

# Analysis on the Sustainable Development Mode of Law Undergraduate Education in China in the New Era

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**Abstract:** At present, China has entered a new era of development, which is reported by the 19th National Congress of the Communist Party of China based on the overall judgment of the development stage of socialism with Chinese characteristics. In the new era, China's legal education should not only follow traditional good practices and learn from experiences, but also be prepared to welcome new challenges, thus seeking a new development in line with China's national conditions and reflecting the characteristics of the new era. In the new era, law undergraduate education in China should adopt a problem-oriented, major contradictions-focused and comprehensive and all-round development-targeted sustainable development mode. Sustainable development direction of law education has been prescribed by China's relevant laws and regulations and documents, but the training objectives of most colleges and universities are mixed and diverse, most of which are not implemented, the relationship between the training objectives and the course of law undergraduate as well as the guidance effect of the objectives on the courses is not clearly defined. Correct educational concept is essential to the development of law undergraduate education. As the concept of sustainable development has become popular all over the world, which should also be adhered to by China's law undergraduate education because the new era requires the law undergraduate education in China to be forward-looking, sustainable and coordinated. More concretely, the sustainable development should be all-round, systematic and comprehensive, and should be mainly reflected in the multi-level development objectives, diversified development models and innovative courses. Follow this development model, which can really improve the quality and level of China's law undergraduate education in the future.

**Keywords:** Law Undergraduate, Sustainable Development, Training Objectives, Training Mode

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## 1. Introduction

Law Undergraduate Education is an important part of China's law education, and also reflects the development trend of China's law education. In the new era of development in China, it is necessary to strengthen the research of law undergraduate education, clarify the problems in its development, accurately reflect the actual situation of its development, and find the direction of its future development. This paper is divided into three parts. The first part analyzes the background of China's entry into the new era. The second part analyzes the problems of China's law undergraduate education with empirical research methods. The third part puts forward the direction and path of China's law undergraduate education in the future.

## 2. "New" of the New Era and Law Undergraduate Education

### 2.1. "New" of the New Era

At present, China has entered a new era of development, which is reported by the 19th National Congress of the Communist Party of China based on the overall judgment of the development stage of socialism with Chinese characteristics. The "new" of the new era is reflected in the recent advance of guiding ideology, the development of comprehensive national strength, the significant improvement in people's living standards and the incorruptible education environment. In the new era, China's legal education should not only follow traditional good practices and learn from

experiences, but also be prepared to welcome new challenges, thus seeking a new development in line with China's national conditions and reflecting the characteristics of the new era.

## **2.2. Sustainable Development of Law Undergraduate Education**

In the new era, law undergraduate education in China should adopt a problem-oriented, major contradictions-focused and comprehensive and all-round development-targeted sustainable development mode.

### **2.2.1. Problem-oriented Sustainable Development**

"China's legal education needs to adhere to the problem-oriented development and be developed to synchronize with the construction process of China ruled by law, adapt to the needs of the modernization of the national governance system and governance capacity, and play fundamental and leading role in comprehensively promoting the ruling of China according to law." [1] It is the same with the law undergraduate education in China, whose sustainable development should be achieved by finding out specific problems to be solved at first and then working out solutions so as to renew and improve the development model. The specific problems are the large scale of law education, excessive and miscellaneous law majors... textbooks and theories-centered education, too little law practice and inefficient training effect of law ability." [2]

### **2.2.2. Clarifying the Key Points of Development Through Resolving the Major Contradictions**

"Based on the spirit of the 19th National Congress of the Communist Party of China, we hold that the current contradiction between China's legal education and the cultivation of legal talents is that the growing needs of the state and society for high-quality legal science talents cannot be satisfied due to the unbalanced and insufficient development of China's legal education and the cultivation of legal science talents. This contradiction will affect the future development of China's legal education and legal personnel training in a long time." [3] To solve this problem, the key is to promote the healthy and sustainable development of law undergraduate education from the aspects of educational objectives, training model, course setting, etc., because objectives directly determines the orientation of law education, the training mode impacts the development direction of talents, and the courses directly affect the quality of education.

