

# A Study of Civil and Commercial Law Based on Moral Education

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**Keywords:** Moral Education, Civil and Commercial Law, Social Development, Time Education.

**Abstract:** Moral education is the core driving force of national prosperity and development, and also an important link in the process of talent training in the new era. Similarly, as an important role in China's social development, civil and commercial law is also an important course for colleges and universities to train law talents. This paper summarizes the problems in the process of civil and commercial law education through the overview and content analysis of the concept of moral education. Combining with the current trend of education in the era and the demand of the market for talents, this paper puts forward some reform strategies on teachers, teaching methods and teaching ideas, hoping to provide some theoretical reference for promoting civil and commercial law education in Colleges and universities.

## 1. Research Background

### 1.1 Literature review

Civil law, as a basic law, has undergone various baptisms of the times and gradually become perfect. Commercial law, as a product of the 1970s, is still in constant development and renewal today. Through the analysis of the new era and the interpretation of civil and commercial law, Hong Tao outlines the current situation of the development of civil and commercial law in the new era, and then puts forward the prospects for the future development of civil and commercial law, with a view to making his own contribution to the study of civil and commercial law(Hong,2015).Chen Shaohua, from the process of China's social and economic development, discusses the current situation of the development of civil and commercial law, as well as the changes and reforms of civil and commercial law during this period, so as to better meet the needs of social and economic development(Chen,2012)Li Jing analyzed the content change and innovation of civil and commercial law in modern times from the academic perspective, and provided suggestions for the follow-up development of civil and commercial law(Li,2014)Similarly, moral education plays the same role in the process of social development. Through the analysis of contemporary adolescents, Zhang Xuxin puts forward the dilemma that college students encounter in moral education, and puts forward some suggestions for the development of adolescents in the follow-up study(Zang,2013).

### 1.2 Purpose of research

Civil and commercial law, as an important law and regulation in China's development process, regulates people's words and deeds in life. As a compulsory course for law students in Colleges and universities, civil and commercial law also plays an important role. After graduation, students can put forward their own suggestions and ideas for China's legal construction and help China improve its laws and regulations. Therefore, for students, learning civil and commercial law well is not conducive to their own development, but also conducive to the development of the national society(Fang,2016).At the same time, in the process of training students'basic knowledge, moral education can not be ignored. Students with knowledge but no morality will do great harm to society. Therefore, as the condiment of students'learning knowledge, moral education should also advocate students' learning these knowledge contents in an all-round way(Zhu,2016).Based on the concept of moral education, this paper summarizes the weakness of teachers, the tradition of teaching methods and modes, and the singleness of teaching concepts in the course of civil and commercial law in Colleges and universities, and puts forward some countermeasures for

improving the current teaching of civil and commercial law.

## **2. The Intension and Status of Civil and Commercial Law**

Civil and commercial law is a large collection of law majors, including civil law, intellectual property law, commercial law and social law of marriage and family. It is a compulsory course for law majors. Students can choose their major according to their interest direction. The content of jurisprudence is extensive and profound, and it needs constant research and exploration to contribute to its own development and to the development of the country(Li,2013).

Civil law, as a basic law, is mainly used in China's market economy, and plays a vital role in China's legal construction and market economy development. Civil law pays attention to the security in the process of market transaction, including the general theory of civil law, contract law, tort law and other legal fields. Civil law also involves family and social aspects, which can be summarized as family law and social law. Family law mainly involves marriage, inheritance and other fields, while social law tends to labor and social security.

The main research direction of business law is education, teaching and related scientific research in various disciplines. Secondly, the legal content of commercial law includes the general introduction of commercial law, securities law, insurance law and so on, which are related to enterprises and departments. Commercial law is a special law, which pays attention to the content of efficiency and is closely related to the theory of civil law. At the same time, commercial law has been identified as the main subject of the national key liberal arts base, which has comprehensive advantages in all aspects.

