

The Role and Implementation of Seminar-based Teaching in Cultivating Postgraduate Academic Abilities

--Based on the Analysis of Law Master's Degree Candidates

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Abstract

Academic ability cultivation is one of the main tasks of master's degree education. The academic abilities of graduate students mainly include two aspects: basic academic skills and academic literacy. However, due to long-established passive learning habits, many law graduate students lack the academic skills and academic literacy to conduct academic research independently. The paths for enhancing the academic abilities of law graduate students are diverse, but compared to other cultivation paths, each step of Seminar-based teaching cultivates and trains the academic skills and academic literacy of graduate students, playing a positive role in their academic ability cultivation. The implementation of Seminar-based teaching requires certain conditions and overcoming potential difficulties. With the development and application of generative artificial intelligence, teachers should guide students to make rational use of it to prevent students from relying too much on it, which could weaken the role of research-based teaching in academic ability cultivation.

Keywords

Law Master's Degree Candidates; Academic ability; Seminar-based teaching; Generative artificial intelligence.

1. Introduction

Currently, many graduate students lack essential academic skills and academic literacy. The master's thesis is a concentrated reflection of a master's degree candidate's academic ability. Through reviewing the master's theses of law students in recent years, the author has identified numerous issues in areas such as language expression, literature retrieval, logical thinking, research methods, and innovative thinking. There is an urgent need to strengthen the cultivation of postgraduate academic abilities. This article intends to explore how to cultivate and enhance the academic abilities of law graduate students from the perspective of seminar-based teaching.

2. The Connotation of Academic Ability of Law Master's Degree Candidates

Currently, China adopts a classified training model for graduate students in law. Based on different training objectives, they are divided into LLM students and JM students. The former focus on the cultivation of academic research abilities, while the latter focus on the cultivation of professional practice abilities. Despite different training objectives, JM students also need to write graduation thesis and possess academic research literacy and innovation abilities to identify, analyze, and solve problems in practical work in the future. Therefore, both LLM and JM students should possess certain academic research literacy or academic research abilities. The author believes that the connotation of academic ability includes two levels. The first level

is basic academic skills, including literature retrieval ability, literature review ability, writing ability, expression and communication ability, etc. The second level is academic literacy ability, including innovation ability and the ability to identify, analyze, and solve problems.

The first level pertains to basic skills. The ability to retrieve literature is fundamental for conducting academic research. Law is not an emerging discipline, and research in certain fields has already yielded fruitful results. Even as new issues arise with social development and technological progress, they are often quickly identified and studied by keen scholars. Therefore, the research achievements in the field of law are vast. Finding and filtering the required literature from the complex materials requires cultivation and training. Having proficient and efficient literature retrieval skills and being able to accurately and comprehensively gather the required materials are the foundation for conducting academic activities, writing academic papers or reports. To further research in a certain field, a thorough understanding of the current situation is necessary. Analyzing, summarizing, and commenting on the previously collected literature, as well as writing a literature review, are essential basic academic qualities for further academic research. The author has found from guiding previous graduation thesis that some students are unable to write literature reviews, while others merely pile up materials without synthesis or description, lacking understanding of the current research status and issues that need further investigation. Writing and communication skills are basic skills for graduate students to engage in academic activities and exchanges. Some graduate students, due to a lack of necessary training in writing and public expression, have poor language organization abilities, unsmooth expression, weak logic, and unreasonable article structure.

The second level pertains to academic literacy and capability. Academic literacy and capability refer to the abilities required for conducting academic research after acquiring basic academic research skills. The process of academic research involves discovering problems, analyzing them, and solving them. In discovering problems, besides having a keen academic sense, it is more important to observe and reflect on reality and existing theoretical research. Only by discovering problems can academic research be further conducted on them. After discovering problems, it is necessary to analyze the characteristics and causes of the problems, and then how to solve them. This is the process of academic thinking, and this process is also the key to academic innovation.

3. Main paths for cultivating academic abilities of Law Master's Degree Candidates

3.1. Literature Reading Report under the Guidance of Supervisor

Supervisors organize their own students to regularly conduct literature reading reports and exchange academic information and experiences among students. However, this academic training model relies entirely on the implementation of supervisors, and schools generally do not require it. Some supervisors have the time and energy to regularly carry out such activities, while others may not have the time to do so, which cannot achieve the goal of improving academic literacy.

