

Reflections on Educational Punishment

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Abstract: This paper analyses the current situation of education in China, probes into the education and management of students, and demonstrates the necessity and feasibility of educational punishment.

1. Introduction

Traditional education emphasizes the dignity of teachers, while modern education advocates appreciation education. Teachers' dignity has spread for two thousand years from ancient times to the present. It has been deeply rooted in the field of education and the whole society and integrated into the whole Chinese historical culture and spiritual tradition. Appreciation education which is advocated by modern society, is a kind of modern educational idea. What is the purpose of appreciation? By affirming students' subjectivity, we can fully stimulate their initiative, achieve the ultimate development of students' potential, improve the overall quality of students, and lay the foundation for success. So who will implement appreciation? It mainly requires teachers to do it. Besides, appreciation education should be advocated to implement in society and family. In schools, teachers are the dominant, students are the main body, so teachers should fully develop students' subjective consciousness and stimulate the students to play their subjective initiative, which can make the learning active and the learners the masters, finally achieving the "teaching is not teaching" educational ideal, which has been the grand goal of modern and contemporary education in China. However, in the field of education in reality, appreciation education has become a generalization, its specific operation is not rigorous and scientific, sometimes appreciation is simply laissez-faire; the traditional dignity of teachers has declined, teachers dare not to teach, sometimes even to please students; In addition, China's only child ' characteristic of the Times spoil the majority, and the spirit of strong, independent, respect cooperation is generally poor, in this case, once the "improper appreciation" is very easy to cause the development of students' personality liberalization, which is not conducive to the true perfection and correct play of students' subjectivity. Therefore, we should find appropriate ways of education management and put forward scientific management concepts in order to truly promote students' management and education, truly promote students' growth and progress, and cultivate modern spirit. It is urgent to improve the quality of talents. In recent years, the social and educational fields have pay much attention to the thinking on this issue . One word that is generally mentioned is "educational punishment".

2. What Is Educational Punishment?

What is educational punishment? Punishment, as its name implies, includes two meanings of "punishment" and "discipline". "Punishment" means punishment, which is a means, and "discipline" is a warning and exhortation to correct errors, which is the desired purpose of this kind of behavior. In a word, punishment means the unity of means and purposes. In addition to this unity, educational punishment is more important. It is a way of education. Educational punishment mainly means to make students feel pain or shame by criticizing and punishing students who violate the rules, but not to damage the physical and mental health of the punished, so as to stimulate their intention of repentance and improvement, so as to achieve the purpose of correcting mistakes. The purpose of educational punishment is to make people have enough knowledge of their fault and take

corresponding responsibility. The method of education and punishment is to wake up the sleeping giant in his heart and defeat himself by his own strength. The principle of educational punishment is respect. In other words, we punish people because they should have been kind not ugly, and because we believe them rather than look down upon them. The most vivid and accurate analogy of education and punishment with the theory of traditional Chinese medicine is to uphold the right and dispel evil.

3. Necessity of Educational Punishment

Sun Yunxiao, deputy director and researcher of China Youth Research Center, said that “educational punishment is to uphold the right and dispel evil spirits.” “There is no doubt that this is a prominent and acute problem, and it is difficult to run a school without solving it. But in my opinion, the significance of educational punishment is not limited to how to deal with students who violate the rules, but is related to the education of every student.” “Nowadays, the lack of calcium is one of the major problems in Chinese education, and the lack of education punishment and real awakening should be one of the causes.”

For a long time, in the process of reflecting and respecting students, Chinese educational circles have come into the misunderstanding of paying more attention to praise than to criticism, and even the so-called “non-criticism education” has appeared. At present, lots of teachers are frightened to manage the students in many schools, because if they do not do well, the media will expose them to you, and they will become the focus of criticism from all walks of life, regardless of the reasons for the occurrence of things and the position of teachers. But no matter what, it will not be good for children's intellectual and psychological development. Therefore, giving priority to praise and positive guidance in education is in line with the law of human growth. However, praise is not the only and all way to give priority to praise. Education pays attention to proportionality, appropriate is better, too late or less can not achieve the desired results. We can see that criticism and praise, punishment and reward are of special significance to everyone, especially the growing students.

Children who have not been punished since childhood will grow up without the concept of crime. Because from the point of view of children's growth, school is the epitome of society. Students who come out of school may grow up to be excellent talents of society, and may also become criminals. At the school stage, they should use appropriate disciplinary measures to let them remember for life, know which boundaries can not be crossed, beyond which is a crime. In fact, many students' violations are on the verge of committing crimes. It is too late to educate them when they really commit crimes. So the educational means of small punishment and big punishment will stop him at the edge. Punishment, namely education, is a good means of educating citizens with both virtue and ability.

