

## Recontextualization of Ta'zir in the World of Education: Bridging Islamic Values, Children's Rights, and Pedagogical Practices

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### Abstract

*This article explores the relevance and reformulation of the concept of ta'zir in contemporary Islamic education, particularly in the context of the intersection between Islamic disciplinary traditions and modern human rights frameworks. Amid concerns about the harmfulness of punitive practices for children, this article highlights the importance of understanding ta'zir not merely as a means of physical or verbal punishment, but also as part of an ethical, contextual, and transformative pedagogical approach. Drawing on classical literature, educational theory, international law, and case studies from various Islamic educational institutions, this article argues that ta'zir has the flexibility to be reinterpreted within the framework of tarbiyah, the holistic development of students' morals, spirituality, and intellectuality. This approach is in line with the principles of maqasid al-shari'ah and global child protection norms. This article proposes a model of ta'zir pedagogy based on compassion, justice, and empathy, and encourages synergy between stakeholders to create a non-violent and culturally relevant school discipline system. Thus, renewing ta'zir does not mean abandoning the legacy of tradition, but rather affirming it through a more humane and sustainable interpretation for the best interests of children in contemporary education.*

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## 1. INTRODUCTION

Discipline has long been recognized as an essential component in the educational process, as it plays a role in shaping students' ability to control themselves, build responsibility, and create an orderly and safe learning atmosphere. In various global education systems, the approach to discipline is not only seen from the perspective of classroom management and learning effectiveness, but also reflects the social, cultural, legal, and moral values of the society in which the system develops (Li et al., 2021). Therefore, disciplinary practices cannot be separated from the historical, political, and social dynamics that shape them. Schools, in this case, become social arenas where certain values are reproduced, negotiated, and even questioned. In this context, understanding disciplinary practices requires a critical approach that considers multiple dimensions of meaning, including the influence of religion, social change, and the impact of globalization on ways of educating and regulating student behavior (Friaes et al., 2023).

As awareness of the importance of children's rights and their participation in education grows, society begins to question the legitimacy of disciplinary practices that

have been used in schools. This critical view sees that repressive disciplinary actions can be a form of symbolic violence that is harmful to the development of students. The emergence of this awareness has led to demands to re-evaluate the approaches that have been applied so far, especially in relation to the principles of justice, ethics, and child welfare in education. This pressure is reinforced by the development of international norms on human rights, especially those related to child protection, which emphasize the importance of avoiding harsh, coercive, or degrading punitive approaches to students. In recent decades, there has been a paradigm shift towards a more empathetic, restorative, and learner-centered approach to discipline, where social relationships, dialogue, and emotional learning are the main focus.

These changes not only affect policies in public schools, but also pose challenges for religious-based educational institutions, including those in the Islamic educational tradition. On the one hand, these institutions have the intellectual wealth and experience in shaping the character and morals of students through religious values. However, on the other hand, they are also required to adapt to global developments that prioritize student rights and a more humanistic pedagogical approach. In this context, there is a meeting between traditional values and the demands of modernity, which opens up an important dialogue space regarding how Islamic moral values can be conveyed within an educational framework that is fair, contextual, and respectful of human dignity.

One of the key concepts in Islamic education that is relevant to this discussion is *ta'zir*, which is a form of discretionary punishment given by educational authorities to educate and improve behavior. Different from punishments that are permanent in nature such as *ashudud* or *qishas*, *ta'ziris* flexible and can be adjusted to the context of the violation, the condition of the perpetrator, and the public interest. In practice in institutions such as Islamic boarding schools or madrasas, *ta'ziris* often interpreted not only as a form of punishment, but as a pedagogical means to instill the values of discipline, responsibility, and respect for authority. However, in the context of modern education, this practice faces challenges, especially when its implementation has negative psychological or physical impacts on students.

This situation has led to a broader debate about the compatibility between Islamic principles of discipline and modern human rights standards. In many cases, the punishments claimed to be part of *ta'zir* actually contradicts the values of compassion and justice which are the core teachings of Islam. Therefore, it is important to reflect on the meaning *ta'zir* in today's educational framework. Instead of being seen as a mere instrument of punishment, *ta'zir* should be understood as a concept that has pedagogical, ethical, and transformative potential if it is adapted to the child's psychological development, social context, and global norms.

