

Corporal punishment in schools philosophy essay



**ASSIGN
BUSTER**

In schools across the world, students are still being paddled, hit with belts, and physically punished by other means. This is known as corporal punishment. Some Americans believe that it is a practice kept in history and other countries, but it still occurs frequently in the United States. Under human-rights law, corporal punishment is described as, " any punishment in which physical force is used and intended to cause some degree of pain or discomfort" (qtd. in Stephey). Debates and discussions on this topic arise regularly. While many people are adamantly against the corporal punishment of students, others continue to support the practice for numerous reasons. The question here remains, " is it ethical to physically punish students through corporal punishment?"

Corporal punishment is not a new topic; it has been taking place for centuries. Dupper and Dingus date this type of punishment back to the Victorian era. In the 18th century, people believed in the concept of *in loco parentis*. Under this principle, teachers gained parental rights over minors. With this in tact, intact (one word) teachers were expected to help students educationally as well as morally. They believed that corporal punishment was acceptable, and, in fact, required. Beating children would allow them to rid them of sin and prepare them to become socially correct (244). Years later, the views of corporal punishment were only faintly changed. According to Chenoweth and Just, it was standard for both parents and schools to use corporal punishment until the 1960's. This changed once the civil rights movements arose in the 1960's and 1970's. At that point, people became more aware of the rights of children (10).

Darden mentions one state that banned corporal punishment long before the civil rights movements, that state was New Jersey in the 1860's. Most other states did not ban the practice until recent decades. Around the time additional states began following suit, a momentous case took place. In 1977, junior high students in Florida decided to fight against the district's rules about corporal punishment. The *Ingraham v. Wright* ruling did not go in their favor. The Supreme Court ruled that the Eighth Amendment exclusion of "cruel and unusual" punishment only applied to criminals. With that being said, nothing changed (39-40). Ferraro and Weinreich refer to another important case: *Cunningham v. Beavers*. In this 1988 case, much like its predecessor, two kindergarten students that had been paddled did not win either. The ruling in this case declared, "corporal punishment could be administered up to the point of 'deadly force'" (41). These court cases prove that parents and students have been fighting against corporal punishment for decades now, with very little success.

Nowadays, corporal punishment is still legal in public schools in twenty states, with Texas paddling the highest amount of students (Stephey). This means that private schools may go by their own regulations, regardless of the state law. I'm a little unclear here. Do you mean that state law only applies to public schools? That sounds bizarre to me. Darden also reveals a wide variety of statistics regarding corporal punishment acts in recent years. In the 2006-2007 school year, 223,190 students were physically punished. Among that number, 78% were male. At 53%, whites receive the highest amount of corporal punishment. African Americans are next with 36% (40). Although these statistics prove that corporal punishment is still happening,

they don't prove whether it is ethical or not. The statistics are interesting, however. It would be fascinating to know whether the proportion of the total number of white students punished was higher than the total proportion of minorities.

There are many ways to discipline students aside from corporal punishment. Teachers in at least thirty states are using alternatives daily. Ferraro and Weinreich mention communication as a better method of settling problems. They state, " War is never the first suggestion, but rather a last resort. We should model that approach when we discipline children at home or at school" (42). Dupper and Dingus also reveal techniques to stop inappropriate behavior before it starts. They suggest character development programs and problem solving strategies. These will promote proper behavior and allow teachers to move away from punishment (247). Aside from these suggestions, many schools use detention and suspension as more severe forms of punishment.

According to MacKinnon, utilitarians believe that, " we ought to do that which produces the greatest amount of happiness or pleasure for the greatest amount of people." This principle looks mainly at the consequences of an action. The motive and act itself are not what matters to a utilitarian. With the idea of corporal punishment, the theorist would take into account the intensity and duration of happiness, as well as the quantity and quality (53-57).

In the short term, a utilitarian would approve of corporal punishment. When one student receives the physical punishment, it is only that student that

feels the pain. A principal at a school in South Carolina has resorted to paddling and finds it very useful. He uses corporal punishment because it is immediate and keeps the children out of class for a shorter amount of time than suspension would. This takes a utilitarian view because, although there is pain at the time, it brings less pain than other forms of punishment may later on. If a student is suspended, that student will feel the pain, although not physical, for a longer amount of time because he or she will experience the sting of make up work afterward (Adelson). This form of punishment also delivers less pain to the teacher. It is a type of immediate reinforcement, allowing the misbehavior to discontinue without delay. This, in turn, permits the class to waste less time with distractions.

