Improving Practical Legal Education in Chinese Universities: An Initial Attempt at Legal Educational Reform Pathways

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Abstract:

Legal education in Chinese universities plays a more a more crucial role in shaping the future legal landscape of the nation. However, traditional teaching methods often fall short in preparing students for the complexities of real-world legal practice. This paper presents an Initial Attempt at Legal Educational Reform Pathways in Chinese universities. Drawing upon the current state of legal education, the paper proposes strategies to establish diverse teaching objectives, enrich and improve curriculum content, optimize teaching methods, enhance university teaching management, and improve teaching evaluation methods. By implementing these strategies, Chinese universities can better equip students with the practical skills and knowledge necessary to succeed in their legal careers. The paper concludes by emphasizing the importance of continuous improvement and adaptation to meet the evolving needs of the legal profession and society at large.

Keywords:

practical legal education, curriculum reform, teaching methods, teaching evaluation, Social Surveys

Introduction

Legal education in China is undergoing significant transformation as the legal landscape becomes increasingly complex and dynamic.[1] While traditional teaching methods have their merits, they often fail to provide students with the practical skills and knowledge required to navigate real-world legal challenges effectively.[2] In response to these challenges, there is a growing recognition of the need to reform legal education to better align it with the demands of modern legal practice.

This paper aims to address this gap by proposing a comprehensive framework for advancing practical legal education in Chinese universities. By examining the current state of legal education and drawing upon best practices from around the world, this paper outlines strategies for reforming curriculum content, teaching methods, university management, and teaching evaluation to better align legal education with the needs of society and the legal profession.

1. The Dilemma of Legal Education Reform in Chinese Universities

The scale of legal education has seen a remarkable growth after the reform and opening-up policy in China. However, the increase in the number of professional education institutions and colleges has not brought about a synchronous update in the education model. Given the practical nature of legal education, the cultivation of talent adaptable to modern legal applications requires more than just traditional theoretical teaching. It also necessitates the fostering of students' divergent thinking and sustainable development capabilities. Currently, Chinese universities face challenges in achieving educational objectives, implementing ideal teaching methods, and integrating theory with practice.[3]

1.1. Unreasonable Curriculum Design

In Chinese universities' legal education, the curriculum is mainly based on departmental legal disciplines or major laws promulgated by the state. Teachers mainly teach how to interpret existing legal provisions and discuss the system and basic theories of each course.[4] However, there are fewer courses aimed at cultivating students' practical abilities, and the content of the courses is relatively limited. On one hand, exams with absolute standard answers become the sole criterion for assessing students' abilities, leading to a lack of deep understanding and exploration in legal theory learning. On the other hand, in the actual teaching process of practical courses, there are often problems that do not correspond to students' actual knowledge accumulation and professional levels. Related courses cannot be effectively connected, resulting in the overall course teaching failing to produce good practical results. In essence, the classroom only imparts knowledge, and practical training remains superficial, failing to truly combine knowledge impartation with skill training, which is not the theoretical and professional combination pursued by legal education.

1.2. Stagnant Teaching Content

Legal education in Chinese universities mainly focuses on the teaching of theoretical knowledge, making it difficult for students to flexibly apply the theoretical knowledge they have learned. Most teachers' teaching content mainly consists of discussing the basic theories and knowledge framework of the course, combined with case analysis of legal provisions. However, real-life situations are diverse, and cases are often simplistic and lack timeliness, thus deviating from reality. Course evaluations mostly rely on scores and outcome-based evaluations, which greatly differ from the specific evaluation requirements of practical legal education, resulting in significant misconceptions in the actual evaluation of the course. For example, in simulated court classrooms, most students only follow the courtroom procedures based on textbook knowledge, memorizing relevant principles and theoretical knowledge in hopes of obtaining quantitative score judgments, rendering the simulated courtroom class meaningless. In real life, many cases cannot be solved simply by applying legal

provisions and analysis. Communication with parties involved, handling interpersonal and vested interests, as well as the influence of specific cultural backgrounds and customs, cannot be solved solely by the theoretical knowledge learned in class. Only by combining theoretical knowledge with practical experience can students adapt to society more quickly and grow rapidly.

1.3. Restricted Teaching Conditions

Currently, Chinese universities' legal education also faces some limitations in teaching conditions. On one hand, hardware is limited, mainly due to restrictions on teaching equipment and venues, as well as insufficient attention to legal practice for various reasons, leading to inadequate training conditions. On the other hand, software is limited, mainly in terms of faculty structure and comprehensive quality. Many university teachers lack sufficient legal practice experience, and they lack professional and targeted guidance in legal teaching, making it difficult to impart the skills needed for flexible application in legal practice and social experience. All of these factors will affect students' correct understanding and use of the law.

