



## Journal of Aggression, Conflict and Peace Research

Punishing violent students: accounting for self-defense

Amos Fleischmann

### Article information:

To cite this document:

Amos Fleischmann , (2016), "Punishing violent students: accounting for self-defense", Journal of Aggression, Conflict and Peace Research, Vol. 8 Iss 3 pp. 174 - 185

Permanent link to this document:

<http://dx.doi.org/10.1108/JACPR-03-2015-0165>

Downloaded on: 15 November 2016, At: 00:31 (PT)

References: this document contains references to 49 other documents.

To copy this document: [permissions@emeraldinsight.com](mailto:permissions@emeraldinsight.com)

The fulltext of this document has been downloaded 31 times since 2016\*

### Users who downloaded this article also downloaded:

(2016), "Frequent peer problems in Australian children and adolescents", Journal of Aggression, Conflict and Peace Research, Vol. 8 Iss 3 pp. 162-173 <http://dx.doi.org/10.1108/JACPR-11-2015-0196>

(2016), "Individual differences impact support for vigilante justice", Journal of Aggression, Conflict and Peace Research, Vol. 8 Iss 3 pp. 186-196 <http://dx.doi.org/10.1108/JACPR-09-2015-0186>

Access to this document was granted through an Emerald subscription provided by emerald-srm:563821 []

### For Authors

If you would like to write for this, or any other Emerald publication, then please use our Emerald for Authors service information about how to choose which publication to write for and submission guidelines are available for all. Please visit [www.emeraldinsight.com/authors](http://www.emeraldinsight.com/authors) for more information.

### About Emerald [www.emeraldinsight.com](http://www.emeraldinsight.com)

Emerald is a global publisher linking research and practice to the benefit of society. The company manages a portfolio of more than 290 journals and over 2,350 books and book series volumes, as well as providing an extensive range of online products and additional customer resources and services.

Emerald is both COUNTER 4 and TRANSFER compliant. The organization is a partner of the Committee on Publication Ethics (COPE) and also works with Portico and the LOCKSS initiative for digital archive preservation.

\*Related content and download information correct at time of download.

# Punishing violent students: accounting for self-defense

Amos Fleischmann

Amos Fleischmann is a Senior Lecturer at the Department of Special Education, School for Advance Degrees, Achva Academic College, Beer-Tuvia, Israel.

## Abstract

**Purpose** – The purpose of this paper is to investigate the disciplinary measures that teachers apply to student participants in violent altercations and how protestations of self-defense and a violent record affect the measures taken.

**Design/methodology/approach** – Israeli teachers (326) were shown fictional vignettes that recounted violent conflicts between students and were asked whether and how they would punish them. The vignettes portrayed students in three roles: aggressor, confirmed self-defender, and unproven self-defender.

**Findings** – Confirmed self-defenders are much more leniently disciplined than unproven self-defenders and aggressors. Unproven self-defenders are disciplined almost as severely as aggressors. A violent record results in much more severe punishment of unproven self-defenders and aggressors but has only a slight upward effect on the disciplining of confirmed self-defenders.

**Social implications** – The study reveals a difficulty in complying with a zero-tolerance approach to school violence because it collides with the right to self-defense. The intensity of discipline applied to self-defenders appears to depend on their ability to “dig up” witnesses to prove their case. Therefore, socially isolated self-defenders may be punished severely whereas social accepted ones would not.

**Originality/value** – The results may enhance the understanding of arbitrators’ decisions in conflicts that defy attempts to determine “who started it.” They break new ground by describing the disciplinary measures taken against different role-players in fracasés and are immensely important for understanding peacemaking measures in school and the “real world.”

**Keywords** Punishment, Teacher, School violence, Self-defense, Violent record, Zero-tolerance

**Paper type** Research paper

Violent conflicts between students are among the most common manifestations of violence in schools (Swahn *et al.*, 2013). They may result in injury, if not death, to their protagonists (King, 2014). To mitigate violence in schools, it is necessary to discipline students who take part in fracasés. Such is the policy in Israel: students who fight on school grounds face severe punishment (Winger, 2011). This, however, may be unjustified insofar as those punished use violence in self-defense (Teske, 2011). Away from school, violent self-defense is accepted as justified and legitimate. In criminal law, a valid claim of self-defense protects individuals from conviction for battery and even for manslaughter (Nourse, 2001; Segev, 2005). On school grounds, in contrast, self-defense is no defense (Fleischmann, 2015; Teske, 2011).

When teachers encounter student violence, their response to the self-defense motive may determine whether students will choose to respond to aggression violently or peaceably in future altercations (Aceves *et al.*, 2012). Although disciplining self-defending students is very important in coping with school violence (Davis, 2006; Teske, 2011), research on how self-defense influences the punitive measures brought against self-defenders has not yet been done.

Received 1 March 2015  
Revised 26 July 2015  
22 October 2015  
Accepted 17 November 2015

## Attitudes toward self-defensive violence and its punishment

Most students rule out aggressive violence (Vaillancourt *et al.*, 2008) but view violence in response to an attack much more favorably (Ardila-Re *et al.*, 2008; Gasser *et al.*, 2012; Davis, 2006; O'Brennan *et al.*, 2009). In a large American study, for example, most post-primary students agreed that, "it's OK to hit someone if they hit me first" (O'Brennan *et al.*, 2009). Their reasoning may be that youngsters who cannot defend themselves from harassment may become victims and suffer impairment to their social status (Fleischmann, 2015; Juvonen and Graham, 2014) if not their mental state (Juvonen and Graham, 2014).

