

The Exploration and Analysis of Dilemma of the Environmental Legal Education in Chinese Colleges and Its Solutions

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Abstract—The paper, starting from the basis and connotation of environmental legal education in colleges and universities and through statistical analysis method and summarizing method, analyzes the status quo of environmental legal education in colleges and universities including unreasonable setting of courses on environmental legal system, lack of fund and serious loss of talents. Aiming at these current situations, it raises a series of feasible measures including increasing the proportion of environment law in Chinese judicial examination, increasing investment and perfecting course setting.

Keywords—Chinese colleges; environmental legal education; solutions

I. INTRODUCTION

Popularizing environmental legal system in colleges and universities and strengthening the legal consciousness of modern young people are the key steps of construction of ecological civilization. The environmental legal education in Chinese colleges and universities aims to make college students standardize their environmental behaviors, correctly exercise the rights about environmental protection, consciously perform the obligations relating to environmental protection, build correct world view and further improve their quality through the courses on environmental law and by cultivating the consciousness of environmental laws.

Green principle[1] in the latest enacted Civil Code raises making strengthening the environmental legal education in colleges and universities become essential. The environmental legal education can adjust to social development and reform only by constantly innovating it.

II. THE CONNOTATION AND FEATURES OF ENVIRONMENTAL LEGAL EDUCATION

“Environmental legal education is the generic term of all legal educations on environment and resources protection laws aiming to adjust and standardize the relation between humans and environment, make the public consciously protect and improve environment and prevent and treat environmental pollution and other public hazards to strengthen the environmental consciousness of the public and ensure the healthy and sustainable development of economy and society.”

[2]Environmental legal education absorbs the knowledge about environmentology and science of law, makes college students master the basic knowledge about environment laws and improves their consciousness of environmental protection hoping they can protect national, social and their environmental rights through legal means.

A. Education work of environmental legal system in colleges and universities reflects the era character of Chinese legal education

Combining the status quo of Chinese environmental development, “the seventh five-year” popularizing law plan in 2016 raised pushing the construction of beautiful China by energetically advertising the laws and regulations on environment protection and saving resources and energies.[3] Since the implementation of “seventh five-year” popularizing law plan, about 200 colleges, universities, technical secondary schools and vocational high schools set environment law major across China; colleges, universities, middle schools and primary schools have launched rich and diverse environment protection-themed activities and the party schools, and administration institutions at all levels also set the teaching content about environment protection. Environmental legal education is the key of “the seventh five-year” popularizing law and environmental legal education is the important content of Chinese legal education. The requirements of popularizing law work for environmental legal education create good environment and conditions and provide rich content for the environmental legal education in colleges and universities.

B. Environmental legal education among Chinese college students complies with the modified law

In recent years, the public pay more and more attention to environmental pollution and the concept of green and environment protection is gradually accepted by people. “Basic Principle” in the first chapter of General Provisions of Civil Law enacted in 2017 explicitly states that civil subjects should protect environment, save resources and enhance the harmonious development of human and nature in civil activities, which has not emerged in the previous General Provisions of Civil Law. One of its important functions is to require civil subjects to hold the concept of saving resources

and protecting ecological environment in civil activities and build the concept of sustainable development. It values the education work of environmental legal system among college students, as a new generation of social builders, in order to make them obey the laws about environment protection and implement “green principle” in work after entering the society.

Meanwhile, Environmental Protection Law amended in 2015 is called the most strict environmental protection law in history. In order to carry out green principle and new Environmental Protection Law better, China sets forth the basic strategy of environmental legal education among citizens in a series of normative documents about environmental legislation and planning and action plan. The making and amendment of law profoundly influence the education activities of human, so in the legal education in colleges and universities, the new progress and achievements in the construction of environmental legal system should be included in the legal education of colleges and universities and environmental legal education should be considered an important content.

C. Education work of environmental legal system indirectly reflects the target of higher education

The objective of education must correspond to the most cutting-edge problems in modern society. Other than its pace and scale of development, one of the inspection standards for top universities is whether it can understand the most cutting-edge problems and include them in teaching plan and school construction. When educational achievements are in line with the requirements raised by the era, the objective of education is achieved, otherwise, education fails. Today, environmental pollution events emerge frequently and the survival and development of all humans face serious threats, so environmental pollution problem becomes the most cutting-edge problem in the era and strengthening the construction of legal education is the only road leading to a top university. The starting point and foothold of environmental legal education are to enhance the sustainable development of society and constantly improve people’s ability of solving ecological problems. Environmental legal education not only makes remarkable contributions to cultivating the environmental protection consciousness of college students but has an important position in the milestone of Chinese higher education career. Establishing the key position of environmental legal education in the education of Chinese college students is beneficial for combining traditional educational concepts, launching “green” education and enhancing the harmonious development of human, nature, society and other aspects.

