

EDUCATION IN CHINA SERIES



Educational Policies and Legislation in China



Xiaozhou Xu Weihui Mei



ZHEJIANG UNIVERSITY PRESS
浙江大学出版社



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Series Editors' Preface

Of all human activities education is among the highest and noblest. As a social factor, it has been seen as “an engine of social development”, “a purifier of human harmony” and “an expression of culture”. Without education, the prospects for humanity would be bleak and world prosperity might be a mere dream. Civilization, social development and personal advancement are continuous with education: they precede and follow it. Nations, families and individuals stake their hopes on education. Because of its special role at all levels of human progress, education has been given priority in all ages in countries the world over.

As a result, humanity has accumulated a wealth of positive experience and, in the world's long history, many intractable problems have been solved, setbacks have been tackled and challenges have been turned into opportunities. But we cannot rest on our laurels or stop addressing the present and the future. New challenges and problems have come as a consequence of the faster pace of change and expansion, which characterizes the new century. To promote steady and sustainable development and foster understanding among peoples in this increasingly global world of ours, we should never give up exploring new avenues and finding new opportunities. Education, as history shows, is perhaps the single best approach we can rely on to achieve our goals. With this background, mutual exchange and cooperation become all the more important.

China's rise in the recent past has benefited from educational development spanning a period of sixty years, beginning with the birth of the People's Republic of China. China has made considerable strides and achieved enviable goals in the field of education during often very difficult times. Now, with a population of about 1.3 billion, our country, which has the largest educational system in the world, is well on track in successfully achieving the “popularization of compulsory education” and the “massification of higher education”. Some of China's achievements may surprise us: a modern educational system is basically in place; vocational and technical educational policy tries to meet the demands of social and economic development; the internationalization of education has set out along a broad avenue; educational policies and legislation are being regularly improved, etc. At the same time, however, as a developing country, China is facing many hurdles and challenges in her task of further developing the educational system. Education is part of



China's overall development, and as such it requires her own efforts, wisdom and innovation in order to set up and manage a modern educational system able to respond to the unique challenges she faces. To sustain development, however, China needs to learn from the experiences, the achievements, the research and experimentation of other countries, without underestimating in the process her own achievements and characteristics. In a word, since Chinese educational development will necessarily have a Chinese character, while at the same time being an inseparable part of the global educational system, we can expect China to play the role of a good citizen in the global village.

Mutual understanding is the precondition for international exchange and cooperation. However, up to now, foreigners have encountered many hurdles in trying to improve their knowledge of education in China. On the one hand, not many of them manage to achieve a working knowledge of the Chinese language and, on the other hand, there is an undeniable shortage of English literature taught in modern China. In order to help foreign friends and scholars know more about today's education in China, the Zhejiang University Seeco Educational Research Centre, which was established in 2007 to promote studies in the field of comparative education, has undertaken the task of producing the present *Education in China Series*. The various volumes endeavor to explain the context of education in China during the past sixty years, to introduce educational development in the present situation, to analyze the problems as they develop, and to look forward to the future of education in China in different areas, with each author offering his or her own original perspective. We hope that the series will help global society to better know the outline and features of modern education in China, that it will arouse interest in it, and will encourage readers to explore the legislation governing its development.

We are pleased to announce that the series has obtained the support of the General Administration of Press and Publication of the People's Republic of China, to whom we express our sincere gratitude. Many thanks are due to Zhejiang University Press and Homa & Sekey Books of U.S.A. for undertaking to publish the series. Finally, we would like to express sincere appreciation to the authors who compiled the books with true professionalism and selflessness, while handling busy schedules, and to all the friends and colleagues who have offered invaluable criticism, advice and encouragement.

