

Bridging the Gap: Supply–Demand Mismatches in China’s Transnational Legal Talent Development

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ABSTRACT: Foreign-related rule-of-law talents (referred to internationally as transnational legal professionals) are the core pillar for enhancing China’s international voice. Although Chinese universities have developed diverse models and achieved initial scale in cultivating such talents, the complex dynamics of international rule-making and enforcement still present a dual dilemma: a structural imbalance between supply and demand, and poor transfer of knowledge to practice. Drawing on forensic linguistics and market supply-demand mechanisms, this study uses empirical data from the United Nations system and international dispute resolution bodies to compare the cultivation paradigms of top international universities (e.g., Harvard, Oxford) with those of leading domestic institutions. The analysis identifies bottlenecks in interdisciplinary integration, practical training, and evaluation criteria. The findings suggest that the core problem lies in treating “foreign language + law” as a simple sum of two discrete bodies of knowledge rather than a deep competency integration achieved via legal language. Accordingly, this paper proposes a competency framework centered on cross-cultural legal communication, deeper integration of “foreign language + law,” a substantive industry-university collaborative platform, and improved faculty evaluation and full-cycle quality assessment mechanisms. These measures aim to provide theoretical reference and practical pathways for the ecological reconstruction of China’s foreign-related rule-of-law talent cultivation system.

KEYWORDS - collaborative cultivation, cross-cultural communication, forensic linguistics, foreign-related rule-of-law talents, structural imbalance

I. INTRODUCTION

As profound changes unseen in a century accelerate, foreign-related rule-of-law talents (referred to internationally as transnational legal professionals) are not merely practitioners of legal rules but also representatives of national interests abroad and contributors to shaping international rules[1]. Since China joined the WTO in 2001, the development of such talents has been a national strategic priority. Initiatives such as the “Excellent Legal Talents Education and Training Program” (2011) and the special policy deliberation at the 10th collective study session of the CPC Politburo (2023) have continuously driven reforms in how Chinese universities design and deliver foreign-related legal education. For context, China’s legal education system is characterized by a tiered structure of approximately 650 law schools, among which a small group of nationally designated “project universities” (e.g., the traditional “Five Institutes and Four Departments”) receive concentrated policy and financial support from the Ministry of Education. These institutions are the primary drivers of foreign-related rule-of-law talent cultivation, but their geographic concentration in eastern developed regions—as discussed later—contributes to severe resource imbalance.

Current domestic scholarship has generated rich findings along two main veins. The first focuses on macro-level cultivation systems and structural issues. Shi Youqi and Han Yonghong (2024) note that foreign-related rule-of-law talents are the foundation of China’s foreign-related rule of law, yet a significant imbalance exists between supply and demand, calling for a clearer competence orientation and a “law+” disciplinary system

[2]. Tang Lulu (2025), through empirical research on 28 project universities designated by the Ministry of Education (MOE), reveals both structural imbalances and operational deviations, pointing out that generalized and elite cultivation tracks run in parallel without interconnection, and that regional resource allocation is extremely uneven [1]. The second vein concerns micro-level cultivation mechanisms and practice orientation. Fan Bingyi (2025) explains the core value of a practice-oriented approach, arguing that current challenges include insufficient precision in degree design, inadequate identification of practical needs, and weak collaboration in collaborative innovation bases [3]. Chen Meng (2024), focusing on international arbitration talent, highlights the mismatch between the employability of Chinese law graduates in the foreign-related legal service market and the market's huge demand, emphasizing the urgency of joint domestic-overseas training and reinforced practical teaching [4].

Despite these consensuses, two research gaps remain. First, most studies adopt the perspective of legal education or macro-policy, rarely using forensic linguistics as an analytical lens. When referenced, forensic linguistics serves only as a label, failing to deconstruct core competencies from the perspective of legal language or to uncover the deeper causes of current dilemmas. Second, existing research tends to focus on internal optimization of the education system, with insufficient discussion of how market mechanisms allocate talent supply and demand. The institutional roots of the disconnect between administrative-led training and market needs remain underexplored, so proposed solutions often stay at the level of “adding courses or credits” without addressing underlying systemic issues.