III. THE DILEMMA OF ENVIRONMENTAL LEGAL EDUCATION AMONG CHINESE COLLEGE STUDENTS

A. Unreasonable setting of courses on environmental legal education

China has not established a set of environmental education system involving all education stages, theory and practice. And Chinese environmental legal education lacks systematic planning and professional guidance.[4] Primary school students or middle school students have begun to touch a handful of courses about environmental education, but their content is

simple and mainly involves environmental protection knowledge rather than environmental protection law. College students who had not learned systematic environment protection knowledge in middle school and high school are strange to environment law. Other than environmental law major students and other students who learn environment law as an elective course, other major students in colleges and universities barely touch the knowledge about environment law[5].

On September 21, 2017, Ministry of Education, Ministry of Finance and National Development and Reform Commission jointly issued The Notice about Publishing the List of World-class Universities, First-class Subjects Construction Colleges and Universities and Subjects. And the release of List of World-class Universities, First-class Subjects Colleges and Universities and Subjects has been confirmed officially which includes 42 world-class colleges and universities (including 36 A-class universities and 6 B-class universities)[6]. The author records the problems about the setting of law school, setting of environment law major and setting of environment law as elective courses in “Double First-rate” universities (see Fig 1). The 42 universities are the representatives of Chinese top universities. In these high-quality universities, environmental legal education has not been popularized. Only 61.9% of “Double First-rate” universities have set environment law major and only 42.8% of them have set environment law as elective course. Compared with these top universities, the situation of environmental legal education is worse in ordinary colleges.

In teaching mode, the environmental legal education in colleges and universities mainly adopts “Duck-stuffing type of teaching” and a handful of seminars, values theory instillation and neglects practice and has not embodied the intersectionality, comprehensiveness and permeability of the subject, which makes college students unable to master the basic theoretical knowledge of environmental legal education courses and is not beneficial for college students to cultivate their environmental quality. College students don’t have a strong desire to learn the courses about environmental legal system as an elective course and the course is sometimes canceled owing to lack of attendants.

TABLE I. ENVIRONMENTAL LAW ESTABLISHMENT STATISTICS

Subject setting Class of "Double First-rate"	have set "law school"	have set "environment law"	have set the elective courses about "environmental legal system"
A class of "Double First-rate"	31	25	18
B class of "Double First-rate"	5	1	0

Data source: the websites of “Double First-rate” universities

B. Funds shortage in the construction of environmental legal education

Investment is directly proportional to output. If the investment in environmental legal education is insufficient, it is hard for environmental legal education career to develop. The public expenditures of Ministry of Finance don't include a special expenditure for environment legal education. And only the expenditures in environment protection include the expenditure in environment protection propaganda which is not sufficient.

According to the drafted budget published by Ministry of Environment Protection in 2017, the expenditure in public and administrative affairs management about environment protection is 220,884,200 yuan, which is used in public affairs management, environment propaganda and education, building of environment protection talents and international cooperation, communication and performance on environment protection[7].

Generally speaking, the funds allotted to environmental construction are not too much and the funds allotted to environmental propaganda are less. And the funds in launching environmental legal education work can't meet the needs of national environmental legal education. In launching environmental legal education work, the compilation of textbooks needs funds; based on the rapid development of science and technology, classroom needs to add new teaching instruments and replace old teaching instruments; what is the most important is the lack of funds leads to the failure to attract excellent professionals to engage in environmental legal education work. The launching of environment law work is like a running train and any damaged part will lead to the running fault of whole train.

C. The environmental legal education in colleges and universities lacks talents

Environmental legal education absorbs the features of environmentology and law, so the PhD graduates of law major, especially the PhD graduates of environment law major, are the key teacher resources in the environmental legal education in colleges and universities. The author conducted a questionnaire survey to the PhD graduates in Peking University, Tsinghua University, Renmin University of China and China University of Political Science and Law and the 50 law major students arranging for the examination for PhD candidates (see Fig 2). Most of them are willing to engage in "law education" work after graduation and only six people are interested in "environmental legal education" work. The serious shortage of high-quality talents willing to engage in law education leads to the poor education quality.

