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The Fundamental Logic and Potential Value of Applying Restorative Justice to the Prevention and Treatment of School Bullying in China

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Abstract

Given the frequent occurrence of school bullying cases, the Chinese government has been working to address the prevention and treatment of school bullying in recent years. School bullying infringes on individuals and disrupts peer relationships; hence, this issue aligns with the focus of restorative justice on the process of addressing harm to interpersonal relationships. Restorative justice emphasizes victims' feelings and rights, encourages "reconciliation," and aligns with China's traditional legal culture of "no litigation" and the educational objectives of schools. Currently, the application of restorative justice in addressing school bullying in China is still exploratory, some traditional educational methods already implicitly contain the spirit of restorative justice. The newly released government documents on the governance of school bullying also provide room for the application of restorative justice. The traditional restorative mediation model or meeting model can theoretically be used for different bullying cases, focusing on "truth-telling," "empowerment," and "apology and compensation". In the future, given the expansive possibilities of restorative justice in schools facilitated by traditional campus culture and class teacher authority, bullying prevention and control on campuses can be extended further by reinforcing proactive practices of educational learning and reactive practices of responding to harm and wrongdoing.

Keywords: restorative justice; school bullying; relationship restoration; school education; governance of school bullying;

Introduction

School bullying has become a significant social concern in China in recent years. Studies have revealed that 27.7% of students have experienced bullying within the previous three months (Zhang et al., 2019), and other studies have indicated that the incidence of school bullying in China is approximately 23.9–25.8% (Geng, 2022), which is slightly higher than the average reported in OECD countries (Huang & Zhao, 2018). Given the frequent occurrence of severe school bullying cases, the public has shown an emotional response reflecting a mixture of concern, heated debate and even anxiety. This response stems from worries about the healthy development of their children and future generations, which has evolved into strong expectations for the resolution of the school bullying issue. The Chinese government and academia have gradually paid more attention to the governance of and research on school bullying. In 2016, the State Council issued the first government document specifically addressing school bullying, titled *Notice on Carrying Out Special Treatment of School Bullying*, which marked the formal introduction of the term "school bullying" into the national policy discourse (Ma, 2022). Relevant research has also surged, with the number of publications peaking at 76 in 2018 and remaining high

throughout 2019 and 2020 (Li, 2024). In addition, the national government has revised related laws and regulations to further constrain school bullying. For example, the *Law of the People's Republic of China on the Protection of Minors (2020 Revision)* defines the concept of “student bullying” and stipulates that schools establish antibullying systems, immediately stop bullying behaviours, and strengthen the disciplining of bullies according to law (Articles 39 & 130). *The Law of the People's Republic of China on the Prevention of Juvenile Delinquency (2020 Revision)* also mandates that schools enhance daily safety management, improve the processes for detecting and handling bullying, and hire social workers to participate in bullying prevention and the handling of student bullying (Articles 20 & 21). *Provisions on the Protection of Minors by Schools* list bullying behaviours and schools' obligations to handle such behaviours in Chapter 3, “Special Protection.” At the regional level, some provinces, cities, and autonomous regions have issued local normative documents to guide the governance of school bullying. Even though China does not have specialized laws targeting school bullying like those in the United States or Japan, the principal provisions related to bullying prevention and treatment in the above laws and regulations have already taken shape.

Nevertheless, just as people were beginning to believe that the efforts to manage school bullying were yielding positive results, the recent “case in Handan” reported by the media has reignited concerns about school bullying. In this case, three middle school bullies inflicted severe facial injuries on a classmate, then killed their victim and buried the body in an abandoned vegetable greenhouse (Hebei Handan Reports, 2024). After the incident, the number of related readings on the social media platform Sina Weibo reached 260 million, with 79,000 discussions. Parents expressed worries about their children's safety in school, fearing that if the bullies (the perpetrators) were not punished, it would embolden potential bullies. Calls to combat school bullying and severely punish bullies surged. In response, the Ministry of Education and the Ministry of Public Security formulated the *Guidelines for the Prevention and Treatment of Student Bullying (Trial Implementation)* in April 2024, marking the beginning of a new round of dedicated actions to govern school bullying.