This paper offers three marginal contributions: (1) using forensic linguistics as a consistent analytical tool, not a mere label, to deepen understanding of core competencies; (2) introducing a market supply-demand analysis to reveal the mismatch caused by the administrative-led model; and (3) constructing a complete “dilemma–cause–pathway” logical loop, ensuring that proposed pathways directly target core bottlenecks, thereby enhancing practical guidance.

II. A FORENSIC LINGUISTIC INTERPRETATION OF CORE COMPETENCIES OF FOREIGN-RELATED RULE-OF-LAW TALENTS

The core challenge distinguishing foreign-related rule-of-law talents from traditional domestic legal talents lies in their need to apply and negotiate legal rules across cultures and legal systems. From the perspective of forensic linguistics, language is not a neutral communication tool but a substantive carrier for internalizing legal reasoning and constructing power. Therefore, the core competency of such talents must be built on deep cross-cultural legal communication and language ability.

2.1 From Instrumentalism to Thought Ontologism

For a long time, Chinese legal education has treated foreign legal language (especially Legal English) instrumentally, as an extension of general foreign language into the legal domain. However, forensic linguistics shows that common law systems (case law) and civil law systems (codified law) have significant and non-trivial differences in linguistic structure, argumentation logic, and conceptual boundaries. For example, common law concepts like consideration or fiduciary duty are not merely translation problems; they embed specific notions of property and commercial ethics. The primary core competency, therefore, is the ability to navigate language and legal-system differences, using the target system's linguistic logic for predictive analysis and analogical reasoning—rather than simply externalizing Chinese legal thinking into English.

2.2 Cross-Cultural Legal Communication and Contextual Competence

Cross-cultural communicative competence is foundational to cultivating foreign-related rule-of-law talents. Kim Young Yun defined it as including verbal communication, non-verbal communication, transformation of language and communication rules, and cultural adaptation [5]. In international arbitration or cross-border negotiations, talents must navigate not only different languages but also the clash between low-context and high-context cultures. Chinese students, who are accustomed to indirect expression, often face communication gaps even in low-context settings. Hence, cross-cultural empathy, tolerance for heterogeneous

legal cultures, and communication awareness that overcomes ethnocentrism are essential qualities for high-level talents.

2.3 Competence in Legal Language Construction and Gaming of International Rules

The highest-level competency lies in participating in international rule-making through legal language construction. In treaty negotiations and drafting of international resolutions, every modal verb (shall, may, ought to) and the scope of every attributive clause directly affect state sovereignty concessions and core interests. This requires not only proficiency in working languages for persuasive writing but also the ability to exploit the vagueness and precision of legal language to reserve interpretative space or lock in favorable interpretations during rule gaming.

III. EMPIRICAL STATUS AND DEEP-SEATED CRUX ANALYSIS OF CURRENT CULTIVATION

Under the strategic deployment of comprehensive rule of law and coordinated advancement of foreign-related rule of law, Chinese legal education has accelerated reforms. However, comparing current domestic cultivation paradigms with those of top international universities and with the real demands of the foreign-related legal service market reveals profound mismatches and structural bottlenecks.

3.1 Misorientation of Legal Language: Conflict Between Disciplinary Attributes and Cognitive Misconceptions

The primary dilemma is the cognitive misconception that “foreign language + law” is treated as simple knowledge accumulation. Zhang Falian (2021) sharply notes that many universities equate professional competence with “knowing law + speaking general foreign language,” reflecting a vague understanding of talent development patterns [6].

From a forensic linguistics perspective, Legal English is not a simple extension of general English. It is a highly regulated language variety, mainly based on Anglo-American law, formed through legislation and judicial practice. It is multidisciplinary and interdisciplinary, essentially an emerging field intersecting foreign linguistics and applied linguistics with international law and civil/commercial law. In common law systems, legal writing and expression are at the core of professionalism. For example, Harvard Law School offers Legal Research and Writing (LRW) as a core compulsory course, embedding legal language competence into legal reasoning through predictive and persuasive writing.

In contrast, most Chinese universities’ curricula separate law and foreign language. Foreign language courses, taught by language faculties, focus on general vocabulary and grammar. Law courses, taught by law faculties, focus on legal principles in a Chinese context. This disconnected teaching model violates the principle of Content and Language Integrated Learning (CLIL). Students learn general English first, then use it as a tool to translate and apply foreign legal knowledge. Consequently, faced with the rigorous logic and cross-examination of common law in real international arbitration or negotiation, they are often at a loss for words. The failure to establish Legal English as a foundational, leading-edge interdisciplinary subject is the cognitive crux that hinders substantial breakthroughs.