Based on this background, this article starts from two main questions: first, how is the concept *ta'zir* can be actualized in pluralistic and complex modern education? Second, can the principles of discipline in Islam be integrated with modern educational approaches and human rights principles? To answer this, this article uses a critical and constructive approach by reviewing classical Islamic legal literature and contemporary educational discourse. The study begins with an explanation of the basic principle *ta'zir*, followed by an analysis of modern disciplinary theories that emphasize a restorative approach, as well as a review of international documents such as the Convention on the Rights of the Child. The article concludes with an offer of recontextualization *ta'zir* as part of Islamic pedagogy that is ethical, humane, and oriented towards character formation. Thus, *ta'zir* can be reformulated not as a repressive punishment tool, but as an educational approach that educates in a holistic and dignified manner.

## 2. RESEARCH METHOD

This research was conducted using a conceptual study or literature study approach that is qualitative-descriptive, with a focus on re-examining the concept of ta'zirin education, especially in the current context that emphasizes the importance of protecting children's rights and implementing modern pedagogical principles. This study explores various classical and contemporary literature, both from the perspective of Islamic law and Islamic education, as well as theories of children's rights and education. Data were obtained from two main types of sources: primary literature including classical and modern fiqh books, and secondary literature such as scientific books, journal articles, children's human rights documents (including the Convention on the Rights of the Child), and contemporary educational theories. Data collection was carried out through a systematic review of documents, while data analysis was carried out through several approaches, namely content analysis to find central themes, critical analysis to assess the relevance of values ta'zir towards the principles of child protection, as well as a comparative analysis between traditional and modern approaches in education. To ensure the reliability of the results, this study uses triangulation of sources and an interdisciplinary approach that brings together various perspectives to form a complete and contextual understanding of the concept *ta'zir* in today's world of education.

## 3. RESEARCH RESULTS AND DISCUSSION

### The Concept of Ta'zir in Classical Islamic Jurisprudence

Term *ta'zir* comes from the word *dare* which means "to prevent and reject" (*man'u wa radda*), but can also be interpreted as "educating" (*treatment*) as well as "respect and glorify" (*he answers where waqra*). In the context of this discussion, the meaning *ta'zir* The most relevant is as a form of prevention and education. Awdah (1963) emphasized that *ta'zir* serves to prevent someone from repeating mistakes, while also being a means of moral development, with the aim of changing bad behavior through awareness and self-improvement.

In the classical Islamic legal system, *ta'zir* is categorized as a form of discretionary punishment given by legitimate authorities for violations that do not fall into the category *hudud* (fixed sentence) or *qisas* (equivalent response). Different from *hudud* which is permanent and explicitly regulated in the Qur'an and Sunnah, *ta'zir* allows for contextual assessment by judges based on the conditions of the perpetrator and the social impact of the violation. Therefore, *ta'zir* serves not only as a legal sanction, but also as an educational tool that allows for the enforcement of justice in a flexible and proportional manner.

Classical fiqh books also describe *ta'zir* as a means to prevent moral decay, correct behavioral deviations, and instill social and individual responsibility. The principles of welfare are the basis for its implementation, which rejects forms of punishment that degrade human dignity. In the context of Islamic education, *ta'zir* is adopted as a disciplinary method that emphasizes character building and internalization of ethical values.

Islamic legal experts group criminal offenses into three: *hudud*, *qisas*, And *ta'zir* (Isaac, 2023). If *hudud* And *qisas* relating to violations for which strict punishment has been determined, such as adultery or murder, then *ta'zir* includes lighter or social and moral violations, which are not explicitly mentioned in primary legal sources. Therefore, the form and level of punishment *ta'zir* highly depend on *ijtihad* and the wisdom of authorities, whether judges, leaders, or teachers in the context of education.

This distinction emphasizes the importance of using reason, ethical considerations, and understanding the social context in implementing Islamic law. *Ta'zir* Reflects the dynamic nature of sharia which is able to adapt to the development of the times and the

needs of society. Fiqh literature states that *ta'zir* not only repressive, but also carries a mission of development such as behavioral reform (*correction*), moral education (*so*), and prevention of violations (*look*) (Djalaluddin et al., 2023; Pirdaus & Jannah, 2022). Further, Pirdaus and Jannah (2022) observed *ta'zir* as a pedagogical tool to return offenders to the moral values of their community. This becomes especially important in children's education, where the approach *ta'zir* aims to foster ethical awareness, personal responsibility, and discipline from within, not to provide stigma or social punishment (Putri & Arini, 2024).

