

Comprehensive Implementation of Xi Jinping Thought on the Rule of Law Discussion on Cultivating Excellent Legal Talents Against the Background of Law-based Governance

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ABSTRACT

The Central Committee of the Communist Party of China and relevant departments have explained the importance of rule of law and the construction of rule of law talents through three documents. It is necessary to adhere to the perspective of China's national conditions, adhere to the direction and path of rule of law with Chinese characteristics, combine the rule of law with the rule of virtue, and cultivate outstanding legal talents in the new era with both moral and legal cultivation, and both moral and talent. It is also necessary to persist in the guidance of society, ensure that Party-run universities settle the Party's peace of mind, and that people's universities satisfy the people's new requirements and expectations. And there is a must to stick to the combination of Chinese legal culture and excellent legal culture for creative transformation, innovative development, and always keep pace with the times on the path of cultivating legal talents to meet the practical needs of society.

Keywords: *Xi Jinping Thought on the Rule of Law, Excellent legal talents, Fostering virtue, Ideology and politics.*

1. INTRODUCTION

In 2011, the "Several Opinions on Implementing the Education and Training Plan for Excellent Legal Talents" were issued. In 2018, the "Opinions on Adhering to the Implementation of the Education and Training Plan for Excellent Legal Talents with Moral and Legal Education 2.0" were issued. In 2023, the "Opinions on Strengthening Legal Education and Research in Legal Theory in the New Era" were issued. Three documents have indicated that the country attaches great importance to the law-based governance and the construction of legal talents. Law colleges and universities serve as the main battlefield for comprehensively implementing Xi Jinping Thought on the Rule of Law, achieving the fundamental task of fostering virtue, and cultivating outstanding legal talents with both moral and legal education.

2. FOLLOWING THE PATH OF LAW-BASED GOVERNANCE UNDER CHINESE SOCIALISM BASED ON CHINA'S NATIONAL CONDITIONS

2.1 *Adhering to the Correct Political Direction Combining with China's Actual Situation*

Based on China's national conditions and combined with China's actual situation, it is an important foundation for cultivating outstanding legal talents. There is a must to adhere to the perspective of China's national conditions and reality, correctly interpret China's reality, answer China's questions, extract distinctive academic concepts, and create an academic discourse system with Chinese characteristics and international

perspectives.¹ To achieve the great rejuvenation of the Chinese nation and cultivate outstanding talents in the rule of law, it is necessary to insist on the leadership of the Party, take Marxism Leninism as guidance, root in the excellent culture of Chinese rule of law, resolutely implement Xi Jinping Thought on the Rule of Law, implement the concept of educating people for the Party and talents for the country, propose a Chinese rule of law plan around the issue of Chinese rule of law, and gather the wisdom of Chinese rule of law.

"For whom to cultivate people, what kind of people to cultivate, and how to cultivate people" has always been the fundamental issue of education.² This requires that people must base on China's reality, closely focus on China's local resources and characteristics, take the Chinese excellent rule of law culture as the foundation, take its essence, eliminate its dross, selectively absorb foreign excellent rule of law culture, and form a rule of law road with Chinese characteristics and Chinese features. The localization of law does not mean the complete exclusion of foreign laws, but rather the absorption and borrowing of foreign legal systems based on a full understanding and respect for local legal traditions.³ There is a must to firmly resist the erroneous ideas of Western constitutionalism and the separation of powers.

2.2 Strengthening Ideological and Political Construction, and Integrating Ideological and Political Education Throughout the Entire Process

Properly handling the relationship between politics and the rule of law is an important part of achieving the law-based governance. Strengthening ideological and political construction is the guarantee for cultivating outstanding legal talents. It is a must to firmly establish the awareness and mission of serving the overall situation, serving the people's justice, and taking responsibility for the rule of law. Xi Jinping Thought on the Rule of Law follows the dialectical logic of politics and the rule of law, and deeply discusses the political theory

1. Xi Jinping, On Adhering to the Comprehensive Law-based Governance [M]. Beijing: Central Party Literature Press, 2020:174, 175.

