

Legal education and the cultivation of practical abilities for law majors

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Abstract: As an important way to cultivate legal professionals, legal education is of great significance in modern society. However, traditional legal education mainly focuses on the inculcation of theoretical knowledge, and there are certain deficiencies in the cultivation of practical ability of law majors. By analyzing the relationship between legal education and the cultivation of practical ability of law majors, this paper puts forward some effective methods and strategies, hoping to provide reference for improving the quality of legal education and cultivating legal professionals with practical ability.

Key words: legal education; law majors; practical ability; cultivation

1 Introduction

The goal of legal education is to cultivate legal professionals with a solid foundation in legal theory and rich practical experience. However, in the current legal education, there is a common problem of focusing on the transfer of theoretical knowledge and ignoring the cultivation of practical ability. Therefore, how to improve the practicality of legal education and cultivate students' practical ability has become an urgent problem to be solved.

2 The relationship between legal education and the cultivation of practical ability

The relationship between legal education and the cultivation of practical ability is inseparable. Legal education aims to cultivate students' legal knowledge and practical ability, and practical ability cultivation is an important part of legal education. In legal education, the cultivation of practical ability can not only improve students' legal literacy, but also enhance students' legal awareness and legal thinking, so that students can better apply legal knowledge and skills in practice. First of all, the development of practical ability in legal education can help students combine theoretical knowledge with practical work. Through the setting of practical courses and the provision of practical teaching resources, students can experience the process of legal practice and understand the application of law in practical work, so as to better understand and master legal knowledge. Secondly, the cultivation of practical ability can cultivate students' legal awareness and legal thinking. In the process of practice, students need to face real legal problems and cases, and through analyzing, thinking and solving these problems, students' legal awareness and legal thinking will be cultivated, and their understanding and application of law will be improved. In addition, practical ability development can also improve their legal skills. Through the training of practical courses and the provision of practical opportunities, students are able to learn and master various skills in legal practice, such as writing legal documents, legal consultation and advocacy, etc., and improve their legal practice ability. In short, legal education and practical ability development are mutually reinforcing. By strengthening the cultivation of practical ability, legal education can better cultivate students' legal literacy and practical

ability, so that they can better use legal knowledge and skills in practical work and contribute to the construction of the rule of law in China.

3 The embodiment and reasons for the lack of practical ability of law majors

3.1 Manifestation of insufficient practical ability

3.1.1 Lack of independent thinking

The lack of practical ability shown by law majors in practice is mainly reflected in the lack of independent thinking ability. First, law majors tend to rely on book knowledge rather than independent thinking when solving legal problems. They may rely too much on textbooks or case studies and lack the ability to think and judge independently about issues, which makes it difficult for them to respond flexibly to complex legal issues in a real legal environment. Secondly, in practical activities such as moot courts and debate competitions, law majors often show a strong dependence on the facts of the case and the understanding of the law, and lack the ability to think independently about the comprehensive factors such as the background of the case and the social impact. They rely more on teachers or case guidance and lack the ability to think and judge independently. Finally, law majors often show a lack of independent thinking skills in research work such as thesis writing. They may tend to over-cite existing literature and opinions, and lack in-depth thinking and unique insights into the problem, resulting in low quality and academic standards [1].

3.1.2 Lack of practical ability

Many law majors lack practical skills, and although they show a high level of theoretical learning, they are not able to do it in practice. When dealing with practical legal issues, it may be difficult for them to combine the theoretical knowledge they have learned with the actual situation, so they cannot solve the problems effectively. Among them, legal documents are an important tool in legal practice, but many law majors may have problems such as irregular format, inaccurate language, and unclear logic when writing legal documents, which will affect the legal effect and practical application of legal documents. Moreover, when faced with practical legal issues, law majors may not be able to accurately grasp the facts of the case and effectively provide legal advice and defense for clients. This may be because they lack experience in legal practice and are not proficient in applying legal knowledge and skills.

3.1.3 Lack of teamwork and leadership skills

In the legal field, collaborative team capabilities are essential for solving complex cases and conducting research work. However, some law majors may face problems such as a lack of a sense of cooperation, limited communication skills, and a lack of ability to lead a team. Lack of collaborative team skills can manifest as an inability to coordinate effectively with others, a lack of a sense of common goals, and an inability to leverage each other's strengths and work together. This will lead to inefficient collaboration and imbalance in team collaboration, affecting the results and performance of the entire team. At the same time, a lack of leadership is also a problem. In the legal profession, leadership skills are essential for coaching teams, making decisions, and motivating team members.

3.2 Reasons for insufficient practical ability

3.2.1 Backward teaching concepts and methods

First of all, traditional legal education focuses on the teaching of legal theory and ignores the importance of practical operation. Teachers mainly impart knowledge by teaching case analysis and interpretation of legal provisions, but lack guidance on practical operations. In this teaching environment, students are prone to form a state of separation between theory and practice, and it is difficult for them to apply what they have learned to practical work. Secondly, the teaching method is relatively simple, and there is a lack of teaching content and form that is combined with practical operation. Legal education is more inclined to classroom teaching, and lacks practical teaching activities such as practical case

analysis, moot court, and internship. This leaves students with a lack of hands-on opportunities to experience and apply legal knowledge in a real way. In addition, there is a problem that legal education in some colleges and universities is out of touch with the needs of society. Legal education should be combined with social practice and closely related to actual career needs, but the teaching content and methods of some colleges and universities do not meet the actual needs, resulting in students being unable to quickly adapt to the professional environment after graduation [2].

