

# ***Innovative Research on the Teaching Content of Rule of Law for College Students in the Past 40 Years of Reform and Opening-up Policy***

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**Abstract:** Based on the background of reform and opening-up policy, the form of teaching content of rule of law has undergone transformation. At the same time, it puts forward higher requirements for college teaching. The teaching content of rule of law need to innovate their own ideas and ideas, follow up the reforms, and meet the development needs of new times. This paper briefly summarizes the teaching content of rule of law innovation, clarifies the problems of teaching content of rule of law, and proposes solutions. Finally, it analyzes the importance of teaching content of rule of law.

## **1. The Exploration Stage of Legal Education Reform for College Students (1978 - 1985)**

Summing up the painful lesson of the "lawlessness" of the Cultural Revolution, the Third Plenary Session of the Eleventh Central Committee in 1978 proposed the task of "perfecting social democracy and strengthening the socialist legal system". Colleges and universities all over the country actively learn the spirit of the Third Plenary Session. The main content is to expose and criticize the crimes committed by the Gang of Four in sabotaging the educational cause, and attach importance to basic public morality education such as discipline.

### **1.1 Continue to adhere to the four basic principles of education for college students**

As the "cultural revolution" has just ended and the ideological and theoretical front in colleges and universities is still relatively lax, some college students attribute the root of the tragedy of the cultural revolution to the socialist system and take extreme measures such as collective petitions or strikes and parades. under the banner of "anti - privilege" and "anti - bureaucracy", they point the finger at the leadership of the party and the socialist system. In response to this phenomenon, on April 29, 1980, the Ministry of Education and the Central Committee of the Communist Youth League jointly issued the "Opinions on Strengthening Ideological and Political Work for Students in Colleges and Universities" which calls for adhering to the four basic principles of education so that students can further emancipate their minds, understand the relationship between democracy and legal system, freedom and discipline, draw a clear line between socialist democracy and bourgeois democracy, realize that the greatest prerequisite for socialist construction is stability, and guide students to consciously "safeguard, safeguard and develop the hard-won political situation of stability and unity."

## **1.2. Strengthen the communist moral education of college students**

Deng Xiaoping pointed out in his report "implementing the policy of adjustment to ensure stability and unity" that "from the beginning of their schooling, students in primary, secondary and tertiary schools ... must learn and obey the discipline they must abide by." Anarchism and violations of law and discipline must be resolutely opposed and checked. "On October 9, 1982, the Ministry of Education issued the Notice on Gradually Setting up Communist Ideological Courses in Colleges and Universities, which established communism as a compulsory course and made compliance with revolutionary discipline one of the important criteria for measuring talented people who are both red and professional. Thus, law-abiding education has become an important part of communist moral quality education for college students. At this time, the law-abiding education for college students includes the education of compliance, obedience and punishment, which is mainly reflected in: observing the student's code, starting with strengthening classroom discipline and canteen discipline, and maintaining campus order; In order to meet the needs of the national planned economy, college students must obey the national distribution. For students who are lawless, destroy public property and commit theft, they will be given different degrees of punishment depending on the circumstances according to regulations, and those who do not change after repeated education will be expelled from school, etc.

## **2. The Initial Stage of Legal Education Reform for College Students (1985 - 1992)**

In 1985, the national "Five - Year Plan" legal popularization campaign focusing on the popularization of legal knowledge was implemented. Teenagers became one of the key targets, requiring colleges and universities to set up courses on legal education according to different targets and requirements. "College students should also learn basic theories of law and legal knowledge related to their major. All universities should educate students to actively fight against illegal and criminal acts " marks the formal start of innovation in legal education for college students.

### **2.1. Legal education based on imparting legal knowledge**

On September 1, 1986, the State Education Commission issued the Notice on Offering " Basic Legal Courses" in Colleges and Universities (hereinafter referred to as the " Notice"), which changed the informality and arbitrariness of the contents of the legal education for college students in the past and enabled the contents of the legal education for college students to be planned and guaranteed in class hours. The " Circular" also requires all provinces, autonomous regions and municipalities directly under the Central Government to choose one or more universities with qualified teachers to offer basic legal courses after the summer vacation in 1986, to carry out a pilot program, and to gradually spread it out, so as to make all college students before 1990 receive the education of popularizing legal knowledge. At that time, the college students basically realized their knowledge of the law from " not knowing what the law is" to a certain understanding of the law, and grasped the basic framework of our country's legal system as a whole.