The law exhibits lagging effects. Although legal policies have set some fundamental provisions for controlling school bullying, implementing them in concrete practice still has a long way to go, and evaluating the effects of legal regulations takes some time. This does not mean, however, that academia should passively wait and see. The current focus should be on what can be done further. Particularly within the current bullying prevention and treatment framework, are there any new ideas and methods that can be localized beyond traditional punitive and educational approaches? School bullying violates the “person” and disrupts relationships among students. On the basis of this disruption of relationships and the associated obligation to correct such errors, an increasing number of scholars abroad have begun to explore the value of restorative justice in managing school bullying. Restorative concepts are emerging as a new trend and direction in school bullying governance. In fact, the values of “healing” and “restoration” advocated by restorative justice align with the supreme social ideals of “no litigation” and “harmony” pursued in traditional Chinese legal culture and are also compatible with the construction of “emotional communities” at schools. Against this backdrop, this paper aims to explore the advantages and outlooks of restorative justice in preventing and addressing school bullying, beginning with the theory of restorative justice and integrating China's campus environment and judicial practices.

Theoretical basis for applying restorative justice to the prevention and treatment of school bullying

Restorative justice in the Chinese context

In the Chinese context, “restorative justice” can be translated as “恢复正义” or “修复正义” in which “恢复” means “to recover to the original state” and “修复” means “to repair something as much as possible to its original state through efforts.” In Chinese, “修复” implies striving to improve a situation, potentially reaching a better state rather than simply returning to a previous state. School bullying involves actions that violate and harm others, and the physical or mental damage caused by bullies cannot always be fully reversed. After bullying occurs, the priority for victims is to restore their physical and mental well-being, repair damaged peer relationships, and reintegrate into the class environment. Achieving these goals requires concerted efforts at different levels (Hong & Espelage, 2012), from the bully—who must demonstrate sincerity—and the victim, the school, the family, and the society. Therefore, in the context of school bullying, “修复正义” (restorative justice) seems to be a more fitting term.

From an academic point of view, restorative justice is a vision or value orientation that aims to repair the normal relationships among the bully, the victim, the community and the nation to achieve harmony as well as justice (Tutu, 2002). It confronts hurtful behaviours in life and conflicts between relevant parties to achieve relational justice (Peng, 2012) by recognizing the responsibilities of both parties and promoting the restoration and reintegration of interpersonal relationships. Underlying restorative justice is the ethic of tolerance and mutual respect and an emphasis on and maintenance of relational justice. Restorative justice requires the joint participation of the bully, the victim, and the school to “recognize the rights and needs of the victim and encourage the bully to bear responsibility” (Duncan et al., 2018) to repair the harm, restore the relationship, and reintegrate both parties of the bullying into the school. The harm to multilayered interpersonal relationships and the emphasis on healing and coping with wrongdoing make the concept of restorative justice relevant to the prevention and treatment of bullying in schools.

Relevance of restorative justice to the prevention and treatment of school bullying

On the one hand, restorative justice encourages the restoration of interpersonal relationships, meeting the need to reconstruct peer relationships following school bullying. The origins of restorative justice stem from self-relationship theory and an emphasis on “relationships.” Relational justice repudiates discriminatory, coercive, and dominating relationships between people and advocates instead for the construction of equal, harmonious, and noninfringing social relationships. The specific goal of restorative justice is to repair and heal broken relationships so that all parties can move forward in a constructive and healthy manner (Russell & Crocker, 2016). From the perspective of relational justice, school bullying disrupts student and peer relationships. Discrimination, coercion, and domination by bullies, along with the retaliatory actions of the bullied, place both parties in a typical state of relational injustice. Additionally, the breakdown of peer relationships exacerbates this problem, as bullied students who feel isolated and excluded often experience mental stress, such as frustration, low self-esteem, and depression. Conversely, strong peer support can mitigate some of the negative effects of bullying (Newman et al., 2005), and healthy, positive peer relationships can undermine the foundation of peer interaction for bullying behaviours (Casas et al., 2013).

Furthermore, within the miniature society of the school environment, the inherent relationships between bullies and victims create different demands for victims after they have been bullied on campus and attacked from the outside. Both bullies and victims seek successful integration into their peer group or to obtain their rightful status. Neither the bully, often labelled a “bad kid,” nor the bullied, who struggles to “hold their head high,” wants to live in an environment characterized by anxiety, shame,

humiliation, and cold peer relationships. Both students and schools need a campus atmosphere rich in love and empathy (Liu, 2024). Thus, one of the key focuses of preventing and addressing school bullying should be on the peer relationships of all parties involved and on efforts to shape a positive “emotional community.” The core of restorative justice is “healing,” which emphasizes equality and dialogue among all parties (Duncan, 2011). In restorative practice, sincere communication and mutual negotiation, as well as a focus on “relationship restoration” in identifying, handling, and preventing harm, help improve relationships between students (Wang, 2019). Genuine dialogue and heartfelt communication based on equality and mutual acceptance are also crucial ways to reshape individual subjectivity and promote adolescent growth (Deng & Dai, 2020).