Xiaozhou Xu & Carlo Socol
Hangzhou, China

Preface

Since the foundation of People's Republic of China in 1949, China's education has experienced 60 years' of development. This was not an easy period for modern China. Just like what was said by Deng Xiaoping, the general designer of China's Reform and Opening Up, "Since there is no previous experience to fall back on, we need to wade across the stream by feeling the way." We must acknowledge that the reform in China has inevitably faced a lot of difficulties and frustrations, particularly in the first 30 years since the foundation of People's Republic of China. However, the introduction of Reform and Opening Up Policy in 1978 has brought China new ideas and a correct direction. Since then, tremendous developments have taken place. Human resources have been gradually regarded as the first productivity and thus education, through which creative talents are cultivated, has been given special attention in the policy of central government. If you thumb through the recent policy text, you will find that emphasis like "giving priority to education," "promoting the education equity," "deeply implementing the strategy of developing the country through science and education and to strengthen the country by talented persons," etc., have become the key guidelines of the educational policy in China.

As known to all, the educational development of a country is based on its economic foundation. Therefore, the making of the educational policies must be consistent with the real situation of certain historical periods. Since 1978, the educational policy in China has experienced mainly four stages: (1) The recovery and reconstruction of the educational order (1978~1984). Education in China suffered great losses during the ten-year's "Cultural Revolution". So the basic framework of educational policies in this stage was to correct the wrong thoughts of education, recover and improve the basic educational system, commence on building an educational system and adapting to the economic construction. (2) The total start-up of educational system reform (1985~1992). During May 15~20, 1985, the first National Educational Conference since the introduction of Reform and Opening Up was held in



Beijing. In this conference, Deng Xiaoping put forward the necessity and urgency of transforming the oppressive burden of a large population to a huge human resource, which provided clear direction for the reform of the educational system. After the conference, the Decision on the Reform of the Education System was issued, which has been regarded as the milestone for the development of education. (3) The adjustment of educational policy facing the reform of the market economy system (1993~2002). In this period, several policies came into being, of which the Outline of Educational Reform and Development in China issued in 1993 and the Decision on Deepening Educational Reform and Promoting Quality Education in an All-round Way issued in 1999 were the most important. It can be concluded that the educational policies in this period mainly focused on basically realizing the Universalization of Nine-Year Compulsory Education and the Eradication the Illiteracy among the Middle-aged and Young Group until 2000; on the implementation of quality education, the development of vocational education, the expansion of higher education, the reform of educational system, the guarantee of educational funds, and so on. (4) The new development of the educational policy under the guidance of Scientific Outlook on Development (2002~Present). The rapid development of the economy and the realization of nine-year compulsory education have provided a sufficient foundation for the further reform of education in the new century. With the goal of constructing a harmonious society, giving priority to education, promoting education equity and enhancing the educational quality have become the key issues of this period. The great achievements of China's education should be due to the timely educational reform in different periods. The formulation and implementation of educational policies made the reforms possible. In China, with a special educational system, the educational policies have a direct impact on the development of education.

“Educational policy” is a broad issue. This book has no intention to cover all the aspects of educational policy because almost every aspect can become an independent book. My colleagues, Prof. Libing Wang, Prof. Jianmin Gu, Prof. Xueping Wu and Prof. Ming Yang have paid special attention to the policy of elementary & secondary education, higher education, vocational education and the educational system respectively. The above four books and this book together make the series of “Chinese Education” come into being. Therefore, the scope of this book is clear: (1) analyzing the values which guide the formulation of China's educational policies and legislation; (2) introducing the basic framework of the educational policies and legislation in China; (3) presenting several



educational policies which are the milestones in the development of China's education; (4) emphasizing four hot topics of policies, namely the policies of internationalization of education, private education, lifelong learning and teacher education.

This book is organized into eight chapters. Chapter One addresses the theoretic basis of educational policies in China, which is from the perspective of the education position, education quality and education equity. Chapter Two looks at the major history and framework of the system of educational legislation in China, as well as the three important educational laws and legislations. Chapter Three gives a detailed introduction to the outline and planning of educational development in China which has a profound impact to the reform and development of China's education. From Chapters Four to Seven, policies of educational internationalization, private education, lifelong learning and teacher education are respectively introduced. Beginning from the analysis of "the Policy on Chinese-foreign Cooperation in Running Schools," Chapter Four focuses on the policies of studying abroad and the internationalization of higher education in China. Chapter Five provides a close look at the history, the current development and the legislation & policies of private education in China, considering both the challenges and opportunities that lie ahead. In Chapter Six, we turn to policies of lifelong learning. Chapter Seven pays special attention to the teacher education system and teachers law in China. In the last chapter, we not only present the characteristics of educational policy and legislation in China from the perspective of content, process and value, but also try to provide a reflection about the trends of educational policy and legislation in China.