Unlike children, teachers object to all forms of violence, including the self-defensive kind (Waasdorp *et al.*, 2011), believing that it imperils both their students and their ability to teach (Borg, 1998; Fields, 2004). Therefore, education systems in the USA (Skiba, 2013; Teske, 2011) and many other countries (SRSG on Violence Against Children, 2012), including Israel (Wininger, 2011), have adopted zero-tolerance policies that apply severe sanctions to any use of violence in school. Ostensibly, this is an appropriate way to assure youngsters' safety in school due to its ability to deter bullies (Zimmerman and Rees, 2014). Some believe, however, that punishment in school may have adverse implications as well (Dupper, 2010; Lewis *et al.*, 2008). In their opinion, teaching requires an appropriate student-teacher relationship that punishment may impair (Goodman, 2007; Lewis *et al.*, 2008) by reflecting a relationship based on force and inequality that sometimes triggers fear and resentment. Furthermore, say the opponents, it contains an internal contradiction: schools punish students who use violence in order to teach them to solve problems peacefully, but the very act of punishment shows the student that those who have superior power wield it to solve their own problems. Arguably too, disciplinary measures in school are often unfairly enforced and harmful, hence immoral (Dupper, 2010; Goodman, 2007; Skiba, 2013). Some also consider punishment in school immoral because they say it fails to distinguish between self-defensive violence and that employed for other reasons (Teske, 2011). Thus, efforts have been made to limit the extent of this policy (Morton, 2014).

Various alternatives to punishment have been proposed as a way to solve altercations between students. One is mediation (Johnson and Johnson, 1996); another is the use of methods based on retroactive justice (Hostetler, 2014). Here, the rivaling students are involved in seeking a solution to their standoff in order to negate the factors that triggered the violence and, in turn, interdict future violence. Nevertheless, punishment-based approaches to violence remain common around the world (SRSG on Violence Against Children, 2012) and zero-tolerance thinking still appears to influence many schools.

So it is in Israel, at least at the declarative level. To limit school violence, the Ministry of Education produced a cornucopia of disciplinary measures for schools' use including reprimanding, notification of parents, a warning, an assignment, a mark on the report card, revocation of recess rights, permanent transfer to another class, and suspension (Wininger, 2011).

The tough policy toward violence finds expression in the rule of mandatory suspension for students who participate in physical violence including battery and those who have a violent record. By not differentiating between defensive and aggressive violence, the rules appear to entail the suspension even of a student who strikes an aggressor in self-defense or one who has a violent history (Fleischmann, 2015).

## Factors that affect penalization for violence and their meaning for self-defense

The existence of a declared policy of one-size-fits-all discipline does not necessary mean that the policy is implemented (Dupper, 2010; Menacker, 1988). Teachers' attitudes toward the policy may vary, depending *inter alia* on how much they know about the circumstances of the altercation and the student's role in it (Fleischmann, 2015).

Different roles come with different degrees of guilt in student altercations (Monks and Smith, 2010). A recent qualitative study found that teachers differentiate between self-defenders and aggressors as main roles in student violence and assign different degrees of guilt to each (Fleischmann, 2015). It is hard to tell aggressors and self-defenders apart, however, because

aggressors often truly regard their assaults as acts of self-defense (Dodge *et al.*, 2003; Englander, 2003; Furlong and Morrison, 2000). Sometimes, too, teachers cannot determine the students' role in violent incidents in school. Uncertain as to whether a student who participated in a brawl did so in self-defense or as an aggressor, they may punish a student who acted in self-defense but cannot prove it (Fleischmann, 2015). If the student has a history of violence, it may undermine his or her claim of self-defense, whereas the other's previous involvement in violence may have the opposite effect (Fleischmann, 2015). It has even been argued that, given the prevalence of violence in many schools, it is unfeasible and pointless to differentiate between aggressors and self-defenders (Berger, 2007) because bullies feign self-defense, forcing teachers to lavish resources on investigations that may fail (Fleischmann, 2015).

Research shows that students' disciplinary history may influence the severity of the measures applied. Thus, Korean, American, and Australian teachers punish students who have a violent record more severely than they do others (Hemphill *et al.*, 2014). Studies thus far, however, do not ask whether a claim of self-defense can protect even a student who has a violent record.

## Goals of the study

In a previous qualitative study by the Fleischmann (2015), two factors were found to determine teachers' attitudes toward a claim of self-defense: a professed self-defender's violent record and the teacher's belief that the claim of self-defense is true. The aforementioned study, however, focussed on teachers' attitudes toward self-defense and overlooked the essence of the disciplinary actions taken against self-defending students who had a violent record. Therefore, this study probes the punishments that teachers administer to self-defending students and determines how they differ from measures brought against aggressors. It also attempts to determine whether self-defense provides total exculpation for students who claim self-defense. To answer this question, it is asked whether the ability of the self-defense argument to shelter students from disciplinary measures relates to their ability to prove their claim and their lack of a history of violence.

## Method

### *Participants*

The sample comprised 326 teachers who were studying for master's degrees in education at a private college. In total, 210 members of the sample (67.09 percent) taught in primary schools, 55 (17.6 percent) taught junior high, and 48 (15.3 percent) taught senior high. By gender, 287 (91.1 percent) were women and 28 (8.9 percent) were men. By degree program, 107 respondents (32.8 percent) were in the counseling course of study, 95 (29.1 percent) were in special education, and 124 (38 percent) were in management. The respondents' mean age and service time were 38.98 years ( $SD = 7.72$ ) and 13.65 years ( $SD = 7.53$ ), respectively, with a range of 24-60 and 1-35, respectively. The college enrolls Jewish and Arab teachers from all parts of the country. The proportion of Arabs in the college population resembles that of Arab teachers in all schools in Israel; the distribution of the sample closely resembles that of teachers as shown in the Israel Population Registry. The researchers preferred not to ask respondents about their ethnic identity due to the sensitivity of the question.

### *Instrument*

An anonymous self-report questionnaire, constructed specifically for this study, investigated respondents' inclination to discipline students involved in a violent altercation by presenting them with seven vignettes, each describing the aftermath of a vicious quarrel in which two students appeared to have engaged in fighting and were bruised as a result. The vignettes examined three possible categories (roles) of the violent student.