On the other hand, restorative justice values the feelings and protects the rights of victims, providing the mental comfort that they urgently need. The essence of school bullying is humiliating and infringing behaviour, and only by starting from “what the victim wants” and focusing on their needs and demands can the rights and interests of the bullied be fully protected. As Peter Strawson explained, people have certain emotional reactions when faced with unfriendly behaviours from others; if the victim perceives the bully as having a hostile attitude, he will feel not only hurt but also wronged, believing his respect and kindness to have been maliciously offended (Johnstone, 2012). The bully’s actions convey attitudes such as “I can use you to achieve my goals” or “I am above you, and you are beneath me,” which deliberately insult and cause harm, deeply wounding the victim and making them resent the moral injury inflicted by the bullying. Sometimes, even if the victim outwardly forgives the bully, they may still be internally controlled by their past bullying experiences. Therefore, to restore the victim to their original state, their true thoughts must be fully expressed, their feelings and opinions must be heard, and their needs must be met. As Edgar Bodenheimer stated, meeting individuals’ reasonable needs and claims is the goal of justice (2004). In the context of school bullying, this translates to compensation for harm, healing of the psyche, and restoration of status and peer relationships in the classroom.

Restorative justice emphasizes a victim-centred balance of justice, not only advocating for the compensation and recovery of the victim’s physical and psychological trauma but also requiring the perpetrator to acknowledge their wrongdoing to the victim and relevant parties, take responsibility, and actively mitigate the adverse consequences of their actions (regardless of whether the victim demands it). Restorative justice values forgiveness, reconciliation, communication and cooperation. Its operational logic is as follows: convening the relevant parties for discussion → full communication between the parties involved in the infringement behaviour → sincere apology from the perpetrator → compensation and consolation for the victim → forgiveness from the victim → voluntary restoration of the relationship by both parties. Throughout this process, justice is realized when the bully acknowledges the pain inflicted on the victim due to their actions and works to restore the victim’s reputation through compensation relief (Jiang, 2013), allowing the victim to feel respected. Moreover, the mediation and integrative negotiations in restorative justice grant the victim more voice in discussing the bullying incident. The victim can fully express their feelings and needs, directly informing the bully of the adverse impacts of their behaviour and suggesting the responsibilities the bully should bear. This exchange helps alleviate the victim’s anxiety and hatred, easing their negative emotions.

Advantages of restorative justice in the prevention and treatment of school bullying in China

From the perspective of legal values, restorative justice aligns with the value orientation of China’s traditional legal culture of “no litigation.” In traditional Chinese culture, harmony is the basis

of existence and the supreme ideal. The ideal Confucian society is one without litigation. In Confucian thought, people's sense of shame is internalized and conscientious, enabling people (such as the bully) to recognize their mistakes and sincerely correct them (Jiang et al., 2007). The pursuit of values such as "harmony is precious," "using virtue to replace punishment," and "no litigation under heaven" embodies the spirit and wisdom of the Chinese legal system (Chen, 2023). Moreover, approaches such as "litigation suspension" and "persuasive litigation" have been widely adopted from the state to the grassroots level to resolve conflicts and disputes. The value orientation behind restorative justice is the social spirit of tolerance and mutual respect, an indispensable emotional bond inherent in China's governance tradition. When people shed their hostile and exclusionary attitudes, the spirit of tolerance and harmony within public sentiment and personal cultivation encourages understanding, sympathy, and tolerance towards both parties in bullying incidents. This environment, in turn, promotes resolution through rational communication and negotiation, which is consistent with the traditional culture that advocates "creating peace" and mediating conflicts and disputes (Wall & Blum, 1991).