2. Xi Jinping emphasized during his inspection at Renmin University of China: Adhering to the leadership of the Party, inheriting the red gene, rooting in the land of China, and walking out a new path to build a world-class university with Chinese characteristics, 2022-04-26.

3. Su Li, Rule of Law and Its Local Resources [M]. Beijing: Peking University Press, 2015.

behind the form of rule of law, the political logic in the rule of law model, and the political stance under the rule of law path. It deeply points out that the relationship between the Party and the law is a concentrated reflection of the relationship between politics and the rule of law.⁴ Administration according to law is an important manifestation of the interdependence and coordination between the rule of law and politics, and is a major achievement of the basic national policy of law-based governance.

There is no rule of law that is detached from politics. There is a kind of political form behind each kind of rule of law. It is necessary to stick to this consciousness throughout ideological and political education and the cultivation of rule of law talents. It is also necessary to educate and guide legal workers to consciously improve their political awareness and sensitivity, view the rule of law from politics, and understand politics from the rule of law. The two are interrelated and complementary.

2.3 Firmly Grasping the Ideological Highland and Promoting the Propaganda and Ideological Work in Colleges and Universities

Colleges and universities are the main battlefield for cultivating ideological talents in the rule of law, and the specific implementation of the fundamental task of fostering virtue. When carrying out propaganda and ideological work, colleges and universities should ensure that Party run universities ensure the Party's peace of mind and people's universities satisfy the people. The schools must always adhere to using Xi Jinping Thought on the Rule of Law to cultivate people's souls and focus on injecting the profound political, legal, philosophical, and practical principles contained in Xi Jinping Thought on the Rule of Law into the classroom, strengthening the organic integration of ideological and political elements in the classroom, and jointly building the ideological battlefield of the law classroom.⁵

The socialist rule of law is the cornerstone of the construction of socialism with Chinese characteristics and a concrete manifestation of the field of law-based governance under Chinese

4. Writing Group, Introduction to Xi Jinping Thought on the Rule of Law [M]. Beijing: Higher Education Press, 2021, 9.

5. Ma Huaide, Comprehensively Promoting Xi Jinping Thought on the Rule of Law into Textbooks, Classrooms, and Minds [J]. China University Teaching, 2023(09): 15-19.

socialism. Adhering to the comprehensive implementation of the basic national policy of governing the country according to law, choosing the right path is a necessary prerequisite and an important turning point issue related to the success or failure of the Party's future cause. Adhering to the path of socialism with Chinese characteristics and holding high the great banner of socialism, there is a must to firmly grasp the discourse power in the ideological field, guard against the invasion of Western capitalist ideas, and enable students to deeply understand the advantages and strength of socialism.

3. COMBINING THE RULE OF LAW WITH THE RULE OF VIRTUE, AND STRIVING TO ACHIEVE A BALANCE OF MORALITY AND TALENT AMONG LEGAL TALENTS

3.1 Cultivating Outstanding Legal Talents in the New Era with Both Moral and Legal Education

The relationship between law and morality has been a topic of debate among ancient sages. Law and morality, as normative norms that regulate people's behavior, run through the entire pattern of people's behavior. Law is the bottom line of morality, and morality is the highest embodiment of the rule of law. In the cultivation process of Zhuoyue's legal talents in the new era, it is necessary to combine the rule of law with the rule of virtue. A legal discipline system with Chinese characteristics, Chinese style, and Chinese style should be established as soon as possible, which is in line with China's national conditions and reflects the needs of the times. Emphasis should be placed on the combination of practice to achieve both morality and law.⁶

The professional ability in law and one's own good character are essential qualities for outstanding rule of law talents. This emphasizes that high-quality rule of law talents should not only master solid knowledge and abilities in law, but also adhere to core socialist values, have socialist patriotism and moral foundation, and run through