In the first role, the student's claim of having been attacked is supported by solid testimonies by other students; this student is defined as a "confirmed self-defender." In the second, the claim of being attacked is not supported, leaving the student's role "unproven." In the third, the student's account is supported by solid testimonies from other students that he or she was an "aggressor."

If one student's role is unproven, the other's role is also unproven; if one student's conduct is found to have been self-defensive, the other is the aggressor. In each role examined, the protagonist may or may not have a violent record.

Each respondent was shown 12 different vignettes (Table I). An example follows:

You encounter two students who were just involved in a violent quarrel. Their faces are swollen and their noses are bleeding. Each accuses the other of having started it; both profess self-defense.

Students who were near the scene, whose testimony you find totally trustworthy, claim that one of the students aggressed while the other defended himself.

Neither student involved in the fracas has a violent record.

After reading each vignette, the respondents were asked whether they would punish any student involved in violence. An example of such a question was, "would you punish the defender?" To answer, they had to circle an optional "yes" or "no". If they answered "yes," they were asked to explain briefly (in four lines or less) what kind of punishment they would impose.

### *Development and validation of the questionnaire*

A similar preliminary questionnaire was tested among a small group of teachers ( $n = 30$ ). Asked to comment on difficulties in filling it in, these respondents confirmed that the scenarios were clear, realistic, comprehensible, easy to answer, and indicative of the three categories of violence. They also said, however, that additional items about the effectiveness of the disciplinary measures were vague. Hence, the latter items were deleted from the final questionnaire.

### *Development of a key for the evaluation of intensity of punishment*

Three experienced research assistants were asked to devise a key for the ranking of the respondents' answers. The key was developed by sorting punishments that were elicited by means of a questionnaire, used in an earlier study, in which teachers were asked to describe various punishments that they would administer to students who took part in a violent altercation with other students. After the punishments were gathered, the aides were asked to rank the punishments in consultation with at least ten experienced teachers. Most of the rankings were determined by consensus; the author solved the few disagreements that arose among the referees.

**Table I** Descriptive statistics of punishment intensity for the 12 examined situations

| Role                       | Violent past<br>Student/rival <sup>a</sup> | n   | M    | SD   | Percentiles |    |    |     |                 |    |    |    |    |      | $\kappa$ |
|----------------------------|--|-----|------|------|-------------|----|----|-----|-----------------|----|----|----|----|------|----------|
|                            |  |     |      |      | 10          | 20 | 30 | 40  | 50 <sup>b</sup> | 60 | 70 | 80 | 90 |      |          |
| 1. Defender                | No/no                                      | 286 | 1.10 | 1.46 | 0           | 0  | 0  | 0   | 1               | 1  | 1  | 2  | 3  | 0.91 |          |
| 2. Defender <sup>c</sup>   | No/yes                                     | 270 | 1.06 | 1.44 | 0           | 0  | 0  | 0   | 0               | 1  | 1  | 2  | 3  | 0.89 |          |
| 3. Defender <sup>c</sup>   | Yes/no                                     | 263 | 1.39 | 1.69 | 0           | 0  | 0  | 0   | 1               | 1  | 2  | 3  | 5  | 0.87 |          |
| 4. Defender <sup>c</sup>   | Yes/yes                                    | 300 | 1.46 | 1.65 | 0           | 0  | 0  | 0.5 | 1               | 1  | 2  | 3  | 4  | 0.85 |          |
| 5. Unproven <sup>d</sup>   | No/no                                      | 314 | 2.50 | 1.71 | 0           | 1  | 1  | 2   | 2               | 3  | 4  | 5  | 5  | 0.91 |          |
| 6. Unproven <sup>d</sup>   | No/yes                                     | 303 | 2.40 | 1.69 | 0           | 1  | 1  | 1   | 2               | 3  | 4  | 4  | 5  | 0.85 |          |
| 7. Unproven <sup>d</sup>   | Yes/no                                     | 303 | 3.18 | 1.74 | 1           | 1  | 2  | 3   | 3.5             | 4  | 5  | 5  | 5  | 0.85 |          |
| 8. Unproven <sup>d</sup>   | Yes/yes                                    | 311 | 3.47 | 1.61 | 1           | 2  | 2  | 3   | 4               | 5  | 5  | 5  | 5  | 0.90 |          |
| 9. Aggressor <sup>e</sup>  | No/no                                      | 279 | 2.71 | 1.71 | 0           | 1  | 1  | 2   | 3               | 3  | 4  | 5  | 5  | 0.88 |          |
| 10. Aggressor <sup>e</sup> | No/yes                                     | 252 | 2.88 | 1.70 | 1           | 1  | 2  | 2   | 3               | 3  | 4  | 5  | 5  | 0.87 |          |
| 11. Aggressor <sup>e</sup> | Yes/no                                     | 256 | 3.77 | 1.54 | 1           | 2  | 3  | 4   | 5               | 5  | 5  | 5  | 5  | 0.86 |          |
| 12. Aggressor <sup>e</sup> | Yes/yes                                    | 288 | 3.83 | 1.49 | 1           | 2  | 3  | 4   | 5               | 5  | 5  | 5  | 5  | 0.89 |          |

**Notes:** To determine the intensity of punishment, the respondents' answers to the open-ended item on inclination to punish are quantified. 0: no disciplinary action, 1: a disciplinary conversation with a faculty member. 2: some form of detention (revocation of recess privileges, etc.), a punitive assignment or writing a letter of apology, or notifying parents/guardians. 3: inviting parents to a meeting at school. 4: a final warning before suspension and a proceeding that may end with suspension. 5: suspension or expulsion. <sup>a</sup>The sentenced student (left side) and his or her rival (right side) have (yes) or lack (no) a violent record; <sup>b</sup>median; <sup>c</sup>confirmed self-defender; <sup>d</sup>unproven self-defender; <sup>e</sup>confirmed aggressor

The author has much experience in dealing with school violence. Before the key was developed, he performed research on school violence and reviewed more than 100 interviews with teachers in regard to punishments administered in schools and their severity; therefore, he was fit to vet the key proposed by the aides.