From the perspective of legal purposes, restorative justice aligns with the educational goals of schools. Both educational theory and judicial practice assert that schools should bear the responsibility of educating students to become qualified citizens by fostering their moral development, legal awareness, and basic values conducive to maintaining social justice (Suski, 2007). Restorative justice aims to educate, guide, and treat individuals equally, which is in line with the original intention of school education. First, restorative justice stimulates a sense of shame in bullies through appropriate teaching, promoting inner transformation and behavioural change. Questions such as "What were you thinking at the time?" and "What do you think needs to be done to make things right?" encourage the bullied to express their true feelings and prompt bullies to reflect on their actions, recognize their mistakes, feel guilty, and voluntarily admit their wrongdoings. In traditional Chinese education, principles such as "honesty and integrity," "correcting mistakes," and "politeness" are behavioural expectations for students and are ingrained in their daily conduct. Even students who have made mistakes understand what the school expects of them and what the right thing to do is. Under the supervision of teachers and parents, a sense of shame during communication and confession can motivate bullies to actively correct their behaviour, gradually eliminating their intent to bully and even helping them fundamentally resist bullying behaviour (Chen, 2021). Second, restorative justice can positively guide bystanders. The occurrence of bullying can seem justified under group influence (Zong, 2019), and the presence of bystanders can encourage the continuation of bullying (Chen, 2020). As in the saying "do unto others as you would have them do unto you," including bystanders in the mediation process and fostering empathy and perspective-taking helps them relate to the victim's experiences and recognize the wrongfulness of bullying through punishment. This approach actively helps bystanders prevent bullying by promoting the values of "standing up for justice and having courage to fight" (Article 40 of *Code of Daily Conduct for Primary and Secondary Schools*). Finally, restorative justice is also seen as justice with "emotional intelligence" (Sherman, 2003). The direct involvement of bullying-related parties in mediation and dialogue enhances students' social and emotional regulation skills. Recent studies have indicated that individuals with high emotional intelligence are less likely to engage in bullying behaviours (Alvarado et al., 2020). Training and enhancing students' emotional intelligence is an effective way to intervene in and prevent their involvement in school bullying (Quintana-Orts et al., 2019).

Application methods of restorative justice in school bullying cases

Application of traditional restorative justice in school bullying cases

Known as the “river of healing” with many different tributaries (Wheeldon, 2012), restorative justice is not just a set program or blueprint but contains a set of guiding principles that can be used in areas such as criminal justice, education, and domestic violence. Common models of restorative justice practice include judicial mediation, dialogues, integrative negotiation, family/school meetings, and compensation committees (see the Appendix 1 below). In these models, stakeholders are directly involved and have the opportunity to present their case and discuss the issues (Johnstone, 2012), and mediators create a safe environment and guide the parties in frank conversation to reach a consensus. The commonalities of restorative practices lie in their emphasis on multiparty communication, care, understanding and taking responsibility for relationship repair and reconstruction, and the facilitation of apology, genuine remorse and compensation for damage. (Appendix 1).

According to China’s criminal laws and laws related to minors, bullying in schools can be categorized at three levels according to severity. The first category is minor bullying, which refers mainly to bullying that has not yet violated the *Public Security Administration Punishments Law of the People’s Republic of China* and the *Criminal Law of the People’s Republic of China* but has violated normative documents such as the *Code for Primary and Secondary School Students*, the *Code of Daily Conduct for Primary and Secondary Schools*¹ or school discipline. Examples of such behaviours include teasing, verbal bullying, and relationship bullying that have not yet caused physical or mental harm. The traditional “victim–offender mediation model” can be applied to this type of behaviour, limiting the scope to the class teacher or head teacher, the two parties involved in bullying and their parents to minimize the impact of bullying and reach an agreement as quickly as possible. The second category is general bullying, which refers to behaviours that have violated the *Public Security Administration Punishments Law of the People’s Republic of China* but have not yet breached the *Criminal Law of the People’s Republic of China* (Yu & Han, 2023) or acts that have caused physical or mental harm that constitutes civil infringement. Examples include slapping, pouring dirt on the victim, using insulting nicknames, pushing and shoving. The third category of bullying is behaviour that violates the *Criminal Law of the People’s Republic of China*, such as punching or kicking that causes minor injuries, stripping the victim naked and forcing insults, forcibly demanding property, and other bullying behaviours suspected of crimes of intentional injury, insult and defamation, and robbery. For the second and third categories of bullying behaviour, the severity of violence and the consequences of legal damage are greater (Chen & Xu, 2022), with a serious and wide impact, so that communication alone cannot solve the problem completely; thus, the “family/roundtable meeting model” can be applied. The judicial authorities will preside over the proceedings, and schools, teachers, antibullying experts, communities and other parties will be included in the meeting. so that, in civil cases, the bully, their family, and the school can complete the division of responsibilities and reach an agreement on compensation, while in criminal cases, the bully can decide whether to abandon their behaviour and can be called to account for criminal liability. At the same time, all parties reach a consensus on the restoration of the physical and mental health of the bullied, the behavioural correction methods for the bully, and the prevention and

¹ Article 10 of the *Code of Daily Conduct for Primary and Secondary Schools* stipulates that “students respect each other, unite and help each other, understand and tolerate, treat each other sincerely, and normally communicate with each other, not to bully the small, not to bully classmates, and not to tease others.”

improvement strategies for bullying in schools to heal emotional damage, repair peer relationships, and prevent bullying from recurring.

