

Rethinking on Educational Punishment——The Necessity of the Existence of the Right of Educational Punishment

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Abstract: In November 2019, the Ministry of Education issued the rules on educational punishment for Primary and Middle School Teachers (draft for soliciting opinions). However, in recent years, due to the strict prohibition of "corporal punishment" by law, many teachers "talk about punishment" in real life. By analyzing the boundary between educational punishment and punishment, the necessity of educational punishment and the reasonable exercise of the right of punishment, this paper will make teachers better bear in mind the boundary between punishment and corporal punishment and truly achieve "discipline degree" in the process of teaching.

Keywords: Educational Punishment; Corporal Punishment Imperative; Reasonable Exercise

Introduction

In recent years, there has been a heated discussion on the topic of "whether or not to implement educational punishment". Parents, front-line teachers, university experts and other relevant people have their own opinions. In this regard, in November 2019, the Ministry of Education issued the rules on the implementation of educational discipline for Primary and Middle School Teachers (draft for soliciting opinions), which clearly put forward the specific rules of teacher education punishment in response. After this opinion was put forward, many parents or scholars called on the West to appreciate education and stimulating education, and opposed the traditional education represented by "corporal punishment".^[1] Therefore, they unconditionally denied the necessity and rationality of the existence of teachers' disciplinary power.

I think this extremist view is a misunderstanding of educational punishment due to the failure to clarify the connection and difference between educational punishment and corporal punishment. This paper will discuss the right of educational punishment from three aspects: the definition of educational punishment and corporal punishment, the necessity of the existence of teachers' disciplinary power and how to exercise the educational disciplinary power correctly.

1. Educational punishment and corporal punishment

Educational punishment, literally understood, "punishment" is punishment, punishment, is the purpose; "caution" is warning, warning, is the means, the two work together, so educational punishment can be defined as the use of disciplinary behavior to punish students who violate the rules in the field of education and punishment, to achieve the role of warning.^[3] Educational punishment is a kind of behavior which takes education as the purpose, punishment as the means, the principle of not harming the students' body, and the result of reducing or avoiding some violations as far as possible.

Corporal punishment can be literally understood as the act of punishing and educating people through physical punishment. Different from educational punishment, corporal punishment is often with physical pain, is a significantly harmful behavior. Based on the definition of the two, there is an essential difference between educational punishment and corporal punishment:

The purposes of the two are different. The purpose of education and punishment is to help students understand their mistakes and turn over a new leaf, and they are "unwilling" to make mistakes in the future, while corporal punishment focuses on making students suffer from flesh and skin and be afraid of their own wrong behavior, so they "dare not" do it again.

The degree of the two is different. Educational punishment focuses on the law of students' physical and mental development and will not cause any Shanghai to students' physical and mental development. It is simply a way of educational

management, on the contrary, corporal punishment is a kind of behavior that causes double harm to students' body and mind. It is a way of discipline that harms students' physical and mental health.

The implementation means of the two are different. The "punishment" in educational punishment is a moderate punishment that students fully accept physically and mentally, while corporal punishment is a kind of uncontrolled punishment, which will cause students' psychological fear.

2. The necessity of the existence of educational punishment

2.1 The physical and mental development of students needs the catalysis of educational punishment.

According to the four stages of moral cognitive development put forward by Piaget, a famous Swiss child psychologist, the development of children's moral cognition is a process of transition from "heteronomy" to "self-discipline".^[4] In the stage of compulsory education, students' discrimination ability and self-control ability are not mature, which not only needs the earnest guidance of teachers, but also needs to accept the constraints of external compulsory norms given by teachers, so that students' body and mind can develop.

Makarenko, a famous educationist in the former Soviet Union, once pointed out in *Communist Education*: "A reasonable punishment system is not only legal but also necessary. This reasonable punishment system helps to form students' strong character, cultivate students' sense of responsibility, exercise students' will and dignity, and cultivate students' ability to resist and overcome temptation."^[5] This also reflects from one aspect that the appropriate retention of the disciplinary power of educators plays a great role in promoting the physical and mental health of students. Marx once pointed out that "there is no right without obligation, and there is no right without right." the purpose of education in our country at present is to enable educates to develop morally, intellectually, physically, aesthetically, and industriously. To become an all-round development person with ideals, morality, culture, discipline, creativity and independent personality is also the obligation that teachers should perform. However, if it is not given a certain power of punishment, then how can the teacher's obligation be fulfilled in quality and quantity.

