

# *Legal education and modern legal talent training in Chinese excellent traditional legal culture*

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**Abstract:** This paper discusses the application and value of Chinese excellent traditional legal culture in the training of modern legal talents. This paper summarizes the core idea of traditional legal culture, and analyzes the importance and challenges of cultivating modern legal talents. The paper puts forward to integrate the traditional legal culture into the modern rule of law curriculum, practice and professional ethics education, so as to promote the training of modern rule of law talents, and puts forward a series of strategies such as improving the modern rule of law education system, strengthening the construction of teaching staff, carrying out practical activities and strengthening international exchanges and cooperation. The conclusion of the article points out that the Chinese excellent traditional legal culture provides valuable experience and wisdom for the training of modern legal talents, and should be deeply studied and practiced in order to cultivate more legal talents with noble morality and professional qualities.

## **1. Introduction**

### **1.1. Overview of the excellent Chinese traditional legal culture**

Chinese excellent traditional legal culture is an important part of the long history of the Chinese nation, which carries the legal wisdom and moral ethics of the Chinese nation for thousands of years. The Chinese excellent traditional legal culture takes Confucianism as the core, integrates legalism, Taoism and other diverse thoughts, and forms a unique legal system and legal concepts. In the excellent traditional Chinese legal culture, law is not only a tool to maintain social order, but also the embodiment of morality and ethics. Confucianism emphasizes moral concepts such as "benevolence", "propriety and righteousness" and "integrity", and believes that law should be built on the basis of morality and promote social harmony and stability and people's well-being through the norms and guidance of law. At the same time, the excellent traditional legal culture also pays attention to the practice and application of law. Legalist thought emphasizes the construction of "rule of law", "heavy punishment", "heavy punishment" and other systems, and believes that the law should be operable and effective, and safeguard social justice and the rights and interests of the people through strict law enforcement and fair justice. In addition, the excellent traditional Chinese legal culture also emphasizes the wisdom and art of the law. Taoism emphasizes the wisdom of

"rule without action" and "following nature", believing that law should conform to the laws of nature and social development, and solve complex social problems through flexible strategies and intelligent responses <sup>[1]</sup>.

## **1.2. The importance of cultivating modern legal talents**

Modern legal talent training is of immeasurable importance in today's society. With the deepening of globalization and the rapid development of science and technology, the rule of law has become an indispensable part of the modern society. The foundation of the rule of law lies in the rule of law talents, and their professional quality and moral quality directly determine the implementation effect of the rule of law and the realization degree of social justice. The training of modern legal talents is the key to maintaining social stability and promoting economic development. In the complex and changeable social environment, legal talents can use their professional knowledge to formulate and implement laws and regulations in line with the needs of social development and ensure the orderly social order. At the same time, they use impartial judicial practice to protect the legitimate rights and interests of market subjects and provide a strong legal guarantee for economic development. The training of modern legal talents is an important bridge to promote international exchanges and cooperation. In the context of globalization, international exchanges and cooperation are increasingly frequent, and the rule of law is the common language of international exchanges. Cultivating legal talents with an international vision and cross-cultural communication skills is of great significance to strengthening international exchanges and cooperation and promoting the building of a community with a shared future for mankind. The training of modern legal personnel is an inevitable requirement for improving the modernization of the national governance system and governance capacity. With the advancement of the modernization of the national governance system and governance capacity, the demand for legal talents is becoming increasingly urgent. They should not only have solid legal knowledge, but also have the ability to think creatively and solve problems to meet the needs of the modernization of national governance. The training of modern legal talents is an important way to protect people's rights and interests and realize social justice. The core of the rule of law lies in protecting the legitimate rights and interests of the people and realizing social justice. By cultivating legal talents with noble professional ethics and solid professional quality, we can ensure the fair implementation of laws and regulations, so that everyone can feel the sunshine of fairness and justice <sup>[2]</sup>.

## **1.3. Introduction of the themes**

The excellent traditional Chinese legal culture is a bright pearl in the long history of the Chinese nation. The legal thought, legal system and legal wisdom contained in it have important reference significance for the training of modern legal talents. In the modern society ruled by law, the training of legal personnel is an important guarantee to promote the construction of the rule of law, safeguard social justice and safeguard the people's rights and interests of the people. This paper will discuss the relationship between legal education and the cultivation of modern legal talents in the excellent traditional Chinese legal culture, in order to provide useful reference and inspiration for the cultivation of modern legal talents.

