

# Discussion Teaching of College Constitution Course Under the Goal of Fostering Chinese Legal Talents with Four Abilities

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**Abstract.** Contemporary Chinese legal talents should have four abilities, namely, open-mindedness ability, innovation ability, multidisciplinary ability and practice ability. Legal talents without the four abilities can hardly meet the needs of Chinese legal practice and theoretical research. As an important course in the legal curricula system, the constitution course, like other courses, should also foster the four abilities of college students. In order to achieve the goal of fostering the four abilities of college students, in terms of teaching methods, it is appropriate to adopt discussion teaching, including group students' discussions and class discussion between students and teachers.

**Keywords.** Chinese legal talents; Four abilities; Constitution course; Discussion Teaching

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## 1. Introduction

“Higher education is going through a great deal of change worldwide.” [1] Should the open-mindedness ability, innovation ability, multidisciplinary ability and practice ability. be taken as the fostering goal of contemporary Chinese legal talents and implemented in the teaching of the constitution course? Should discussion teaching be adopted in the teaching of the constitution course? If the answers to these two questions are affirmative, the third question will be raised: how to foster the students' four abilities in the discussion teaching of the constitution course? This paper will discuss the above three issues in turn.

## 2. Needing Legal Talents with Four Abilities and Requirements to Constitution Course

### 2.1. Contemporary China's Needs for Legal Talents with Open-mindedness

What's open-mindedness? It means “To be cognitively flexible and avoid rigidity in thinking; tolerate divergent views and treat all viewpoints alike, prior to subsequent analysis and evaluation; detach from one's own beliefs and consider, seriously, points of view other to one's own without bias or self-interest”. [2] “Open-mindedness, roughly speaking, is the disposition to engage seriously with views that are novel or that conflict with one's own, and to take appropriate action to accommodate or discard them.” [3] Open-mindedness is the need for Chinese college students to explore the truth of legal facts as legal talents in the future. In order to explore the truth, we should not exclude the different opinions and contrary evidence of others by rigid thinking and closed thinking, but should fully take the evidence obtained in the investigation process into account, including the evidence inconsistent with our previous views or positions. In short, legal personnel should be prepared for the possibility that their original views may be amended or even denied. Denying open-mindedness

actually negates the necessity of investigation.

### ***2.2. Contemporary China's Needs for Legal Talents with Innovation Ability***

What's innovation ability? "It will be the work of innovation to offer new models, methods and tools to fertilize and spread this knowledge." [4] Innovation ability is the need for college students to adapt to future work. Because the content of their future work is not exactly the same as that of their university studies, they need certain innovation ability to solve new problems. In addition, innovation ability is also the need for legal talents to adapt to social changes. Contemporary Chinese society is changing with each passing day. Artificial intelligence and digital technology have brought about dramatic social changes. The rapidly changing society requires legal personnel to formulate new laws to cope with this change. The enactment of new laws requires legislators to have innovation ability.

### ***2.3. Contemporary China's Needs for Legal Talents with Multidisciplinary Ability***

College students majoring in law need both legal professional ability and certain other professional ability in contemporary China. This is the need for them to adapt to legal work after graduation. Because legal work requires legal personnel to understand and apply not only legal professional knowledge, but also some other relevant professional knowledge. For example, when engaged in economic legal affairs, legal personnel should also know and apply some economic knowledge. In medical legal affairs, legal personnel should also know and apply some medical and health knowledge. Chinese National Standards for Teaching Quality of Undergraduate Majors in Ordinary Colleges and Universities did not specify the requirements for law students to have interdisciplinary ability in the part of Ability Requirements, but in the part of Quality Requirements, it required students to "have good humanistic and scientific literacy", and in the part of Curriculum Setting, it stipulates that "the development of new interdisciplinary courses is encouraged". [5]

### ***2.4. Contemporary China's Needs for Legal Talents with Practice Ability***

Practice ability is the capacity to solve practical problems. In contemporary China, there is very little pure legal theory research, and the vast majority of legal business is highly practical work aimed at solving various practical legal problems of the state and society. Moreover, even the research work of legal theory serves the practice indirectly. Therefore, colleges need to foster legal talents with practical ability.

### ***2.5. Requirements to Constitution Course***

The constitution course should implement the goal of cultivating talents with four abilities. It is an important course in the legal curricula system, due to the fundamental and supreme legal status of the constitution in the national legal system. Since the goal of the university stage is to train "four natures" legal talents, this goal should naturally be implemented in the teaching of the University constitution course. Since the college aims to cultivate legal talents with four abilities, this goal should naturally be implemented in the constitution course. In other words, cultivating the four abilities is also the goal of the constitution course.

## **3. Benefits of Discussion Teaching to Constitution Course' goal**

### ***3.1. Characteristics of Discussion Teaching***

Discussion teaching focuses on students' subjectivity, democracy, initiative and participation, which can reflect students' dominant position in teaching relations, stimulate students' subjective consciousness and active behavior, and enable students to actively learn instead of passively accept knowledge. The discussion teaching include: discussion among students in a group, discussion among students in different groups, and discussion between students and a teacher. Discussion teaching can also cultivate students' team cooperation consciousness and ability, team leadership and organization ability, democratic participation consciousness and ability, respect others' different opinions and refute others' different opinions.

### ***3.2. Benefits of Discussion Teaching to Constitution Course Fostering Open-mindedness***

Discussion teaching is extremely beneficial to cultivate college students' open-mindedness in constitution course. If the students in the group, the students in different groups, the students in the whole class and the teachers express their own opinions and argue with each other, there will inevitably be many collisions of views. Under the requirement of respecting the truth and facts, the original views will be revised or even denied, with breaking the students' closed thinking and nurturing the open thinking.

