

A BRIEF TREATISE ON THE ETHICS OF UNJUST DISCIPLINE

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*An opinionated provocation and discussion
of three circumstances and their participants*

In the world of relationships and struggles between humanity and their superiors (other humans), the concept of discipline is fraught with tradition, wrought with adversity, and prolonged by pragmatism. Those who seek to control the future by condemning others, or punish the outcomes by those “most” responsible, are both egotistically and metaphorically dangerous to the morale and health of the recipient. I speak of three relationships, namely, Student and Teacher, Employer and Employee, and Warden and Prisoner. In this piece, I will also relate an imaginative example of a young person who passes through each.

I feel strongly about the ethical philosophy for the recipient of discipline and want to outline what methods are used for behavior correction, versus ways they could be altered/interpreted based on different ethical theories. I will also take into consideration the reaction to that discipline, and the conflict, unhappiness, and despair that unethical discipline can cause. I will point out injustices and causalities that should lead to further discussion.

STUDENT AND TEACHER RELATIONSHIPS

The foundation of education requires imparting of knowledge and a willingness to tailor the information and the curriculum to the needs of the recipients. In so doing, over the course of a dozen or more years, a single student may observe the actions of hundreds of faculty members. Those with whom they interact most frequently are the teachers, whether for a term, or for a year, or even as a substitute. The duty or responsibility of the teacher is not solely to teach the individual in a public-school system, but to maintain the teaching environment. As such, the opportunity for disorder and disruption has the potential to impact the rest of the learning in the area. If the learning environment is intentionally impaired, the teacher is faced with an ethical dilemma of how to discipline the student, unless he or she chooses to ignore the behavior altogether. Correcting unwanted behavior offers the completion of an implicitly understood agreement between the student and the teacher who must reconcile. The student, who is bound only to the premises for safety and guardianship concerns, could choose to leave the classroom, or the campus altogether, if he/she felt threatened or depressed enough to do so, to avoid discipline. The teacher can also escalate to a higher ranking staff member, or dismiss the student, to avoid confrontation. If discipline is delivered directly from teacher to student, then the method and delivery of correction may be publicly broadcast, such as striking a student, commanding them to go to an office, assigning detention or even suspension. The approach to the discipline may depend on the perceived severity of the mischief. This approach is ethically considered fair by the standard that all disobedience of that nature would be met with the same punishment. The handling of it can be explained in advance, even with provided caution and advertisement. Some students, out of fear, will juxtapose their rebellious nature against their curiosity about learning. Some will favor that which will have a greater pleasure, albeit short-term, while others resign themselves to the will of their educators. I often regard Student-Teacher disciplinary relationships as a feud between hedonistic children and utilitarianistic staff members. My focus is on the forced absence imposed upon the student by the teacher. He, who receives a heavy hand or social humiliation, is disadvantaged to ideal conditions of learning. Perhaps suspension is the kindest rebuke, with the greatest potential to remedy, as it takes place away from the site of supposed

transgression. I purposely forgo the subject of parental guidance/counseling in an effort to focus on the methodology between acting on what is in the best interest for the class, versus the isolation of wrongdoing. The focus here is on wrongful discipline.

In speaking of the “wrongs” done by children and teenagers alike in the public education system, the common symptoms of disobedience demonstrate a lack of interest in the material or a scarcity of attention to personal needs. Other conditions (medically diagnosed or otherwise) may place difficulty on students receiving proper instruction in core materials and concepts. Discipline may yield a further schism in the progress of a student’s education or the desire to achieve such. The common adage often heard as “[students] don’t know what’s best for them” is something that I grew up hearing in my early years of study. It has lasting repercussions for those students who are already self-aware. In fragile, delicate, even impressionable minds, learning risks being displaced by anger and hostility. Sometimes even the best intentions are misinterpreted when demonstrated (esp. in a student’s writing¹, creative, or otherwise).

Unjust discipline may harbor resentment and hard feelings, which may make the feelings mutual between the teacher and the student. For example, if a student is distracting the class with noise, the teacher may wish to retaliate and punish to the full extent possible, to set an example or make a personal pain point between the offender(s). To view this as one-to-many relationship, it is obvious that any teacher can, with their methods of discipline make a lasting impression on the critical distinction between being “nice” and “good” versus “mean” and “bad.” This perception occurs in the minds of the students based on how they are treated as individuals as well as other students around them.