## **2. Legal education in the excellent Chinese traditional legal culture**

### **2.1. Form and content of ancient legal education**

The legal education in the Chinese excellent traditional legal culture has a long history, and the

form and content of its ancient legal education have unique characteristics. Legal education in ancient China was mainly carried out through various forms, such as official education, private education and family education. There is a special law subject in the official school, and the teaching content involves the national laws, regulations and legal systems, aiming to cultivate the legal knowledge and administrative ability of officials. In the imperial examinations, legal knowledge was also a compulsory subject, requiring officials to have a solid legal literacy. There are also legal education involved in private schools, and some scholars and lawyers teach legal knowledge and ways to solve cases. In family education, elders and parents' meetings teach basic legal knowledge and moral norms to maintain family harmony. In terms of the teaching content, the legal education in ancient China mainly involved the knowledge of legal thought, legal system, legal skills and other aspects. Confucianism has a profound influence on legal education, emphasizing the moral concepts such as "benevolence", "propriety and righteousness" and "integrity". In addition, the legal system in ancient China was also an important part of the teaching, including the knowledge of national laws, regulations and legal systems. The knowledge of legal skills includes case investigation, evidence collection, case trial and other skills and skills<sup>[3]</sup>.

## **2.2. The core value of Chinese excellent traditional legal culture**

The legal education in the excellent traditional Chinese legal culture embodies the core values of "harmony is the most valuable", "courtesy rule", "the unity of man and nature" and "people-oriented". These values have been fully reflected in the legal education in ancient China, and have an important enlightenment significance for the modern legal education and the construction of the rule of law. The idea of "harmony is the most precious" advocates that people should live in harmony and solve disputes through consultation and mediation, which reflects the pursuit of a harmonious society and the concern for people's well-being. The principle of "ritual governance" emphasizes the foundation of etiquette, righteousness and morality, to govern the society through enlightenment and influence, to train officials to have noble moral character and good behavior, and to promote social stability and prosperity. The concept of "the unity of man and nature" holds that man and nature are harmonious and unified, and should respect the laws of nature, protect the ecological environment, and be reflected in the land system and resource protection. The thought of "people-oriented" holds that the people are the foundation of the country, and the political power should take the interests of the people as the starting point and destination, train officials to pay attention to the people's livelihood, and safeguard the people's rights and interests. These core values have been fully reflected in the legal education in ancient China, which has important enlightenment significance for the modern legal education and the construction of the rule of law, help to cultivate legal talents with noble moral quality and good behavior, promote the harmony and stability of the society and the well-being of the people<sup>[4]</sup>.

## **2.3. Inspiration of Traditional legal education to modern rule of law**

The legal education in Chinese excellent traditional legal culture has important enlightenment for the construction of modern rule of law. It emphasizes the combination of law, morality and politics, and focuses on cultivating people's legal awareness and accomplishment, as well as the ability to solve practical cases. These thoughts provide the ideological basis, practical experience and political guarantee for the construction of modern rule of law. We should bring moral education into the construction of the rule of law, make it an important part, strengthen practical teaching, cultivate students' practical operation ability, strengthen political education, cultivate students' political literacy and consciousness, let them understand the relationship between politics and law, so as to better safeguard the interests of the country and the people. The application of these traditional legal

education ideas will help to promote the healthy development of the modern rule of law construction.

### **3. The current situation and challenges of modern legal talent training**

#### **3.1. Goals and requirements of modern legal personnel training**

The cultivation of modern legal talents is of vital significance in today's society. With the development of globalization and science and technology, the rule of law has become an indispensable part of modern society, and the foundation of the rule of law lies in the rule of law talents. Their professional quality and moral quality directly determine the implementation effect of the rule of law and the realization degree of social justice. However, the training of modern legal talents faces many current situations and challenges. First of all, the training objectives and requirements need to be more clear and specific. Although modern legal talents need solid legal knowledge, it is far from enough to master legal knowledge only. They also need innovative thinking, interdisciplinary knowledge and problem-solving capabilities to meet the needs of modernizing national governance. In addition, they need to have a noble professional ethics and a firm belief in the rule of law to ensure the fair implementation of laws and regulations and the realization of social justice. Secondly, the existing cultivation mode and methods need to be continuously improved and perfected. The traditional legal education mode often pays attention to the transmission of theoretical knowledge, but ignores the cultivation of practical ability. The training of modern legal talents should pay more attention to practicality and application, strengthen practical teaching and case analysis, and cultivate students' practical operation ability and the ability to solve practical problems. At the same time, we should pay attention to the cultivation of interdisciplinary knowledge to broaden students' knowledge and vision. Finally, the training of modern legal talents also needs to pay attention to internationalization and cross-cultural exchanges. With the development of globalization, international exchanges and cooperation are increasingly frequent, and the rule of law is the common language of international exchanges. The training of modern legal talents should focus on the training of legal talents with international vision and cross-cultural communication skills, strengthen international exchanges and cooperation, and promote the building of a community with a shared future for mankind <sup>[5]</sup>.

