

Research on the Current Situation and Countermeasures of China's Legal Education in the New Era

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Abstract—Since the 18th CPC National Congress, our country's economy has achieved unprecedented achievements. Comrade Xi Jinping clearly stated in the report of the 19th CPC National Congress that the major social contradictions in our country have changed. Under a profound recognizing and understanding of the major contradictions in this society, how to solve the series of problems faced by the party and the country in the new era deserves our careful consideration. This contradiction exists in the field of education. The author analyzes the contradiction between the unbalanced distribution of resources and the people's growing beautiful needs reflected in the law education within the country's education system, and propose relevant countermeasures in order to achieve the goal of eliminating social conflicts and promoting the overall advancement of the rule of law society.

Keywords—*Legal education; Main social contradictions in the new era; Countermeasures*

I. THE MAIN SOCIAL CONTRADICTIONS IN CHINA AND THE ROLE OF LEGAL EDUCATION IN THE NEW ERA

Marxism believes that basic social contradictions are the core impetus for social development and the solution to the basic contradictions of society depends on the solution of the main contradictions of the state in various periods. At this stage, socialism with Chinese characteristics has entered a new era. In this new era of inheriting the past, China's major contradictions have also changed. The change of contradiction is the reorientation of the major contradictions in our country's society by the party and the country, is a basic understanding of China's national conditions at the current stage, and a contradiction of the decision and domination of our country's social development. This major judgment provides us with strong theoretical support in the direction of future national construction and policy.

As the saying goes, "Law is the formula of the world and the instrument of everything. [1]" Since the 18th CPC National Congress, the Central Party Leadership Group with Comrade Xi Jinping as the core has attached great importance

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to and made great efforts to advancing the comprehensive management of the country in accordance with the law, which has significantly changed serious problems such as lawlessness, lack of enforcement, and unfair justice in the past, further promoted China's rule of law publicity and education, enhanced the people's concept of the rule of law, strengthened the training of legal talents, established a complete legal service system, and significantly improved our country's social rule of law environment.

General Secretary Xi Jinping emphasized in the report of the 19th CPC National Congress that the comprehensive management of the country according to law is an essential requirement and an important guarantee for socialism with Chinese characteristics [1]. The administration of the rule of law in the education field is an important part of promoting the rule of law in an all-round manner. Legal education, as an important part of the overall practice of governing the country according to law, needs more attention. The core of the rule of law education is organized and planned education activities aiming at cultivating legal consciousness, legal ability, legal belief and legal quality. Through the implementation of the rule of law education, the reduction of contradictions and the promotion of social harmony are realized.

II. CURRENT SITUATION AND REASONS OF LEGAL EDUCATION IN CHINA

A. *Current Situation of the Development of China's Legal Education*

Since the 18th CPC National Congress, the proposal of comprehensively governing the country according to law has brought society into the process of the rule of law, although it has achieved many achievements. However, there are still some problems that need to be addressed and resolved in the practical operation of implementing the major measures for the comprehensive management of the country's laws. For example, there are still imbalances in the advancement of certain departments and areas in which the law is comprehensively ruled and some major measures have not yet been effectively implemented. Here the author's main concern is the implementation of the rule of law in the field of education. Through the author's observation and analysis, it is found that the current situation of China's legal education is shown in the following aspects:

First of all, there is an imbalance in the development of legal awareness between the people in the eastern and western regions. Through some online case reports and the author's case analysis on the Chinese referee paper online, the author finds that there is an imbalance in the development of legal awareness among the people in the eastern and western regions of China. Here the author compares Shanghai and Shanxi Provinces in order to achieve the effect of seeing a spot. From online cases, such as last year's sensational jumping events of a puerpera in Yulin, Shanxi, the whole process of this case reflected the level of legal consciousness of the people in the western region to a certain extent. On the contrast, the establishment of courts in Shanghai is more professional than the establishment of courts in ordinary provinces such as Shanxi Province. It has set up a special railway transportation, maritime affairs, and intellectual property courts especially in addition to the one or two or three levels in the Intermediate Court, which reflect the fact that the legal awareness of the people in the eastern region is higher than that of the people in the western region.

