

Pedagogies of Punishment: An introduction

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Throughout the history of education, punishment – from corporal punishment to detention, suspension and expulsion – has served as a familiar feature of the landscape of schooling. Regrettably, school decision makers sometimes abuse their power in punishing children and some punishments fall short of procedural and substantive justice. This is a source of apprehension for educators and, when punishment goes wrong, it can be a source of resentment for children and parents. While injustices are to be avoided, agreement on what treatment counts as unjust (and why that evaluation is deserved) is harder to find. Normative inquiries into such punishment require careful examination of the rights and responsibilities of teachers and the children in their charge – to say nothing of the necessity for close study of the aims of, and constraints upon, adults' potential influence over children in response to their behaviours. These issues are made even harder to resolve due to the complexities involved in, *inter alia*, balancing individual differences with organizational efficiency, accounting for children's evolving capacities and serving an educational mission within nonideal circumstances. Odd, then, that so little contemporary philosophical work in education addresses this important topic of punishment. While ethical analyses of adult authority over school curriculum are abundant, the question of adult authority over the hard treatment of children is comparatively absent. But this was not always so. Roughly a half century ago, figures like James Marshall (1972, 1975, 1984a, 1984b, 1985, 1989, 1990, 2017a, 2017b), R. S. Peters (1966), John Wilson (1971, 1972, 1977, 1984), Peter Hobson (1986), Richard Smith (1985) and John Kleinig (1972) were in active and generative discussion of the key issues of punishment. Although, *inter alios*, Joan Goodman (2003, 2006, 2007, 2013), John Covaleskie (1992, 1994, 1995, 1996, 2000) and Ido Weijers (2000) are notable exceptions, it would seem that relatively few scholars have continued this work in recent years. By way of contrast,

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discussions regarding the justification of punishment are well developed and ongoing in legal philosophy, with some accounts – notably Jean Hampton’s (1984), Anthony Duff’s (2001) and Jeffrey Howard’s (2017) – having fairly explicitly educational dimensions. Although the findings within that literature pertain centrally to adults and cannot be imported without contextual sensitivity to children and schooling (Curren, 2002), there is much to be learned from it.

To our minds, the present-day gap in education scholarship attending to these normative issues of school punishment is especially lamentable as, in recent years, the relevant contexts of these issues have seemingly become more complex and the public discourse about them more fraught. Readers may think of current debates about ‘zero tolerance’ discipline practices, as but one example (Black, 2018). Broadly speaking, during these recent years, scholarship on school discipline has tended to address efficacy rather than ethics (American Psychological Association Zero Tolerance Task Force, 2008; Geddes, 2006; Greene, 2009; Holden, 2017; Kohn, 1993), leaving under-researched interrelated issues about whether, when, why and how (if at all) schools should punish students. Although many factions might agree that disciplinary policies and practices have real impacts on the quality of students’ experiences and leverage on their life chances, few can agree upon coherent schemes and weightings of the normative criteria needed to evaluate and inform decisions about school discipline policies and practices.

It is against this backdrop that the Pedagogies of Punishment project was formed. In short, we seek to add some measure of helpful interdisciplinary guidance to the discussion and analysis of these important and inescapably knotty matters, providing a context within which sustained and careful attention might be drawn to the ethical issues of punishment in schools.

A funded project in multiple stages

This special issue is the first research output of the initial stages of the Pedagogies of Punishment project. The project seeks to bring together representatives from a variety of disciplines in order to identify and promote more just school disciplinary policies and practices through empirically informed, rigorous, interdisciplinary, normative scholarship.

To begin this work, we sought established and emerging scholars across a range of disciplines and relevant foci. These include (but are not limited to) disability studies, law, sociology, psychology, history, political theory, education and philosophy. By sharing the best works and latest insights from across our often-siloed scholarly conversations, thereby avoiding the risks of reinventing wheels, flogging dead horses and the like, we sought to efficiently progress the conversation. By taking this multi-angled view of the issues, we have hoped to facilitate work that identifies and fills gaps in knowledge, generating new and meaningful contributions.

To facilitate this work, we coordinated a sequence of events, bringing together an invited team of international researchers. Our first event was a symposium held in Columbus, Ohio, during April 2019. At the symposium, each researcher (some of whom were strategically paired to benefit from long-standing collaborations or potentially generative novel connections) facilitated whole-group discussion around a state-of-the-art

reading from their respective discipline. In leading thoughtful discussions of the text, they situated the reading within a broader context, facilitating critical engagement of its potential implications for school disciplinary policies and practices. As might be expected, these were wonderfully productive days as our group explored the core of our subject, identifying urgent and vexing questions within it. At the conclusion of this multi-day symposium, participants were encouraged to consider committing to writing partnerships, developing papers and blog posts that might address features of our developing conversation.

