

Study on the Path to Cultivate Interdisciplinary Talents of Law in Universities of Science and Technology

ZHANG Lingzhu^{[a],*}

^[a] Changchun University of Science and Technology, Changchun, China.
*Corresponding author.

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Abstract

Currently, cultivation of talents of law in universities of science and technology has become an important component of the higher legal education in China. Nevertheless, there still exist a lot of inadaptation between the increasingly convergent talent cultivation mode in part of universities of science and technology and the diversified social needs. The talent cultivation mode which emphasizes knowledge transfer forms a great contrast with the capacity-oriented demand for talents of an employing unit. This paper makes an analysis of problems and advantages existing in cultivation of talents of law in universities of science and technology. On that basis, the paper then proposes a specific path for universities of science and technology to cultivate talents of law.

Key words: Universities of science and technology; Interdisciplinary; Problem; Path

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INTRODUCTION

According to the statistics, by the end of 2009, altogether 605 institutions of higher learning all over the country had set up the major of law, among which universities of science, technology, agriculture and medicine accounted for 30% or so. Cultivation of talents of law in universities

of science and technology has become an important component in higher legal education in China. On one hand, the scale of legal education has developed swiftly; on the other hand, the employment rate of the major of law is worrisome. Then, how the major of law in universities of science and technology survives? How to produce its own special features? What is the competitive force of graduates from the major of law in universities of science and technology in the talent market? All these issues have posed austere challenges to the legal education in universities of science and technology.

1. THE EMPLOYMENT SITUATION OF THE LAW MAJOR AT PRESENT AND AN ANALYSIS OF THE REASONS

1.1 The Employment Situation of the Law Major at Present

In the past few years, education of law has been conducted in both key comprehensive universities and regular universities and in both liberal arts universities and universities of science and technology. The enrollment scale of the major of law across the whole country is unprecedentedly inflated, moving forward in a “great-leap-forward” way. In 1978, only five universities in the whole country recruited students of law. In 2009, the blue book of law “Annual report on China’s rule of law” disclosed that, the number of students of law enrolled across the whole country increased from 223 in 1977 to more than 100 thousand in 2007, which increased by 448 times. In the year 2001, there were 292 institutions of higher learning that opened the undergraduate major of law, which increased to 559 in the year 2005. By the year 2007, there had been 603 institutions of higher learning that had the major of law. The number of graduates of law each year attains about 100 thousand.

The swift development condition presented in the scale of education of law proves that the education of law in China has achieved unprecedentedly brilliant achievement. Yet, we should not be unrealistically optimistic. Behind the prosperous surface of legal education are the helpless confusion and sigh. It is indicated by the employment survey in the last four years conducted by the Ministry of Education, the employment rate of graduates of law ranks the last but one among all majors and disciplines and the last in the employment rate among all humanities and social sciences subjects. Furthermore, this rate manifests a tendency of pervading towards high academic qualifications.

1.2 Analysis of the Reasons That Influence Employment of the Law Major

It is not difficult for us to discover, after a rational analysis of the employment path of the major of law and the rapid inflation of institutions and universities of law in the last one decade, that it is absolutely not accidental that the major of law has become one of the majors which have the lowest graduate employment rate. Behind the fact are profound reasons.

First of all, with development of the society in the past few years, obvious changes have also taken place in the service market of law. High-tech dispute and intellectual property dispute have occupied a larger rate in the service market of law and present a tendency to increase year by year. This is the indication in the legal service market that the era of knowledge-driven economy is rounding the corner. Talents of law with perfect basis of foreign language and computer are welcomed. A questionnaire survey on almost one hundred law offices and public security bureaus, procuratorates and courts finds that, among the basic skills deserved for modern talents of law what rank the top are foreign language and computer. Development of the society and emergence of new industries urges the scope of legal service to be continuously broadened. New businesses in law constantly arise. Legal services have broadened from purely litigation and notarization in the past to almost all industries, including real estate, patent, network and development and transfer of science and technology. The more newly emerging industries in the market economy and the industries that are more closely connected with the knowledge economy need more legal service. Division of labor in legal services is more and more meticulous and more and more specialized. All these changes that have taken place in the legal service market have proposed new requirements for the quality of talents of law and their knowledge structure.

Then, the education of law in China has been of long standing. However, consistent with the feature of oneness in the cultivation mode of the higher education, drawbacks of higher education in law have also become gradually visible. Considering the concept of legal

education, the extant mode of legal education in China, so far as its ideological concept is concerned, basically follows the former Soviet Union, namely, the so-called "counterpart education" and "specialized education". The fundamental defect of this kind of education thought and education concept is that its professional caliber is too narrow, kind of "bore-type breaststroke education". It is reflective of the planned economy in education. Talents of higher law cultivated under this kind of educational mode can only seek a job in a counterpart unit and are unable to better acclimatize themselves to the demand of the market economy and rule by law on talents of law. As a matter of fact, it is unrealistic to require institutions of higher learning to train university undergraduates into experts in all walks of life. Those involved in the higher education circle have come to general realization that university undergraduate education can merely furnish workblank for cultivation of senior talents and it is supposed to be a kind of education for all-round development.