3.2 Curriculum Involution and Disconnection from Contemporary Demands

The curriculum is the fundamental charter determining knowledge structure and competency boundaries. Peng Zhongli (2024), investigating the undergraduate law curricula of 17 representative political science and law universities (including the traditional Five Institutes and Four Departments), reveals a lag in responding to contemporary needs [7].

Empirical analysis shows that while these universities have detailed regulations on credits, course categories, and general education, interdisciplinary integration is severely lacking. Emerging technologies like the internet, big data, and AI are disrupting international rules and foreign-related legal services. Yet among the 17 universities, law courses are increasingly subdivided (e.g., traditional civil, criminal, economic law), while cutting-edge subjects such as data law, digital trade rules, cross-border compliance, and sanctions response are

rarely included as core compulsory courses. This stagnant and inwardly-focused training model, clinging to traditional disciplinary boundaries, leaves graduates with significant knowledge gaps when facing frontier practices like digital governance and cross-border data transfers.

Moreover, coverage of area studies and less-commonly taught languages remains scarce. China's Belt and Road Initiative involves dozens of official languages, but only a handful of universities (e.g., Beijing Foreign Studies University, Renmin University of China, Guangdong University of Foreign Studies) systematically offer combined programs like "Spanish/Portuguese/Arabic + Law." Overall, highly homogeneous curricula make it difficult for law graduates to meet the increasingly specialized demands of the international legal service market.

3.3 Imbalanced Resource Allocation and Significant Absence of Market Mechanisms

The shortage of foreign-related rule-of-law talents is not just an internal education problem but also an inevitable result of the absence of market mechanisms. Che Pizhao (2024) insightfully notes that an often-overlooked reason is over-reliance on the government and neglect of the market [8].

For a long time, the scale, specialty settings, and base construction for cultivating such talents have depended heavily on the planning and project approval of education authorities. Tang Lulu's (2025) empirical research confirms this: among the 28 MOE-designated universities, over 78.6% (22 universities) are concentrated in developed eastern regions, while central and western universities account for less than 15% [1]. This administrative resource allocation leads to a Matthew effect in resource allocation, as central/western universities lack special funds and international exchange channels.

More critically, this model undermines the pricing and competitive functions of supply-demand dynamics. Under a socialist market economy, foreign-related legal services are themselves a highly marketized and internationalized industry. If the government solely sets targets and scales, universities focus on meeting administrative targets and become slow to respond to real market needs. In reality, demand is extremely scarce: Chinese nationals account for only about 2.31% of UN system-wide staff and are underrepresented in core decision-making positions. In 2022, only about 15.71% of CIETAC cases were foreign-related [9]. Yet on the supply side, many law graduates specializing in foreign-related directions, unable to adapt to high-intensity international practice, end up taking civil service exams or domestic non-foreign-related jobs [4]. This severe supply-demand mismatch stems from the absence of market-based survival-of-the-fittest mechanisms, resulting in weak internal motivation for both cultivating institutions and individual talents to enhance their competitiveness.

IV. SUPERFICIAL PRACTICE ORIENTATION AND DEEP-SEATED DILEMMAS OF COLLABORATIVE CULTIVATION MECHANISMS

Practice orientation is a fundamental principle. However, examining current university-practice department collaboration reveals that collaborative cultivation often becomes a formality, failing to truly bridge theory and practice.

4.1 Insufficient Collaboration in Collaborative Bases and Single Type of Participating Entities

Education and judicial administrative authorities have strongly promoted collaborative innovation bases. In practice, however, universities remain the absolute and often sole dominant player, while legal practice departments are not substantively embedded throughout the process. Fan Bingyi (2025) shows that many universities, especially those in central/western regions lacking geographical advantages, collaborate primarily with traditional local judicial institutions that lack high-end foreign-related experience, failing to meet specialized needs [3].