3.2. Daily Self-disciplined Academic Research Under the Guidance of a Supervisor

Graduate students determine their research topics under the guidance of their supervisors, actively search for literature, write reflections, or practice writing theses. Thesis writing is a systematic task, and frequent practice of thesis writing undoubtedly helps improve students' abilities in literature search, written expression, logical thinking, problem discovery, analysis, and problem-solving. However, thesis writing practice requires students' self-awareness.

Without the mandatory requirements of supervisors and schools, or their own high academic research enthusiasm, most students generally do not take the initiative to practice thesis writing, as it is a complex and arduous learning process.

3.3. Participate in the Supervisor 's Research Project

Each supervisor has their own professional expertise, and graduate students are deeply involved in the supervisor's research projects. Under the guidance of the supervisor, they can learn targeted literature search, project application, research report writing, etc., and their academic abilities can also be exercised. However, if the supervisor does not conduct research on the topic, it is difficult for students to improve their academic abilities through this approach. In addition, attending academic conferences and listening to academic reports can also improve students' academic abilities and broaden their academic horizons to a certain extent. However, these methods are mainly helpful for students' academic knowledge, and there is still a lack of comprehensive academic ability and literacy cultivation.

Compared with other methods, the author believes that in terms of cultivating graduate students' academic abilities, seminar-based teaching can to some extent overcome the shortcomings of other methods. Not only can it overcome situations where the number of participants in literature reading reports may be insufficient, student communication may be insufficient, or communication may not be possible, but it can also stimulate the enthusiasm of some students who lack self-discipline and initiative in academic research. Therefore, seminar-based teaching plays a positive role in cultivating the academic abilities and literacy of law master's students.

4. The Role of Seminar-based Teaching in Cultivating Academic Abilities of Law Master's Degree Candidates

Seminar-based teaching method involves students forming groups around a specific topic under the guidance of a teacher. Based on fully exerting their learning initiative, students engage in academic exchanges and discussions with the teacher and classmates, aiming to achieve learning gains, mutual teaching and learning, and to cultivate students' autonomous learning ability, thinking ability, innovation ability, and other teaching objectives. Seminar-based teaching plays a positive role in cultivating the academic ability and academic literacy of law master's students.

4.1. Train Students' Ability to Select Academic Research Topics

Many topics in the field of law have been repeatedly studied. How to choose topics with research value is the key to academic research, and a good topic selection means half success in academic research. Seminar-based teaching can train students how to select topics with research value through topic selection, help students understand the importance and direction of topic selection, and lay the foundation for academic research.

4.2. Improve Students' Literature Retrieval Skills

The research achievements in the field of law are vast and numerous. To achieve academic innovation, it is necessary to understand the current research status and relevant legal provisions of a certain topic both domestically and internationally. Students' literature retrieval skills are one of the prerequisites for successfully conducting academic research.

4.3. Cultivate Students' Writing Skills

Although our students have been trained in writing since primary school, some graduate students still have poor basic writing skills. Law is a highly specialized field with many

specialized terms. For law graduate students, it is also necessary to get used to expressing their views in legal language. Writing research reports can improve students' writing skills.

4.4. Cultivate Students' Oral Language Expression Ability

Students majoring in law may pursue careers as judges, prosecutors, lawyers, legal affairs personnel, etc. These professions all require practitioner to have good language expression and communication skills. Seminar-based teaching should assess and evaluate students' participation in researches, "forcing" them to express their views in public and improve their oral language expression ability.

4.5. Cultivate Students' Team Collaboration Skills

Academic research, especially project research, often requires teamwork, as it is only through pooling the wisdom of the team that high-quality work can be accomplished. In seminar-based teaching, students are divided into groups to gather information around a theme, form group opinions, and write research reports. These tasks require the active participation and cooperation of every student to complete together.

