

# On Several Issues of Community Correction Education in China

## Taking Community Correction Education Method as an Example

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**Abstract**—The main educational methods of community correction in China include legal education method, moral education method, and criminal minds correction education method among others. The objects of community correction differ both from the ordinary civics and those criminals during the term of imprisonment. The scientific understanding of the community correction education rules and the appropriate option of community correction education methods will be a critical way to facilitate the objectives to renew themselves and cultivate the right outlook on life and values.

**Keywords**—community correction education; community correction education rules; correction and education method

### I. INTRODUCTION

The community correction in China has achieved great success since the pilot project was adopted in 2003. Based on the statistic data, the accumulated number to accept the offenders serving sentences in community is 1.847 million, of which 1.1138 million were set correction-free. The recidivism rate is kept at 0.2% during the correction period. The community correction education, as an essential part of community correction work, plays an important role for the offenders to be reintegrated into society, and provides rich experience for local community correction education model. Furthermore, close attention should also be paid to community correction education in which some problems still exist.

### II. PROBLEMS IN THE PROCESS OF COMMUNITY CORRECTION EDUCATION

#### A. Judicial Practices

The prominent problems in the judicial practices are the lack of the coercive protecting force for the correction education method. For example, lacking strong and effective law enforcement rights, the correctional institution cannot implement the compulsory measures on those who refuse to participate in public service and correction education activities (Yang, 2006). The only solution for this situation is through moral education method and oral persuasion method, although their efficiency and beneficial effects are limited. Because many correctional objectives regard community

correction as a expedient way to avoid prison, some of them even believe that during the community correction period, they are free of constraint and can do whatever they please.

#### B. Theoretical Study

Recently, the continuous research on the community correction domain has been deepened. According to statistics, it is found that in a VIP database of Chinese journals, more than 1360 community correction related theses have been finished and published while more than 60 domestic monographs were presented from 2000 to 2012. Retrieving *China science literature network publish general storeroom*, it is found that in 2013 there were 742 correlative papers while in 2014 the number was 822. But it should be noticed that most of the papers focus more on the aspects of theoretical evolution, historical development, management mode, institution construction, legislation plan, system building and countermeasures towards those items in the experimental unit as well as feedback and thinking of the advanced western experience, of which few deal with the community correction educational method (Kohlberg, 1986; Mcshane & Crause, 1995).

### III. MAKING SCIENTIFIC USE OF THE LAW OF COMMUNITY CORRECTION EDUCATION

To solve the problems, clear and scientific understanding of the law of community correction education is necessary, which includes two parts: the law of community correction education and the ideological state of the educational objects.

#### A. Law of Community Correction Education

According to the education principle, the educational subject shouldn't view the objects as containers to be stuffed as well as inculcation targets to be supplied with the same educational content without any option (Li, 2011). The expecting effect towards the correctional object will not be achieved by simply lecturing and compulsory instillation without fully understanding the law of community correction education.

The objects of community correction education are both different from the ordinary citizens and the prisoners serving

sentence. Thus, the law of correction education of these objects also requires specialty. For example, the ideological and political education to ordinary citizens can start with the core value of socialism such as moral education, legal education and so on. Compared with ordinary citizen, prisoners have large amount of negative elements in their previous thoughts, holding criminal thoughts, lower and negative values towards money, life and the world. Therefore, the first step towards their education is to guide them to abandon these values and thoughts, and then to teach them the correct values. This is called "destruction before construction" for prisoners. When it comes to the community correction educational object, the process is supposed to be a combination of destruction with construction at the same time, which is reflected apparently in the three distinct stages such as pre-correction education, normal education and free-correction education.

The prisoner is prone to have fixed thinking patterns before they accept correction education. They feel shamed for their behaviors, as well as stressed for the "criminal" label, which probably makes them feel discriminated from others. Some do not realize their behaviors are against the law, and resist the correctional education. For example, since some traffic perpetrators have psycho-resistance towards legal sanction, it is common that they don't treat their behavior as committing a crime subjectively and they think that at worst they could compensate for any loss. The object is supposed to have a tiring, indifferent attitude on the community correction education in the regular education stage while in the free-correction education stage, the objects differ in their thinking state, of whom some are anxious to be reintegrated into society as a normal person with a new-look whereas some feel worried about their future life and work.

#### *B. Ideological State of Community Correction Education Objects*

The change in the ideological state of the community correction education objects determines if the community correction educational objects can positively accept education content. Therefore, it is important to fully learn about their ideological state, by listening to their inner anxiety and then dispelling all of their worries and doubtful feelings haunting them. Meanwhile, attention should be paid to their ideological state at different stages based on the observation of their daily behaviors and emotional changes. To do so, subjective and objective factors of the community correction education objects should also be fully paid attention to and analyzed.

Ideological minds are believed to be formed and affected by the social practices committed by human beings rather than something to they are born with. Although the external factors have an important influence on the development of human minds, as for objects of community correction education, they are believed to accept external influence selectively, and they do not accept the entire education in the correction process. The above fact reveals that a thorough study of education objects, analysis of the condition on which the external environment works through social practices and consideration of how to balance the subjective

factors and objective factors to facilitate the objects to form a correct thinking should be made. On this basis, the correct thinking style is supposed to return to social practices to benefit society through a series of behavior motivated by their corrected minds. For example, the objects may change their attitude and participate in educational activities or communicate with the subject of community correction positively. Only after they are qualified for all the requirements mentioned above, can the community correction goal be achieved.