“A young tree cannot grow without repair.” Punishment is playing the role of pruning in education. In fact, misdeeds are bound to be punished. It can be seen that punishment education is very important not only in preventing mistakes but also in learning from past mistakes to avoid future ones. It is necessary to punish students when they make “minor mistakes” so that they can avoid making “big mistakes” in the future as far as possible. Schools use appropriate disciplinary measures to let them know which “high-voltage lines” can not be touched, make them stop at the edge of crime, which is also the social responsibility of teachers. Teachers should love their students and take responsibility for their life development, facing up to the mistakes and shortcomings in the process of their growth. It is worthy of tolerance and encouragement, appreciation and respect should be students' healthy personality, and be students' good behavior habits. Schools and teachers have the duty and responsibility to criticize and punish students' bad habits, wrong words and deeds, even bad acts that are contrary to social morality and even to criminal law. Generally speaking, when children make mistakes, it is the best time for education. Therefore, scientific and effective punishment is a kind of educational means that is really responsible for students and fully reflects the educational function of school education, which is essential. It is the aim of punishment to make students know their responsibility for making mistakes. And the purpose of education is to wake people up and make them grow healthily.

4. Feasibility of Educational Punishment

Does the teacher have the power of educational punishment? Tan Xiaoyu, Doctor of Law, Shanghai Institute of Science and Technology, said, “We still need to understand a definition, that is, the right to punish. It can be a kind of power, not a right for teachers to punish students who violate the rules of school learning and life. It is aimed at students' violations of norms. It is a compulsory power based on teachers' professional status, which comes from teachers' educational power. Teachers have the power to keep the normal order of educational and teaching activities and make sure the normal development of educational and teaching activities. It is also one of the occupational rights of a teacher.”

Professor Xiao Qinghua once made a good summary of the role of educational punishment: students can distinguish right from wrong ideologically, develop the habit of abiding by the system, feel the real life and democratic spirit, and form the legal concept of “punishing illegal activities” and the sense of responsibility for themselves. In a word, punishment is beneficial to the socialization of individual students. In an interview with reporters, Professor Liu Jingduo, Director of the Education Research Department of the Central Institute of Educational Sciences, stressed that “educational punishment is an important part of complete education and contributes to the healthy and harmonious development of minors' personality.” If only give the students sweet sugar water blindly, he will never know the bitterness of *Coptis chinensis* in life, and He couldn't imagine the ups and downs of real life.

Some teachers and experts believe that “education without discipline is incomplete education”. “From the relevant provisions, it can be inferred that teachers' right to use punishment is a kind of power granted by law to teachers. Failure to exercise the right of education punishment is a kind of dereliction of duty.” The purpose of teacher discipline is to educate students not to make the same mistakes. In essence, it points to the progress of students in the same way as expectation, encouragement and praise.

5. Operationality of Educational Punishment

How to use educational punishment? Teachers have the right of punishment which comes from the right of management and guidance to students. Although the means of punishment can be used, we need to be cautious and pay attention to the art of punishment. Hence, we should make sure that the punishment must not be abused. Educational punishment is a difficult educational skill. Sun Yunxiao, deputy director of China Youth Research Center, said: “Punishment is a double-edged sword. It is a dangerous and difficult educational skill. It must vary from person to person and be moderate. The more punishment, the more respect it deserves.” Moderate punishment can play the role of warning and education, so that the punished know the consequences of their actions and learn to assume responsibility. However, excessive punishment will offset the guilt of the parties psychologically and make the parties more comfortable to continue the wrong behavior. In addition, excessive punishment will also arouse the rebellious psychology and broken mentality of the parties so that errors and evil deeds become more and more intense, and the results are contrary to wishes.

Although the means of punishment can be used, we should be cautious. We should pay attention to the art of punishment. Although punishment can restrain and promote the healthy growth of children, we should pay attention to the timely, moderate, suitable and diverse ways when we use the educational method of punishment. We should take the principle of not damaging students' physical and mental health. The so-called “timely” refers to that punishment should be timely, and should not catch mistakes afterwards, affecting students' physical and mental health; “moderate” means that the degree of punishment should be appropriate, not too heavy, nor can it be dealt with rashly and perfunctorily; “suitable person” means that teachers should implement different ways or degrees of punishment according to the characteristics of different students; “diverse ways” means that punishment should not only be physical and mental. We should pay attention to the art of punishment and the ways of punishment we adopt should be flexible and diverse. Specifically, the following principles can be followed:

5.1 Principle of combination of strictness and love

We often say that strictness makes a man powerful, but love makes him approachable, so in daily work, students must be cared for, in the true sense, be served completely and thoroughly; but if students have shortcomings, make mistakes, teachers must correct and urge them to correct, never open one eye, close one eye, appease accommodation, let go. Strictness and love are an organic unity. Only when teachers are strict with and respectful of students in the process of education can they establish a reasonable and harmonious teacher-student relationship. Only then can they create a kind of affinity around themselves and establish and consolidate the awed prestige.

5.2 Principle of fairness and justice

The teachers should equally treat all students, who will have an equal mentality whole-heartedly. The students are convinced of the disciplinary action taken by the teachers. thus, fairness and justice can be considered the premise of punishment for every student.

