

Original Paper

Analysis on the Construction Path of “Golden Course” of
International Commercial Law in International Trade Major
from the New Liberal Arts Perspective

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Abstract

Under the background of “new liberal arts”, curriculum innovation and development become an important way to improve the quality of talent training. Therefore, the construction of “golden course” as a breakthrough is the focus of talent training and professional development in undergraduate colleges. Based on the analysis of the necessity of constructing the “golden course” of International Commercial Law in international trade major from the perspective of new liberal arts and the existing problems in course construction, this paper constructs the “five-in-one” teaching mode of “Golden Course” of International Commercial Law in international trade major by combining the teaching idea of “pre-class + after-class + in-class”, and explores the cultivation path of foreign trade law compound talents. To cultivate high-quality practical foreign trade talents who meet the needs of the construction of a trade power and the development of the country and society.

Keywords

new liberal arts, International Commercial Law, “five-in-one”, construction of “golden lessons”

1. Introduction

On March 2, 2021, the Ministry of Education issued the Notice of the General Office of the Ministry of Education on Recommending New Liberal Arts Research and Reform Practice Projects. In the new liberal arts research and reform practice project guide, the requirements for the construction practice of new liberal arts in the field of economic and management law are as follows: to meet the needs of new economic forms, new lifestyles and new operation modes brought by the new scientific and

technological revolution, and to comprehensively use big data, artificial intelligence and other information technologies to upgrade and transform the concept, mode, content and means of talent training of economic and management law major. We should tap the great practice of China's reform, opening up and modernization, build a social science theory system with Chinese characteristics, build high-quality teaching resources and content, adhere to the guidance of improving students' ability to solve practical problems, strengthen the practicality and application of the curriculum system, and accelerate the training of economic management law talents with strong localization awareness and international vision. We should strengthen interdisciplinary integration and cross-border integration, and cultivate new growth points of disciplines.

The core of the construction of new liberal arts in the field of economic management law is to base on the new era and meet the new needs of the development of The Times, promote the integration, modernization, Sinicization and internationalization of education in the field of economic management law, and lead the new development of humanities and social sciences in the field of economic management law. In this context, it is an important research topic that needs to be explored to further promote the construction of the gold course of International Commercial Law in international trade major, effectively improve the teaching level and quality of international trade major, and cultivate foreign trade talents with innovative consciousness, compound professional knowledge background, and consistent with the development needs of new modes and formats of foreign trade.

2. The Necessity of Constructing “Golden Course” of International Commercial Law in International Trade Major under the New Liberal Arts Perspective

The construction of new liberal arts has become an urgent need for the cultivation of national talents and the connotative development of disciplines, as well as the high-quality development of economy and society and the establishment of high-level universities. This paper combines the characteristics of international trade major with the needs of the development of the new pattern and business form of our country's foreign trade, and analyzes the necessity of the construction of “golden course” of International Commercial Law for International Trade major from the perspective of new liberal arts.

2.1 The Need to Deepen the Development and Opening up to the Outside World and Accelerate the Construction of a Trade Power

Foreign trade is a booster for China to optimize the allocation of resources in the face of the world, build a new development pattern of domestic and international double circulation, and promote the growth and development of national economy. The report to the 20th CPC National Congress pointed out that we should “promote a high level of opening-up”, “promote the optimization and upgrading of goods trade, innovate the development mechanism of service trade, develop digital trade, and accelerate the building of a trading power”. It is an inevitable choice to strengthen our country's international competitiveness and promote our country's international economic status to build a trade power. The construction of trade power needs high quality foreign trade talents as support.

2.2 The Internal Needs of the Development of New Liberal Arts

The characteristic of the construction of “new liberal arts” is to eliminate the “water course” and create “golden course”, so as to promote the comprehensive innovation and development of teaching content, curriculum system, teaching methods, teaching means and practical teaching. “International Commercial Law” is the core course of international trade major, its teaching objectives, teaching content and so on directly affect the quality of international trade personnel training. The construction of the “golden course” of International Commercial Law in international Trade major, the innovative development of the teaching concept and teaching method of the course, and the improvement of the quality of talent training in international trade major are highly consistent with the internal requirements of the development of new liberal arts.

2.3 The Need for the Development of New Modes and Forms of Foreign Trade

In August 2021, The General Office of the State Council issued the Opinions on Accelerating the Development of New Forms and Models of Foreign Trade. Six new models and forms of foreign trade development are highlighted, including cross-border e-commerce, market procurement, comprehensive foreign trade service enterprises, bonded maintenance, offshore trade and overseas warehouse. Therefore, the training of international trade talents needs to be guided by the demand of foreign trade talents, and cultivate high-quality compound and practical foreign trade talents in line with the development of new modes and forms of foreign trade.