Secondly, the distribution of law majors in China is uneven. Since the overall advancement of governing the country according to law of the 18th CPC National Congress, the cultivation of law professionals has also received increasing attention. In recent years, China has expanded the number of legal education professionals to provide a platform for the training of legal talents and the construction of the rule of law. As can be seen from TABLE I below, China has placed great emphasis on the practical operation of implementing comprehensive and legal governance in education. The enrollment expansion of law schools has provided rich legal talents for the socialist market in our country, and has also provided reserve talents for the teams that govern the country according to law. Although the contribution of legal education institutions to the cultivation of legal talent is obvious to all, there are also certain problems in the process of its development: six of the top ten colleges according to the legal university rankings are located in the eastern region, which leads to the quantitative gap between the export of legal talents between the eastern and western regions.

TABLE I. THE OFFICIAL WEBSITE OF THE PEOPLE'S REPUBLIC OF CHINA STATISTICS BUREAU [2]

| Index | 2015 | 2014 | 2013 | 2012 | 2011 |
|---|---------|---------|---------|---------|---------|
| Graduate student enrollment (ten thousand people) | 64.5055 | 62.1323 | 61.1381 | 58.9673 | 56.0168 |
| Law graduate student enrollment (ten thousand people) | 4.2484 | 4.1907 | 4.1723 | 4.096 | 4.0446 |
| Doctoral enrollment (ten thousand people) | 7.4416 | 7.2634 | 7.0462 | 6.837 | 6.5559 |
| JD enrollment (ten thousand people) | 0.3873 | 0.3702 | 0.3604 | 0.361 | 0.3526 |

Moreover, in recent years, the development of China's basic education and industrial institutions is obvious to all, in addition to the self-development and improvement of the rule of law brought about by the market economy, and the output of legal professionals in law schools, the issues concerning legal issues and the education of the rule of law arising from basic education and industry as well as illegal learning of universities are also one of the sources of problems that deserve our attention.

There are frequent school violence incidents on campus of the basic education in our country, especially those primary and secondary schools. While carrying out all kinds of education work, we should also reflect on why the same education only works for some students and make targeted improvements. At present, the rate of students receiving safety education is 94.4%, the rate of receiving legal education is 75.4%, and the rate of receiving mental health education is only 45.9%. Schools should increase their efforts in the education of the rule of law and mental health education [3]. The bullying between students and students occurs from time to time. Teachers and students, as the main body of education, will also produce some problems in some cases. For example, there may be problems like punishment, hit or even defamation of teachers to students. In the education industry, some custodial classes directly skip the examination and approval process to directly open enrollment, which is a blind area in education management. Although some schools do not have problems in their procedures, they have not standardized

and legalized management in the internal management of custody classes, such as the Beijing Red Yellow Blue Parenting Garden event last year. The characteristic of the adult and semi society of college students in universities with no legal major is also one of the reasons for the frequent occurrence of legal affairs. For example, college students are forced to take pictures of nude photos by borrowing credits from outside the school.

B. Reasons of the Current Situation of Legal Education in China

According to the literature data and research data, the author summarized the following main reasons:

First of all, the economic bases of the two places are not balanced. Since the reform and opening up, China's economic and social development has continued. However, as we all know, there is a clear imbalance in the economic development between the eastern and western regions, which is a problem that cannot be ignored and is very realistic.

Through the statistical data in the official website of the National Bureau of Statistics, the author has collated the situation in Shanghai and Shanxi, taking the GDP data of these two places as an example to show the imbalance between the economic development between the two places, peaking at the tip of the iceberg of the imbalance in the economic development of the eastern and western regions.

TABLE II. THE OFFICIAL WEBSITE OF THE PEOPLE'S REPUBLIC OF CHINA STATISTICS BUREAU[4]

| Gross Regional Product (100 million Yuan) | Shanghai | Shanxi Province |
|---|----------|-----------------|
| 2012 | 20181.72 | 14453.68 |
| 2013 | 21818.15 | 16205.45 |
| 2014 | 23567.70 | 17689.94 |
| 2015 | 25123.45 | 18021.86 |
| 2016 | 28128.65 | 19399.59 |

The market economy is essentially a rule of law economy. The growing number of legal issues arising from the market economy has led to the development of the law in the development of the market economy. From this, we can attribute it to the economy. To some extent, the level of legal awareness of the people is compatible with the level of local economic development. The imbalance in economic development between the eastern and western regions is also responsible for the imbalance in the development of the awareness of the rule of law among the people. For example, in the western region, the law-enforcement approach is relatively traditional, and it has not been able to use information technology techniques to carry out a variety of methods.