3.2.2 More attention has been paid to the curriculum of substantive law while the arrangement of procedural training courses has been ignored

In the current legal education, the emphasis on the curriculum of substantive law and the neglect of the arrangement of procedural training courses are another reason for the lack of practical ability of law majors. Substantive law is a large category of legal rules and principles in jurisprudence, which mainly involves specific legal norms and case analysis. In the process of legal education, students usually receive a lot of substantive law teaching and master a wealth of legal knowledge. However, substantive law is only one aspect of jurisprudence, and law majors also need to have good procedural legal skills, that is, they are familiar with the implementation procedures of the law, litigation procedures, etc. However, in some current legal education, the setting and arrangement of program training courses are relatively limited, or they are not given enough attention in teaching. This has led to the lack of procedural legal ability of law majors, and they are unable to skillfully use relevant legal procedures for practical operations.

3.3 The complexity of the practice environment

The practice environment in the field of law is often complex, requiring students to be able to apply a combination of legal knowledge, problem-solving and communication skills when dealing with legal cases. However, the development of these skills requires long-term practical experience and the ability to face a variety of complex situations. For some law majors, they may lack access to real cases and actual legal work to truly experience the complexities of a practice environment. The complexity of the practice environment includes the diversity of legal issues, the diverse needs of clients and stakeholders, and the complexity of legal procedures. In the face of these complexities, students need to be resilient, analytical, and flexible in order to make accurate judgments and decisions. However, in traditional legal education, there is relatively little simulation and training of complex practical environments, and it may be difficult for students to adapt to the challenges of practice.

4 Methods for improving the practical ability of law majors in legal education

4.1 Increase the arrangement of practical training courses

The practical training course is a teaching method based on practical operation, which can help students better grasp and apply the knowledge they have learned and improve their practical ability. First of all, the lack of practical courses in traditional legal education can be improved by adding practical courses. Practical training courses can include mock court, mediation training, arbitration training, etc., so that students can conduct practical operations and case analysis in a simulated real environment, and cultivate their practical operation ability. Secondly, practical training courses can provide personalized guidance and coaching. Since practical courses are usually taught in small classes, teachers can pay more attention to each student's learning situation and practical experience, and provide personalized guidance and tutoring to students. This helps students better understand and apply what they have learned, improving their practical skills. In addition, practical training courses can be combined with social practice. Through cooperation with law firms, courts and other relevant institutions, students are provided with internship and practical opportunities, so that they can be exposed to and apply legal knowledge in practical work and improve their practical ability. This also provides more opportunities and challenges for students' future employment and career development. Finally, practical training courses can also improve

students' practical skills through teaching assessments. In the practical training course, teachers can set practical tasks and practical projects, and comprehensively evaluate students through teaching evaluation and practical results, so as to stimulate students' learning enthusiasm and practical ability [3].

4.2 Use simulated cases from judicial examinations for teaching

Simulated cases from the judicial examination refer to teaching cases made based on real judicial cases, which can help students analyze and solve problems in a simulated real environment and improve their practical ability. First of all, by applying simulated cases of judicial examinations for teaching, students can get closer to actual judicial work. Secondly, simulated case teaching can stimulate students' enthusiasm for learning. Finally, through simulated case teaching, students' critical thinking and problem-solving skills can be promoted. In the process of case analysis and discussion, students need to think deeply about and analyze the facts of the case, and put forward their own opinions and solutions, which helps to develop their critical thinking and problem-solving skills, and improve their practical skills.

4.3 Cooperate with law firms and provide opportunities for practice

Cooperation with law firms can provide students with internship and practical opportunities, allowing them to be exposed to and apply legal knowledge in practical work and improve their practical skills. First, working with a law firm connects students to real-life legal practice scenarios. Second, collaboration can provide students with a wealth of hands-on experience. Finally, collaboration can provide students with opportunities for employment and career advancement. Law firms are one of the main areas of employment for the legal profession, and by working with law firms, students can accumulate relevant work experience and establish connections with potential employers to improve their employability competitiveness.

4.4 Reform the traditional examination evaluation method and introduce practical ability evaluation

To introduce the evaluation mode of practical ability, practical projects or case analysis can be introduced as the form of examination. Practical projects or case studies are included in the scope of the examination evaluation, and corresponding scoring criteria are established. In this way, students' ability to apply legal knowledge and problem-solving in practical problems can be examined, and their practical skills can be improved. Secondly, activities such as moot court or debate competitions are carried out to evaluate students' dialectical thinking and oral expression skills. Finally, establish a practical mentor system to provide personalized guidance and coaching. Practice tutors can develop personalized practice plans and guidance programs according to the different needs and levels of students to help them better understand and apply legal knowledge [4].

5 Conclusion

Legal education is closely related to the cultivation of practical ability of law majors, and effective legal education should focus on the cultivation of practical ability. By optimizing the curriculum and teaching methods, and strengthening the internship and practice links, the practical ability cultivation effect in legal education can be improved. However, there are still some challenges in legal education and practical ability training, which need to be addressed through countermeasures such as the construction of faculty and innovative evaluation systems. It is of great significance to the development of legal education in China to further improve the practicality of legal education and cultivate legal professionals with practical ability.

Conflicts of interest

The author declares no conflicts of interest regarding the publication of this paper.

References

- [1] Liu YH, Qing X. 2023. Reflection, challenge and response of legal education in the context of new liberal arts. *Journal of Sichuan University of Arts and Sciences*, 33(06): 141-147.
- [2] Qiu XG, Wang GX. 2023. The differentiated reform of graduate law education under the construction of new liberal arts. *Legal Expo*, 30: 8-10.
- [3] Zhang Q. 2023. On the improvement of China's legal education in the new era--guided by Xi Jinping Thought on the Rule of Law. *Century Bridge*, 8: 41-43.
- [4] Cao Y. 2022. Analysis of the strategy of cultivating the practical ability of law majors with the help of the second classroom. *Science and Education Journal*, 10: 46-48.