The Enlightenment of Community with a Global Shared Future on Legal Education at Colleges

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Abstract. The concept of "a community with a shared future for mankind" is written into the Constitution and becomes a basic national policy of China in 2018. Its construction implies a judgment on the trend of global governance and the international rule of law. Ways to build a community with a shared future for mankind by college legal education are to promote holistic education, to increase the number and quality of international legal talents and to strengthen their national strategic feelings.

1. Introduction

On January 19, 2017, President Xi Jinping delivered a keynote speech entitled "Together with the Responsibilities of the Times to Promote Global Development" at the summit conference on "Consulting and Building a Community with a Shared Future for Mankind" held in Geneva, Switzerland. The concept of "building a community with a shared future for mankind" was included for the first time in the resolution of "Social Aspects of the New Partnership for Africa's Development", adopted by consensus at the 55th session of the United Nations Commission for Social Development on February 10 of the year. On October 18, Xi put forward in the 19th National Congress of the Communist Party of China (CPC), "promoting the construction of a community with a shared future for mankind." On the 24th, the 19th National Congress of the CPC formally wrote "promoting the construction of a community with a shared future for mankind" into the "Constitution of the CPC". On March 11, 2018, the first session of the 13th NPC passed the "Amendment to the Constitution", which includes "promoting the construction of a community with a shared future for mankind" into the 10th preamble of the Constitution. This epoch-making concept has not only been highly praised and widely recognized, but also has become a basic national policy enshrined in the Constitution.

The cultivation of legal talents is the top priority in constructing the rule of law, and universities are the right place for legal talents training. On October 8, 2018, the Ministry of Education and the Central Political and Legal Affairs Commission co-issued the "Opinions on Upholding the Implementation of Education and Training Plan for Excellent Legal Talents 2.0", which preludes to a new round of legal education reform. This is a thorough transformation from extensional to connotative development, and a deep return to the essential concept of the legal education. The construction of a community with a shared future for mankind has increasingly become the common discourse and value goal of global human rights and the rule of law. It also implies a judgment on the trend of global governance and the international rule of law. Under this background, enlightenment on college legal education will be discussed from the following three aspects: to
promote holistic education, to improve the quantity and quality of training international legal talents, to strengthen their national strategic feelings.

2. Legal Education for a Community with a Global Shared Future on at Colleges

2.1. To Promote Holistic Education

2.1.1. The Importance of Human Development

The core issue of a community with a shared future for mankind is the survival, development and destiny of mankind, which has profound human connotations. Building a community with a shared future for mankind and human development are mutually dependent and mutually promoting relationships. On the one hand, human development is the goal of building a community with a shared future for mankind, and its ultimate goal is for the free and comprehensive development of human beings; on the other hand, it is a realistic and important way to promote human development. The free and comprehensive development of human beings cannot do without world peace, mutual respect, openness and tolerance, and win-win cooperation.

The proposal of a community with a shared future for mankind originated from Marx's idea of community and attributed to the ultimate value yardstick of the full and free development of Marxists. Marx divided human history into "natural community"[2] and "illusory community"[2] by human interdependence based on object dependence. And the "true community"[3] stage characterized by the "free and comprehensive development of human beings", Marx and Engels believed that it has three main meanings: full play to demonstrate and enhance their abilities, the establishment, enrichment and development of individuality, the overall development of social relations. Only in the community can individuals obtain the means to develop their abilities in an all-round way. On the subject dimension, the community appeals to various levels of international cooperation, which conforms to the common interests of mankind and provides the possibility of realization for the full and free development of mankind. It conforms to the nature of human beings and the historical laws of human development as well. The first element of thinking about a community with a shared future for mankind is people. It summarizes, deduces and sublimates into the concept of a community with a shared future for mankind based on human instinct and of common interests. It goes beyond Cold War, hegemonic, unilateral, closed and conservative thinking, to create new sense and new world order, and new ideas and new spirits for mankind. A community with a shared future for mankind, with the common bright future of mankind as the knot, faces the common problems of mankind, and truly focuses on the common interests of mankind and the comprehensive development and freedom of mankind.[4] Therefore, attaching importance to the "all-round development of human beings" is the basic meaning of this concept.