Second, the country's investment in legal education resources is not balanced. In addition to the basic reasons of economic nature that can be attributed to the needs of legal professionals in the market economy, form the problem of unbalanced distribution of universities in law education, we can also see that there is a certain imbalance in the investment and allocation of educational resources in the country. The cultural heritage of a large education province makes it easy for colleges and universities to get together, and will also promote the expansion of faculty. The celebrity effect of the teachers of law education in colleges and universities can influence the authority of the school in related professional fields, and further widen the gap between the recruitment and output of talents in law schools. As a result, the "Matthew Effect" appears.

In addition, nurturance and development of the rule of law consciousness is a systematic project. While playing the role of fostering the main position, schools should not neglect the important role played by society and family in cultivating students' awareness of rule of law. College law education is a systematic project. Family, school and society each play different education roles and bear different responsibilities. Schools are the main positions where undergraduates receive systematic legal education, but this is far from enough. On the issue of cultivating the legal concept of college students, the legal education of college students should also be carried out through diversification, multiple channels, and multiple means [5]. The popularization and depth of the concept of the rule of law in the colleges and universities with no legal major as well as in basic education institutions and industrial institutions are still insufficient. There is a gap in the management and governance of schools. As one of the main subjects of education, the teacher's rule of law training work is not done in the process of work. As the other of the main subjects of education, students are given too much attention on the

cultivation of traditional subject knowledge and less education of the rule of law. There are blind spots in the supervision and management of education and management institutions and the poor concept of the rule of law in educational industry institutions.

III. THE SPECIFIC PATH AND SIGNIFICANCE OF CHINA'S LEGAL EDUCATION IN THE NEW ERA

At the opening of the 19th CPC National Congress, General Secretary Xi Jinping made it clear that through the joint efforts of all the people, socialism with Chinese characteristics has entered a new era. The report also clearly pointed out that under the background of this new era that carries forward the cause pioneered by one's predecessors and forges ahead into the future, the major contradictions in our country's society have been transformed into the contradiction between the people's ever-growing needs for a better life and unbalanced and uneven development. It is no longer a contradiction between the people's ever-increasing material and cultural needs and backward social production.

A. *The Specific Path to Solve the Problem of China's Legal Education*

As the saying goes, "The poem says: 'Things are the most difficult when it comes to success.'"[6] In the process of advancing a comprehensive framework for promoting the rule of law, although considerable reforms have been made at the legislative, law enforcement, and judicial levels and remarkable achievements have also been achieved, there are some problems in the practical operation of the implementation of major measures for the comprehensive framework for promoting the rule of law, which requires the efforts of our party and the country. We must insist in critical moments. As an important part of advancing comprehensive and legal governance, the rule of law education requires us to do the following:

First, we should coordinate the development of the economic development in the eastern and western regions and strive to close the gap. In order to solve the problem of unbalanced legal awareness between the eastern and western regions of our country, we must adhere to the economic foundation, balance the gap between the two regions at the same time in the development of the economic process in the two regions, consolidate the economic foundation of the western region, establish the basis for material security and development for the improvement of the people's legal awareness, and at the same time and improve the law awareness of the people in the western region through

innovative and law-enforced education methods such as the legal education information network platform.

Second, we should increase investment in the western region and narrow the gap in the allocation of educational resources between the eastern and western regions. The imbalance in the distribution of educational resources is also an important aspect of the unbalanced development in our country. We should start from the perspective of the state's macro-control, increase financial investment and support for the western region, expand the investment in resources of the western region in law universities, narrow the gap between the eastern and western regions from the hardware, narrow the gap between the output of law talents in the two regions, reach a balanced state of education on the rule of law, reduce the impact of the Matthew effect, and ease social conflicts and thereby promote the harmonious development of society.