On the other hand, mercy may provide a different ethical viewpoint. Imagine a deontologist who truly believes in the concept of “no child left behind.” Would such a teacher not find it in their lessons that it is a duty and responsibility to specifically provide for the administration of scholastic enlightenment? If that means being patient through rough attitudes or being kind and gentle to anger, then a mutual respect has the potential to flourish as a symbiotic bond of trust. Contrary to this, a troubled teenager, who is developing physically and mentally, may

lose faith in a system designed around his or her personal development and success. Their obedience is just an evasion tactic to avoid unjust punishment. Resentment, dissent and irrationality increase in these conditions. Cruellest of all, is dishonest placement of blame. A student who takes the fall for behavior that he or she is innocent of, and a teacher who does not believe in appeals for justice, are both examples of torture when viewed from an ethical and virtuous mind. Some victims and observers may endure this, but most will concede to the negative consequences. In effect, the victims (students) accept the discipline, but not the reason behind it, in a sort or fashion of temporary pacifism.

To summarize, in the matter for discipline between students and teachers, the teacher has the most responsibility for the outcome. By using various ethical practices and holding certain philosophical views, a couple of outcomes are possible. First, a student receives and accepts discipline intended to either modify outlandish behavior or to standardize it with the rest of the class. Second, a student withdraws further from the accepted norms of correct behavior. The application of “Assertive Discipline²” forces an ethical balancing act. Whether or not a student can receive individual attention without compromising the learning of his or her peers is almost exclusively up to the teacher.

EMPLOYER AND EMPLOYEE RELATIONSHIPS

The work place for adults and colleagues is full of complications due to legal and political ramifications. Those who find gainful employment from an organization, company, or institution typically are hired onto a team with a superior to report to. That superior may or may not be their sole supervisor. He or she may be accountable for the employee’s potential to receive additional compensation and opportunities for advancement. Often, the numerical disproportions of profit and loss determine a company’s quality of personnel. When performance is lacking, discipline is administered in a series of escalating events. The first is an admonition, the second becomes a warning, the third is perceived as a threat, and the final event is the conclusion. This process is followed to motivate and promote change towards efficiency. In extreme cases, disparity is engendered to fulfill a larger agenda, and discipline is just the means to act with the fewest legal liabilities.

To surmise the ethics of productivity involves a full analysis of vocations, employment, and trades. I only wish to conjure the nature of the *feelings* felt by those who are paid hourly for employment in at-will job states. Assume I were to ask a group of one hundred employees at the top five largest retailers in the United States about their supervisors, managers, or those they report to, if they have ever been asked, “What are you working on?” I suppose the vast majority would affirm that they have indeed been queried as such, in one way or another frequently, if not daily. The probe is in part to gather information, as well as to examine, challenge, and potentially prove that work results match the verbal confirmation of the employee, in either or both quantity and quality. Ethically speaking, questions like these can be the appropriate approach when offered out of genuine, innocent speaking, but the job (or responsibilities) of such employers is typically to cut labor costs, increase efficiency, and drive sales. Weeding out weak performance (or performers) becomes a full-time job for many managers, some who even thrive off the failures of others. All of it backed with a clause stating that an employee is employed “at-will”³ and may be dismissed with or without good reason (sometimes referred to as just cause).

This opens possibilities for several varieties of unequal opportunities due to favoritism, prejudice, and sycophancy. Morality is compromised and overlooked for those who “play the game” in favor of those who hold the power to usher change and enforce discipline, both just and unjust. Regardless of past performance, violations (warnings, written, or verbal) can stack up quickly against unjustly targeted individuals, if left unchecked. Further infractions lead to threats of termination. In a court of law, were a trial to be held, damages awarded, or an offer given to appease a disgruntled employee, a purpose of discipline and its dignity would be established. Future employers may ask in an interview, “Why were you fired from your last job?” If injustice is claimed, the prospective manager has a chance to hear and believe the candidate’s side of the story. But if he calls the previous employer, and is presented a different perspective, or even a different outcome for why the previous employee was terminated, who can he find the truth from if there is doubt? What recourse is there for the employee to defend himself or herself? What if there is a jury of peers, a tribunal, or an arbitrator who knows the whole

truth, unadulterated? What system of free commerce and capitalism is in place to protect the innocent in the work place in this manner? What large retailer, publicly traded, has a Human Resources department with the power to override the decisions of poorly executed discipline? Can the damage truly be undone? Do they care? These questions and more must be explored before a true understanding can be achieved, and before a true *value statement* or *mission statement* can be fulfilled.

