

# **The Cultivation of University Teachers' Rule of Law Thinking in the Internet Age: the Value, the Dilemma and the Path**

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**Abstract:** Rule of law thinking is a rational way of thinking based on legal norms. To cultivate rule of law thinking of college teachers is an inevitable requirement of grasping the leadership of ideological work, the basic guarantee of building a harmonious campus culture, and the internal requirement of implementing the fundamental goal of “strengthening moral education and cultivating people”. Faced with the opportunities and challenges brought about by the Internet, only by leading teachers in colleges and universities to set up the rule of law belief, strengthening teachers’ rule of law education, perfecting the top-level design of running the school by law, can colleges and universities effectively improve rule of law thinking of their teachers in order to create a clean and upright cyberspace, create a good educational atmosphere to cultivate students, and cultivate good ethics of teachers.

## **1. Introduction**

In 2018, Chen Baosheng pointed out at the national conference on the rule of law in education that promoting the administration of education by law comprehensively is an urgent requirement to accelerate the modernization of education and build a educationally powerful country.<sup>[1]</sup> The mobile Internet has led new changes in social production, created new space for human life, expanded new areas of national governance, and greatly improved the ability of mankind to understand and transform the world. In the face of new opportunities and challenges in the era of “Internet plus”, college and university teachers should not only master the rule of young students’ growth, but also master and apply the rule of information dissemination on the Internet, improve their rule of law thinking, become students' knowledge disseminators and thought leaders to make the Internet variables become the biggest increment in education.

## **2. The Value of Enhancing Teachers' Rule of Law Thinking in the Internet Age**

### **2.1 An Inevitable Requirement to Grasp the Leadership of Ideological Work and Create a Clean and Upright Cyberspace**

At present, there is a contradiction between the relatively backward network rule of law system and the Internet users' rule of law thinking and the urgent desire to build a strong network. General Secretary Xi Jinping put forward the strategic thought of building a strong cyber power at the central leading group meeting on cyber security and informatization, which answered the questions of why and how to build a strong cyber power. The premise of building a clean and upright cyberspace is to maintain the security of network ideology with a high degree of political consciousness. In cyberspace, everyone is a builder, processor, disseminator and sharer of information. The virtual, open and hidden characteristics of the Internet make campus netizens regard it as a field outside real life, which leads to frequent network misconduct behaviors such as exploding anger wantonly and following others’ speechblindly, resulting in a disconnect between the real life and the network. In the new era, college and university teachers should be armed with rule of law thinking, firm their rational beliefs and resist the weakening, differentiation and alienation of the mainstream ideology by non-mainstream ideologies, so as to make colleges and universities become the main ideological front to spread positive energy. Only by firmly controlling

the initiative and dominant power of the public opinion field, can we curb the rampant of false, distorted and wrong ideas.

## **2.2 A Basic Guarantee of Creating a Good Educational Atmosphere and Building a Harmonious Campus Culture**

Issued by the Ministry of Education and the Central Committee of the Communist Young League, “On Strengthening and Improving College's Opinions on the Construction of Campus Culture” made it clear that colleges and universities should highlight the characteristics of socialism, the time and campus culture and strive to create a good educational atmosphere, with optimizing the environment of campus as the focus and correct values as the guidance.<sup>[2]</sup> Network is an important part of campus culture which plays an imperceptible role in developing values of college and universities students. Colleges and universities should set up the concept of “educating people by culture” and strengthen the construction of harmonious network culture while building the material culture on beautiful campus. Material culture, spiritual culture, system culture and behavior culture of campuses constitute a unique culture system on campuses. Rule of law is the basis and premise of the construction of campus system culture and the compass of the construction of campus behavior culture. Rule of law plays an important role in building harmonious campus culture. In order to establish an internal system with the college and university charter as the core, colleges and universities must firmly grasp the fundamental principle of governing the university by law and create a fair, just, reasonable and effective institutional atmosphere.

## **2.3 Inherent Requirements of Cultivating Good Ethics of Teachers and Implementing the Fundamental Goal of “Strengthening Moral Education and Cultivating People”**

As for teachers, their teaching duties are inseparable from their cultivating duties. Mr. Tao Xingzhi believes that teaching is to teach people to ask for others and learn to be real. Reality is the foundation of teaching, learning, virtue and subsistence. At the national education conference, General Secretary Xi Jinping stressed the need to integrate “moral cultivation” into all teaching links and systems. “Strengthening moral education and cultivating people” is the goal of educating people and the fundamental task of education in the new era. Education needs to combine rule of law with rule of morality. The foundation and development of colleges and universities should follow rule of law. At the same time, the concept of “people-oriented” should be carried forward, and the process of educating people should draw on fine cultural traditions, educate people with morality and run schools with morality. Therefore, the rule of morality is a beneficial supplement to the rule of law. Teachers need to know rule of law, cultivate morality, and learn and practice earnestly.