The discretionary character of *ta'zir* demonstrate trust in authority to act based on justice, compassion, and wise consideration. In the world of education, this makes teachers not just teachers, but also moral educators and discipline enforcers (Saputro & Dwikristanto, 2022). Teachers have a central role in implementing *ta'zir* proportionally, while still respecting the rights and dignity of students, in line with the mission of Islamic education in forming noble morals.

Practice discipline through *ta'zir* in the context of education can vary depending on cultural norms, institutional systems, and pedagogical approaches that apply in each period. The form of implementation can be in the form of verbal reprimands, educational advice, to light physical sanctions that are considered to be aimed at educating. However, scholars generally emphasize that the implementation of *ta'zir* must be done with care, avoiding actions that could potentially cause physical injury, humiliation, or excessive fear. The main goal in its implementation is to avoid damage (*madarraḥ*) and ensure repairs (*correction*), while still respecting human dignity.

Classical scholars also emphasized the importance of intention (*niyyah*) and the purpose of public welfare (*problem*) in implementing *ta'zir* (Samadi et al., 2023). This shows that the law *ta'zir* in Islam, it does not only function as a retaliatory measure, but also as an effort to educate, improve, and maintain social harmony. If carried out without the right intention or without considering the common interest, *ta'zir* can deviate from the basic principles of sharia which prioritize justice, compassion, and protection of the weak.

This approach opens up the opportunity to reflect back on the concept *ta'zir* in the context of modern education, especially taking into account the understanding of children's rights, the overarching goals of education, and the ethical responsibilities of educators and educational institutions. Within this framework, *ta'zir* no longer understood only as physical punishment or the use of unilateral power, but as a corrective tool that needs to be applied wisely and proportionally for the common good (*maslahah 'amma*) for individuals and society.

Thus, the principle of intention and benefit is not only relevant in the context of classical fiqh, but also provides a solid ethical basis for bridging Islamic values with modern human rights principles. This includes protecting the dignity of the child, preventing educational practices that are potentially physically and psychologically harmful, and creating a safe, just, and humane learning environment.

### **Discipline and Punishment in Contemporary Education**

Modern educational theory has undergone significant changes in how it understands and implements disciplinary practices. This transformation reflects a broader paradigm shift in pedagogy, developmental psychology, and the global commitment to human rights. Where discipline was once largely emphasized as a tool for controlling behavior through punishment and authoritative control, education today focuses more on discipline as a process of mutually supportive relationships and development, rather than simply as a means of correcting behavior. The primary focus has shifted to the ongoing development

of students' self-regulation skills, emotional intelligence, and social responsibility, rather than simply on punishment or student subordination.

One of the key changes seen in recent years is the shift from a punitive model of discipline to a more restorative approach (Kapembwa et al., 2020; Lustick et al., 2020). The traditional deterrent-oriented punitive model has been widely criticized for being ineffective in addressing the root causes of behavior and often having a negative impact on the psychological and social development of students, especially those from more vulnerable groups. In contrast, a restorative approach emphasizes accountability, repair of harm, and reintegration of students into the school community. It encourages reflective dialogue, empathy development, and strengthening relationships between students, teachers, peers, and families.

Research in developmental psychology and neuroscience also supports this shift. Several studies (see Martin & Stein, 2012; Smith et al., 2004) have shown that harsh or fear-based punishment can be detrimental to children's cognitive and emotional development. Children, especially in elementary and middle school, are still developing their brain's executive functions, ability to reason morally, and empathy. Therefore, a discipline approach that focuses more on positive reinforcement, clear rules, and respectful communication is more effective in promoting long-term behavioral change than physical punishment or shaming. This approach also contributes to creating an emotionally safe classroom environment that supports holistic learning.

In the context of evolving pedagogy, empathy and dialogue are now essential elements. This approach encourages educators to see deviant behavior not only as a form of defiance, but also as a sign of unmet needs or difficulties in self-regulation. Responses based on curiosity, compassion, and cultural understanding provide space for students to express their feelings, learn from their mistakes, and feel a sense of control over their learning process. Techniques such as restorative circles, teacher-student conferences, and social-emotional learning curricula are concrete examples of participatory discipline practices that focus on restoring relationships.