Considerations when handling school bullying with restorative justice

Restorative justice recognizes that violating or infringing behaviours are the result of interpersonal conflicts (Di & Wang, 2019) and that the issue is not only who breaks the rules but also who is harmed. School bullying has a strong personality violation quality, and victims of bullying have a strong desire to regain respect, compensation and comfort. Moreover, victims are usually in a relatively disadvantaged position (The U.S. Department of Health and Human Services, 2024), and it is thus difficult for them to feel that they have the right to speak among their peers, as they seldom have the opportunity to express their own emotions and feelings. Therefore, when restorative procedures are used to address bullying in schools, special attention should be given to the inequality of power (status) between the two parties involved in the bullying, with specific considerations as follows.

First is information and truth-telling. Victims of bullying often wish to gain more firsthand information about the incident, such as the reasons behind the bully's actions and their thoughts during the act. This information is typically accessible only through direct interaction with the bully. In the process of listening to the bully's statement, the victim also needs to share their own experiences and feelings to help the bully recognize the severe impact of their actions, thus fostering mutual understanding and relationship healing. The second is victim-centred empowerment. School bullying often prompts in victims feelings of a loss of control over their bodies, emotions, and aspirations and a profound sense of shame that strips them of their dignity among peers. It is crucial to provide victims with ample opportunities to voice their needs and express themselves; reduce the barriers imposed by social hierarchy, age, and authority; and empower them to take control of the restorative process. It is essential to acknowledge the considerable risk that victims take by recounting their experiences, harm, and emotions; they are entitled to empathy and a process that addresses their needs. The participants must exhibit a high tolerance for emotional expressions. Mediators should adopt a highly humane approach to facilitate communication that emphasizes emotional connections among all parties. Positive emotions such as empathy and interest should be encouraged, while negative emotions such as anger, shame, fear, and disgust should be minimized. Third, compensation and an apology are needed. To repair the relationship, the bully must change their attitude, acknowledge their responsibility to the victim, and retract the malicious message conveyed through their actions. Compensation agreements in restorative justice are natural outcomes of thorough dialogue between parties. The bully's active fulfilment of the compensation agreement and sincere apology can restore the victim's self-esteem and provide comfort (Liu, 2014). Both material compensation and genuine apologies are crucial; even symbolic compensation signifies the bully's responsibility and reinforces the victim's sense of justice. In a collectivist society such as China, harmony within the family, community, and society is highly valued in restorative justice. Participants, including the victim and their close relatives, are more concerned with outcome justice (or fairness), such as whether the compensation is reasonable (Jiang & Zhang, 2024).

Practice and outlook of restorative justice at schools in China

The current practice of restorative justice in China

The use of restorative concepts that focus on repairing harm and reconstructing relationships via apology, empathy, healing, compassion, reconciliation, forgiveness, compensation, and appropriate

sanctions has become a new trend worldwide for addressing school bullying (González, 2012). From an educational perspective, the practice of restorative justice in schools in Western countries is already quite mature. Given the drawbacks brought about by strict “zero tolerance” policies, an increasing number of countries believe that arbitrarily excluding students from school does not contribute to social stability or campus safety. But China is different.

In China, the concept of restorative justice was introduced relatively late, with discussions around restorative justice being more prevalent in the fields of juvenile and criminal justice. Although some scholars have recognized the value of restorative justice in addressing school bullying, very few studies have demonstrated practical applications of restorative justice in Chinese schools. The application of restorative justice in schools is an emerging phenomenon, and the handling of school bullying relies mainly on judicial procedures, particularly through numerous civil lawsuits and a small number of criminal cases (only criminal behaviour and serious misconduct involve criminal lawsuits or administrative penalties). One study reported that, of 85 severe school bullying cases reported in the media from 2017–2021, 84.35% of them resulted in administrative penalties by public security authorities, while 13.13% resulted in admonitions (Xia & Hu, 2022).

However, it cannot be concluded that there is no restorative practice in Chinese schools. In fact, some traditional educational methods already embody the spirit of restorative justice, even though it may not be recognized as such. In the Chinese education system, head teachers are the main implementers of daily moral education and student management in primary and secondary schools and are key figures in class organization (Chen & Chen, 2023). Generally, when conflicts arise between classmates and come to the attention of the head teacher, the teacher naturally assumes the role of convener and mediator. The teacher gathers the relevant parties to understand the causes and consequences of the incident. In addition to the conflicting parties, class leaders and, sometimes, parents may participate in the discussion, offering opinions on the moral issues in the matter and ways to resolve it. Phrases such as “you are classmates,” “you should get along well,” and “you shouldn’t bully your classmates” are often heard from head teachers when handling student disputes, reflecting teachers’ efforts to maintain peer relationships and a harmonious class atmosphere. For example, research has shown that Chinese middle-school students often use cooperative strategies (peer mediation) to maintain good interpersonal relationships when conflicts arise among peers (Chen et al., 2022). Some “kings of children” also take on the role of mediators to maintain their position as leaders in the hearts of children.