Since the legislation of civil law, the contents of various aspects have attracted the attention of the state, and play an important role in promoting the economy. With the development of the times, the reform process of civil law has been accelerating. First of all, the legislation has taken shape. The formulation and perfection of various laws in China have promoted the gradual formation of a system of civil law, which embodies the requirements of the new era in dealing with market economy in China. Secondly, the demand of civil law for market economy can be better feedback. Thirdly, at the level of legal protection, the protection of civil law is also increasing. In addition to the basic civil rights, there are clear provisions for the various responsibilities that arise. Therefore, when students study civil law, they will have a very comprehensive system, which can better understand the degree of legal perfection in China at this stage.

Commercial law came into being in the 1970s, when business developed rapidly. Therefore, commercial law is younger than civil law, and it is in the stage of continuous development. This also means that the future commercial law has a great space for development. Because of the close relationship between commercial law and civil law, civil law and commercial law are commonly known as civil and commercial law, which is also the main system that China vigorously develops and implements at this stage. Commercial law started late, and its system and content need to be improved. Therefore, students will inevitably encounter some incomprehensible content in the process of learning commercial law. They need to study law hard and practice actively to help Chinese commercial law improve and develop continuously.

## **3. Problems in the Teaching of Civil and Commercial Law**

### **3.1 Weak professional teachers**

Civil and commercial law, as a comprehensive subject, contains more content knowledge, less teachers specializing in teaching a law, and students can not fully understand the detailed connotation of each law in the process of learning. In addition, as a basic law, civil law covers a wide range. Most teachers who really understand civil law concentrate on government organs and key law schools, which leads to the poor quality of teachers in other colleges and universities, and students can not really experience the charm of civil law itself. Civil law has a relatively small number of postgraduates and a small number of doctoral degrees because of its high difficulty. Most

colleges and universities are unable to recruit qualified civil law teachers, and the desire for talents has reached the extreme, which also makes the teachers of colleges and universities insufficient, and the students of law face the embarrassing situation of lacking teachers. In addition, the commercial law started late, and the number of researchers is scarce. The system of commercial law is not perfect enough, so the teaching content can only be selected as a mature professor. Therefore, there are fewer teachers in business law, less comprehensive research fields, and students can not learn the essence of business law.

### **3.2 Backward teaching methods and modes**

At present, most colleges and universities are limited to the traditional mode of teaching. Teachers give lectures in class and students take notes below. The result is that the teachers' teaching tasks are completed and the students' knowledge is very little. In the new era, the demand for talents is constantly increasing. Talents of high-quality and compound application are repeatedly mentioned. However, the current teaching methods and models are backward, students learn less knowledge, and they are unable to cultivate students' ability to innovate and start businesses. Teachers can not wait for feedback on the content of teaching, nor update their own teaching methods. Students' enthusiasm is reduced, their interest is reduced, and their personalized requirements can not be met. Student learning has become a forced type.

### **3.3 There are deviations in teaching concepts**

Having a good teaching concept can help colleges and universities focus on the cultivation of talents and meet the standards of social talents. At present, there are some deviations in the teaching concepts of most colleges and universities, which pay too much attention to the theoretical curriculum guidance of students and neglect the practical requirements of students. In the course of teaching, teachers also tend to single theoretical teaching, and students only receive basic boring theoretical knowledge. At present, the demand of society for talents is applied and compound practical talents. The theoretical knowledge talents can not meet the current social progress requirements.

### **3.4 The integration of moral education and civil and commercial law is not high**

Moral education focuses on cultivating students' basic moral quality, cultivating moral feelings, establishing moral beliefs and cultivating moral habits. University is the best place for students to learn knowledge, and it is also the best time for students to cultivate their outlook on life and values. Students' legal knowledge content and consciousness are poorly trained, and moral education is neglected, which leads to the rising rate of students' crime. Not only that, teachers in the teaching process, the inertia of teaching students textbook content, but neglected the cultivation of students' moral quality, as well as examples of proof. Students do not understand knowledge, and there is no other content of learning, not only useless to society, but also enhance the harm to society. It emphasizes the study of students only, but not the moral content. As a result, people without morality will become more knowledgeable and do more evil. The more vulnerable they are to the loopholes of the law, the more harmful they will be to society.

