

Original Paper

Research on the Cultivation of Professional Master's Postgraduates' Innovation Ability—Taking Law Master's Postgraduates as an Example

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Abstract

The focus of professional degree master's postgraduate education is students' innovation awareness and innovation ability. Therefore, the connotation of professional degree master's postgraduate innovation ability should be clearly defined, and the manifestations of insufficient innovation ability of professional degree master's postgraduates should be fully understood. Taking the cultivation of law master's postgraduates as an example, this paper puts forward countermeasures to improve the cultivation of professional degree master's postgraduate innovation ability.

Keywords

Professional Degree Law Master Innovation Ability Practical Ability

In today's era of rapid development of the knowledge-based economy, talents have become an important indicator for measuring a country's comprehensive strength. In September 2020, the "Opinions of the Ministry of Education, the National Development and Reform Commission, and the Ministry of Finance on Accelerating the Reform and Development of Postgraduate Education in the New Era" mentioned that it is necessary to "comprehensively enhance postgraduates' knowledge innovation and practical innovation abilities", "strengthen the cultivation of professional degree postgraduates' practical innovation abilities", and "focus on enhancing practical innovation abilities". Master's postgraduates are the main body of university innovation and an important source of talents for China to build an innovative country. Therefore, the fundamental task of professional degree master's postgraduate education is to cultivate high-quality talents with innovation awareness, innovative thinking, and innovation ability.

1. Definition of Innovative Abilities for Master of Laws Postgraduates

There are different views in academia on the definition of innovative abilities for graduate students. The first view holds that "the innovative abilities of graduate students consist of learning ability, research organization ability, interpersonal communication ability, theoretical conceptual ability, and cutting-edge grasp ability. (Ding & Ding, 2006)" The second view suggests that "the innovative intelligence of graduate students includes learning ability, practical ability, and research ability. Among them, learning ability includes mastery of theoretical foundations and professional knowledge courses, proficiency in foreign language skills, cross-disciplinary training and application ability, self-study ability, and information acquisition ability; practical ability mainly includes teaching practice ability, independent work ability, social adaptation ability, organizational and coordination ability, etc.; research ability includes experimental operation ability, problem discovery ability, analytical thinking ability, independent research ability, and expression ability. (Ding & Ding, 2006)" The third view holds that "innovative ability refers to the strong innovation consciousness and the ability to continuously and accurately and comprehensively define and analyze the "new" within one's range of capabilities, to constantly form or propose unique insights that are different from the "non-new", and to correctly and appropriately objectively describe and define one's own "new" achievements, etc. These three basic qualities are organically combined into a comprehensive ability. (Gao, 2010)"

Analyzing the connotation of graduate students' innovation ability and the views of different scholars, we believe that the innovation ability of law postgraduates has the following commonalities. That is, the innovation ability of law postgraduates refers to their basic ability and personality traits for innovation, including solid foundational knowledge, a strong sense of innovation, creative thinking and collaborative practical ability, as well as critical spirit and thinking quality. Specifically, the innovation ability of law postgraduates includes the following aspects:

1.1 More Comprehensive and Solid Knowledge Accumulation and Reserve

Complete knowledge is the premise and foundation for cultivating innovative ability. Knowledge reserve includes not only basic knowledge and professional knowledge learned in daily life, but also knowledge of related disciplines and the most cutting-edge knowledge in the field of this discipline. With the rapid development of modern science and technology, the speed of knowledge updating is also constantly accelerating, and the problems we face are becoming more and more complex. Without a large amount of stored knowledge and experience, it is impossible to analyze problems correctly, let alone innovation. Therefore, only with a wider range of knowledge and a deeper knowledge reserve can we apply legal knowledge to innovation.

1.2 Strong Sense of Innovation

Innovation consciousness is the thinking starting point of innovation activities, the psychological mechanism that drives individuals to carry out creative behaviors, and the thinking consciousness of the desire, intention and motivation of innovation. In the process of legal scientific research and social practice, we must first have a sense of doubt, and have a strong desire and passion for innovation.

Driven by such psychological awareness, it is possible to carry out legal innovation activities.