2. The Current Situation of Practical Legal Education

The coexistence of multiple methods is a major characteristic of legal education in China. Through the exploration and application of methods such as case teaching, discussion teaching, simulated courtroom teaching, and judicial practice, the reform of legal education has been promoted.[5]

2.1. Forms of Practical Legal Education in China

Some law schools in China have successively adopted the "practical legal education" model implemented in the United States, aiming to transform the "traditional academic" legal education into a teaching model that combines theory and practice. The goal is not only to impart necessary and profound legal principles and knowledge based on existing laws and regulations but also to enable students to master various skills, methods, and abilities, as well as how to communicate with people from all walks of life and organizations, and to master the ability to analyze and verify facts. Among various types of foreign practical teaching models, the most suitable ones for China's actual situation are "clinical legal education" and "simulated courtroom competition teaching".[6]

Clinical legal education refers to universities setting up "legal clinics" to allow students to come into contact with real legal cases, assist parties involved in cases to solve legal problems, and exercise students' ability to apply law. In this "legal clinic" environment, students can directly contact parties and cases, face specific problems and challenges in practice, and study their solutions.[7] For example, the Law School of Sichuan University has established a dedicated Legal Aid Center, integrating various high-quality public

legal services resources to provide legal consultations for both on-campus and off-campus clients, handling cases involving contract disputes, consumer rights disputes, personal injury compensation, and many other areas. This teaching model has become an important method of practical legal education and is gradually being promoted in universities across the country.

Simulated courtroom competition teaching involves law schools deeply integrating legal practice activities into legal classrooms. Students use various complex cases as materials, engage in discussions around these cases, and improve their investigative analysis and courtroom debate abilities through case preparation, analysis, and handling. Many law schools form simulated courtroom competition teams on campus and hold simulated courtroom competitions to enhance students' litigation abilities through this method. During the competition, students not only experience the solemn atmosphere of the courtroom and the flexibility of the law but also express their opinions during the trial. They comprehensively apply the legal theory knowledge and evidence analysis skills they have learned to practical work, thereby experiencing the unique charm of each legal role. This teaching model has high practical value.

2.2 Evaluation of Practical Legal Education in China

Currently, there are some problems in the development of practical courses in law majors in universities. For example, the course settings are not scientific enough, the practical forms are too simple, the teaching contents are mutually independent, lacking systematic and holistic characteristics, and there is a severe shortage of distinctive practical courses. China's legal education started relatively late and has long been in a state of “quasi-academic research”. In case teaching, emphasis is placed on knowledge impartation while neglecting training in the application of law; case teaching is emphasized without focusing on training students to use unified methods to discover facts and solve problems.[8]

The road of legal education reform is long, and the methods of reform will become more diverse. The teaching method of practical legal education does not completely abolish or replace traditional teaching models but aims to achieve established training objectives through various methods and carry out reforms and improvements based on this foundation. Based on legal doctrine training, through case teaching, students are equipped with legal thinking and basic professional skills, focusing on training from the source of thinking. Therefore, in the process of reform, practical legal education should not conflict with traditional legal education, forming a state of opposition, and should also prevent the tendency of formalization and dogmatism in practical legal courses. Clinical legal education should not be seen as a way to impart knowledge but should cultivate students’ intelligence and legal thinking abilities through this method, enabling them to understand how to apply law in practice.[9] According to the current situation where many universities have begun to offer practical teaching in legal education, it can be affirmed that many universities have realized

the importance and positive role of practical teaching. The introduction of practical legal education methods is not only a new teaching method but also a new teaching concept, representing a new challenge in the reform of legal education.

3. The Practical Significance of Practical Legal Education for Legal Education Reform

3.1Promoting the Construction of Legal Talents in China

The establishment of a high-quality legal workforce with both integrity and competence is a new requirement and direction for legal higher education in China. Legal higher education shoulders the important task of training high-quality legal professionals and reserves. The comprehensive improvement of the quality of legal higher education depends on the cultivation of practical abilities in legal practice teaching for law students. Legal education reform plays a fundamental, strategic, and pioneering role in legal construction. The basic idea and goal of legal education are to uphold social justice and create a favorable social environment for people's production and life. Implementing practical legal education can not only promote the development of legal education in China but also contribute to the construction of legal talents in our country.