Many people's dedicated work made this book possible. We thank the following people who have kindly shared their energy, experience, resources with us: Yangyong He, Yuan Fan, Zhiyong Li, Thomas Kemmler, Juanjun Lu, Enci Weng, Ennuo Chen, Yanwu Liu, and Jiangxia Li. We also acknowledge with deep appreciation the support of Zhejiang University Press. Many Thanks also to Prof. Carlo Socol who has provided invaluable support and suggestions on the publication of this book.

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1

Theoretic Basis of Educational Policies in China

Someone stated that the writing of printed documents represents the whole story of the policies and laws, which in fact misstates the nature of the policies and laws. The written or printed documents are only one part of the story. There are two reasons: First, though governments or nations have the power to decide what printed policies and laws shall exist, they cannot arbitrarily determine how those policies and laws shall work. Society, economy and culture have contributed greatly to this process. While a policy can work effectively in one country does not mean that it has the equal effectiveness of working in another country. Secondly, policies and laws are interactive, so the results of policies and laws are hard to predict if they are observed only separately, rather than from the integrated view. This book, therefore, tries to give a detailed account of the background concerning the educational policies and laws of China to emphasize the complex processes and realities of Chinese educational laws and policies.

1.1 Education Position

China is one of the ancient civilizations in the world and attaches great importance to education not only in modern society, but also in ancient times. The great educator in ancient China, Confucius (551 B.C.~479 B.C.), regarded education as an important component of social development.

1.1.1 Historical Context of Education Position

Education position means the importance of education, which is relative to the education aim. There are two sources of theoretical ideas. One is “society standard” and the other is “individual standard.” “Society standard” emphasizes that education should first meet the demands of society. Its principles are as follows: (1) The aims of education are not from individual benefits, but from the needs of society; (2) The individual needs must be subordinate to the needs of society; (3) To train young people to be



good citizens and to maintain social stability and development are important aims of education; (4) The community's well-being should be placed above the individual's rights. The well-known exponents of "society standard" are E. Durkheim in France and C. KeIschenstein in Germany.

"Individual standard" emphasizes the benefits of individuals and its principles are as follows: (1) The aims of education should be from the nature of the educated, not from needs of society; (2) To develop the individual and to provide personal satisfaction are the important aims of education; (3) One's personal interests should be placed first in education. The well-known exponents of "individual standard" are Jean-Jacques Roussear in France and John Locker in Britain.

China has devoted great attention to the development of education whether in peacetime or during wars. There are many folk stories talking about the importance of education. Even in a very poor family, the parents were very earnest about giving their children a good education.

1.1.1.1 A Story about Educational Position

Mencius (Mengzi) (372 B.C.~289 B.C.) is one of the great thinkers in ancient China. There are some folk stories about him, for example, Mencius's father died when he was only a little boy. He had to live with his poor mother. In order to help her child to become a great man, Mencius's mother moved her house three times. One day, when Mencius returned home from school, his mother was weaving. She asked Mencius, "How about your study?" "Just the same as what I do usually," Mencius answered casually. His mother got very angry at Mencius's tone, and cut down the cloth from the loom. Mencius became afraid and asked his mother, "What makes you so angry?" His mother replied, "Neglecting your studies is like my cutting down the cloth. Studying is to gain more knowledge and avoid evils. If you neglect your studies, you will have to do hard work and cannot avoid evils." Mencius was scared about what his mother said. Since then, he studied hard and became a great thinker finally.

This story tells us that ancient Chinese people thought education would play a predominant role in social and individual development. Education could determine a person's career.