The key was composed of six scores. 0: no disciplinary action; 1: a disciplinary conversation with a faculty member; 2: some form of detention (revocation of recess privileges, etc.), a punitive assignment, writing a letter of apology, or notifying parents/guardians; 3: inviting parents to a meeting at school; 4: a final warning before suspension and a proceeding that may end with suspension; 5: suspension or expulsion. If several disciplinary measures were chosen, the intensity of punishment was commensurate with the harshest measure administered.

Some 450 questionnaires were distributed in classrooms at a time specified for this purpose. Respondents who did not define themselves as active schoolteachers were deleted from the sample. Two independent referees, familiar with school violence, were asked to use the intensity-of-punishment key to evaluate the open-ended responses; their average evaluation is regarded as the intensity of punishment.

Average intensities of punishment meted out to the violent student in each of his or her roles (confirmed self-defender, unproven self-defender, aggressor) were calculated. Agreement among the referees about the intensities found, calculated with the help of Cohen's  $\kappa$  (Table I), was found very strong (Landis and Koch, 1977). The Cronbach's  $\alpha$  for the entire scale was 0.91.

## Results

A Friedman test found statistically significant differences among the punishments imposed on students in the different vignettes:  $\chi^2(11) = 1,235.34, p < 0.001$ .

### Confirmed self-defender

A large majority of respondents would not discipline a confirmed self-defender or would punish him or her very leniently (reprimand). Self-defenders with violent records were punished somewhat more severely (Table I). A *post hoc* analysis with Wilcoxon signed-rank tests with a Bonferroni correction revealed a statistically significant difference between two values of disciplining confirmed self-defenders who have violent records (where the rival has no violent record) and two values of disciplining confirmed self-defenders who have no such histories, even though Table II shows that the intensity of these differences was mild (all four effect sizes obtained were of middle-to-low intensity).

**Table II** Effect size and significance from Wilcoxon test for comparisons of punishment intensities among the examined situations

| Role                       | Violent record Student/rival <sup>a</sup> | 1      | 2      | 3      | 4      | 5      | 6      | 7      | 8       | 9      | 10     | 11    |
|----------------------------|---|--------|--------|--------|--------|--------|--------|--------|---------|--------|--------|-------|
| 1. Defender <sup>b</sup>   | No/no                                     |        |        |        |        |        |        |        |         |        |        |       |
| 2. Defender <sup>b</sup>   | No/yes                                    | -0.01  |        |        |        |        |        |        |         |        |        |       |
| 3. Defender <sup>b</sup>   | Yes/no                                    | -0.24* | -0.25* |        |        |        |        |        |         |        |        |       |
| 4. Defender <sup>b</sup>   | Yes/yes                                   | -0.26* | -0.24* | -0.03  |        |        |        |        |         |        |        |       |
| 5. Unproven <sup>c</sup>   | No/no                                     | -0.62* | -0.64* | -0.49* | -0.49* |        |        |        |         |        |        |       |
| 6. Unproven <sup>c</sup>   | No/yes                                    | -0.60* | -0.61* | -0.46* | -0.45* | -0.09  |        |        |         |        |        |       |
| 7. Unproven <sup>c</sup>   | Yes/no                                    | -0.73* | -0.74* | -0.65* | -0.67* | -0.42* | -0.48* |        |         |        |        |       |
| 8. Unproven <sup>c</sup>   | Yes/yes                                   | -0.78* | -0.80* | -0.71* | -0.74* | -0.55* | -0.58* | -0.21* |         |        |        |       |
| 9. Aggressor <sup>d</sup>  | No/no                                     | -0.65* | -0.66* | -0.54* | -0.55* | -0.15  | -0.22* | -0.27* | -0.43*  |        |        |       |
| 10. Aggressor <sup>d</sup> | No/yes                                    | -0.69* | -0.68* | -0.56* | -0.58* | -0.25* | -0.32* | -0.15  | -0.32*  | -0.14  |        |       |
| 11. Aggressor <sup>d</sup> | Yes/no                                    | -0.79* | 0.79*  | -0.73* | -0.77* | -0.59* | -0.63* | -0.37* | -0.20** | -0.58* | -0.49* |       |
| 12. Aggressor <sup>d</sup> | Yes/yes                                   | -0.79* | -0.80* | -0.74* | -0.75* | -0.59* | 0.64*  | -0.41* | -0.25*  | -0.58* | -0.49* | -0.01 |

**Notes:** <sup>a</sup>The sentenced student (left side) and his or her rival (right side) have (yes) or lack (no) a violent record; <sup>b</sup>confirmed self-defender; <sup>c</sup>unproven self-defender; <sup>d</sup>confirmed aggressor. \* $p < 0.05$

Even if a self-defender has a violent record, most respondents would settle for a warning at the most and no punishment at the least. Very few would suspend confirmed self-defenders even they have violent records (Table I).

#### *Unproven self-defender*

Half of the respondents were disinclined to discipline an unproven self-defender who has no violent record or would punish him or her by reprimand only (Table I). The others were inclined to take tougher disciplinary action, although few intended to do so in ways that might lead to suspension (value 4) or to actually have the student suspended (value 5) (Table I). The respondents were inclined take tougher action against unproven self-defenders who had violent records. About half leaned toward measures that were meant to end in suspension or would even suspend such a student; many intended to inform parents (Table I).

Thus, there were statistically significant differences between the two intensities of punishment for unproven self-defenders with violent records and two intensities for unproven self-defenders who had no such history. These differences had large size effects (Table II).

#### *Aggressor*

The respondents were inclined to discipline aggressors without violent records mildly. Few intended to suspend them or take measures that would have this outcome. They were inclined to administer tougher discipline to aggressors who had violent records. Most expressed an inclination of suspending them or taking measures that might have this outcome (Table I). Consequently, there were statistically significant differences between the intensities of punishment for aggressors who have violent records and two intensities for aggressors who have no such history. The differences had large size effects (Table II).