### **2.2.3. Sustainable Development Is Comprehensive and All-round Development of Human Beings**

Sustainable development has never been the one-sided and mechanical development, but the comprehensive and all-round development of human beings, because human is the key force to promote development. The "human" here is more of a concept of combination and a concept of "relationship" than concrete people. For example, three pairs of core relationships should be dealt with properly in order to achieve the sustainable development of law undergraduate education. The first one is relationship between universities and teachers.

Universities must bear it in mind that it is good teachers that make universities known, not large buildings, so they must focus on cultivating and attracting good teachers. The second is the relationship between teachers and students. A harmonious and orderly relationship between teachers and students is the key to improve the quality of education and achieve sustainable development. The third one is the relationship between scientific research and teaching. Although scientific research strength is one of the important indicators of the quality of law undergraduate education, the teaching quality is the core indicator of the sustainability of the law undergraduate education because undergraduate education is the basic education.

## **3. An Analysis of the Current Situation of Law Undergraduate Education**

### **3.1. Thinking on Sustainability: A Comprehensive Investigation Based on Laws and Regulations**

What kind of development mode should China's law undergraduate education should adopt in the new era? Maybe we can organize our thoughts and carry out some new reflections from the perspective of relevant laws and regulations and education documents of China's legal education.

First of all, the development of law undergraduate education in China should be guided by the principle of Marxist law. *Decisions of the Central Committee of the Communist Party of China on Several Major Issues of in Comprehensively Promoting the Ruling of China by Law* states that "we should integrate the principle of Marxist law and the socialist theory of rule of law with Chinese characteristics into the law education of universities and scientific research institutions as well as law research in an all-round way, so as to strengthen the research on basic theories of law and improve the socialist theoretical system, disciplinary system and curriculum system of law with Chinese characteristics." Marxist law is usually defined as the science of law in the west, but it is the guiding ideology of China's law education, especially the undergraduate education of law, whose guiding ideology is clear, which is different from many western countries and one of China's unique characteristics. [4]

Secondly, the law undergraduate education is the cornerstone of the law education in China. As emphasized by CHEN Baosheng, the Minister of The Chinese Ministry of Education, at the Conference on Undergraduate Education in Colleges and Universities in the New Era on July 19, 2018, the development of undergraduate education plays a leading role in the development of education in the new era, and undergraduate education is the root and foundation of universities, so if undergraduate education is not well developed, higher education course will be in danger. *The Opinions on Accelerating the Construction of High-level Undergraduate Education to Comprehensively Improving the Ability of Training* (JG [2018] No. 2) issued by the Ministry of

Education on October 18, 2018 once again pointed out that "undergraduate education is the root of the higher education, which should be attached great importance to by our country. These statements clearly define the orientation of the development of undergraduate education in the future, which should be firmly adhered to in the development of law undergraduate education.

Finally, China's law undergraduate education should value both integrity and ability. *Opinions on Implementing the Education and Training Plan for Talents Having both Integrity and Ability* (JG [2018] No. 6) and *Opinions on Implementing the Education and Training Plan for Law Talents* issued by The Ministry of Education and the Political and Legal Committee of the Central Committee of the Communist Party of China clearly pointed out that the cultivation of law professionals in line with the needs of a country ruled by law should lay equal stress on fostering their moral integrity and teaching them knowledge. It clarifies the development direction of law undergraduate education, and especially emphasizes "integrity", which is an important indicator to measure whether the long-term and sustainable

development of law undergraduate education and talent training can be achieved.

### 3.2. Key Points of Sustainable Development: Based on the Analysis of the Training Objectives of Law Undergraduates in 50 Universities

The training objective determines the direction of talent training, and the scientific training objective is of great value and significance to the direction and quality of talent training. According to the different strength, China's colleges and universities having law major (50 colleges and universities are investigated in this paper) can be divided into old "five universities of political science and law" (marked by ●), the "double first-class" universities which were "985 project" and "211 project" universities before (25 in total, marked by ◆), and other national key universities and ordinary universities (20). After studying the training objectives of law undergraduates in these 50 universities, we found that they have the following characteristics.

