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## Corporal Punishment: Definition, Framework, and Effects

In recent years, the question of corporal punishment has been receiving increasing amounts of attention in the United States. Once regarded as common practice and widely accepted, there is now considerable debate; detractors have gone so far as to characterize it as child abuse.

However, one must investigate the philosophical and effective components of corporal punishment before concluding with such a conclusion. Indeed, if such investigation is argued, it may point out the opposite: that through calculation of definition, justification frameworks, and counterbalanced positives and negatives, the practice of corporal punishment may be seen as positive in limited contexts.

When considering corporal punishment, one must first begin by understanding what this term refers to, and the potential debates around that term. A standard definition of the term may be derived from the work of Murray Strauss, a psychologist and philosopher long concerned with the question of corporal punishment; in his work, the term is defined as “the use of physical force with the intention of causing a child to experience pain, but not injury, for the purpose of correcting or controlling the child’s behavior,” (Strauss & Donnelly, 2005, p. 3). The present distinction in this definition may be taken as “pain, but not injury,” as this in context stresses the corrective purpose of corporal punishment, an important measure in distinguishing it from

simple abuse. Indeed, in distinguishing this act from abuse, one pre-empts many of the standard arguments against the practice which rely on reductive characterizations, ones that serve primarily to discourage debate on the presupposition of moral wrong inherent in the language (Benatar, 1998, p. 238).

Carrying this definition as derivative of Strauss, one's considerations then turn to the questions around corporal punishment as a practice. Chiefly among these are the questions around the nature of punishment as a whole – this is the philosophical nature of punishment, that is, the necessity of its justification. Of particular concern with corporal punishment is the high bar that such justifications must clear, as there are numerous differences in agency and ability between children and adults that require acknowledgment. Specifically, children may be less capable of bearing physical pain than adults, and their relative dependence on adult figures compromises the moral agency of children in this context (Lenta, 2012, p. 89). While this does not automatically discount corporal punishment as a practice, this does, indeed, necessitate justification, and that justification must account for these concerns.

These justifications then require an evaluative framework, the two primary modes being retributivist and consequentialist. The retributivist framework views punishment as, essentially, the moral counter to the wrong committed. On these grounds, one can quickly dismiss a retributivist justification for corporal punishment on the grounds of prior acknowledgments – that is, children do not possess the "developed ability to reason and to maintain self-control" (Lenta, 2012, p. 690). When contextualized, this is to say that if the aim is to correct a child's behavior, then this framework fails to achieve even the nominal goals of corporal punishment, as such retributivist justifications ignore the basic mental capacities of a child and rely too heavily on the presuppositions of equivalent moral agency.

However, consequentialist grounds may prove more fruitful and allow for a more balanced evaluation of corporal punishment. This framework is, at its core, centered around punishment through a latently utilitarian sense of justice. This is to say that a punishment must be shown to be both efficient and to possess an efficiency that outweighs any potential harm. This may be referred to as a "utility-maximizing deterrent effect," (Scarre, 2003, p. 308). In this light, the standards that corporal punishment must meet are for it to be the route of both greatest efficiency and least harm all at once.

Having established, then, that the evaluative criteria center around efficiency and minimal harm, one must consider the benefits of corporal punishment (to later be evaluated against the negatives). From this one may see three primary benefits, all meeting the requirements of a consequentialist framework and allowing the justification that "children learn behavior through trial-and-error conditioning and also through vicarious learning, observing the behavior of others and the positive or negative consequences it brings," (Schauss & Donnelly, 2005, p. 3). First among these benefits is the singular, individualized nature of the punishment. Corporal punishment is by no means collective, and centers solely around the offending child – this means that any potential harms are isolated to an individual context, and that the corrective aims may be more specifically tailored that individual (Benatar, 1998, p. 252). Secondly, corporal punishment sets the groundwork for a child's understanding of the scale of punishments. While the retributivist framework cannot access this benefit on the flaw of inadequate moral equivalence, the limited use of corporal punishment does inspire an understanding in the disciplined of the variety of punishments and the corresponding severity. For example, a child will be able to distinguish between a scolding and a spanking and make corresponding judgements on their own behavior; again, while this is not beneficial on

retributive grounds, it does serve a corrective, didactic purpose (Benatar, 1998, p. 253). Thirdly, the practice of corporal punishment is an isolated reaction to the child's behavior, and will not leave the child with lingering associations between punishment and other activities (such as community service, an objective good that will be tainted by punitive connotations, this being a given example in Benatar). This means that corporal punishment will remain something singularly negative for the child, which leaves them with an understanding of the practice that is at least latently punitive (Benatar, 1998, p. 254).

With these benefits stated, one must interrogate the potential negatives. Chiefly among these is the question of whether or not there is an impact of psychological harm that outweighs the positive impacts. When considering this, a psychological calculation based on the aforementioned criticisms – that is, accounts of differences in agency and ability in children versus adults – states that corporal punishment may only be seen as psychologically neutral within a given age range (Benatar, 2012, p. 99). This age range has largely been determined to be “between the ages of 18 months and puberty;” in context, this means that the benefits are largely seen to outweigh the negatives, even if this only stands true within a given timeframe. Further, there is the philosophical calculation that, with mild corporal punishment's negative effects seen as insubstantial, the possibility of their being the opposite – that is, substantial after all – may very well be outweighed by the positive impacts; this is to say that “showing some negative effects is not sufficient to make a consequentialist case against all corporal punishment” (Benatar, 1998, p. 243).

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