This commitment seamlessly segued into our next event, a conference held in Liverpool, United Kingdom, during July 2019. During this conference, each of the works-in-progress that developed following the symposium was presented in plenary sessions with newly invited respondents, representing a yet wider range of disciplines, offering their fresh insights and provocations in advance of whole-group discussions of the emerging work and its potential. Our time in Liverpool saw our community nearly double in size as the multidisciplinary respondents enriched, broadened and deepened our appreciation of the considerations involved.

Finally, we convened a series of parallel sessions at the 2019 Manchester Centre for Political Theory Workshops.¹ A small number of contributors, as well as some additional authors, met to discuss their papers ahead of the final submission for peer review. Building on the work conducted within this community, authors continued to develop these works-in-progress into draft papers during the late summer and early fall of 2019. With our editorial feedback, the resulting articles were collected for peer review as a special issue of this journal.

In this collection

The current collection of work that has emerged from our initial events in Columbus and Liverpool might be grouped according to three broad categories. In the first, authors provide general guiding arguments in defence of the very practice of school punishments. Understood with nuance and rich detail, these accounts might motivate broad approaches to a number of the fundamental questions that drive our focus. The next category of work attends to problems of discipline within specific real-world conditions, offering analyses that engage the normative complexities of these circumstances even while providing tools for broader analyses. Finally, we conclude with work that engages deep questions of community in relation to discipline in schools. This, in some sense, points the reader towards what might be possible under desirable conditions, outlining a potential course of pursuit. Below, we offer additional context for the articles within these categories.

Establishing continuity with a time in which these topics were more frequently discussed, Michael Hand opens this collection by returning focus to a productive disagreement between John Wilson and James Marshall regarding the nature of the relationship between rules and punishment. Hand's article provides subtle thinking about why this relationship matters for the very foundations of a discussion of discipline in schools. Helen Brown Coverdale's article answers a most important question by outlining how care might guide our thinking regarding the permissibility of punishment in schools. This

account, anchored in penal theory, stimulates an exciting defence of how alternative forms of punishment might interact with the essential activities of schools.

Engaging the specific real-world circumstances of school exclusions in the United Kingdom, John Tillson and Laura Oxley interrogate the ways in which current practices violate children's moral rights – even as some exclusions might be justified by invocation of the same. Their article offers empirically informed guidance on reforms in pursuit of just practices. Lily Lamboy, Ashley Taylor and Winston C. Thompson attend to the specific circumstances of the over-punishment of Black girls in US classrooms in order to closely analyse what they call *excess agency misattribution*. On their view, an enduring pattern of flawed subjective justifications for punishment calls into question the current possibilities for fairness in these activities. Winston C. Thompson, Abigail J. Beneke and Garry S. Mitchell raise concerns regarding forms of identity mismatch between educators and students, suggesting that these might call into question the very legitimacy of some school punishments. In this work, they offer a taxonomy of conceptual alternatives that might inform disciplinary practices for the ethical educator.

In identifying a historical context for punishment practices in US schools, Bryan R. Warnick and Campbell F. Scribner submit that the special characteristics of schools have not been appropriately realized by these practices. Working towards resolving this incongruence, they focus attention upon the moral community of schools and the fruitful possibilities made manifest by restorative justice practices. In his article, Randall Curren examines Lawrence Kohlberg's vision of the just school community in order to extend its eudaimonic dimensions. In his view, due to its limited motivational value, a better defence of punishment rests in its potential for educative, restorative and community-promoting contributions.

Taken in sum, we hope these articles help to reinvigorate discussion of ethical issues of punishment in schools. As such, we are wholly enthused about further extensions of our Pedagogies of Punishment project.

Future directions

As we state, this special issue is the first research output of the Pedagogies of Punishment project. A variety of other outputs are planned and/or ongoing. Many of these extend the issues raised in this volume.

First, our project website, <https://www.pedagogiesofpunishment.com/blog>, features blog posts from practitioners and theorists (e.g. philosophy, psychology and law) on topics, including the feasibility and desirability of restorative approaches (Carlson, 2019; Minow, 2019; Oxley, 2019a), the influence of bans on social norms (Holden, 2019), the dubiousness of the distinction between consequences and punishments (Arjo, 2020) and whether punishing children can be justified on paternalistic grounds (Tadros, 2019). We hope to expand these in future as we provide accessible resources for practitioners and decision makers.

We are very pleased with the work that has already emerged from our initial efforts and extend our appreciation to the many participants and respondents who worked with us across our various events and initiatives. In looking forward, we should note that the initial composition of our scholarly group was largely the result of the locations in which

we both work (i.e. United Kingdom/United States). In further efforts, we aim to broaden our reach by including normative work that cuts across further international boundaries. We are excited to partner with additional scholars as we consider the ways in which careful study of diverse punishment regimes embedded within varied sociocultural contexts may reveal further facets of our ethically complex subject.

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Note

1. *Pedagogies of Punishment: How, Why and for What Should State Schools in a Liberal Democracy Punish Students?*

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