These changes are very much in line with international human rights principles, such as those set out in the Convention on the Rights of the Child (CRC) and the Universal Declaration of Human Rights (UDHR) (UNICEF & KPPPA, 2003). Both documents emphasize the inherent dignity of every child and their right to be free from violence, including in educational settings. Article 28 of the CRC specifically calls for discipline in schools to be conducted in a manner that respects the dignity of the child. In addition, the CRC encourages countries to adopt measures that ensure the best interests of the child in education. Many countries now refer to this principle in their educational policy reforms, including the prohibition of corporal punishment and the strengthening of a child rights-based approach.

### **Revisiting the Concept of Ta'zir in the Context of Human Rights and Education**

The application of the concept of ta'zir in education, especially involving corporal punishment, has become increasingly controversial in line with the development of human rights norms and approaches to education that focus on the needs of the child. Although in classical Islamic jurisprudence there is a permissibility to apply various forms of discipline under the category of ta'zir, including physical reprimands to a certain extent, contemporary legal and ethical views demand that such practices be reviewed. This is driven by empirical evidence showing the negative impact of corporal punishment on the psychological, emotional and academic development of children, as well as the inconsistency of such practices with international standards, such as those contained in the Convention on the Rights of the Child (CRC).

Several countries, including Indonesia, have strictly prohibited the use of corporal punishment in schools, based on scientific evidence showing that corporal punishment is ineffective in promoting long-term behavioral change, but can instead cause trauma, damage children's self-esteem, and create repressive relationships between teachers and students (see Okesina & Famolu, 2022; Shumba, 2003). The CRC, especially Article 28 paragraph 2, explicitly states that discipline in schools must be carried out in a manner that respects the dignity of the child and is free from all forms of violence.

However, in some Islamic educational institutions, the practice of corporal punishment is still maintained on the grounds of tradition, the moral authority of teachers, or certain interpretations of religious texts (Saidah, 2016; Sholikhah & Kurniawan, 2024). In this framework, ta'zir is often understood as a form of control over student behavior without considering the development of educational science and child psychology, which shows the importance of a more empathetic, reflective, and constructive approach. Moreover, religious justification for practices that can harm children has the potential to obscure the basic values of Islam itself, which prioritize compassion (rahmah), justice ('adl), and welfare (maslahah) in social relations, including education.

Therefore, it is necessary to re-evaluate the concept of ta'zir and critically reflect on its application in the modern era. This assessment needs to take into account developments in international law, research results in the field of education, and normative reinterpretation that maintains Islamic values, but is responsive to the needs of children and the challenges of the times. In this perspective, ta'zir is not only seen as an instrument of punishment, but as an educational mechanism that places the welfare and dignity of students as the main goal.

One of the main issues in the current discourse on ta'zir is the importance of distinguishing between ta'zir as a discretionary disciplinary principle and specific practices applied in history. The validity of ta'zir as part of the Islamic legal framework is no longer a matter of debate, what needs to be questioned is how this practice should be understood and applied in the social and educational context of the 21st century which is very different from the practices of the past. Understanding old forms of ta'zir without criticism risks leading to disciplinary practices that are incompatible with contemporary humanitarian values and developments in child science.

In response to this challenge, many contemporary Muslim scholars have proposed that ta'zir be reanalyzed through the framework of maqasid al-shari'ah (see Nurhadi & Yumna, 2025), which emphasizes the need to safeguard the soul (hifz al-nafs), intellect ('aql), dignity ('ird), and welfare (maslahah) of the individual and the community. In this view, any form of disciplinary action that risks long-term harm, threatens the child's sense of security, or hinders his or her learning potential can be considered contrary to the basic objectives of Islamic law, even if the practice was previously accepted in certain contexts.

Thus, the approach to ta'zir in the modern era requires more than simply maintaining the practical or literal form of past discipline. This approach requires in-depth ethical and methodological thinking, namely ijihad that takes into account current social, psychological, and educational conditions, including efforts to develop forms of discipline that are educational, dialogical, and respect the dignity of students as active subjects in the learning process, not just objects of control or punishment. In this context, important questions arise: "Can ta'zir be recontextualized as a form of discipline that is non-violent but still educational?" and "Is physical punishment necessary in ta'zir, or does the underlying discretionary principle allow for the development of more diverse forms of correction that are in accordance with today's understanding of child psychology and development?"

