

Research on Practice-oriented Legal Education from an Ecological Perspective

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Abstract: *With the advancement of globalization and technological development, the competition in the legal industry is becoming increasingly fierce, and the demand for legal professionals is continuously rising. Undergraduate practical legal professionals serve as an important force in the legal industry, and the quality of their cultivation is directly related to the healthy development of the legal industry. However, in the current employment environment, the cultivation of legal professionals faces many difficulties, such as insufficient practical ability, incomplete knowledge system, and unclear career planning. To address these issues, it is necessary to thoroughly explore the difficulties and improvement strategies in the cultivation of legal professionals. Therefore, based on the ecological model, this paper deeply explores the difficulties in the cultivation of legal professionals under the current employment environment. Utilizing the ecological system theory, it reveals the existing problems from four aspects: individuals, classrooms, schools, and society, and proposes corresponding improvement strategies. The aim is to provide reference for optimizing the mechanism of legal professionals cultivation, improving education quality, adapting to the constantly changing market demands, and promoting comprehensive student development.*

Keywords: *Ecological system theory; Legal professionals; Cultivation difficulties; Improvement strategies*

1. Introduction

The "National Standards for Teaching Quality of Undergraduate Majors in Law in Ordinary Colleges and Universities" issued by the Ministry of Education in 2021 proposed the cultivation of compound, application-oriented, and innovative legal professionals and reserve forces who are virtuous and proficient in both morality and law. It is evident from the training objectives that undergraduate legal education is an important foundation for the cultivation of legal professionals. In order to further strengthen the important position of legal education and theoretical research in the cultivation of legal professionals, in late February 2023, the General Office of the CPC Central Committee and the General Office of the State Council issued the "Opinions on Strengthening Legal Education and Theoretical Research in the New Era" (hereinafter referred to as the "Opinions"), emphasizing the need to strengthen practical teaching, deepen collaborative education, and propose new requirements for talent cultivation in law schools.

China has been making efforts to cultivate new era legal professionals. However, according to the "2023 China Undergraduate Employment Report," the law major has continuously appeared on the red alert list for employment in the past five years[1]. Data shows that six months after graduation, the employment rate of law school master graduates was 78.2% in 2022, ranking last among all master disciplines, and that of law school bachelor graduates was 77.4%, also ranking last among all bachelor disciplines. The employment rate of law graduates was nearly 10% lower than the national average employment rate of 86% for all disciplines. What causes law graduates to continuously rank at the bottom of the employment rate and face the phenomenon of "hot major, cold employment"? The employment problem of law graduates not only affects the future development and construction of the law discipline in universities but also affects the overall advancement of the modernization of the national governance system and governance capacity. Therefore, it is crucial to analyze the employment difficulties of law graduates in universities and seek a way to enhance the development of legal education.

Based on this, to systematically analyze the employment issues of undergraduate law students, this paper adopts the Ecological System Theory proposed by the famous American psychologist Urie Bronfenbrenner to construct an ecological theoretical framework for the factors influencing the

placement of undergraduate law students and propose targeted improvement measures to fill the gap between legal education and employment.

2. Theoretical Foundation

2.1. Ecological System Theory

Bronfenbrenner published "The Ecology of Human Development" in 1979, proposing the Ecological System Theory. He believed that individual behavioral development is influenced by a series of nested environments. The Ecological System Theory nests individual behaviors, different levels of environments, and their relationship patterns in a multi-layered environmental network, including the microsystem, mesosystem, exosystem, and macrosystem. The ecological system is considered a concentric structure similar to Russian nesting dolls, with each structure contained within the next.