4.6. Train Students' Legal Thinking and Legal Research Methods

Legal methods and legal thinking can provide legal professionals with the correct thinking path in scientific research and practical activities, and are essential tools for solving problems. [1] The primary task of legal education lies in cultivating high-quality legal talents who possess theoretical thinking and can "think like legal professionals". [2] Legal thinking involves using legal concepts, legal norms, legal principles, legal rules, legal values, and legal systems to consider issues. Bodenheimer pointed out: "The law schools that impart legal knowledge must, in addition to providing students with basic training in positive law and legal procedures, also teach them to think like lawyers and to master the complex art of legal argumentation and reasoning." [3] Seminar-based teaching revolves around discussions on a specific topic, requiring a clear grasp of the legal concepts, principles, theories, rules, legal values, legal norms, and legal logic involved in that topic. It requires students to be able to explore issues using legal thinking and express their viewpoints in legal language. Furthermore, students must also be able to use appropriate legal research methods to argue their viewpoints. Legal research methods refer to the general term for the systematic procedures, approaches, means, techniques, and patterns used by legal researchers to obtain novel and reliable knowledge about law during the research process [4]. When conducting academic research, graduate students should choose appropriate research methods based on the research topic. From the perspective of legal research, a reasonable method is one that is suitable for the research topic. Seminar-based teaching, through training, helps students select appropriate research methods to argue their viewpoints, which is the foundation for enhancing their academic abilities.

4.7. Cultivate Students' Innovative Abilities

Seminar-based teaching can cultivate students' abilities to analyze literature, identify problems in research fields, and propose new perspectives and methods to solve problems based on existing research, thereby enhancing students' innovative abilities.

In summary, every step of seminar-based teaching reinforces the cultivation and training of various abilities, including scientific research ability. Seminar-based teaching plays a positive role in fostering the academic abilities of graduate students.

5. The Implementation of Seminar-based Teaching in the Academic Ability Cultivation of Law Master's Degree Candidates

5.1. Conditions for Implementing Seminar-based Teaching

Requirements for Students. (1) Students' willingness to participate. Most students in China have been exposed to the "spoon-feeding" teaching method from primary school to university, where teachers are the ones who impart knowledge in a one-way manner, and students passively receive it. This is especially true for humanities and social science disciplines, where the learning process involves listening, taking notes, memorizing, and exams, cultivating students who are exam-oriented. This "teaching" and "learning" model has influenced students for over a decade, and many students have become accustomed to and dependent on this learning method, lacking the ability and motivation to learn proactively and independently, and even more lacking the drive and ability to discover, raise, and further investigate problems triggered by questioning. Since students are accustomed to the "spoon-feeding" teaching method, some may resist Seminar-based teaching, even believing that the teacher has failed to fulfill the task of imparting knowledge, which hinders the smooth implementation of this approach. To address this issue, first, during the orientation for new students, guide them to understand that graduate education is no longer about "spoon-feeding" and that they need to change their previous study habits and cultivate a sense of autonomous and active learning. Graduate studies are about "researching" and "studying" practical and theoretical problems, requiring a problem-oriented, inquiry-driven, and innovative mindset throughout the learning process. Second, establish a corresponding assessment system that focuses on process evaluation, making seminar participation a key assessment metric to encourage active engagement in discussions. (2) Students should have a certain basic theoretical knowledge of relevant law. Before conducting in-depth research on a certain topic, students must first grasp basic issues such as relevant legal concepts, principles, and rules. This requirement forces students to actively learn. (3) Understand relevant laws and regulations. Taking civil law as an example, with the promulgation and implementation of the Civil Code, civil law research in China has gradually shifted towards the understanding and implementation of legal provisions. Seminar-based teaching requires students to actively understand relevant domestic and foreign laws and regulations.

Requirements for Teachers. Compared to traditional teaching models, seminar-based teaching demands higher standards for teachers. In traditional teaching, teachers fulfill their teaching tasks by carefully preparing lessons and imparting the teaching content to students according to teaching requirements. However, in seminar-based teaching, teachers not only need to have in-depth research on the seminar topic, possess high scientific research abilities, grasp the latest research results in their professional fields, and be familiar with the basic academic schools and differences in viewpoints of the discipline; they also need to provide correct guidance for the questions and viewpoints raised by students during the seminar process, prevent students from deviating from the topic, avoid the seminar content being superficial and overly shallow, and make a comprehensive and objective evaluation of the differences arising during the seminar process. In the process of seminar-based teaching, teachers serve as both organizers and guides, as well as participants and evaluators, thus demanding higher comprehensive qualities from teachers.

