school. The chapter details that though both societies have formulated several bills engaged in numerous debates over a lengthy period, culture, religion, and politics sustain school CP. The Guyanese argument engages various stakeholders, significantly influenced by the US’s “ban” on school CP and the perceived negative results from such “prohibitions.” This study assesses the legality, prevalence, theories, and applicable corporal punishment laws in the US and Guyana. The findings suggest that corporal punishment remains legally sanctioned in 19 US states and Guyana. Annually, substantial numbers of children experience corporal punishment at school. Legal, political, educational, and familial institutions endorsed such use.

INTRODUCTION

Violence against children refutes human rights commitments and children’s developmental needs (UNESCO, 2017). The UN Convention on the Child’s Rights enshrines children’s “Rights.” Articles 19, 28(2), and 37 specifically require all State

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Parties to forbid the use of corporal punishment. Corporal punishment is considered a severe violation of children’s rights (UNICEF, 1990). This practice of punishing children corporally at school termed corporal punishment in educational settings, dates back to the days of the Roman Empire, the Middle Ages, and the 19th century and continues into the 21st century. It is a lingering relic of British colonial and penal practices that are systematically entrenched (Antoine, 2008). Despite years of trying to achieve global prohibition, the method remains pervasive. Though mainly controversial, corporal punishment is perceived by some as violent. This chapter focuses solely on corporal punishment at public schools in the United States (US) and Guyana, South America.

When asked about corporal punishment in US public schools, several persons are unsure about its legal standing. Prohibitionists argue that corporal punishment in public schools “is a thing of the past.” Research suggests that though currently legal in 19 states and endured by several children annually, the practice of corporal punishment in the US remains unknown to some due to its application in principally southern states (Gershoff & Font, 2016).

These responses differ from members of the Guyanese community. It is common knowledge that corporal punishment is practiced widely in school settings in Guyana. The laws support the use of corporal punishment, and many persons condone it. Corporal punishment is despised and questioned by a few and persists from generation to generation. Debates that favor and oppose corporal punishment occur within the US and Guyana. So, despite differing in wealth, development, and legal structures, both countries continue to debate the use of the practice in public schools. The connection between Guyana and the US helps support the examination of corporal punishment in the two societies.

Guyana is a small (83,000 miles²) unique tropical country located on the northern coast of South America. It has an unusual racial mix of 6 races and is the only English-speaking country in South America due to its history as a British colony. Brazil bounds it to the South, Venezuela to the West, Suriname to its east, and the great Atlantic Ocean to its North. It is considered the seat of the Caribbean due to its language, proximity to several Caribbean islands, and its membership and housing of the CARICOM headquarters (Countryreports.org, 2022).

Though a slight majority in the US (as of 2013), 273,000 persons claimed Guyanese as their first ancestry. Of this number, 140,000 live in New York. This number makes Guyanese the fifth-largest foreign-born population in New York City (Nan, 2016). Annual estimates indicate that over 30,000 Guyanese immigrate to the US Nan (2016) outlines that the United States has the most Guyanese outside Guyana. There is no denying the US’s influence on Guyanese culture, beliefs, and behaviors – including corporal punishment.

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