In terms of preventing and addressing school bullying, although there are few related reports, some schools have already begun adopting restorative strategies to construct antibullying curricula. In Beilun District, Ningbo, Zhejiang Province, the “EHC” curriculum based on empathy, harmonization and cooperation, a “peer support” program, and a bullying mediation framework have been implemented from a social-emotional learning perspective to address situations in which students experience bullying. Some local courts have also attempted to apply restorative justice procedures in school bullying cases. For example, the Haidian District Court in Beijing has established the “X” program to prevent school violence and student bullying, which integrates family education guidance, psychological counselling, and supervision and education as restorative measures in the trial of criminal and civil cases involving student bullying and school violence. The Shijingshan District Court in Beijing has successfully mediated several bullying cases through reconciliation meetings. In one case, the presiding judge required the bully to pay symbolic compensation of one RMB yuan to help the bully realize their responsibility and genuinely repent.

The future expansion of restorative justice in the prevention and treatment of school bullying in China

From the perspective of traditional Chinese campus culture, Chinese schools have inherent advantages in expanding the application of restorative justice. First, schools can replace the role of the community in providing an applicable environment for restorative justice. Traditionally, the application of restorative justice relies on a strong sense of community attachment among the parties involved. However, today's communities are different. Owing to the fast pace of life and frequent personnel changes, urban communities in China are no longer the close-knit entities they once were, where "neighbours support each other in times of distress." Bullies rarely feel ashamed or embarrassed by the opinions of strangers, and the underdevelopment of community correction and services makes it difficult for communities to influence and correct bullies' behaviour. Compared with communities, schools play a more significant role for students. Schools function as miniature societies in which students interact with the same group every day for most of the year.² They have their own "world," a children's world that excludes adults (Yu & Liang, 2024). Students care more about their peers' evaluations and personal reputations in this "world," giving schools and classes strong cohesion that can provide a space for restorative justice. Second, schools offer suitable facilitators/mediators for the implementation of restorative justice. Influenced by traditional Confucian values such as respect for teachers and the importance of education, head teachers/directors of teaching and discipline hold natural authority in the eyes of Chinese students. The formal status of teachers as "legal educators" often makes Chinese teachers appear strict, cold, and rigid (Jin, 2020). In schools, educators often communicate with students via evaluative language such as "right and wrong," "good and bad," and "superior and inferior." They build educational life through award evaluations, academic grading, and daily behaviour assessments. This constant state of being evaluated and the implicit authority granted by parents' demands that students "listen to the teacher" instil a deep-seated respect (or even fear) of teachers in students. Usually, criticism from the head teacher can make a student feel uneasy. However, this unique authority of Chinese teachers grants them the leadership necessary for implementing restorative methods (Morrison et al., 2005). Teachers can more easily observe changes in the bully and the victim during daily interactions and are able to facilitate their face-to-face communication to identify root causes and attempt to resolve them.

From the perspective of the future direction of school bullying governance, some newly released government guidelines also support the expansion of restorative justice. For example, the *Guidelines for the Prevention and Treatment of Student Bullying (Trial Implementation)*, which were jointly issued by the Ministry of Public Security, the Ministry of Education, and the Office of the Central Cyberspace Affairs Commission in April of this year, propose that each school establish a School Bullying Governance Committee. This committee should consist of the principal, the deputy principal of legal affairs, the director of moral education, faculty representatives, community workers, parent representatives, and student representatives. Each semester, schools should conduct specialized training and education on school bullying. Documents such as the *Work Plan for the Special Treatment of Preventing Bullying among Primary and Secondary School Students* also clarify the role of schools in bullying governance and the roles of teachers as bullying intervenors, supervisors, and facilitators of parent-school communication (Li & Zheng, 2023). The School Bullying Governance Committee can

² In general, primary-school students in China spend approximately 8 hours in school, and middle-school and high-school students spend approximately 10–12 hours in school, depending on whether they attend evening self-study.