## **4. Teaching Reform of Civil and Commercial Law under Moral Education**

### **4.1 Speeding up the construction of high quality teachers team**

Colleges and universities should speed up the construction of high-quality teachers team to ensure the adequacy of teachers. First of all, colleges and universities should constantly cultivate high-quality knowledge talents with ethical and moral literacy. To ensure that students become teachers in the latter stage after better guidance for students, to create a good teaching environment for students. Secondly, schools should train and train teachers' teams strictly. Schools should often organize relevant teacher course competitions to promote the quality of teachers' teaching and ensure high-quality teaching. Moreover, schools should regularly organize teachers to study outside, learn the teaching methods of other excellent teachers, and learn the essence of legal professionals

at other levels. Thirdly, universities should also set up incentive mechanism to give material or spiritual incentives to excellent teachers who students like, so as to improve teachers' teaching enthusiasm.

#### **4.2 Innovative teaching methods and models**

The traditional teaching methods are mostly based on teachers' teaching and supplemented by students' listening. In view of the traditional teaching mode, colleges and universities should constantly innovate and reform the current education mode, to achieve student-led, teachers as the main body. Firstly, colleges and universities should actively advocate students' personality requirements. Teacher half of the course, students through this course do not know the content of knowledge for a course feedback, and then teachers and students discuss together, which not only increases the classroom activity, but also stimulates students' interest in law. Secondly, teachers should improve the efficiency of classroom teaching. On the one hand, students can find problems in time, leaving time for students to follow-up knowledge, on the other hand, it also promotes the emotions between teachers and students, so that learning is not boring, teachers also have vitality in teaching. Third, increase opportunities for practice. Teachers should not only cite more cases, but also take students to practice law in person. For example, mock courts, or on-site visits, etc., so that students can more vividly and vividly experience the charm of the law at close range.

#### **4.3 Reforming the teaching idea of civil and commercial law with the idea of moral education**

More than half of moral education achieves multi-sensory experience by means of practice, examples, or scenario simulation, so that learners can more vividly understand the content of moral knowledge. In view of this, colleges and universities can change their traditional teaching concepts and incorporate more updated teaching concepts. From teacher professor as the main body to teacher professor as the auxiliary, students' immersion experience as the main body, so that students can better learn what they want to learn. As well as to increase students to practice activities, and encourage students to participate in relevant competitions. Students practice more, naturally they will have a better understanding of what they have learned, and help them not understand the knowledge can better answer. With more students participating in relevant competitions, students not only know where their knowledge weaknesses are, but also teachers can provide better answers. Law is a major subject. Student learning can not only promote the perfection of national law, but also help the prosperity and development of the country.

#### **4.4 Cooperative innovation of moral education and civil and commercial law**

Moral education is a good promotion to the development of students, helping students avoid being poisoned by violations of social laws. Therefore, colleges and universities require teachers to advocate moral knowledge when teaching civil and commercial law. In the course of teaching, teachers can put the idea of moral education into civil and commercial law through case study. Students also absorb the idea of moral education when they study knowledge. Moreover, merging moral education concepts and civil and commercial law will not enable students to absorb knowledge better. Teachers should change their teaching style, play around the classroom, integrate the new teaching mode of the times into it, and make friends with students so that knowledge can be better disseminated in an active atmosphere.

### **5. Conclusion**

As an important part of current social development, civil and commercial law plays an important role in China's development process. At present, there are some problems in the teaching of civil and commercial law in most colleges and universities. Students learn little knowledge, and the concept of moral education is ignored by most colleges and universities. After graduation, students have no knowledge available and find it difficult to obtain employment, which leads to an increase in unemployment rate and a decrease in social security. Therefore, colleges and universities should speed up the construction of teachers' team and innovate teaching mode. We should reform the

educational concept, innovate moral education and civil and commercial law synergistically, cultivate social talents with both morality and knowledge, and make contributions to China's law.

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