#### *Aggressors and unproven self-defenders vs confirmed self-defenders*

The respondents were inclined to punish confirmed self-defenders much more leniently than they would unproven self-defenders and aggressors (Table I). There were large and statistically significant differences between the intensities of punishment for confirmed self-defenders and those relating to punishment of aggressors and unproven self-defenders in all possible comparisons (Table II).

#### *Unproven self-defenders vs aggressors*

The respondents were inclined to punish unproven self-defenders who had no violent records more leniently than they would aggressors (Table I). All differences between the intensities of punishment for unproven self-defenders who lacked disciplinary histories and those for aggressors lacking disciplinary histories were statistically significant but had small-to-medium size-effect values (Table II). The differences between the intensities of punishment for unproven self-defenders, irrespective of violent records, and those for aggressors who had disciplinary histories were statistically significant, with large size-effect values (Table II).

The respondents were inclined to punish unproven self-defenders who had histories of violence more intensively than they would aggressors who lacked violent records and less intensively than they would discipline aggressors with violent records (Table I). The differences between the intensities of punishment for unproven self-defenders with violent records and those for aggressors who lacked such records were statistically significant and had medium-to-small size-effect values (Table II). The differences in intensities of punishment between unproven self-defenders who had violent records and for aggressors who had violent records were also significant and had medium-to-large size-effect values (Tables II and III).

To yield a more thorough inquiry, a principal component factor analysis with a varimax rotation and the same factor analysis with an oblimin rotation were performed. The optimal solutions were identified on the basis of a scree plot test (Cattell, 1966). The varimax rotation yielded an identical three-component solution to the oblimin rotation. The factor analyses that employed the principal component analysis explained 76.60 percent of the variance.

**Table III** Factor analysis (rotated component matrix) of primary variables for intensity of punishment

| Role                       | Violent record for |       | Factor name: punishment for |                 |                   |
|----------------------------|--------------------|-------|-----------------------------|-----------------|-------------------|
|                            | Punished student   | Rival | 1. Confirmed self-defense   | 2. Clear record | 3. Violent record |
| 1. Defender <sup>a</sup>   | No                 | No    | <i>0.88</i>                 | 0.14            | 0.78              |
| 2. Defender <sup>a</sup>   | No                 | Yes   | <i>0.88</i>                 | 0.17            | 0.06              |
| 3. Defender <sup>a</sup>   | No                 | No    | <i>0.87</i>                 | 0.11            | 0.10              |
| 4. Defender <sup>a</sup>   | No                 | Yes   | <i>0.84</i>                 | 0.11            | 0.12              |
| 5. Unproven <sup>b</sup>   | No                 | No    | 0.13                        | <i>0.81</i>     | 0.17              |
| 6. Unproven <sup>b</sup>   | No                 | Yes   | 0.06                        | <i>0.80</i>     | 0.23              |
| 7. Aggressor <sup>c</sup>  | No                 | Yes   | 0.17                        | <i>0.77</i>     | 0.14              |
| 8. Aggressor <sup>c</sup>  | No                 | No    | 0.25                        | <i>0.67</i>     | 0.37              |
| 9. Aggressor <sup>c</sup>  | Yes                | Yes   | 0.02                        | 0.07            | <i>0.81</i>       |
| 10. Aggressor <sup>c</sup> | Yes                | No    | 0.16                        | 0.17            | <i>0.71</i>       |
| 11. Unproven <sup>b</sup>  | Yes                | Yes   | 0.02                        | 0.43            | <i>0.67</i>       |
| 12. Unproven <sup>b</sup>  | Yes                | No    | 0.17                        | 0.37            | <i>0.61</i>       |
| Cronbach's $\alpha^a$      | –                  | –     | 0.92                        | 0.88            | 0.88              |
| Mean <sup>d</sup>          | –                  | –     | 1.32                        | 2.59            | 3.52              |
| SD <sup>d</sup>            | –                  | –     | 1.45                        | 1.47            | 1.42              |

**Notes:** The extraction method was principal component analysis; the rotation method was varimax with Kaiser normalization. <sup>a</sup>Confirmed self-defender; <sup>b</sup>unproven self-defender; <sup>c</sup>confirmed aggressor; <sup>d</sup>calculated in accordance with four components of the respective factor (values in italics)

Three factors were discovered. The first factor, labeled “confirmed self-defense,” reflects disciplinary action against students who were able to prove that they had acted in self-defense (Table III). It includes students with and without violent records, irrespective of whether their rivals had such records or not. The second factor, labeled “clean record,” reflects the disciplinary measures brought against students who had clean records. It includes students in the roles of unproven self-defender and aggressor, whether their rivals had violent records or not. The third factor, labeled “violent record,” reflects the disciplinary measures taken against students who had histories of violence. It includes students in the roles of unproven self-defender and aggressor, irrespective of whether their rivals had violent records or not.

## Discussion

The findings show that the respondents disciplined confirmed self-defending students differently and much more leniently than they did others. Thus, in cases of confirmed self-defense, the respondents were disinclined to adopt the zero-tolerance approach to violence, possibly because it clashes with the basic right to self-defense and common sense (Teske, 2011). Indeed, a previous study by the author found that teachers do recognize the right to self-defense, particularly when they are convinced that the student who invokes this right is telling the truth (Fleischmann, 2015).

### *Knowing that the violent student acted in self-defense*

Knowing that the violent student acted in self-defense figures very importantly in the way teachers relate to a violent incident. The respondents related to students who professed self-defense but could not prove it much as they related to proven aggressors.

In an earlier qualitative study (Fleischmann, 2015), teachers expressed the fear that the legitimacy of self-defense in school would inspire aggressors to plead self-defense spuriously. Thus, they felt that unless they disciplined students whose self-defense claim was unproved, they would not only breach school rules but also protect faux victims from sanctions. Determining the exact circumstances of a violent act is a resource-intensive vocation that entails student-teacher cooperation; therefore, many teachers are in no rush to do it (Fleischmann, 2015).