**Table 1.** Types and numbers of different levels of Universities.

type	number	typical representative
universities of political science and law	5	China University of Political science and Law
the "double first-class" universities "985 project" and "211 project" universities	25	tsinghua university/Peking university
national key universities and ordinary universities	20	Hubei University/Jinan University

Firstly, the training objectives of law undergraduates are generally application-oriented, compound or innovation-oriented, and different universities have different or combined objectives according to their own situations. The application-oriented objective is to cultivate the law undergraduates adequate for the front-line practical departments such as the public prosecution and law department. The compound type aims to cultivate the law undergraduates with law practice ability, theoretical analysis ability and other abilities required by the society. The innovation-oriented objective is to cultivate the new legal talents with new thinking, new methods and new vision.

Secondly, the different levels of colleges and universities have roughly the same training objectives, showing a trend of homogenization. We found that although the development levels and comprehensive strength of law undergraduate education in 50 universities vary greatly, their training objectives are not significantly different as expected, but even the same in essentials while differing in minor points, which in fact, reflects the tendency of homogenization in the training objectives of law undergraduate education in China.

Thirdly, some colleges and universities have set out more detailed training objectives with their own professional characteristics and regional characteristics, forming distinctive features. For example, Northwest University of Political Science and Law arranges different specialties under the guidance of the application-oriented and compound training objectives, including administrative law, civil and commercial law, economic law, criminal law, international law and anti-terrorism law, and further refines the training requirements for each specialty in combination with its own professional characteristics. East China University of Political Science and Law lays stress on the all-round development of law talents. Renmin University of China aims to educate students to have humanistic feelings, advocate the rule of law, pursue truth and contribute to the society. In addition, Shihezi University mainly trains law talents to serve for the law practice department of The Xinjiang Production and Construction Corps, western remote areas and ethnic minority areas. Yanbian University is characterized by the cultivation of national legal talents and foreign-related legal talents needed for regional cooperation and exchange in Northeast Asia.

**Table 2.** Summary of Training Objectives of Law Undergraduates in 50 Universities.

type	number	university
application-oriented	11	●East China University of Political Science and Law ◆Tsinghua University◆NingxiaUniversity◆ShandongUniversity, Weihai Shandong Normal University/Dalian University North China University of Technology/Beihua University Linyi University/Guangzhou University/Yan'an University

type	number	university
application-oriented	7	●Northwest University of Political Science and Law ●Zhongnan University of Economics and Law
compound-oriented		◆Xinjiang University◆Fuzhou University Hebei University/Xiangtan University/Xi'an Technological University
application-oriented	5	◆Liaoning University◆Guangxi University
compound-oriented+X		Tianjin University of Commerce/Henan University/Hubei University
application-oriented	3	●China University of Political science and Law
compound-oriented		●Southwest University of Political Science & Law
innovation-oriented	4	◆Central South University/Jiangsu Normal University
application-oriented		●China University of Political science and Law
compound-oriented	4	●Southwest University of Political Science & Law
innovation-oriented+X		◆Central South University/Jiangsu Normal University ◆Fudan University◆South China University of Technology ◆Inner Mongolia University◆Chongqing University ◆Hainan University◆Renmin University of China ◆Wuhan University◆Jilin University◆Shihezi University ◆Yanbian University◆Anhui University◆Nanchang University Qingdao University/Wenzhou University/Shenzhen University ◆Peking University◆Yunnan University
Basic+Practical	15	◆Northwestern Polytechnical University Jiangsu University/Jinan University
Other types	5	

### 3.3. Serious Problems of Sustainable Development

On the one hand, the training objectives of most colleges and universities are mixed and diverse, most of which are not implemented, but just slogans and requirements. And few universities have concentrated their training objectives on one aspect. For example, only 11 colleges and universities simply focus on training the application ability of law students. However, most universities have mixed training objectives. There are 7 colleges and universities of application-oriented + compound type, 5 of application-oriented + compound + X type, among which X includes high-level, foreign-related and academic, 3 of application-oriented + compound + innovative type, 4 of application-oriented + compound + innovative + X type, among which X refers to research, international, professional. etc., and 15 of "theoretical + practical" type, which have not put forward application-oriented and compound training objectives, but lay stress on the comprehensive training of theoretical basis and practical ability. There are five other types, which have more diverse objectives, including good foundation + wide knowledge + high quality, compound + professional +innovative, and compound + practical.