Third, the implementation of comprehensive rule of law work within the education system should be vigorously implemented. The education system is an important battleground for the implementation of the rule of law education. Because school administrators pay little attention to the rule of law education, most schools do not include rule of law education in school development plans and work plans, nor do they regulate and guarantee the development of school law education by establishing rules and regulations. As a result, the development of the education of the rule of law is more arbitrary and lacks a target, system, and effectiveness [7]. Education departments and schools should generally set up legal advisers to do scientific and legal management of basic education schools, strengthen the assessment of school administrators' legal qualifications and ability to administer schools according to law, and continuously improve the scientific and legalization of school management teams. As teachers of both parties, education should be done to improve teachers' legal awareness and legal quality, and to mobilize the enthusiasm of teachers in learning legal knowledge through special training, knowledge competition, and rule of law teaching. Students, as another object of the education of the rule of law, should insist on classroom teaching as the main channel in the process of their education on the rule of law, and combine the examples of their surroundings with dramas and sketches. During the process, students can receive education in the rule of law in the course of their activities. For the special group of the emerging education industry, due to its complex nature, the education management department is required to administer its standardized management. At the same time, education industry institutions and parents should strengthen education on the rule of law in order to achieve a three-dimensional integration of the rule of law education for parents, education management agencies, and education industry agencies.

B. The Significance of China's Main Contradictions in Solving the Problem of Legal Education in China in the New Era

At present, as pointed out in the report of the 19th CPC National Congress, "social contradictions and problems are intertwined and overlapping, and the tasks of comprehensively governing the country according to law are still arduous. The

national governance system and governance capacity need to be strengthened." [8] The theory of major social contradictions in China in the new era has pointed out the direction for our country to comprehensively promote the rule of law, and it also provides us with theoretical sources in the process of resolving the problems existing in the education of the rule of law. The development of legal education has its important significance:

First, there is no end to practice, and there is no end to theoretical innovation [8]. The transformation of the major social contradictions theories in our country in the new era is a high-level theoretical judgment made by the CPC Central Committee on the development direction of the new stage after highly analyzing and summarizing the past practice development process. This contradictory change is the inheritance and development of the theoretical results of the past stages. Our party has in-depth study and implementation of Marxism's basic principle that contradictions are the motive force for promoting social progress. We must uphold Marxism in theory, study scientific methods, understand laws, constantly push forward theoretical innovation and advance with the times, and combine our national conditions in each period to achieve the theoretical innovation that is consistent with the times.

Secondly, the introduction of the theory of major social contradictions in the new era has made new theoretical judgments for the unbalanced development of the rule of law education existing in the field of analytical education in China. Our party's major judgment on social conflicts provides us with a new perspective on understanding the problems existing in the education of the rule of law, which enables us to have a new understanding of the contradiction between the people's new requirements for the rule of law education and the rule of law education. The education of the rule of law combines the legal constraints and the bottom line consciousness with the emotional power of the moral education and the spirit of promotion. It enables young people to firmly establish their awareness of the sense of rule, the idea of honesty as well as the spirit of contract and respect public order and good customs, enrich the connotation of moral education, and provide basic guarantees for achieving educational goals [9].

Finally, the theory of major social contradictions in our country in the new era has provided action guidelines for our country to solve the problems of legal education. As one of the practical battlefields for promoting the rule of law in an all-round way, the rule of law education, although influenced by the economic decision-making, can in turn promote economic development. In the long run, our country will regard the rule of law education as the focal point for promoting the rule of law in all fields, raise the public's legal awareness from the social level, and start with the national macro-control to alleviate the problems caused by the contradiction in the allocation of resources for the rule of law education in China to promote education in accordance with the law, administer schools in accordance with the law, and improve the management capabilities of the education system so that the education of the rule of law will receive institutional support

and vigorously promote the socialist rule of law as well as the modernization of education.

IV. CONCLUSION

Through comparative analysis of the distribution of resources for the education of the rule of law between the eastern and western regions, it is not difficult to find the problem. Under the guidance of the socialist ideology with Chinese characteristics in the new era of Xi Jinping, through the narrowing of economic disparities and the effective role of macroeconomic regulation in the allocation of resources, the importance of legal education in education can be achieved, and the sound development of legal education can be promoted. Practice has proved that these can ease and improve the conflict between schools, society, and students, and reduce the occurrence of legally-related cases, thus providing an effective guarantee for the full establishment of a well-off society.

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