### ***3.3. Benefits of Discussion Teaching to Constitution Course Fostering Innovation Ability***

Discussion teaching is conducive to cultivating students' innovation ability in the constitution course. Discussion teaching may stimulate students' innovation consciousness. When discussing with classmates or teachers, students often do not want to follow suit. Instead, they pursue independent personality and win the affirmation of classmates and teachers by pursuing the novelty of their speeches. In addition, compared with the teaching method in which teachers unilaterally impart knowledge to students, discussion teaching can provide students with more opportunities for independent thinking, personal investigation, internal team views and evidence collision, which in fact gives students more opportunities for innovation.

### ***3.4. Benefits of Discussion Teaching to Constitution Course Fostering Multidisciplinary Ability***

Discussion teaching is a kind of students' active learning, which is convenient for cultivating multi-disciplinary ability. Students are relatively free to choose and arrange the learning of non legal knowledge such as economics, management and science, according to their future career planning, especially in combination with the intersection of these majors and law majors. For example, under the guidance of teachers, students' groups learn relevant economic knowledge while learning the provisions of the Constitution on economic business, so as to cultivate students' legal analysis ability and economic analysis ability at the same time.

### ***3.5. Benefits of Discussion Teaching to Constitution Course Fostering Practice Ability***

Discussion teaching is helpful to cultivate the practice ability of college students. In the discussion teaching, the students' subjective position and value in the whole teaching need to be reflected through their opinions and proofs. In order to convince others of the opinions expressed in the student group discussion or class discussion, it is necessary to investigate, sort out and analyze the theoretical basis, legal provisions and practical cases supporting the opinions in advance, which actually exercises the students' practice ability.

## **4. How to Fostering Four Abilities in Discussion Teaching**

### ***4.1. Basic Principles of Discussion Teaching's Implementation***

In order to cultivate the four abilities of students, the constitution course should not only reflect the general characteristics of discussion teaching, such as paying attention to students' subjectivity, democracy, initiative and participation, but also differ in teaching design according to different abilities.

### ***4.2. How to Fostering Open-mindedness in Discussion Teaching***

The constitution course can cultivate students' open-mindedness through country comparison in discussion teaching. For example, Students could be guided to discuss the differences in the provisions on chiefs of state in the constitutions of the five permanent members of the United Nations. Students could also discuss the differences in the constitutional provisions on the relationship between the central and local governments in countries with similar land areas.

### ***4.3. How to Fostering Innovation Ability in Discussion Teaching***

The key to cultivating students' innovative ability in the discussion teaching of the constitution course lies in giving students the opportunity to discover and solve new problems. In the discussion teaching, students should be guided to study social phenomena from a new perspective to find new problems.

For example, a farmer and a worker saved a drowning person at the same time and died. Many people, including students, are used to studying the compensation between the rescued and the rescuer from the perspective of civil law. In fact, students can also be guided to discuss the equality of citizens reflected in whether the peasant and the worker can be awarded the title of "courageous action" and the title of "martyr" by the government from the perspective of the constitution. In addition, the students can also be guided to discuss the constitutional equality reflected by whether the farmers who died in the accident can obtain the compensation for workers' work-related injury insurance like the workers who died in the accident.

#### ***4.4. How to Fostering Multidisciplinary Ability in Discussion Teaching***

In order to foster students' multidisciplinary ability in the teaching of the discussion type constitution course, it is necessary to guide students to master non legal professional knowledge. As for what non law major to choose? It should be determined according to the respective advantages of different schools and the future employment intention of students. Which majors should students choose besides law? It is appropriate to combine the respective advantages of different colleges and the future employment needs of students. For example, in the law school of a university that focuses on finance and economics, students could be guided to study trade, finance and other majors in addition to law. In the constitution course, students could be guided to discuss the differences and reasons between The Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China and The Basic Law of the Macao Special Administrative Region of the People's Republic of China on currency, taxation, finance and finance. This requires students to find and master the specialties of trade, currency, taxation, finance and their relationship with the constitution, and apply these knowledges.

#### ***4.5. How to Fostering Practice Ability in Discussion Teaching***

##### ***4.5.1. Discussion in Observing Teaching***

Because understanding practical activities is the premise of cultivating practice ability. observation to practical activities is an important way to understand practical activities, and discussion after observation is conducive to deepening students' understanding of practical activities. The content of the observation teaching could be the videos on the process of amending the constitution, the videos on the constitutional oath practices, and so on.

##### ***4.5.2. Discussion in Working Scenario Simulation Teaching***

Scenario simulation teaching of constitutional activities is an important way to train practical ability. Teachers can organize students to simulate the local people's Congress to formulate local laws and dismiss public officials, so that students can increase their practice ability by simulating the real situation and playing the roles given by the constitution. Scenario simulation is a kind of discussion teaching method in essence, in which there are conflicts of positions and views of different roles.

##### ***4.5.3. Discussion in Practice Teaching***

The teachers of the constitution course direct students to practice in the practical departments, and the teachers and workers of the practical departments jointly guide students to discuss the constitutional problems found in practical work, so as to improve students' practical ability , so as to improve students' practice ability.

## **5. Conclusion**

The open-mindedness ability, innovation ability, multidisciplinary ability and practice ability. should be taken as the cultivating goal of contemporary Chinese legal talents and implemented in the teaching of the constitution course. Discussion teaching should be adopted in the teaching of the constitution course. There are enough paths for discussion teaching to realize this goal.

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