#### **3.2. Dilemmas and problems of the current legal personnel training**

In the current situation and challenges of modern legal talent training, the current legal talent training is faced with many difficulties and problems. First of all, there is a disconnection between the training objectives and the actual needs, which makes it difficult for the trained legal talents to meet the actual needs of the society. Secondly, the training mode and method are relatively single, paying too much attention to the teaching of theoretical knowledge, but ignoring the cultivation of practical ability, resulting in the lack of practical operation ability and the ability to solve practical problems. In addition, the lack of interdisciplinary knowledge training leads to a narrow knowledge of legal talents, which is difficult to adapt to the complex and changeable social environment. At the same time, the training of modern legal talents is also facing the contradiction between internationalization and localization. With the deepening development of globalization, international exchanges and cooperation have become increasingly frequent, and the rule of law is the common language of international exchanges. However, in the process of training, they often pay too much attention to the requirements of internationalization, while ignore the characteristics and needs of localization, which makes it difficult for the legal talents to adapt to the local legal environment and cultural background. In addition, the training of modern legal talents is also facing

the problem of insufficient teachers. With the continuous advancement of the construction of the rule of law, the demand for legal talents is becoming increasingly urgent. However, the existing teachers are often difficult to meet the training needs, resulting in the uneven quality of legal talents trained <sup>[6]</sup>.

### **3.3. Challenges faced by cultivating modern legal talents**

The training of modern legal talents faces many challenges in today's society. With the development of globalization and science and technology, the rule of law has become an indispensable part of modern society, and the foundation of the rule of law lies in the rule of law talents. However, the training of modern legal talents is facing many challenges. First of all, the training objectives and requirements need to be more clear and specific. Although modern legal talents need solid legal knowledge, it is far from enough to master legal knowledge only. They also need to have innovative thinking, interdisciplinary knowledge and problem-solving capabilities to meet the needs of modernizing national governance. In addition, they need to have a noble professional ethics and a firm belief in the rule of law to ensure the fair implementation of laws and regulations and the realization of social justice. Secondly, the existing cultivation mode and methods need to be continuously improved and perfected. The traditional legal education mode often pays attention to the transmission of theoretical knowledge, but ignores the cultivation of practical ability. The training of modern legal talents should pay more attention to practicality and application, strengthen practical teaching and case analysis, and cultivate students' practical operation ability and the ability to solve practical problems. At the same time, we should pay attention to the cultivation of interdisciplinary knowledge to broaden students' knowledge and vision. Finally, the training of modern legal talents also needs to pay attention to internationalization and cross-cultural exchanges. With the development of globalization, international exchanges and cooperation are becoming increasingly frequent, and the rule of law is the common language of international exchanges. The training of modern legal talents should focus on the training of legal talents with international vision and cross-cultural communication skills, strengthen international exchanges and cooperation, and promote the building of a community with a shared future for mankind. In addition, the training of modern legal talents is also facing the problem of insufficient teachers. With the continuous advancement of the construction of the rule of law, the demand for legal talents is becoming increasingly urgent. However, the existing teachers are often difficult to meet the training needs, resulting in the uneven quality of the legal talents cultivated.

## **4. Application of Chinese excellent traditional legal culture in the training of modern legal talents**

### **4.1. Integration of traditional legal culture in the modern legal curriculum**

Chinese excellent traditional legal culture is of great significance in the training of modern legal talents. In order to cultivate the modern legal talents with noble professional ethics and solid professional qualities, the traditional legal culture can be integrated into the modern legal courses. Traditional legal culture contains rich legal thoughts, legal principles and legal systems, which still have important guiding significance in the construction of modern rule of law. By integrating the traditional legal culture into the modern rule of law course, students can better understand the historical origin and development context of Chinese legal culture, so as to have a deeper understanding of the nature and value of law. At the same time, some thoughts, principles and systems in the traditional legal culture can also provide useful reference and enlightenment for the construction of modern rule of law. For example, the idea of "harmony is most precious" can guide



people to adopt reconciliation and mediation to promote social harmony and stability; the idea of "man and nature" can guide people to make and enforce environmental protection and ecological balance, and the idea of "people-first" can guide people to pay attention to the interests and well-being when making and enforce laws. Therefore, integrating traditional legal culture into the modern rule of law course can not only help students better understand the historical origin and development of Chinese legal culture, but also provide useful reference and enlightenment for the construction of modern rule of law. At the same time, this is also in line with the current direction of the Chinese rule of law construction, that is, not only to carry forward the Chinese excellent traditional legal culture, but also to promote the construction of modern rule of law<sup>[7]</sup>.