### *The importance of a violent record*

The findings show that insofar as they could prove self-defense, students who had histories of violence were classified together with self-defenders who had no such history; both were disciplined rather leniently. Since the Israeli rules prescribe the compulsory suspension of students with violent records who participate in brawls, obviously these rules are observed in the breach. Notably too, the other student's violent record is not a determinant in teachers' inclination to discipline a student who engages in violence. One might think that an opposing student who has a violent record might be considered more liable to discipline for the altercation. In school violence, however, much as in customary criminal law, individuals appear to be disciplined more on the basis of their actions and record than in view of those of their counterparts.

Teachers treat violent records much more gravely when they consider the need to discipline unproven self-defenders and aggressors. This inclination may explain why certain groups of students skid down the slippery slope that ends with measures as severe as expulsion. Socioeconomically disadvantaged or special-needs students sometimes break school rules due to feelings of alienation. Consequently, those in these groups may be more likely than others to have histories of violence. Such students also find it difficult to make friends and, for this reason, may have difficulty in obtaining evidence from peers that they acted in self-defense. This, in turn, may subject them to more severe discipline – which, in a vicious cycle, may exacerbate their hostility to the school and its rules, leading to increasingly severe disciplinary measures if not suspension. Suspension may generate acute hostility, escalating to further suspensions until the student drops out and may even become involved with the legal system (Costenbader and Markson, 1998). Previous studies do find overweighting of special-needs and socioeconomically disadvantaged students in disciplinary measures and suspensions (APA Zero Tolerance Task Force, 2008; Coulson, 2012; Skiba, 2013). They also note, however, that the sense of estrangement among teachers who favor discipline can be changed, thus attenuating the alienation of marginalized students (Clark *et al.*, 2008; Schultz, 2011).

### **Summary and conclusions**

Since the onus of restoring and maintaining peace in school usually falls on teachers, it is they, for the most part, who must punish students who participate in violent altercations. Sometimes their decisions are unjust (Dupper, 2010) and do not fit the “crime.” The foregoing findings show that when teachers cannot determine for sure that a student who used violence did so in self-defense, they discipline him or her severely and, in many cases, immorally (Coulson, 2012; Teske, 2011). If students were more involved in solving violent problems in school, teachers might be less compelled to brandish the disciplinary weapon (Holt *et al.*, 2011) and would know more about the exact circumstances of violent conflicts, thus punishing self-defenders less stringently.

Such an approach involves neither permissiveness nor the condoning of indiscipline or violent acts. On the contrary: instead of foisting most of the burden of discipline on teachers, it would share responsibility with the students themselves (Holt *et al.*, 2011). The exact method of involving students in solving violence problems is beyond the purview of this study. At this preliminary juncture, however, one may give thought to mediation or conflict resolution as possible strategies (Johnson and Johnson, 1996) or disciplinary methods based on retroactive justice. Examination of these methods in a school that involves the entire community in resolving conflicts among students shows that they do help to quell school violence (Davis, 2014; Evans and Lester, 2013; Hostetler, 2014). Be this as it may, the co-option of students as stakeholders in the solution may do more than relieve educators of some of the enormous burden that they bear due to the need to impose discipline (Fenning *et al.*, 2008).

Considerations that inform participants in a confrontation when their decision-making knowledge is gravely limited yield insights for fields as numerous and diverse as economics, law, biology, and international relations (Axelrod, 2006). The considerations of a mediator who seeks to mitigate hostility between rivals by choosing a “winner” (who goes unpunished) and a “loser” (who is disciplined) are less emphasized. Situations similar to the one described above,

in which a mediator is positioned between two rivals who blame their conflict on each other, are typical of many fields. As cases in point, consider first an executive in an international agency whose task it is to determine which of two warring sides deserves punishment. His or her decision may deter both rivals from resuming their hostilities, thus assuring the maintenance of a cease-fire if not a successful peacemaking effort. It goes without saying that the argument of self-defense arises in this case, each side possibly accusing the other of having “started it.”

Another noteworthy point relates to gender. An initial statistical examination of the findings found no significant differences between male and female teachers in their propensity to discipline brawling students. Accordingly, all participants in the study were merged into one group for the investigation of their inclination to punish students in their various roles and the data were presented accordingly. Other studies, however, do allude to the possibility of gender differences in attitudes toward violence and punishment (Ayenibiowo, 2014; Dodge *et al.*, 2013; Salvano-Pardieu *et al.*, 2009; Smith, 1984), meaning that gender differences in positions on punishing students in school are conceivable – as are gender differences among students who are involved in violence. Thus, further research should also probe the importance of gender in reference to teachers.

### **Limitations**

This study is not free of limitations. Its sample, while highly diverse, is not representative. The respondents were MEd candidates who worked in many schools across an entire country. To reflect Israel’s demographics, Jewish and Arab teachers were sampled. They performed various duties, were of varied ages, and held different levels of seniority. Whether they were representative or not, evidence from complementary qualitative research as well as the author’s earlier quantitative and qualitative studies show that the behavior patterns observed among them recur among other groups of teachers. Furthermore, wide differences were found between the disciplinary measures taken against self-defenders whose claim is proven and those given to aggressors and self-defenders whose innocence is not proved. In any case, before one can adduce that the current study reflects the reality in Israel, especially if one wishes to compare its findings with those in other countries that have zero-tolerance policies, further research in other countries should be performed with the help of larger and more representative samples. Such studies may establish a basis for further knowledge on a topic in which knowledge is far from complete: the rules that schools actually use.

Additional studies aided by observations may revisit the results of the present study under school conditions. Therefore, it should be hoped that this study will inspire further research into the logic behind disciplining students in school generally and disciplining students for defending themselves particularly.