### **2.2 Legal Education to Resist Bourgeois Liberalization**

At the end of 1986, some colleges and universities in Anhui, Shanghai, Beijing and other places broke out one after another, exposing the impact of bourgeois liberalization on college students. On the one hand, the Party Central Committee has adopted positive guidance, calling on the majority of students to adhere to the Four Cardinal Principles and reform and opening up, requiring Party members to relearn the Party Constitution, and to constantly reflect on and sum up experiences and

lessons through rules and regulations. Other students studied the "Decision on Strengthening Legal Education to Maintain Stability and Unity" and related documents, and clarified the right and wrong through positive education. On the other hand, taking the law as the criterion, when dealing with the issue of student unrest, the relevant laws such as processions and assemblies should be dealt with according to the principle of "acting in accordance with the law, the law must be followed."

The regulations will be resolutely implemented and illegal processions will be dissolved in accordance with the law. In this way, students are urged to constantly reflect and realize that the construction of democratic politics is a process and the immediate implementation of direct election system is not suitable for China's national conditions. Only long-term peace and stability can bring about reform, taking the form of street marches and causing social unrest, which will not be conducive to reform.

### **3. The development stage of legal education reform for college students (1992 - 2002)**

Marked by Comrade Deng Xiaoping serious talk and Party Congress in 1992, China's reform, opening up and socialist modernization construction entered the new stage of development. Influenced by the negative influence of market economy, negative corruption thoughts such as money worship, hedonism, pragmatism and individualism in the society have impacted the university campus, and the legal education of college students in the period of social transformation has been endowed with the content of the new era.

#### **3.1. Legal education centered on the cultivation of legal awareness**

In 1995, the State Education Commission and the Ministry of Justice issued "Opinions on Strengthening Legal Education in Schools" which required that "the training of college students' socialist legal awareness should be the core of legal education in colleges and universities". In 1998, the Central Propaganda Department and the Ministry of Education stipulated in their Opinions on the Curriculum Provision and Implementation of "Two Courses" in Ordinary Colleges and Universities that "the legal basis" is mainly to carry out socialist legal education, to help students master Marxist legal viewpoints, to understand the basic spirit and viewpoints of the Constitution and relevant special laws, and to enhance students' socialist legal concepts and legal consciousness". These regulations clearly define the contents of legal education for college students, that is, to learn basic legal knowledge, to enhance college students' legal concepts and legal awareness, and to cultivate college students' legal beliefs. This is another improvement in the legal education for college students: it has not only prevented and corrected the tendency in the past to only pay attention to the education of legal knowledge and neglect the cultivation of legal spirit, but also completely reversed the situation in which law-abiding education was the main content of legal education for college students. Facts have proved that the legal awareness of college students is improving. For example, the number of cases in which college students safeguard their rights is increasing gradually. In 1997, two cases (namely, Tian Yong v. Beijing University of Science and Technology for violation of their right to education and Liu Yanwen v. Beijing University for violation of their right to confer academic degrees) aroused widespread concern in the society. It has become common knowledge of law for college students to sign employment contracts and fulfill employment agreements when they are employed.

#### **3.2. Establishing the concept of network legal system has become the new content of legal education for college students**

In the middle and late 1990s, the network technology developed rapidly. As there is no systematic

network legal standard, the network crime in our country is increasing at an average rate of 30% per year. In 1998, the first case of Yang arrested on the charge of "destroying computer information system" in our country was a graduate student of a famous university in our country. Since 1996, he has frequently cracked other people's network passwords and illegally used other people's information networks, causing huge economic losses to others. All kinds of information crimes have brought great threats to national security and personal information rights. Computer networks also pose severe challenges to the learning attitude of college students. On the Internet, some people make money by helping others to write papers and do homework. Some college students with weak legal concepts also download articles from the Internet as homework and give them to teachers or publish them. They do not know that this kind of behavior has violated the national intellectual property law. Therefore, the content of legal education faces a new topic - to help college students establish a correct concept of network legal system. One is to cultivate college students' concept of network legal system, especially to enhance their concept of rights and obligations in cyberspace, so as to make them realize that any scientific and technological achievements, including network technology, will be protected by law. The second is to enhance college students' awareness and ability of network self - protection, to help them clearly distinguish the legal and illegal, guilty and innocent problems caused by the anonymity of the subject in the network society, to improve their ability to identify network traps, to correctly use network legal weapons, and to safeguard their legitimate rights and interests.

#### **4. The In-depth Exploration of Legal Education Reform for College Students (from 2002 to the present)**

In 2002, there was the "Liu Haiyang Bear Injury Incident" among college students in Tsinghua, which caused a stir in the whole society. After the incident, the party concerned said: " We studied the" Legal Basis " course, civil law and criminal law in our freshman year, but I only know that it is illegal to kill wild animals, but it is not clear whether it is illegal to burn animals in zoos with reagents ...". People's attention to college students once again turned to legal and moral issues. Just as the whole society was reflecting on the success or failure of college students' legal education, the " Ma Jiajue Incident" occurred in February 2004. All this shows that legal education cannot only be a hard education, but should be a soft education combined with college students' psychology and morality. Paying attention to the mental health and moral development of college students is the first work of legal education. Therefore, in the 2004 curriculum reform, " ideological and moral cultivation" and " legal basis" were merged into " ideological and moral cultivation and legal basis" referred to as " 05" program.

