

## Attempts and Innovations Conducted in the Practical Teaching of the Course of “Laws of Agriculture, Farmer and Rural Area”

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### Abstract

The law vocational education that can meet the social demand is gradually becoming the pain path of the Chinese legal education reform. However, the legal education approaches at present cannot satisfy the requirement of the legal profession. “Laws of Agriculture, Farmer and Rural Area” (LAFR), as a legal course based on the Chinese social reality, thus create new transformational opportunities for the legal course teaching. Based on the discussions about the attempts on the innovations of teaching methodology of the course of LAFR, particularly with the practical teaching as the subject, we are to change the past legal teaching pattern in order to keep the teaching of the course consistent with the specific legal education goals and facilitate the legal education that can best suit the demand of the social development.

**Key words:** Course of LAFR; Practical teaching; Teaching methods

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### INTRODUCTION

The new trend in the Chinese college legal education is to emphasize the legal profession demand as the orientation (Huo, 2003). The traditional legal education has led waves of graduates from the law schools to the dilemma: they find it hard for them to be competent for and meet the requirement of the legal practice in the legal circle. In the other word, the students' capacity is a far cry from the actual demand of the society. The present legal teaching method may lead to the deviation of the teaching result from the legal vocational education so that the students can't meet the requirements of the society for the legal talents after graduation. The reasons are as follows: a) the ambiguous legal education location would result in the blindness and copycat of the legal education; b) the contradiction between the expansion of the legal education scale and the limited educational resources; c) the non-docking between the still-standing of the legal education and the socialization of law; d) there is a lack of systematic connections between the legal profession and the legal education (Su, 2004). Surely, due to different understandings of the present legal education situation, scholars hold different ideas about how to make reforms. But it is the primary task for the legal education reform to identify the characteristics of the legal education and its basic function in order to construct the educational methodological system that meets the requirement of our goals. In light of that, measures can be taken in any colleges, departments or by any professors or vocational bodies according to the situation (Zhou, 2000). The attempts and explorations are on the way now. For example, the case study teaching or in-class discussion teaching. Those methods may mitigate to some extent the dilemma of the legal teaching, but the improvements are far from enough to achieve the teaching goals so

that no real solutions have been found to resolve the disconnection between the legal teaching and the legal profession. As a new course of law science, LAFR is inevitably constrained by the traditional concepts and teaching tools. Meanwhile, the distinctive features and definite teaching goals of the course will probably provide new paths for the reform and breakthroughs in the legal education to meet the requirement of the legal profession.

## 1. TARGET LOCATION OF THE TEACHING OF THE COURSE “LAFR”

Legal education, since its birth, has been trapped in a dilemma, which is whether it should be a professional school to cultivate lawyers, judges or prosecutors, or the general high education aiming to cultivate the quality of the citizens, or the research school to cultivate the scholars, law experts or professors to teach legal theories and systematic legal knowledge. The divergence and paradox in the understanding of the legal education thus reflect the intrinsic and inherent duality in the legal education, namely, the professional skill training and academic research. In light of the status of the law science in the college education, they are also the duality of the professional education and the theoretical education of the humanities. In terms of the purpose of training, they are also the duality of the training of the practical talents and the cultivation of the scholarly talents (Yang, 2008). But in terms of the teaching content, the duality involves the knowledge system including specific skills, morality, ideology and law science related to the legal profession and the cultivation of the humanistic theories. The duality has always accompanied and puzzles the development of the legal education so that the disputes about the relationship between the vocational education and quality education have long existed. Besides, there are also disputes about the public education and elite education. With the rapid development of the society and the market economy, higher education is gradually more market-oriented, which helps achieve the popularization of the higher education. As a matter of fact, market economy is the precondition for the popularization of higher education. Without the background of the market economy, the popularization of higher education is hard to be realized. As attested by the scale-up of higher education in the western countries, all the systematic constructions to guarantee the popularization of the higher education are built on the market economy system as the product of the market economic system. It is the market that determines the direction of education. Therefore, legal education, as one of the educational products, has to make corresponding reaction to the signal of the market to ensure its survival space in the ever more intense market competition. It means that as the provider of the educational products, the practitioners of the legal

education have to capture the demand information and adjust the legal education location and internal structure through reforms. In China today, the rural area, as the biggest demander of the legal education, will determine the focus and reform orientation of the legal education as the changes in the demand for the legal education products take place.