6. During his visit to China University of Political Science and Law, Xi Jinping emphasized that he should cultivate people with virtue and both morality and law, do a good job in cultivating legal talents, be inspirational, study diligently, and temper hard, so as to promote the growth and progress of young people, People's Daily, 2017-05-04, Ver.1.

the goal of cultivating rule of law talents with both moral and legal education and adherence to the law throughout the entire process of talent cultivation.⁷ In the process of practice, colleges and universities should be able to apply the "panoramic" direction of cultivating talents with both moral and legal education, the "integrated" mechanism of cultivating talents with both moral and legal education, and the "gradual" path of cultivating talents with both moral and legal education⁸, forming a new path of matrix style integrated development for cultivating talents with both moral and legal education.

Law has its own unique value. Compared to other skilled jobs, law has its own uniqueness, ideological and value in form and content. Law runs through various industries and places, and almost all disputes are ultimately resolved through the form of law. Legal workers are widely active in the fields of national political life and social governance, strengthening the cultivation of outstanding legal talents with both moral and legal education, promoting legal education and teaching reform, and ultimately teaching students to do the right thing and do things correctly.⁹ It is necessary to establish a correct concept and values of the rule of law, keep in mind the core socialist values, and put them into practice. In practice, he should establish an ideal antenna, adhere to the moral bottom line, and not touch the red line of law and discipline. He should always keep in mind his ideal beliefs and work together to build a fair and just rule of law building.

3.2 Integrating Collaborative Innovation Strategy into Law Teaching Practice

Law is an applied discipline, and practice is the ultimate link in completing the closed loop of law. The practical aspect is crucial for every rule of law talent, and legal education must attach importance to practical teaching. Practical teaching must incorporate ideological and political elements,

7. Lu Chunlong, Reform and Innovation of Ideological and Political Education for Legal Talents [J]. Frontline, 2019(08): 40-42.

8. Liang Ping, The Cultivation of Legal Talents with Both Moral and Legal Education in the New Era - Based on the Historical Significance of Xi Jinping Thought on the Rule of Law [J]. Hubei Social Sciences, 2021(02): 27-32. DOI:10.13660/j.cnki.42-1112/c.015558.

9. Liang Ping, Combining Moral and Legal Education: Exploring the Practical Approach to Cultivating Excellent Legal Talents in the New Era [J]. Hebei Law Science, 2021, 39(03): 51-60. DOI:10.16494/j.cnki.1002-3933.2021.03.004.

allowing students to understand the national situation in practice, hone their character in practice, increase their abilities in practice, and integrate knowledge and action in practice.¹⁰ Practice is an important criterion for testing the level of legal expertise. Law workers should apply their professional knowledge to serve social practice, and be able to effectively engage in vivid practices and tremendous achievements in comprehensively governing the country according to law. They can truly feel the judicial practice and value pursuit that promotes and safeguards social fairness and justice, thereby continuously improving their political stance, strengthening their ideals and beliefs, and consolidating our ideological and political foundation.¹¹ This can also achieve collaborative development with multiple institutions, departments, and organizations, increase opportunities and quality of practice, and make it a practical activity that helps students learn more value.

In terms of curriculum setting, colleges and universities can rely on big data to achieve innovative Internet plus education. In the curriculum, students can feel the real practice, such as watching live court trials, high-quality law courses, etc., and break the regional restrictions and inequality of educational resources through the Internet, in order to achieve balanced development. Colleges and universities can also try to integrate the development of law and other disciplines based on their own characteristics. Based on their own characteristics, they should be problem oriented and achieve multi field integrated development. In the process of development, they should strengthen practical education, promote development through practice, and test the correctness of the path in practice. They should actively use forms such as volunteer service, social practice, and social investigation to understand society, give back to society, increase the integration of law workers and social reality, and effectively play the prominent role of practical teaching in cultivating outstanding rule of law talents. The practical experience of rule of law talents can also be a part of comprehensive assessment, in order to improve the training mechanism of outstanding rule of law talents.