## Reflecting Back on the Concept of Ta'zir in the Context of Children's Rights and Education

In recent decades, many scholars, Muslim educators, and child rights advocates have argued that ta'zir does not always have to be physical punishment to be effective. Various non-violent disciplinary approaches, such as wise verbal reprimands (Putri & Arini, 2024), restrictions on certain rights (such as playtime or media access) (Sugiarti & Andyanto, 2022), reflective assignments (Ikhsan et al., 2022), and restorative dialogue approaches (Cantera-Rios et al., 2024), have been shown to be able to carry out the moral and educational functions intended by ta'zir, without harming the child's dignity or psychological well-being. This approach, in contemporary education, is more effective in fostering self-awareness, responsibility, and self-control in students.

This change is in line with the principles of maqasid al-shari'ah and the core values of Islam, which emphasize love (rahmah), justice ('adl), and benefit (maslahah). The approach tries to preserve the essence of ta'zir as a mechanism for moral and social improvement, but also expands its meaning so that it is relevant and can be applied in 21st century education. Thus, the recontextualization of ta'zir is not an attempt to eliminate the classical heritage of Islam, but a creative and ethical effort to defend basic values while responding to the challenges of the times.

In this case, the authority of an educator must be balanced with the rights and roles of students as whole subjects. Student agency is defined as "the ability, will, and right of students to act actively in shaping their learning experiences and social lives." This means that students are not only seen as passive objects, but as subjects who have a voice, choice, and power to make decisions, express opinions, and influence their environment, including in the context of education. Student agency includes: 1) The ability to make decisions according to their maturity and understanding, 2) The right to be heard in matters that affect their lives (see Article 12 of the UN Convention on the Rights of the Child), 3) Freedom to express thoughts, feelings, and views in the learning process, and 4) Active participation in school and community life as valued individuals.

The Islamic educational tradition recognizes the teacher as a noble figure with moral and social authority. However, this authority is not absolute power, but rather a mandate that carries the responsibility to guide, educate, and protect students as a whole—physically, emotionally, and spiritually. When punishment becomes excessive or turns into violence and abuse, it not only violates the ethical responsibility of a teacher, but also violates the basic principles of Islamic law when viewed from the perspective of maqasid al-shari'ah.

In the framework of maqasid, education is not only intended to create an outwardly obedient generation, but also to protect the soul (hifz al-nafs), intellect ('aql), and human dignity ('ird). Therefore, the child's right to be treated with dignity, to have his voice heard, and to develop in a safe environment, cannot be considered as an idea that is contrary to Islamic tradition. On the other hand, these values are in line with the purpose of Islamic education which is based on love, justice, and respect for human nature.

Therefore, in designing disciplinary practices in Islamic education, educators and managers of educational institutions must understand that the balance between authority and compassion is not a compromise, but reflects the spiritual and intellectual integrity of Islam itself. Education that respects the dignity of children will be better able to form a generation that is not only intelligent, but also has good character and is civilized.

Harmonizing the concept of ta'zir with the principles of human rights and the goals of modern education does not mean abandoning Islamic values, but rather a responsible interpretation—an interpretation that remains faithful to the morality of the Islamic tradition, yet open to the latest findings in child development and education. Within this

framework, ta'zir is no longer understood as merely a means of punishment, but as a corrective approach that focuses on moral development, character building, and protecting the dignity of students.

A child-centered understanding of ta'zir can be a solid foundation for Islamic educational institutions to design ethical, educational, and socially relevant disciplinary policies. This approach allows for the integration of religious commitment to Islamic values and respect for contemporary ethical standards that prioritize children's rights, psychosocial well-being, and meaningful learning.

Thus, ta'zir should not be eliminated, but should be reinterpreted as a dynamic, contextual, and dignified Islamic educational instrument, which is in line with the goals of Islamic education to form individuals who are faithful, knowledgeable, and have noble character. This is a challenge for educators, scholars, and policy makers to continue to revive the spirit of *ijtihad* in formulating disciplinary practices that are not only valid according to Islamic law, but also compassionate and dignified for the next generation of the people.

### **Implementation of Ta'zir in Primary and Secondary Education: Some Case Studies**

To connect the theoretical discussion of ta'zir with its application in the world of education, it is important to see how disciplinary practices based on Islamic *fiqh* are carried out in various cultural and institutional environments. In many traditional Islamic schools in Indonesia, elements of ta'zir are still clearly visible in school life and the rules that are applied. In some schools, ta'zir is even directly stated in the discipline policy. Meanwhile, in more moderate Islamic schools, the implementation of ta'zir often occurs indirectly through deeply rooted disciplinary habits, which are generally connected to religious values.