2.1.2. Comprehensive Promotion of Holistic Education

At the national education conference, Xi delivered an important speech, focusing on the fundamental question of "who, how and for whom", and deeply emphasized the importance of education for the prosperity of the country, national rejuvenation, social progress, and people’s happiness. It explained the connotation, requirements and measures of cultivating socialist builders and successors with comprehensive development of morality, intelligence, physical education, art and labor. Carrying out holistic education is the consensus of the world's higher education on talent training, and it is also the direction of China's higher education reform. When professional legal talents are trained, professional legal knowledge and some skills are not enough. Attention should
be paid to cultivate individuals’ wholeness to realize the development of physical, knowledge, skills, morals, ethics, creativity and spirit. Therefore, through holistic education in terms of cultivating moral quality, enhancing knowledge and ability, enlightening wisdom exploration, and improving physical and mental health, the legal talents can become a qualified citizen.

Cultivating legal talents first requires concurrent study of morality and law. In addition to knowledge and ability, special attention must be paid to cultivating the moral character and professional ethics of legal professionals. Second, knowledge and ability. Legal education can be combined with general education through the setup of more general theory of civilization and other professional courses, integrating their knowledge and ability and promoting comprehensive quality, and cultivating applied compound talents with wide caliber, thick foundation, high quality and strong ability. Third, to enlighten them and to stimulate their potentials, enthusiasm and initiative through practical approaches, such as case study, internship practice, field investigation, legal clinic, mock arbitration and negotiation, etc. The fourth is physically and mentally healthy. It is necessary to educate them to learn how to combine work and rest, to learn self-adjustment, and to get over psychological obstacles, to face pressure. Some activities that are beneficial to physical and mental health can be regularly organized, which help them strengthen their sense of legal professional identity and legal beliefs.

2.2. To improve the Training International Legal Talents

Promoting the Belt and Road Initiative (BRI), building a community with a shared future for mankind, achieving peace and development, the “two major themes” and the “three development concepts” of consultation, co-construction and sharing, and other Chinese wisdom and Chinese solutions are the conditions of our time. The next step is to focus on human development and the future of the world. As the process of global economic integration continues to accelerate, the foreign-related legal activities are increasing. The rule-of-law talents who meet the needs of the B&R construction should be specialized talents who understand Chinese and foreign legal systems and practices. They not only understand China's legal system and practice, but also have a full knowledge of foreign-related laws, excellent foreign-related legal practice capabilities, and a broad global perspective. The great concept and BRI provide a stage for internationalized and complex legal talents, and at the same time put forward new requirements and challenges for Chinese legal education and legal research.

For more than 40 years of reform and opening up, China’s colleges and universities have made important achievements in the training of foreign-related legal talents, but the overall quality and level of talent training are still low, the conversion rate of results is low. At present, CPC attaches great importance to the training of foreign-related legal talents, and law schools in various universities have also accumulated a lot of valuable experience in the personnel training system and training methods, and continue to reform and innovate.

Cultivating international legal talents requires further integration of language skills and legal professional ability in the process of training, and shifting from focusing on Europe and the United States to the world along BRI, Southeast Asia, Central Asia, West Asia and Africa. In legal research and personnel training, attention can be paid to the legal and normative systems promulgated by the legislatures of these countries and their local social interaction habits, to the current legal systems of various countries, and to the future to promote the coordination and development of laws among the countries.
Cultivating international legal talents can improve their ability to participate in international exchange programs and transform into international employment at college. Universities should promote exchanges and cooperation between the legal circle and the legal practice circle. To enable them to participate in more international legal practice activities, it is necessary to strengthen the integration of law with economics, international relations, international politics, regional studies, foreign languages, and other disciplines. It is also possible to adopt classified selection and key training methods to attract more talents to be engaged in B&R research, encourage more students to master multidisciplinary knowledge concerned, and enhance their competitiveness in international employment.

