



# Research on ideological and political education in legal course: a case study on the curriculum design of *Practice of Civil Procedure and Arbitration* in Shenzhen Polytechnic

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**Abstract:** In China's higher education, especially in higher vocational education, ideological and political education should be integrated into professional curriculum education, and both should be equally valued. Since the standard and requirement of ideological and political education have changed radically in the new era, the teaching staff are required to possess both political and professional literacy. In order to achieve the integration goal and meet the needs of long-term development in higher vocational education, theoretical knowledge, practice experience and international view are required. This article will demonstrate the introduction of ideological and political education in the curriculum design of *Practice of Civil Procedure and Arbitration*, and discuss the methodology of integrating ideological and political education with professional courses.

**Key words:** socialism with Chinese characteristics; ideological and political education; legal professional education; higher vocational education; the curriculum design; integration

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## 1 The background and problem

For Chinese higher education, ideological and political education is not only a political task, but also an important part of building advanced socialist culture, cultivating modern talents and promoting the healthy development of Chinese education [1]. The professional characteristics of college education determine that college students not only need to master basic professional knowledge, but also must strengthen a good sense of social responsibility and moral spirit. The Department of Ideological and Political Work of Ministry of Education in China pointed out in the *Implementation of the Spirit of the National Conference on Ideological and Political Work in Colleges and Universities* that since the 18th National Congress of the Communist Party of China (CPC), the situation in the field of ideology has undergone an overall and fundamental change [2]. The cultural confidence of the whole Party and people of all ethnic groups in China has increased significantly, and the whole social cohesion has greatly increased. Among these, ideological and political work in colleges and universities has made positive contributions to the overall situation of the Party and the country.

It has also been pointed out at the 20th National Congress of the CPC that China has ushered in a new era of socialism with Chinese characteristics. Education, science and technology, and human resources are the foundational and strategic pillars for building a modern socialist country in all respects. In such a new era, great changes have not only greatly

improved people's living conditions, but also impacted people's spiritual and ideological life. Especially for teenagers and students at higher educational level, conflict of values has become more common among them. Therefore, the importance of ideological and political education in higher education is becoming more prominent than ever. The Congress also pointed out that the comprehensive advancement of law-based governance has been a profound revolution in China's governance. The law students, as the future and safeguard measure of law-based governance, should be well educated through both professional curriculum education and ideological and political education.

Founded in 1993, Shenzhen Polytechnic (SZPT) is one of the first colleges in China to independently organize higher vocational and technical education. Its legal affairs department relies on the first legal professional auxiliary talents training base in China to cultivate compound innovative legal auxiliary talents for judicial organs, arbitration institutions, grassroots legal service institutions, street communities and others. Since most students directly enter the grassroots level after graduation, their performance in judicial field and legal affairs would be, in most circumstances, the first impression of the law-based governance. Therefore, in addition to professional skills, cultivating excellent political and ideological quality has a profound significance to law students of SZPT, because it will also strengthen people's confidence and comprehension in the construction of law-based governance in China and demonstrate the achievement of such construction.

The authors of this work undertook the teaching of *Practice of Civil Procedure and Arbitration* (or "the module") in the second semester of 2021-2022. In order to meet the needs of legal talent training and social needs of law students of SZPT in the new era, in addition to ordinary contents of the module, the authors have made a deep thinking on the ideological and political education in the process of module preparation. The authors hope to demonstrate the methodology of ideological and political education in practical teaching activities, and initiate a discussion with industry peers on the effectiveness and necessities of ideological and political education in the module and other legal courses.

## **2 Characteristics of *Practice of Civil Procedure and Arbitration***

As the Latin proverb says, "Ubi jus, ibi remedium (where there is a right, there is a remedy)", it is also reasonable to argue that the way to realize remedies share the same importance with substantive right. Through the study and practice of the civil procedure law, students will more specifically understand "how the remedy will be legitimately sought, and how their civil rights are protected and performed in real cases". Therefore, it can be concluded that civil procedure law is closely related to people's daily life and vital interests, and teaching the module will have a significant influence on the construction and long-term development of law-based governance.

It is widely accepted by many experts and scholars that civil procedure law is a formidable subject. In Japan, civil procedure law is even known as "NE MU RI (which means an element which makes people sleepy)" or "hypnosis lawsuit" [3]. While in contrast, many students share the view that civil procedure law will become a self-taught subject when they start their legal practice, which means the knowledge of civil procedure law can be acquired mainly from daily works instead of classroom. However, as one of the authors is a practicing lawyer, the civil procedure law, especially the fundamental legal theory and principles of this discipline, is not only important for cases resolution in practice, but also difficult to master without professional teaching in school.