From the perspective of basic characteristics and elements, Bronfenbrenner's Ecological System Theory has a strong relevance and compatibility with the employment of undergraduate law students. Bronfenbrenner used the Ecological System Theory to study the development process from infancy to childhood. The four environmental subsystems constitute the overall ecological environment system at the time point of individual development. Changes in one or several environmental subsystems will inevitably lead to changes in other environmental subsystems and the overall system. The Ecological System Theory upholds the basic characteristics of ecology and system theory: hierarchy, integrity, balance, and symbiosis[2]. For application-oriented undergraduate law graduates, the direct relationship between each system's influence on them varies in closeness, exhibiting hierarchy. Each subsystem is interrelated and interacts with each other, forming an organic whole, demonstrating integrity. The value of the Ecological System Theory lies in promoting balanced development by analyzing the four environmental elements of the system, similarly, the value of application-oriented undergraduate legal education is to promote student development. Only when elements in each system develop in balance can the employment of undergraduate law students be effectively guaranteed. Meanwhile, elements of each subsystem promote and influence each other, indicating symbiosis. Based on this, the connection between application-oriented undergraduate legal education and employment can be analyzed using the Ecological System Theory.

2.2. Theoretical Analysis

The microsystem refers to the most directly related factors to the individual, including personal thinking patterns, learning methods, and employment concepts for undergraduate legal education. The mesosystem refers to systems that can directly connect and interact with the microsystem, constituted by the communication and interaction between teachers and students, including factors such as course content, teaching methods and styles, teacher-student classroom interaction, and student acceptance of teaching content. The exosystem refers to systems that individuals do not directly participate in but have indirect impacts on their development, including factors such as school management of faculty, arrangement of relevant law courses, and provision of legal learning resources. Although individuals do not directly interact with these factors, they are influenced by them. The macrosystem refers to the social and cultural environment and social system in which individuals are situated, involving the overall employment environment of the law profession, the demand for law professional positions, and the requirements of relevant positions for undergraduate law graduates to master professional skills.

The current status affecting the employment of application-oriented undergraduate law graduates is the result of dynamic interactions of various factors within the ecological system environment, necessitating further analysis of the four systems constituting the theoretical framework.

3. The Ecological Circles Affecting the Employment of Law Undergraduates

Professor Huo Xiandan suggests that undergraduate legal education possesses duality. As a comprehensive system for cultivating legal professionals, legal education includes both general education and vocational education. Properly managing the relationship between the two is crucial for the healthy development of legal education. A major issue in undergraduate legal education in our country is the separation and opposition of these two aspects[3]. The weak of vocational aspect can lead to law graduates finding it difficult to perform corresponding legal work competently after

entering the workforce, forcing them to gradually explore their roles in their positions. Therefore, for law students, the interaction and ever-changing systems during the undergraduate stage are particularly important.

3.1. Microsystem

The microsystem refers to activities, roles, and interpersonal interaction patterns experienced by developing individuals in specific environments with particular physical and material characteristics[4]. For undergraduate legal education, the environment directly faced and interacted with by students, including their activity modes within this environment, the level of understanding of the profession, their plans for future careers, and their interpersonal interactions with classmates and teachers, all influence their future career development.

Professor Li Qingling believes that there is a misconception among students regarding the relationship between professional learning and practical teaching[5]. Some students focus on quantifiable standards such as credits and scholarships, thereby neglecting the role of professional practice and merely going through the motions in the relevant content of practical requirements stipulated by the institutions. Such imbalance between professional learning and practical skills can become a hidden danger for law students' employment after graduation.

In addition, as law is a discipline with relatively high professional barriers, students' cognition of and attitude toward this discipline are crucial. Many students, when choosing their majors for the college entrance examination, lack in-depth understanding of the characteristics of law, not knowing about the curriculum of this major or considering their own interests. Instead, they choose majors described by parents or teachers as having "good prospects," leading to a lack of interest in professional learning when they actually encounter it. Consequently, their concentration on professional learning is reduced, let alone the cultivation and improvement of professional abilities.