### **References**

- Aceves, M.J., Hinshaw, S.P., Mendoza-Denton, R. and Page-Gould, E. (2012), “Seek help from teachers or fight back? Student perceptions of teachers’ actions during conflicts and responses to peer victimization”, *Journal of Youth and Adolescence*, Vol. 39 No. 6, pp. 658-69.
- APA Zero Tolerance Task Force (2008), “Are zero tolerance policies effective in the schools? An evidentiary review and recommendations”, *American Psychologist*, Vol. 63 No. 9, pp. 852-62.
- Ardila-Re, A., Killen, M. and Brenick, A. (2008), “Moral reasoning in violent contexts: displaced and non-displaced Colombian children’s evaluations of moral transgressions, retaliation, and reconciliation”, *Social Development*, Vol. 18 No. 1, pp. 181-209.
- Axelrod, R. (2006), *The Evolution of Cooperation*, Revised edn, Basics Books, New York, NY.
- Ayenibiowo, K.O. (2014), “The influence of gender on assessment of rape and proposition of sanctions for perpetrators”, *Gender and Behavior*, Vol. 12 No. 3, pp. 6247-55.
- Berger, K.S. (2007), “Update on bullying at school: science forgotten?”, *Developmental Review*, Vol. 27 No. 1, pp. 290-1.

- Borg, M.G. (1998), "Secondary school teachers' perception of students' undesirable behaviors", *British Journal of Educational Psychology, Part 1*, Vol. 68 No. 1, pp. 67-79.
- Cattell, R.B. (Ed.) (1966), *Handbook of Multivariate Experimental Psychology*, 2nd ed., Rand McNally, Chicago, IL.
- Clark, M.A., Lee, S.M., Goodman, W. and Yacoo, S. (2008), "Examining male underachievement in public education: action research at a district level", *National Association of Secondary School Principals*, Vol. 92 No. 2, pp. 11-132.
- Costenbader, V. and Markson, S. (1998), "School suspension: a study with secondary school students", *Journal of School Psychology*, Vol. 36 No. 1, pp. 59-82.
- Coulson, A.J. (2012), "Zero tolerance: causes, consequences, and alternatives", available at: [www.cato.org/publications/congressional-testimony/zero-tolerance-causes-consequences-alternatives](http://www.cato.org/publications/congressional-testimony/zero-tolerance-causes-consequences-alternatives) (accessed January 7, 2015).
- Davis, F. (2014), "Discipline with dignity: Oakland classrooms try healing instead of punishment", *Reclaiming Children and Youth*, Vol. 21 No. 1, pp. 38-41.
- Davis, J.Q. (2006), "The legacy of 'if someone hits you, you better hit back'", *Reclaiming Children and Youth*, Vol. 15 No. 1, pp. 8-10.
- Dodge, K.A., Lansford, J.E., Salzer Burks, V., Bates, J.E., Pettit, G.S., Fontaine, R. and Price, J.M. (2003), "Peer rejection and social information-processing factors in the development of aggressive behavior problems in children", *Child Development*, Vol. 74 No. 2, pp. 374-93.
- Dodge, M., Stacy, B. and Antwerp, V.V. (2013), "Do men and women perceive white-collar and street crime differently? Exploring gender differences in the perception of seriousness, motives, and punishment", *Journal of Contemporary Criminal Justice*, Vol. 29 No. 3, pp. 399-415.
- Dupper, D.R. (2010), "Does the punishment fit the crime? The impact of zero tolerance discipline on at-risk youths", *Children and Schools*, Vol. 32 No. 2, pp. 67-9.
- Englander, E. (2003), *Understanding Violence*, Lawrence Erlbaum, Mahwah, NJ.
- Evans, K.R. and Lester, J.N. (2013), "Restorative justice in education: what we know so far", *Middle School Journal*, Vol. 44 No. 5, pp. 57-63.
- Fenning, P., Golomb, S., Gordon, V., Kelly, M., Scheinfeld, R., Morello, T., Kosinski, A. and Banull, C. (2008), "Written discipline policies used by administrators: do we have sufficient tools of the trade?", *Journal of School Violence*, Vol. 7 No. 2, pp. 123-46.
- Fields, L. (2004), "Handling student fights: advice for teachers and administrators", *The Clearing House*, Vol. 77 No. 6, pp. 108-10.
- Fleischmann, A. (2015), "Teachers' perspectives on hitting back in school: between inexcusable violence and self-defense", *Journal of School Violence*, Vol. 14 No. 4, pp. 368-81.
- Furlong, M. and Morrison, G. (2000), "The school in school violence: definitions and facts", *Journal of Emotional and Behavioral Disorders*, Vol. 8 No. 2, pp. 71-80.
- Gasser, L., Malti, T. and Gutzwiller-Helfenfinger, E. (2012), "Aggressive and nonaggressive children's moral judgments and moral emotion attributions in situations involving retaliation and unprovoked aggression", *Journal of Genetic Psychology*, Vol. 173 No. 4, pp. 417-39.
- Goodman, J.F. (2007), "School discipline, buy-in and belief", *Ethics and Education*, Vol. 24 No. 1, pp. 2-23.
- Hemphill, S.H., Plenty, S.M., Herrenkohl, T.I., Toumbourou, J.W. and Catalano, R.F. (2014), "Student and school factors associated with school suspension: a multilevel analysis of students in Victoria, Australia and Washington State, United States", *Children & Youth Services Review*, Vol. 36 No. 1, pp. 187-94.
- Holt, A., Martin, D., Hayden, C. and Nee, C. (2011), "Schooled in democracy? Promoting democratic values as a whole school approach to violence prevention", *Crime Prevention and Community Safety*, Vol. 13 No. 3, pp. 205-17.
- Hostetler, M.J. (2014), "Restorative discipline: from getting even to getting well", *Children and Schools*, Vol. 36 No. 3, pp. 157-62.