2.4 “International Commercial Law” Course Construction Needs

International Commercial Law is the core course of international trade major, including commercial organization law, international commercial contract law, international goods sale law, international goods transport law, international goods transport insurance law, negotiable instruments law, international commercial arbitration law and other contents, the development of new modes and forms of foreign trade. The foreign trade talents in the field of e-commerce law, tax law and other compound knowledge requirements to further enhance. Under the background of the development of new modes and forms of foreign trade and the construction of a trade power, the “golden course” of International Commercial Law for international trade major is created. It can improve the difficulty and quality of classroom teaching, and help enhance students’ ability to analyze and solve legal problems in foreign trade practice with the theoretical knowledge they have learned. It can improve the comprehensive quality of foreign trade personnel training, and cultivate the applied and skilled foreign trade talents in line with the development of the new pattern and new business form of our country’s foreign trade.

3. The Problems Existing in the Course Construction of International Commercial Law in International Trade Specialty under the New Liberal Arts Perspective

The author of this article has been teaching the course of International Commercial Law for international trade major for a long time, incorporating practical teaching methods such as simulated arbitration, case discussion and group study into teaching activities. In order to meet the market

demand for foreign trade talents, the teaching content and teaching methods are constantly reformed and innovated. The main problems existing in the course construction of International Commercial Law for international Trade major are summarized as follows:

3.1 Difficulties in Transforming Theoretical Knowledge into Practical Application

In the talent training program of international trade major, the main courses are the theoretical knowledge and practical skills related to foreign trade. The main legal courses are International Commercial Law, and other legal courses are basically absent. In addition, the classroom teaching of International Commercial Law in international Trade specialty is mainly teacher-led theoretical teaching. However, in the practice of foreign trade, students need to use the theoretical knowledge they have learned to analyze and solve problems. This makes the existing foreign trade personnel training, students use theoretical knowledge to deal with foreign trade risk prevention and control, solve foreign trade disputes and other practical problems are lack of ability.

3.2 The Single Problem of Practical Teaching Mode

In terms of the cultivation of practical skills, international trade students mainly focus on the improvement of skills in international trade practice. In the teaching process of International Commercial Law, the teaching method is mainly to explain the theory by teachers combined with cases. As a result, students have less contact with the settlement of international trade disputes, and the practical teaching mode in teaching is relatively single. With the promotion of China's "Belt and Road" initiative, China's status in international economic activities is becoming more and more important, and the demand for foreign legal talents will also increase greatly. The training of foreign trade talents should not only have rich theoretical knowledge of international trade, but also be able to skillfully use the theoretical knowledge learned, and solve various disputes in foreign economic activities through reconciliation, mediation, litigation, arbitration and other ways.

3.3 The Problem That Textbooks Do Not Update Laws and Regulations and International Practices in Time

The economic and social environment at home and abroad is constantly developing and changing, and the laws and international business practices as the code of conduct of international economic activities are also in a state of constant change and revision. The timeliness of international economic activities is very strong, and it is necessary to use the latest domestic and foreign laws and regulations, international practices and so on to solve the relevant problems. However, there is a lag in updating the content of International Commercial Law textbooks. For the cutting-edge contents such as laws and regulations related to international trade and newly revised international practices, the textbooks are not updated in time, and are disconnected from the updated laws, regulations and business practices. Therefore, in the course of International Commercial Law of International Trade major, special lectures and other forms are adopted to supplement the explanation of the latest laws and regulations and international commercial practices in the field of international business.

3.4 Weak Awareness of Safeguarding Rights in International Economic Activities

During the study period, students majoring in international trade have little understanding of cases in actual international economic activities, domestic and foreign legal and regulatory systems, and international trade practices. This is an important reason why students have weak awareness of rights protection after engaging in foreign trade in the future, and also has a certain negative impact on the internationalization development of Chinese enterprises. For example, in the field of intellectual property law, trademarks are important intellectual property rights of enterprises and also the “passport” for enterprises to enter the international market. However, many domestic enterprises neglect trademark registration in domestic and foreign markets due to weak trademark awareness in the initial stage of moving towards the international market. As a result, the trademarks of many well-known enterprises have been registered abroad by others, which has caused huge losses for Chinese enterprises to explore overseas markets.

4. Analysis on the construction of “Golden Course” of International Commercial Law in International Trade major from the New Liberal Arts Perspective

4.1 The Combination of “before Class + after Class + in Class” Can Enhance Students’ Autonomous Learning Ability

The teaching ideas of “Golden Course” construction of “International Commercial Law” in international Trade major from the perspective of new liberal arts are as follows: Before class, case materials, legal documents, laws and regulations, international conventions and other materials should be sent to students in advance for study; In the class, the practical teaching mode of “simulated arbitration + online court + special lecture + enterprise practice + case discussion” is used for classroom teaching; After class, students will strengthen and consolidate their learning through exercises and case materials, and take students to practice in law firms or enterprises. Through the combination of “before class + during class + after class”, the “student-centered” learning mode of “International Commercial Law” is constructed to fully mobilize the enthusiasm and initiative of students to participate in learning, appropriately increase the burden of students, enhance the ability of students to solve problems, find and solve problems, and comprehensively improve the comprehensive quality of foreign trade talents.