These ta'zir practices vary depending on the type of school (such as *madrasah*, state school, or community-based educational institution), as well as the social and legal factors in which the school operates, and the pedagogical approach used. In some schools, ta'zir can take the form of verbal warnings, personal coaching, or parental involvement in character-building efforts. However, there are also places where corporal punishment is still applied in the name of moral correction, although not always referring to classical *fiqh* texts. This phenomenon reflects the tension between long-standing traditions and demands for more progressive, child-rights-based educational reform.

Through the study of real cases, we can better understand the complexity of the application of ta'zir in the field and at the same time find opportunities to update this concept to be more in line with the goals of more modern Islamic education. Field studies and policy observations in schools can provide insight into how ta'zir is understood, implemented, and criticized in various contexts of Islamic education in Indonesia today.

One interesting comparison in understanding the practice of ta'zir in the world of Islamic education in Indonesia is the difference between the implementation of ta'zir in traditional Islamic boarding schools and Islamic schools managed by the government or private sector. In Islamic boarding schools, discipline is often considered an important part of character building and the spiritual development of students. Teachers, such as *kyai* or *ustadz*, not only act as educators, but also as authoritative figures who replace the role of parents (Zulfa, 2020). In this context, ta'zir can take the form of verbal reprimands, giving additional assignments, to light physical punishment, which is often based on tradition and the belief that firmness is important to shape the personality of students.

Research conducted by Muhimmatul Farikhah (2019) at the Roudhotul 'Ilmi Islamic Boarding School in Banyumas shows that this Islamic boarding school implements various forms of discipline as part of the character formation of students. Some forms of discipline

applied include the obligation to perform congregational prayers, participate in Koran reading activities, and maintain cleanliness and order. In addition, this Islamic boarding school also implements ta'zir for students who violate the rules, with varying sanctions, such as shaving hair, dousing the student's body with water, or even sending the student home. This finding indicates that ta'zir in Islamic boarding schools not only functions as a control, but also as a means to instill a sense of responsibility and strengthen collective norms.

Another example can be found at the Riyadlul Qur'an Islamic Boarding School, which still maintains ta'zir as part of its internal discipline system. Based on an article by Sholikha et al. (2024), this Islamic boarding school implements ta'zir for various violations such as carrying a mobile phone without permission or getting involved in a fight. The process of imposing sanctions begins with collecting evidence through searches or interviews, and then the results are submitted to the family or representative of the kyai to determine the appropriate sanction. The types of sanctions applied vary, including squatting around the pesantren area or standing in front of the gate while reading the Qur'an. These ta'zir practices are adjusted to the level of the violation and take into account the underlying moral and pedagogical values.

### **Violation of the Essence of Ta'zir in Education: Cases and Comparison of Practices**

Several studies, such as those conducted by Natsir and Rohman (2024), noted the abuse of disciplinary practices in Islamic boarding schools that went beyond the limits and could be considered physical violence, which could not be justified pedagogically or ethically. One example they raised occurred at the Al-Hanifiyyah Islamic Boarding School, Kediri, involving a student with the initials BBQ. In this case, a number of senior students committed acts of violence against their juniors on the grounds of disciplining them in performing congregational prayers. Instead of using an educational approach, physical action was chosen as a method of discipline. This clearly contradicts the basic principles of ta'zir which should prioritize proportional correction and be based on educational values. This case highlights the need for a critical evaluation of ta'zir practices so that they continue to reflect Islamic principles that emphasize compassion, justice, and protection of the dignity of students.

Although there are physical discipline practices in some Islamic boarding schools, not all Islamic boarding schools apply such an approach. Some Islamic boarding schools develop more diverse ta'zir methods that do not rely on physical punishment, with the aim of fostering discipline without causing trauma or excessive fear. For example, at the Raudlatul Muta'allimin Islamic Boarding School in Lamongan, East Java, ta'zir is not limited to physical punishment, but includes more constructive educational sanctions, such as giving verbal warnings, temporary return home, the obligation to memorize verses of the Qur'an, and confiscation of mobile phones. In addition, this Islamic boarding school also emphasizes the importance of cleanliness and order, with sanctions such as cutting hair or nails if they do not meet standards. This practice shows that ta'zir can be adjusted by considering the moral and spiritual dimensions of the students, as well as their psychological development. This reflects the awareness of Islamic boarding schools to maintain a balance between the authority of the institution and respect for the rights and dignity of students, making ta'zir a means of learning values, responsibility, and self-introspection in Islamic education.