Furthermore, the much-anticipated dual-teacher classroom model, however, often suffers from maladaptation. Practice experts (e.g., senior foreign-related lawyers, arbitrators) are burdened by their primary work and lack motivation for university teaching. Even when they participate, it often takes the form of outsourced lectures. Practice experts may be unfamiliar with students' theoretical foundations, while on-campus theory teachers find it difficult to engage deeply with the commentary and transformation of practical content.

Consequently, students struggle to internalize practical experience into legal skills, severely undermining the intended synergy of collaborative cultivation.

4.2 Severe Lack of Integration of “Practice, Training, and Real-Case Practice”

Law is a highly practical discipline. Jiang Zeting (2025) argues for a multi-level, three-dimensional cultivation system integrating “practice, training, and real-case practice” to empower teaching, business, and scenarios organically [10]. However, most current practical teaching in foreign-related fields remains at low levels: visits, short-term internships, or isolated moot court competitions.

Here, practice institutions’ explorations highlight universities’ shortcomings. Li Wanqiang and Liu Hong (2024) examine the groundbreaking actions of the Xi’an Arbitration Commission (XAAC), which established an “Arbitration Research Institute” and “Arbitration Academy,” launching a “Three-Step, One Workshop” model. This model offers front-line commercial arbitration practice courses and sets up “Arbitration Case Workshops,” where arbitrators, arbitration secretaries, corporate legal counsels, and practicing lawyers jointly analyze and simulate the same foreign-related case from different role perspectives [11]. Such hands-on case-based training—where students directly engage in authentic rule gaming and experience role tensions—is precisely what most law schools lack.

4.3 Distorted Faculty Evaluation System and Shortage of Dual-Qualified Teachers

Faculty quality is a key determinant in cultivating foreign-related rule-of-law talents. Teachers with global vision and rich practical experience are essential. However, current academic evaluation and title promotion systems heavily favor papers over practice. If teachers invest significant time in handling international cases, providing foreign-related legislative consultation, or working seconded to international organizations, such achievements are difficult to convert into equivalent indicators for promotion. This institutional obstacle demotivates faculty from deep engagement in legal practice and makes it difficult for universities to attract and retain top practitioners, leading to a severe shortage of dual-qualified teachers equipped with both forensic linguistic competence and cross-cultural practical experience.

V. PATHWAYS FOR ECOLOGICAL RECONSTRUCTION FROM A FORENSIC LINGUISTIC PERSPECTIVE

Facing surging anti-globalization undercurrents and fierce competition for rule-making power in emerging fields, China must abandon piecemeal improvements, introduce market mechanisms and integrated innovation, and implement an ecological reconstruction from deep mechanisms to macro structures.

5.1 Establishing Core Competencies of Mastering Language and Law (Jing Ying Ming Fa) and Cross-Cultural Communication

To cultivate foreign-related rule-of-law talents, we must start from fundamentals, moving from Legal English skills to reconstructing comprehensive Anglo-American legal knowledge. The mastering language and law (mastery of legal language and understanding of law) competency proposed by Zhang Falian (2021) is proposed as the core positioning: mastering language (Jing Ying) emphasizes proficiency in Legal English, the prerequisite and cornerstone; mastering law (Ming Fa) emphasizes a clear understanding of international law (including not only public international law but also core national laws like Anglo-American law) [6].

In terms of pathways, top-level design should clarify Legal English’s strategic position as an interdisciplinary field. Breaking down institutional barriers, Legal English training (e.g., legal research, drafting foreign-related contracts, writing English memos) should be deeply integrated into full-English professional courses, ensuring simultaneous learning of language skills and foreign-related legal knowledge. Moreover, drawing on area studies, systematic training in cross-cultural communicative competence should be strengthened, enhancing students’ sensitivity to heterogeneous legal cultures, social psychology, and power structures, enabling them not only to understand but also to use precise legal language to construct rules and defend national interests in international negotiations.

5.2 Following Market Orientation, Promoting Integrated Innovation and Tiered/Classified Cultivation

Cultivation cannot be divorced from the market. Che Pizhao (2024) emphasizes that only by fully utilizing market functions—fostering competition among institutions and talents, and rewarding excellence—can outstanding talents emerge [8]. Guided by the market, universities could adopt the integrated innovation concept proposed by Du Chengming (2016) to implement classified cultivation [12].