On the other hand, the relationship between the training objectives and the course of law undergraduate as well as the guidance effect of the objectives on the courses is not clearly defined. For example, teachers in schools with innovative and academic training objectives still mainly adopt the spoon-feeding teaching form, and students there usually tend to recite articles and get accustomed to cramming for final tests. The courses, teaching methods and teaching ideas they have all follow the beaten track, so the knowledge they teach is divorced from the actual needs of legal practice and society, and some even is quite at odds with the international standards. [5]

## 4. The Way to Achieve the Sustainable Development of China's Law Undergraduate Education

The *Opinions on Guiding the Transformation of Some Local Ordinary Undergraduate Colleges and Universities to the Application-oriented Type* jointly issued by the Ministry of Education, the National Development and Reform Commission and the Ministry of Finance defines the way and tasks for transformation and development of some undergraduate colleges and universities. Theory is the guide of the practice. [6] At present, the concept of sustainable development has become popular all over the world, which should also be adhered to by China's law undergraduate education because the new era requires the law undergraduate education in China to be forward-looking, sustainable and coordinated.

### 4.1. Sustainable Development is All-round, Systematic and Comprehensive Development

First of all, students are the main body of sustainable development, which should be highlighted. "The core issue of legal education must be the issue of human beings, and moral quality is the core element in the cultivation of legal talents." [1] The core of the training lies in the promotion and development of students' comprehensive quality, which highlights the dominant role of students in all aspects of training so as to promote the overall improvement of students. "The purpose of university education is to promote the all-round development of human beings. It is necessary to enable college students to not only learn expertise and master skills, but also have independent and sound personality, broad vision and caring for the country." [7]

Secondly, correct educational concept is essential to the sustainable development of law undergraduate education.

"The mission of legal education is to train legal professionals who meet the standards of the socialist legal construction with national characteristics for the country." [8] Sustainable development should take into account the needs of future development. [9] Therefore, "the correct educational concept is to take the realization of social equity and justice as the goal of legal education, and teach legal knowledge at the same time, so that the results of legal education can benefit all the people." [2] Under this circumstance, it is more likely to achieve the educational goal.

#### **4.2. Sustainable Development Should Be Based on the Key Development of Development Goal, Development Mode and Curriculum**

##### **4.2.1. Development Goal: Multi-level**

In the new era, the development goal and training mode of China's law undergraduate education should have some new characteristics, which means colleges and universities should not be limited to application-oriented, compound or research types, but set out sustainable and multi-level development goals based on students' own interests and combined with the self-positioning, school running conditions and professional advantages of each university. It can be achieved by the following two dimensions:

On the one hand, colleges and universities should highlight their own characteristics according to the actual situation of their region, culture and specialty, and avoid the homogenous, hollow and blind training objectives. I believe that the old "five universities of political science and law" and the "double first-class" universities which were "985 project" and "211 project" universities before should cultivate theoretical, research and elite legal talents, and pay more attention to training the academic and creative ability of students; local law schools with slightly weak strength should cultivate applied and practical legal talents for the grass-roots level institutions. For example, Wuhan University, which was a "985 project" and "211 project" university before and is now a "double first-class" university, pays special attention to the cultivation of foreign-related legal talents in the undergraduate stage by taking its traditional advantages of international law. As an ordinary university, Beihua University clearly puts forward the "frontline practical" training objectivity combined with its own professional strength. These two universities well reflect the level of development goals.

On the other hand, colleges and universities should set up specific training objectives with different levels, which refer to "consolidating the foundation, emphasizing guidance and passing on ideas". Consolidating the foundation refers to the cultivation of students with solid basic theoretical knowledge and practical skills of law. Emphasizing guidance refers to guiding students to establish a scientific and reasonable life development plan and career development goal. Passing on ideas refers to transmitting the most quintessential legal thoughts and legal culture to students, which is also a goal at the highest level. "Development is a gradual historical process. In terms of talent cultivation, we should lay a solid foundation step by step to create brand and form our own characteristics,

so as to gradually improve the level and quality of school running, enhance the strength of school running and achieve sustainable development." [10]