## **3. The Dilemma of Current Situation Teachers' Rule of Law Thinking in the Internet Age**

### **3.1 Legal Awareness is Weak with a Lack of Legal Knowledge.**

From the perspective of teachers' profession, professional quality of teaching is necessary, while professional quality of legal consciousness is not. Most teachers only identify the rule of law as a tool, thus creating a sense of alienation and strangeness to the law. In the way of studying law, relying only on the induction training and the popularization of law in daily political life is not valid and wide enough, and most teachers and staff pay insufficient attention to the study of rule of law, resulting in their weak legal awareness. In terms of learning content, most teachers pay more attention to the study of laws and regulations closely related to their own interests, but lack of systematic study of laws and regulations, resulting in a small reserve of basic legal knowledge and a narrow range of legal knowledge. The lack of legal knowledge directly affects the rational use of legal methods. Some teachers take advantage of the hidden characteristics of the Internet to vent their anger wantonly and regard the Internet as a place to vent their emotions and release pressure. The application of legal awareness is the foundation of thinking under the rule of law. Only by mastering laws and regulations can they avoid subjective assumptions and regulate words and deeds

by law.

### **3.2 In the Face of Students' Network Behavior Anomie, Teachers' Guidance and Coping Ability Are Weak**

Most college teachers only care about their most basic teaching work, holding that it is better to do one thing less than one thing more and things which has nothing to do with themselves do not matter at all. All they do is to ensure that there are no accidents in the classroom, teaching and management within their responsibility. They are not involved in the role of all-round and whole-process education. If the mainstream information is not spread in time, the false and distorted non-mainstream ideological remarks will infiltrate the college students.

Only when college teaching administrators firmly believe in the law, establish the concept of law, and create a safe and sound network atmosphere, can campus netizens fully enjoy the convenience brought by the Internet. As the leader of teaching, college teachers are also an important component of the educating community in full-scale education. They need to observe their own behaviors from the perspective of rule of law, guide students to form good habits of scientific use of the Internet, regulate students' online behaviors, and put an end to online crimes.

### **3.3 The Penetration of Rule of Law in Teaching Management is Not Strong and the Attention Paid to the Teachers' rule of Law thinking is Not Enough**

Rule of law thinking, which requires individuals to think and solve problems based on legal rules, differs from the rule of man thinking as well as the rule of power thinking. The rule of law thinking chiefly includes two aspects: everyone learns and observes the law and everything is in accordance with the law, so as to create a legal atmosphere fully with democracy, fairness and justice. Legal education is not only the obligation of legal teachers, or the duty of college students as ideological and political education, but also the common responsibility of all university teachers. In the reform of colleges and universities, increasing attention has been paid to the professional construction of teachers, which makes it common for teachers to perform their respective duties.<sup>[3]</sup> At the same time, influenced by traditional basic education, the idea of "achievement-oriented" is deeply rooted. When it comes to the teaching goals, most teachers pay more attention to the improvement of knowledge and skills, but neglect to infiltrate the concept of rule of law as the content of values in teaching. The lack of attention to the quality of the rule of law is mainly reflected in the lack of manpower and funds invested in the construction of the rule of law in colleges and universities, and the lax training and assessment of the legal knowledge of teachers.

## **4. The Pathes of Improving Teachers' Rule of Law Thinking in the Internet Age**

### **4.1 Strengthen teachers' Daily Legal Education and Continuously Improve Teachers' Legal Cultivation**

The evaluation of the comprehensive quality of college teachers should not only include professional ability and professional quality, but also legal cultivation. The legal literacy of teachers is a general term, referring to the knowledge and ability obtained by teachers in the process of learning related rules, and the corresponding ideas and attitudes acquired by teachers through learning in their careers. Teachers' legal literacy should be included in the faculty entrance examination. In addition, the publicity of legal education should be constantly increased in the daily teaching, scientific research and management work. Moreover, learning plans should be carried out regularly, creating a legal atmosphere of learning law, knowing law, abiding by law, conforming to law and using law. Some scholars believe that teachers should master three levels of related legal knowledge. The first level includes education laws and related regulations issued by the National People's Congress and the Standing Committee; the second level includes administrative rules and regulations promulgated by the State Council and local rules and regulations promulgated by people's congresses; the third level is government regulations, including the regulations of the Ministry of Education and regulations of local government.<sup>[4]</sup> To improve teachers' legal literacy,

teachers in colleges and universities need to systematically learn three levels of basic legal knowledge. Focusing on the immediate interests of college teachers and the issues they care about, we should develop high-quality legal education resources, stimulate teachers' learning motivations, and change the attitudes of teaching and administrative staff from passive "I want to learn" to active "I want to learn".