meet the personnel requirements of restorative justice, the transformation of teachers' role can promote restorative practices in class, and specialized training and education can help create a cultural environment for restorative justice. Currently, China is undergoing a structural shift from exam-oriented education to competence-oriented education (Wang et al., 2017). The cultivation of students' social-emotional skills is an essential part of competence-based education in primary and secondary schools that needs improvement; hence, schools will be more willing to utilize restorative justice to train students' social and emotional skills and to reshape student relationships. In addition, regarding the current legislative trends in China, regulations and policies increasingly emphasize the respect for the autonomous choices and decisions of minor students and their parents in matters affecting students' interests. For instance, the Implementation Outline for Fully Promoting the Rule of Law in Schools stipulates that "for activities directly related to the individual interests of students, schools or teachers should generally propose suggestions and provide options, along with corresponding explanations, which are then submitted to the parents' committee for discussion, leaving the final decision to the parents." In cases involving student disputes, the Outline emphasizes resolving issues through consultation. Similarly, the Standards for the Management of Compulsory Education Schools require the establishment of consultation mechanisms to gather opinions and suggestions from students, staff, and parents to effectively address conflicts. The emphasis on "resolution through consultation" in these regulations provides policy support for the application of restorative justice mediation procedures within schools.

In summary, by combining the practices of restorative justice and the traditional campus culture in China, the author believes that future approaches to preventing and addressing school bullying can incorporate proactive practices that enhance education and reactive practices to cope with harm and wrongdoing. Proactive practices are bullying prevention mechanisms aimed at all school members and are designed to cultivate students' social and emotional skills and train them to resolve conflicts with respect and care (Yang & Shi, 2020). This approach fosters an atmosphere of cooperation, compassion, and benevolence within schools and classrooms (Gu, 2019) that can prevent the escalation of bullying incidents. Schools can implement restorative intervention projects suited to their conditions during specialized training, in line with the requirements of school bullying governance. Examples of such projects include incorporating restorative concepts into themed class meetings or courses, allowing students to discuss potential issues freely and engage in peer mediation, and cultivating their sense of justice, normative awareness, legal consciousness, humane interaction methods, and ability to reason and argue logically. Scripts and role-playing can also be used to enhance students' bullying prevention skills, helping them clearly understand appropriate responses they can take when witnessing bullying behaviors. Additionally, students should be guided to use the internet safely and appropriately, with a thorough understanding of issues such as cyberbullying and online harassment.

Reactive practices, in contrast, are measures addressing bullying issues faced by bullies or high-risk bullies and are aimed at resolving bullying issues that have already occurred (including incidents causing significant harm). Reactive practices intensify the intervention level of school bullying by requiring formal restorative meetings involving a broad range of participants (the School Bullying Governance Committee) to reach a compensation mediation agreement and rebuild the damaged peer relationships between the bullying parties. These practices address more serious problems and require thorough preparation, such as mediators conducting individual interviews with each party, allowing time for deep reflection after the interviews, ensuring that the victim feels safe during the formal meeting, and facilitating a voluntary agreement between the bullying parties.

Finally, the author would like to emphasize that restorative justice aims to create a safe space and environment. Creating this safe environment is vital because infringement behaviours such as school bullying cause negative consequences that can drive minors to consciously or subconsciously stay away from school—a critical organization for their growth and development. Restorative justice plays a role in improving the school atmosphere, fostering a favourable environment for study, and cultivating responsibility and empathy in minors. Nevertheless, we should be aware that not all bullying incidents are addressed by restorative justice, and the application of restorative justice depends on the specific case and the attitudes of victims as well as their parents. In today's China, restorative justice offers a fresh perspective—different from those of penalty and education—on the prevention and treatment of school bullying that schools may consider employing. The success of reactive practices largely depends on the selection and authority of mediators. Thus, schools should establish anti-bullying committees or similar safety groups composed of principals, anti-bullying specialists, parent representatives, and teacher representatives, to promptly address incidents of bullying when they occur.

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Қытай мектептеріндегі буллингтің алдын алу және оны жою үшін қалпына келтіру әділеттілігін қолданудың негізгі логикасы мен әлеуетті құндылығы