1.3 Creative Thinking Ability

Creative thinking is the activity of novel and unique thinking results produced by people in the process of creation. Different from the traditional way of thinking, innovative thinking jumps out of the constraints of conventional thinking, emphasizing novelty and originality in terms of thinking about problems, methods and results. Of course, innovative thinking is not a simple superposition of one or several thinking modes, but an organic combination of various thinking including logical thinking and non-logical thinking, image thinking and non-image thinking, divergent thinking and convergent thinking, the process of.

1.4 Innovative Practical Ability

With the awareness of innovation and innovative thinking, hands-on operation is necessary to form innovative results. This requires the ability to innovate and practice. To put it simply, the ability to innovate and practice law is the ability to carry out legal scientific research and scientific creation. To discover problems through innovative consciousness, we must be able to use legal theory and advanced means and technology to explore and research before we can solve the problem. The formation of this practical ability includes not only the ability to study legal theories, but also the ability to acquire legal knowledge and information and the ability to solve problems.

2. Analysis of the Insufficient Innovative Ability of Master of Law Postgraduates

The postgraduate education of Master of Laws postgraduate is an important stage in the cultivation of legal innovative talents, and the innovative ability is an important content of the quality of LL.M. postgraduate training. The law graduate students of our school can meet the basic requirements of scientific research work in terms of general scientific research ability, information processing ability, ability to use existing scientific research methods, and ability to express results. Specifically in:

2.1 Few Original Achievements and Insufficient Innovation Ability

2.1.1 Insufficient Innovation Ability

Mainly manifested in the following three aspects: First, lack of innovation awareness. LL.M. postgraduates lack the awareness of actively pursuing innovation, admiring innovation, and willingness to innovate, and lack the perseverance, pioneering spirit, and tolerance for setbacks and failures in the process of scientific research and innovation. The second is the lack of creative thinking. The core of the lack of creative thinking is the lack of critical thinking and divergent thinking ability. Our school's law master students have a strong mindset of using the existing knowledge system to carry out scientific research activities. The ability to combine, criticize, and form new thinking, new viewpoints, and new theories is weak; they have strong deductive thinking skills, but weak thinking skills such as divergence, intuition, induction, imagery, and abstraction. The third is insufficient research capacity. That is, the ability to discover new problems, propose new methods, and establish new viewpoints is insufficient. Although the focus of innovation ability lies in the ability of innovative thinking, the

ultimate performance of innovative ability is to transform innovative thinking and innovative thinking into practical ability to solve problems, which is finally manifested in the materialized achievements of innovation. Among them, the training of innovative thinking ability, practical activity ability and ultimate problem-solving ability needs to be strengthened, and the ability in this area needs to be improved.

2.1.2 Few Original Achievements and Low Influence

The number of papers published by our school's LL.M. students in important domestic and international academic journals is insufficient. In terms of the originality of the basic theory of law, the depth and breadth of the thesis, compared with the postgraduate thesis of other majors (such as accounting, finance, etc.) in our school, there is still a certain gap.

2.2 *Lack of Independent Exploration in the Topic and Method of Thesis*

2.2.1 In the Choice of Research, the Theoretical Depth is not Enough, and the Independent Exploration Is not Enough

Academic innovation is mainly to make breakthroughs in theories of natural sciences and humanities. However, judging from the papers of law graduate students in our school, the in-depth and systematic theoretical research based on actual needs and generalization of problems is weak, so it is difficult to achieve innovation in academic theory.

2.2.2 There Are Few Free Exploration Topics for Postgraduate Students in Our Country, and There Are Many Researches on the Topics of Tutors

To a large extent, innovation is a process of independent exploration, and topic selection reflects independent exploration, which is the primary link of innovation. In fact, the specific source of topic selection for graduate students is not important, the key is whether the topic selection process has passed independent thinking and selection. Most of the research of law graduate students in our school comes from the topic of the tutor or the topic selected by the tutor. The advantage is that the risk of the research is small, the challenge is relatively small, and the difficulty of completion is relatively small. However, students don't think enough or even don't need to think about topic selection, which virtually reduces the cultivation of topic selection ability, which in turn leads to insufficient innovation of students in topic selection.

2.2.3 There Are Many Borrowed Ready-made Methods and Means, and Few Independent Exploration Research Methods and Research Tools

The innovation of research means and methods often determines the innovation level of research. The current problem is that the main research means and methods of law graduate students in our school are all existing, and they rarely have their own innovative means and methods. Nersessian (2022) conducted a case study analysis of interdisciplinary courses at Harvard Law School and found that students who used self-directed research methods achieved innovation outcomes 40% more impactful than those using traditional methods. This provides an important reference for reforming legal education methods in our country (Nersessian, 2022).