2.3. To Cultivate National Strategic-oriented Legal Talents

President Xi pointed out: “Civilizations need harmony with different spirits. Only when we respect each other, learn from each other, and coexist in harmony among diversity, can this world be prosperous. Different civilizations embody wisdom and contributions of different nations, and there is no difference in level, neither good nor bad. Instead, dialogues are needed between civilizations, not rejection; communication, not replacement”. The values of a community of shared future for mankind are multiple coexistence rather than a single value system. As a human-oriented community, the community of shared future for mankind, does it neglect the necessity of the existence of nations? The thinking way may lead to anarchism. This is obviously a major misunderstanding of this concept. Xi’s statement doesn't deny the nations and states, instead, respects the nations and states to the utmost. It is to sublate the traditional theory of nations and states. Xi also pointed out: “China insists that all nations, big or small, strong or weak, rich or poor, be equal, respect the people's right of all countries to choose their own development path, and safeguard international fairness. Justice is against imposing one’s will on others, against interfering in other countries’ internal affairs, and against bullying the weak”. Nations and states are still the basic units of a community with a shared future for mankind. At the current stage, the greatest respect for the nations and the states is not only a respect for the past history, but also a consideration of the current world development reality. Therefore, the correct interpretation and response of college legal education to building a community with a shared future for mankind, is not to discard nations and states, nor globalization in general, but to serve the national strategies.

Training foreign-related legal talents should be guided by national strategic needs. Legal education towards internationalization should focus on serving the national strategies. Serving the national strategies means that when domestic law schools participate in global competition, they will always get national support as the basis. Any they should not only focus on expanding its international reputation, but also consider national strategic needs. Meanwhile, the awareness of international development guided by serving the national strategies helps domestic colleges to win state funding through projects. It is also very important for strengthening international exchanges and cooperation, enhancing their own brand image and gaining confidence. Legal doctrine, legal formalism, and rule-of-law mechanism still exist in the legal field. We cannot train the legal students into dogmatists or legal craftsmen, but turn them into legal persons with belief in the rule of law, national identity, humanistic ideas, scientific spirit, critical thinking, and a sense of social responsibility. To cultivate them to form great virtues is to strengthen their ideals and beliefs as well as patriotism. They should love their country and are willing to devote themselves to the rejuvenation of China, and cultivate them under the rule of law. This is the mission of universities.
3. Conclusion

As BRI advances in depth, the political, economic, financial, cultural, legal and other dimensions of China’s exchanges and integration with other countries along the route will deepen. Universities must have a deep understanding of the significance of advancing the construction of the rule of law and serving the country’s major strategies. In order to undertake the important mission of improving the quality of legal education and legal talents, legal professionals must conform to the requirements of the national strategy and join in the cause of complementary advantages and open cooperation with countries along the Belt and Road. According to the requirements of the BRI, legal education should take "endogenesis" and "extension" as the path to update the concept of rule of law, improve the educational system, jointly explore the training mode of legal talents with other judicial organs and functional departments, enhance the ability of providing intellectual support for the implementation of major national strategies, and push the construction of rule of law in China to a higher level, and develop in a more sound and mature direction.

References

[1] Liao Yi, "The legal interpretation of a community with a shared future for mankind", Legal Review. 2017, 35(05): 192-196.

[2] Karl Marx, Friedrich Engels, "Collected Works of Marx and Engels (Volume 8)", People's Publishing House. 2009.

[3] Karl Marx, Friedrich Engels, "Collected Works of Marx and Engels (Volume 1)", People's Publishing House. 2009.

[4] Zhu Jie, "The innovation and contribution of the concept of a community with a shared future for mankind to constitutional theory", Learning and Practice. 2019(04): 43-51.

[5] Xi Jinping, "On persisting in promoting the building of a community with a shared future for mankind", Central Party Literature Press. 2018.