#### **4.2 Strengthen the Superstructure of College Governance by Law, and Establish and Improve the Mechanisms for Building Capacity of Rule of Law**

Law is the most important instrument of governance, and the of law is an important basis for China's governance system and capacity. <sup>[5]</sup> Teaching and running colleges by law is an important part of running schools by law, and the teaching team is the key to training socialist builders and successors with legal thinking. What is necessary for colleges and universities is to constantly deepen the reform, follow the guidance of Xi Jinping. Thought on Socialism with Chinese Characteristics for a New Era, learn the spirit of National Education Conference and implement the basic strategy on comprehensive law-based governance. We should constantly optimize the superstructure of college governance by law, regulate the construction of the rule of law system actively, safeguard the legitimate rights and interests of colleges and all the teachers and students, thus we can promote the scientific and standardized management of colleges and universities by law. To be specific, we should, firstly, strengthen the organization and leadership, set up the legal affairs office and provide it with financial support, which can undertake the related services and management affairs of the college administration in accordance with the law and ensure the orderly development of the college's construction of the rule of law. Secondly, we should infiltrated the rule of law education into all aspects of teaching, scientific research and management, so that teachers and students can be immersed in the atmosphere of law-based teaching and law-based management. Thirdly, we should strictly standardize the procedures. Due process is the basic content of the rule of law thinking. Only by standardizing the process can teachers and students realize their right to know and right to express, and then exercise the right of supervision, which ensures the principal position of teachers and students in colleges and universities. Fourthly, we should constantly improve the administration mechanism in colleges and universities, commanded by the rule of law, comprehensive apply multiple mechanisms such as consultation, adjust to properly deal with the disputes between campus and society, campus and campus, campus and students, campus and teachers, teachers and teachers, teachers and students, students and students, thus continuously improve their ability of dealing with complex situations in accordance with the law. <sup>[6]</sup>

#### **5. Build a Culture of Rule of Law on Campuses and Guide College and University Teachers to Establish a Belief in Rule of Law**

Teachers and students can never avoid being gradually influenced by campus culture. According to Marxism, belief refers to "the theoretical propositions that can correctly grasp the laws of nature and human social development or the ideological views that can correctly reveal the material world and the spiritual world, which are firmly believed and can be diligently practiced". <sup>[7]</sup> The American jurist Harold J. Berman said in *law and religion* that "law must be a faith, otherwise it will exist in name only." The rule of law needs to rely on the law, and the life of the law lies in the implementation, which is not only the compliance with the legal rules and regulations, but also the recognition and yearning of the concept of the rule of law. General Secretary Xi Jinping stressed that "only when we respect the rule of law in our hearts can we act by law. Only the rule of law engraved in people's hearts is truly unbreakable." Only by believing in the rule of law in our hearts can we revere and respect the rule of law and guide our actions with the rule of law thinking. To firmly establish the belief of rule of law of teachers in colleges and universities, it is necessary to take multiple measures and infiltrate them. Firstly, we should create a legal culture atmosphere, integrating the construction of legal culture into the construction of campus culture, so that teachers and students can truly experience rule of law through the construction of campus legal entity. Secondly, we should give full reign to the pioneering role of the party members, who are supposed

to take the lead in studying and teaching law. Thirdly, leaders and cadres in colleges and universities should set an example to promote the rule of law culture. Only if the rule of law replaces the rule of mankind and rule of power can we demonstrate the CPC's fundamental position of taking the people as the center. Fourthly, legal literacy of college teachers should be included in the teachers' ethics assessment and performance assessment to further refine and clarify the rules of college teachers in the implementation of the rule of law construction.

To comply with the development trend of the Internet and build a harmonious campus, the first step is to ensure the safety of the network, keep the bottom line, run colleges and universities by law, and defend the legitimate rights and interests of teachers and students. We should fully understand the convenience brought by Internet technology and calmly analyze the challenges brought by Internet. At the same time, it is urgent to improve and consolidate the college teachers' rule of law thinking. College and university teachers should take the lead in studying law, abiding by law and using it. Only by equipping their minds with the concept of rule of law, taking a firm position of socialist rule of law, skillfully infiltrating the concept of rule of law into their teaching and management, and educating, inspiring and guiding students with the thought of rule of law, can they shoulder the glorious mission of strengthening moral education and cultivating people.

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