2. PROBLEMS EXISTING IN CULTIVATION OF TALENTS OF LAW IN UNIVERSITIES OF SCIENCE AND TECHNOLOGY

Most of universities of science and technology established the major of law in 1990s. It can be said that they started late, but still have a lot of problems. Nevertheless, universities of science and technology also have their own particular advantages in their legal education. Universities of science and technology should face up to their own disadvantages, shift for themselves, pay attention to making use of the advantaged science and technology disciplinary advantages and professional speciality, determine the developmental direction of the major of law on the intersection of liberal arts and science, depending on the background of science and technology, take the route of running the school with characteristics, and cultivate talents of law with special features so as to strive for their own survival and development in the fierce competition. This is the advantage of universities of science and technology in cultivating talents of law with special features and is also where the true value of universities of science and technology lies in their legal education.

2.1 Construction of Teaching Staff Team

The team of teaching staff of law is weak, which is the universal phenomenon existing in universities of science and technology. First of all, the age structure of teachers of law is not reasonable. As most universities of science and technology open the major of law for relatively a small period of time and do not have solid foundation, a large majority of full-time teachers of law are universities

students who have graduated and have been assigned for the position in the recent years. Most of teachers are young people at the age of 30 or so and aged teachers above the age of 45 with rich experience in teaching are in serious deficiency. As a result, the phenomenon of faulting is relatively serious. Secondly, the academic background structure of teachers of law is irrational. The proportion of teachers with the doctor of law degree is low and a large majority of teachers of law have the educational background of master degree. Even some teachers graduate with the educational background of bachelor degree. Thirdly, the professional title of teacher of law is irrational. As teachers of law in the teaching staff team are mostly young people, most teachers of law are lecturers, while the number of teachers with a title of a senior professional post is small. Finally, the academic competence of teachers of law is weak, as a result of which their scientific research level is low and there is academic foregoer of high level. A few teachers have research projects or publications of monograph and thesis. Especially, there are rarely any teachers who have high level scientific research achievements in national social sciences foundation projects, projects at the provincial level or national first-class academic journals.

2.2 Construction of Hardware Facility in Teaching

Quite a large number of universities of science and technology open the major of law just to meet the need to transfer from the professional universities in the past to the comprehensive universities currently. The major of law is merely used to serve as a foil of “green leave” to the “red flower” of the major of science and technology. In the meantime, it has not been long that universities of science and technology open the major of law and the number of students enrolled is small, as a result of which the major of law has not aroused as much attention from the universities as the majors of science and technology do. The universities of science and technology have not made sufficient investment in the major of law. Thus, the major of law only has poor funds in its running and its hardware facility for teaching is in great deficiency. The requisite laboratory, such as, moot court, in the major of law in some universities of science and technology still has no independent site.

2.3 Construction of Books and Reference Materials

Law books and reference materials are an important information resource for students of law to learn and is an important factor that affects students’ scope of knowledge and professional level. A department of law which enrolls 400 students is supposed to have a collection of books more than 100 thousand volumes, with more than 10 thousand varieties of books and reference materials in law that have been published in the past five years and each

variety more than 30 volumes. Besides, the library of law should also have books in other humanities and social sciences so as to provide students with the necessary knowledge regarding humanities and social sciences. Nevertheless, in the libraries of most universities of science and technology, there is fundamentally no special library of law. And even if there is, the collection of books of law is small, out-of-date and old-fashioned, and lacking in academic quality due to shortage of funds throughout the year.

3. THE SPECIFIC PATH FOR CULTIVATION OF INTERDISCIPLINARY TALENTS OF LAW IN UNIVERSITIES OF SCIENCE AND TECHNOLOGY

3.1 Strengthening Construction of the Team of Teaching Staff

The major of law in universities of science and technology should take full consideration of the objective of talent cultivation and set up a team of teaching staff in the major of law with rational age group, high degree of doctor and new innovative spirit. It is necessary to take the method of combination of cultivation and introduction and combination of full time and part time, cultivate and bring in a definite number of scientific research personnel with innovative spirit and creative competence, develop and expand the scientific research team and gradually form an advantaged scientific research team. Furthermore, it is necessary to integrate the scientific research power and improve the structure of the team to adapt to the need of scientific research. Those eligible universities of science and technology may reserve 1 to 2 professional teachers of foreign nationality, establish the senior visiting scholar system and absorb senior talents both at home and abroad to teach as a visiting scholar or cooperate in terms of scientific research. In this way, both teachers and students in the college of law are able to keep timely track of the leading edge academic trend of law. Their vision of field is broadened and their academic taste is improved. In terms of quantity, the proportion of students and teachers should be basically reasonable. It should be also noticed that at least each core course in the major of law ought to be taught by 2 to 3 full-time teachers who can respectively take the role of A and B. This helps to form the team of teaching and construction of curriculum. The class hours of teachers should be definitely limited to ensure that they have enough time to prepare carefully the class, conduct scientific research and provide guidance on students. There ought to be a definite proportion of academic foregoers with profound academic influences at home and provincial experts as well as new century talents of the Ministry of Education as the foregoers in construction of the major of law.