Utilitarians also take cost versus benefit into deep consideration (MacKinnon 61). Wilson believes that corporal punishment is "cheap and easy administer" (411). Many people agree with this statement because there is only one monetary cost: the paddle. With other forms of punishment, additional costs may be present. For example, detention can require teachers to be paid for that extra time and schools may need to stay open longer. With the one time cost of a paddle, the benefits far outweigh the costs. Corporal punishment leaves fewer distractions and gives more immediate feedback.

Theorists must also look at the intensity of pleasure and pain, mainly pain in this case. Corporal punishment that is too severe may no longer be considered ethical. In one case that was brought to court, an eighteen year old female student was sent to the hospital after injuries from in school paddling (Darden 39). Benatar agrees that corporal punishment must have <https://assignbuster.com/corporal-punishment-in-schools-philosophy-essay/>

its limitations, as he says, " corporal punishment should be used infrequently and should never caused any injury to the child" (qtd. in Chenoweth and Just 20). As long as the punishment is not too brutal or harmful to the child, a utilitarian would see that the intensity of the pain is not high enough to rule the act as unethical.

Although utilitarians would probably see corporal punishment as ethical in the short term, they may not view it the same in a long-term point of view. There are many possible long-term affects effects that will cause students much more pain than what is seen in the moment. Hyman gives many examples of the lasting effects of corporal punishment. Students may begin to act with worse behaviors than prior to the punishment, including defiance and aggression. They may also turn to violence for solving their own problems (qtd. in Dupper and Dingus 245). Ferraro and Weinreich also assert that, " violence does, in fact, breed violence" (42). They may be true according to a study done by Straus. He found that most children replied with " anger and rage" when asked how they felt after being corporally punished (qtd. in Chenoweth and Just 15). If students that experience corporal punishment are causing pain to others in the future, the amount of pain may come to be higher than the amount of pleasure. In that case, utilitarians would agree that corporal punishment is not, in fact, ethical. (Good argument!)

Although utilitarianism (utilitarians?) may look at this issue in several ways, they would most likely agree that corporal punishment is ethical. In the right conditions, very little pain is caused to the offender and he or she is the only person receiving any pain. Along with that, the rest of the students involved <https://assignbuster.com/corporal-punishment-in-schools-philosophy-essay/>

will receive pleasure because they are able to continue with class. (pleasure may overstate the case...But, similarly, does the corporal punishment of one student affect the behavior of others? If Johnny is being paddled, maybe I will behave more appropriately?) Furthermore, utilitarians look at the likelihood of results (MacKinnon 56). Since the likelihood of students turning to violence after the punishment is not high enough, utilitarians would probably rule that out as well.

Kantianism would view corporal punishment in a different way. Kant follows two categorical imperatives. The first states, "act only on that maxim that you can will as a universal law." This means that, for an action to be ethical, it must be appropriate for everyone to execute in all situations. The second categorical imperative states, "always treat humanity, whether in your own person or that of another, never simply as a means but always at the same time as an end." People must be treated as rational creatures and not as objects (MacKinnon 78-80).

Corporal punishment breaks the first categorical imperative straight away. As previously stated, corporal punishment is illegal in public schools in thirty states. For an action to follow the categorical imperative of the universal law, it must be willed to happen in every circumstance. Corporal punishment does not pass that test because a teacher in a state that has banned the act would not be able to perform it. Immediately, corporal punishment does not look good for Kantians. (The 1st categorical imperative doesn't mean that you can do it universally, but that you would will it to be done universally and that would be OK with you. The law doesn't come into play.)