(1) Interdisciplinary integration and labeled talent supply: Finance and economics universities could integrate their strengths in finance, accounting, and economics to cultivate talents specializing in foreign-related commercial and financial law (proficient in law, economics, and foreign languages). Foreign language universities could focus on “less-commonly taught languages + law” to fill gaps in Belt and Road foreign-related legal services. Science and engineering universities could develop “law + AI/data science” to occupy high ground in emerging foreign-related rule-of-law fields.

(2) A tiered and classified cultivation structure: Based on geographical advantages and disciplinary endowments, a structure with staggered development and collaborative progress could be built [13]: Top-tier comprehensive universities and leading political science/law universities could focus on high-end elite talents (e.g., reserve talents for international organizations, international arbitrators, foreign-related judicial officials). Universities with industry strengths (e.g., University of International Business and Economics, Shanghai Maritime University) could focus on specific fields like international trade, maritime law, and energy resources. Universities with geographical advantages (e.g., Heilongjiang University, Yunnan University, Xinjiang University) could focus on talents for neighboring countries and regions (Russia/Mongolia, ASEAN, Central Asia).

5.3 Breaking Down Industry-Education Barriers, Deepening the “Practice, Training, Real-Case Practice” Collaborative Cultivation Platform

Implementing the policy requirement to improve the practice-oriented legal education cultivation mechanism [10] hinges on breaking institutional barriers between universities and legal practice departments.

(1) Demand-driven customized cultivation: Drawing on the Xi’an Arbitration Commission’s experience, university curricula could adopt a three-dimensional design: front-end (career planning seminars), mid-end (practical skills and scenario simulation), and back-end (moot competitions and case-based internships) [11]. For urgently needed practical fields like cross-border M&A and export controls, industry experts and university faculty could jointly develop practical materials and co-teach.

(2) Optimizing incentives and access for dual-teacher classrooms: To address the problem of ad hoc lectures, universities could establish special incentive funds and implement strict teaching assessments and access procedures. Practitioners could be required to deeply participate in course design and process-oriented assessment, ensuring that practical experience translates into students’ operational skills [3].

(3) Strengthening high-quality overseas practice networks: Make going global a compulsory part of cultivation. Using CSC scholarships and university-industry collaboration platforms, subsidize and require students to undertake medium-to-long-term immersive internships at overseas law firms, international organizations, and foreign-related arbitration institutions, facilitating the leap from simulation to genuine cross-border practice.

5.4 Full-Cycle Dynamic Evaluation and Reform of Faculty Evaluation Mechanisms

A self-evolving cultivation ecosystem requires a scientific evaluation system.

First, establish a dynamic evaluation mechanism based on practical effectiveness. Move beyond single credit-system assessment, introducing cross-cultural communicative competence scales and legal practice skill tests (e.g., TOLES or LEC standards). Simultaneously, conduct long-term career tracking of graduates, using participation in foreign-related legal practice and proportion of positions in international organizations as core indicators to evaluate university effectiveness, using market feedback to drive dynamic curriculum adjustment.

Second, reconstruct faculty evaluation and recruitment/training systems. Implement a dual-track talent introduction strategy, flexibly bringing in overseas experts with experience in international arbitration and multilateral diplomacy. Crucially, fundamentally reform the current professional title review system. Clearly stipulate that high-quality practical achievements by faculty—handling international disputes, providing foreign-related legislative consultation, working seconded to international organizations—should be counted as equivalent hard indicators for academic evaluation and title promotion. This will fully stimulate faculty’s internal motivation to deeply engage in foreign-related legal practice and feed back into teaching.

VI. Conclusion

Cultivating foreign-related rule-of-law talents is not merely a reform of legal education but a strategic project to enhance national core competitiveness and global governance capacity. To break the current impasse, we must recognize the core role of the market in resource allocation and break down disciplinary and institutional barriers. Starting from the deep logic of forensic linguistics, we must establish precise cross-cultural legal communication as the core of talent competency. By promoting integrated innovation, deepening classified cultivation, and substantiating a collaborative mechanism integrating “practice, training, and real-case practice,” we need to reconstruct an ecologically sound cultivation system with both strategic vision and practical resilience. Only then can we accelerate the cultivation of high-level talents with a strong commitment to rule-of-law principles, profound knowledge of international rules, and mastery of foreign-related practice, providing a robust intellectual foundation for developing China’s independent discourse system in foreign-related rule of law.

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