Therefore, the authors hold the view that civil procedure law, as an important compulsory subject for law students in higher education level, has the characteristics of both challenges and opportunities when integrating the elements of ideological and political education: on the one hand, as mentioned by experts and academics, civil procedure law is a formidable and practical subject with complex content and complicated theory. Without the guidance of scientific theoretical basis and actual cases, it is difficult to achieve the objectives of the module and attract students' attention by

idly general values preaching. To make matters worse, those preachings will even devastate the students' interest in the module itself, which is counterproductive to the goal of integrating ideological and political education into professional study [4].

On the other hand, as the Procedure Law most closely related to daily life, if the legal provisions are interpreted and the actual cases are analyzed in a correct way, the classroom of civil procedure law will become more real and vivid, which will also make non-professionals without legal background feel the practical impact and importance of civil procedure law on their rights and obligations. Based on the facts above and the characteristic of the subject, the authors believe that there is sufficient space for the integration of ideological and political education, since both professional study and ideological and political education can be well furnished by the wealth of practical experience and real case study [5]. As an ancient Chinese poem goes "good rain moistens things softly and silently", the authors hold the point that compared with the deliberate combination, a natural integration will be more acceptable and impressive [6].

Accordingly, to integrate ideological and political education with professional curriculum education, scientificity accuracy, flexibility, comprehensiveness and appropriateness are the key elements which teachers need to consider deeply when designing and formulating modules.

### 3 The curriculum design

This article will then introduce the actual exploration, preparation, practice and feedback of the integration of ideological and political education in the teaching process of *Civil Procedure Law and Arbitration*. Due to the length, the authors select the first half of the semester (eight weeks) to provide examples and ideas. In order to better understand this module, the complete syllabus is briefly shown as Table 1.

Table 1. Syllabus design of the course

Time	Topic	Teaching Hour
The First Half of the Semester	Civil Disputes Resolution and Civil Procedure Law	6
	Lawsuits and Litigation Rights	4
	Basic Principles in Civil Procedure Law	4
	Basic Systems in Civil Procedure Law	4
	Jurisdiction	6
The Second Half of the Semester	Parties in Legal Action	6
	Proof	6
	Evidence	4
	Procedure at First Instance	8
	Procedure at Second Instance	4
	Procedure for Trial Supervision	8
	Revision, Q&A before exam	4
	Examination	N/A
In Total		64

### 3.1 Civil disputes resolution and civil procedure law

The professional teaching content of this section is to introduce the objectives of legal adjustment and different approaches of civil disputes resolutions, such as arbitration, mediation and settlement, and compare the different effects of these approaches. As to the integration of ideological and political education, considering the fact that students have completed the courses on the other two procedure laws, the authors chose the key elements of "fair and equality", which will also be introduced and discussed in the topic of basic principles of civil procedure law.

### 3.2 Lawsuits and litigation rights

The main content of this section is the classification and constituent elements of the civil litigation, as well as the "title to sue" for the legitimate exercise of the right to seek for civil remedy. The author's experience of legal practice as a lawyer can help students understand the importance of "title to sue", because it is one of fundamental rights of civil entities. In addition, the authors plan to make integration through the attitude held by Chinese courts and their recent developments towards the famous (or "notorious") anti-suit injunction in English law.

### 3.3 Basic principles and systems in the civil procedure law

These two topics are about the basic principles [7] and basic systems [8] in civil procedure law. From the perspective of basic principles, the authors focus on the principle of good faith because it is a natural approach for the integration; while from the perspective of basic systems, the integration can be made through the open trial system, in combination with the online litigation system stated in the latest revision of the civil procedure law [9]. The basic principle of good faith derives from Article 13 of civil procedure law, which stipulates that Civil Lawsuits shall follow the principles of good faith. It is worth noting that the requirement of good faith shall apply to every entity concerned in the civil litigation, including participants in civil proceedings (litigants and agents ad litem), judges, court clerks, interpreters, expert witnesses and inspectors.

### 3.4 Jurisdiction

The teaching staff should carefully consider how to integrate ideological and political education due to the difficulty of this section, and the authors plan to focus on case study in the curriculum design.

## **4 Conclusion and outlook**

It is axiomatic that the teaching staff shall take heavy responsibilities to integrate ideological and political education with professional knowledge. The authors should also hold the point that as a teacher of law, he or she should have faith in socialism with Chinese characteristics in the new era, and become an expert believer, active disseminator and model practitioner of Marxist legal thought and the theory of socialist rule of law with Chinese characteristics. The authors will make further discussion along with the practical class feedback in the future.

### **Conflicts of interest**

The author declares no conflicts of interest regarding the publication of this paper.

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- [8] Collegiate bench, recusal, open trial and trial of second instance being final, Art. 10. Civil Procedure Law of the PRC (Amended in 2021).
- [9] Upon consent of the parties concerned, civil litigation activities may be carried out online through information network platforms. Civil litigation activities carried out online through information network platforms shall have the same legal effect as offline litigation activities. Art.16. Civil Procedure Law of the PRC (Amended in 2021).