3.2. Mesosystem

The mesosystem refers to the system of interactions between microsystems[4]. That is, it is formed within the interactions between two or more microsystems, such as interactions between students and students, or between students and teachers. The traditional teaching model in China mainly focuses on teacher-centered instruction, with students often in a passive learning position, neglecting the subjectivity of students, and resulting in less than ideal learning outcomes[6]. The traditional "transmissive" teaching method, while systematically imparting theoretical knowledge, is insufficient for cultivating students' practical abilities and innovative thinking. A single teaching method cannot meet the diverse learning needs of students or effectively stimulate their interest and motivation to learn. Professor Liu Chao from Northwest University of Political Science and Law points out that the "transmissive" teaching method is suitable for the initial stage of legal education, aiming to lay a solid foundation for students' professional learning. However, as legal education progresses, teaching methods should also be adjusted[7]. This change in teaching methods undoubtedly poses a significant challenge to teachers and plays a crucial role in the entire system.

3.3. Exosystem

The exosystem refers to a collection of environmental systems in which developing individuals are not active participants but are nevertheless affected by events and developments occurring within these environmental systems[4]. In the context of current legal education, the curriculum arrangements, faculty allocations, and provision of relevant practical positions in law schools constitute the exosystem.

Professor Cheng Xueyang believes that some law schools emphasize theoretical legal education in certain law course settings, focusing on abstract legal theories or legal concepts. This leads to insufficient understanding among law undergraduate students of the current effective legal system and legal provisions, making it difficult for them to quickly adapt to the requirements of practical work after graduation[8]. Taking the undergraduate training plan for the law major at Northwest University of Political Science and Law in 2023 as an example, it includes 18 compulsory courses totaling 864 class hours, with an additional requirement to choose 9 elective courses from a pool of 30. However, in comparison, there are only 5 practical courses including Civil Law Practice, Criminal Law Practice, Administrative Law Practice, Judicial Document Writing, and Judicial System and Legal Practice

among the practical courses, apart from the required social internships and thesis writing during vacation periods. This curriculum structure often results in students focusing more on theoretical knowledge and neglecting the development of practical skills. However, the legal profession places a high demand on practical skills and experience, so this curriculum structure limits students' career development to some extent. Intuitively, law has a strong theoretical nature, but in reality, it is a highly practical profession. Students need to deepen their understanding and application of theoretical knowledge through practice. If law schools lack sufficient connection between the curriculum and judicial practice, it is difficult to provide students with adequate relevant experience, which not only limits the improvement of students' practical abilities but also makes it difficult for them to quickly adapt to the environment and requirements of the legal profession after graduation.

Some scholars have pointed out that because university teachers have always been at the top of the knowledge transmission chain in the teaching process, habitual use of teaching concepts and objectives formed over many years without understanding the actual application and innovation of professional knowledge in the current context leads to a gap between teaching content and industry needs. Consequently, cultivated professionals may not meet the needs of social development. The legal profession is a subject that is constantly evolving and changing, and teachers need to constantly update their knowledge and skills to meet the needs of cultivation of legal professionals[9]. In this regard, law schools have a responsibility and a necessity to guide teachers in changing their teaching concepts, providing them with corresponding platforms and opportunities to break through the development barriers in teaching.

3.4. *Macrosystem*

The macrosystem is a collection of numerous consistent entities, based on belief systems or ideologies, which exist or may exist in the form and content of lower-order systems (micro, meso, exo), and are linked by a certain level of subculture or culture to form a whole[4]. The macrosystem, while having a certain "distance" from each individual law graduate, is closely connected. This includes educational policies, regulations related to employment, the current employment environment, and traditional employment concepts in the legal profession.

Currently, there are 638 higher education institutions offering law majors in China, with nearly 640,000 students enrolled in law programs as of 2022, according to a notice issued by the Ministry of Education. In 2023, there were as many as 150,000 graduates in law-related fields. With such a large number of law graduates entering the job market, it becomes challenging for the market to absorb this vast number of graduates, leading to a further imbalance in the supply and demand relationship in the legal job market and significantly increasing the difficulty for law graduates to find employment.

Furthermore, the job market's demand for legal professionals is increasing, raising the employment threshold for law majors. First, there is a requirement to pass the National Legal Professional Qualification Examination. Whether aiming to become a judge, prosecutor, lawyer, or corporate legal counsel, passing an exam with an annual pass rate of around 10% has become a "threshold" for law graduates entering the job market. Second, compared with graduates from prestigious institutions like the "Five Institutes and Four Departments"¹ or top-tier universities like those in the "985"² and "211"³ projects, many graduates from ordinary colleges and universities may face "degree devaluation" in competition, especially when competing against candidates with master's degrees.