3.2 Enhancing the Quality of Higher Education Teaching

Legal education in China seeks to cultivate compound talents with both theoretical knowledge and practical application. The implementation of practical legal education in universities, coupled with reforms in education planning and teaching operations, helps advance the overall pace of legal education reform. It also promotes the level of education and teaching in universities, beneficial for students' multidimensional and comprehensive development, as well as the overall talent construction and academic competitiveness of universities.[10] Practical legal education imposes higher demands on teachers, requiring not only solid professional competence but also rich case-handling experience. In addition to professional knowledge, teachers are required to have abundant organizational adaptability to responsively impart case experiences and skills and flexibly manage the classroom. All of these are crucial for comprehensively improving the quality of legal education and enhancing the comprehensive strength of universities.

3.3 Strengthening Students' Professional Skills

For students, practical legal courses provide rich practical experience, helping them better understand legal knowledge. By participating in these courses, students can learn how to handle complex judicial issues and understand the latest academic achievements and practical cases at home and abroad. This knowledge assists them in better coping with judicial challenges encountered in daily life. The fundamental purpose

of implementing practical legal education is to provide law students with a teaching environment that combines “situational” and “collaborative” aspects, promoting their comprehensive and coordinated development. This enables them to dynamically grasp judicial practices, update their knowledge base, independently solve practical problems, view the value and role of laws and legal principles from the perspective of legal professionals, enhance their sense of responsibility,[11] and face real-life problems encountered in judicial execution through repeated practical training. At the same time, practical legal education significantly motivates students' enthusiasm and autonomy in teaching, making the classroom more dynamic. With students as the main body and teachers as guides, interactive teaching can allow students to raise and solve problems themselves, as well as cultivate students' lifelong learning abilities.[12]

4. Implementation Path of Practical Legal Education in Educational Reform

The specific approach of legal education reform will directly affect the future development direction of legal talent cultivation and institutional construction in China. Therefore, based on the actual situation of legal education in universities, this study proposes the following suggestions for the implementation of practical legal education.[13]

4.1 Establishing Diverse Teaching Objectives

The reform of legal education in universities should first reflect on and improve teaching objectives. The purpose of legal education in China has always been mainly focused on imparting systematic and scientific knowledge. However, the ultimate goal of legal education is to apply this knowledge to social practices to solve actual legal problems. When conducting practical legal education, the objectives must fully consider social needs and appropriately increase the emphasis on practical teaching. With the development of society and the increasing complexity of economic life, legal education must adapt to its own development needs, continuously promote the professionalization of students’ academic abilities, and also respond to the changes of the times. It should break away from traditional teaching methods and combine theory with practice, strengthen the cultivation of various abilities such as logic, writing organization, and oral expression, thereby comprehensively improving students' overall quality. Universities should first attach great importance to practical legal education, strengthen its importance through specific curriculum settings, and change students’ perceptions to prioritize practical teaching. When establishing the objectives of legal education, it should be guided by the practical needs of the market, adjust teaching objectives reasonably, aim to cultivate more practical legal talents with professional ethics, and thus promote the reform of legal education in China.

4.2 Enriching and Improving Curriculum Content

To achieve practical legal education, efforts should also be made from the perspective of curriculum development and subject construction. Law schools in foreign countries usually have a strong preference for pragmatism and adopt a combination of undergraduate education and vocational education. Although the setting of legal master's degrees in China is similar to the American legal education model, the more important aspect currently is to set up courses for different stages. Firstly, emphasis should be placed on updating textbooks. The lack of textbooks will lead to a lack of practical legal education, so it is necessary to fundamentally improve the construction level of legal professional textbooks, integrate departmental legal content, and promote the development of characteristic textbooks. The teaching venues and content of practical courses have local and distinctive characteristics. Developing courses with distinctive features of practical legal specialties must be adapted to local conditions, exert subjective initiative, broaden international horizons, and be based on the educational goals and directions of different regions and universities. Secondly, training in internship courses should be strengthened. Some schools only regard legal aid, moot court, legal internships, etc., as extracurricular activities without requirements. Universities need to rely on a credit system to guarantee practical legal education, enhance students' emphasis on practical training courses. Lastly, it is necessary to strengthen the construction of the legal practitioner team, enhance the construction of the practical legal education faculty team, hire lawyers, judges, and other professionals as teachers to guide students in practical work, and focus on cultivating and improving the professional skills and practical skills of teachers.