## 2. CULTIVATION OF THE INTEREST OF THE STUDENTS IN THE COURSE

Confucius once said, “To have interest in what you are doing is better than to obtain the knowledge of it; but to love what you are doing is better than to have an interest in it.” And according to Bernstein, “Interest is the best teacher.” Most of the objects of the college legal education in China are the graduates from the high school who has a desire for what they will learn under the influence of some social factors. However, as they start the course, not so firm desire would be worn down by the abstract teaching content, which would cause adverse impact on the future studies. Therefore, it is the first challenge for the legal educationists to change the “impure” desire for knowledge and trigger the interest of the students. We can associate with the theoretical knowledge of what the students have acquired to reduce the strangeness of the students for the legal knowledge and thus stimulate their passion for the studies. The teaching pattern may facilitate the students to identify their learning goals and choose the most proper learning method and rate of learning according to their own situation based on the self-recognition of the students for their knowledge, capability and traits. As a result, the students can be expected to accomplish academic tasks spontaneously and improve the efficiency and quality as well as ability during the course. For example, teachers can inform the students of the influential incidents around them to trigger the students’s curiosity about the course of LAFR, help them understand the particularity of the course and its influence on the modern legal practice in the rural area. The concise lecture of the cases in the reality may easily strike a chord on the students.

The compilation of textbooks on LAFR should take the demand for teaching into consideration. At the current college legal education, the inconsistency between the setting of the teaching content and the training goals still exists as a grave phenomenon. It is to some extent hinders the cultivation of the interest in legal education. As a new legal course aiming at the particular realm, it should change the situation. The teaching course is to help the students understand and master the content of the course LAFR and achieve the teaching effect according to the performance of the students with corresponding methods. Psychologically speaking, the strong interest in learning would be manifested as mental preference for the discipline, the pursuit of it and even rapid enlightenment

ideologically. Therefore, it is undeniable that the interest of students in the course LAFR should function as the prerequisite for the active performance of the students in it.

### **3. INTRODUCTION AND IMPROVEMENT OF THE PRACTICAL EDUCATION**

#### **3.1 Subject Participation During the Knowledge Transference**

The course of LAFR should be provided in the second college year or later than that. It is provided too early, the students may not be so familiar with the legal knowledge that they may not analyze the legal issues related to agriculture or the farmers from the perspective of science of law. Theories about LAFR must be instructed to the junior college students. By introducing seminars appropriately, the teaching process may shift from the one-direction teaching to the interactive learning, which would be more beneficial to the mastery and understanding of the content of the course. We can also establish a topic according to the key points of each chapter of the course, requiring the students to make preparations in the library or on the internet in advance and write reports to voice their own opinions before the instruction of the teacher. They thus will be confronted with the queries and even judgment of the other students and the teacher can conduct analysis and instruct based on the problems in the reports of the students to make the teaching more pertinent as well as avoid the “grand slam” teaching and improve the teaching efficiency. Through the class discussion and the delivery of the theory in class, communication will be facilitated among the students and between the teacher and students. During the interactive course, such three aspects as knowledge presentation, brainstorming and induction will be achieved. The students would not only have a tangible understanding of the knowledge, regulations and principles of LAFR but also establish the concept to be a specialized agriculture-related law talents based on the active participation into the discussions about the issues of LAFR. Besides class discussions, we should make full use of the case study teaching to combine the abstract theories with the concrete cases and facilitate the students to analyze and reason from the perspective of “agriculture, farmer and rural area” as well to cultivate their legal ideology related to agriculture. During the case study teaching process, the students can be organized to make discussions and debate around the issues of the course to improve their analytical capability and argumentative competence. One of the major features of the teaching method is to combine the abstract theories with the cases in reality so that the students are able to apply the theories in reality. The theories would become more vivid and visualized. It is an attempt to eliminate the traditional conceptual teaching pattern. The goal of case study teaching is to further enhance the ability of students

to apply the abstract theories in the real. That is why case study teaching should be coordinated with case analysis. Both of them, if applied appropriately in the course of LAFR, can better help the students to analyze and solve the legal issues involving agriculture.