1.1.1.2 *Xue Ji*

Xue Ji by Yue Zhengke (300 B.C.~200 B.C.), one student of Mencius, is regarded as the first work with formulated opinions on education. The theme of the work is Confucianism, considering education as a perfect way to achieve a political goal. First of all, *Xue Ji* closely combines education with politics, arguing that education

should serve as a means of achieving political goals, such as “To found a state and rule the people, education comes first.” And then, it also illustrates that education is important to individual development, such as “the finest diamond must be cut and to be a good person, you must learn to know.” But the individual goal is always submissive to society and politics. The ideas about education in *Xue Ji* have exerted a major influence on posterity.

1.1.2 Education Position in Modern China

In 1977, as a great leader of People’s Republic of China, Deng Xiaoping delivered a speech about Respecting for Knowledge and Talents, which, to a large extent, determined the new development of education. He said,

“Now it appears that China is fully 20 years behind the developed countries in science, technology and education... Unless we pay special attention to education, it will be impossible to develop science and technology. Working insistently from schools to colleges, I hope we will set about this task now so that we will see initial results within five years, further results within 10 years, and major results within 15 to 20 years. To improve education, we must walk on two legs; that is, we must raise the standards of education at the same time as we popularize it to more and more people.” (Deng, 1977)

1.1.2.1 Gearing Education to the Needs of Modernization, the World and the Future

In 1983, as the Reform and Opening Up Policy had just begun, it was necessary to have new ideas for education. Deng Xiaoping wrote the message of “Gearing education to the needs of modernization, the world and the future” for Jingshan School. Viewed from both a historical and current perspective, it has become a guide for educational reform and development. Now, “Gearing education to the needs of modernization, the world and the future” has slowly filtered into people’s minds, which has become the banner and soul of the Chinese educational reform and development.

“Gearing education to the needs of modernization” has a double meaning. On the one hand, it means that China should make the development of education adapt to the needs of the socialist modernization in terms of its scale, structure, efficiency and quality. On the other hand, it refers to the modernization of education itself.

“Gearing education to the needs of the world” tries to eliminate the defects in our present system of education and expedite China’s entry into the world development. As Deng Xiaoping said, “Now that there are new developments in science and technology, and the international exchanges of personnel and information have be-



come more and more frequent, our economy should be measured by the world standards and must become competitive internationally.”

“Gearing education to the needs of the future” also means that education should meet immediate and anticipated future needs of society. Education should nurture talents for the future. On Nov. 11, 1987, Deng Xiaoping explained this when he met Li Genmo, the Prime Minister of Republic of Korea. He said it had already been accepted that China would face greater competition in the next century. To win this competition, China must look to the future and provide a solid foundation for her youth in terms of education.

The idea of “Three Orientations” has become the guidelines of educational development and reform for over 20 years. It is manifested in many important decisions of Communist Party of China (CPC) and CPC Central Committee Decision on the Reform of the Education System pointed out, “the grand cause of socialist modernization requires us to make best use of any budding talents, to train new personnel and to strive to pay close attention to the educational work. China should gear education to the needs of modernization, the world and the future, and train persons in different fields at different levels for socialist construction to promote economic development and social progress on a large scale.”

In 2007, the Communist Party of China convened the 17th National Congress and identified education as one of the most important livelihood issues. During the Congress, President Hu Jintao demanded that Chinese Government should “give priority to education and turn China into a country rich in human resources.” He also stressed that “education is the cornerstone of national rejuvenation; equal access to education provides an important underpinning for social equity. China must implement the Party’s educational policy strictly; focus on educating students with top priority given to cultivate their moral integrity and to improve their overall quality; modernize the educational system, and train socialist builders and successors who have all-round attainments in moral, intellectual, physical and aesthetic education.” (Hu, 2007)

In the prior National Congresses, education was regarded as one part of the science and cultural issues. For example, in the 16th National Congress, educational development was included as part of Cultural Development and Restructuring. However, the 17th National Congress regarded education as one of the most important livelihood issues. This change means that the educational position has been improved. Education is not only one part of the cultural issues, but also is playing an important role in protecting and promoting people’s rights of subsistence and development. It is also a basic human right too.

Through the increase of input in education and the improvement of educational laws, the Chinese Government is paying more and more attention to education.