3.2 Consolidating Investment in Books and Reference Materials

It is required by the Ministry of Education in its undergraduate teaching evaluation that each student is supposed to possess over 80 volumes of books and reference materials. Thus, each student should possess 40 to 50 volumes of professional books and reference materials. For this reason, it is necessary to increase both quantity and variety of books and reference materials in accordance with the number of students enrolled and pays attention to updating in time. In development of social informatization, network has turned to be an important approach for both teachers and students to acquire information resources. It is required to strengthen construction of network books and reference materials, provide students with free access to read well-known website information and attempt to create conditions for each student of law to be able to browse monograph, journals, thesis and other materials online. This lays foundation for students to write a thesis. It is also necessary to strengthen management of books and improve the system of book borrowing. All books and reference materials of law need to be open to students.

3.3 Emphasizing Penetration and Integration of Law and Science and Technology

Universities of science and technology are an important base for dissemination and research of natural sciences and engineering science and have the disciplinary advantages of advantaged science, technology and management. This enables the major of law to form interpenetrative interaction with these advantaged disciplines. There are a lot of interlinked aspects between the major of law and the majors of science and engineering, so the major of law in universities of science and technology should pay attention to its combination with science and engineering. When setting the disciplinary direction of the major of law, they can take advantage of the preponderant science and engineering subjects to carry out interaction within the campus, enhance their advantages and avoid their disadvantages and bring out the best in each other. In the cultivation plan of the major of law, in addition to some necessary courses with intersection of liberal arts and science, such as, law of science and technology, communications act and law of national defense and security, it is also necessary to open selective courses of law for non-law students, such as, intellectual property law and Introduction to Law to realize resource sharing between different majors. Furthermore, due to different disciplinary advantages in different universities of science and technology, the features of legal education also differ. Double degree education in universities of science and technology is also a better way to combine liberal arts and science and engineering. Double degree means that an undergraduate at school obtains another

degree after taking courses in another major at the same time when he obtains a bachelor's degree after taking courses in his major. Exploration and practice of this kind of talent cultivation mode not only satisfies the need of the social development on talents with special characteristics, but also meets students' individual need for self-development. Meanwhile, they can also take the advantage of the disciplines in universities of science and technology and form their own feature in running the school.

3.4 Enhancing the Consciousness to Serve Local Economic Development

Teachers of law ought to bear in mind the principle that legal education serves for local legal system construction and economic development and positively leads the students going out. They may choose to search for subjects from practices of local legal system construction and economic development and organize students to take part in research of the subjects, getting them familiar with the society and asking them to use what they have learnt. It is also a perfect choice for the teachers to hold a variety of legal counseling or social investigation activities among the communities, enterprises and schools. This, on one hand, examines students' theoretical foundation and their capacity in having an insight into the society, and, on the other hand, makes a contribution to local economic development and social stability. In the meantime, all legal theories will finally be applied to and serve for practice. Only if legal education combines with local system construction and economic construction, can its value be truly embodied and can it maintain persistent vitality. It can also sign co-construction agreement with local court, procuratorate and law office, such as, construction of internship base. The universities can also invite such local law practitioners as excellent lawyers, judges and procurators to hold the position of visiting professor of the major of law to broaden students' vision of field and guide their practice in a variety of forms, such as, lecture, forum and so on.

3.5 Concentrating on Application of Modern Educational Technology

Application of modern information technology in teaching activities is an important means and measure to improve quality of teaching of law. Cultivation of talents of law, and means and method of teaching of law has to fit in with the requirement for development of information technology. Currently, quite a large number of institutions of higher learning have consolidated construction of such digitalized teaching environment as campus network, electronic library and multimedia classroom to create conditions for the vast majority of teachers and students to apply information technology. It is required for teachers to learn modern educational technology as soon as possible, update the teaching

means and take the lead in guiding students to participate in network teaching and practice.

In brief, only if cultivation of talents of law in universities of science and technology continues to adapt to new changes in the legal service market, can it be constantly developed and keeps persistent vitality. Although universities of science and technology still have a lot of disadvantages compared with comprehensive universities and professional universities of law, they also have their own disciplinary advantages. It is deeply believed that through constant exploration and innovation, the major of law in universities of science and technology will convey more talents of law

endowed with special characteristics for development of the market economy.

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