4.3 Introduction of Social Surveys into Legal Practical Education

Legal education in China has undergone years of development and continuous reform and innovation. Practical education is now highly valued, and most practical education models and methods are widely used. For universities, practical legal education generally includes multiple components such as graduation internships, moot courts, and legal clinics. The fundamental purpose is to strengthen students' practical legal skills by participating in frontline work in legal practice departments.[14] However, despite the approximately one-year duration of practical education, significant drawbacks persist. On one hand, there is a high degree of repetition in practical education courses. Internships and graduation internships typically involve students entering law firms, courts, and procuratorates for practical training. Due to time constraints, most students can only choose one department for internships, resulting in a limited understanding of the internal legal practices of that department and a lack of guarantee for the quality of student internships. On the other hand, the participation in some practical courses is low. Moot courts and legal clinics are constrained by

factors such as university faculty and funding, making it difficult to ensure that all students have the opportunity to participate in practical activities. Furthermore, existing legal practice courses in universities lack strong comprehensive training. Although litigation skills are a basic requirement for university students majoring in law, they are not the sole objective of practical legal education. In reality, law students have a wide range of employment opportunities, and most students do not directly engage in judicial work positions. Therefore, teachers need to focus on developing students' comprehensive abilities. However, the current legal practical education system in universities has limitations in connecting with various social sectors, making it difficult to meet the diverse demands for talent development. In response, universities should utilize social surveys as a unique practical method to improve and innovate the current legal practical education system. Integrating social surveys into legal practical education helps extend the scope of contact between students and society, optimizing the effectiveness of internships.[15] In specific practical activities, university students can visit administrative agencies, courts, village committees, and procuratorates, directly interacting with officials, students, farmers, and urban residents to acquire more skills and methods, strengthen their social adaptability, and effectively enhance their comprehensive abilities.

4.4 Optimizing Practical Teaching Methods

Insufficient testing practices within practical legal education at universities represent a notable barrier to effective teaching in legal practice. Presently, within the realm of practical legal education, numerous universities lack clear guidelines for testing procedures, and some lack corresponding quality assessment standards specific to legal practice instruction. In many cases, subjective manual assessment methods are relied upon to gauge students’ practical skills, leading to a detrimental impact on their engagement with practical legal education.[16] Confronted with this challenge, universities must acknowledge the pivotal role of testing in teaching effectiveness. They should establish robust evaluation and testing frameworks, scientifically assess students’ practical learning outcomes, and develop pertinent standards for evaluating practical legal education. By implementing effective assessment strategies, universities can ensure a fair testing environment, potentially by engaging legal experts to conduct evaluations. Furthermore, there is a pressing need to address the deficiency in assessment methodologies prevalent in practical legal education across Chinese universities. Many institutions have yet to establish clear evaluation protocols and standards, relying instead on subjective methods that fail to accurately measure students' practical capabilities. This situation not only dampens students’ enthusiasm for learning but also undermines the effectiveness of the educational process. To address these challenges, universities should prioritize the establishment of comprehensive evaluation systems tailored to their unique needs. By defining clear evaluation criteria, institutions can enhance students’ overall learning experience and ensure the effectiveness of practical legal education. Additionally,

educational evaluation should guide the reform of teaching methodologies and content, promoting the adoption of diverse assessment methods to enrich teaching practices and better serve the needs of talent development. Engaging a diverse team of legal experts and practitioners, implementing phased assessments, and continuously refining evaluation methods based on feedback will further contribute to fostering students' enthusiasm for learning and improving the quality of legal education.

4.5 Improving Teaching Evaluation Methods

Currently, universities in China lack effective evaluation methods for practical legal education. Many universities have not formulated evaluation rules and corresponding evaluation criteria, and instead use subjective methods to judge students' practical operational capabilities, which affects students' enthusiasm for learning. Moreover, existing evaluation methods are also difficult to reflect students' actual abilities.

In response to this situation, universities should establish a relatively complete teaching evaluation system that fits their actual situation and formulate corresponding evaluation indicators to improve students' comprehensive quality. In terms of reforming teaching methods, content, etc., education evaluation plays a significant guiding role in teaching activities. Seeking diversification of evaluation methods requires enriching teaching means and methods to improve teaching quality and meet the needs of talent cultivation. Universities can introduce other legal experts and legal workers to form a diversified team, implement phased assessments to ensure fairness, continuously modify and improve assessment methods based on feedback from the management process, and stimulate students' enthusiasm for learning.[17]

Conclusion

In conclusion, the transformation of legal education in Chinese universities is imperative to meet the evolving demands of the legal profession and society at large. By addressing current shortcomings in curriculum design, teaching content, and evaluation methods, universities can better equip students with the practical skills and knowledge needed for success in legal practice. The integration of practical legal education, enriched by social surveys and diverse teaching methods, offers a pathway to cultivate competent legal professionals capable of navigating the complexities of modern legal practice. Through these reforms, universities can play a pivotal role in advancing legal education and contributing to the construction of a skilled and ethical legal workforce in China.

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