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Is Corporal Punishment So Bad?

Punishment is never particularly pleasant, of course. But is there any principled reason why corporal punishment must be worse than other kinds? In practice, it may be more subject to escalation and abuse. But suppose we could avoid that risk (e.g. through mechanized administration). Would that make it okay, or is the infliction of physical pain different in principle from other kinds of punishment?

If anything, momentary pain seems like the perfect punishment. We are strongly motivated to avoid it, and yet -- unlike incarceration -- it is over in moments and has no lasting ill-consequences. (Prisons should be used *only* for purposes of removing threats from society. They're too inefficient for mere punishment.) Perhaps fines and "community service" are better still, since they produce benefits to others rather than merely imposing harms. But corporal punishment could replace jail-time as the ultimate punishment, for when all others have failed. Why not?

Criminals aside, consider children. Some people claim that smacking is an inexcusable act of violence, intrinsically "abusive" no matter how light it may be. But again, why is *physical* discipline picked out for special treatment? Isn't this arbitrary?

Perhaps we have (indirect utilitarian) reason to promote the norm that one's body is inviolate. But parenting and legal punishment are a special cases, where we may allow things that we wouldn't normally allow (e.g. locking people up against their will!). So I don't see why we couldn't do just as well with a more restricted norm of bodily autonomy that can be overridden by *appropriate* authorities (i.e. a young child's parents, and the legal justice system). It needn't have broader implications for how we treat each other in society.

Compare the extreme case of torture. Torture is intrinsically problematic because it essentially involves the use of extreme pain to induce psychological breakdown (and subsequent compliance). The mark of *abuse* is that it leaves the person physically or mentally "broken", unable to function properly as a fully autonomous agent. This consequence is atrocious.

But if light physical punishment can safely avoid such effects, what else is left that's so objectionable? Perhaps being physically dominated by another induces feelings of helplessness. But it is the *domination* -- i.e. arbitrary

power -- that's the problem here, rather than the infliction of physical pain *per se*. I agree that this is a severe risk in practice, but suppose for sake of argument that corporal punishment could be delivered in a measured and non-dominating way. Would it still be objectionable, even then?

Jim Ryan said...

As a conservative (evil, uncaring, brutal, primitive, etc.) I sympathize with any argument that will take the mickey out of the latest touchy-feely psychological fashions. And your arguments here are right that corporal punishment is not intrinsically abusive or dominating.

But there is a connection between corporal punishment, on the one hand, and resentment, rage, and enmity, on the other. The latter sentiments are causally associated with violence (likely with most violence resulting from those emotions.) So, the child or criminal is highly likely to assume that the administrator of corporal punishment is feeling those emotions and acting on them, even in the case where it isn't true. (It's because it isn't always true that corporal punishment is not *inherently* dominating or abusive.) Therefore, corporal punishment will tend to obfuscate the correction intended by associating (in the mind of the child or criminal) the administrator with vice, to sever the ties that bind the child or criminal to society, and to create anger and resentment in him (which has a bad feedback effect.)

Try imagining that you are a child with a father a paragon of virtue. It is hard to imagine that he administers corporal punishment to you. (Not that it's a matter of logical impossibility.)

1:15 AM, May 02, 2007

Anonymous said...

I think it is the indirect utilitarian argument.

Simply is is very easy to abuse physical punishment. somewhat more so than other methods - so forcing people to use other methods has a side effect of generally improving the level of consideration given to punishment.

So in a sense it might be a sub-optimal policy that just happens to tend to have a better result in terms of child abuse - and possibly in terms of child behaviour. At the same time it might have other costs in terms of making criminals of ordinary parents or encouraging family separation or whatever else..

GNZ

5:33 PM, May 02, 2007



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