2.2 The concept of people-oriented education needs to be implemented by educational punishment.

"People-oriented, moral education first" is the educational concept advocated by our country through the ages. In modern education, we also emphasize people-oriented, attach importance to people, understand people, respect people, and love people. Promote and develop the spirit of people in the whole process of education and teaching, all-round.

There is a saying in the *The Great Learning*: "If you want to cultivate your body, you must first correct your heart; if you want to correct your heart, you must first be sincere." in the final analysis, education is to help students "be United and sincere". Punishment is not to punish for the sake of discipline, but to cultivate students' sense of responsibility by means of discipline, so that students know that they must bear the corresponding responsibility if they make mistakes. Dewey, a famous American educator, once proposed that "education is life, and school is society". Therefore, school is the basic cell of society and the starting point of students' moral development. students out of school may become scholars and experts who have made great contributions to the society. it is also possible to become criminals who disrupt social order.^[6]

3. How to exercise the right of punishment reasonably

China's traditional education is famous for its strictness, and "strict teachers and high apprentices" is the most vivid evaluation of this kind of education. However, in recent years, due to the strong attack on traditional education, coupled with the legal prohibition of corporal punishment and the problem of excessive punishment exposed by various major media, as a result, many teachers still "talk about the change of punishment" after the release of "Educational discipline rules for Primary and Middle School Teachers", so how to grasp the degree of "punishment" is particularly critical.

3.1 To impose punishment in accordance with their aptitude

"There are no two identical leaves in the world, let alone two people who are exactly the same," and so are the students. We all say that teachers should pay attention to teaching students in accordance with their aptitude in the process of teaching, so when the ruler is in the hands of teachers, they should also be punished in accordance with their aptitude. When students make mistakes, they should determine the way of punishment according to the personality characteristics, psychological status, physiological status, behavior, and other factors of students of different ages and different students.^[7] For example, we can impose different types of punishment on students of different temperament types who make mistakes. In the face of depressed students, because they are very sensitive and sentimental, teachers should criticize them indirectly and euphemistically in management education or use methods such as private conversation afterwards. In the face of sanguine students, because of their lively nature and extroversion, teachers can appropriately punish the students to stay on duty or the penalty station within a class time when carrying out management education.

3.2 Always adhere to the unity of respect for students and strict requirements for students

Why do most people in society agree with the existence of the right of educational punishment but strongly oppose the emergence of corporal punishment? I think the biggest difference between the two is that punishment contains teachers' love and respect for students. It is not because a student makes a mistake and wants him to be severely punished, nor to vent his anger, but sincerely hope that students can realize their mistakes and correct them. "We should ask as many people as possible and respect them as much as possible." Makarenko's famous saying is a vivid portrayal of the moral education principle of "the combination of respect for students and strict requirements for students." Respect for the personality and self-esteem of learning gods and strict requirements of students are not contradictory but are unified and interrelated. Strict requirements for students are for them to develop in the right direction in the future, but strict requirements for students do not override the harshness of students. Teachers should respect students when exercising the power of punishment. Only when teachers can think from the standpoint of students from the perspective of respect for students, can students feel that teachers' management and punishment of me are for their own sake.

In short, since the society has given teachers the power of punishment, the existence of the power of punishment must have its rationality, and as people's teachers in the future, they should also stick to their original intention of becoming teachers and always keep students and the law in mind. dare to use this "rule" in teaching, make good use of this "rule", instead of thinking that you can use it at will after you have the power of punishment.

References

- [1] Zhou, Y. Management regulation is an effective way to solve the dilemma of educational punishment power. Chinese Journal of Education, 2020 (01): 36-40.
- [3] Liu, XD. Legislative Analysis of the right of punishment in teacher Education [J]. Chinese Journal of Education, 2020 (01): 33-38.
- [4] Xia, CD, Qian, T. (2012). On the necessity of educational punishment, Journal of Jiangsu Institute of Education (Social Science Edition), (01), 14-16.
- [5] Wu, SY. Collection of educational works of Makarenko [M]. Beijing: people's Education Publishing House, 2004:257.
- [6] Yu, YF, Cai, HL. (2019) on School Disciplinary Power and its legal Regulation Journal of Education, (1), 67-71.
- [7] Tan, CB. On the Educational significance and realization of punishment [J], Chinese Journal of Education, 2004, (02), 19-21.