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Ethical Questions Concerning Corporal Punishment of Children: Touring its Implications and Directions

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Abstract: The following paper intends to expound few ethical questions around the practice of corporal punishment of children. Moving beyond a myriad of mental and physical ramifications, the objective here is to estimate the deep-seated issues that the damaging disciplinary model of corporal punishment yields and, furthermore, to promote a Virtue Ethical approach to parental discipline. For the sake of clarity and precision, the paper will restrict to two ethical questions: the question of personhood and degradation. Plainly put, a beating does not just affect the subject physically but has reverberating ethical consequences. In the end, I shall suggest/ argue that Virtue Ethics presents an approach to remedial parenting that guides the child in an ethical manner.

The paper will address the following fundamental research questions: What ethical concerns does the practice of corporal punishment of children upheave? How do the questions concerning personhood and degradation offer an ethical interpretive paradigm for understanding the real iniquitous transactions of corporal punishment of children? and Which prominent ethical theory can act as a remedial model in this context? This paper intends to make the readers cognizant of the entrenched ethical implications and ensuing directions of this inglorious form of parenting style.

Keywords: Corporal Punishment, Personhood, Moral Degradation, Ethical Parenting, Virtue Ethics.

1 Introduction

Governing thoughts in the realm of ethics have explained child-rearing philosophies with reference to four approaches, namely, the authoritative, authoritarian, permissive and uninvolved. Aristotle, for instance, verges on the notion of *Proprietarianism*. This notion asserts that a parent-child relationship is grounded on the view that children are the property of their parents. A range of critical arguments have been extended towards this standpoint, as the critics profess that this outlook degrades, subdues and deflates the personal and public image, identity and individuality of children.

In this milieu, when it comes to rectifying and ameliorating their child's conduct, parents often participate in remedial measures of discipline and punishment. Discipline focuses on the idea of *reformation*, while, punishment appraises the notion of *penalty*. Michel Foucault (1977), in his book, *Discipline and Punish*, suggests that the use of punishment clasps a socio-political and structural essence and echoes about the influences of institutions on the enactment and potency of punishment. Mindful of this viewpoint, Foucault, specifically, emphasises the interaction between the category of power and punishment. Additionally, he introduces the notion of disciplinary power, wherein he comprehends *disciplinary power* as a form of *coercive control*.

In this background, if we address the case of corporal punishment of children as an ethical concern, we arrive at a common standpoint which orbits around the moral rightness/wrongness of the act. To add, other ethical concerns of corporal punishment of children indicate a lack of the value of trust within child-parent relationship, escalate feelings of moral worthlessness in the children, injure their individual character and identity, hamper their moral development, diminish their moral internationalisation, and lastly, contribute to a flawed understanding of discipline. Patrick Lenta, in his book, *Corporal Punishment: A Philosophical Assessment*, addresses this markedly ignored topic in applied ethics by critically appraising the moral requirement, permissibility and prohibition. He writes: "Contributing to the widespread approbation and use of corporal punishment is the fact that although nowadays few would go so far as to describe their children as their property, many of the convictions to which people find themselves drawn in thinking about the authority of parents over children reflect the archaic idea that the child is the chattel of the parent" (Lenta, 2018).

In this background, the fundamental aim of this paper is to inquire into the ethical questions around corporal punishment of children and to further establish ethical grounds for opposing it. The research pivots on few crucial questions around the ethical subject, why is corporal punishment an ethical issue? How can we re-draft parenting in an ethical temper? And which theoretical groundwork in ethics can steer our expedition?

In order to address these questions, the paper is categorically divided into three sections. As a point of departure, the paper begins with an analytical estimation of corporal punishment of children with marked citations of the works of classical and contemporary philosophers. In the second section, the two proposed notional edges of corporal punishment, arguments related to the personhood and the degradation will be appraised and magnified with reference to discourses around the ethicist's concerns this operation. By

alluding to insights offered by ethical theorists like Martha Nussbaum and Patrick Lenta, their views will be delineated as tenable canons that illustrate the ethical implications and directions of corporal punishment. Employing the theory of Virtue Ethics, as instituted by Aristotle and extended by Rosalind Hursthouse, the concluding section will locate the two proposed ethical edges of corporal punishment within the brackets of the virtuous parenting design.

In a nutshell, the paper tries to recognise, render and reason about the ethical nuances that are immanently embedded within this dissonant parenting mechanism and consequentially, to encourage the ethically favourable virtue-centric parenting style.