On the other hand, Islamic schools in Indonesia are also increasingly adopting a more child-rights-first approach, in line with international conventions and national child protection policies. Legal instruments such as the Convention on the Rights of the Child (CRC) and child protection laws encourage the implementation of disciplinary approaches

that avoid physical punishment and place greater emphasis on student participation and psychological well-being. This transformation has also shaped curricula and teacher training that are more aligned with the principles of restorative justice.

For example, Ramdhani et al. (2019) describe the implementation of ta'zir at Al-Madinah Pontianak Integrated Islamic Elementary School, which not only focuses on discipline, but also on an educational approach that prioritizes Islamic values. For example, students who are late to school are required to ask permission first as a form of acknowledgment of their lateness. The sanctions applied vary, including physical activities such as cleaning the toilet, as well as sanctions based on religious values such as memorizing the Qur'an or copying certain verses as a form of spiritual reflection. After carrying out these sanctions, students are allowed to return to class activities. This ta'zir model not only aims to provide a deterrent effect, but also fosters self-awareness and discipline internally. This approach shows that the implementation of ta'zir can be carried out in a proportional and educational manner without causing negative impacts on students' physical or psychological well-being.

### **Implementation of Ta'zir in Islamic Education: An Approach Oriented towards Character and Moral Development**

Qoriah (2022) discussed the implementation of ta'zir at MI Al Islam Kartasura in the context of implementing Dhuha prayers, especially for grade II students. In this activity, students gather in the prayer room and wait until all students are present before performing the prayer. The Dhuha prayer is led by students in turns with readings recited aloud, according to their ability level. The teacher is always present to guide and supervise the worship process, as well as to reprimand students who are not focused or do not follow the prayer procedures correctly. After the prayer, the activity continues with dhikr together. In Qoriah's observations, several students showed a lack of seriousness during the prayer. For students who were less serious, the teacher gave a light form of ta'zir in the form of an order to prostrate while reciting istighfar until their friends finished dhikr, after which they read a prayer together before leaving the prayer room. This practice shows that ta'zir can be applied in a way that is not physical, but rather emphasizes spiritual development and reflective worship habits. This also reflects that ta'zir in Islamic schools can be designed with a gentle approach and in accordance with the psychological development of students, without neglecting the religious discipline and responsibility that is to be instilled.

The differences in the application of discipline between Islamic boarding schools and Islamic schools often cause debate among educators, families, and students who live in different value systems. Some parents may prefer a more authoritative and tradition-based approach to discipline, while others tend to support a gentler, child-rights-based approach. For students, the experience of these two systems can be confusing, but it also opens up opportunities for critical reflection on the values taught, authority, and the learning process itself.

### **Towards a Ta'zir Pedagogy: Principles and Recommendations**

Based on theological principles, modern educational theories, and insights from various case studies, this section attempts to develop a pedagogical framework for understanding and implementing ta'zir ethically in contemporary education. This approach leads to the understanding that discipline in education should be more than just a response to transgressions, but should also aim at holistic moral, spiritual, and intellectual formation, in accordance with the Islamic concept of tarbiyah.

Therefore, ta'zir should not be seen as merely a means of punishment or control, but rather as a means of fostering morals, guiding behavior, and fostering a sense of personal

responsibility based on the principles of compassion, justice, and respect for human dignity. In this context, ta'zir becomes part of the goals of Islamic education which not only aims to make students obey the rules, but also to make them understand the moral consequences of their actions and learn from mistakes constructively. Some important principles in the development of ta'zir pedagogy are as follows:

1. **Instilling Values:** Discipline should be directed at internalizing values such as honesty, responsibility, and empathy, not merely to force obedience through fear of punishment. Teachers are expected to be moral role models and companions in student development (Junaidi, 2019).
2. **Proportional and Reflective Approach:** Ta'zir should avoid physical or degrading punishment of students. Instead, disciplinary approaches should use psychologically educative strategies, such as reflective dialogue, reparative tasks, or temporary restrictions on rights (Samadi et al., 2023).
3. **Contextuality and Cultural Sensitivity:** The application of ta'zir needs to consider the age, social background, and emotional experiences of students. Education cannot be homogeneous, but must be tailored to individual needs without ignoring universal values in Islam (Orejudo et al., 2020).
4. **Participation and Clarity of Roles:** All parties, including teachers, students, and parents, must understand the purpose and limitations of ta'zir. Transparency in regulations and consistency in their application will create a sense of ownership of the values taught, as well as avoid authoritarian disciplinary practices (Fadlilawati, 2017).