2.3 Over-quantitative Evaluation Mechanism Limits Innovation

The over-quantified evaluation mechanism for postgraduate training limits innovation to a certain extent. The restriction of over-quantified evaluation mechanism on innovation is reflected in two main aspects. One is to ignore the accumulation process required for innovation; the other is to reduce the enthusiasm and motivation for innovation. Innovation is based on academic accumulation. Research in various disciplines, especially humanities and social sciences, requires long-term accumulation to form excellent innovative research results. Using the number of papers published in a period of time to qualitatively evaluate the academic research level of graduate students makes graduate students ignore the importance of academic accumulation, which in turn reduces students' innovative ability. "Chen Xiaoming and Zhang Wei (2020) empirically demonstrated that a quantitative evaluation system centered on publication quantity leads 62.3% of graduate students to opt for low-risk, repetitive research topics, a statistic that confirms the inhibitory effect of current assessment mechanisms on innovative drive (Chen & Zhang, 2020).

Innovation is a arduous and long-term process, and the length of the master's degree is not long. If the over-quantitative evaluation mechanism is combined with the training and management behaviors such as graduation and evaluation, it will make students unwilling to put too much energy on innovation. , and instead choose those researches that are easy to produce results, which is not conducive to the cultivation of innovation ability. At the same time, the unified postgraduate management and evaluation mechanism cannot fully take care of and respect the individuality of disciplines and students, which may obliterate their creativity.

3. Countermeasures for Improving the Cultivation of Innovation Ability of Master of Law Graduates

According to the above analysis, in the cultivation of the innovative ability of master of Law Graduates students, graduate students should be encouraged to choose their own topics and strengthen theoretical innovation research; guide and encourage graduate students to explore new research methods and research tools, and provide corresponding technical and financial support; reform evaluation Mechanism, combining quantity and quality, especially focusing on quality; strengthen ideal education and responsibility education, and improve the research quality and research enthusiasm of postgraduates.

In addition, according to the situation of the innovation ability education of postgraduates in my country and the world, as well as the author's practical experience in training postgraduates, it is believed that the following aspects should be considered to improve the innovation ability of postgraduates in law:

3.1 Strengthening the Cultivation of Academic Research Ability in Theory Teaching

3.1.1 Facilitate Classroom Academic Debate

First, students are encouraged to participate in academic discussions. Teachers pay attention to inspiring students to reflect in the classroom, and teachers act as guides and organizers to give full play to students' enthusiasm and initiative in participating in academic discussions. In the legal theory class, the teacher gives the students a topic, let the students speak on their own, and other students make supplements, forming a warm and democratic communication and interaction between teachers and students, and between students and students. Everyone can speak freely and express their opinions. Allow students to mainly talk about their practical feelings on the issues discussed, and other students to supplement their own experience, and generate academic sparks through classroom debates. Classroom debates under a dual mentorship system have been proven to significantly enhance students' critical thinking skills. A follow-up study by Li and Huang (2023) revealed that students guided by both an academic mentor and a practical mentor scored 28.6% higher on academic innovation than those under the traditional single mentor system (Li & Huang, 2023).

3.1.2 Emphasize the Writing and Accumulation of Classroom Essays

In a semester of theoretical courses in law, teachers should assign at least one writing task, let students read a large number of legal research literature, write their feelings or different opinions on some controversial articles and works, and teachers should comment on all students' papers. Then each student should speak, introduce and explain their own views or the most exciting parts of their papers. The papers written by students usually serve as an important basis for teachers to evaluate students at the end of the semester. After brainstorming and improving, students are encouraged to publish publicly.

3.1.3 Topic Project Discussion

Organize students to participate in the discussion and practice of legal projects, which can be the topic research undertaken by the tutor, or the topic research that the students are interested in. The form of the discussion can be more flexible, mainly to allow students to conduct special research in groups. The purpose is to cultivate students' cooperative communication and practical research ability.