2 Nature of Corporal Punishment

Corporal punishment is an unethical, unrelenting and unwarranted method of moral rectification of children. This practice requires renouncement because firstly, it arouses negative emotions such as fear, nervousness, anger, shame, guilt, disgust, etcetera in the child, secondly, it can harm the child's spiritual and physical welfare, thirdly, it suspends self-discipline, lowers self-esteem, fosters rebellion, and finally and most crucial of all, it ruins parent-child relationship. To add, children tend to learn erroneous and imprecise meanings of authority, regimen and discipline. On a larger scale, this form of punishment extends uncalculated and accidental lessons on the value of physical force.

Corporal violence against children in the form of corporal punishment distinctly exhibits the interplay between power, control and domination. In a Foucauldian spirit, corporal punishment schemes towards children entail the usage of disciplinary power and this further foreshadows the role of coercive control within parent-child relationship. The body of the child that is inflicted with corporal punishment earns a docile reputation, implying that the body actually operates as a malleable object; an object upon which disciplinary activities are acted. It acts as an entity on which coercive control is organised and arranged.

Tucker and Ross (2005) delve into a sociological model of corporal punishment. According to them, corporal punishment is an embodiment of social control and could be situated into the sociological foundation. They highlight the authoritarian, negotiatory and legalistic dimensions of corporal punishment. In their view, there could be three possible reasons for the profusion of this practice: "the degree of hierarchy in the family, the social distance between parents and children, and the isolation of children from supporters outside the household" (Tucker & Ross, 2005).

A considerable amount of research has been undertaken by psychologists who explain the psychological and cognitive underpinnings of corporal punishment of children in light of the learning theory, behavioural theory and psycho-analytic theory. For example, the philosophical exposition of corporal punishment dates back to ancient Greek philosophers and their respective perspectives on the practice. Plato and Aristotle seem to approve of the practice of corporal punishment as both of them explicitly link its benefits to the realm of moral education. Other philosophers, like Kant and Locke, argue for the moral and social acceptability of corporal punishment of children as an occasional last option.

John Locke, in *Some Thoughts Concerning Education*, writes that “this kind of punishment contributes not at all to the mastery of our natural propensity to indulge corporal and present pleasure, and to avoid pain at any rate, but rather encourages it; and so strengthens that in us, which is the root of all vicious and wrong actions” (Locke, 1898).

By delving into a philosophical simplification of moral education in light of a consequential comparison between concepts of rewards and punishment, Locke strives to contend that punishment (mainly physical punishment) is a degrading and menial mode of disciplining. He extends few moral arguments against this form of disciplining method. First, that it fragments the child’s spirit; second, that it fosters slavish temper; and third, that it shoulders counterproductivity. Thus, physical punishment is not a good and desirable impetus in the journey of child development. Contrary to this, as a surrogate model, Locke institutes the value of positive and powerful incentives such as instillation of the desire for esteem, integrity and grace. Philosophers such as Jeremy Bentham and Bertrand Russell deplore corporal punishment because it depraves and enervates parent-child relationship, verses damaging moral lessons and promotes the value of deliberately caused physical pain.

In addition, numerous philosophers and philosophy scholars have shown gaping sensitivity to the moral nuances of the practice of corporal punishment of children. In the realm of Applied Ethics, the exponents of the retributive approach contend that:

Can retributivism vindicate the use of corporal punishment? Retributivism does not single out either a particular amount of punishment or a particular type of punishment as a uniquely condign response to a particular wrongdoing. Because retributivism possesses only limited determinacy, it does not require the imposition of corporal punishment in response to any wrongful act, including an assault, and can be fully satisfied by other types of punishment. The principles of commensurateness and proportionality are insufficiently determinate ever to call exclusively for corporal punishment (Lenta, 2018).

Lenta (2018), in his book, *Corporal Punishment: A Philosophical Assessment*, argues that on ethical grounds, retribution does not vindicate corporeal punishment of children for two cardinal reasons: firstly, because no physical punishment of children is acceptable and permissible on the grounds of retributive principle (a principle that is based on the idea of deliberately injuring the subject in context); and secondly, because retribution, as an approach, additionally, eliminates the scope for other punitive options such as detention, deferment of privileges and extra errands. In sum, it is testified that the retributive model backslides and miscarries ethical validations. Mindful of this argument, it follows that corporal punishment of children would be morally impermissible on the basis of the penalty and retaliation model of punishment.

As a philosophical problem, corporal punishment of children thwarts a child’s capacity for reflection, restricts the gravity of realisation, cheapens the value of human emotions, mortifies the value of virtuous development and terminates the scope for reformation and regret. As far as moral development of children is concerned, corporal punishment, as a disciplinary technique, fails to render an autonomous morality, alleviates moral sadism and forsakes the method of moral induction. Let us now examine few cynical ethical concerns that the practice of corporal punishment of children engenders.