#### **5. The Historical Experience of China's Legal Education Reform**

In the past 30 years, legal education for college students has been continuously enriched and deepened, which not only reflects the requirements of the times, but also increasingly meets the needs of college students themselves. This provides valuable historical experience for the continuous innovation of legal education for college students.

##### **5.1. To Keep Social Stability and Unity and Highlight Epochal Legal Education Reform for College Students**

Epoch is an objective symbol of innovation. From Deng Xiaoping's proposal that " socialism should be democratic and legalized" to Hu Jintao's advocacy of the concept of honor and disgrace of " respecting discipline and law and being ashamed of breaking the law and discipline", every

innovation in legal education for college students in the past 30 years has been based on the stability and unity of the country and society and closely combined with the characteristics of the times. Therefore, the contents of legal education for college students are as follows: First, we must firmly grasp the new changes in the international situation. As the most active group, college students are extremely vulnerable to adverse ideological trends and public opinion in the international community. Therefore, it is necessary to pay attention to the new trends in the development of the international community, strengthen the awareness of socialist legal system, prepare for a rainy day and nip in the bud. The second is to pay attention to the changes in the legal concept of college students in different periods. It can be said that the dynamic changes in the legal concept of college students are the "barometer" that determines the content of their legal education. Especially in recent years, college students' awareness of rights protection has been continuously strengthened, and rights protection cases have occurred from time to time. To strengthen the rights and compulsory education of college students, they should know what the basic rights that the law gives to each citizen are, and where the relief procedures and safeguards are after the rights are violated, so that they can learn to "take rights seriously" and understand that being kind to rights is to be kind to the law.

## **5.2. To Improve the Effectiveness of Legal Education for College Students and Promote Two Integration**

"Two Integration" refers to the legal education of college students should integrate the cultivation of legal awareness with the popularization of legal knowledge, and the content of legal education should integrate the content of moral education. Legal education for college students has been carried out along with the implementation of national legal popularization activities. Therefore, the contents of the general teaching materials for basic legal courses before 2004 are almost all the enrichment of legal knowledge of various departments. However, what kind of legal awareness should be formed for college students, such as the supremacy of the constitution, the consistency of rights and obligations, the legality of crimes, etc., is not involved. In October 2004, the CPC Central Committee issued "On Further Strengthening and Improving the Two Courses of" Ideological and Moral Cultivation " to integrate and set up" Ideological and Moral Cultivation and Legal Basis ". The state has realized that legal education for college students should not be the teaching of simple legal knowledge, but the key is to establish a correct legal awareness, and the formation of a correct legal awareness must have a good moral foundation. However, the case of killing teachers in China University of Political Science and Law in October 2008 has once again sounded the alarm bell to the legal education of college students, and the investigation of the underlying criminal motives is caused by moral and psychological crisis. This shows that there is still a long way to go before legal education for college students can realize the complementary advantages of law and morality in their respective functions. The formation of college students' correct legal consciousness requires not only legal knowledge and legal belief, but also a positive view of life and a loving heart.

## **5.3. To Improve Systematic Legal Education Reform for College Students**

At one time, legal education for college students "emphasized substance over procedure". Emphasis on knowledge, light consciousness ", but with the continuous development of the times, its content system is constantly improving. The legal literacy of college students has also been improved unprecedentedly. The popularization of the Internet requires legal education on the Internet, the employment of graduates requires education on freedom of contract, the protection of legal rights requires education on rights and obligations, and so on. It can be said that these are closely related to the study and life of every college student. In the past, simple law-abiding education was far from meeting the needs of college students' development, especially for students with different

professional backgrounds, whose requirements for legal education vary in depth and breadth. Here we should see the relationship between general and special, "general" is aimed at all professional college students, legal education includes basic theory of law, basic legal knowledge and legal concept education. Through legal theory education, let students master the basic views of Marxist law and establish legal authority ideologically. Through explaining and introducing the constitution, students can understand that the constitution is the product of a democratic system, and help students to establish a correct concept of rights and obligations and a sense of national ownership. "Special" means to introduce some department laws to students selectively according to different majors. For example, for normal students, relevant contents such as "Teachers Law" and "Protection of Minors Law" should be appropriately added. For example, teachers should not insult or physically punish students. Otherwise, if the circumstances are serious enough to constitute a crime, criminal responsibility will be investigated according to law. Through the integration of such contents, the knowledge, skills and self-awareness of law - abiding, law-enforcement and usage that college students should possess in their study and future work will be cultivated.

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