10. Ma Huaide, Exploration and Practice of Ideological and Political Construction in Law Majors [J]. Chinese Higher Education, 2022(06): 7-9+34.

11. Du Zixiao, Reflection on Integrating Moral Education into Legal Practice Teaching [J]. Chinese Higher Education, 2021(09): 46-48.

4. ACTIVELY RESPONDING TO THE NEW EXPECTATIONS AND REQUIREMENTS OF THE PEOPLE GUIDED BY SOCIAL NEEDS

4.1 Emphasizing the Systematization and Completeness of Disciplines

The cultivation of outstanding legal talents will ultimately be input into society, and should be guided by society, cultivating compound and applied legal talents with ideals, abilities, and virtues. With the continuous development of society, future social development and division of labor will be more refined, and the setting of secondary disciplines will be more refined and clear. However, there are also certain problems with the division of labor. Conducting academic and practical research with a segmentation posture of "entity is entity" and "program is program" has already caused significant obstacles in academic research and knowledge exchange.¹² The lack of integration and integration between procedural law and substantive law makes communication between them difficult, making it difficult for the two to coexist.

In the current secondary disciplines, Administrative Law and Administrative Procedure Law have effectively solved this problem by integrating entities and procedures. In the future, the forms of Criminal Law and Criminal Procedure Law, Civil Law and Civil Procedure Law can be tried, combining procedures and entities, and integrating them into one book or a secondary discipline to avoid separation, in order to better achieve disciplinary systematization and integrity.

4.2 Strengthening the Awareness of a Legal Community and Strongly Supporting the Construction of Interdisciplinary Fields

The ultimate goal of law is to distinguish and stop disputes. Problem orientation is the main direction of legal research, and to strengthen the awareness of the legal community. No secondary discipline direction is independent, and everything is interconnected. However, communication between secondary disciplines is increasingly

12. Xie Zhiyong, Research on Reconstruction of Legal Discipline Structure [J]. Tribune of Political Science and Law, 2019, 37(02): 13-22.

lacking. Many scholars are only biased and lack a high degree of starting from the overall situation. Law scholars from different directions may have huge differences in their answers to the same question, and different positions determine different judgements. They ignore the unity, integrity, and coherence of the legal system. It is necessary to pay attention to the integrity of the discipline of law and form a sense of community. While studying this second level discipline, we should also pay attention to other related second level disciplines, and strive to become a composite legal talent with a focus on field law and other directions.

According to the characteristics of universities, specific fields of law are formed. Field of law is problem oriented, with all phenomena related to law in specific economic and social fields as research objects. By integrating research methods from different departments of law, it is possible to establish a cross disciplinary, open, and integrated branch discipline system. Domain law can complement the normative research methods of departmental law by observing the substantive interests and social factors in industry fields through empirical research methods.¹³ Financial and economic colleges have integrated their own financial attributes, forming the characteristics of accounting law, financial law, and financial and tax law. The formation of interdisciplinary law is a new driving force for legal construction. Higher education institutions should strongly support the construction of interdisciplinary law, in order to better empower the construction of Chinese characteristic legal governance.

5. DEEPLY REFINING AND EXCAVATING CHINA'S EXCELLENT LEGAL CULTURE, AND PROVIDING THE WORLD WITH CHINESE LEGAL WISDOM AND STRENGTH

The Legalist ideology in China has a long and enduring history. The fact that the Chinese legal system can become one of the five famous legal systems in history shows the great influence and wide scope of the Chinese legal system. The Chinese legal system is the accumulation of the rule of law culture of Chinese civilization for thousands of years. It is based on the local rule of law ideology and culture of China, integrating Chinese

elements and Chinese customs. When facing China's traditional culture, there is a necessity to take its essence and discard its dregs, and carry out creative transformation and innovative development of it, so as to better promote the basic national policy of rule of law to play a role. The excellent rule of law culture will also run through the development of rule of law from beginning to end.