3 Placing the Issue of Corporal Punishment of Children in Ethical Perspective

The matter of corporal punishment of children has been philosophically perused in view of socio-political, legal, phenomenological and ethical groundworks. A child's sense of self value, socialisation process and spiritual health are markedly impeded through this illicit disciplinary apparatus. Ethical questions surrounding corporal punishment of children orbit around the moral roots of the practice that can be evaluated by taking account of four ethical foundational theories, namely, Ethics of Justice, Ethics of Care, Ethics of Critique and Ethics of Profession. Arguably, corporeal punishment characterises parenting as a reformatory operation rather than a misemployed technique for child-raising and development.

In order to insulate ethical arguments against the practice of corporal punishment of children, the paper will allude to two line of arguments and discuss each at stretch. The two marked ethical arguments against the case of corporal punishment of children are: the Question of Personhood and the Question of Degradation.

3.1 The Question of Personhood:

The credited 'moral wrongness' of the practice patently indicates the debasement of the moral status and consideration of children as significantly equal beings. Peter Newell (1989), categorically remarks that just like adults, children are people and are also qualified for human rights. It is clear that from personhood follows a range of fundamental rights. Talking of rights in this context, we may discern that corporal punishment of children infracts and seizes two moral rights knotted with a child's sense of person; first, right to corporal/bodily security; and second, right to protection against humiliating actions. In Lenta's words:

Children have an important interest, shared with adults, in enjoying protection from physical interference or attack. It is this interest, I think, that constitutes the ground for bringing children within the ambit of the fundamental human rights to security of the person and to protection from degrading, cruel or torturous punishment (Lenta, 2018).

The question of personhood and its connection with rights of children highlights the infringement of right to bodily integrity and right to bodily security. In this milieu, one may make a swift reference to moral philosopher, Martha Nussbaum's (2000, 2011) capability theory, wherein she invites us to recognise and understand the role of bodily integrity bearing in mind concepts like bodily freedom, bodily movement and bodily security. It is quite reasonable to claim that the personhood argument could be understood by alluding to the rights ascription stance of children. In the legal realm, it is supposed and attested that minor children are not actualised persons as they lack rationality and consciousness. In this tune, it would also be pointless to grant them fundamental rights.

However, contrary to these highly legal declarations, Nussbaum and Dixon (2012) argue in favour of the relation between children's rights and the personhood vindication. According to them, "At base, the argument for recognizing both sets of rights rests on a very simple idea about the moral claim of all human beings to be afforded full human

dignity, regardless of their capacity for rational or reasoned participation in public or civic life" (Nussbaum Dixon, 2012).

By offering this line of argument, Nussbaum and Dixon have enabled us to sanction the charge of estimating and protecting the rights of children which thereby, structurally, intimates the personhood conception.

In the strict sense, as corporeal punishment of children is related to the body or bodily existence of the child subject in context, it would be appropriate to resort to the bodily security and protection right of children. The practice of corporal punishment of children pertains to the deliberate act of attacking a child's body without approval, and because of this there is a lineal breach of children's right to bodily security. Invasion on a child's bodily security also accentuates another aspect of children's moral right, the right to bodily protection against abuse and violence. In Lenta's words:

The right to bodily protection is subsumed under the right to bodily security. Indeed, the right of young children to protection against violence may be stronger than that of adults to equivalent protection, given that the former tend (but only tend) to be more physically and psychologically vulnerable, more defenceless and more dependent than the latter (Lenta, 2018).

These moral rights, collaterally fabricate and foist a sense of moral duty on the parents.

3.2 The Question of Degradation:

Corporal punishments are humiliating in nature. The child feels degraded and diminished. Emotionally, it evokes feelings of shame, guilt and embarrassment. Moreover, the question of degradation surfaces when we grip of elements such as lack of dignity and abundance of subjective feelings of inferiority and insecurity. The very act of corporal punishment inherently symbolises an impression of seize of a child's basic dignity and respect. According to Nussbaum's vulnerability principle, it is important to consider children's vulnerability along with their rights. About their vulnerability, she postulates that since children are emotionally, physically and intellectually more fragile than adults, they are acutely dependent on their parents or other adults. Additionally, they are also unable to establish and safeguard their survival, independently. Corporal punishment is morally degrading at a child's subjective level as it is an act of deliberate exertion of physical force on a subject that is distinctly dependent, defenceless and vulnerable. Thus, it is an unfair and immoral disciplinary practice.