##### **4.2.2. Development Mode: Diversification**

First of all, teaching ideas and means should be new and diverse. New teaching concept should be adopted and the specific teaching methods and means should be enriched in the new era. "The teaching methods and means should be reformed to not adopt the traditional teaching mode centered on imparting knowledge anymore, but advocate practical teaching methods and teaching mode centered on ability training." [11]

Secondly, the development of teachers and students should be sustainable. A qualified teacher group is essential to the law undergraduate education, "A high-quality legal research team is the fundamental guarantee for the prosperity and development of law" [12] so the development of law undergraduate education must insist on the sustainability of the development of teachers. We should increase the financial investment in the teaching staff, improve the treatment level of front-line law teachers, and adopt a series of effective means to attract high-quality teachers. Besides, good students are also an important condition to achieve sustainable development. Therefore, we need to take measures to attract excellent students to study law and stimulate the enthusiasm, initiative and creativity of law undergraduates.

In addition, special attention should be given to the relationship between scientific research and teaching. Many colleges and universities should pay equal attention to the teaching work and the scientific research. "Notice on Carrying out the Special Action of Abandoning "Only Thesis, Only Professional Titles, Only Education Degrees, Only Awards" (gkfst [2018] No. 210) jointly issued by the Ministry of Science and Technology, Ministry of Education, Ministry of Human Resources and Social Security, Chinese Academy of Sciences and Chinese Academy of Engineering further clarifies the direction of scientific research reform, which stresses the need to deepen the reform of university system and reverse the unscientific orientation of education evaluation.

##### **4.2.3. Curriculum: Innovation**

Legal education is the key to the construction of China's legal country and society. [13] The law majors of colleges and universities should adopt course system and practical teaching methods with their own advantages and characteristics by closely centering on the training objectives, so as to gradually achieve the sustainable development. [14]

"China's law education must break the boundaries between theoretical law and departmental law, traditional law and new law, law and other social sciences as well as natural science, and break the non knowledge barriers of law theory" in the course setting of law undergraduate in the new era. [2] Political science, management science and sociology should be set as basic theoretical courses to strengthen and expand students' horizons. Jurisprudence, constitutional law, criminal law, civil law and administrative law should be taken as

professional basic courses to enhance and improve students' legal literacy. Professional skills courses such as legal logic, legal English and simulated court should be set to improve practical skills of students. In addition, in terms of the system construction and class hour setting of different courses, "the ratios of basic courses to professional courses, compulsory courses to selective courses as well as theoretical teaching to practical teaching should be reasonably determined according to school's orientation and the goal of law major construction, so as to construct a course system with reasonable structure and distinctive characteristics." [11]

What's more, after studying the legal talents training mode of various countries, it is obvious that both the Anglo-American law system and the continental law system, attach great importance to education for all-around development, especially to the improvement of practical ability and the cultivation of professional quality, which in my opinion, can be achieved by innovation in the practical teaching mode on the one hand. Some colleges and universities adopt the online teaching method. For example, "China University of Political Science and Law applies the synchronous practice teaching mode like simultaneous live broadcast and video viewing of court trial, file reading and online consulting, which enables the synchronization of law practice teaching and knowledge teaching, social development and social demand as well as the construction and development of the rule of law, and removes the institutional barrier between knowledge teaching and practice teaching." [3] Some colleges and universities "employ judges and prosecutors with rich experience and high theoretical level to give practice classes about typical cases related to public prosecution law." [15] On the other hand, the incentive mechanism of practical teaching needs to be strengthened to further improve effect of practical teaching. "At present, the practical departments are not deeply involved in legal education, which is caused by the lack of a reasonable incentive mechanism and the existence of many institutional obstacles." [2] Therefore, powerful universities can set up special fund to reward university teachers who set up courses jointly with practice departments to train students.

## 5. Conclusion

The fate of Chinese law is closely related to the history of Chinese rule of law. [16] Under the background of overall rule of law, China's legal education also faces a new development opportunity. In particular, China's law undergraduate education needs to find the direction of future development. At present, sustainable development mode is the best choice. However, China still needs to strengthen communication with other countries or regions in the future, in order to better

improve the development level of law undergraduate education. This is our main research task in the future.

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