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Андатпа

Мектептегі буллинг жағдайларының жиі кездесетінін ескере отырып, Қытай үкіметі соңғы жылдары бұл мәселенің алдын алу және оны жою бағытында белсенді жұмыс атқаруда. Мектептегі буллинг жеке адамдарға зиян келтіріп, құрдастар арасындағы қарым-қатынастарды бұзады. Сондықтан бұл мәселе тұлғааралық қарым-қатынастарға келтірілген зиянды жоюға бағытталған қалпына келтіру әділеттілігінің негізгі қағидаларына сәйкес келеді. Қалпына келтіретін әділеттілік құрбандардың сезімдері мен құқықтарын басты назарға алады, «татуласуға» шақырады және Қытайдың «сот ісін жүргізбеу» қағидасына негізделген дәстүрлі құқықтық мәдениетіне, сондай-ақ мектептердің білім беру мақсаттарына сай келеді. Қазіргі таңда Қытайдағы мектептерде бұзақылыққа қарсы қалпына келтіретін әділеттілікті қолдану әлі де даму сатысында. Дегенмен, кейбір дәстүрлі білім беру әдістерінде қалпына келтіру әділеттілігінің рухы байқалады. Жақында қабылданған мектептегі бұзақылықты басқару жөніндегі мемлекеттік құжаттар да қалпына келтіретін әділеттілікті енгізуге жаңа мүмкіндіктер береді. Дәстүрлі қалпына келтіретін медиация моделі немесе кездесу моделі теориялық тұрғыда әртүрлі қорқыту жағдайларында қолданылуы мүмкін, әсіресе «шындықты айту», «мүмкіндіктерді кеңейту» және «кешірім мен өтемақыға» назар аударылған жағдайда. Болашақта дәстүрлі кампус мәдениеті мен сынып жетекшілерінің беделі негізінде қалыптасқан қалпына келтіру әділеттілігінің кең мүмкіндіктерін ескере отырып, мектептердегі буллингтің алдын алу және бақылау шаралары одан әрі жетілдірілуі мүмкін. Бұл білім берудің белсенді әдістерін және зиян мен құқық бұзушылықтарға жауап берудің реактивті тәсілдерін күшейту арқылы жүзеге асады.

Кілт сөздер: қалпына келтіру әділеттілігі; мектептегі буллинг; қатынастарды қалпына келтіру; мектептік білім беру; мектептегі буллингті басқару.

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Фундаментальная логика и потенциальная ценность применения восстановительного правосудия для предотвращения и устранения школьного буллинга в Китае

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Аннотация

Учитывая частые случаи школьного буллинга, китайское правительство в последние годы активно занимается профилактикой и устранением этого явления. Школьный буллинг нарушает права отдельных людей и разрушает отношения со сверстниками. Поэтому эта проблема тесно связана с подходом восстановительного правосудия, которое сосредотачивается на устранении ущерба, наносимого межличностным отношениям. Восстановительное правосудие акцентирует внимание на чувствах и правах жертв, поощряет «примирение» и соответствует традиционной правовой культуре Китая, в которой действует принцип «никаких судебных разбирательств», а также образовательным целям школ. На данный момент применение восстановительного правосудия в борьбе с буллингом в школах Китая находится на стадии разработки. Тем не менее, некоторые традиционные методы обучения уже отражают дух восстановительного правосудия. Недавно опубликованные правительственные документы, посвящённые борьбе с буллингом в школах создают возможности для внедрения этого подхода. Традиционная модель восстановительной медиации или модель встреч может быть теоретически использована в различных случаях буллинга, с акцентом на такие аспекты, как «установление истины», «расширение прав и возможностей» и «извинения и компенсации». В перспективе, учитывая широкие возможности применения восстановительного правосудия в школах, поддерживаемые традиционной культурой кампусов и авторитетом классных руководителей, профилактика и устранение школьного буллинга могут быть усилены и исследованы. Это возможно за счет проактивных методов обучения и реактивных подходов к устранению вреда и правонарушений.

Ключевые слова: восстановительное правосудие; школьный буллинг; восстановление отношений; школьное образование; управление школьным буллингом.

APPENDIX 1

Table 1. Commonalities of typical restorative justice models.

Type and difference	Victim–offender mediation	Family group meetings, roundtable meetings	
Case types	Minor crimes, juvenile delinquency	Initially, minor crimes; later, more serious crimes, violent crimes	
Participants	Initially, only the victim, offender, and mediator	Offender, victim, family members—even without the victim	The former, community members, government officials, and experts etc.
Roles of the facilitator	Offering a safe environment with guiding processes	In addition to the former, planning selection and conversation guidance procedures are also included	
Characteristics	Dialogue oriented, a dialogue facilitator to mediate between the two parties	Group activities, emphasis on family participation and connections, as well as juveniles	Strong community basis, roundtable form
Contents	Not limited to material damages compensation, opinions and feelings of both parties on the facts, motives and backgrounds of the offender, emotional communication, other forms of compensation, reaching a written agreement, and ensuring the performance of the agreement	In addition to the former, prevention of recidivism, the needs and expectations of all parties, the consequences of crime, and rebuilding connections with the community are also included	

Note – compiled by the authors