#### **IV. DEFECTS OF MORAL EDUCATION METHOD AND CRIMINAL MINDS CORRECTION EDUCATION METHOD**

In the judicial practice, defects exist in the moral education method and criminal minds correction education method (Hylton, 1981). It is clear that those methods can't be completely applied to the community correction education.

##### *A. Defects of Moral Education Method*

Moral education is conducive to increase self-discipline, suppress impulses of bad motivation and timely restrain criminal activities in its infancy. Morality and law are both subject to the material life foundation of a certain age and share similar functional mechanisms. However, the content of morality is all-inclusive and complicated, and it does not parallel with the law, which brings about different results on a particular behavior in moral evaluation and legal judgment. For instance, turning one's back to an old man who falls to the floor is a violation of morality but not law, while knocking an old man down and not helping him up violated both morality and law at the same time. In addition, the criteria of morality and law are different for the judgment of morality is mainly based on people's faith, will and habit, which have no coerciveness (Tang, 2005).

The process between moral education and legal education is different. Moral education pays attention to individual's spirituality, emphasizing inner spiritual implication, whereas legal education focuses on individual's cognition and obedience towards mandatory rules. Unlike legal education, moral education can't evaluate a certain behavior with accurate definition or limit it in a range of application, and people can hardly prejudice the legality of the behavior. As moral education has no coerciveness, it renders psychological repulsion of the method from objectives of community correction, which induces poor education results. Therefore, moral education should not take the place of legal education in community correction education.

##### *B. Lacking of Criminal Minds Correction Education Method*

Criminal minds correction education method refers to the executive agency, such as a prison, applying the usual correctional measures to urge offenders' psychological structure of criminality into a benign direction. After taking correction education, they can consciously control the bad mental impulses, and realize the possibility of reducing their re-offending risks. "Executive agency mostly adopts the foreign more matured measures, such as MMPI, 16PF, EPQ

and so on”(Huang, 2013; Sechrest, 1991). This method has been commonly carried out in Chinese prisons, but it can't be completely applied to the objects of community correction.

The reasons are as follows: first, the execution environment of the objectives of the community correction is relatively open and free, compared to the closed condition for the prisoners; second, the test time for the prisoners is longer than the objects of the community correction education. The different enforcement condition and variations in degree of criminal activity determine their different psychology. Therefore, the education correction method for the prisoners can't be applied to the objectives of the community correction education.

Especially in the practice of justice, quite a number of crimes belong to unintentional crimes such as offenders for traffic offences and dangerous driving. Those correction objects, who are sentenced verdict penalty and sent to community correctional agency due to unintentional crime, have small personal risks and possibilities to re-offend when they are receiving the community correction. Therefore, criminal mentality correction has limited effect on these people.

## V. FUNCTION OF LEGAL EDUCATION

Compared with moral education and criminal mentality correction education, legal education holds functions such as prompting correction and education, reflecting humanistic care and achieving the goal of community correction education.

### A. Prompting Correction and Education

Legal education is closely combined with criminal penalty which means achieving education in penalty and completing punishment in education. The main body of community correction education should actively guide on object of education, to make them reduce resistance toward society as much as possible and establish a good law-abiding concept; to help them form a habit of adherence and usage of the law; to make the object of community correction education be reintegrated into society smoothly and transform them into law-abiding citizens.

### B. Reflecting Humanistic Care

According to Marx's theory, humanistic care is a spiritual pillar, an inner strength, and the social function of the humanistic concern is transformed into reality through practical activities. It runs through demands of the main body's consciousness, practice and self-discipline when legal education is implemented on community correction education subject (Zhang, 2009). One should fully respect the involved person's value and dignity, enhance his or her mutual respect, caring and understanding, take human's survival, dignity, security and development as the starting point and end-result when enforcing legal education. Only in this way can humanistic care be realized in an imperceptible process; law-abiding philosophy could be established among community correction subjects who accept education from

the depths of the mind instead of regarding community correction as "an expedient" way out of prison correction.

### C. Achieving the Goal of the Community Correction Education

The goal of community correction education is divided into short-term and long-term goals. The short-term goal is to carry out pleading guilty education, to change the criminal thoughts and behavior of the community correction object. The long-term goal is to cultivate a correct outlook on life and values, to shape a good moral concept, to help them learn essential labor skills and to apply legal knowledge to work and life.

## VI. CONCLUSION

The law fully embodies the wills of state, which binds all of society. Therefore, each citizen must perform the universal obligation norms of society, as set by law, so do the objectives of community correction education, because they are directly responsible for violating the law's mandatory provisions and are sentenced by the Judicial Office through legal procedure. Law-related education firstly promotes publicity of knowledge of the law and regulation, which can help them deeply realize the importance of law-related education, from the original sense that they don't know about and understand the law and regulation, even violating the law. And then they can become people who obey the law and regulations of the nation and the relevant provisions of the community, receive reform and education, successfully finish the community correction and return to society. After receiving the law-related education, the objectives of community correction can be cultivated with legal thought and consciousness, which can be used to solve various conflicts and disputes, and make them good citizens, knowing and abiding by the law when they return to society. It is also significant to realize the aim of establishing a law-related nation.

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