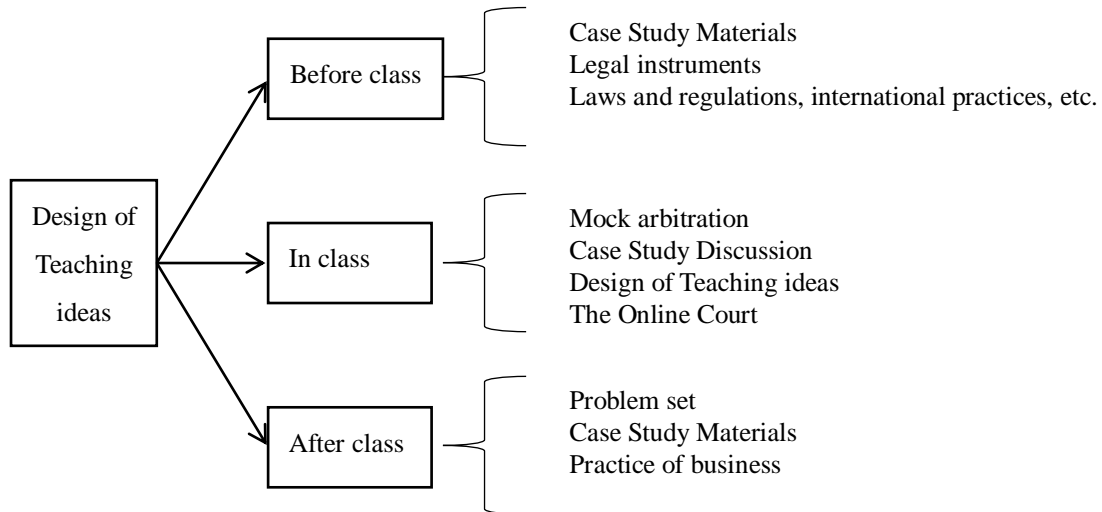


Figure 1. Teaching Idea Design of “Golden Course” of International Commercial Law in International Trade Major

4.2 The Practical “Golden Course” Teaching Mode of “Five-in-One” Cultivates Innovative Practical Skills Talents

This paper constructs the design of practical teaching mode of “five-in-one” (including: simulated arbitration + online court + special lecture + enterprise practice + case discussion) of “International Commercial Law” course for international trade major. Through law firms and enterprises, more practical cases are introduced into classroom teaching activities. Guide students to learn independently, stimulate students’ interest in learning, and improve students’ ability to solve problems.

The “Five-in-one” course of International Commercial Law for International Trade major is as follows: One is to simulate the arbitration model. In international economic activities, dispute resolution methods mainly include mediation, reconciliation, arbitration and litigation, among which arbitration is the most important way to resolve international commercial disputes. Through the simulation of arbitration, under the guidance of teachers, students play different roles such as arbitrator, complainant, complainant and their agent in specific case situations, so that students can fully understand the stages, steps and links of international commercial arbitration, and gradually develop the ability to analyze and solve international commercial disputes.

The second is the online court model. In the era of “Internet plus”, part of court trial activities are conducted through online live trial, which makes the teaching method of International Commercial Law can also be turned to “online court”. By connecting pragmatic information resources such as court trial into the classroom through live trial, students can understand all aspects of court trial activities to the maximum extent. In the teaching activities of “online court”, we can fully refer to the court activities related to international commercial disputes published on the Internet in China and introduce them into the classroom teaching.

Third, special lecture mode. In the special lecture, it is mainly used to solve the new problem after the teaching material is available. Therefore, special lectures should be fully combined with domestic and foreign commercial laws and regulations, the latest trends of international practices, new models and forms of foreign trade and changes in domestic and foreign economic development, etc., to carry out lectures related to foreign investment law, RCEP, pilot free trade zone, e-commerce law and other frontier issues. The curriculum construction is closely linked with the national strategy, the new requirements of regional economic development, and the new changes in the international economic situation, so that students can understand and master the latest trends of international economic activities during school, in order to adapt to the development and changes of domestic and foreign markets faster after graduation.

Fourth, the enterprise practice mode. Deepen the cooperation between the university and enterprises, law firms, arbitration institutions, etc. By taking students to visit and study in practical departments, more legal personnel with practical work experience will share and explain to students how to strengthen risk prevention and control in foreign economic activities and solve foreign disputes, so as to provide more space for students majoring in international trade to improve their foreign legal practice skills.