¹ The term "Five Institutes and Four Departments" is the abbreviation of the law schools of five political science and law schools and four universities in China, including: Peking University, Chinese People's University, Wuhan University, Jilin University, China University of Political Science and Law, Southwest University of Political Science and Law, Northwest University of Political Science and Law, East China University of Political Science and Law, and Zhongnan University of Economics and Law. They occupy important positions in China's legal education circles.

² The term "985" refers to a group of elite universities in China that have been designated by the government to receive special attention and financial resources for their development. These universities are considered to be at the forefront of research and innovation in China. The "985" label originated from the date of the government's initiative, which was launched on May 8, 1998. Being a part of the "985" group is a prestigious status for a university, signifying top-tier academic standards and substantial investment in research and education.

³ The term "211" was introduced earlier than the "985" initiative and refers to a different category of universities in China. "211" universities were selected as key institutions for development and support under a government project launched on February 21, 1995. These universities receive significant resources and preferential treatment to enhance their infrastructure, faculty, and research capabilities. While not at the same level as the "985" universities, the "211" designation acknowledges these universities' importance in contributing to China's educational and research landscape.

4. Implementation Path to Enhance Employment Competence of Law Undergraduates

In the current challenging employment landscape, characterized by increasingly diverse job opportunities, enhancing the competitiveness of law graduates requires aligning with the directives laid out in the "Opinions" issued by the General Office of the Central Committee of the Communist Party of China and the General Office of the State Council in February 2023. This alignment aims to optimize various elements in accordance with the ecological system theory to overcome employment challenges and achieve breakthroughs in employment.

At the individual level, to enhance students' autonomous learning and self-development abilities, schools can take a series of measures to actively guide students in establishing correct learning concepts and self-development awareness. Schools can organize lectures, seminars, and individual counseling sessions to help students understand the true meaning of learning, stimulate their enthusiasm and motivation for learning. Additionally, to improve teaching diversity and effectiveness, teachers can adopt various teaching methods such as case-based teaching, moot courts, and legal clinics. These teaching methods can inspire students' interest and motivation for learning, as well as cultivate their practical skills and innovative thinking. Furthermore, teachers can utilize multimedia technology and online resources to enhance the intuitiveness and interactivity of teaching, helping students better understand and grasp knowledge. To strengthen the connection and cooperation between schools and legal practice departments, increase students' practical opportunities, and expand the offering of practical courses, schools can establish close cooperative relationships with legal practice departments. Together, they can jointly formulate talent training programs, introduce actual cases and practical experiences, and improve the quality and effectiveness of practical teaching. To enhance society's awareness and demand for undergraduate applied legal professionals, and strengthen the importance of legal professionals through publicity and education, society can intensify legal popularization and advocacy efforts, increase public awareness and understanding of the law, and create a favorable legal culture atmosphere. Enterprises and institutions should strengthen their connection and cooperation with legal professions, provide more practical opportunities and development space, and increase students' awareness and understanding of legal careers.

5. Conclusion

From the perspective of ecological system theory, this paper comprehensively and deeply analyzes the various factors and forces affecting the employment of law undergraduates in the multi-level systems environment of micro, meso, exo, and macro layers in the current employment environment. These elements of the systems intertwine and interact with each other, collectively forming a complex employment ecological network. To effectively address the employment challenges faced by law undergraduates, it is essential to deeply understand and grasp the operating mechanisms and inherent logic of these systems. Based on this understanding, each system's stakeholders should take proactive actions, fully utilize their strengths, and play their unique roles in the employment ecology. At the same time, guided by relevant policy documents such as the "Opinions," we need to work together to gradually break down the barriers between legal education and employment, enabling the law profession to truly overcome the awkward situation of being a "hot major with cold employment" and create broader space for the career development of law undergraduates.

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