- Johnson, D.W. and Johnson, R.T. (1996), "Conflict resolution and peer mediation programs in elementary and secondary schools: a review of the research", *Review of Educational Research*, Vol. 66 No. 4, pp. 459-506.
- Juvonen, J. and Graham, S. (2014), "Bullying in schools: the power of bullies and the plight of victims", *Annual Review of Psychology*, Vol. 65 No. 1, pp. 159-85.
- King, K.K. (2014), "Violence in the school setting: a school nurse perspective", *Online Journal of Issues in Nursing*, Vol. 18 No. 1, pp. 1, available at: <http://nursingworld.org/MainMenuCategories/ANAMarketplace/ANAPeriodicals/OJIN/TableofContents/Vol-19-2014/No1-Jan-2014/Violence-in-School.html> (accessed January 7, 2015).
- Landis, J.R. and Koch, G.G. (1977), "The measurement of observer agreement for categorical data", *Biometrics*, Vol. 33 No. 1, pp. 159-74.
- Lewis, R., Romi, S., Katz, Y.J. and Qui, X. (2008), "Students' reaction to classroom discipline in Australia, Israel, and China", *Teaching and Teacher Education*, Vol. 24 No. 3, pp. 715-24.
- Menacker, J.C. (1988), "Legislating school discipline: the application of a systemwide discipline code to schools in a large urban district", *Urban Education*, Vol. 23 No. 1, pp. 12-23.
- Monks, C. and Smith, P. (2010), "Peer, self and teacher nominations of participant roles taken in victimisation by five- and eight-year-olds", *Journal of Aggression, Conflict and Peace Research*, Vol. 2 No. 4, pp. 4-14.
- Morton, R. (2014), "Returning 'decision' to school discipline decisions: an analysis of recent, anti-zero tolerance legislation", *Washington University Law Review*, Vol. 91 No. 3, pp. 757-84.
- Nourse, V.F. (2001), "Self-defense and subjectivity", *The University of Chicago Law Review*, Vol. 68 No. 4, pp. 1235-307.
- O'Brennan, L.P., Bradshaw, C.P. and Sawyer, A.L. (2009), "Examining developmental differences in the social-emotional problems among frequent bullies, victims, and bully/victims", *Psychology in the Schools*, Vol. 46 No. 2, pp. 109-15.
- Salvano-Pardieu, V., Fontaine, R., Bouazzaoui, B. and Florer, F. (2009), "Teachers' sanction in the classroom: effect of age, experience, gender and academic context", *Teacher and Teaching Education*, Vol. 25 No. 1, pp. 1-11.
- Schultz, L.L. (2011), "Targeting school factors that contribute to youth alienation: focused school counseling programs", *Journal of Instructional Psychology*, Vol. 38 No. 2, pp. 75-83.
- Segev, R. (2005), "Fairness, responsibility and self-defense", *Santa Clara Law Review*, Vol. 45 No. 2, pp. 383-460.
- Skiba, R. (2013), "Reaching a critical juncture for our kids: the need to reassess school-justice practices", *Family Court Review*, Vol. 51 No. 3, pp. 380-7.
- Smith, T. (1984), "The polls: gender and attitudes toward violence", *Public Opinion Quarterly*, Vol. 48 No. 1B, pp. 386-96.
- SRSO on Violence Against Children (2012), "Tackling violence in schools: a global perspective", Office of the Special Representative of the Secretary General on Violence against Children, New York, NY, available at: [www.brooklyn.cuny.edu/pub/departments/childrensstudies/conference/pdf/Tackling\\_Violence\\_in\\_Schools\\_-\\_SRSO\\_VaC\\_Publication.pdf](http://www.brooklyn.cuny.edu/pub/departments/childrensstudies/conference/pdf/Tackling_Violence_in_Schools_-_SRSO_VaC_Publication.pdf) (accessed January 7, 2015).
- Swahn, M.H., Bossarta, R.M., Palmier, J.B., Yao, H. and Van Dulmen, M.H. (2013), "Psychosocial characteristics associated with frequent physical fighting: findings from the 2009 National Youth Risk Behavior Survey", *Injury Prevention*, Vol. 19 No. 2, pp. 143-6.
- Teske, S. (2011), "In defense of self-defense – are schools safer with zero tolerance?", Juvenile Justice Information Exchange, February 10, available at: <http://jjiie.org/judge-steve-teske-defense-of-selfdefense-schools-saferzero-tolerance/9692> (accessed January 7, 2015).
- Vaillancourt, T., McDougall, P., Hymel, H., Krygsman, A., Miller, J., Stiver, K. and Davis, C. (2008), "Bullying: are researchers and children/youth talking about the same thing?", *International Journal of Behavioral Development*, Vol. 32 No. 6, pp. 486-95.
- Waasdorp, T.E., Pas, E.T., O'Brennan, L.M. and Bradshaw, C.P. (2011), "A multilevel perspective on the climate of bullying: discrepancies among students, school staff, and parents", *Journal of School Violence*, Vol. 10 No. 2, pp. 115-32.

Winger, A. (2011), "Coping of education ministry with violence phenomena at schools", Report for the Education, Culture and Sport Committee of the Knesset (the Israeli Parliament), The Knesset Center of Research and Information, Jerusalem, available at: [www.knesset.gov.il/mmm/data/pdf/m02963.pdf](http://www.knesset.gov.il/mmm/data/pdf/m02963.pdf) (accessed January 7, 2015).

Zimmerman, G.M. and Rees, C. (2014), "Do school disciplinary policies have positive social impacts? Examining the attenuating effects of school policies on the relationship between personal and peer delinquency", *Journal of Criminal Justice*, Vol. 42 No. 1, pp. 54-65.

### Corresponding author

Amos Fleischmann can be contacted at: [amosf@macam.ac.il](mailto:amosf@macam.ac.il)

---

For instructions on how to order reprints of this article, please visit our website:

[www.emeraldgrouppublishing.com/licensing/reprints.htm](http://www.emeraldgrouppublishing.com/licensing/reprints.htm)

Or contact us for further details: [permissions@emeraldinsight.com](mailto:permissions@emeraldinsight.com)