Teaching Conditions. Seminar-based teaching has certain requirements regarding the number of students. Due to the limited number of class hours in a semester, the teaching content must be completed within these limited hours. If the number of students enrolled in the course is too large, it is impossible to ensure that every student can participate in topic discussions. Conversely, if the number of students enrolled is too small, it is impossible to form seminar groups.

5.2. Implementation Process of Research-based Teaching

Determine the Number of Members and the Person in Charge of the Discussion Group. The group size should not be too large or too small, and generally around 5 members is appropriate. There should be a certain division of labor within the group, but the content each member is responsible for should vary each time to ensure that each student's abilities in literature retrieval, literature review, writing, and oral expression can be exercised.

Determine the Discussion Topic. The topic can be selected by the teacher or determined by the students under the guidance of the teacher. The chosen topic should be professional, theoretical, cutting-edge, and practical.

Write Discussion Reports. Centering around the theme, students are assigned to collect domestic and foreign literature, read and sift through the literature, summarize its content, extract key points, form group viewpoints, research and argue on the issues, and write discussion reports.

Classroom Implementation. First, the main speaker speaks, followed by other members of the group providing supplements. Other group members can express their opinions on the speech made by their group members, and students are allowed to debate. Teachers can adjust the content and methods of discussion based on the discussion situation. Seminar-based teaching should focus on the breadth and depth of the discussion content, with a tolerant academic attitude, allowing students to express different viewpoints. As long as they are reasonable, well-founded, and fully demonstrated, they should be given positive evaluation and encouragement. Teacher's Summary. During or after the discussion, the teacher should provide a commentary and summary of the discussion. Summarize the consensus and disagreements formed during the discussion, and express their own views. Recognize the good parts, point out the shortcomings, and guide students for further research.

Improve and Submit the Research Outcomes. After the class discussion, students revise and improve their research reports and submit them.

5.3. Possible Problems Encountered in the Implementation of Seminar-based Teaching

As mentioned earlier, seminar-based teaching is a subversion of traditional teaching methods, posing challenges to both teachers and students who are accustomed to traditional teaching, as well as to school management. Some issues may arise during its implementation.

Firstly, at the student level, there is a need to be vigilant that seminar-based teaching may become a mere formality. Seminar-based teaching has changed the previous learning methods, requiring students to spend more effort and time on collecting materials, preparing seminar reports, and class presentations. Initially, most students are enthusiastic and take it seriously. Seminar-based teaching is relatively easy to implement and can achieve certain expected results. However, after the initial enthusiasm wears off, some students begin to feel tired and their participation gradually weakens. Individual students may participate less or even not participate in the group. The preparation work and class presentations that require team collaboration become tasks only partially undertaken by some students. This greatly diminishes the effectiveness of seminar-based teaching in cultivating students' academic abilities.

Secondly, at the teacher level, we must be vigilant that seminar-based teaching does not degenerate into a one-sided "show" for students. In seminar-based teaching, the teacher's role is not only that of a guide and facilitator but also a commentator and participant. Some teachers in seminar-based teaching only serve as guides and facilitators, providing no feedback on students' discussions, or if they do, the feedback is superficial. Students gain no inspiration or new insights from their instructors' comments, resulting in a lack of sense of achievement from

the 'teaching' aspect and leading to disappointment or even dissatisfaction with the teachers. Some teachers have a relatively weak participation, except for determining or guiding students' topic selection, they only act as listeners in classroom teaching, without guiding, evaluating, or participating in the discussion process. This teaching method only involves students' "learning" without "teaching", which is difficult for students to accept. To avoid this situation, on the one hand, teachers who adopt seminar-based teaching should strengthen their personal academic literacy, continue to learn, establish a solid theoretical foundation, grasp the latest theoretical developments and research results in their own field, and have independent thinking on topic selection. On the other hand, they should have sufficient responsibility, conscientiously implement research-based teaching, and fulfill their own "teaching" duties.