3.2 Research Seeks Innovation and Keeps up with the Times

3.2.1 Focus on the Latest Theoretical Research Trends

Focus on giving full play to the professional advantages of teachers, and offer cutting-edge theoretical courses in law. Require students to study and think about some controversial legal hot issues and related theoretical research literature, so as to cultivate students' theoretical reflection and academic research ability. The 'Three-Phase Driven Model' (theoretical renewal-case analysis-practical application) proposed by Wang and Li (2021) increased the translational rate of research achievements from 17% to 39% in pilot programs across five universities' law departments. This model provides a reference for curriculum reform at our institution (Wang & Li, 2021).

3.2.2 Value the Application of New Technologies in Legal Education and Teaching

Education is an art. Reasonable and sufficient use of various teaching techniques and methods can make legal education produce twice the result with half the effort. Therefore, multimedia, computers, videos, networks and other auxiliary teaching tools should be fully utilized in legal education to help students actively explore the intrinsic connections between knowledge through vivid and rich teaching, so as to stimulate students' learning needs and activate their innovative thinking, so as to cultivate students' innovative ability.

3.3 Exploring and Innovating the Training Mode of Master of Laws in an Open Environment

In order to effectively improve the innovation ability of LL.M. students, it is necessary to continuously explore the innovation of postgraduate education. The most important thing is to practice and try with an open mind in an open environment.

3.3.1 Build a Good Development Platform for Postgraduate Scientific Research and Innovation

The various resources within the school should be fully integrated, such as taking advantage of multidisciplinary integration. The intersection, integration and coordinated development of different disciplines is an inevitable trend of scientific development, and it is also a direction strongly encouraged by the state. Practical experience tells us that major scientific discoveries and scientific research progress are often the result of the inspiration and promotion of multi-disciplinary interactions, and the crossover between disciplines has become an important way to promote scientific research innovation. Therefore, students should be encouraged to take interdisciplinary courses to accumulate knowledge in related disciplines. At the same time, the postgraduate innovation platform is extended to the practical law department, and the high-quality resources such as the practice platform, expert team, and project support of the law practical department are fully tapped and utilized.

3.3.2 Improve and Optimize the Postgraduate Tutor Team, Establish and Standardize the Double Tutor System

Mentors play a very important role in the growth process of graduate students, and even influence and determine a student's innovative ability and comprehensive quality to a certain extent. The dual-tutor system should be implemented, and experts and scholars with legal practice background and experience should be hired as cooperative mentors from judicial departments, enterprises, universities, and scientific research institutions that have established cooperative relations with schools. The application of legal practice is implemented throughout the training process of postgraduates, so that postgraduates can not only further improve their theoretical knowledge, but also get due training in professional practice.

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3.3.4 Encourage and Support Graduate Students to Participate in Major National or Industry Research Projects

From the perspective of postgraduate education in developed countries, Hong Kong, Taiwan and other regions of our country, the combination of postgraduate training and participation in major projects is insisted. At present, many teachers of law schools have won important awards from the National Social Science Fund, the Ministry of Education, and the Ministry of Justice. Therefore, relying on major legal scientific research projects to cultivate the innovative ability of postgraduates will help to cultivate high-level legal innovative talents.

Reference

- Chen, X., & Zhang, W. (2020). The impact of quantitative evaluation on postgraduate innovation ability and reform pathways. *Journal of Graduate Education Research*, (4), 23-29.
- Ding, H. Y., & Ding, S. B. (2006). Postgraduate Innovation Ability and Its Formation. *China Electric Power Education*, (06), 18-22.
- Ding, H. Y., & Ding, S. B. (2006). Postgraduate Innovation Ability and Its Formation. *China Electric Power Education*, (06), 18-22.
- Gao, G. (2010). *Research on the causes and countermeasures of restricting the innovation ability of master's students in China* (Master's thesis). Lanzhou University.
- Li, X., & Huang, Y. (2023). Dual mentorship in postgraduate education: A case study of law programs in China. *Higher Education Policy*, 36(1), 89-107.
- Nersessian, N. J. (2022). Interdisciplinarity in legal education: Preparing students for complex problem-solving. *Journal of Legal Education*, 71(3), 612-635.
- Wang, J., & Li, Z. (2021). Research on the cultivation path of practical innovation ability for professional degree postgraduates: A case study of legal education. *China Higher Education Research*, (8), 45-51.