5.3 Principle of punishing students according to their personality

When punishing students, we should pay much more attention to their personal factors and do the proper punishment according to their personality. For example, introverted students can adopt indirect circuitous-based approach, when necessary, they can make implicit criticism, such as a look at the incident, a separate conversation after the event, etc. We can punish extroverted students selectively when we punish them: such as reciting poems (a few), penalty days, penalty running, penalty station... Choose one of them. thus, the students will have the initiative to choose the ways to punish themselves, in the appropriate punishment, so that make them understand what is improper behavior, and at the same time, all students are educated with a warning.

6. Defining and Distinguishing Educational Punishment and Corporal Punishment

Is corporal punishment the same as punishment? At present, the society has erroneous views on punishment. It believes that punishment is corporal punishment, and proper education has become corporal punishment. According to laws, the punishment which is imposed on students cannot be denied at all in the process of managing schools. When it comes to punishment, many people associate corporal punishment, which is totally different, and corporal punishment is explicitly prohibited. When students seriously violate school rules and regulations, it is also possible for teachers to adopt appropriate cold treatment methods.

Corporal punishment includes corporal punishment and disguised corporal punishment, namely “corporal” punishment and “heart” punishment. Corporal punishment is a prohibited act in our current law. Compulsory Education Law and its implementing rules, Teachers Law and Minors Protection Law not only explicitly stipulate prohibition of corporal punishment, but also stipulate the legal responsibility of teachers to corporal punish students. Therefore, corporal punishment is illegal and should not only be advocated, but also strictly prohibited. Punishment refers to a way of punishment that “punishment makes the offender feel pain physically and mentally, but does not harm the physical and mental health of the punished person” as the principle. There are essential differences in their purpose, means, methods and consequences. Most importantly, the corporal punishment does harm to the body and mental health of the students. Contrarily, The aim and end of punishment is to improve the development and progress of students.

Someone said, “Without education and punishment, the generation that cannot bear criticism and be educated by coaxing children may be a generation that cannot stand frustration, cowardice, selfishness, arrogance and no sense of responsibility. In the future, both individuals and society will pay a price for it.” Through the implementation of criticism, punishment and other means to violate the rules of students, to use educational punishment correctly, in order to make them feel pain or shame, but do not harm their physical and mental health, so that students can get insights in the experience, in order to stimulate their sense of repentance and improvement, so as to achieve the purpose of correcting errors.

7. Educational punishment must be carried out according to law

The current laws and regulations of our country have not clearly stipulated the right of teachers to punish, so the teachers in our country appear to be somewhat unjustified in punishing students. Once it is recognized by parents or the media as corporal punishment, the problem becomes serious. Hence, it is suggested that related laws should be made to empower teachers to punish students legally. And the provisions of the law should clearly stipulate the following aspects: the ways of punishment, the occasion of punishment and the timing of punishment. Meanwhile, it should improve the students' appeal system. If students feel that teachers' punishment is inappropriate, they can appeal through legal procedures.

Therefore, to make a clear definition of punishment, we should affirm that it is an education and a way of dealing with critical education. All related laws promulgated by our country including the Education Law, Teacher Law, Minor Protection Law and Compulsory Education Law involve this aspect, which shows that teachers should have the right of punishment, which is a recognized power and the management function entrusted to schools by our society. Teachers in schools have their legitimacy and legal basis for fulfilling this power. But the content of the law is still vague. Educational administrative departments should speed up the formulation of school disciplinary system, further clarify the rights of teachers, and refine the scope of disciplinary.

In fact, there are also punishments in foreign schools: schools in Singapore are very strict, 23 states in the United States have stipulated that schools can punish students, and South Korea has restored the newly prohibited punishments in 2002.

The specific ways of punishment often adopted in school education in our country are verbal criticism, warning, record, stay in school for inspection, expulsion of students and so on.

Our country's educational punishment has legal basis, but the relevant provisions are not detailed enough. Especially, the detailed provisions of the right of punishment of teachers who have dealt with students most should be made clear in the form of laws and regulations, so that educators have the right to implement educational punishment.

8. Conclusion

In many years of educational practice, the author has always followed a principle of educating people: governing people is like governing water. Ancient Dayu used the method of "following the water, guiding it, and restraining the water" to control the water, and ultimately subdued the torrential floods that raged all over the world and brought benefits to this day. The same is true of students in education management. We should not only comply with its nature, strengthen guidance, appreciate education and give full play to its subjectivity, but also strengthen management constraints to prevent the subjectivity from arbitrarily exerting and indulging in harm. Especially a classroom event which had happened in a certain university of political science and law in China, had been widely spread on the Internet at that time, in which the focus of conflict between teachers and students and the related discussions were the concentrated reflection of the understanding of educational punishment, which profoundly reveals an important topic: the detailed legislation of educational punishment is urgent!

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