Thirdly, at the school level, we should be vigilant against the implementation of seminar-based teaching being hindered by outdated assessment systems. Schools should recognize the positive role of seminar-based teaching in cultivating postgraduate academic abilities and take certain measures to prevent it from becoming a mere formality. In addition to educating students on the significance of active learning and academic research during their orientation, it is more crucial for schools to support seminar-based teaching institutionally, such as emphasizing process assessment and increasing the proportion of seminar-based grades in final grades. Schools should encourage students to actively participate in academic activities, reward those with innovative and academic abilities, cultivate the ability to learn proactively and consciously, and gradually change students' passive learning habits. Schools should also actively support teachers in offering seminar-based teaching institutionally, such as providing incentives in workload calculations. Of course, it is also necessary to establish a supervision and evaluation mechanism for seminar-based teaching to prevent some teachers from taking advantage of loopholes.

In summary, to achieve the goal of cultivating students' academic abilities through seminar-based teaching, efforts from teachers, students, and schools are all necessary.

5.4. Guide Students to Use Artificial Intelligence Appropriately

The purpose of seminar-based teaching is to cultivate students' comprehensive academic abilities such as logical thinking, innovation, and writing skills. However, with the development of artificial intelligence (AI) technology, the way academic research is conducted has faced certain challenges. AI can complete tasks such as literature collection, literature review, and the framework of academic reports or papers, or even directly generate academic reports or papers, according to people's instructions. If students rely too much on AI, their independent thinking, thinking, innovation, and writing abilities will be affected, which may even lead to academic misconduct, and their academic literacy may not improve or may even decline. Science and technology are the primary productive forces of social development, changing our lives and promoting social development. However, if we use them improperly, they may also bring some negative impacts. Faced with technological development, we cannot avoid nor resist it. Instead, we should adapt to the development of science and technology and guide students to make rational use of generative AI. Generative AI can efficiently process and analyze vast amounts of literature, helping graduate students quickly locate and obtain information, saving the cost of literature browsing and providing convenience for the improvement of graduate students' learning abilities. [5] Therefore, tasks that require low innovation ability, such as the collection of literature and cases, can be appropriately completed using AI, but students need to be guided to carefully screen the information. The information collected by AI is retrieved from the existing vast amount of information. From the perspective of students using AI to collect information, some legal provisions are outdated, some legal names and provisions are false, some information is incorrect, and some information is misapplied, etc. If these materials are used without screening, it can lead to the spread of erroneous viewpoints, mislead more people,

deepen erroneous prejudices [6], and is not conducive to the development of the discipline. Currently, AI does not possess innovative thinking, and papers or reports written by AI are only copies or imitations of existing achievements. Its judgment ability, critical thinking ability, and innovation ability have significant limitations. Excessive dependence will inevitably lead to a lack of integration of the academic researchers' own ideological content, resulting in a lack of sufficient academic concepts, value thinking, and humanistic sentiment in the text. [7] In seminar-based teaching, which focuses on cultivating the academic abilities of master's degree students, it is even more important to be vigilant against graduate students' excessive dependence on AI. Otherwise, the purpose of seminar-based teaching may not be achieved. Therefore, in important tasks related to the cultivation of graduate students' innovation ability, such as the analysis of literature materials, the framework and internal logical structure of seminar reports, viewpoints, and writing, students should be guided to think independently and complete them personally.

6. Conclusion

Seminar-based teaching differs fundamentally from traditional teaching and can alter students' passive learning habits. Compared to other paths for academic ability cultivation, seminar-based teaching possesses irreplaceable advantages in fostering students' academic skills and plays a positive role in enhancing graduate students' fundamental academic skills and academic literacy. The implementation of seminar-based teaching necessitates certain conditions, imposing high demands on students, teachers, and teaching facilities. Universities should provide policy support, such as adopting substantive measures to encourage teachers to conduct seminar-based teaching, altering the assessment methods for student learning, emphasizing process learning, and increasing the proportion of seminar-based teaching scores. With the development of generative artificial intelligence technology, students' excessive reliance on artificial intelligence in seminar-based teaching, to some extent, affects the training of students' academic abilities. Teachers should guide students to utilize artificial intelligence reasonably.

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