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# AGAINST SPANKING

James Simpson

*In a recent article in this journal (*THINK *54), Timothy Hsiao argues that spanking a misbehaving child is morally permissible on the grounds that it's what the child deserves. However, in this short article, I argue that Hsiao's argument in this connection is either obviously unsound or invalid.*



It's nearly universally acknowledged by the relevant experts that spanking misbehaving children is bad.[1] It's ineffective at correcting misbehaviour or deterring future misbehaviour and it's highly correlated with long-term negative outcomes for the children who are spanked. On these grounds, nearly all experts strongly insist that children shouldn't be spanked for misbehaviour.

In a recent article in this journal, however, Timothy Hsiao[2] interestingly argues that it's morally permissible to spank children for misbehaviour, even if it's highly correlated with long-term negative outcomes and is ineffective at correction and deterrence. Hsiao's argument can be put semi-formally as follows:

(1) A typical misbehaving child deserves a spanking.
(2) It's morally permissible to give someone what they deserve.
(3) Therefore, it's morally permissible to spank a typical misbehaving child.

Let's call this Hsiao's Argument. If Hsiao's Argument is on the mark, then, *contra* the community of experts, it's morally permissible to spank a typical misbehaving child.[3] That, indeed, would be a morally significant result.

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Now, it's important to take note that premise 2 of Hsiao's Argument is ambiguous between two readings. There's the strong reading of premise 2 – it's *always* morally permissible to give someone what they deserve – and there's the weak reading of premise 2 – it's *typically* morally permissible to give someone what they deserve.

In what follows, I argue that on the strong reading of premise 2, Hsiao's Argument is obviously unsound, since, on such a reading, premise 2 of Hsiao's Argument is obviously false, and that on the weak reading of premise 2, Hsiao's Argument is invalid, since, on such a reading, premises 1 and 2 could be true and, yet, the conclusion be false. Given that these are the only two legitimate readings of premise 2, then, Hsiao's Argument is either obviously unsound or invalid. Towards the end of this article, I also show that a slightly modified version of Hsiao's Argument – which I christen Hsiao's Argument* – fares no better.

Now, it's easy to see that, on the strong reading, premise 2 is obviously false. Imagine, for example, that Wilson asks me to hold 500 dollars' worth of his hard-earned and honestly-earned money. While holding his 500 dollars, I come to know with absolutely certainty that Wilson is going to use that money to purchase poison to kill his innocent wife and kids. When Wilson returns to me for his 500 dollars, he *deserves* that money. After all, it's his money, and he earned it, honestly, by the sweat of his own brow. But, very clearly, it's not morally permissible for me to give Wilson his 500 dollars, given that I know he's going to use that money to kill his innocent wife and kids.

Thus, premise 2 is false, since, as the example above shows, it's not *always* morally permissible to give someone what they deserve, and so, on the strong reading of premise 2, Hsiao's Argument is obviously unsound.

Does the weak reading of premise 2 fare any better? I don't think so. To see this, suppose that premises 1 and 2 of Hsiao's Argument are true and premise 2 has the weak reading. Now, imagine that six-year-old Timmy deliberately tramples the beautiful flowers in his neighbour's garden.

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Suppose, for the sake of argument, that Timmy deserves a spanking for this misbehaviour. Further suppose, however, that if Mom spanks Timmy for his misbehaviour, then fifteen years later, as a direct consequence of being spanked on this one occasion, Timmy will develop a very severe form of mental illness that will grievously diminish his well-being. Suppose that, somehow, Mom knows this and she knows that there's an alternative form of punishment that would be just as effective as spanking Timmy that doesn't have the bad effects of spanking Timmy. Is it morally permissible for Mom to spank Timmy for his deliberate trampling of the neighbour's beautiful flowers? Intuitively, it's not morally permissible, even though, by stipulation, Timmy deserves the spanking. To sustain this intuition, take note that Mom knows that there's an effective alternative form of punishment available to her, which lacks the bad effects of spanking, and she knows that the effects of spanking Timmy will set back his future well-being in a way that's immensely disproportionate to the badness of his transgression. This all heavily suggests that it's not morally permissible for Mom to spank Timmy for his misbehaviour.

So, on the weak reading of premise 2, premise 1 and premise 2 can be true and, yet, 3 could be false. After all, only typically, but not always, is it morally permissible to give someone what they deserve. In which case, on the weak reading of premise 2, Hsiao's Argument is invalid.

Since the strong reading and the weak reading are the only two legitimate readings of premise 2, then, Hsiao's Argument is either obviously unsound or invalid. Thus, Hsiao's Argument isn't a very satisfying argument for the moral permissibility of spanking misbehaving children.

But wait! One might be tempted by the thought that there's a slightly modified version of Hsiao's Argument that fares better. It's as follows:

(4) A typical misbehaving child deserves a spanking.



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(5) It's *typically* morally permissible to give someone what they deserve.
(6) Therefore, it's *typically*, but not always, morally permissible to spank a typical misbehaving child.

Let's call this Hsiao's Argument*. If Hsiao's Argument* is on the mark, then it's typically morally permissible to spank a typical misbehaving child. While that is a weaker result than the conclusion of Hsiao's Argument, it would still be a morally significant result. Since it would establish that, usually, spanking a typical misbehaving child is morally permissible.

The problem, though, with Hsiao's Argument* is that it's clearly invalid. To see this, consider that it's possible for premises 4 and 5 to be true and, yet, 6 to be false. For instance, imagine a possible world, W, that's exactly like the actual world, except in W there's always an alternative form of punishment that the typical misbehaving child also deserves that's just as effective as spanking and every time a typical misbehaving child is spanked in W it causes, somehow, an innocent person to be tortured and killed, and everyone in W knows that spanking a typical misbehaving child has this effect. Now, while W is certainly a very remote possibility, it's a possibility nonetheless – that is, things *could* be like W inasmuch as we *could* be handless brains-in-vats. Intuitively, even if in W it's true that a typical misbehaving child deserves a spanking and it's true that it's typically morally permissible to give someone what they deserve, it's false in W that it's typically morally permissible to spank a typical misbehaving child, since, in W, more often than not it's morally impermissible to spank a typical misbehaving child. After all, knowingly causing the torture and death of an innocent person for the weak reason of giving some typical misbehaving child the spanking he deserves, when an alternative form of punishment is available that he also deserves and that's just as effective as spanking, is morally wrong. So, it's possible for premises 4



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and 5 to be true and, yet, 6 be false. In which case, Hsiao's Argument* is invalid.

Thus, neither Hsiao's Argument nor Hsiao's Argument* are powerful enough to establish their respective conclusions. Perhaps, then, the experts are right after all that one shouldn't spank children for misbehaviour.

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## Notes

[1] See, for example, Robert D. Sege and Benjamin S. Siegel, 'Effective Discipline to Raise Healthy Children', *Pediatrics* 142.6 (2018): e20183112.

[2] Timothy Hsiao, 'In Defence of Spanking', *Think* 19.54 (2020): 49–54.

[3] By 'typical misbehaving child' I simply mean that there's nothing importantly unusual, in the relevant moral sense, about the misbehaving child. The misbehaving child isn't, for example, severely cognitively disabled or a nine-year-old that is as mentally, physically and socially developed as an average adult.



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