Fifth, case discussion mode. Case discussion is an important mode of classroom practical teaching of "International Commercial Law". By introducing various cases in international economic activities into classroom teaching, students are guided to independently explore and solve problems, combine theory with practice, and conduct legal logic demonstration on cases, so as to improve the legal thinking mode and practical skills of students majoring in international trade in international economic activities.

4.3 Emphasis Should Be Placed on the Construction of Cross-Curriculum of Science Courses in International Trade Major

Under the background of building a trade power, the development of new modes and forms of foreign trade, and the new liberal arts, it is one of the goals of foreign trade talent training to cultivate high-quality foreign trade talents, and to improve the training quality of outsiders' talents through the cross-integration and innovation of international trade and other disciplines. In terms of professional knowledge background, courses closely related to the development of foreign trade include foreign language, law and other professional knowledge. The trans-professional implementation background and compound thinking mode of interdisciplinary foreign trade talents are highly in line with the market demand for foreign trade talents. Therefore, in the talent training of international trade major, we can provide a new perspective for the training of international trade talents through the cross-integration and optimization of knowledge systems of different disciplines. Breaking through the limitations of the existing curriculum system and curriculum content of international trade major, different professional directions can be started in international trade major, and innovative development of cross-professional and cross-curriculum system can be realized. In the interdisciplinary integration of international trade and law, "International Trade Law" and other directions can be set up. Based on

the basic theoretical knowledge of international trade, we set up courses related to international trade law to cultivate a group of compound and applied foreign trade legal talents.

4.4 To Laws and Regulations and Professional Ethics as the Guidance, in-depth Construction of Moral Education Practice Courses

In the construction of the “Golden Course” of International Commercial Law for International Trade major, laws and regulations, international practices, etc., are integrated with industrial norms and professional ethics. Improve students’ legal literacy and awareness of safeguarding rights, enhance the ideological and moral level of foreign trade talents, and help foreign trade talents form a correct world outlook, outlook on life and values. The socialist core values should be integrated into the whole process of training international trade professionals, and the patriotic feelings and international vision of foreign trade talents should be enhanced, so as to better safeguard the economic interests of enterprises and the country in the process of global economic integration. To cultivate high quality foreign trade personnel with both political integrity and ability for the construction of socialist market economy.

4.5 Law Firms and Enterprises Jointly Build Practical Talent Training Bases

The practical department is an important place for the training of foreign legal talents. In the training of international trade talents under the background of the construction of new liberal arts, we should make full use of the resources of law firms, enterprises, arbitration institutions and other legal practical departments, and establish teaching practice bases with more practical departments related to foreign economic activities. Deepen teaching cooperation, and realize zero distance contact between students and law firms, enterprises, arbitration institutions and other pragmatic departments involved in foreign economic activities. The practical teaching of “International Commercial Law” is moved to the classroom, so that students can participate in foreign economic activities. This will help students to have more contact with the actual cases of foreign economic activities, so as to improve the ability of international trade talents to analyze foreign economic activities with legal thinking.

4.6 Cultivate High Quality Foreign Trade Talents in Line with the Construction of Trade Power

The latest international commercial laws and regulations and international commercial practices at home and abroad are introduced into the classroom teaching through special lectures. Let students understand the latest trends of laws and regulations in the field of international economy during school, so that the training of international trade professionals is consistent with the trend of domestic and foreign economic development, and improve the training quality of foreign trade talents. Graduates will be able to better serve the construction of trade power after entering the job, and contribute to the regional economic development of Guangxi, such as building an opening and cooperation highland facing the “Belt and Road” of ASEAN, building an important node hub of domestic and international double circulation, docking RCEP rules and deepening the construction of Guangxi Pilot Free Trade Zone.

5. Conclusion

Based on the new liberal arts concept and standard, this paper constructs the “golden course” of International Commercial Law for international trade major. Reform and innovation of teaching methods and teaching contents should be carried out to make the training of international trade professionals consistent with the construction of trade power, the development of new modes and forms of foreign trade and the construction of new liberal arts. Based on the teaching design idea of “before class + after class + in class”, this paper constructs a practical teaching mode of “five-in-one” (including: simulated arbitration + online court + special lecture + enterprise practice + case discussion). Taking students as the center, we should strengthen the close combination of classroom and practice, theory and practice, and help students master the skills of risk prevention and control and dispute resolution in foreign trade while learning theoretical knowledge well. Through the construction of “golden course” of “International Commercial Law” in international Trade major under the new liberal arts perspective, the teaching quality of “International Commercial Law” can be effectively improved. It provides a reference for further improving the training program of compound applied foreign trade talents, deepening the reform of the curriculum system of international trade major, improving the correlation between the major of international trade undergraduate graduates and employment, and cultivating high-quality compound practical foreign trade talents.

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