#### **4.2. Application of traditional legal wisdom in the practice of the rule of law**

Traditional legal wisdom has had profound applications in the practice of the rule of law in China. Since ancient times, the Chinese nation has accumulated rich legal thoughts and systems, and these traditional legal wisdom is still of important guiding significance for the construction of modern rule of law. Traditional legal wisdom provides the ideological basis for the modern rule of law. When formulating laws and regulations, we can learn from the traditional legal wisdom of "harmony is the most precious" and "the people first", pay attention to the interests and well-being of the people, and promote social harmony and stability. At the same time, the concept of "unity of man and nature" in the traditional legal wisdom also guides us to pay attention to environmental protection and ecological balance when formulating and implementing laws, so as to achieve sustainable development. Traditional legal wisdom plays an important role in resolving social disputes. In the practice of the rule of law, we can use the traditional mediation method in the legal wisdom to solve disputes through consultation, mediation and other ways, so as to reduce the litigation cost and improve the efficiency of dispute resolution. In addition, the moral concepts of "integrity" and "justice" in the traditional legal wisdom also provide important value guidance for solving social disputes. The wisdom of traditional law also provides rich material for legal education. By integrating the traditional legal wisdom into the modern rule of law course, students can better understand the historical origin and development context of Chinese legal culture, so as to have a deeper understanding of the nature and value of law. At the same time, some ideas, principles and systems in the traditional legal wisdom can also provide useful reference and inspiration for the construction of the modern rule of law, and promote the continuous improvement and development of the construction of the rule of law in China.

#### **4.3. The influence of traditional legal culture on the professional ethics of modern legal talents**

The traditional legal culture has a profound influence on the professional ethics of the modern legal talents. Among them, the thought of "harmony is the most valuable" guides modern legal talents to pursue a harmonious society, and pay attention to mediation and consultation to solve problems. The "people-oriented" thought emphasizes taking the people as the center and pays attention to the interests and well-being of the people, which is the core of the professional ethics of modern legal talents. At the same time, "integrity" and "justice" and other moral concepts are also the necessary professional ethics for modern legal talents. Therefore, we should dig deep into the excellent elements of traditional legal culture, integrate them into the modern legal education, cultivate modern legal talents with noble professional ethics and solid professional qualities, and make positive contributions to the stability and development of the society<sup>[8]</sup>.

## 5. Strategy of promoting the training of modern legal talents with the excellent Chinese traditional legal culture

The excellent traditional Chinese legal culture is the spiritual wealth of the Chinese nation, which is of great significance to the training of modern legal talents. In order to better promote the training of modern legal talents, we can adopt these several strategies. First of all, improve the modern legal education system and integrate the traditional legal culture elements. In the rule of law education, we should pay attention to the combination of traditional legal culture and modern legal education, and integrate the ideas, principles and systems in the traditional legal culture into the modern rule of law curriculum. For example, in the constitution course, the idea of "people-oriented" is emphasized that the constitution is the will of the people; in the criminal law course, the principle of "honesty" can be introduced and honesty is the foundation of the society ruled by law. By integrating the traditional legal culture elements, students can better understand the essence and value of the law, and cultivate their legal thinking and the spirit of the rule of law. Secondly, strengthen the construction of teachers, improve teachers' understanding of traditional legal culture and inheritance ability of traditional legal culture. Teachers are the key force of legal education, and their understanding and inheritance ability have an important influence on the cultivation of students' legal literacy. Therefore, we should strengthen the training and education of teachers to improve their understanding of the traditional legal culture and the inheritance ability of teachers. At the same time, we can also invite some experts and scholars with rich legal practice experience to teach, so that they can share their experience and insights with students, and enhance students' understanding and recognition of the traditional legal culture<sup>[9]</sup>. Third, carry out practical activities, let students experience and inherit the excellent traditional Chinese legal culture in practice. Practice is the only standard to test the truth. Only through practice can students truly experience and inherit the excellent Chinese traditional legal culture. Therefore, we should organize students to participate in some practical activities, such as moot court, legal advice, legal aid, etc., so that students can understand the actual operation of the law in practice, and enhance their legal practice ability. At the same time, we can also organize students to visit some historical sites and museums, so that they can personally feel the charm of traditional legal culture. Fourth, strengthen international exchanges and cooperation, learn from advanced international experience, and promote the international development of China's fine traditional legal culture. With the deepening development of globalization, international exchanges and cooperation have become increasingly frequent. We should actively participate in international exchanges and cooperation, learn from advanced international experience, and promote the international development of China's fine traditional legal culture. For example, we can cooperate with some international organizations or foreign universities to jointly study and discuss the rule of law education; we can also hold some international rule of law seminars or forums to invite foreign experts and scholars to discuss the development direction and trend of rule of law education.

## 6. Conclusion

Chinese excellent traditional legal culture is of great value to the training of modern legal talents. By integrating traditional legal culture elements, strengthening the construction of teachers, carrying out practical activities and strengthening international exchanges and cooperation, modern legal talents with noble professional ethics and solid professional qualities can be cultivated. In the future, in-depth research and practical exploration are needed to explore the unique elements of traditional legal culture, and promote its international development, innovation and improvement.

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