TABLE II. LAW DOCTOR'S INTENTION QUESTIONNAIRE

what they willing to engage in	willing to engage in "legal education" work	willing to engage in environmental legal education work
Data		
number of people	37	6
percentage	74%	12%

Currently, many teachers engaged in environmental legal education work don't have a background of law major, colleges

and universities don't have enough investment in teachers and neither the number of professional teachers nor training strength meets the requirements of students. Especially, with the expanded enrollment by colleges and universities, the number of college students increases rapidly, professional teachers can't undertake all teaching tasks of environment law major and the remaining teaching tasks have to be assigned to some part-time teachers without complete background of environment law major who can't well master environmental legal education theory or provide a good analysis and guidance of relevant cases.

D. The textbooks about environmental legal education are defective

The existing textbooks about environmental law have many problems. First, different names. The existing environment law textbooks include "Environmental Law", "Environmental Law Course", "Environment and Resources Law" and "Environment and Resources Law Course" which have different angles of introduction. Second, textbooks have greatly different content. Generally speaking, the existing Chinese published textbooks about environment law have the problems including non-uniformity, old content and different styles, which make teachers, feel confused in the choice of textbooks and are not beneficial for students to form a perfect knowledge structure about environment law.

IV. THE OPTIMIZATION PATH OF ENVIRONMENTAL LEGAL EDUCATION AMONG CHINESE COLLEGE STUDENTS

A. Perfecting the setting of environmental law courses

We should advocate changing the state quo of immethodical environmental legal education, include environmental legal education in the legal education system of college students and general education curriculum of students and improve the proportion of environmental legal education courses in college courses to provide the education about basic knowledge about environment law for each college student[8].

The content and teaching methods of course should be enough attractive to students. Interest is the best teachers. When students are interested in learning the knowledge about environmental law, the efficiency in class will improve greatly. Therefore, the teachers of the course should refer to the latest achievements in environmental legal construction in teaching and add relevant content to teaching plan. Students can learn through little film and interaction, discussion and group discussion among teachers and students and other ways. After class, teachers can take full advantage of information networks to launch WeChat class and build the official account of campus environmental legal propaganda to provide students with the latest dynamics about environment law.

B. Ensuring capital investment adapts to development needs

Environmental legal education can make progresses only by obtaining the funds matching with its development needs and keeping a balance between the investment in manpower, goods and materials. The central government and local governments should specially set a special expenditure for

environmental legal education and keep it positively proportional to local financial income. The central government and local governments can set special awards of environment law in colleges and universities and provide award and support for the colleges and universities, especially the colleges and universities in remote area with serious environment problems, which carefully launch environmental legal education. The colleges in the remote area have a low development level and the government should provide more help for them to comprehensively improve the environmental legal education level among universities and colleges.

C. Valuing teacher training

Most teachers still think that they have not mastered comprehensively and need to perfect the knowledge about environment law. We should require teachers to comprehensively learn environmental laws and regulations based on the status quo and national conditions of Chinese economic development and combining the legislation experience of other countries. First, we should regularly launch environmental legal education and training for teachers to improve their consciousness of environment protection and perfect their legal knowledge; second, we should set favorable employment policy to attract the PhD graduates of environment law major to environmental legal education field, introduce returned students and interdisciplinary professionals to expand teaching body, and hire the professors in foreign universities as part-time professors to regularly come to China to hold environmental legal seminars and open the new directions of environmental legal education work.; at last, we should launch inter-school cooperation. Colleges and universities can build an inter-school cooperation platform to enhance the sharing of teaching materials and teaching and academic research experience communication in colleges and universities. Colleges and universities should make concerted efforts to jointly push environmental legal education in colleges and universities.

D. Increasing the proportion of environment law in judicial examination

Judicial examination in 2014 is the threshold for legal profession, which has been involving environment law. And the basic principle and system of environment protection law have been included in the examination outlines. The scores of the content involving environment law in the judicial

examinations in 2013, 2014, 2015 and 2016 are respectively 3, 6, 7 and 12.

Therefore, the author advocates that the proportion of environment law in judicial examination should be improved. The range of questions in judicial examination work as a benchmark for the learning of law major students. Increasing the proportion of environment law in judicial examination has immediate effects on the enthusiasm and initiative of students for learning environment law.

V. CONCLUSION

With the rapid development of world, environment is deteriorating gradually. According to the amended civil code and the goal of higher education, the achievement of green education concept of sustainable development needs environmental legal education work. Great progresses have been made in environmental legal education in the last several years, but we are still in the exploratory stage of development of environmental legal education and have many defects to improve. The improvement of legal consciousness of college students is related to the future green development of China. With the joint efforts of teaching staff and students in colleges and universities, Chinese environmental legal education will become normative.

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