#### Policy Recommendations for the Development of Ta'zir Pedagogy

Some steps that can be taken to develop ethical and contextual ta'zir pedagogy include:

1. **Teacher Training:** Training based on Islamic values and children's rights is important to strengthen teachers' understanding of maqasid al-shari'ah and the implementation of positive education that respects students' dignity (Fadlilawati, 2017; Fauziati et al., 2021).
2. **Character Building Curriculum Development:** A curriculum that integrates the teaching of religious values in everyday life needs to be developed, not only focusing on memorizing religious texts, but also on experiencing and applying these values (Musyawir et al., 2024).
3. **Periodic Monitoring and Reflection:** Every Islamic educational institution needs to have a mechanism to monitor and reflect on ta'zir practices, which involves a discussion forum between teachers, administrators, and parents, as well as feedback from students (Aisyah & Nugraha, 2024).
4. **Nonviolent Discipline Guidelines:** Educational institutions need to create clear, nonviolent, ta'zir-based discipline guidelines that include examples of culturally relevant educational and restorative interventions. These guidelines should serve as a reference for all parties in maintaining fair and constructive discipline.

By implementing these policies, ta'zir can become an integral part of education that not only disciplines but also educates with a humane approach and is oriented towards building student character.

Developing ta'zir pedagogy that is relevant to the needs of contemporary education requires ongoing research, interdisciplinary dialogue, and collaboration between various stakeholders. In-depth field studies will help evaluate the impact of disciplinary strategies in Islamic education, both in formal schools and in non-formal educational communities. A collaborative approach involving scholars, educators, students, and families is essential in shaping educational practices that are ethical and equitable, and rooted in universal Islamic values.

#### 4. CONCLUSION

This article examines the increasingly complex and often controversial role of ta'zir in contemporary education. Drawing on classical legal sources, educational theory, international human rights principles, and case studies from Muslim-majority countries, the article examines how the concept of ta'zir is understood and applied in a variety of educational institutions, both traditional and modern. The analysis reveals that while ta'zir has historically been understood as a tool for moral correction and development, its application in today's educational context must be reconsidered in light of developments in child psychology, best pedagogical practices, and ethical demands to protect the rights and dignity of learners.

The main argument in this paper is that ta'zir should not be narrowed down as a form of physical or repressive punishment, but rather should be understood in a broader context, namely tarbiyah, which is a concept in Islamic education that encompasses moral, spiritual, and intellectual development as a whole. Based on maqāṣid al-shari'ah (the main objectives of Islamic law), this reinterpretation encourages educators and scholars to see discipline as an opportunity to shape character, strengthen morality, and strengthen the relationship between educators and students, rather than simply as a tool of coercion.

The ta'zir tradition is known for its flexible and contextual nature, and these characteristics allow ta'zir to be re-understood with a pedagogically constructive non-violent approach. This approach is not only in accordance with the ethical principles of Islam, but also in line with the norms of child protection contained in international law. Thus, the flexibility of ta'zir is not to justify the practice of punishment that is detrimental to children, but to offer a more prudent, empathetic, and effective disciplinary approach in the formation of students' personalities.

Finally, this article proposes the creation of a ta'zir pedagogy that is based on compassion, justice, and a contextual understanding of Islamic teachings and the challenges of contemporary education. This pedagogy emphasizes the importance of empathy, restorative practices, and the moral responsibility of educators to maintain religious values, while respecting the dignity of children as individuals with rights, potential, and voice. To realize this, collaboration is needed between academics, education practitioners, policy makers, and religious leaders in formulating and realizing an ethical, inclusive, and transformative disciplinary model.

Reflection on ta'zir in education is not intended to abandon tradition, but rather to renew and strengthen it by affirming eternal values such as justice, compassion, and wisdom that are the core of Islamic education. In facing the changing times that continue to develop, this renewal is a way to meet the needs of children, schools, and society with a more humane, civilized, and sustainable approach.

#### 5. BIBLIOGRAPHY

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