Moral wrongness in this connection underlines some after-effects on the recipient child as well. Lenta spells out this point: "The abrogation of children's rights that corporal punishment represents insults them, whether the insult is intended or not. The demeaning message conveyed by such treatment is that the recipient child lacks sufficient worth to be treated with respect" (Lenta, 2018).

This form of parenting style degrades the inherent value of children; value as equal 'human beings.' It becomes degrading in a three-fold manner, through the violation of body-self integrity; disobedience to the value of human dignity; and stimulation of self-conscious negative emotions. The right to bodily integrity and security have been

exhaustively deliberated previously. As regards to the problem of degradation, it is a requisite to consider the Interest theory of rights. The Interest model of rights insists on the capacity of fundamental interests of individuals to be recognised and shielded. In context of corporal punishment of children, as the punishment is essentially identified with the body of a child, a violation of a child's interest could be estimated in view of two self-interest-based rights; right to bodily security and right against bodily intervention.

Typically, by making a reference to the basic interest approach, the paper proposes to move beyond ethical concepts such as goodwill, benevolence and humanitarianism (that leans on the right-duty model), and to contemplate the graphic of individual self-interest (that leans on the right model). The interest approach enshrines the promotion and protection of an individual's right to safeguard his/her basic interests, rather than underscoring the achievement of collective good. In this milieu, one such basic interest could be the right not to experience any form of degradation (degrading punishment, in the case of corporeal punishment). Quoting Lenta again: "...corporal punishment sets back children's interests in the preservation of their mental health, in their bodily security and in not being degraded" (Lenta, 2018).

Furthermore, this implies and explains that the interest perspective does not completely seize the other's (parents in this context) right; it merely regulates their duties and actions towards the individual (child in this context). This outlook inflates questions about the moral permissibility of such disciplinary regimes undertaken by the parents. Questions about moral permissibility of corporal punishment surface owing to the claim that it clutches the right to protection against degrading punishment. This form of punishment inflicts pain, humiliation and indignity through the physical mechanism it upholds. Thus, one may capitulate that "Since it violates the right not to suffer degrading punishment, corporal punishment is unjustified even if, from a retributivist standpoint, some children who receive it are old enough retributively to deserve punishment" (Lenta, 2018).

Corporal punishments are administered to rectify and reform children's behaviour. It is associated with an amplitude of psychological, sociological, legal and philosophical ramifications. However, specified ethical concerns that could be drawn parallel with this form of punishment echoes questions beyond the moral rightness-wrongness or the good-bad dichotomies at the parent's end (duty-centric approach). Instead, it upheaves weighty concerns about the moral status of the child (right-centric approach).

4 Re-Considering Parental Disciplining: Towards the Virtue Project

This section delineates the value of virtues and its connection with the above-discussed rights-centric ethical tangents of corporal punishment of children. The main aim is to induct the capacity of virtues in this setting. Virtues allude to the importance of character. As regards to corporal punishment of children, development of a defective character could also be considered as one of the ethical concerns that the practice raises. The underlying question addressed in this segment is: how can we ethically address the problem of corporal punishment of children by referring to the virtue theory with reference to the

philosophy of child-parent relationship? This question will be answered by emphasising the significance of parental virtue and how it further, fosters the induction of virtues in a child.

Greek philosopher, Aristotle (1985) contends that moral development and upbringing of children greatly depends on the development of good virtue. In his words, “we need to have been brought up in fine habits if we are to be adequate students of what is fine and just. . . If we have this good upbringing, we have origins to begin from or can easily acquire them” (Aristotle, 1985). Other virtue ethicists postulate that parents serve as main catalysts for the growth of virtuous temperament in children. In a similar spirit, Sonya Charles (2019), in her book, *Parents and Virtues*, releases and expounds three components of virtue-centric moral development of children; habituation; state-of-character; and practical wisdom. For precision, this section singularly speaks of the matter of corporal punishment and how this form of parenting method defaces and dampers the cultivation of virtues in children. It is favourable to acknowledge virtue-laden parental responsibilities and duties towards the protection and preservation of children’s rights (right to bodily integrity and security in this context) as one of the remedial avenues to assess parenting discourse, newly.