Corporal punishment does not agree with the second categorical imperative either. According to Ferraro and Weinreich, " Corporal punishment is degrading. Nothing but humiliation and shame can come from forcing a child to bend over and receive a paddling" (42). This proves that students are being treated as things instead of autonomous, rational human beings. If a student feels humiliated and degraded, they are not being respected. People have the ability to make their own choices because they are autonomous beings. With corporal punishment, students sometimes lose that right. In the case of a high school senior, she was not given the choice to make her own decisions. School officials held her while the principal paddled her. Even after the student tried to block the blows, they continued to distribute the punishment (Darden 39). This is a clear example of a person being denied the right to be treated as a rational being and make decisions. As corporal punishment breaks this categorical imperative as well, it is apparent that a Kantian would not rule this as ethical. (From my point of view I agree with you on both of these counts. From the perspective of the punisher, however, it may not seem unethical if the punisher is trying to " save his soul from death" as you indicate below. Indeed, " sparing the rod" may seem the worst thing to do.)

Religion often plays a huge role in the use of corporal punishment. For this reason, religious ethics should be considered as well. Centuries ago, people turned to the bible to prove the necessity of corporal punishment. Proverbs 23: 13-14 states: " Do not withhold discipline from a child; if you punish him with the rod, he will not die. Punish him with the rod and save his soul from death" (qtd. in Dupper and Dingus 244). This is still used by many private

schools today. In the Evangelical Protestant religion, many parents and teachers take the words of the bible very seriously. They believe that they must obey what the bible says. In this case, corporal punishment is evidently ethical because the bible states it that way (Dupper and Dingus 246).

One school in New Orleans, St. Augustine's, is a good example for the use of religious ethics in terms of corporal punishment. St. Augustine's was supposedly the only Catholic school left in the country to use corporal punishment until it was put to a stop recently. Surprisingly, many students and alumni disagree with the decision to end it. They believe, as many Catholics have in the past, that corporal punishment is the only way to keep them on the right path and instill principles of morality (Cabaniss). Although times have changed since the violent nuns in Catholic schools, (this looks like a fragmentary phrase...did something get left out?) there are still many religious parents and teachers that want to go by the words of the bible.

Social contract theory is based on our relationships with other people. When we have relationships with people, whether they are friends, family, or significant others, we have certain expectations. According to this theory, we have a " web of mutual rights and duties that we owe each other." (qtd. in Berry). When people don't live up to those duties, the relationships may fail. This is relevant for all types of relationship, even the student-teacher relationship.

Corporal punishment can easily ruin any student-teacher relationship. Clark agrees with this statement when he mentions a ship's captain administering

corporal punishment. In that instance, the captain was able to stay far away from the victim after the punishment. In schools, the teachers or administrators that are doing the abusing will still see the students daily. The relationship that was once ideal may become disrupted due to annoyance or distress from other side (364-365). Chenoweth and Just bring up this idea as well. They believe that guilt may form for the person providing the punishment. Any guilty person will, in turn, begin to act differently around the person causing the guilt. There is also a need for respect in any given relationship, especially the student teacher one. Corporal punishment may deteriorate any respect that once existed. A student that is punished in that way will see the teacher as someone who is abusive and unkind (18).

Students expect teachers to show them respect and kindness. They expect fair punishment and discipline. Corporal punishment does not live up to any of those expectations. Students are not receiving their right to feel comfortable and safe in class. This clearly shows that corporal punishment is not ethical in terms of social contract.

After taking many ethical principles into consideration, I believe that corporal punishment is unethical. From recent history alone, it is fair to say that many people agree with statement. Corporal punishment is still disappearing from more and more states. With the many debates and protests, it can be seen that many people believe corporal punishment is unethical.

Although utilitarianism and religious ethics can prove otherwise, they do not have strong enough reason to support the morality of corporal punishment. Utilitarianism states that the intensity of the pain is not significant enough

and that there are more costs than benefits, but Kantianism easily argues these points the other way. No child should be physically punished because that is going against his or her right to be an autonomous person that should be treated with respect. Social contract theory goes against utilitarianism as well. Relationships are very important in schools, as they are teaching students how to build relationships in life as well.

Religious ethics can back corporal punishment as well, but that may not be relevant in today's day in age. Very religious Evangelical Protestants want to stick with the word the bible, but it is clear that most schools are not. With no Catholic schools using corporal punishment anymore, it can be seen that the bible is not enough to prove the morality of this issue.

If corporal punishment is, in fact, unethical, states should continue to ban the act. Some parents and students, as mentioned before, may disagree with this action, but it should be done. With very strong arguments from Kantianism and social contract theory, it is easy to prove that corporal punishment should be discontinued in all schools. Many countries have banned corporal punishment completely; will the United States follow suit?