#### **3.2 Passive Observation and Active Simulation**

Courtroom trial observation and moot court have been extensively applied in the practical legal education but those with “LAFR” as the theme still not exist due to a series reasons. The content involving LAFR in the legal courses is not concentrated but distributes in several sections as only the supporting role. As a matter of fact, it is not proper to address the course of LAFR as the general department law courses, which would seriously hinder the cultivation of the specialized talents in the agriculture-related law and also weaken the interest of the students in the course of LAFR as well as the teaching effect of it. In light of the legal construction practice in China, the legal construction in the rural area must be given the priority and the cultivation of the specialized talents in the agriculture-related law may exert more and more apparent influence on the legal construction in the rural area. Selective observation of some courtroom trials involving the legal disputes related to LAFR will facilitate the students to observe the legal practice from the specific perspectives with the theories of LAFR. Thus they can be more familiar with the application of the agriculture-related laws in the legal practice as the contrast to their own understandings. Besides, the students will be more capable of dealing with the legal disputes related to agriculture. Therefore, it is of great significance to conduct observations with proper cases for the study of the course of LAFR. In addition, in the practical teaching, the teachers can organize moot court focusing on the content of the course of LAFR, particularly the cases with substantial influence on the society or the legal precedents in order to enhance the students’ interest in the course and their capability to apply what they have learnt in the course.

Furthermore, the students can study outside of the classroom, if the appropriate practical teaching content is arranged. Such activities can be conducted as the moot court, social survey, legal consultation, legal aid and social investigation in the countryside so that the deficiencies of the textbooks and the in-class teaching can be offset and the students’ interest in learning is to be stimulated. During the role play, the students can have a visual understanding of LAFR, digest what they have studied better and exert their debate competence, all of which would greatly facilitate the better understanding of LAFR and the relative authorities as well as improve the students’ ability to adapt to the society and solve the legal issues related to agriculture.

#### **3.3 Application of the Clinic Legal Education**

Clinic Legal Education, also called Legal Clinic, is a new legal education method rising since the 1960s in the

Law School in the US. Now as a law practical teaching method, legal clinic has been extensively applied in many countries. As for the educational pattern, the main approaches include role simulation teaching, sole guidance teaching, cooperative learning teaching, feedback teaching, evaluative teaching and reading teaching (Zhang, 2007). The class instruction of the legal clinic focuses on how to combine the in-class teaching with the practical teaching in order to cultivate the students' analytical ability through case study and moot court and manifest the flexibility of the legal education. Secondly, through the teaching pattern of legal clinic, the practical teaching content can be applied in the real. According to the characteristics of the class instruction of the legal clinic, the students, under the guidance of the teachers, can deal with the true cases, refer to the materials about the cases and participate into the entire process of the case transaction (Zhen, 2002). Through such trainings, the students will have a better understanding of every link and detail about the legal practice.

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## CONCLUSION

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Admittedly, the reform of a new course may not change completely the predicament of the legal education, but at least it can provide new experiences and concepts for the reform. Since it is the basis and purpose of education to meet the requirement of the society and guide the social development, the attempts conducted in the reform of the course of "Law of Agriculture, Farmer and Rural Area", as the reform to create opportunities for the rule of law in China, is to enhance the practicality of the Chinese

legal education through attempts and innovation. In addition, most college teachers are lack of the practical experience despite sound theoretical basis. The science of law, however, is discipline with strong practicality aiming at pragmatism. In order to meet the demand of the legal education, further efforts have to be made in the transformation of the faculty structure by introducing the personnel with legal practice experiences to the practical education or enhancing the association and communication between the teachers and the practice divisions.

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## REFERENCES

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- Huo, X. D. (2003). Legal profession and legal talent cultivation. *Study of Law*, (04).
- Su, Y. X. (2004). Comparative studies on the legal education in China, Germany and America. *Educational Research*, 11, 75.
- Wang, C. G. (2002). Tenet of legal education—status, functions and relations of the case study teaching pattern and practical legal teaching pattern in the legal education. *Law and Social Development*, (06), 33.
- Yang, C. H. (2008). On the target location of the current college legal education in China. *Higher Education Exploration*, (03), 80.
- Zhang, J. W. (2007). Studies on the localization of the clinic legal education pattern. *Front*, (03).
- Zhen, Z. (2002). A new teaching method: Clinic legal education. *Chinese Higher Education*, (08).
- Zhou, H. H. (2000). Duality of the legal education and the legal education reform in China. *Study of Comparative Law*, (04), 389.