From the standpoint of Sonya Charles, proper upbringing plays a vital role in developing a virtuous character. She writes:

Parents are clearly powerful figures in the child’s life. In attempting to redirect the child in a way that activates appropriate empathic responses, parents need to use enough power to get the child’s attention but not so much power that the child becomes more concerned with the use of power than the lesson the parent is attempting (Charles, 2019).

her opinion, parental power must be appropriately exercised. As corporal punishment is a controlling disciplinary practice, the child not only becomes a subject of control but also internalises the value of it. She maintains that virtues are learnt. They involve a subtle process; a process that begins with virtuous parental guidance and encouragement. In the framework of corporal punishment, children would certainly acquire and ascribe to the controlling and degrading methods of discipline. Consequentially, they would also arrogate vices and not virtues. Thus, children would not be capable enough to ascertain the deep-seated difference between virtuous and non-virtuous acts. They need structured and coherent guidance from their parents. It is also a requisite that parents must themselves be virtuous agents in order to foster and catalyse virtues in their children. What becomes important here is that parents themselves cultivate and employ the method of virtuous parenting. The scope of virtue-laden disciplining abstractly repudiates the prevalence and promotion of disciplinary practices that are non-virtuous in nature; it encourages virtuous temperament. Let us now make a prompt reference to a contemporary virtue theorist and the exponent of Neo-Aristotleism, Rosalind Hursthouse (2000).

Hursthouse reviews the role of virtuous parenting in child nurturing techniques with marked focus on the rational infusion of moral virtues in them. She endorses an ethically sound parenting model by resorting to the idea of ‘acting virtuously’. In her words: “A virtuous, good, action, we might say-and truly, but this is hardly an illuminating way to begin laying down what it is to act virtuously, or well” (Hursthouse, 2000).

By applying the idea of acting virtuously to parenting, she intends to make a straightforward claim about the ethical capacity of value and virtue-laden approach to child-rearing. Talking of corporal punishment of children, we can distinctly attest that the parent in context does not choose the act in tune with practical moral cultivation of virtues. To add, another point becomes vital here. As in this abasing form of parenting, the parent does not act in a virtuous manner and thereby, does not cater to the moral interests of the child, thus, instituting the category of virtue/virtuous disposition in this situation would act as a remedial strategy for stationing a revised value upon ethical questions pertaining to personhood, rights and moral degradation (that have been discussed in section 2).

Another avenue for addressing the ethics of virtuous action in parenting style demands an accentuation of the interplay between virtues and moral emotions. Being virtuous entails striking a balance between reason and emotion. Let us now consider the case of empathy. If parents employ an empathetic approach and abstain from causing physical harms to the child, the child would in return be motivated to imbibe empathetic moral behaviour. Thus, through internalisation, the child would also absorb virtuous lessons and clasp to the virtuous path.

To add, it is worth cogitating about ends-means concept. In corporal punishment, virtuous dispositions are paused and virtues are not considered as ends in itself/themselves. Acting virtuously and teaching children virtuous behaviour would not solely inaugurate the ambit of the 'ends approach', besides, it would also repudiate the 'means approach'. Thus, virtue-centric parenting fabricates a shift from the means standpoint to the ends in itself/themselves gradient.

The below-cited excerpt audibly insinuates about the famed ethical 'ends in itself/themselves' dictum in view of the virtue-laden parental disciplining design. Silcox refers to Hursthouse in the following excerpt, when he writes:

Deserving frogs do not always transform into handsome princes, and often when Beauty marries the beast, he only becomes twice as beastly as before. Nonetheless, she maintains that it is both honest and reasonable to teach children that virtuous behaviour "for the most part, by and large" leads to other, independently recognizable forms of human well-being (Silcox, 2010).

This segment alludes to the virtue project to focus on two-fold aspects of ethical parenting: how parents should be as agents? and what actions they agent should choose? Furthermore, if we think about the progressive and pragmatic role of virtues in a child-disciplining pursuit, two points get underscored within the ethics of corporal punishment: first, that the child's moral status and interest in kept at heart by the parent (a *manifestation* of the parent's own virtuous character); and second, that they instil and enrich virtuous lessons in the child's mind through their virtuous actions (an *inculcation* of virtuous character in the child). Thus, through the virtue model, a 'child's-perspective' standpoint gets lodged and endured in the ethical parenting realm.

5 Conclusion

Corporal punishment, as a specie of deleterious parental disciplinary style, leads to demotivation of children towards powerful virtues and integrity. It hinders the way children sceptically perceive themselves as subjects of punishment and their parents as producers of it. We have grasped how this parenting technique sources multifarious ethical imputations and effects. We may condense them not only in terms of the physicality aspect, but also in terms of physiological, emotional, spiritual and social ramifications, which source down to its ethical modulation. Markedly, it has been exhibited that it is a methodological problem and is also congenitally coupled with ethical concerns. Thus, it may be veritably established that corporal punishment of children disbenefits and injures the child, while, additional to this plane, it also manifests the scope for a lack of ethical parenting. In this milieu, it requires that we re-consider disciplinary techniques in light of the virtue ethics model.

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