A successful company's morality is demonstrated with the morale and well-being of its employees. I appeal that virtue ethics would dictate the true benefit of removing injustice from discipline, applied universally in work environments across the United States (or in democratic institutions⁴) retail or otherwise, is the highest goal. I believe it is possible to be ethically good and maintain at-will privileges. The enactment, or withholding of discipline, from warnings to termination, and its methodology, is the key which opens the door to the metaphorical "cage" that detain progress and peace of mind. Of course, there are those victims of discipline who abuse the system, some even criminally, but let's assume most do not.

WARDEN AND PRISONER RELATIONSHIP

Take for a moment, one such example of an adolescent, teenage boy who grew up in a community with a traditional family in a neighborhood that was neither rich nor poor. Now imagine this boy unfairly ridiculed at school by his teachers. Despite his best intentions and relatively good behavior, he was indentured to endure a hostile environment that did not foster his education. All attempts to learn were interrupted with the distraction of discipline. For reasons unknown, he is now the "bad kid." At first, it may have been an innocent error, or perhaps just a misunderstanding, thought to be intentional. Imagine the teacher who seeks retribution by "blacklisting" the student. Now imagine he is frequently discussed between faculty members as a bad example due to a prejudice towards him (whether to his person, demeanor, voice, or attitude is not the point). Further imagine this boy endures the same scenario for 7-8 years, and has long since become accustomed to being the "class clown" or "dunce." Imagine he sees himself as a troublemaker.

What happens when he is finally given a teacher who does not ostracize him, who forgoes the perception and reputation that is the

majority stakeholder for this teenager's scholastic profile? Does the student rebel against the justice or the nature of the faculty? Is all he knows injustice and poorly executed behavioral correction? What is it about him is so disruptive to his peers? Is it the reputation or the fact that it supposedly cannot be changed? Imagine this leads to dropping out of school and seeking employment. What will his personality be like in a retail environment? How will he behave? Will his instincts and "discipline" (referring to his trade or collective study) impair his capacity for positive reinforcement? Would he understand the difference, or could he? Now let's finalize this scenario with the worst possible alternative. What happens to the teenager who fails high school and cannot hold a job? What options are left, assuming no involvement from parental or other resources? Does he turn to the street; to illegal activity? Does he go to jail?

The warden of a jail, or any institution of behavioral correction, defines rules his or her own way. In the imaginative example, the dropout student and fired employee had some say in his attendance and absence. Truancies were not punishable by confinement and the student is more likely to be expelled than compelled. No amount of discipline would detain a student the way a real prison cell can. The ethical irony of it, though, is that the physical confinement is less demoralizing than the mental prisons created by unjust discipline. Just as an athlete can properly condition his or her body to meet harsher circumstances, a person who is verbally or physically abused can develop immunity to the proper introduction of behavior correction. Most would rather endure an unjust prison (juvenile, even), knowing that truth and justice have a place there. That can make even physical abuse from a warden seem like a separate entity, when knowing the truth can liberate the senses.

CONCLUSION

To summarize, ethical concerns of discipline, especially when unjust, are mired with patterns of degradation, starting at a young age. The difference between a child who is rebuked and ostracized at school, a young worker who is chastised and withheld from benefits of career advancement, and an inmate who receives punishment or violent abuse, is relatively small. Legally, a person may do the right thing for the right reasons (be they for the good of others, the good of existence,

or even the duty of self) but have unethical treatment through those who are authorized to dispense discipline. As the truth is buried far away from the origin of bad stewardship, the victim becomes gradually susceptible to acting out the wrongdoing he or she, by principle, has been condemned to be punished for.

Thus, potentially becoming the very thing he or she was not to begin with. What choice is there when the moral good of one's life is torn apart, without proof of innocence, in systems designed to foster growth and progress?

I close with a final thought regarding the antithesis. What would the student be if no discipline were permitted in school, work or even prison? What would human nature dictate? Would the lawless revolt in anarchy? Would the just restore and keep peace? Would war ensue? I am willing to acknowledge there are those who respond to behavior correction properly and with good behavior. There are those who strongly believe it is the only way to correct or fix problems with attitudes and habits. I feel that, too often, discipline limits the ability of humans to show each other their inherently obedient, calm and intelligent approach to society. Especially when, for the mutual benefit of all, further education, higher compensation, and ultimately strength and freedom prevail.

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