There are some ideas in the excellent legal culture of China that are still worth learning from. In the history of the rule of law in China, the strategy of governing the country with respect to propriety and punishment, and the emphasis on promoting propriety and law, the people-oriented concept of putting the people first and consolidating the country, the value pursuit of no litigation in the world and valuing peace, and the cautious punishment concept of prioritizing morality and assisting punishment¹⁴, as well as the emphasis on moral ethics and governing the country with morality, are emphasized in the culture of the rule of law in China. The concept of rule of law in ancient classics such as the "Book of Documents" and the "Book of Rites" emphasizes the principle of mutual benefit and moral governance between monarchs and subjects. This ethical concept of rule of law provides a solid moral foundation for today's rule of law construction in China. On the other hand, the establishment of ancient Chinese legal system has also accumulated valuable experience for the world's rule of law. As early as the Qin Dynasty, the promulgation of the Qin Law reflected the emphasis on the rule of law and the constraint on power. This early exploration of the rule of law has provided inspiration for countries around the world, especially in terms of power separation and legal system construction. In traditional Chinese legal culture, the pursuit of fair trial also holds an important position. The concept of "teaching by law" proposed by the ancient Legalist school emphasizes the principle of fairness and impartiality in the rule of law. This concept has been inherited and developed in the current practice of the rule of law in China, providing ideological support for the construction of a fair and transparent judicial system.

With the deepening of reform and opening up, China's legal culture continues to innovate and

13. Chen Baifeng, Establishing a Sound Legal Education System [J]. China University Teaching, 2023(09): 55-61.

14. Weng Teihui, Adhering to the Correct Political Direction and Promoting the Prosperity and Development of Legal Education and Legal Theory Research [J]. China University Teaching, 2023(09): 4-7+14.

develop. The pursuit of modernization of the rule of law has driven the continuous improvement and soundness of China's legal system. From law-based governance to governing according to law, China's legal power has gradually increased, providing solid guarantees for maintaining social stability and promoting economic development. The international dissemination of China's rule of law culture is becoming increasingly active. China actively participates in the construction of the international rule of law system, advocates the construction of the Belt and Road, and promotes the development of the global rule of law. The excellent legal culture of China has accumulated profound thoughts and practical experience in the long river of history. This kind of rule of law wisdom not only provides strong support for China's rule of law construction, but also provides rich inspiration for the development of countries around the world in the field of rule of law. China will continue to uphold the spirit of openness and cooperation, and share the glorious achievements of China's rule of law culture with the world.

6. CONCLUSION

The cultivation of outstanding legal talents has always been a dynamic process, a development process that keeps pace with the times, a dialectical development process, constantly following the needs of social reality, injecting new energy into law, and endowing it with new vitality. Law is based on practice, which helps students better understand social conditions and public opinion, establish firm ideals and beliefs, integrate moral education into the path of cultivating legal talents with both morality and law, and strive to transform Xi Jinping Thought on the Rule of Law and Xi Jinping's Thought on Socialism with Chinese Characteristics for a New Era into new content of talent cultivation. With the continuous development of the discipline of law, people must adhere to the sinicization of law.¹⁵ The issue of the existence or abolition of undergraduate law majors is actually a competition between the American model and the rule of law with Chinese characteristics. People must insist on the culture of rule of law with Chinese characteristics, focus on ourselves, use it for our own benefit, draw on other excellent rule of law cultures, firmly follow the path of socialism with Chinese characteristics, adhere to the basic

national policy of rule of law, and help achieve the rejuvenation of the Chinese nation.

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15. Wang Jian, Basic Concepts of Bachelor of Arts in Law [J]. New Liberal Arts Education Research, 2021, 1(01): 90-107+143.

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